

BY AUTHORITY OF CONGRESS.

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THE  
**Public Statutes at Large**  
OF THE  
**UNITED STATES OF AMERICA,**

FROM THE

ORGANIZATION OF THE GOVERNMENT IN 1789, TO MARCH 3, 1845.

**ARRANGED IN CHRONOLOGICAL ORDER.**

WITH

REFERENCES TO THE MATTER OF EACH ACT AND TO THE SUBSEQUENT ACTS  
ON THE SAME SUBJECT,

AND

**COPIOUS NOTES OF THE DECISIONS**

OF THE

**Courts of the United States**

CONSTRUING THOSE ACTS, AND UPON THE SUBJECTS OF THE LAWS.

WITH AN

**INDEX TO THE CONTENTS OF EACH VOLUME,**

AND A

**FULL GENERAL INDEX TO THE WHOLE WORK, IN THE CONCLUDING VOLUME.**

TOGETHER WITH

*The Declaration of Independence, the Articles of Confederation, and  
the Constitution of the United States;*

AND ALSO,

*TABLES, IN THE LAST VOLUME, CONTAINING LISTS OF THE ACTS RELATING TO THE JUDICIARY,  
IMPOSTS AND TONNAGE, THE PUBLIC LANDS, ETC.*

EDITED BY

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VOL. IV.

BOSTON:

**CHARLES C. LITTLE AND JAMES BROWN.**

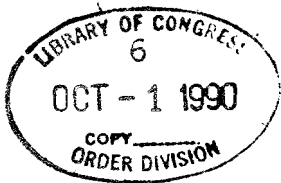
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3<sup>d</sup> Set

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OF THE

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CONTAINED IN VOLUME FOURTH.

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THE  
LAWS OF THE UNITED STATES.

ACTS OF THE EIGHTEENTH CONGRESS

OF THE

UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday the first day of December, 1823, and ended on the twenty-sixth day of May, 1824.*

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States, and President of the Senate; JOHN GAILLARD, President of the Senate, pro tempore; HENRY CLAY, Speaker of the House of Representatives.

STATUTE I.

CHAP. II.—*An Act authorizing the Secretary of the Treasury to furnish, for the use of the territory of Arkansas, an abstract of the military bounty lands, lying within the same.*

Jan. 1, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it shall be the duty of the Secretary of the Treasury, to cause a complete abstract to be made out and transmitted, for the use of the territory of Arkansas, to the governor of said territory, of all the military bounty lands, which have been patented to the soldiers of the late army, or to their legal representatives, lying within the same, designating the tract, the name of the patentee, and the time when issued.

An abstract to be made out of military bounty lands for the territory of Arkansas.

APPROVED, January 1, 1824.

STATUTE I.

CHAP. III.—*An Act supplementary to the act, entitled "An act for the relief of persons imprisoned for debt."*

Jan. 7, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the oath prescribed by the act, entitled "An act for the relief of persons imprisoned for debt," passed on the sixth day of January, Anno Domini one thousand eight hundred, may be, in all cases, administered to the person entitled to take the same, either by any judge of the Supreme Court of the United States, or by the district judge for the district within which such person may be, or by any person or persons commissioned by any judge of the Supreme Court, or the said district judge, for that purpose.

Act of June 6, 1798, ch. 49.

Act of Jan. 6, 1800, ch. 4.

Act of April 22, 1824, ch. 39.

The oath prescribed by the act of Jan. 6, 1800, to be administered by, &c.

APPROVED, January 7, 1824.

VOL. IV.—I

A

I

STATUTE I.  
Jan. 7, 1824.

The several acts imposing discriminating duties of tonnage on foreign vessels, to be suspended as respects the kingdom of the Netherlands, &c.

Discriminating duties of impost on foreign vessels to be suspended, as respects the produce, &c., of the territories in Europe, of any of the mentioned nations.

This suspension to continue so long as the vessels of the United States and their cargoes shall be exempt from like discriminating duties in their ports.

CHAP. IV.—*An Act concerning discriminating duties of tonnage and impost.* (a)

*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 twenty-four, during the continuance of this act, and under the limitations hereinafter mentioned, so much of the several acts imposing duties on the tonnage of vessels in the ports of the United States, as imposes a discriminating duty between foreign vessels and vessels of the United States, is hereby suspended, so far as respects vessels truly and wholly belonging to subjects or citizens of the Kingdom of the Netherlands; of Prussia; of the Imperial Hanseatic cities of Hamburg, Lubeck, and Bremen; of the Dukedom of Oldenburg; of the Kingdom of Norway; of the Kingdom of Sardinia, and of the Empire of Russia.

SEC. 2. *And be it further enacted,* That so much of the several acts imposing duties on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty between goods imported into the United States in foreign vessels, and in vessels of the United States, be, and the same is hereby, suspended, so far as the same respects the produce or manufactures of the territories in Europe, of any of the above-mentioned nations, or such produce and manufactures as can only be, or most usually are, first shipped from a port or place in the said territories in Europe, of either of them, respectively, the same being imported in vessels truly and wholly belonging to the subjects or citizens of each of the said nations, respectively, the vessels of each nation importing its own produce and manufactures as aforesaid.

SEC. 3. *And be it further enacted,* That the suspension of the discriminating duties of tonnage and impost, in the two preceding sections of this act prescribed, shall continue, in behalf of each of the above-mentioned nations, on condition that, and so long as, the vessels of the United States, and truly wholly belonging to the citizens thereof, and all goods and merchandise, of the produce or manufacture of the United States, laden therein, and imported into any of the ports of the said nations in Europe, respectively, shall be exempted from all and every discriminating duty of impost or tonnage, direct or indirect, whatsoever,

(a) The acts relating to discriminating duties have been:

An act imposing duties on the tonnage of ships and vessels, July 20, 1790, ch. 30, sec. 3.

Act of July 1, 1812, ch. 112, sec. 3.

An act to regulate the duties on imports and tonnage, April 27, 1816, ch. 107, sec. 3.

Act of Jan. 14, 1817, ch. 3. Act of March 3, 1817, ch. 50.

An act concerning discriminating duties on tonnage and impost, Jan. 7, 1824, ch. 4.

An act to amend the several acts imposing duties on imports, May 22, 1824, ch. 136, sec. 2.

An act concerning tonnage and discriminating duties in certain cases, (obsolete,) April 20, 1818, ch. 110.

An act in addition to "An act concerning tonnage and discriminating duties in certain cases," (obsolete,) March 3, 1819, ch. 75.

An act to exempt Swedish and Norwegian vessels, and the merchandise imported therein from the payment of discriminating duties of tonnage and impost, for a limited time, and for other purposes, Feb. 22, 1827, ch. 21.

An act to equalize the duties on vessels of the Republic of Colombia, and their cargoes, April 20, 1826, ch. 26.

An act to refund certain duties paid upon vessels belonging to citizens of Hamburg, and their cargoes, March 2, 1827, ch. 45.

An act respecting discriminating duties upon Dutch and Belgian vessels and their cargoes, March 2, 1837, ch. 19.

An act in addition to an act entitled "An act concerning discriminating duties of tonnage and impost," and to equalize the duties on Prussian vessels and their cargoes, May 24, 1828, ch. 111.

An act to suspend the discriminating duties upon goods imported in vessels of Portugal, and to reduce the duties on wines, July 4, 1836, ch. 359.

An act giving effect to a commercial arrangement between the United States and the Republic of Colombia, May 19, 1832, ch. 79.

An act concerning tonnage duty on Spanish vessels, July 13, 1832, ch. 207.

An act relating to duties and drawbacks, Sept. 11, 1841, ch. 24, sec. 4.

An act to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes, Aug. 30, 1842, ch. 270, sec. 11.

For proclamations as to discriminating duties, issued under various acts, see Vol. 3, Appendix I. and post Appendix III.



other or higher than is levied upon the vessels and merchandise therein imported, belonging to the subjects or citizens of each of the said nations, respectively. But if, in any of the territories in Europe, of either of the said nations, any such discriminating duty shall, at any time, be imposed or levied on vessels wholly belonging to citizens of the United States, or on the merchandise imported as aforesaid in them, then, and from that time, the said suspension herein prescribed shall cease, and determine, so far as respects the vessels, and merchandise imported into the United States in them, of such nations: and all the provisions of the acts imposing discriminating foreign tonnage and impost duties in the United States, shall revive and be in full force, with regard to the said nation.

SEC. 4. *And be it further enacted*, That, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied within the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon merchandise, the produce or manufacture thereof, imported in the same, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the said nation, and the merchandise of its produce or manufacture, imported into the United States in the same: the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and merchandise as aforesaid, thereon laden, shall be continued, and no longer.

APPROVED, January 7, 1824.

The President to issue a proclamation of reciprocal exemption, on evidence of any foreign nation abolishing discriminating duties on vessels and goods of the United States.

CHAP. IX.—*An Act making a partial appropriation for the year one thousand eight hundred and twenty-four.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of two hundred and sixty-five thousand one hundred and forty dollars be, and the same is hereby, appropriated, for the compensation granted by law to the Senate and House of Representatives, and to the officers, clerks, and servants of both Houses of Congress, and for defraying the contingent expenses thereof; and that the same be paid out of any moneys in the treasury, not otherwise appropriated.

APPROVED, January 19, 1824.

STATUTE I.

Jan. 19, 1824.  
[Obsolete.]

Appropriation for the compensation of the Senate and House of Representatives.

CHAP. XI.—*An Act for the relief of certain distillers within the county of Berks, in the state of Pennsylvania.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and required to refund, out of any money in the Treasury, not otherwise appropriated, to the distillers of spirituous liquors within the county of Berks, in the state of Pennsylvania, who at any time since the first day of January, one thousand eight hundred and fourteen, have used stills made according to Henry Whitmer's improvement upon Anderson's condensing tub, and who have paid a duty upon the capacity of the globes of such stills, all such sums of money as they may have paid, respectively, as a duty on the capacity of the globes of their said stills.

APPROVED, January 19, 1824.

STATUTE I.

Jan. 19, 1824.  
[Obsolete.]

Secretary of the Treasury to refund to certain distillers, such duties as may have been paid by them, respectively, on certain stills.

## STATUTE I.

Jan. 22, 1824.

[Expired.]

Act of March 4, 1814, ch. 20. The term of half pay pensions, to the widows, &c. of officers, &c. who died in the public service, extended.

Act of March 3, 1817, ch. 60, repealed.

Proviso.

CHAP. XV.—*An Act further extending the term of half pay pensions to the widows and children of officers, seamen, and marines, who died in the public service.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in all cases where provision has been made by law for five years' half pay to the widows and children of officers, seamen, and marines, who were killed in battle, or who died in the naval service of the United States, during the late war; and, also, in all cases where provision has been made for extending the term for five years, in addition to the first term of five years, the said provision shall be further extended for an additional term of five years, to commence at the end of the second term of five years, in each case, respectively, making the provision equal to fifteen years' half pay; which shall be paid out of the fund heretofore provided by law; and the said pensions shall cease, for the causes mentioned in the laws providing the same respectively.

SEC. 2. *And be it further enacted,* That from and after the passing of this act, the act, entitled "An act to amend and explain an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," passed March the third, one thousand eight hundred and seventeen, be, and the same is hereby, repealed: *Provided, however,* That nothing in this act contained shall be construed to prevent the payment of any pension already granted, until the full expiration of the period thereof: nor to affect or impair the rights of any person or persons which may have accrued during the existence of the act hereby repealed, as aforesaid.

APPROVED, January 22, 1824.

## STATUTE I.

Jan. 22, 1824.

[Obsolete.]

Commissioners of sinking fund to purchase, during the year 1824, seven per cent. stock, to an amount not exceeding 8,610,000 dollars.

CHAP. XVI.—*An Act authorizing the commissioners of the sinking fund to purchase the seven per cent. stock of the United States, in the year one thousand eight hundred and twenty-four.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the commissioners of the sinking fund be, and they are hereby, authorized to purchase, during the year one thousand eight hundred and twenty-four, any stock of the United States, bearing an interest of seven per centum per annum, not exceeding the sum of eight millions six hundred and ten thousand dollars, upon such terms as they may think proper, not exceeding the following rates above the principal sum purchased, that is to say:

For all such stock as they may purchase before the first day of April next, at a rate not exceeding two dollars for every sum of one hundred dollars, in addition to the interest which would have accrued on that day upon the said stock:

For all such stock which they may purchase between the first day of April and the first day of July next, at a rate not exceeding seventy-five cents on every sum of one hundred dollars, in addition to the interest which would have accrued on the day last mentioned:

For all such stock which they may purchase between the first day of July and the first day of October next, at a rate not exceeding, on every sum of one hundred dollars, the amount of interest which would have accrued on the day last mentioned: and

For all such stock which they may purchase between the first day of October next, and the first day of January, one thousand eight hundred and twenty-five, at a rate not exceeding the principal and the interest which shall have accrued at the day of purchase.

The commissioners author-

SEC. 2. *And be it further enacted,* That the said commissioners are hereby authorized to make such purchases, under the foregoing restric-

tions, at such times and places as they may deem most expedient, out of any moneys in the treasury, heretofore appropriated for the redemption of the public debt, or out of any money in the treasury not otherwise appropriated.

APPROVED, January 22, 1824.

ized to make such purchases under certain restrictions.

STATUTE I.

Jan. 31, 1824.

CHAP. XVII.—*An Act to authorize the surveying and making a road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, a road from a point on the right bank of the river Mississippi, opposite to the town of Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas; and said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States: who, if he approves of the said survey, shall cause the plats thereof to be deposited in the office of the treasury of the United States, and the said road shall be considered as established and accepted.

Act of March 3, 1827, ch. 96.  
The President to appoint three commissioners to open a road from a point on the right bank of the Mississippi, opposite to the town of Memphis, to Little Rock, Arkansas.

SEC. 2. *And be it further enacted,* That the said road shall be opened and made under the direction of the President of the United States, who is hereby authorized to employ the troops of the United States in the completion, or assisting in the completion, of said road.

United States troops to complete the same.

SEC. 3. *And be it further enacted,* That the said commissioners shall, each, be entitled to receive three dollars, and their assistants one dollar and fifty cents, for each and every day which they shall be necessarily employed, in the exploring, surveying, and marking, said road: And, for the purpose of compensating the aforesaid commissioners and their assistants, and for opening and making said road, there shall be, and hereby is, appropriated, the sum of fifteen thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated.

Compensation to the commissioners, three dollars;— Assistants, one dollar fifty cents per day.

APPROVED, January 31, 1824.

STATUTE I.

Feb. 20, 1824.

CHAP. XX.—*An Act to revive and continue in force an act, entitled "An act fixing the compensations of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian."*

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That an act, passed the eighteenth of April, one thousand eight hundred and eighteen, entitled "An act fixing the compensations of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian," be, and the same is hereby, declared to be revived, and continued in force, until the first day of January, eighteen hundred and twenty-six.

Act of April 13, 1818, ch. 69.  
Compensations of the secretary of the Senate, and clerk of the House of Representatives, &c.

APPROVED, February 20, 1824.

STATUTE I.

Feb. 28, 1824.

CHAP. XXII.—*An Act to authorize the laying out and opening certain public roads in the territory of Florida.*

[Obsolete.]

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

A public road to be opened from Pensacola

to St. Augustine.

United States be, and he is hereby, authorized to cause to be opened, in the territory of Florida, a public road from Pensacola to St. Augustine, commencing at Deer Point, on the bay of Pensacola, and pursuing the Old Indian Trail to the Cow Ford, on the Choctawhatchy river; thence, direct to the natural bridge on the Ecanfinan river; thence, to the Ochesee Bluff, on the Appalachian river; thence, in the most direct practicable route, to the site of Fort St. Lewis; thence, as nearly as practicable, on the old Spanish road to St. Augustine, crossing the St. John's river at Picolata; which road shall be plainly and distinctly marked, and shall be of the width of twenty-five feet.

The troops of the United States to open the same.

SEC. 2. *And be it further enacted*, That the President be, and he is hereby, authorized to employ the troops of the United States, stationed in Florida, in such manner as he may think proper, in the completion, or in assisting in the completion, of said road.

20,000 dollars to be appropriated.

SEC. 3. *And be it further enacted*, That, for defraying the expenses of opening the said road, the sum of twenty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

The most direct and practicable route to be surveyed from Cape Sable to where the Suwaney river will be intersected by the road from Pensacola to St. Augustine, &c.

SEC. 4. *And be it further enacted*, That the President be, and he is hereby, authorized to cause to be surveyed and marked out, the most direct and practicable route for a public road from Cape Sable, passing by Charlotte Harbour and the bay of Tampa, to the point where the Suwaney river will be intersected by the road to be opened from Pensacola to St. Augustine, and to cause to be surveyed, and marked out, the route for a public road, from Cape Florida to St. Augustine.

3000 dollars to be appropriated.

SEC. 5. *And be it further enacted*, That, for defraying the expenses of the surveys aforesaid, the sum of three thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, February 28, 1824.

STATUTE I.

Feb. 28, 1824.

CHAP. XXIII.—*An Act to regulate the surveying of public and private lands in the southern part of Alabama.*

Lands to be attached to the district of the surveyor, and the deputy surveyor east of the island of New Orleans, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the lands in the state of Alabama shall be attached to the district of the surveyor of the public lands in the state of Alabama, and the surveying of all public and private lands, in the said state, shall hereafter be made under his direction; and it shall be the duty of the deputy surveyor of the district east of the island of New Orleans, and east of Pearl river, to return the plats of all private claims within the state of Alabama, to the office of the said surveyor.

APPROVED, February 28, 1824.

STATUTE I.

Feb. 28, 1824.

CHAP. XXV.—*An Act to extend the time limited for the settlement of private land claims in the territory of Florida.* (a)

[Expired.]  
The act amending, &c. the act for ascertaining the titles to land in Florida, to be extended.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the time limited for the settlement of private land claims in the territory of Florida, by an act of the seventeenth Congress, entitled "An act amending, and supplementary to, the act for ascertaining claims and titles to land in the territory of Florida, and to provide for the survey and disposal of the public lands in Florida, be, and the same is hereby, extended and enlarged, until the

Act of March 3, 1823, ch. 29, 34.

(a) See notes to the act of May 8, 1822, ch. 129.

first day of January next, when the commissioners for ascertaining claims and titles to the lands aforesaid shall make a return of their proceedings to the secretary of the treasury, to be laid before Congress.

SEC. 2. *And be it further enacted*, That the claimant or claimants shall not be required to produce, in evidence, a derangement of title from the original grantee or patentee, but the exhibition of the original title papers, agreeably to the fourth section of an act, passed the eighth of May, eighteen hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands within the territory of Florida," with the deed or devise, to the claimant, and the office abstract or abstracts of the intermediate conveyances for the last ten years preceding the surrender of Florida to the United States; and, where they cannot be produced, their absence being satisfactorily accounted for, shall be sufficient evidence of the right of the claimant or claimants to the land so claimed as against the United States: *Provided*, The claim be defined in quantity, and the amount does not exceed the quantity limited in the second section of the act which this is intended to extend; *And provided*, the conditions required by the laws and ordinances of the Spanish government, and the treaty between Spain and the United States, shall have been complied with.

SEC. 3. *And be it further enacted*, That no person shall be taken and deemed to be an actual settler, within the provisions of the "act amending, and supplementary to, an act for ascertaining claims and titles to land in the territory of Florida," passed on the third day of March, one thousand eight hundred and twenty-three, unless such person, or those under whom he claims title, shall have been in the cultivation, or occupation, of the land, at and before the period of the cession.

SEC. 4. *And be it further enacted*, That so much of the act of which this is an amendment, as authorizes the secretary of said commissioners to demand and receive from the claimants ten cents per hundred words for recording titles to land, be, and the same is hereby repealed.

SEC. 5. *And be it further enacted*, That the former secretaries, or those who may now be secretaries, to the said boards of commissioners, who shall have received their salary of one thousand two hundred and fifty dollars, from the treasury of the United States, which is, by law, declared to be their full compensation, shall be, and they are hereby, required to pay over, respectively, to the commissioners, conformably with the provisions of the original law, all such fees as have been demanded, and received by them, which shall be appropriated to defray the expenses of the commission.

SEC. 6. *And be it further enacted*, That so much of the acts of which this is amendatory, as makes void all claims not filed before the first day of December, one thousand eight hundred and twenty-three, be, and the same is hereby, repealed; and it shall be lawful for claims to be filed any time previous to the first day of September next; but all and every claim not filed by that time, shall be held and deemed void and of none effect.

SEC. 7. *And be it further enacted*, That each of the commissioners heretofore appointed, or who may hereafter be appointed, who has performed, and shall hereafter perform, the duties assigned him, shall receive, from the first Monday in February until the first day of January next, at the rate of two thousand dollars per annum, in full compensation for his services.

APPROVED, February 28, 1824.

Act of March 3, 1825, ch. 83.  
April 22, 1826,  
ch. 29.

The claimant or claimants not required to produce in evidence a derangement of title from the original grantee or patentee, &c. 1822, ch. 129.

Proviso.

Proviso.

No person to be deemed an actual settler within the provisions of the act of March 3, 1823, ch. 29, unless he be an occupier, &c.

Part of act repealed.

Secretaries of commissioners having received 1250 dollars, required to pay over such fees as have been demanded and received by them.

So much of the acts of which this is amendatory, as makes void all claims not filed before Dec. 1, 1823, to be repealed.

Compensation of the commissioners.

## STATUTE I.

March 8, 1824.

CHAP. XXVI.—*An Act to repeal, in part, an act, entitled "An act to lessen the compensation for marshals, clerks, and attorneys, in the cases therein mentioned."*

So much of the act of April 18, 1814, ch. 79, as lessens the compensation of marshals, &c., to be repealed.

*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, passed on the eighteenth day of April, Anno Domini one thousand eight hundred and fourteen, entitled "An act to lessen the compensation for marshals, clerks, and attorneys, in the cases therein mentioned," as prohibits the allowance of daily compensation to marshals, clerks, and attorneys, in the districts in said act mentioned, be, and the same hereby is, repealed; and that there, hereafter, be allowed to the marshals, clerks, and attorneys, for said districts, the same daily compensation as is allowed to the same officers in other districts.

APPROVED, March 8, 1824.

## STATUTE I.

March 10, 1824.

[Obsolete.]

Specific appropriations for the military service, for 1824.

CHAP. XXVII.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-four.*

*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, respectively, appropriated for the military service of the United States, for the year one thousand eight hundred and twenty-four, to wit:

For pay of the army, and subsistence of officers, nine hundred and ninety-four thousand four hundred and seven dollars and five cents, including the sum of one hundred and twenty-eight thousand one hundred and nineteen dollars, for the pay and subsistence of the officers and cadets belonging to the military academy at West Point.

For subsistence, in addition to an unexpended balance of twenty-one thousand six hundred dollars, two hundred and sixty-nine thousand three hundred and forty-seven dollars.

For forage for officers, thirty-six thousand one hundred and twenty-three dollars.

For the recruiting service, in addition to an unexpended balance of sixteen thousand dollars, thirteen thousand four hundred dollars.

For contingent expenses for the recruiting service, sixteen thousand eight hundred dollars.

For the purchasing department, in addition to the amount of clothing on hand, one hundred and forty-one thousand six hundred and twenty-seven dollars and fifty-nine cents.

For the purchase of woollens, during the year one thousand eight hundred and twenty-four, in advance for the year one thousand eight hundred and twenty-five, twenty thousand dollars.

For the medical and hospital department, in addition to supplies on hand, and an unexpended balance, both amounting to twenty-two thousand seven hundred dollars, ten thousand dollars.

For the quartermaster general's department, in addition to an unexpended balance of thirty-five thousand dollars, two hundred and forty-nine thousand dollars.

Proviso.

For the purchase of Gridley's farm, ten thousand dollars: *Provided,* said farm shall not be purchased unless the same shall be procured for said ten thousand dollars.

For the contingencies of the army, fifteen thousand dollars.

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

For the current expenses of the ordnance service, forty-two thousand dollars.

For pensions to the revolutionary pensioners of the United States, one

million two hundred and ninety-one thousand seven hundred and sixteen dollars and thirty-nine cents.

For the pensions to the invalids, to the commutation pensioners, and to the widows and orphans, three hundred and thirteen thousand one hundred and seventy-four dollars and forty-two cents.

For arrearages in the War Department, prior to the first of July, one thousand eight hundred and fifteen, twenty-six thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act, shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, further*, That nothing in this section contained, shall extend to balances arising solely from the depreciation of treasury notes, received by such person, to be expended in the public service; but, in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury Department the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent, and his securities.

To be paid out of the treasury.  
Proviso.

Proviso.

APPROVED, March 10, 1824.

STATUTE I.

March 10, 1824.

CHAP. XXVIII.—*An Act for the better organization of the district courts of the United States within the state of Alabama. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the state of Alabama shall be, and the same is hereby, divided into two districts, in manner following, to wit:—That part thereof composing the counties of Jackson, Decatur, Madison, Limestone, Lauderdale, Franklin, Lawrence, Morgan, Blount, St. Clair, Jefferson, Walker, and Marion, shall compose one district to be called the northern district of Alabama; and the residue thereof, shall compose another district to be called the southern district of Alabama.

Act of April 21, 1820, ch. 47.  
The state of Alabama to be divided into two districts.

SEC. 2. *And be it further enacted*, That there shall be two terms of the district court for the southern district, held at Mobile, in each year, to begin on the third Monday after the fourth Monday in March, and the fourth Monday after the fourth Monday in October; and one term at Cahawba, in each year, to begin on the third Monday in June; and one term of the district court, for the northern district, shall be held in Huntsville, in each year, to begin on the second Monday in July; and the district judge of the United States, for the state of Alabama, is hereby required to hold the courts aforesaid, and furthermore, to hold one or more special terms, at Cahawba, and at Huntsville, in each year, if, in his opinion, the business of the court shall require it to be done.

District court for the southern district to be held at Mobile twice, at Cahawba once; and that of the northern district at Huntsville once in each year.

SEC. 3. *And be it further enacted*, That the third Monday in December, in each year, shall be a return day for writs and executions, returnable to the said district court at Cahawba; and the second Monday in January, in each year, shall be a return day for writs and executions returnable to the said district court at Huntsville; and the parties to such suits as shall be so returned, shall make up their pleadings under such rules as the court shall prescribe, in order to have the causes so returned, in a state for trial at the next regular term.

All writs and executions to be returned to the district court at Mobile and Cahawba, to be adjourned, &c. to the times appointed by this act.

SEC. 4. *And be it further enacted*, That all causes pending in the

All cases

(a) See notes to act of April 21, 1820, ch. 47.

pending in the district courts, at Mobile and Cahawba, to be adjourned, &c. to the times appointed by this act, &c.

All cases pending in said courts, in which the defendant or defendants resided in the northern district at the time of serving the process, to be transferred to the court for the northern district, &c.

All suits hereafter to be brought, not of a local nature, to be brought only in the district where the defendant shall reside, &c.

A clerk of the district court for the northern district to be appointed.

The district attorney for the district of Alabama to be attorney for the southern, and one to be appointed for the northern district.

Adjournment in case of the non-attendance of the judge.

#### STATUTE I.

March 16, 1824.

The country lying between the Illinois and Mississippi rivers, &c. to be attached to, &c. the land district of Edwardsville, &c.

said district courts at Mobile and Cahawba shall be adjourned and continued from the times heretofore prescribed by law for holding said courts respectively, to the times appointed by this act: and all recognisances and process of every description, made returnable to the former terms of holding said courts, respectively, shall be returned to the terms herein established, and be as valid as if the time of holding the same had not been changed.

SEC. 5. *And be it further enacted*, That all causes at law or in chancery, pending in the said district courts at Mobile and Cahawba, in which the defendant or defendants resided in the northern district, at the time of serving the process, shall be transferred to the district court for the said northern district, established by this act, and be proceeded in, adjudged, and determined, in the same manner as if originally commenced in said court; and it shall be the duty of the clerks of the said district courts at Mobile and Cahawba, to transmit by some safe conveyance, to the clerk of the district court for the northern district, the original papers in all such causes, together with a transcript of all proceedings had therein.

SEC. 6. *And be it further enacted*, That all suits hereafter to be brought, in either of the courts aforesaid, not of a local nature, shall be brought only in the district where the defendant shall reside; but if there be more than one defendant, and some of them reside in the northern, and some in the southern district, the plaintiff may sue in either, and send a duplicate writ to the other, on which he shall endorse that it is part of a suit brought in the district from which it is sent; and the said writs, when executed and returned, shall constitute one suit, and be proceeded in accordingly.

SEC. 7. *And be it further enacted*, That the judge of said courts shall appoint a clerk of the district court of the northern district, who shall reside and keep his office, and the records and documents appertaining thereto, at the place of holding said court: be entitled to the same fees allowed by law to the clerks of the southern district, and be subject to the same liabilities and penalties.

SEC. 8. *And be it further enacted*, That the district attorney heretofore appointed for the district of Alabama, shall be the district attorney for the southern district of Alabama; and there shall be a district attorney appointed for the northern district of Alabama, who shall hold his appointment for the same term, be subject to the same duties, and receive the same salary, fees, and emoluments allowed to the district attorney of the southern district of Alabama.

SEC. 9. *And be it further enacted*, That, should the judge fail to attend at the time and place of holding any of the courts herein mentioned, before the close of the third day of the term, the business thereof shall stand adjourned to the next term.

APPROVED, March 10, 1824.

CHAP. XXIX.—*An Act to define the boundary line between the Edwardsville and Springfield land districts, in the state of Illinois.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all that tract of country lying between the Illinois and Mississippi rivers, and south of the base line of the military surveys, be, and the same is hereby, attached to, and made a part of, the land district, the office of which is located at Edwardsville; and all that tract of country lying between the said rivers, and north of the said base line, be, and the same is hereby, attached to, and made a part of, the land district, the office of which is established at Springfield, in the county of Sangamo.

APPROVED, March 16, 1824.



STATUTE I.  
March 24, 1824.

CHAP. XXX.—*An Act to change the terms of the district court of the United States for the Kentucky district. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the passage of this act, the sessions of the district court of the United States, in and for the Kentucky district, shall commence and be holden on the first Monday of May and of November, in each year. instead of the terms now appointed by law.*

SEC. 2. *And be it further enacted, That all motions, process, pleas, and suits, returnable to the term of said court, heretofore appointed to be holden in April next, shall stand adjourned and continued over to the May term, next appointed by this act, and shall be as effectual in law as if the said April term had not been abolished.*

APPROVED, March 24, 1824.

Act of March 1, 1823, ch. 23.  
The sessions of the district court of Kentucky, to be held on the first Mondays of May and November.  
Motions, &c. to stand adjourned.

CHAP. XXXI.—*An Act to authorize the employing of certain assistants in the general land office.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to employ in the general land office, for a term not exceeding twelve months, one assistant draughtsman and two colourers, for the purpose of completing the maps directed to be made by a resolution of the Senate of the United States, passed on the twenty-eighth day of February, one thousand eight hundred and twenty-three.*

APPROVED, March 24, 1824.

STATUTE I.  
March 24, 1824.

One draughtsman and two colourers to be appointed in the general land office for one year.

CHAP. XXXII.—*An Act making appropriations for the support of government for the year one thousand eight hundred and twenty-four.*

*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, respectively, appropriated for the service of the year one thousand eight hundred and twenty-four; that is to say:*

For compensation to the Senators and members of the House of Representatives, their officers, and attendants, including the sum of two hundred and sixty-five thousand one hundred and forty dollars, appropriated by an act making a partial appropriation for the year one thousand eight hundred and twenty-four, passed the nineteenth day of January last, four hundred and fifty-three thousand eight hundred and seventy-two dollars.

For expenses of fuel, stationery, printing, and all other contingent expenses of the two Houses of Congress, sixty thousand seven hundred dollars.

For expenses of the library of Congress, including the salary of the librarian, one thousand nine hundred and fifty dollars.

For compensation to the President of the United States, twenty-five thousand dollars.

For compensation to the Vice President of the United States, five thousand dollars.

For compensation to the Secretary of State, six thousand dollars.

For compensation to the clerks in the Department of State, per act of the twentieth of April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.

STATUTE I.  
April 2, 1824.

[Obsolete.]  
Sums appropriated for the service of the year 1824.

Congress and their officers.

1823, ch. 3.

Contingent expenses of Congress.

Library, and librarian to Congress.  
President.

Vice President.

Secretary of State.  
Clerks.  
1818, ch. 87.

- Messengers.** For compensation to the messengers in said department, including the messenger in the patent office, one thousand four hundred dollars.
- Contingent expenses.** For the incidental and contingent expenses of the Department of State, including the expenses of printing the laws, and for extra copying of papers, twenty-seven thousand three hundred and fifty dollars.
- Secretary of the Treasury.** For compensation to the Secretary of the Treasury, six thousand dollars.
- Clerks.** For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth of April, one thousand eight hundred and eighteen, ten thousand dollars.
- Additional clerk.** For compensation to an additional clerk, as allowed per act of appropriation of one thousand eight hundred and twenty-three, one thousand one hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars.
- First comptroller.** For compensation to the first comptroller of the treasury, three thousand five hundred dollars.
- Clerks.** For compensation to the clerks in the office of the first comptroller, per act of twentieth of April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars.
- Second comptroller.** For compensation to the second comptroller of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the second comptroller, per act of twentieth of April, one thousand eight hundred and eighteen, nine thousand seven hundred and fifty dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars.
- First auditor.** For compensation to the first auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the first auditor, thirteen thousand two hundred dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars.
- Second auditor.** For compensation to the second auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the second auditor, fourteen thousand four hundred dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars.
- Third auditor.** For compensation to the third auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the third auditor, twenty-three thousand three hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars, in full of allowances.
- Fourth auditor.** For compensation to the fourth auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the fourth auditor, per act of twentieth [of] April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of allowances.
- Additional clerk.** For an additional clerk in said office, for the year one thousand eight hundred and twenty-four, one thousand dollars.
- Fifth auditor.** For compensation to the fifth auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the fifth auditor, per

act of twentieth of April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.

For two clerks to complete the duties of the commissioner of the revenue, transferred to the office of the fifth auditor, two thousand five hundred and fifty dollars.

For one clerk on the business of the agent of the treasury, transferred to the office of the fifth auditor, one thousand one hundred and fifty dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

For compensation to the treasurer of the United States, three thousand dollars.

For compensation to the clerks in the office of the treasurer, per act of twentieth of April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.

For compensation to an additional clerk, and also for an assistant to the chief clerk, as allowed since the first of January, one thousand eight hundred and nineteen, one thousand two hundred dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of allowances.

For compensation to the commissioner of the general land office, three thousand dollars.

For compensation to the clerks in the office of said commissioner, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.

For compensation to such persons as may be employed to bring up the business in said office, three thousand dollars.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.

For compensation to the register of the treasury, three thousand dollars.

For compensation to the clerks in the office of the register, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars.

For compensation to the messenger, including the allowance for stamping ships' registers, eight hundred dollars.

For compensation to the assistant messenger in said office, three hundred and fifty dollars, in full of allowances.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For allowance to the person employed in transmitting passports and sea-letters, for expense of translating foreign languages in the office of the Secretary of the Treasury; for stationery, fuel, printing, and all other incidental and contingent expenses, in the Treasury Department, and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-four, twenty-six thousand one hundred and fifty dollars.

For allowance to the superintendent and four watchmen, employed for the security of the State and Treasury buildings, for the repairs of engines, hose and buckets, one thousand and nine hundred dollars.

For compensation to the Secretary of War, six thousand dollars.

For compensation to the clerks in the office of the Secretary of War, twenty-two thousand and six hundred dollars.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of allowances.

For compensation to the clerks in the office of the paymaster general, three thousand one hundred dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of allowances.

For compensation to the clerks in the office of the commissary general of purchases, two thousand eight hundred dollars.

1818, ch. 87.

Clerks to commissioner of revenue.

Clerk on business of agent of the treasury.

Messenger.

Treasurer.

Clerks.

1818, ch. 87.

Additional clerk.

1820, ch. 40.

Messenger.

Commissioner of general land office.

Clerks.

1818, ch. 87.

Persons employed in the office.

Messengers.

Register of treasury.

Clerks.

1818, ch. 87.

Messenger, &c.

Assistant messenger.

Secretary to sinking fund.

Transmitting passports, translating, &c. in the treasury.

Superintendent and watchmen.

Secretary of War.

Clerks.

Messengers.

Paymaster general.

Clerks.

Messenger.

Commissary general.

- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Adjutant general's clerks.** For compensation to the clerks in the office of the adjutant general, two thousand one hundred and fifty dollars.
- Clerks of the ordnance.** For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.
- Clerks of commissary general of subsistence.** For compensation to the clerks in the office of the commissary general of subsistence, two thousand one hundred and fifty dollars.
- Clerks of chief engineer.** For compensation to the clerks in the office of the chief engineer, two thousand one hundred and fifty dollars.
- Surgeon general's clerk.** For compensation to the clerk in the office of the surgeon general, one thousand one hundred and fifty dollars.
- Contingent expenses of War Department.** For the contingent expenses of the War Department, seven thousand dollars.
- Secretary of the Navy.** For compensation to the Secretary of the Navy, six thousand dollars.
- Clerks. 1818, ch. 87.** For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth of April, one thousand eight hundred and eighty-two, eight thousand two hundred dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.
- Contingent expenses.** For the contingent expenses of the office of the Secretary of the Navy, two thousand five hundred dollars.
- Commissioners of navy board.** For compensation to the commissioners of the navy board, ten thousand five hundred dollars.
- Secretary of board.** For compensation to the secretary of the commissioners of the navy board, two thousand dollars.
- Clerks. 1818, ch. 87.** For compensation to the clerks in the office of the commissioners of the navy board, per act of twentieth of April, one thousand eight hundred and eighty-two, three thousand five hundred and fifty dollars.
- Other clerks, &c.** For compensation to three clerks, and a draftsman, as allowed by the acts of appropriation since the first of January, one thousand eight hundred and ninety-two, four thousand dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Contingent expenses.** For the contingent expenses of said office, one thousand eight hundred dollars.
- Superintendent and watchmen of war and navy buildings.** For allowance to the superintendent, and four watchmen, employed for the security of the war and navy buildings, and for the incidental and contingent expenses, including oil, fuel, candles, and labour, two thousand one hundred and fifty dollars.
- Postmaster General.** For compensation to the Postmaster General, four thousand dollars.
- Assistant P. M. general.** For compensation to the two assistant postmasters general, five thousand dollars.
- Clerks. 1818, ch. 87.** For compensation to the clerks in the General Post-office, per act of twentieth of April, one thousand eight hundred and eighty-two, twenty-two thousand seven hundred dollars.
- Two clerks, as allowed per act of 1823. 1823, ch. 31.** For compensation to two clerks, as allowed per act of appropriation of one thousand eight hundred and twenty-three, one thousand six hundred dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.
- Contingent expenses.** For the contingent expenses of said office, four thousand dollars.
- Surveyor general.** For compensation to the surveyor general, two thousand dollars.
- Clerks.** For compensation to the clerks in the office of the surveyor general, two thousand one hundred dollars.
- Surveyor south of Tennessee.** For compensation to the surveyor south of Tennessee, two thousand dollars.
- Clerks.** For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.

For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.

Surveyor in Illinois and Missouri, &c. Clerks.

For compensation to the clerks in the office of said surveyor, two thousand dollars.

Surveyor in Alabama. Clerks.

For compensation to the surveyor in Alabama, two thousand dollars.

For compensation to the clerks in the office of said surveyor, one thousand five hundred dollars.

Commissioner of public buildings.

For compensation to the commissioner of the public buildings, in Washington city, one thousand five hundred dollars.

Officers and clerk of the mint.

For compensation to the officers and clerk of the mint, nine thousand six hundred dollars.

Persons employed in the mint.

For persons employed in the different operations of the mint, nine thousand four hundred dollars.

Contingent expenses, &c.

For incidental and contingent expenses, and repairs, cost of machinery, and for allowance of wastage in the gold and silver coinage of the mint, seven thousand seven hundred and seventy-five dollars.

Governor, &c. of Michigan.

For compensation to the governor, judges, and secretary of the Michigan territory, eight thousand seven hundred and thirty-six dollars and thirty cents.

For the contingent expenses of the Michigan territory, three hundred and fifty dollars.

Contingent expenses.

For compensation to the governor, judges, and secretary of the Arkansas territory, six thousand six hundred dollars.

Governor, &c. of Arkansas.

For the contingent expenses of the Arkansas territory, three hundred and fifty dollars.

Contingent expenses.

For compensation of the governor, judges, and secretary, of the Florida territory, seven thousand dollars.

Governor, judges, &c. of Florida.

For compensation to six commissioners to settle land claims in said territory, twelve thousand dollars.

Six commissioners.

For compensation to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the District of Columbia, seventy-eight thousand and four hundred dollars.

Chief justice, &c. of the United States.

For compensation to the attorney general of the United States, three thousand five hundred dollars.

Attorney general.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

Clerk.

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.

Reporter of Supreme Court.

For compensation to sundry district attorneys and marshals as granted by law, including those in the several territories, ten thousand one hundred dollars.

District attorneys and marshals.

For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, sixty thousand dollars.

Courts, jurors, and witnesses.

For the payment of sundry pensions, granted by the late and present governments, two thousand one hundred and fifty dollars.

Sundry pensions.

For the support and maintenance of lighthouses, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs, and improvements, and contingent expenses, and including an unexpended balance of appropriation on the first of January, one thousand eight hundred and twenty-four, of seventeen thousand five hundred and eleven dollars and seventy-three cents; and, also, five thousand dollars in addition to the sum of three thousand five hundred dollars, heretofore appropriated for building a lighthouse near fort Gratiot, in Michigan territory,

Lighthouses. Buoys, &c.

one hundred and nine thousand seven hundred and seventy-four dollars and thirty-three cents.

**Registers, &c.** For payment of the salaries of the registers and receivers of the different land offices, thirty-nine thousand dollars.

**Surveying.** For surveying the public lands, seventy-five thousand dollars.

**Capitol.** For continuing the work on the centre building, eighty-six thousand dollars.

**Repairs in the room occupied by the Supreme Court.** For alterations and repairs in the room occupied by the Supreme Court, six hundred and forty dollars.

**Capitol square, &c.** For improving the capitol square and painting the railing round the same, two thousand dollars.

**Footways.** For making a footway in front of the public grounds and open spaces between the Capitol and Navy office, five thousand dollars.

**Stationery, &c. for commissioners of loans.** For stationery and books, for the offices of commissioners of loans, two thousand dollars.

**Rent, &c. of the tenement occupied by the President.** For rent and repairs of the tenement formerly occupied as a temporary residence by the President of the United States, eight hundred and thirty-nine dollars, twenty-four cents.

**Registers for ships, &c.** For registers for ships and vessels of the United States, and for lists of crews, four thousand dollars.

**Seamen.** For sick, disabled, and destitute seamen, in foreign countries, forty thousand dollars.

**Miscellaneous claims.** For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be admitted in due course of settlement at the treasury, six thousand dollars.

**Ministers, &c. of the United States.** For the salaries of the ministers of the United States to London, Paris, St. Petersburg, Madrid, and Lisbon, the chargé des affaires at Madrid, from the third of March to the fourth of November, eighteen hundred and twenty-three, and also for the chargé des affaires at Stockholm, and the Hague, fifty-seven thousand five hundred dollars.

**Ministers, &c. appointed to the governments on the continent of America.** For the salaries of the ministers or chargé des affairs of the United States, who have been, or may be appointed to the governments on the continent of America, thirty-six thousand dollars.

**Outfits.** For outfits of the ministers to Paris and Madrid, eighteen thousand dollars.

**Secretaries of legation.** For salaries of the several secretaries of legation, eighteen thousand dollars.

**Contingent expenses.** For the contingent expenses of those missions, twenty thousand dollars.

**Agents of claims.** For the salaries of the agents of claims at London and Paris, four thousand dollars.

**Commissioner, &c., under the first article of the treaty of Ghent, &c.** For payment of the salaries of the commissioner and arbitrator under the first article of the treaty of Ghent, and for one half of the salary of the secretary, and half the contingent expenses of the commission, two thousand five hundred dollars, in addition to the unexpended balance of the appropriation for one thousand eight hundred and twenty-three for the same object.

**Carrying into effect the sixth and seventh articles of the treaty of Ghent.** For expenses of carrying into effect the sixth and seventh articles of the treaty of Ghent, including the compensation of the commissioners, agents, and surveyors, and their contingent expenses, sixteen thousand dollars.

**Barbary powers.** For expenses of intercourse with the Barbary powers, thirty thousand dollars.

**Contingent expenses of foreign intercourse.** For contingent expenses of foreign intercourse, forty thousand dollars.

**Extra clerks in General Post-office.** For compensation for extra clerks employed in the General Post-office during the last year, nine hundred and thirty-nine dollars and twenty-five cents.

For compensation of nine members of the legislative council of the Michigan territory, at two dollars each, per day, for sixty days, one thousand and eighty dollars.

Legislative council of Michigan.

For the contingent expenses of the legislative council, including the printing of the laws of said territory, one thousand two hundred dollars.

Contingent expenses, &c.

For the salaries of the secretaries of the land commissioners of East and West Florida, two thousand five hundred dollars.

Secretaries, &c.

For compensation and travelling expenses of the members of the legislative council of the Florida territory, and for contingent expenses of the territory, including arrearages for the years one thousand eight hundred and twenty-two, and one thousand eight hundred and twenty-three, six thousand six hundred and sixty-two dollars sixty-four cents, being the unexpended balance of the last year.

Compensation, &c., of legislative council of Florida, &c.

For the completion of the medals voted by Congress to certain general officers; to purchase gold for the medals, and to replace General McComb's medal, two thousand three hundred and fifty dollars.

Medals, &c.

For a draughtsman and two colourers, for the general land office, authorized by law, three thousand dollars.

Draughtsman, &c.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act, shall be paid to any person for his compensation who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, also*, That nothing in this section contained, shall be construed to extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

Paid out of the treasury.

Proviso.

Proviso.

APPROVED, April 2, 1824.

STATUTE I.

CHAP. XXXIII.—*An Act to amend an act, entitled "An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia."*

April 9, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, during the continuance of the act, entitled "An act for the establishment of a turnpike company in the county of Alexandria, in the District of Columbia," passed the twenty-first April, one thousand eight hundred and eight, the Washington and Alexandria turnpike company shall be entitled to demand and receive, by their proper agents, servants, or officers, at the bridge built by said company, over Four Mile Creek, between the town of Alexandria and the city of Washington, the sum of one cent from each and every person passing on foot over said bridge: *Provided always, and it is further enacted*, That, whenever the net proceeds of tolls collected on said road and bridge shall be sufficient to defray the expense of rebuilding the bridge on Four Mile Run, keeping said bridge and road in a sufficient state of repair, and allow the stockholders dividends, at the rate of six per centum per annum, then, and in that case, the circuit court of the District of Columbia for the county of Alexandria shall determine that the right of said company to demand the tolls prescribed by this act, or any other tolls, from foot passengers, shall cease.

During the continuance of the act of April 21, 1808, ch. 50, the Washington and Alexandria turnpike company may demand, at the bridge over the Four Mile Creek, one cent for each foot passenger.  
Proviso.

APPROVED, April 9, 1824.

## STATUTE I.

April 9, 1824.

[Obsolete.]

Acts of March 4, 1814, ch. 20, and April 16, 1818, ch. 65, extended.

Act of May 26, 1824, ch. 190.

Proviso.

Proviso.

CHAP. XXXIV.—*An Act extending the term of pensions granted to persons disabled and to the widows and orphans of those who have been slain, or who have died, in consequence of wounds or casualties, received while in the line of their duty, on board the private armed ships of the United States, during the late war.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, the pensions of all persons, who now are in the receipt thereof, under the provisions of the following laws of the United States, or either of them, to wit: an act passed March fourth, one thousand eight hundred and fourteen, entitled "An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States;" and an act passed April sixteenth, one thousand eight hundred and eighteen, entitled "An act in addition to an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States:" so far as regards persons receiving pensions from the fund arising from captures and salvage, made by the private armed vessels of the United States, be, and the same are hereby, continued, under the restrictions and regulations in the said acts contained, for and during the additional term of five years, from and after the period of the expiration of the said pensions, respectively: *Provided, however,* That the said pensions shall alone be paid from the proceeds of the privateer pension fund so called, and without recourse to the United States for any deficiency (should such occur,) which may hereafter arise thereon: *And provided, further,* That no pension shall be paid to any such widow after her intermarriage, nor to any orphan children of such officer, seamen, or marines, after they shall have attained the age of sixteen years.

APPROVED, April 9, 1824.

## STATUTE I.

April 9, 1824.

Official acts of James Miller as governor of Arkansas, from March 3, 1822, to Jan. 3, 1823, declared valid.

CHAP. XXXV.—*An Act confirming certain acts of James Miller, as governor of the territory of Arkansas, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, the official acts and proceedings of James Miller, as governor of the territory of Arkansas, from the third day of March, A. D. one thousand eight hundred and twenty-two, to the third day of January, A. D. one thousand eight hundred and twenty-three, be, and the same are hereby, declared to have the same validity, force and effect, as if the said James Miller had been duly appointed and commissioned for and during the said term, by the President of the United States, as governor of the territory of Arkansas; and he is hereby authorized to have and receive the same salary, pay and emoluments, as he would by law have been entitled, during the same period, to receive, if he had been so appointed and commissioned as aforesaid.

APPROVED, April 9, 1824.

## STATUTE I.

April 22, 1824.

Sessions of the circuit court for the Ohio district, and the district court.

CHAP. XXXVI.—*An Act to change the terms of the circuit and district courts of the United States in the state of Ohio, and one of the terms of the circuit court in Kentucky.*(b)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the circuit court of the United States, within and for the district of Ohio, instead of the time

(a) This act was revived by the act of May 26, 1824, ch. 190.

(b) See vol. ii. 420, 516.



now fixed by law, shall be held on the second Monday of July next; and thereafter on the first Mondays of January and June in each year; and the district court of the United States, in and for said district, shall hereafter be held on the Mondays next succeeding the times herein fixed for holding the circuit court.

SEC. 2. *And be it further enacted*, That the next fall term of the circuit court of the United States for the district of Kentucky, be commenced and held on the second Monday in October next, in lieu of the first Monday in November: *Provided*, That this act shall not be construed to extend to, or embrace, any other or future term of the said circuit court, than the next November term, as aforesaid.

SEC. 3. *And be it further enacted*, That all recognisances, process, suits, and proceedings, of every kind, whether of a civil or criminal nature, commenced or pending in either of said courts, shall be returned to, proceeded in, and determined at, the terms herein provided for, in the same manner as if the time of holding said courts had not been changed.

APPROVED, April 22, 1824.

The next fall term of the circuit court for the Kentucky district, to be held on the second Monday in October.

Proviso.

All recognisances, &c. to be proceeded in, &c.

STATUTE I.

April 22, 1824.

CHAP. XXXVII.—*An Act giving the consent and sanction of Congress to a certain act of the legislative council of the territory of Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the consent and sanction of Congress be, and the same are hereby, given to the act of the legislative council of the territory of Florida, approved by the governor of said territory on the fourth day of July, Anno Domini one thousand eight hundred and twenty-three, entitled "An act to provide for levying a poll tax."

APPROVED, April 22, 1824.

Consent, &c. of Congress, given to the act of the legislative council of Florida.

STATUTE I.

April 22, 1824.

CHAP. XXXVIII.—*An Act to alter the times of holding the district court of the United States for the district of Illinois.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in lieu of the times now appointed by law, the district court of the United States for the district of Illinois, shall be hereafter holden on the third Mondays in June and November in each year.

SEC. 2. *And be it further enacted*, That all writs, pleas, suits, recognisances, indictments, and all other proceedings of a civil or criminal nature, now pending in, or which are, or may be, returnable to, said court, shall be heard, tried and proceeded with, by the said court, in the same manner as if no alteration of the times for holding said court had taken place.

APPROVED, April 22, 1824.

Act of March 3, 1819, ch. 70.

The district court for the district of Illinois to be holden on the third Mondays in June and November.

All writs to be proceeded in &c.

STATUTE I.

April 22, 1824.

CHAP. XXXIX.—*An Act supplementary to the act, entitled "An act supplementary to the act, entitled 'An act for the relief of persons imprisoned for debt.'"* (b)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the person or persons who shall or may be commissioned, either by any judge of the

Act of Jan. 6, 1800, ch. 4.  
Act of Jan. 7, 1824, ch. 3.

(a) See notes to act of April 18, 1818, ch. 67.

(b) The constitutional and legal rights of a citizen of the United States to sue in the circuit court of the United States, do not permit an act of insolvency, completely executed under the authority of a state, to be a good bar to a recovery upon a contract made in another state. *Suydam et al. v. Broadnax*, 14 Peters, 97.

Persons commissioned under act of Jan. 6, 1800, to have full power, &c. to issue a citation directed to the creditor, his agent, or attorney, &c.

The creditor, &c., if living within 50 miles, to give fifteen days' previous notice.

Supreme Court of the United States, or by any district judge of the United States, to administer the oath prescribed by the act, entitled "An act for the relief of persons imprisoned for debt," passed on the sixth day of January, Anno Domini, one thousand eight hundred, shall, and may have full power and authority to issue a citation, directed to the creditor, his agent or attorney, if either lives within one hundred miles of the place of imprisonment, requiring him to appear at the time and place therein mentioned, if he see fit, to show cause why the said oath or affirmation should not be so administered.

SEC. 2. *And be it further enacted*, That, if the creditor, his agent, or attorney, lives within fifty miles of the place of imprisonment, only fifteen days' previous notice by citation shall be required.

APPROVED, April 22, 1824.

#### STATUTE I.

April 29, 1824.

[Obsolete.]  
Special appropriation for the Navy.

CHAP. XLIII.—*An Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-four.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, for defraying the expenses of the navy for the year one thousand eight hundred and twenty-four, the following sums be, and the same are hereby, respectively, appropriated :

Pay of officers and seamen.

For the pay and subsistence of the officers, and pay of the seamen, eight hundred and forty-seven thousand one hundred and forty-two dollars and twenty-five cents.

Provisions.

For provisions, in addition to the sum of twenty-five thousand one hundred and twenty-eight dollars, and seventy-five cents, the balance of appropriation for provisions unexpended and provisions on hand, three hundred thousand dollars.

Medicines.

For medicines, hospital stores, and all expenses on account of the sick, twenty-five thousand dollars.

Subsistence of officers at navy yards &c.

For pay, subsistence, and allowances, of every description, to all commissioned and warrant officers, employed at the several navy yards and store stations, also of naval constructors, store-keepers, inspectors, master workmen, clerks of the yards, of the check, and of commanders, and porters attached to the navy yards and store stations, two hundred and thirty-one thousand two hundred and ninety-three dollars and twenty-six cents.

Contingent expenses.

For contingent expenses accruing in the present year ; that is to say : for commissions, clerk hire, office rent, stationery, and fuel, to navy agents ; premiums, and other expenses of recruiting ; freight of provisions, stores, and materials, from one station to another, and from the United States to distant stations in other countries where our ships are employed ; allowances to officers at the several navy yards and stations, for house rent, fuel, and candles ; travelling expenses for officers, and transportation for seamen ; freight of timber, wharfage, and dockage for vessels where there are no public yards ; expenses, and a per diem allowance, attending courts martial and courts of inquiry ; compensation to judge advocates ; cabin furniture for vessels in commission ; incidental labour at navy yards, which is not applicable to any other appropriation ; pilotage of public vessels in the United States, and in foreign countries ; printing naval registers, blank pay-rolls, receipt rolls, steward's returns, seamen's allotment tickets, the proceedings of courts martial ; storage of provisions, and stores in foreign ports, and in the United States where public stores are not provided ; coals for blacksmiths and anchor-makers, and fuel for steam-engines ; purchase and maintenance of oxen, carts, large timber wheels, and workmen's tools ; chamber money to offi-

cers, in lieu of quarters, other than house-rent; purchase of books, charts, nautical and mathematical instruments, chronometers, machinery, models, drawings, and all stationery, of every description, used throughout the naval service; expense of pursuing deserters; expense of officers in sick quarters; storage of powder; lighterage and scow hire; postage of letters on public service; for per diem allowance to officers engaged on extra service beyond the limit of their stations; for the purchase and repairs of steam and fire engines and machinery; for expenses of burying deceased persons belonging to the navy; for taxes on navy yards and public property; and for accidents to the public vessels, and for no other object or purpose whatever, one hundred and ninety-five thousand dollars.

For contingent expenses for objects arising in the current year, and not hereinbefore enumerated, five thousand dollars.

For repairs of vessels, and for wear and tear, three hundred and fifty thousand dollars.

For the improvement of navy yards, docks, and wharves, slips, enclosures, and buildings, of every description, one hundred and fifty-seven thousand five hundred dollars, with authority to purchase, by and with the consent of the commonwealth of Massachusetts, a slip of land, estimated to contain about nine thousand superficial feet, to straighten the back line of the navy yard at Charlestown, Massachusetts.

For ordnance and ordnance stores, including small arms, manufacture of powder, one thousand dollars, with the unexpended balances of former appropriations, estimated to amount to about nineteen thousand dollars.

For ship's houses, to repay the amount taken from the gradual increase, seventy-eight thousand five hundred dollars.

For pay and subsistence of the marine corps, one hundred and seventy-two thousand and ninety-four dollars.

For clothing for the same, twenty-eight thousand seven hundred and sixty-five dollars.

For fuel for the non-commissioned officers, musicians, and privates, six thousand dollars.

For military stores, including stocking arms, armorer's pay, armorer's tools, knapsacks, tents, camp equipage, accoutrements, and ordnance stores, five thousand dollars.

For medicines, hospital stores, and instruments for the officers and marines of the marine corps, stationed on shore, two thousand three hundred and sixty-nine dollars and seventy-one cents.

For contingent expenses; that is to say: fuel for commissioned officers, transportation, stationery, bed sacks, straw, extra rations to officers, and postage on public letters, nine thousand dollars.

For repairing barracks at the different stations, and for building new barracks at Portsmouth, ten thousand dollars.

Sec. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act, shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, further*, That nothing in this section contained shall extend to balances arising solely from depreciation of treasury notes, received by such person to be expended in the public service; but, in all cases where the pay or salary of any person is withheld in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report, forthwith to the agent of the Treasury Department, the balance due; and it shall be the duty of the

Repairs of vessels.

Navy yards.

Ordnance and ordnance stores.

Ship's houses.

Marine corps.

Clothing.

Fuel.

Military stores, &c.

Contingent expenses.

Paid out of the treasury.

Proviso.

Proviso.

said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, April 29, 1824.

STATUTE I.

April 29, 1824.

[Obsolete.]  
Specific appropriations for certain fortifications.

CHAP. XLIV.—*An Act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and twenty-four.*

*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 wit; For fortifications, to each specifically, as follows:

For fort Jackson, on the river Mississippi, one hundred and ten thousand dollars.

For the fort at Chef Menteur, one hundred thousand dollars.

For the fort at Mobile Point, one hundred and twenty-five thousand dollars.

For fort Monroe, ninety-five thousand dollars.

For fort Calhoun, ninety thousand dollars.

For topographical reconnoissance, repairs, and contingencies, twenty-six thousand dollars.

For the purchase of a site, and collecting materials for the projected work at New Utrecht Point, one of the works intended to defend the Narrows, in New York harbour, fifty thousand dollars.

For the purchase of a site, and collecting materials for the projected work at Brenton's Point, Narraganset Bay, Rhode Island, fifty thousand dollars.

APPROVED, April 29, 1824.

STATUTE I.

April 29, 1824.

The district court for Missouri, to be held on the first Monday in March and September yearly.

Writs, &c. to be proceeded with as though no alteration had been made.

CHAP. XLV.—*An Act to alter the times of holding the district court, in the district of Missouri. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district court, for the district of Missouri, shall hereafter be held on the first Mondays in March and September, in every year; any thing in any act heretofore passed, to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That all writs, pleas, suits, recognisances, indictments, and all other proceedings, civil and criminal, shall be heard, tried, and proceeded with, by the said court, at the times fixed in the first section of this act, in the same manner as if no alteration in the times for holding said court had taken place.

APPROVED, April 29, 1824.

STATUTE I.

April 30, 1824.

The President to cause the necessary sur-

CHAP. XLVI.—*An Act to procure the necessary surveys, plans, and estimates, upon the subject of roads and canals.*

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

(a) The acts relating to the district court of Missouri, are:

An act to provide for the due execution of the laws of the United States, within the state of Missouri, and for the establishment of a district court therein, March 16, 1822, ch. 12, sec. 2, 3, 4, 5, 6.

An act to alter the time of holding the district court in the district of Missouri, April 29, 1824, ch. 45.

An act supplementary to the act entitled "An act to amend the judicial system of the United States," March 3, 1837, ch. 34.

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

United States is hereby authorized to cause the necessary surveys, plans, and estimates, to be made of the routes of such roads and canals as he may deem of national importance, in a commercial or military point of view, or necessary for the transportation of the public mail; designating, in the case of each canal, what parts may be made capable of sloop navigation: the surveys, plans, and estimates, for each, when completed, to be laid before Congress.

veys to be made of such roads and canals as he may deem of national importance, &c.

SEC. 2. *And be it further enacted*, That, to carry into effect the objects of this act, the President be, and he is hereby, authorized to employ two or more skilful civil engineers, and such officers of the corps of engineers, or who may be detailed to do duty with that corps, as he may think proper; and the sum of thirty thousand dollars be, and the same is hereby, appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated.

Two or more skilful engineers to be employed.

APPROVED, April 30, 1824.

STATUTE I.

CHAP. XLVII.—*An Act rewarding the officers and crews of two gigs, or small boats, under the command of Lieutenant Francis H. Gregory, of the United States' Navy.*

May 4, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to have distributed as prize money to Lieutenant Francis H. Gregory, of the United States' navy, and the officers and crews of two gigs, or small boats, under his command, or to their legal representatives, the sum of three thousand dollars, for the capture and destruction of a British gun-boat, called the Black Snake, in the river St. Lawrence, on the nineteenth of June, one thousand eight hundred and fourteen, and that the said sum of three thousand dollars be, and the same is hereby, appropriated, for the purpose aforesaid, out of any moneys in the treasury not otherwise appropriated.

3000 dollars to be distributed as prize money to Lieutenant Francis H. Gregory, &c. for the capture and destruction of a British gun-boat, in June, 1814.

APPROVED, May 4, 1824.

STATUTE I.

CHAP. LXV.—*An Act declaring the consent of Congress to certain acts of the state of Alabama.*

May 13, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the consent of Congress be, and hereby is, granted to the operation of an act of the general assembly of the state of Alabama, passed on the thirtieth of December, one thousand eight hundred and twenty-three, entitled "An act to improve the navigation of the Coosa river, and to aid in its connection with the Tennessee waters;" and, also, to an act, passed on the thirty-first of December, one thousand eight hundred and twenty-three, entitled "An act to improve the navigation of the Tennessee river."

Consent of Congress given to the acts of the general assembly of Alabama, of the 30th and 31st Dec., 1823.

APPROVED, May 13, 1824.

STATUTE I.

CHAP. LXVI.—*An Act altering the times of holding the courts in the District of Columbia. (a)*

May 13, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the circuit court for

Session of the circuit court

(a) An act concerning the orphans' court of Alexandria county, in the District of Columbia, May 19, 1828, ch. 59.

An act to establish a criminal court in the District of Columbia, July 7, 1838, ch. 192.

of the District of Columbia.

Washington county, in the District of Columbia, shall hereafter commence and be held on the third Monday of December, and first Monday of May, in each year, instead of the days now fixed by law; and the circuit court for Alexandria county, in said district, on the fourth Monday of November and the second Monday of April, instead of the days now established by law; and that all process whatsoever, now issued, or which may be issued, in the respective counties of Washington and Alexandria, in said district, returnable to the days, respectively, now fixed by law, for each of the said counties, shall be returnable, and returned, on the days prescribed by this act; and all causes, recognisances, pleas, and proceedings, civil, and criminal, returnable to, and depending before, the said courts, at the respective times of holding the same, as heretofore established, shall be returned, and continued, in the same counties respectively, in the same manner as if the said causes, recognisances, pleas, and proceedings, had been regularly returned or continued, to the said respective times appointed by this act for holding the said courts.

APPROVED, May 13, 1824.

STATUTE I.

May 13, 1824.

CHAP. LXXXVIII.—*An Act to provide for the extinguishment of the debt due to the United States, by the purchasers of public lands.*

[Obsolete.]  
Where the purchaser or holder of any of the public lands, has obtained a certificate of further credit, under the act of March 2, 1821, ch. 12, he shall be allowed to file it with the register of the land office where such land is situated.

Act of April 20, 1822, ch. 30.

Act of March 3, 1823, ch. 57.

Act of May 26, 1824, ch. 176.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, in all cases where the purchaser, or legal holder, of any certificate of purchase of any of the public lands of the United States, may have obtained a certificate of further credit under the provisions of an act, passed the second day of March, one thousand eight hundred and twenty-one, entitled "An act for the relief of the purchasers of public lands, prior to the first day of July, one thousand eight hundred and twenty," or of the acts supplementary thereto, of the twentieth of April, one thousand eight hundred and twenty-two, and of the third of March, one thousand eight hundred and twenty-three, the person obtaining such certificate, or the legal holder thereof, shall be allowed, at any time prior to the tenth of April, one thousand eight hundred and twenty-five, to file, with the register of the land office, in the district where such land is situated, a relinquishment, in writing, of any section, half section, quarter section, or legal subdivision of a fractional section, made according to the provisions of the existing laws, in relation to the survey and sale of the public lands; and any payment made, on any tract of land, so relinquished, shall be applied to the payment of the amount due on any tract retained by said purchaser, or legal holder of a certificate of purchase; which relinquishment shall be allowed only on condition that any such purchaser, or legal holder of a certificate of purchase, relinquish a sufficient quantity of land thereby to complete his or her payments due to the United States, on any lands retained, or pay the balance due, and which may afterwards become due, in money, before or at the time of such relinquishment; and on the payment of such balance in money, there shall be allowed, on the amount so paid, a deduction at the rate of thirty-seven and a half per centum: *Provided*, That nothing herein contained, shall entitle the person making such relinquishment to claim any repayment from the United States, on account of any lands so relinquished: *And provided further*, That nothing herein contained shall authorize any discounts upon payments made by relinquishment.

Proviso.

Proviso.

A deduction to be made on complete payments.

SEC. 2. *And be it further enacted*, That all purchasers, or legal holders of any certificate of purchase, of any of the public lands of the United States, who may have obtained a certificate of further credit, under the provisions of the several acts above mentioned, on making complete payment, previous to the tenth of April, eighteen hundred and

twenty-five, of every instalment then due, and which shall afterwards become payable, shall be allowed, upon the amount so paid, a deduction, at the rate of thirty-seven and an half per centum.

SEC. 3. *And be it further enacted*, That it shall be the duty of the registers and receivers of the land offices of the United States, immediately after the tenth of April, eighteen hundred and twenty-five, to return complete lists of the lands relinquished to the United States, within their districts; and such lands shall be exposed to sale as other public lands of the United States.

Duty of the registers and receivers.

SEC. 4. *And be it further enacted*, That the register and receiver of any land office, shall be allowed double the fees given them by the act of the second of March, one thousand eight hundred and twenty-one, for like services, to be paid by the person or persons availing themselves of the provisions of this act.

Fees to be allowed them. 1821, ch. 12.

SEC. 5. *And be it further enacted*, That the provisions of this act be extended to town lots, and out-lots, reserved for that purpose, and sold by the United States on a credit.

The provisions of this act to extend to town lots, &c.

APPROVED, May 18, 1824.

STATUTE I.

CHAP. LXXXIX.—*An Act providing for the appointment of an agent for the Osage Indians, west of the state of Missouri, and territory of Arkansas, and for other purposes.*

May 18, 1824.

[Repealed.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to appoint an agent for the Osage Indians west of the state of Missouri, and territory of Arkansas, who shall receive for his compensation the sum of fifteen hundred dollars, in full, and that all rations or other allowances made to him, shall be deducted from the sum hereby allowed.

An agent to be appointed to the Osage Indians west of the state of Missouri, and territory of Arkansas.

SEC. 2. *And be it further enacted*, That it shall be the duty of each Indian agent to reside and keep his agency within, or near the territory, claimed by the tribe or tribes of Indians for which he may be agent, at such place as the President of the United States may designate.

Said agents to reside near said tribe or tribes.

APPROVED, May 18, 1824.

STATUTE I.

CHAP. CXXXVI.—*An Act to amend the several acts imposing duties on imports. (a)*

May 22, 1824.

[Repealed.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the thirtieth day of June, one thousand eight hundred and twenty-four, in lieu of the duties now imposed by law on the importation of the articles hereinafter mentioned, there shall be levied, collected, and paid, the following duties, that is to say:

Specific duties on goods imported.

First. On sail-duck, osnaburgs, burlaps, and ticklenbergs, a duty of fifteen per centum ad valorem.

Sail-duck.

On all manufactures of wool, or of which wool shall be a component part, except worsted stuff goods and blankets, which shall pay twenty-

(a) See notes to the acts imposing duties on imports, vol. i. 24.

Act of May 19, 1828, ch. 55. Act of July 14, 1832, ch. 227. Act of March 2, 1833, ch. 55. Act of March 2, 1833, ch. 58. Act of March 2, 1833, ch. 62. Act of June 30, 1834, ch. 131, 139. Act of March 3, 1835, ch. 42. Act of March 2, 1837, ch. 15. Act of May 31, 1838, ch. 93. Act of July 7, 1838, ch. 178. Act of March 3, 1839, ch. 82, sec. 2. Act of Sept. 11, 1841, ch. 24. Act of Aug. 30, 1842, ch. 270. Act of April 2, 1844, ch. 8. Act of June 4, 1844, ch. 39.

Under the Tariff act of 22d May, 1824, ch. 136, bombazines being goods in which wool is a component material, are liable to a duty of thirty per cent. The United States v. Edward Clarke and others, 5 Mason's C. C. R. 30.

five per centum ad valorem, a duty of thirty per centum ad valorem, until the thirtieth day of June, one thousand eight hundred and twenty-five, and after that time, a duty of thirty-three and a third per centum ad valorem: *Provided*, That, on all manufactures of wool, except flannels and baizes, the actual value of which at the place whence imported, shall not exceed thirty-three and a third cents per square yard, shall be charged with a duty of twenty-five per centum ad valorem.

Cotton, &c.

Second. On all manufactures, not herein specified, of cotton, flax, or hemp, or of which either of these materials shall be a component part, and on all manufactures of silk, or of which silk shall be a component material, coming from beyond the Cape of Good Hope, a duty of twenty-five per centum ad valorem; on all other manufactures of silk, or of which silk shall be a component material, twenty per centum ad valorem:

Proviso.

*Provided*, That all cotton cloths whatsoever, or cloths of which cotton shall be a component material, excepting nankeens imported directly from China, the original cost of which, at the place whence imported, with the addition of twenty per centum, if imported from the Cape of Good Hope, or any place beyond it; and of ten per centum, if imported, from any other place, shall be less than thirty cents per square yard, shall, with such addition, be taken and deemed to have cost thirty cents per square yard, and shall be charged with duty accordingly. And that all unbleached and uncoloured cotton twist, yarn, or thread, the original cost of which shall be less than sixty cents per pound, shall be deemed and taken to have cost sixty cents per pound, and shall be charged with duty accordingly. And all bleached or coloured cotton yarn, twist, or thread, the original cost of which shall be less than seventy-five cents per pound, shall be deemed and taken to have cost seventy-five cents per pound, and shall be charged with duty accordingly: *Provided, also*, That the provisions of this act shall not apply to, or be enforced against, importations of goods from ports or places eastward of the Cape of Good Hope, or beyond Cape Horn, before the first of January next ensuing.

Proviso.

Third. On wool unmanufactured, a duty of twenty per centum ad valorem, until the first day of June, one thousand eight hundred and twenty-five; afterwards, a duty of twenty-five per centum ad valorem, until the first June, one thousand eight hundred and twenty-six; afterwards, a duty of thirty per centum ad valorem: *Provided*, That all wool, the actual value of which, at the place whence imported, shall not exceed ten cents per pound, shall be charged with a duty of fifteen per centum ad valorem, and no more.

Wool unmanufactured.

Fourth. On all leghorn hats or bonnets, and all hats or bonnets of straw, chip, or grass, and on all flats, braids, or plats, for making of hats or bonnets, a duty of fifty per centum ad valorem: *Provided*, That all leghorn hats and bonnets, and all hats or bonnets of straw, chip, or grass, which, at the place whence imported, with the addition of ten per centum, shall have cost less than one dollar each, shall, with such addition, be taken and deemed to have cost one dollar each, and shall be charged with duty accordingly. (a)

Proviso.

Leghorn hats.

Proviso.

Fifth. On japanned wares of all kinds, on plated wares of all kinds, and on all manufactures, not otherwise specified, made of brass, iron, steel, pewter, lead, or tin, or of which either of these metals is a component material, a duty of twenty-five per centum ad valorem.

Japanned wares, &c.

On bolting cloths, fifteen per centum ad valorem;

Bolting cloths, &c.  
Hair cloth, &c.

On hair cloth and hair seating, thirty per centum ad valorem;

Marble, &c.

On marble, and all manufactures of marble, thirty per centum ad valorem;

(a) Hats made of palmetta leaf are not hats made of straw, chip, or grass, within the act of May 22, 1824, ch. 136, and therefore pay only a duty of fifteen per centum ad valorem. The United States v. F. H. Goodwin, 4 Mason's C. C. R. 128.



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| On all paper hangings, forty per centum ad valorem;  | Paper hangings.               |
| On coach laces, of cotton or other material, thirty-five per centum ad valorem; on all other laces, twelve and a half per centum ad valorem;   | Coach laces.                  |
| On lead, in pigs, bars, or sheets, two cents per pound;  | Lead.                         |
| On leaden shot, three and one half cents per pound;  | Leaden shot.                  |
| On red or white lead, dry, or ground in oil, four cents per pound;   | Red or white lead.            |
| On Brussels, Turkey, and Wilton carpets and carpeting, fifty cents per square yard;  | Brussels, &c. carpets.        |
| On all Venetian and ingrain carpets or carpeting, twenty-five cents per square yard;   | Venetian, &c. carpets.        |
| On all other kinds of carpets and carpeting, of wool, flax, hemp, or cotton, or parts of either, twenty cents per square yard;   | All other kinds of carpeting. |
| On oil cloth carpeting, and on oil cloths, of every description, a duty of thirty per centum ad valorem;   | Oil cloth carpeting, &c.      |
| On all other carpets and carpeting, mats, and floor cloths, made of tow, flags, or any other material, a duty of thirty per centum ad valorem;   | All other carpets, &c.        |
| On hemp, at the rate of thirty-five dollars per ton;   | Hemp.                         |
| On tarred cables and cordage, four cents per pound;  | Tarred cables.                |
| On untarred cordage, yarns, twine, pack thread, and seines, five cents per pound;  | Untarred cordage.             |
| On cotton bagging, three cents and three fourths of a cent per square yard;  | Cotton bagging.               |
| On iron, in bars or bolts, not manufactured, in whole or in part, by rolling, ninety cents per hundred and twelve pounds;  | Iron.                         |
| On round iron, or braziers' rods, of three sixteenths to eight sixteenths of an inch diameter, inclusive; and on iron, in nail or spike rods, slit; and on iron, in sheets, and hoop iron; and on iron, slit or rolled, for band-iron, scroll iron, or casement-rods, three cents per pound; | Round iron.                   |
| On iron spikes, four cents per pound;  | Iron spikes.                  |
| On iron nails, cut or wrought, five cents per pound;   | Iron nails.                   |
| 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;  | Tacks, &c.                    |
| On iron or steel wire, not exceeding number eighteen, five cents per pound; over number eighteen, nine cents per pound;  | Iron or steel wire.           |
| On square wire, used in the manufacture of stretchers for umbrellas, twelve per centum ad valorem;   | Square wire.                  |
| On anvils and anchors, two cents per pound;  | Anvils, &c.                   |
| On iron cables or chains, or parts thereof, three cents per pound; and no drawback shall be allowed on the exportation of iron cables, or parts thereof;   | Iron cables, &c.              |
| On mill cranks and mill irons, of wrought iron, four cents per pound;  | Mill cranks, &c.              |
| On mill saws, one dollar each;   | Mill saws.                    |
| On blacksmiths' hammers and sledges, two and a half cents per pound;   | Blacksmiths' hammers, &c.     |
| On muskets, one dollar and fifty cents per stand;  | Muskets.                      |
| On rifles, two dollars and fifty cents each;   | Rifles.                       |
| On all other fire arms, and on side arms, thirty per centum ad valorem;  | All other fire arms, &c.      |
| On cutting knives, scythes, sickles, and reaping hooks, spades and shovels, of iron or steel, thirty per centum ad valorem;  | Cutting knives, &c.           |
| On screws of iron, weighing twenty-five pounds, or upwards, thirty per centum ad valorem;  | Screws of iron.               |
| On screws of iron, for wood, called wood-screws, thirty per centum ad valorem;   |                               |
| On vessels of cast iron not otherwise specified, one and a half cents per pound;   | Vessels of cast iron.         |
| On all other castings of iron, not specified, one cent per pound;  | All other castings of iron.   |
| On all vessels of copper, thirty-five per centum ad valorem;   | All vessels of copper.        |
| On quills, prepared or manufactured, twenty-five per centum ad valorem;  | Quills.                       |

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| Slates, &c.                  | On slates and tiles, for building, twenty-five per centum ad valorem;  |
| Black lead pencils.          | On black lead pencils, forty per centum ad valorem;  |
| Tallow candles.              | On tallow candles, five cents per pound;   |
| Sperm candles.               | On spermaceti candles, eight cents per pound;  |
| Soap.                        | On soap, four cents per pound;   |
| Lard.                        | On lard, three cents per pound;  |
| Wheat.                       | On wheat, twenty-five cents per bushel;  |
| Oats.                        | On oats, ten cents per bushel;   |
| Wheat flour.                 | On wheat flour, fifty cents per hundred weight;  |
| Potatoes.                    | On potatoes, ten cents per bushel;   |
| Coal.                        | On coal, six cents per heaped bushel;  |
| Corks.                       | On corks, twelve cents per pound;  |
| Prunelle and other shoes.    | On prunelle, and other shoes or slippers of stuff or nankeen, twenty-five cents per pair;  |
| Lace boots, &c.              | On laced boots or bootees, one dollar and fifty cents per pair;  |
| Linseed, &c. oil.            | On linseed, rape-seed, and hemp-seed oil, twenty-five cents per gallon;  |
| Castor oil, &c. Ale, &c.     | On castor oil, forty cents per gallon;   |
| Beef, &c.                    | On ale, beer, and porter, imported in bottles, twenty cents per gallon; imported otherwise than in bottles, fifteen cents per gallon;  |
| Hams, &c.                    | On beef and pork, two cents per pound;   |
| Butter.                      | On hams, and other bacon, three cents per pound;   |
| Vinegar.                     | On butter, five cents per pound;   |
| Alum.                        | On vinegar, eight cents per gallon;  |
| Refined salt-petre.          | On alum, two dollars and fifty cents per hundred weight;   |
| Blue vitriol.                | On refined saltpetre, three cents per pound;   |
| Oil of vitriol.              | On blue or Roman vitriol, four cents per pound;  |
| Glauber salts.               | On oil of vitriol, three cents per pound;  |
| Epsom salts.                 | On Glauber salts, two cents per pound;   |
| Camphor.                     | On Epsom salts, four cents per pound;  |
| Refined camphor.             | On camphor, crude, eight cents per pound;  |
| Copperas.                    | On camphor, refined, twelve cents per pound;   |
| Cayenne pepper.              | On copperas, two dollars per hundred weight;   |
| Ginger.                      | On Cayenne pepper, fifteen cents per pound;  |
| Chocolate.                   | On ginger, two cents per pound;  |
| Currants, &c.                | On chocolate, four cents per pound;  |
| Plums, &c.                   | On currants and figs, three cents per pound;   |
| All other raisins.           | On plums, prunes, Muscatel raisins, and raisins in jars and boxes, four cents per pound;   |
| Window glass.                | On all other raisins, three cents per pound;   |
| Proviso.                     | On window glass, not above eight inches by ten inches in size, three dollars per hundred square feet; not above ten inches by twelve inches in size, three dollars and fifty cents per hundred square feet; and if above ten inches by twelve inches in size, four dollars per hundred square feet: <i>Provided</i> , That all window glass imported in plates, uncut, shall be chargeable with the highest rate of duties hereby imposed. |
| Black glass bottles.         | On black glass bottles, not exceeding the capacity of one quart, two dollars per groce; on bottles exceeding one quart, and not more than two quarts, two dollars and fifty cents per groce; over two quarts, and not exceeding one gallon, three dollars per groce;   |
| Demijohns.                   | On demijohns, twenty-five cents each;  |
| Apothecaries' vials.         | On apothecaries' vials, of the capacity of four ounces, and less, one dollar per groce; on the same, above four ounces, and not exceeding eight ounces, one dollar and twenty-five cents per groce;  |
| All wares of glass.          | On all wares of cut glass, not specified, three cents per pound, and in addition thereto, an ad valorem duty of thirty per centum;   |
| All other articles of glass. | On all other articles of glass, two cents per pound, and, in addition thereto, an ad valorem duty of twenty per centum;  |
| Books.                       | On all books, which the importer shall make it satisfactorily appear to the collector of the port at which the same shall be entered, were printed   |

previous to the year one thousand seven hundred and seventy-five; and, also, on all books printed in other languages than English, four cents per volume, except books printed in Latin or Greek; on all books printed in Latin or Greek, when bound, fifteen cents per pound; when not bound, thirteen cents per pound;

On all other books, when bound, thirty cents per pound; when in sheets or boards, twenty-six cents per pound;

On folio and quarto post paper, of all kinds, twenty cents per pound;

On foolscap and all drawing and writing paper, seventeen cents per pound;

On printing, copperplate, and stainers' paper, ten cents per pound;

On sheathing paper, binders, and box boards, and wrapping paper, of all kinds, three cents per pound;

On all other paper, fifteen cents per pound;

A duty of twelve and a half per centum ad valorem on all articles not herein specified, and now paying a duty of seven and a half per centum ad valorem; with the exception of patent adhesive felt, for covering ship's bottoms, which shall be admitted free of duty until June thirtieth, one thousand eight hundred and twenty-six.

SEC. 2. *And be it further enacted*, That an addition of ten per centum shall be made to the several rates of duties hereby imposed upon the several articles aforesaid, which, after the said respective times for the commencement of the duties hereby imposed, shall be imported in ships or vessels, not of the United States; *Provided*, That this addition shall not be applied to articles imported in ships or vessels, not of the United States, entitled by treaty, or by any act of Congress, to be admitted on payment of the same duties that are paid on like articles imported in ships or vessels of the United States.

SEC. 3. *And be it further enacted*, That there shall be allowed a drawback of the duties by this act imposed upon the exportation of any articles that shall have paid the same, within the time, and in the manner, and subject to the provisions and restrictions, prescribed in the fourth section of the act, entitled "An act to regulate the duties on imports and tonnage," passed the twenty-seventh day of April, one thousand eight hundred and sixteen.

SEC. 4. *And be it further enacted*, That the drawback allowed by law on plain silk cloths, shall be allowed, although the said cloths, before the exportation thereof, shall have been coloured, printed, stained, dyed, stamped, or painted, in the United States. But, whenever any such cloths, so imported, shall be intended to be so coloured, printed, stained, dyed, stamped, or painted, and afterwards to be exported from the United States, with privilege of drawback, each package thereof, shall, before the same shall be delivered from the public stores, be opened and examined by an inspector of the customs, and the contents thereof measured or weighed, and the quality thereof ascertained, and a sample of each piece thereof reserved at the custom-house; and a particular account or registry of such examination, describing the number of pieces in each package, their weight or measure, and the samples thereof reserved, shall be entered in the books of the custom-house; and, after such examination, said goods shall be re-packed in the original package, and the said original package shall be marked with a custom-house mark. And whenever any such goods, being thus coloured, printed, stained, dyed, stamped, or painted, shall be entered at the custom-house for exportation and drawback, the same shall be so entered in the original package, marked as aforesaid, and not otherwise, unless the person, so entering the same, shall give satisfactory evidence to the collector or naval officer, or one of them, that such original package has been lost or destroyed by accident; and no such application for drawback shall be made, except on the contents of entire packages; and upon application for such entry

Books, when bound.

Folio and quarto post paper.

Foolscap, &c.

paper.

Printing, &c.

paper.

Sheathing paper, &c.

All other paper.

12½ cents on

all articles not

herein speci-

fied.

An addition of ten per centum to be made to the several rates of duties herein imposed.

Proviso.

A drawback of the duties imposed by this act, to be allowed, &c.

April 27, 1816, ch. 107.

Drawback allowed on coloured, &c. silk cloths, &c.

and drawback, the contents of the packages so offered, shall be examined by an inspector of the customs, and measured or weighed, and compared with the original entry, registry, and samples; and if, upon such comparison and full examination, the collector shall be satisfied that the contents of each package are the same identical goods imported and registered as aforesaid, and not changed or altered, except by being coloured, printed, stained, dyed, stamped, or painted, as aforesaid, then the person, so entering such goods, shall be admitted to the oath prescribed by law, to be used in cases of application for exportation of goods for the benefit of drawback, and shall, thereupon, be entitled to drawback, as in other cases; *Provided*, That the exporter shall, in every other particular, comply with the regulations and formalities heretofore established for entries of goods for exportation, with the benefit of drawback. And if any person shall present, for exportation and drawback, any coloured, printed, stained, dyed, stamped, or painted, silk cloths, knowing the same not to be entitled to drawback, according to the provisions of this act, or shall wilfully misrepresent or conceal the contents or quality of any package as aforesaid, the said goods, so presented or entered for drawback, shall be forfeited, and may be seized by the collector, and proceeded with, and the forfeiture distributed, as in other cases.

**Proviso.**

The existing laws to be in force.

The provisions of the second section of the act of April 27, 1816, ch. 107, extended to the benefit of colleges, &c. in the United States.

SEC. 5. *And be it further enacted*, That the existing laws shall extend to, and be in force for, the collection of the duties imposed by this act, for the prosecution and punishment of all offences, and for the recovery, collection, distribution, and remission, of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, penalty, forfeiture, provision, clause, matter, and thing, to that effect, in the existing laws contained, had been inserted in, and re-enacted by, this act.

SEC. 6. *And be it further enacted*, That the provisions of the second section of the act of Congress, entitled "An act to regulate the duties on imports and tonnage," approved April twenty-seventh, one thousand eight hundred and sixteen, shall extend and enure to the benefit of schools and colleges within the United States, or the territories thereof, in the same manner, and under the like limitations and restrictions, as is provided in said act, with respect to seminaries of learning.

APPROVED, May 22, 1824.

**STATUTE I.**

May 24, 1824.

One quarter section of land granted to the territory of Florida for the seat of government.

The governor, &c. to adopt such measures for the sale of said land, as they may deem expedient.

Three entire quarter sections to be reserved for the United States.

CHAP. CXXXVII.—*An Act providing for a grant of land for the seat of government in the territory of Florida, [Florida] and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there shall be, and hereby is, granted to the territory of Florida, one entire quarter section of land, or fractional section, not exceeding in quantity one quarter section, for the seat of government in that territory, to be located previously to the sale of the adjacent lands, under the authority of the governor thereof, at the point selected for the permanent seat of government for said territory.

SEC. 2. *And be it further enacted*, That the governor and legislative council of the territory aforesaid, or a majority thereof, be, and they are hereby, authorized to adopt such measures as to them may seem expedient for the sale of said tract of land, or any part thereof, for the purpose of raising a fund for the erection of public buildings at said seat of government.

SEC. 3. *And be it further enacted*, That there shall be, and hereby are, reserved from sale, three entire quarter sections of lands of the United States, lying contiguous to, and adjoining, the quarter section granted by the first section of this act, to be located by the governor of said territory.

SEC. 4. *And be it further enacted*, That so much of the seventh section of the act of Congress, of the third of March, one thousand eight hundred and twenty-three, entitled "An act amending and supplementary to the act, entitled 'An act to provide for the survey and disposal of the public lands in Florida,'" as prevents the appointment of a surveyor for Florida, until the commissioners shall have decided and reported on the private claims in said territory, be, and the same is hereby, repealed; and the eastern and western land districts in said territory shall be divided and separated by the Suwaney river, and not by the ancient line of division between the provinces of East and West Florida, as prescribed by the eighth section of the act aforesaid.

APPROVED, May 24, 1824.

Part of the 7th section of the act of March 3, 1823, ch. 29, repealed.

STATUTE I.

May 24, 1824.

CHAP. CXXXVIII.—*An Act supplementary to an act, approved on the third day of March, one thousand eight hundred and nineteen, entitled "An act providing for the correction of errors in making entries of land at the land offices."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That where any mistake, in relation to the correct numbers of any tract of land, not exceeding in quantity one half section, may have been heretofore made by any purchaser of the public lands of the United States at private sale, and where one or more payments shall have been made by the person making the entry, on any tract entered by mistake, and where such payment has not been forfeited, previously to the passing of this act, for a failure to complete the payments on such tract; and where the purchaser or purchasers may not, in relation to said tract, have in any way taken advantage of the provisions of the act of the second of March, eighteen hundred and twenty-one, entitled "An act for the relief of the purchasers of the public lands prior to the first day of July, eighteen hundred and twenty," or of the act supplementary thereto, or the act continuing in force said supplementary act, and where the person or persons making the purchase has not, in any way, transferred his, her, or their, right to the certificate of purchase, or the tract so purchased, and where no patent shall have issued for the tract so erroneously purchased; and, also, in all cases of an entry hereafter made, of a tract of land not intended to be entered, by a mistake of the true numbers of the tract intended to be entered, where the tract, thus erroneously entered, does not, in quantity, exceed one half section; and where the certificate of the original purchaser or purchasers has not been assigned, or the right of the original purchaser or purchasers in any way transferred, and where six months from the time the entry shall have been made, may not have elapsed, or the patent issued for the tract erroneously entered, the purchaser or purchasers, or, in case of his, her, or their death, the legal representatives, (not being assignees or transferees,) may, either in the cases of entry before or after the passing of this act, and in any case coming within its provisions, file his, her, or their own affidavit or affidavits, with such additional evidence as can be procured, showing the mistake of the numbers of the tract intended to be entered, and that every reasonable precaution and exertion had been used to avoid the error, with the register and receiver of the land district within which such tract of land is situated, who shall transmit the evidence submitted to them in each case, together with their written opinion or opinions, both as to [the] existence of the mistake, and the credibility of each person testifying thereto, to the commissioner of the general land office, who, if he be entirely satisfied [that] the mistake has been made, and that every reasonable precaution and exertion had been made to avoid it, shall be authorized to change the entry, and transfer the payment from the tract erroneously entered, to that intended to be entered, if unsold; but, if sold, to any other tract liable to entry: *Pro-*

Act of March 3, 1819, ch. 98.

Any mistake which has been made by the person making the entry in relation to the correct numbers of any tract of land not exceeding one half section, on satisfactory evidence being produced to the commissioner of the general land office, he shall cause the entry to be changed, &c.

Act of March 2, 1821, ch. 12.

Proviso.

## Proviso.

All oaths under this act to be administered by the register or receiver.

The register and receiver to receive 25 cents for every hundred words of the evidence transmitted to the land office.

*vided*, That the oath of the person or persons interested shall, in no case, be deemed sufficient, in the absence of other corroborating testimony, to authorize any such change of entry: *And provided, also*, That nothing herein contained shall affect the right of third persons.

SEC. 2. *And be it further enacted*, That either the register or receiver may administer all oaths to be made under the provisions of this act, and every person, knowingly, wilfully, and corruptly, swearing falsely, on any oath administered to him or her under the provisions of this act, shall, on indictment and conviction for such offence, before any court having competent jurisdiction to try the same, suffer the pains and penalties of wilful and corrupt perjury.

SEC. 3. *And be it further enacted*, That for every oath administered under the provisions of this act, the register and receiver shall be allowed the sum of twenty-five cents, and twenty-five cents for every hundred words of the evidence received and transmitted to the commissioner of the general land office, to be paid by the party making the application for a change of entry.

APPROVED, May 24, 1824.

## STATUTE I.

May 24, 1824.

CHAP. CXXXIX.—*An Act to improve the navigation of the Ohio and Mississippi rivers. (a)*

The President authorized to

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

(a) *Appropriations to improve the Ohio, Missouri and Mississippi rivers:*

Toward improving the navigation of the Missouri and Ohio rivers, act of May 23, 1828, ch. 73.

For continuing to improve the navigation of the Ohio and Mississippi rivers, fifty thousand dollars, act of March 3, 1829, ch. 51.

For improving the navigation of the Mississippi and Ohio rivers, fifty thousand dollars, act of April 23, 1830, ch. 72.

For improving the navigation of the Ohio and Mississippi rivers, to be expended under the existing laws, fifty thousand dollars, act of March 2, 1831, ch. 58.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars, July 3, 1832, ch. 153.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars, March 2, 1833, ch. 69.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars, Jan. 28, 1834, ch. 103.

For improving the navigation of the Ohio river below the falls, and the Missouri, and Mississippi rivers, fifty thousand dollars, March 3, 1835, ch. 25.

For improving the navigation of the Ohio and Mississippi rivers from Louisville to New Orleans, sixty thousand dollars, July 2, 1836, ch. 259.

For improving the navigation of the Ohio and Mississippi rivers, from Pittsburg to New Orleans, under the act of second of March, 1831, seventeen thousand eight hundred dollars and four cents, July 1836, ch. 259.

For continuing the improvement of the Ohio river, between the falls and Pittsburg, sixty thousand dollars, March 3, 1837, ch. 44.

For continuing the improvement of the navigation of the Ohio and Mississippi rivers, from Louisville to New Orleans, March, 1837, ch. 44.

For continuing the work for the removal of the obstructions to the navigation of the Mississippi river, at its mouth, two hundred and ten thousand dollars, March 3, 1837, ch. 44.

For continuing the improvement of the Mississippi river, above the mouth of the Ohio, and of the Missouri river, forty thousand dollars, March 3, 1837, ch. 44.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, and to replace the steam snag-boat Archimedes, sunk in the Mississippi river, in November last, twenty-three thousand dollars, March 3, 1837, ch. 44.

For improving the Ohio river between the falls and Pittsburg, fifty thousand dollars, July 7, 1838, ch. 171.

For continuing the improvement of the navigation of the Ohio and Mississippi rivers, from Louisville to New Orleans, seventy thousand dollars, July 7, 1838, ch. 171.

For continuing the improvement of the Mississippi river, above the mouth of the Ohio and of the Missouri river, twenty thousand dollars, July 7, 1838, ch. 171.

For the continuation of improvements on the Missouri, Mississippi, Ohio, and Arkansas rivers, one hundred and fifty thousand dollars, act of March 1, 1843, ch. 52.

For the improvement of the Ohio river, between Pittsburg and the Falls of Louisville, one hundred thousand dollars, June 11, 1844, ch. 44.

For the improvement of the Ohio river, below the falls of Louisville, and of the Mississippi, Missouri, and Arkansas rivers, one hundred and eighty thousand dollars, June 11, 1844, ch. 44.

United States be, and he is hereby, authorized to cause the navigation of the Ohio river to be improved over the following sand bars, or either of them, at his discretion, to wit: the sand bar which crosses said river, one mile and a quarter below Flint Island; the sand bar two miles above French Island; the bar just below Henderson; the bar below Straight Island; the bar below Willow Island, in the Mississippi bend; and the bar opposite to lower Smithland, below Cumberland Island; and, for the purpose of ascertaining and directing the best method of carrying the provisions of this act into effect, he may employ any of the engineers in the public service which he may deem proper: *Provided, nevertheless,* That two experiments shall first be made upon two of the said bars, and if in his judgment they shall be successful, then, and not otherwise, he is hereby authorized to cause improvements to be made upon the remaining bars.

cause the navigation of the Ohio river to be improved.

Proviso.

SEC. 2. *And be it further enacted,* That, for the purpose of improving the navigation of the Mississippi river, from the mouth of the Missouri to New Orleans, and of the Ohio river from Pittsburg to its junction with the Mississippi, the President of the United States is hereby authorized to take prompt and effectual measures for the removal of all trees which may be fixed in the bed of said river; and, for this purpose, he is authorized to procure and provide, in that way which in his discretion may be most eligible, the requisite water craft, machinery, implements, and force, to raise all such trees, commonly called "planters, sawyers, or snags," as may be found in the current of the said rivers at the lowest stage of water, and to saw or cut them off, as near as practicable to the bottom of the stream; and where trees are found upon sand bars, upon the points of islands, or near the bank of the river, which may, at the lowest stage of the water, endanger the safety of navigating said rivers, they shall in like manner be cut, removed, or sawed off; and all roots or limbs, belonging to those parts of said trees, which are fastened in the earth, shall be carefully cut away.

The President of the United States to take effectual measures to render the navigation of the Mississippi and Ohio safe.

SEC. 3. *And be it further enacted,* That, for the purpose of carrying into effect the provisions of this act, the sum of seventy-five thousand dollars be, and is hereby, appropriated. And the President of the United States is hereby authorized to draw, from time to time, on the treasury, for such parts, or at any one time for the whole, of said sum, as he shall judge the service requires; which said sum shall be paid out of any money in the treasury not otherwise appropriated.

75,000 dollars appropriated.

SEC. 4. *And be it further enacted,* That the President be, and he is hereby, requested to cause to be laid before Congress, as soon as convenience will permit after the commencement of each session, a statement of the proceedings under this act, that Congress may be enabled to adopt such further measures as may, from time to time, be necessary under existing circumstances.

The President to lay before Congress at the commencement of each session a statement of the proceedings.

APPROVED, May 24, 1824.

STATUTE I.

CHAP. CXL.—*An Act to authorize the creation of a stock to an amount not exceeding five millions of dollars, to provide for the awards of the commissioners under the treaty with Spain, of the twenty-second of February, one thousand eight hundred and nineteen.*

May 24, 1824.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for the purpose of providing funds to discharge the awards of the commissioners under the treaty with Spain, of the twenty-second day of February, in the year of our Lord one thousand eight hundred and nineteen, the Secretary of the Treasury be, and he is hereby, authorized, with the approbation of the President of the United States, to cause to be issued and sold to the Bank

The Secretary of the Treasury authorized to create a stock to an amount not exceeding 5,000,000 dollars, &c.

of the United States, or others, at a sum not less than the par value thereof, certificates of stock of the United States, to any amount not exceeding the sum of five millions of dollars, and bearing an interest of not exceeding four and one half per centum per annum, from the period of the sale thereof; which stock, so created, shall be redeemable at the pleasure of the United States, at any time after the first day of January, in the year one thousand eight hundred and thirty-two. And, upon the sale of such stock, in manner aforesaid, credit or credits to the proprietors thereof, shall thereupon be entered and given on the books of the treasury, in like manner as for the present funded debt; which said credits or stock shall thereafter be transferable as other public stock of the United States.

Moneys received from the sale of certificates of said stock, to be applied to the payment of the awards under the treaty with Spain.  
Proviso.

SEC. 2. *And be it further enacted*, That the moneys which may be received from the issuing and sale of the aforesaid certificates of stock, shall [be,] and the same are hereby, directed to be applied to the payment and discharge of the awards of the commissioners under the treaty with Spain, of the twenty-second day of February, in the year eighteen hundred and nineteen. *Provided, also*, That in all cases where the person or persons, in whose name, or for whose benefit and interest, the aforesaid awards shall be made, shall be in debt and in arrears to the United States, the Secretary of the Treasury shall retain the same out of the amount of the aforesaid awards, in the first instance, and a warrant or certificate, as the case may be, shall only issue for the balance. (a)

Interest accruing on said stock to be paid out of the treasury.

SEC. 3. *And be it further enacted*, That a sum, equal to what will be necessary to pay the interest which may accrue on the said stock, to the end of the present year, be, and the same is hereby, appropriated for that purpose, to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, May 24, 1824.

STATUTE I.

May 24, 1824.

CHAP. CXLI.—*An Act changing the mode of surveying the public lands, on any river, lake, bayou, or water-course.*

Course to be pursued in surveying lands.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, whenever, in the opinion of the President of the United States, a departure from the ordinary mode of surveying land on any river, lake, bayou, or water-course, would promote the public interest, he may direct the surveyor general, in whose district such land is situated, and where the change is intended to be made, under such rules and regulations as the President may prescribe, to cause the lands thus situated, to be surveyed in tracts of two acres in width, fronting on any river, bayou, lake, or water-course, and running back the depth of forty acres; which tracts of land, so surveyed, shall be offered for sale entire, instead of in half-quarter sections, and in the usual manner, and on the same terms, in all respects, as the other public lands of the United States.

APPROVED, May 24, 1824.

STATUTE I.

May 25, 1824.

CHAP. CXLV.—*An Act to alter the times of holding the circuit and district courts of the United States for the district of South Carolina.* (b)

The times for holding the cir-

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That instead of the times now

(a) If, under the act of May 24, 1824, ch. 140, sec. 2, the Secretary of the Treasury omit to retain the amount of debt due to the United States from a person entitled by an award under the Spanish treaty, from money provided for the payment of such award, it does not prejudice the United States to proceed for payment of such debts against the general assignee, who has received the money from the treasury. *The United States v. William Hunter*, 5 Mason, C. C. R. 62.

(b) Circuit and district courts in South Carolina.

Act of September 24, 1789, (obsolete,) ch. 20, sec. 3.

An act to alter the times for holding the circuit courts of the United States, in the district of South



established by law, the circuit court for the district of South Carolina, shall, annually, be holden as follows, to wit: at Charleston on the second Tuesday of April, and at Columbia on the third Tuesday of November.

cuit court for the district of South Carolina, to be changed.

SEC. 2. *And be it further enacted*, That all suits, actions, writs, processes, and other proceedings, which now are pending in said circuit court, or which now are, or may hereafter be, commenced for, or returnable to the said circuit court, at the times and places heretofore established, shall be returnable to, heard, tried, and determined, in the said circuit court, at the times and places hereby respectively established for the holding thereof.

All suits to be proceeded with as before.

SEC. 3. *And be it further enacted*, That, from and after the passing of this act, the times of holding the district court of the United States at Laurens Courthouse, South Carolina, shall be so altered that the said court shall hereafter convene on the Tuesday next ensuing, after the adjournment of the circuit court of the United States at Columbia.

The times of holding the district courts at Laurens Courthouse, to be altered.

APPROVED, May 25, 1824.

STATUTE I.

CHAP. CXLVI.—*An Act to enable the President to hold treaties with certain Indian tribes, and for other purposes.*

May 25, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of ten thousand dollars be, and the same hereby is, appropriated, to defray the expenses of making treaties of trade and friendship with the Indian tribes beyond the Mississippi: and that the said sum shall be paid out of any money in the treasury not otherwise appropriated.

Appropriation for making treaties with the Indians beyond the Mississippi.

SEC. 2. *And be it further enacted*, That, for the purpose of negotiating said treaties, on the part of the United States, the President shall be, and he hereby is, authorized to appoint suitable persons for commissioners, and to fix their compensation, so as not to exceed what has been heretofore allowed for like services.

Commissioners to be appointed.

SEC. 3. *And be it further enacted*, That the President shall be, and hereby is, authorized to appoint two sub-agents to be employed among the Indian tribes, on the waters of the Upper Missouri, whose annual salary shall be eight hundred dollars each, to be paid out of any money in the treasury not otherwise appropriated.

Two sub-agents to be employed.

SEC. 4. *And be it further enacted*, That it shall be the duty of Indian agents to designate, from time to time, certain convenient and suitable places for carrying on trade with the different Indian tribes, and to require all traders to trade at the places thus designated, and at no other place or places.

Indian agents to designate convenient places for carrying on trade.

SEC. 5. *And be it further enacted*, That the superintendent of Indian affairs at St. Louis, and his successors in office, shall possess all the pow-

The power vested in the superintendent

Carolina, and Georgia, and providing that the district court of Pennsylvania shall, in future, be held at the city of Philadelphia, (obsolete,) August 11, 1790, ch. 42.

An act concerning the circuit courts of the United States, March 3, 1797, ch. 27.

An act to amend the judicial system of the United States, April 29, 1802, ch. 31.

An act for the more convenient arrangement of the times and places of holding the circuit courts of the United States, for the districts of South Carolina and Georgia, April 24, 1816, ch. 74.

An act to divide the state of South Carolina into two judicial districts, Feb. 21, 1823, ch. 11.

An act to alter the times of holding the circuit and district courts of the United States, for the district of South Carolina, May 25, 1824, ch. 145.

An act to amend an act, entitled "An act to alter the times of holding the circuit and district courts for the district of South Carolina," March 3, 1825, ch. 79.

An act for altering the time of holding the session of the Supreme Court of the United States, and of the sessions of the circuit court of the United States, for the districts of South Carolina and Georgia, May 4, 1826, ch. 37.

An act to alter the times for holding the sixth circuit court of the United States, for the district of South Carolina, Feb. 5, 1829, ch. 19.

An act to change the times of holding the federal courts in Kentucky, North Carolina, South Carolina, Georgia, Alabama, and Louisiana, March 1, 1845, ch. 39.

of Indian affairs  
at St. Louis.

10,000 dollars  
appropriated for  
a military es-  
cort.

ers, and be subject to all the duties of governors of territories, when exercising the office of superintendents of Indian affairs, and shall exercise a general supervision of the official conduct and accounts of Indian agents within his superintendency.

SEC. 6. *And be it further enacted*, That the sum of ten thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to enable the President of the United States to furnish a competent military escort to the commissioners authorized to be appointed by this act, if, in his opinion, the same shall be necessary.

APPROVED, May 25, 1824.

STATUTE I.

May 26, 1824.

[Obsolete.]

Further ap-  
propriations for  
the military ser-  
vice.

1802, ch. 13.

March 3, 1823,  
ch. 71.

Compensation  
to two clerks in  
the second au-  
ditor's office,  
1818, ch. 87.

20,525 dollars  
and 70 cents ap-  
propriated.  
1822, ch. 89.

To be paid  
out of the trea-  
sury.  
Proviso.

Proviso.

CHAP. CXLIX.—*An Act making further appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-four, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to wit:

For pay of a superintendent of Indian affairs at St. Louis, and the several Indian agents, as allowed by law, twenty-six thousand five hundred dollars:

For pay of the sub-agents, as allowed by law, thirteen thousand one hundred dollars:

For presents to Indians, as authorized by act of one thousand eight hundred and two, ten thousand dollars:

For contingent expenses, ninety-five thousand dollars:

For making the surveys, compensation to the commissioners, and other incidental expenses, under the act "for establishing a national armory on the western waters," in addition to the sum heretofore appropriated by the said act, four thousand one hundred and thirty-five dollars:

For the quartermaster's department, fuel, stationery, and contingencies of the military academy, eleven thousand five hundred dollars:

For the salaries of two clerks in the second auditor's office, as authorized by the act of the twentieth April, one thousand eight hundred and eighteen, and not included in the letter of the Secretary of the Treasury, of the ninth of January, transmitting the annual estimates of appropriations for the present year, two thousand eight hundred dollars:

SEC. 2. *And be it further enacted*, That the sum of twenty thousand five hundred and twenty-five dollars and seventy cents, in addition to the unexpended balance of the appropriation of the act of the seventh of May, one thousand eight hundred and twenty-two, of twenty-nine thousand four hundred and twenty-four dollars and thirty cents, be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to enable the President of the United States to take the necessary measures for the extinguishment of the title of the Creek Indians to the land now occupied by them, lying within the limits of the state of Georgia.

SEC. 3. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money, appropriated by this act, shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, further*, That nothing in this section contained shall extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance with this act, it shall be the

duty of the accounting officer, if demanded by the party, his agent, or attorney, to report, forthwith, to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, May 26, 1824.

STATUTE I.

CHAP. CL.—*An Act appropriating a sum of money to Benjamin Huffman, of the state of Indiana.*

May 26, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Benjamin Huffman the sum of five hundred dollars, to enable him to regain his son, Peter Hoffman [Huffman] who was taken a captive by hostile Indians during the late war: *Provided,* That the said Benjamin Huffman shall previously give bond with sufficient security, to be approved of by the Secretary of the Treasury, conditioned upon the said Huffman's rendering to the proper accounting officers of the Treasury Department, correct accounts of his expenditure of the whole or any part of the said sum of money for the sole purpose of regaining the possession of his son aforesaid; and that the said Huffman shall pay any balance that may remain in his hands after the expenditure provided for as aforesaid, into the treasury of the United States.

500 dollars to be paid Benjamin Huffman.

Proviso.

SEC. 2. *And be it further enacted,* That the aforesaid sum shall be paid out of any money in the treasury not otherwise appropriated.

To be paid out of the treasury.

APPROVED, May 26, 1824.

STATUTE I.

CHAP. CLl.—*An Act making appropriations to carry into effect certain Indian treaties.*

May 26, 1824.

*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, that is to say:

Specific appropriations for carrying into effect certain Indian treaties.

For carrying into effect so much of the fourth article of the treaty of the eighth January, eighteen hundred and twenty-one, between the United States and the Creek nation, as relates to the compensation due to the citizens of Georgia, by the Creek nation, the appropriation heretofore made for that object being exhausted, the sum of twenty-three thousand dollars.

For the payment of the annuity to the Creek nation, as provided for by the same article of said treaty, the sum of sixteen thousand dollars annually, for five years, and the sum of ten thousand dollars, annually, for six years thereafter.

For implements of husbandry and stock of cattle and hogs, agreeably to the stipulation contained in the third article of the treaty with the Florida Indians, of the eighteenth September, eighteen hundred and twenty-three, the sum of six thousand dollars.

For the payment of the annuity to the Florida Indians, as provided for by the third article of said treaty, the sum of five thousand dollars, annually, for twenty years.

For the expense of rations to be furnished to said Indians, agreeably to the fifth article of said treaty, the sum of sixty-five thousand seven hundred dollars.

For compensation for improvements that may be abandoned by said

Indians, as provided for by the fifth article of said treaty, the sum of four thousand five hundred dollars.

For transportation of the different tribes to the land assigned them by the said treaty, as provided for by the fifth article of the same, the sum of two thousand dollars.

For the establishment of a school, and the support of a gunsmith for said Indians, as provided for by the sixth article of said treaty, the sum of two thousand dollars, annually, for twenty years.

For running the line of the land assigned to said Indians, as provided for [in] the seventh article of said treaty, the sum of five thousand dollars.

To be paid out of the treasury.

SEC. 2. *And be it further enacted*, That the said sums be, and they are hereby, directed to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLII.—*An Act to allow the bounty to vessels employed in the cod fisheries, in certain cases.*

Act of March 3, 1819, ch. 89.

Any vessel licensed for the cod fishery, which may be wrecked, upon satisfactory proof shall be allowed the same as if no accident had happened.

The first section of this act to be extended to vessels, which, having completed their fishing terms, were wrecked subsequent to the act of March 3, 1819, ch. 89.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That any vessel which shall be licensed according to law, for the cod fishery, and which shall have completed her fishing term, according to the provisions of law, and thereby become entitled to the allowance of bounty, shall in returning to any port within the United States, be wrecked or lost, the owner or owners, and crew of such vessel, shall, on satisfactory proof being made to the comptroller of the treasury, of the wreck, or loss of such vessel, be entitled to the same bounty as would have been allowed, had such vessel returned to port.

SEC. 2. *And be it further enacted*, That any vessel which shall have completed her fishing term, subsequent to the act, entitled "An act in addition to, and alteration of, an act, entitled 'An act laying a duty on imported salt, granting a bounty on pickled fish exported, and allowance to certain vessels, employed in the fisheries,'" passed the third of March, one thousand eight hundred and nineteen, and which shall, in returning to any port in the United States, have been wrecked or lost, the owner or owners, and crew of such fishing vessel, shall have extended to them the provisions of the first section of this act.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLIII.—*An Act making appropriations for deepening the channel leading into the harbour of Presque Isle, and for repairing Plymouth Beach.*

[Obsolete.] 20,000 dollars appropriated for deepening the channel leading into the harbour of Presque Isle; and 20,000 to repair Plymouth beach, Massachusetts.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums of money be, and the same are hereby, appropriated, out of any moneys in the treasury not otherwise appropriated, and placed at the disposition of the President of the United States, for the purpose of accomplishing the objects hereinafter mentioned, to wit: the sum of twenty thousand dollars, for making or deepening the channel, leading into the harbour of Presque Isle, in the state of Pennsylvania; and the sum of twenty thousand dollars, to repair Plymouth Beach, in the state of Massachusetts, and thereby prevent the harbour, at that place, from being destroyed.

APPROVED, May 26, 1824.

May 26, 1824.

CHAP. CLIV.—*An Act concerning pre-emption rights in the territory of Arkansas. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That every person, and the legal representative of every person, who was entitled to the right of pre-emption, in the territory of Arkansas, under the provisions of the act of Congress of the 12th of April, one thousand eight hundred and fourteen, entitled "An act for the final adjustment of land titles in the state of Louisiana and territory of Missouri," in that tract of country north of the river Arkansas, ceded by the United States to the Cherokee nation of Indians, on the eighth day of July, one thousand eight hundred and seventeen, be, and they are hereby, authorized, in lieu thereof, and in full compensation for such right of pre-emption, to enter with the register of the land office in the district of Lawrence, in said territory, any tract within said district, on which they may have made improvements previously to the passing of this act, or any unimproved tract within said district, the sale of which is authorized by law: *Provided,* That no more than one quarter section of land shall be sold to any one individual, in virtue of this act; and the same shall be bounded by the sec-

Any person or his legal representative, who was entitled to the right of pre-emption in the territory of Arkansas, under the act of April 12, 1814, authorized to enter with the register of the land office in Lawrence district, any tract therein.  
1814, ch. 52.

Proviso.

(a) Acts which have been passed relating to public lands in Arkansas:

An act for the final adjustment of land titles in the state of Louisiana, and territory of Missouri, April 12, 1814, ch. 52.

An act to authorize the President of the United States to appoint a receiver of the public money and register of the land office for the district of Lawrence county in the Arkansas territory, March 17, 1820, ch. 24.

An act concerning pre-emption rights in the territory of Arkansas, May 26, 1824, ch. 154.

An act enabling the claimants to land within the limits of the state of Missouri and territory of Arkansas to institute proceedings to try the validity of their titles, May 26, 1824, ch. 173.

An act to continue in force for a limited time, and to amend an act entitled "An act to enable claimants to land within the limits of the state of Missouri and territory of Arkansas to institute proceedings to try the validity of their titles, May 24, 1828, ch. 90.

An act restricting the location of certain land claims in the territory of Arkansas, and for other purposes, Jan. 6, 1829, ch. 2.

An act to preserve from injury and waste the school lands in the territory of Arkansas, Jan. 6, 1829, ch. 3.

An act to extend the time for locating certain donations in Arkansas, expired Jan. 13, 1830, ch. 3.

An act further to extend the powers of the judges of the superior court of the territory of Arkansas, under the act of the 26 May, 1824, and for other purposes, May 8, 1830, ch. 90.

An act to authorize the selection of certain school lands in the territory of Arkansas, May 29, 1830, ch. 180.

An act to provide for surveying certain lands in the territory of Arkansas, May 29, 1830, ch. 182.

An act to extend the time for entering certain donation claims to land in the territory of Arkansas, Jan. 27, 1831, ch. 11.

An act further to extend the time for entering certain donation claims to land in the territory of Arkansas, Feb. 20, 1833, ch. 43.

An act providing for the postponement of the trial of certain cases now pending in the superior court of Arkansas territory, and for withholding from sale or entry, certain lands in said territory, April 20, 1832, ch. 72.

An act to confirm certain claims to land in the territory of Arkansas, June, 25, 1832, ch. 148.

An act to settle the titles to certain tracts of land in the state of Arkansas, Aug. 4, 1842, ch. 128.

An act to perfect the titles to lands south of the Arkansas river, held under New Madrid locations, and pre-emption rights under the act of one thousand eight hundred and fourteen, March 1, 1843, ch. 50.

Decisions of the Supreme Court, on land titles in Arkansas.

Under the provision of the act of Congress, passed on the 26th of May, 1824, proceedings were instituted in the superior court of the territory of Arkansas, by which a confirmation was claimed of a grant of land alleged to have been made to the petitioner, Sampeyreac, by the Spanish government, prior to the cession of Louisiana to the United States by the treaty of April 3d, 1803. This claim was opposed by the district attorney of the United States; and the court after hearing evidence, decreed that the petitioner recover the land from the United States. Afterwards, the district attorney of the United States, proceeding on the authority of the act of May 8th, 1830, filed a bill of review, founded on the allegation, that the original decree was obtained by fraud and surprise, that the documents produced in support of the claim of Sampeyreac were forged, and that the witnesses who had been examined to sustain the same were perjured. At a subsequent term Stewart was allowed to become a defendant to the bill of review, and filed an answer, in which the fraud and forgery are denied, and in which he asserts, that if the same were committed, he is ignorant thereof; and asserts that he is bona fide purchaser of the land for a valuable consideration, from one John J. Bowie, who conveyed to him the claim of Sampeyreac by deed, dated about the 22d October, 1828. On a final hearing, the court, being satisfied of the forgery, perjury, and fraud, reversed the original decree. Held, that these proceedings were legal, and were authorized by the act of the 8th of May, 1830. *Sampeyreac v. The United States*, 7 Peters, 222.

tional and divisional lines run, or to be run, under the direction of the surveyor of the United States' lands for the states of Missouri and Illinois, and territory of Arkansas.

Every person claiming a preference in becoming a purchaser of a tract of land, in virtue of this act, shall deliver a notice in writing to the register of the land office for said district.

The register to file such notice.

SEC. 2. *And be it further enacted*, That every person claiming a preference in becoming the purchaser of a tract of land, in virtue of this act, shall deliver a notice in writing to the register of the land office for said district, stating therein that he was entitled to a pre-emption right, under the aforesaid act of Congress, in that part of the territory of Arkansas ceded as aforesaid, and also particularly designating therein the quarter section he is desirous to enter, which notice the register shall file in his office; and, in every case where it shall be proved, to the satisfaction of the register and receiver of public moneys of the land office aforesaid, that any person who has delivered such notice was entitled to a pre-emption right under said act of Congress, in that part of the territory of Arkansas ceded as aforesaid, shall have a right to enter with the register of said land office, at the minimum price for which United States' lands are sold, the tract of land designated in said notice, on producing his receipt from the receiver of public moneys for the purchase money of said tract, as in case of other public lands sold at private sale; and, as a compensation for their services, the register and receiver shall, each, be entitled to one dollar in every such case, to be paid by the claimant of such pre-emption right: *Provided*, That every such entry and payment shall be made at least two weeks previous to the time of offering the adjacent lands at public sale, unless the same be entered in such part of said district as shall have been offered at public sale at the time of the passage of this act; in which case, such entry shall be made within two years from the passage thereof.

Proviso.

APPROVED, May 26, 1824.

#### STATUTE I.

May 26, 1824.

CHAP. CLV.—*An Act to fix the western boundary line of the territory of Arkansas, and for other purposes. (a)*

Course of the western boundary line of the territory of Arkansas.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the western boundary line of the territory of Arkansas shall begin at a point forty miles west of the south-west corner of the state of Missouri, and run south to the right bank of the Red River, and thence, down the river, and with the Mexican boundary, to the line of the state of Louisiana, any law heretofore made, to the contrary notwithstanding.

2,000 dollars appropriated.

SEC. 2. *And be it further enacted*, That the sum of two thousand dollars, to defray the expense of running and marking said boundary line, to be expended under the directions of the President of the United States, be, and the same hereby is, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

The unexpended appropriation of 65,000 dollars, of March 3, 1821, ch. 35, to be expended agreeably to said act.

SEC. 3. *And be it further enacted*, That so much of the appropriation of sixty-five thousand dollars, made by the act of the 3d of March, eighteen hundred and twenty-one, for carrying into effect the treaty of the eighteenth of October, eighteen hundred and twenty, with the Chactaw [Choctaw] Indians, as remains unexpended, shall, under the direction of the President of the United States, be employed for the purposes mentioned in the said act of 3d of March, eighteen hundred and twenty-one, any law to the contrary notwithstanding.

10,000 dollars appropriated.

SEC. 4. *And be it further enacted*, That the sum of ten thousand dollars to be paid out of any money in the treasury not otherwise appropriated, be, and the same is hereby, appropriated, to defray the expenses of treat-

(a) See notes to act of March 2, 1819, ch. 49.

ing with the Chactaw [Choctaw] Indians, to obtain a modification of the treaty of October eighteenth, one thousand eight hundred and twenty.

APPROVED, May 26, 1824.

STATUTE I.

CHAP. CLVI.—*An Act making an appropriation towards the extinguishment of the Quaupau title to lands in the territory of Arkansas.*

May 26, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That a sum not exceeding seven thousand five hundred dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to enable the President of the United States to negotiate a treaty with the Quaupau Indians, for the extinguishment of their title to lands in the territory of Arkansas.

7500 dollars appropriated to negotiate a treaty with the Quaupau Indians.

APPROVED, May 26, 1824.

STATUTE I.

CHAP. CLVII.—*An Act authorizing the employment of additional clerks, and certain messengers and assistants, and other persons in the several departments.*

May 26, 1824.

*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 departments, hereinafter mentioned, to employ the following clerks, in addition to those authorized by existing laws, that is to say:

Clerks to be employed in the following offices.

In the Treasury Department, one clerk, whose salary shall not exceed the sum of one thousand one hundred and fifty dollars per annum:

Clerk in Treasury Department.

In the office of the treasurer, one clerk, whose salary shall not exceed the sum of eight hundred dollars, and one assistant to the chief clerk, whose salary shall not exceed the sum of four hundred dollars per annum:

Clerks in treasurer's office.

In the office of the fifth auditor, one clerk, whose salary shall not exceed one thousand four hundred dollars, and two clerks, whose salaries, respectively, shall not exceed one thousand one hundred and fifty dollars.

Clerks in 5th auditor's office.

In the Navy Department, one clerk, whose salary shall not exceed one thousand dollars:

Clerk in navy department.

In the office of the navy commissioners, three clerks, and one draughtsman, whose salaries, respectively, shall not exceed the sum of one thousand dollars per annum:

Three clerks and draughtsman in navy commissioners' office.

In the office of the Postmaster General, four clerks, whose salaries, respectively, shall not exceed the sum of one thousand dollars; and two clerks, whose salaries, respectively, shall not exceed the sum of eight hundred dollars per annum:

Clerks in general post-office.

In the office of the commissary general of subsistence, two clerks, whose salaries, together, shall not exceed the sum of two thousand one hundred and fifty dollars per annum:

Clerks in commissary general's office.

In the engineer department, two clerks, whose salaries, together, shall not exceed the sum of two thousand one hundred and fifty dollars per annum:

Clerks in engineer department.

In the office of the surgeon general, one clerk, whose salary shall not exceed the sum of one thousand one hundred and fifty dollars per annum:

Clerk in surgeon general's office.

In the office of the commissary general of purchases, three clerks, whose salaries, together, shall not exceed the sum of three thousand five hundred dollars per annum:

Clerks in office of the commissary general of purchases.

SEC. 2. *And be it further enacted,* That it shall be lawful for the

Messengers, &c. to be employed.

Messenger and assistant, Department of State.

Machinist and messenger in the patent office.

Messenger and assistant in treasury department.

Messenger and assistant in first comptroller's office.

Messenger in second comptroller's office.

Messenger in first auditor's office.

Messenger in 2d auditor's office.

Messenger and assistant in third auditor's office.

Messenger in fourth auditor's office.

Messenger in fifth auditor's office.

Messenger in treasurer's office.

Messenger &c. general land office.

Messenger and assistant in register's office.

Messenger and assistant in war office.

Messenger in paymaster general's office.

Messenger in com. general of purchases office.

Messenger and assistant navy department.

Messenger navy com. office.

Messenger and assistant general post-office.

Messenger secretary of the Senate's office.

Clerks and messenger, office clerk of House of Representatives.

5,913 dollars and 25 cents appropriated.

officers of the departments to employ, in their respective offices, messengers, assistants, and other persons, as follows, that is to say :

In the office of the Secretary of State, one messenger, and assistant, at a compensation not exceeding one thousand and fifty dollars per annum :

In the patent office, one machinist, at a compensation not exceeding seven hundred dollars, and one messenger, at a compensation not exceeding four hundred dollars per annum :

In the office of the Secretary of the Treasury, one messenger, and assistant, whose compensation, together, shall not exceed one thousand and fifty dollars per annum :

In the office of the first comptroller, one messenger, and assistant, at a compensation, together, not exceeding one thousand and fifty dollars per annum :

In the office of the second comptroller, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the first auditor, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the second auditor, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the third auditor one messenger, and assistant, at a compensation, together, not exceeding one thousand and fifty dollars per annum :

In the office of the fourth auditor, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the fifth auditor, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the treasurer, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the commissioner of the general land office, one messenger, and labourer, at a compensation, together, not exceeding eleven hundred and fifty dollars per annum :

In the office of the register of the treasury, one messenger, and assistant, at a compensation, together, not exceeding one thousand and fifty dollars per annum :

In the office of the Secretary of War, one messenger, and assistant, at a compensation, together, not exceeding one thousand and fifty dollars per annum :

In the office of the paymaster general, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the commissary general of purchases, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the Secretary of the Navy, one messenger, and assistant, at a compensation, together, not exceeding one thousand and fifty dollars per annum :

In the office of the commissioners of the navy, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the postmaster general, one messenger, and assistant, at a compensation together, not exceeding one thousand and fifty dollars per annum :

In the office of the secretary of the Senate, one messenger, at a compensation not exceeding seven hundred dollars per annum :

In the office of the clerk of the House of Representatives, three clerks, at a compensation not exceeding one thousand five hundred dollars each; and one messenger, whose salary shall not exceed seven hundred dollars per annum :

SEC. 3. *And be it further enacted*, That the sum of five thousand nine hundred and thirteen dollars, and twenty-five cents is hereby appropriated for one year's compensation for one additional clerk in the



Department of the Navy, and for four additional clerks in the General Post-office, including the sum of nine hundred and thirteen dollars and twenty-five cents, due for extra clerk hire in the General Post-office during one thousand eight hundred and twenty-two, and one thousand eight hundred and twenty-three.

APPROVED, May 26, 1824.

## STATUTE I.

May 26, 1824.

CHAP. CLVIII.—*An Act to allow a salary to the collectors of the districts of Nantucket and Pensacola, and to abolish the office of surveyor of the district of Pensacola.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from and after the passage of this act, the following annual salaries be, and the same are hereby, allowed, to wit: To the collector of the port of entry for the district of Nantucket, in the state of Massachusetts, the sum of two hundred and fifty dollars; and to the collector of the port of entry for the district of Pensacola, in the territory of Florida, the sum of five hundred dollars.

SEC. 2. *And be it further enacted,* That, from and after the thirtieth day of June next, the office of surveyor of the port of entry for the district of Pensacola, in the territory above mentioned, be, and the same is hereby, abolished.

APPROVED, May 26, 1824.

250 dollars to be paid the collector for Nantucket, and 500 dollars to the collector for the district of Pensacola, annually.

After the 30th June next, the office of surveyor for the district of Pensacola, to be abolished.

## STATUTE I.

May 26, 1824.

CHAP. CLIX.—*An Act to confer certain powers on the levy court of the county of Alexandria, in the District of Columbia, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the levy court of the county of Alexandria, in the District of Columbia, shall, from and after the passing of this act, have, possess, and exercise, all the powers which the county courts of Virginia possessed and exercised on the twenty-seventh day of February, one thousand eight hundred and one, in relation to the laying of the county levies; and that the marshal of the District of Columbia, shall collect and account for the levies so laid by said court, in the same manner, and at the same time, as the sheriffs of Virginia collected and accounted for the levies made by the aforesaid county courts of Virginia, on the aforesaid twenty-seventh day of February, one thousand eight hundred and one. The marshal of the district aforesaid, shall pay over the amount, so collected, to the order of the levy court aforesaid.

SEC. 2. *And be it further enacted,* That any seven justices of the peace in the county of Alexandria, aforesaid, who shall be duly qualified, shall be a quorum for the transaction of all business appertaining by law to the levy court aforesaid.

SEC. 3. *And be it further enacted,* That the orphans' court of the said county of Alexandria, shall, hereafter, be held at the courthouse, in the town of Alexandria, so soon as a suitable room shall have been provided, on the public square on which said courthouse stands, for the safe-keeping of the records of said orphans' court. The said orphans' court shall hold its sessions on the first Monday in each month, and may adjourn from day to day, for the purpose of transacting the business of said court: *Provided,* That the whole number of days of the session of said court, shall not exceed four in any one month.

SEC. 4. *And be it further enacted,* That the register of wills for the county of Alexandria aforesaid, shall, within two months from and after the passage of this act, give bond and good security, payable to the

The levy court of the county of Alexandria to have the powers which the county courts of Virginia possessed, &c. on the 27th of February, 1801, in relation to county levies.

Seven justices of the peace to constitute a quorum.

The orphans' court of Alexandria to hold its sessions on the first Monday of each month at the courthouse.

Proviso.

The register of wills to give security for the faithful perfor-

mance of the duties of his office.

United States, in the penalty of five thousand dollars; which bond shall be conditioned for the due and faithful performance of the duties of his office, as prescribed by law; which bond shall be renewed once in every five years thereafter, and shall be approved by the orphans' court; and shall be recorded among the records of the circuit court of the District of Columbia for the county aforesaid; an official copy of which bond, duly certified, shall have the force and effect of the original, in all suits brought on said bond.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLX.—*An Act further to regulate the inspection of flour in the county of Alexandria.*

Course to be pursued for the better regulation of the inspection of flour in the county of Alexandria.

Said county to be divided into two inspection districts.

Power vested in the common council.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for the better regulation of the inspection of flour within the county of Alexandria, in the District of Columbia, the common council of the town of Alexandria shall be, and they are hereby, empowered and required to divide the said county and town into two inspection districts; that to each of those districts, there shall be appointed a flour inspector, in the mode now authorized by law, to perform alternate duties in the said districts; each of the said inspectors shall be liable to removal from office, at any time within the term for which he shall have been appointed by the court making the appointment; and during his continuance in office, shall enjoy the same rights, and be subject to like duties and restraints, as the present inspector of flour in the said county of Alexandria.

SEC. 2. *And be it further enacted,* That the said common council be, and they are hereby, empowered, to provide for a re-inspection of flour in store, whenever, in their opinion, it may require it, and to regulate the exportation and shipment thereof; to pass laws for the punishment of all persons who shall be guilty of fraud, or otherwise violate their regulations, and to alter or amend the present inspection laws, so far as may be necessary to effect that object.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLXI.—*An Act to authorize masters of vessels in certain cases, to clear out either at the custom-house of Petersburg, or that of Richmond.*

Ships or vessels owned in, or consigned to Richmond, loaded in the district of Petersburg, may be cleared out at Richmond.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any ship or vessel, owned by, or consigned to, any person or persons in the collection district of Richmond, and which shall be loaded, in whole or in part, in the district of Petersburg, by such owner or owners, consignee or consignees, may be cleared out by the collector of the district of Richmond, on application of the owner, consignee, or captain, of such ship or vessel: *Provided,* That the entire cargo shall be bona fide taken or shipped from the district of Richmond.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLXII.—*An Act for the relief of certain distillers in the United States.*

The Secretary of the Treasury to refund to certain distillers in the United

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and required to refund, out of any money in the treasury not otherwise appropriated, to the distillers of spiritu-

ous liquors, or their legal representatives, of any state or district within the United States, who, at any time since the first day of January, one thousand eight hundred and fourteen, have used stills made according to Henry Witmer's improvement upon Anderson's condensing tub, and who have paid a duty upon the capacity of the globes of such stills, all the moneys which such distillers may have, respectively, paid, as a duty, on the capacity of the globes of their said stills.

APPROVED, May 26, 1824.

States such sums as they have paid into the treasury.

STATUTE I.

May 26, 1824.

[Obsolete.]

CHAP. CLXIII.—*An Act to amend an act, entitled "An act to amend an act for the establishment of a territorial government in Florida, 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 the judicial power of the territory of Florida shall be vested in three superior courts, and in such inferior courts, and justices of the peace as the legislative council of the territory may, from time to time, establish. There shall be a superior court for that part of the territory situated to the west of the river Apalachicola, to consist of one judge; he shall hold his court on the first Mondays in May and November, in each and every year, at Pensacola, and at such other times and places as the legislative council may direct. There shall be a superior court for that part of the territory situated between the Apalachicola and Suwannee rivers, to consist of one judge; he shall hold his court on the first Mondays of April and October, in each and every year, at the seat of government in said territory, and at such other times and places as the legislative council may direct. There shall be a superior court for that part of the territory situated to the east and south of the Suwannee river, to consist of one judge: he shall hold his court on the first Monday in May and November, in each and every year, at St. Augustine, and at such other times and places as the legislative council shall direct. Within its limits, herein described, each court shall have jurisdiction in all criminal cases, and exclusive jurisdiction in all capital offences, and original jurisdiction in all civil cases of the value of one hundred dollars, arising under the laws of the territory now in force, or which may, at any time hereafter, be enacted by the legislative council, and shall have and exercise appellate jurisdiction over the inferior courts of said territory. Each judge shall appoint a clerk, who shall reside, respectively, at the place where his said court is, or may, by law, be directed to be held, and they shall keep the records there. Each clerk shall receive for his services, in all cases, arising under the laws of the territory, such fees as shall be established by the legislative council. And writs of error and appeal from the final decision of the said superior courts, authorized by this section of this act, shall be made to the appellate court of said territory, hereinafter provided for, in such manner, and under such regulations, as the legislative council may direct; and, until the legislative council shall have made such regulations, writs of error and appeal from the final decision of the said superior courts shall be made to the appellate court of the territory, in the same manner that writs of error and appeals are taken and prosecuted in the next adjoining state.

SEC. 2. *And be it further enacted,* That each of the said superior courts shall, moreover, have and exercise the same jurisdiction within its limits, in all cases arising under the laws and Constitution of the United States, which, by an act to establish the judicial courts of the United States, approved the twenty-fourth day of September, one thousand seven hundred and eighty-nine, and "An act in addition to the act, entitled 'An act to establish the judicial courts of the United States,'" approved the second of March, one thousand seven hundred and ninety-three, was

Act of March 3, 1823, ch. 28.

The judicial power of the territory of Florida to be vested in three superior courts.

Act of March 30, 1822, ch. 13.

Act of May 15, 1826, ch. 46.

Where said courts are to be held.

Jurisdiction of each court in all criminal and capital offences.

Each judge to appoint a clerk.

Same jurisdiction to be exercised by each of said superior courts, as was vested in the court of the Kentucky district.

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

(a) See notes to act of March 30, 1822, ch. 13, vol. iii, 654.

Act of March 2, 1793, ch. 22.

The first six days of each term to be appropriated to the trial of causes arising under the laws and constitution of the United States.

Records to be kept at the places where the courts are held.

Persons learned in the law to be appointed to act as attorneys, and to receive the same salary, each, as the attorney for the district of Kentucky.

A marshal to be appointed for each court.

Each judge to receive 1500 dollars per annum.

A court of appeal to be organized and composed of the judges of the superior court.

Senior judge to preside.

Court may be adjourned, by any one of its judges being present, from day to day, until a quorum be convened.

So much of the act of which this is amendatory, as requires the legislative council to commence its sessions on the first Monday in May, repealed.

vested in the court of the Kentucky district. The first six days of each term of the said courts, or so much thereof as may be necessary, shall be appropriated to the trial of causes arising under the laws and Constitution of the United States. And writs of error and appeal from the decisions in the said superior courts, authorized by this section of this act, shall be made to the appellate court of said territory, in such manner, and under such regulations, as the legislative council shall direct. The clerks, respectively, shall keep the records at the places where the courts are held, and no one clerk shall, by himself or deputy, officiate at more than one place for holding said courts: they shall receive, in all cases under the laws and Constitution of the United States, the same fees which the clerks of the district court of the next adjoining state receives [receive] for similar services.

SEC. 3. *And be it further enacted*, That there shall be appointed, for each of the said courts, a person, learned in the law, to act as attorneys of the United States, as well as for the territory, each of whom shall receive the same fees, both in civil and criminal cases, as are received by the district attorneys of the United States, of the next adjoining state, for similar services; and shall, moreover, receive, as a full compensation for all extra services, annually, the same salary, as is provided, by law, for the district attorney of the district of Kentucky, to be paid, quarterly, by the treasury of the United States. There shall, also, be appointed, for each of the said courts, a marshal, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, to which marshals, in other districts are entitled for similar services; and shall, in addition, be paid the sum of two hundred dollars annually, as a compensation for extra services; and shall, also, be subject to such regulations and penalties as the legislative council shall impose, while acting under, and in virtue of, the territorial laws. Each judge shall receive a salary of fifteen hundred dollars per annum, to be paid, quarterly, by the treasury of the United States.

SEC. 4. *And be it further enacted*, That there shall be organized in said territory a court of appeals, to be composed of the judges of the superior courts of said territory, any two of whom shall be a quorum, and shall hold, annually, at the seat of government of said territory, one session, commencing on the first Monday in January, in each and every year. The senior judge shall be the presiding judge of said court, and the other judges shall have precedence according to the date of their commissions, or where their commissions are of the same date, according to their respective ages. That the said court may by any one of its judges being present, be adjourned, from day to day, until a quorum be convened; and if no one of its judges be present, by the marshal of said court, until a quorum be convened; and the district attorney, marshal, and clerk, of the superior court, of the middle district, shall be officers of the said court of appeals; and writs of error and appeal from the decision of the said court shall be made to the Supreme Court of the United States, in the same manner, and under the same regulations, as from the circuit courts of the United States, where the amount in controversy, to be ascertained by the oath or affirmation of either party, shall exceed one thousand dollars.

SEC. 5. *And be it further enacted*, That so much of the act, of which this is an amendment, as requires the legislative council of said territory to commence its sessions on the first Monday in May, in each and every year, be, and the same is hereby, repealed; and the said legislative council shall, hereafter, hold a session in every year commencing on the second Monday in November, in each and every year, but shall not continue longer in session than four weeks after the first session, which shall not continue longer than eight weeks; to be held at the seat of government in said territory, or at such other place or places as the governor and council may, from time to time, direct.

SEC. 6. *And be it further enacted*, That so much of the act, of which this is an amendment, as requires that the governor of Florida shall not leave the territory without the permission of the President of the United States, be, and the same is hereby, repealed.

APPROVED, May 26, 1824.

Part of the former act repealed.  
1823, ch. 28.

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STATUTE I.

CHAP. CLXIV.—*An Act granting donations of land to certain actual settlers in the territory of Florida.*(a)

May 26, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the commissioners for ascertaining titles and claims to lands in Florida, be, and they are hereby, authorized and required, within their respective districts, and in addition to their former duties, to receive and examine all claims that may be presented to them, and the evidence in support of each of such claims, founded on habitation and cultivation of any tract of land, town, or city lot, or out-lot, by any person, being the head of a family, and twenty-one years of age, who, on the twenty-second day of February, one thousand eight hundred and nineteen, actually inhabited and cultivated such tract of land, or actually cultivated and improved such lot, or who, on that day, cultivated any tract of land in the vicinity of any town or city, having a permanent residence in such town or city, in said territory; and to grant certificates of confirmation for any tract of land thus inhabited and cultivated, or cultivated by any person of the above description, residing in any town or city in the vicinity of the tract so cultivated; which land shall be located in an entire body, as nearly as possible, in conformity to the surveys of the contiguous public lands, and so as to embrace the principal improvements then made on any tract so claimed, and shall not exceed in quantity six hundred and forty acres: And it shall also be the duty of said commissioners to receive claims to land founded on habitation and cultivation, commenced between the twenty-second of February, one thousand eight hundred and nineteen, and the seventeenth of July, one thousand eight hundred and twenty-one, when Florida was surrendered to the United States, and evidence in support of the same; and to report an abstract of all such claims to Congress, and of the claims by them confirmed, to the Secretary of the Treasury; and the claims merely reported on, shall be laid before Congress at their next session, with the evidence of the time, nature, and extent, of such inhabitation and cultivation, in each case, and the extent of the claim: *Provided*, That no claim shall be received, confirmed, or reported, to Congress, by the said commissioners, for confirmation, in favour of any person, or the legal representatives of any person, who claims any tract of land in said territory, by virtue of any written evidence of title derived from either the British or Spanish government.

APPROVED, May 26, 1824.

The commissioners for ascertaining titles to lands in Florida authorized and required to receive and examine all claims presented to them within their respective districts.

Duty of said commissioners.

Proviso.

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STATUTE I.

CHAP. CLXV.—*An Act to authorize the state of Indiana to open a canal through the public lands, to connect the navigation of the rivers Wabash and the Miami of Lake Erie.*

May 26, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the state of Indiana be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of a canal, by which to connect the navigation of the rivers Wabash and Miami of Lake Erie; and ninety feet

A route for a canal to be surveyed and marked, by which the navigation of the Wabash and

(a) See notes to act of May 26, 1824, ch. 154.

Miami of Lake Erie may be connected.

The reservation and grant to be void, if a canal be not completed in twelve years.

Proviso.

Proviso.

Each section of land through which said canal may pass, to be reserved from future sale.

of land, on each side of said canal, shall be reserved from sale on the part of the United States, and the use thereof, forever, be vested in the state aforesaid, for a canal, and for no other purpose whatever.

SEC. 2. *And be it further enacted*, That, if the said state shall not survey, and direct by law said canal to be opened, and furnish the commissioner of the general land office a map thereof, within three years from and after the date of this act; or, if the said canal be not completed, suitable for navigation, within twelve years thereafter; or, if said land, hereby granted, shall ever cease to be used and occupied for the purpose of constructing and keeping in repair a canal, suitable for navigation; the reservation and grant aforesaid shall be void, and of none effect: *Provided*, That nothing in this act contained, or [that] shall be done in pursuance thereof, shall be deemed to imply any obligation on the part of the United States, to appropriate money to defray the expense of surveying or opening said canal: *And provided, likewise*, That the said canal, when completed, shall be, and forever remain, a public highway, for the use of the government of the United States, free from any toll or charge whatever, for any property of the United States, or persons in their service, on public business, passing through the same.

SEC. 3. *And be it further enacted*, That every section of land through which said canal route may pass, shall be, and the same is hereby, reserved from future sale, under the direction of the commissioner of the general land office, until hereafter specially directed by law; and the said state is hereby authorized, without waste, to use any materials on the public lands adjacent to said canal, that may be necessary for its construction.

APPROVED, May 26, 1824.

#### STATUTE I.

May 26, 1824.

[Obsolete.]

The secretary of the navy authorized to have surveyed the harbours of Charleston, South Carolina, and St. Mary's in Georgia, for certain purposes.

CHAP. CLXVI.—*An Act authorizing an examination and survey of the harbour of Charleston, in South Carolina, of St. Mary's in Georgia, and of the coast of Florida, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Navy be, and he is hereby, authorized to cause to be made, an examination and survey of the harbours of Charleston, in South Carolina, and St. Mary's, in Georgia, in reference to the expediency of establishing a navy yard at either of those places, for the building and repairing sloops of war and other vessels of an inferior class; and, also, to cause to be made and perfected an examination and survey of the harbour of Pensacola, and the coast of Florida, in order to ascertain the expediency of establishing a naval depot at Pensacola, or at such place in the vicinity of it, as may be most advantageous to the United States; and that the sum of five thousand dollars be, and the same is hereby, appropriated, for the purposes aforesaid, out of any money in the treasury not otherwise appropriated.

APPROVED, May 26, 1824.

#### STATUTE I.

May 26, 1824.

Counties to compose a part of the western, instead of the

CHAP. CLXVII.—*An Act to alter the judicial districts of Virginia, 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 the following counties in the state of Virginia shall cease to be a part of the eastern judicial dis-

(a) See notes to act of February 4, 1819, ch. 12.

trict of Virginia, and shall be added to, and form a part of, the western district, that is to say: the counties of Botetourt, Rockbridge, Alleghany, Bath, Pendleton, Augusta, Rockingham, Shenandoah, Frederick, Jefferson, Berkeley, Morgan, Hampshire, and Hardy: and that, in addition to the terms of the district court now holden in the western district the judge of the said western district shall hold two terms in each year, at Staunton, in the county of Augusta.

eastern judicial district of Virginia.

SEC. 2. *And be it further enacted*, That the terms of the courts in the said western district shall be held on the days and at the places hereinafter mentioned, viz: at Staunton, on the second Mondays in April and September; at Wythe Courthouse, on the third Mondays in April and September; at Lewisburg, on the fourth Mondays in April and September; and at Clarksburg, on the fourth Mondays in May and October, in each year.

Times and places fixed for the holding of the courts.

SEC. 3. *And be it further enacted*, That if the judge shall not attend on the first day of any court, such court shall stand adjourned, from day to day, for three days, if the same cause continue; after which time, if the judge still fail to attend, the court shall stand adjourned until the first day of the next term.

Courts to be adjourned should the judge not attend.

SEC. 4. *And be it further enacted*, That the judge of said court shall have power to hold special sessions, at his discretion, at either of the said places, for the trial of civil or criminal cases.

Power of the said judge.

APPROVED, May 26, 1824.

STATUTE I.

CHAP. CXLVIII.—*An Act for altering the time for holding the circuit court of the United States for the fourth circuit in the Maryland district.*(a)

May 26, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the terms of the circuit court of the United States for the fourth circuit in the district of Maryland, which are now directed by law to be holden on the first day of May and seventh day of November, in each year, shall be hereafter holden on the 8th days of May and December in each year, except where such days shall occur on Sunday, when the terms of the said court shall commence and be holden on the next succeeding day.

Terms of the circuit court in the district of Maryland altered.

SEC. 2. *And be it further enacted*, That the first session of the said circuit court, after the passage of this act, shall be held on the eight [eighth] day of December, in the year eighteen hundred and twenty-four.

First session to be held on December the 8th, 1824.

SEC. 3. *And be it further enacted*, That all process which may have issued, or which may hereafter issue returnable to the next succeeding terms, as heretofore established, shall be held returnable, and be returned, to those terms to which they are severally changed by this act.

All process which may have issued, to be held returnable to the terms appointed by this act.

APPROVED, May 26, 1824.

(a) *Acts of Congress relating to circuit courts in Maryland:*

- An act to establish the judicial courts of the United States, September 24, 1789, ch. 20, sec. 3.
- An act concerning the circuit courts of the United States, March 3, 1797, ch. 27.
- An act to amend the judicial system of the United States, April 29, 1802, ch. 31, sec. 4.
- An act for altering the time of holding the circuit court of the United States for the fourth circuit in the Maryland district, May 26, 1824, ch. 168.
- An act to alter the time of holding the circuit court of the United States, for the district of Maryland, February 11, 1830, ch. 11.
- An act supplementary to the act, entitled "An act to amend the judicial system of the United States," March 3, 1837, ch. 34, sec. 2.
- An act to change the time of holding the United States circuit court in the district of East Tennessee, and the district of Maryland, July 7, 1838, ch. 193.

## STATUTE I.

May 26, 1824.

CHAP. CLXIX.—*An Act granting to the counties or parishes of each state and territory of the United States, in which the public lands are situated, the right of pre-emption to quarter sections of land, for seats of justice within the same.*

The right of pre-emption to one quarter section of land granted to the several counties of each state and territory of the United States, where there are public lands, for certain purposes.

Proviso.  
Proviso.

Parts of other acts repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be granted to the several counties or parishes of each state and territory of the United States, where there are public lands, at the minimum price for which public lands of the United States are sold, the right of pre-emption to one quarter section of land, in each of the counties or parishes, of said states and territories, in trust for said counties or parishes, respectively, for the establishment of seats of justice therein: *Provided,* The proceeds of the sale of each of said quarter sections shall be appropriated for the purpose of erecting public buildings in the county or parish for which it is located, after deducting therefrom the amount originally paid for the same: *And provided, further,* That the seat of justice for said counties or parishes, respectively, shall be fixed previously to a sale of the adjoining lands within the county or parish for which the same is located.

SEC. 2. *And be it further enacted,* That so much of such acts, heretofore passed, granting to states rights of pre-emption, for county or parish purposes, as require said seats of justice to be continued at or near the centre of each of said counties or parishes, be, and the same is hereby, repealed.

APPROVED, May 26, 1824.

## STATUTE I.

May 26, 1824.

CHAP. CLXX.—*An Act to alter the judicial districts of Pennsylvania, and for other purposes. (a)*

Certain counties to compose a part of the western, instead of the eastern judicial district of Pennsylvania.

Time and place of holding courts.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following counties in the state of Pennsylvania shall cease to be a part of the eastern judicial district of Pennsylvania, and shall be added to, and form a part of, the western district; that is to say: Susquehanna, Bradford, Tioga, Union, Northumberland, Columbia, Luzerne, and Lycoming: and that, besides the terms of the district court directed by law to be held at Pittsburg, for the western district, the judge of the said western district shall hold two terms in every year, at William's Port, in the county of Lycoming, which shall commence on the first Mondays of the months of June and October, in each and every year, beginning in October next, and be continued and adjourned from time to time, as the court may deem expedient for the despatch of the business thereof.

APPROVED, May 26, 1824.

## STATUTE I.

May 26, 1824.

CHAP. CLXXI.—*An Act to establish an additional land office in the state of Missouri.*

Act of Feb. 17, 1818, ch. 12. Public lands to be formed into a new land district.

Act of March 3, 1823, ch. 66.  
Act of May 4, 1826, ch. 32.

*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 included in the present district of St. Louis, in the state of Missouri, as lies within the following boundaries, to wit: Beginning on the Mississippi river, between townships numbered forty-eight and forty-nine, thence west to the range line between ranges ten and eleven; thence north to the township line between townships numbered fifty-two and fifty-three; thence west to the range line between

(a) See notes to the act of May 15, 1820, ch. 111.



ranges thirteen and fourteen; thence north to the northern boundary line of the state of Missouri; thence east with the state line to the river Desmoines; thence, with the river Desmoines and the state line, to the Mississippi river; thence, with and down the Mississippi river to the place of beginning, so as to include all the islands within the limits of the state of Missouri, shall be formed into a new land district, to be called "The district of Salt river," and, for the sale of the public lands within the district hereby constituted, there shall be a land office established at such place, within the said district, as the President of the United States may designate.

SEC. 2. *And be it further enacted*, That there shall be a register and receiver appointed to said office to superintend the sales of public lands in the said district, and who shall reside at the place where said office is established, 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 the lands to be disposed of, at their offices, as are or may be, by law, provided, in relation to the registers and receivers of public moneys, in the several offices established for the sale of the public lands.

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 St. Louis, 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 officer or officers of the land office hereby created, in the same manner, and subject to the same terms and upon the like conditions, as the sales of said lands would have been subjected to, in the land office at St. Louis, had they remained attached to that office.

APPROVED, May 26, 1824.

A register and receiver to be appointed.

All lands embraced within said district which have been offered for sale pursuant to any proclamation of the President, and now remain unsold, liable to be disposed of at private sale.

STATUTE I.

May 26, 1824.

CHAP. CLXXII.—*An Act to provide for the sale of lands conveyed to the United States in certain cases, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the agent of the treasury be, and he hereby is, authorized, in all cases where the estates of insolvent debtors have been, or hereafter shall be, assigned to the United States, under the act of the sixth June, seventeen hundred and ninety-eight, entitled "An act providing for the discharge of persons imprisoned for debts due to the United States, to sell such estates, whether real or personal, at such time, and in such manner, as, with the approbation of the Secretary of the Treasury, he shall think fit, for the best price that can be had therefor, and to make all needful conveyances, assignments, or transfers, of the same, to the purchaser or purchasers.

SEC. 2. *And be it further enacted*, That, at any and every sale, on executions, at the suit of the United States, of lands or tenements of a debtor, it shall be lawful for the United States, by such agent as the agent of the treasury shall appoint, to become the purchaser of such lands and tenements: *Provided*, That in no case shall such agent bid in behalf of the United States for a greater amount than that of the judgment for which such estate may be exposed to sale, and the costs; and it shall be the duty of the marshal of the district in which such sale shall be held, in case such purchases shall be made, to make all needful conveyances, assignments, transfers, to the United States; and the agent of the treasury is hereby authorized, with the approbation of the Secretary of the Treasury, to sell and convey the said lands and tenements in the same manner as is directed by the first section of this act, in respect to lands and tenements assigned by insolvent debtors.

In all cases where the estates of insolvent debtors have been, or shall be, assigned to the United States under the act of June 6, 1798, ch. 49, the agent of the treasury is authorized to sell such estate, whether real or personal.

United States may become the purchaser of lands or tenements of a debtor, when sold at their suit.

Proviso.

Act to be construed so as not to impair any other remedy than the one intended.

SEC. 3. *And be it further enacted*, That nothing herein contained, shall be deemed or construed to take away or impair any other remedy which the United States may be now entitled to have against the person or property of debtors, to enforce the satisfaction of judgments obtained, or which may hereafter be obtained.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLXXIII.—*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. (a)*

Persons claiming lands &c. in that part of the late province of Louisiana, now included within the state of Missouri, by virtue of any French or Spanish grant, &c. legally made, and before the 10th March, 1804, to present petitions to the district court of the state of Missouri.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That it shall and may be lawful for any person or persons, or their legal representatives, claiming lands, tenements, or hereditaments, in that part of the late province of Louisiana which is now included within the state of Missouri, by virtue of any French or Spanish grant, concession, warrant, or order of survey, legally made, granted, or issued, before the tenth day of March, one thousand eight hundred and four, by the proper authorities, to any person or persons resident in the province of Louisiana, at the date thereof, or on or before the tenth day of March, one thousand eight hundred and four, and which was protected or secured by the treaty between the United States of America and the French republic, of the thirtieth day of April, one thousand eight hundred and three, and which might have been perfected into a complete title, under and in conformity to the laws, usages, and customs, of the government under which the same originated, had not the sovereignty of the country been transferred to the United States, in each and every such case, it shall and may be lawful for such person or persons, or their legal representatives, to present a petition to the district court of the state of Missouri, setting forth, fully, plainly, and substantially, the nature of his, her, or their claim to the lands, tenements, or hereditaments, and particularly stating the date of the grant, concession, warrant, or order of survey, under which they claim, the name or names of any person or persons claiming the same, or any part thereof, by a different title from that of the petitioner; or holding possession of any part thereof, otherwise than by the lease or permission of the petitioner; and, also, if the United States be interested on account of the lands within the limits of such claim, not claimed by any other person than the petitioner; also, the quantity claimed, and the boundaries thereof, when the same may have been designated by boundaries; by whom issued, and whether the said claim has been submitted to the examination of either of the tribunals which have been constituted by law for the adjustment of land titles in the present limits of the state of Missouri, and by them reported on unfavourably, or recommended for confirmation; praying, in said petition, that the validity of such title, or claim, may be inquired into and decided by the said court; and the said court is hereby authorized and required to hold and exercise jurisdiction of every petition, presented in conformity with the provisions of this act, and to hear and determine the same, on the petition, in case no answer or answers be filed after due notice: or on the petition, and the answer or answers of any person or persons interested in preventing any claim from being established: and the answer of the district attorney of the United States, where he may have filed an answer, according to the evidence which shall be adduced by the petitioner, by any person interested in preventing the decree of the court in favour of the title of

(a) See notes to act of May 26, 1824, ch. 154.

Act of June 13, 1812, ch. 99, and notes on page 748, vol. ii.

the petitioner or petitioners, and by the United States, and in conformity with the principles of justice, and according to the laws and ordinances of the government under which the claim originated, and the copy of such petition, with a citation to any adverse possessor, or claimant, shall be served on such possessor or claimant in the ordinary legal manner of serving such process in the state of Missouri, at least fifteen days before the term of the district court of the United States, to which the same is made returnable, and, in like manner, on the district attorney of the United States, where the government is interested in the defence; and it shall be the duty of the United States' attorney for the district in which the suit shall be instituted, in all cases where the United States are interested on account of the public domain, to take notice of each petition filed under the provisions of this act, in the said district, and to make defence, on all just and proper occasions, in behalf of the public interest.

SEC. 2. *And be it further enacted*, That every petition which shall be presented under the provisions of this act, shall be conducted according to the rules of a court of equity, except that the answer of the district attorney of the United States shall not be required to be verified by his oath, and tried, without any continuance, unless for cause shown; and the said court shall have full power and authority to hear and determine all questions arising in said cause, relative to the title of the claimants, the extent, locality, and boundaries of the said claim, or other matters connected therewith, fit and proper to be heard and determined, and, by a final decree, to settle and determine the question of the validity of the title, according to the law of nations, the stipulations of any treaty, and proceedings under the same; the several acts of Congress in relation thereto; and the laws and ordinances of the government from which it is alleged to have been derived; and all other questions properly arising between the claimants and the United States; which decree shall, in all cases, refer to the treaty, law, [or] ordinance, under which it is confirmed or decreed against; and the court may, at its discretion, order disputed facts to be found by a jury, according to the regulations and practice of the said court, when directing issues in chancery before the same court: and, in all cases, the party against whom the judgment or decree of the said district court may be finally given, shall be entitled to an appeal, within one year from the time of its rendition, to the Supreme Court of the United States, the decision of which court shall be final and conclusive between the parties; and, should no appeal be taken, the judgment or decree of the said district court shall, in like manner, be final and conclusive.

SEC. 3. *And be it further enacted*, That the evidence which has been received by the different tribunals which have been constituted and appointed by law to receive such evidence, and to report the same to the Secretary of [the] Treasury, or to the commissioner of the general land office, upon all claims presented to them respectively, shall be received and admitted in evidence for or against the United States, in all trials under this act, when the person testifying is dead, or beyond the reach of the court's process; together with such other testimony as it may be in the power of the petitioner, the person or persons interested in the defence made against establishing any claim, or the United States' attorney, to produce, and which shall be admissible, according to the rules of evidence, and the principles of law.

SEC. 4. *And be it further enacted*, That, in all cases in which evidence shall be offered by the petitioner, which has not been received by either of the tribunals constituted by law for that purpose, it shall be the duty of the attorney of the United States for the district in which the suit shall be instituted, or any person interested in the defence may examine, or cause to be examined, the witnesses, whether

Every petition presented under this act, to be conducted according to the rules of a court of equity.

Appeal.

The evidence received by the different tribunals, shall be admitted as such for or against the United States in all trials under this act, when the person testifying is dead.

Duty of the attorney in all cases in which evidence shall be offered, not received by either of the tribunals con-

stituted for that purpose.

Any claim to lands, &c. under this act, which shall not be brought by petition before the said courts, within two years, forever barred.

Upon the final decision of any claim prosecuted under this act, in favour of the claimant, such claimant is authorized to demand and receive of the clerk of the court a copy of the decree in his favour.

And a patent.

When any claim has been decided against the claimant, or barred, the land shall belong to the United States.

The clerk of the court shall, when any petition of claim is filed under this act, require good and sufficient security to answer certain purposes.

examined in court, or by commission under the authority thereof; and it shall be the duty of the commissioner of the general land office of the United States, or the keeper of any public records, who may have possession of the records and evidence of the different tribunals, which have been constituted by law for the adjustment of land titles in Missouri, as held by France, upon the application of any person or persons, whose claim to lands has been rejected by such tribunals, or either of them, or on the application of any person interested, or by the attorney of the United States for the district of Missouri, to furnish copies of such evidence, certified under his official signature, with the seal of office thereto annexed, if there be a seal of office.

SEC. 5. *And be it further enacted,* That any claim to lands, tenements, or hereditaments, within the purview of this act, which shall not be brought by petition before the said courts, within two years from the passing of this act, or which, after being brought before the said courts, shall, on account of the neglect or delay of the claimant, not be prosecuted to a final decision within three years, shall be forever barred, both at law and [in] equity, and no other action, at common law, or proceeding in equity, shall ever thereafter be sustained in any court whatever, in relation to said claims.

SEC. 6. *And be it further enacted,* That, upon the final decision of any claim prosecuted under this act, in favour of the claimant or claimants, it shall and may be lawful for such claimant to demand and receive from the clerk of the court in which such final decision is had, a copy of the decree, in his, her, or their favour, under the official signature of the clerk, and the seal of the court, if any seal belong to it, and deliver the same to the surveyor of public lands, for the state of Missouri, who shall, thereupon, cause the land specified in said decree to be surveyed, at the expense of the party; and duplicate plats, and certificates of the survey, so made, to be returned into his office, one of which shall remain in said office, and the other, authenticated by the attestation and official signature of the surveyor of public lands, shall be delivered, on demand, to the party interested therein, and the same being presented to the commissioner of the general land office, in Washington city, shall entitle the party interested to a patent from the President of the United States.

SEC. 7. *And be it further enacted,* That in each and every case in which any claim, tried under the provisions of this act, shall be finally decided against the claimant, and in each and every case in which any claim cognisable, under the terms of this act, shall be barred by virtue of any of the provisions contained therein, the land specified in such claim shall, forthwith, be held and taken as a part of the public lands of the United States, subject to the same disposition as any other public land in the same district.

SEC. 8. *And be it further enacted,* That the clerk of said court shall, and he is hereby directed, when any petition of claim is filed, under the provisions of this act, before any proceedings thereon, to require good and sufficient security for all cost and charges which may accrue thereon in prosecuting the same to a final decree; and the district attorney, clerk, marshal, attending witnesses, and jurors, shall severally be allowed such fees for their services and attendance as may be allowed by law for the like services and attendance in the district court of the state of Missouri, to be paid by the party calling for such service or attendance, except where the petitioner or petitioners fail to prosecute his, her, or their suit, or claim to a final decree, or to obtain a final decree in his, her, or their favour, or where any such title or claim may have been presented to the commissioner or the register and receiver, acting as commissioners for the examination of titles and claims to land in said district, and by them has been reported unfavourably on, in all of which cases, all

cost, charges, and expenses of such prosecutions, shall be paid by the petitioner or petitioners; that the clerk of the court, in which the final decree shall be had, shall be allowed one dollar and fifty cents for the official copy of such final decree; that the surveyor of public lands shall be allowed one dollar for each of the official certificates required of him, and the keeper of the records and evidence, taken under former acts of Congress, for the adjustment of land titles, shall be allowed at the rate of ten cents for every hundred words contained in any such written evidence of their claim, to be paid by the party applying therefor.

Fees.

SEC. 9. *And be it further enacted*, That it shall be the duty of the attorney of the United States for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, and the claim exceeds one thousand acres, to make out and transmit, to the attorney general of the United States, a statement containing the facts of the case, and the points of law on which the same was decided; and if the attorney general shall be of opinion that the decision of the district court was erroneous, it shall be his duty to direct an appeal to be made to the Supreme Court of the United States, and to appear for, and prosecute, the said appeal in that court; and it shall be the further duty of the district attorney to observe the instruction given to him by the attorney general in that respect.

Duty of the attorney where the decision is against the United States.

SEC. 10. *And be it further enacted*, That it shall be the duty of the marshal of the state of Missouri, by himself or deputy, to attend the said court while in session, and to execute all process to him directed by the court, under this act.

The marshal to attend the said court while in session.

SEC. 11. *And be it further enacted*, That if, in any case, it should so happen that the lands, tenements, or hereditaments, decreed to any claimant, under the provisions of this act, shall have been sold by the United States, or otherwise disposed of, or if the same shall not have been heretofore located, in each and every such case, it shall and may be lawful for the party interested to enter, after the same shall have been offered at public sale, the like quantity of land, in parcels, conformable to sectional divisions and subdivisions, in any land office in the state of Missouri; and, if it should so happen, that, in making such entries, there should remain in the hands of the enterer a fractional excess of acres, of less number than the smallest sectional divisions authorized by law to be sold, it shall and may be lawful for the party interested to enter, in virtue of such fractional excess, the quantity of one half quarter section, upon paying one dollar and twenty-five cents for each acre contained in such half quarter section, over and above the fractional excess to which he may be entitled by such confirmation.

The party interested, where the lands, &c. decreed to any claimant under this act, shall have been sold by the United States or have been heretofore located, to enter a like quantity in any land office in Missouri.

SEC. 12. *And be it further enacted*, That, for the purpose of carrying into effect the provisions of this act, the judge of the district court for the state of Missouri, shall hold his sessions at the following places, viz: at the town of St. Louis, in the county of St. Louis, on the third Monday of September next; at the town of St. Genevieve, in the county of St. Genevieve, on the third Monday of December next, and at the town of Jackson, in the county of Cape Girardeau, on the third Monday of April next; he shall appoint his own clerks; and after the first and each of the said sessions, he shall thereafter sit, upon his own adjournments, at the places aforesaid, until all the business before him shall be completed, or the time limited by this act shall have expired, of which said adjournments, and the time of holding the special sessions, aforesaid, public notice shall be given at each of the places aforesaid, and at such other places, in the state of Missouri, as he shall direct: *Provided*, That at either of the places aforesaid, the court may take cognisance and jurisdiction of any claim within the limits of the state: *Provided, moreover*, That, if there should be any person defending against the confirmation of such claim, in such case the trial, in case he shall request the same, shall be

To carry this act into effect, the judge of the Missouri district shall hold his sessions at the town of St. Louis, &c.

The court may take cognisance of any claim within the state.

This act shall not apply to the claims of Jacques Clamorgan.

The district judge to be allowed 800 dollars per annum, in addition to his salary.

All the provisions of this act to extend to, &c. the territory of Arkansas.

The judges of the superior court, clerk, marshal, and district attorney, to perform the same duties, and have the same powers, as in other cases.

**Proviso.**

Former section not to extend to claims above one league square.

had at that place nearest the residence of such person defending against such confirmation: *Provided*, That none of the provisions of this act shall be applied to a claim of the representatives or assignees of Jacques Clamorgan, deceased, lying between the Missouri and Mississippi rivers and covering parts of the counties of St. Charles and Lincoln, in the state of Missouri.

SEC. 13. *And be it further enacted*, That the district judge for the state of Missouri shall, while in the discharge of the duties imposed by this act, be allowed at the rate of eight hundred dollars per annum, in addition to his salary as district judge for the state of Missouri, which shall be in full for his services.

SEC. 14. *And be it further enacted*, That all the provisions of this act shall extend to, and be applicable to, the territory of Arkansas; and, for the purpose of finally settling and adjusting the titles and claims to lands derived from the French and Spanish governments, respectively, the superior court for the territory of Arkansas, shall have, hold, and exercise jurisdiction in all cases, in the same manner, and under the same restrictions and regulations, in all respects, as by this act is given to the district court for the state of Missouri; and the judges of the superior court, clerk of said court, marshal, and district attorney of the United States, for the said territory, shall, severally, perform the same duties, and have the same powers in relation to the claims to land presented and prosecuted in said court, in the territory of Arkansas, as is herein provided with regard to the titles and claims to land presented and prosecuted in the district court for the state of Missouri, and the judges of said superior court, the clerk, marshal, and district attorney, shall, each, severally, receive the same fees, emoluments, and compensation for their services, as is in this act provided, in regard to the district judge, clerk, marshal, and district attorney in the state of Missouri; and the said court shall commence its first session on the first Monday in October next, at Little Rock, in the territory of Arkansas; and, afterwards, shall sit upon its own adjournments at the place aforesaid, until all the business before it shall be completed, or the time limited by this act shall have expired; of which public notice shall be given, as is provided in this act, in relation to the district court of the state of Missouri: *Provided*, That in all cases of a decree against the United States, for a greater quantity of land than five hundred acres, in the superior court of Arkansas, it shall be the duty of the attorney of the United States, to transmit to the attorney general of the United States, so soon as may be, a like statement of the facts and points of law in the case, as is required of the district attorney of Missouri, and the same right of appeal, from the decisions of the court in Arkansas, shall be allowed to each party, that are prescribed in relation to decisions in the district court of Missouri.

SEC. 15. *And be it further enacted*, That none of the provisions of the fourteenth section shall extend to claims of a larger amount than one league square.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLXXIV.—*An Act providing for the disposition of three several tracts of land in Tuscarawas county, in the state of Ohio, and for other purposes.*

Three tracts of land in the county of Tuscarawas, Ohio, to be surveyed and laid off into lots.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the three several tracts of land, lying in the county of Tuscarawas, in the state of Ohio, lately retroceded to the United States by the Society of United Brethren for propagating the Gospel among the heathen, shall be surveyed and laid off into such lots, having regard to the existing surveys and improvements

thereon, as will best conduce to the sale thereof: *Provided*, That the lots and tracts which the United States are bound to convey to the said society, shall be laid off according to the contract for retrocession: *And provided, also*, That a suitable number of in-lots and out-lots, in the town of Gnadenhutzen, shall be laid off for said town, embracing the improved part thereof, and the fields adjoining, now occupied by the inhabitants, which shall be platted and numbered, and a copy recorded in said county, according to the laws of Ohio.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall be, and is hereby, authorized to appoint an agent, who shall reside near the said land, whose duty it shall be to superintend and direct the survey of said land and lots; to receive and pay over to the treasury the rents due, and to become due, on said lands; to take possession of such parts of said lands as may be forfeited by the tenants, by reason of non-performance of the covenants in their leases, to ascertain the actual cash value of each of the lots and town lots, with the improvements thereon, and, also, the value of each, subject to the conditions of the lease outstanding on it, by the aid of two disinterested appraisers, to be selected by the Secretary of the Treasury, to ascertain the award to be made to Isaac Simmers, Jesse Walton, Barzillai Walton, Jesse Hill, and Boaz Walton, according to their leases; to receive a surrender of such of the leases outstanding on such lands as the holders thereof may be disposed to make, who have, or shall first comply with the conditions of their leases, up to the time of the surrender; to superintend the sale of said lands and lots, and to transfer to the purchasers who shall buy any of said land or lots, subject to the leases thereon, the lease of the lot or land so bought; and to do whatever else may be necessary to effect a speedy and advantageous disposition of said lands and lots.

An agent to be appointed to reside near said land—duty of said agent.

SEC. 3. *And be it further enacted*, That a right of pre-emption shall be allowed to John Andreas, John Neigaman, Jacob Winsh, and Catharine Tschudy, at the real cash value of the lots occupied by them according to the stipulations of the said agreement for retrocession, and to any of the lessees, for any lot embracing their lease; and, also, to the said Society of United Brethren, for any of the remaining lots, or town lots, to an amount not exceeding the amount stipulated to be paid to them by the United States: *Provided*, That any of the persons entitled to pre-emption, who shall be desirous to avail themselves of such right, shall give notice to the said agent of such their intention before the cash value of the lots is ascertained; and, in the case of the lessees, shall, at or before the time of giving such notice, pay all arrears of rent, and surrender their leases; and shall, immediately after the said cash value is ascertained, be entitled to a patent for the lot or land to which they are entitled, as aforesaid, on paying the amount of such cash value; or, in the case of the society, on their executing and delivering to said agent a discharge to the United States, for so much as said lot or land, whereto a pre-emption is claimed, shall amount to, on account of any sum to become due them by reason of the stipulations in said retrocession; and no right to such pre-emption shall be considered as extending beyond the time of commencing the sale of said lands, as hereinafter directed.

A right of pre-emption to be allowed John Andreas, and others.

Proviso.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury may cause to be designated and allowed for public use, the usual ground for streets and alleys in said town, for public ground, and for schools: and may, moreover, cause to be designated and set apart, one lot in each of said tracts, not exceeding one thirty-sixth part of each, the title whereof shall be vested in the legislature of the state of Ohio, and held in trust for the use of schools, in the same manner as other lands granted by the United States for the use of schools, are held in that state.

The usual ground for streets and alleys in said town, to be allowed for public use.

SEC. 5. *And be it further enacted*, That, immediately after the said surveys shall be completed, the cash value ascertained, and the school

After the surveys are made, value ascer-

tained, and the school lands designated, the agent shall give notice through certain newspapers.

Sale of the lands.

Said agent to take an oath and give security. To receive 600 dollars per annum.

Proviso.

Any land or lots remaining unsold at public auction, shall be subject to entry and sale, at the land office in Zanesville.

Duty of the accounting officers of the treasury.

Course to be pursued by the President in case the Christian Indians feel a disposition to

lands designated, the said agent shall give notice, by advertisement in one newspaper in Washington city, and one in Steubenville, one in Zanesville, and one in New Philadelphia, Ohio, of the time, not less than sixty days from the first publication, when he will offer the said lands and lots for sale, at public vendue, at the courthouse in New Philadelphia aforesaid; and shall, at such time and place, proceed to offer for sale, to the highest bidder, any of said lands or lots, remaining undisposed of, in the manner hereinbefore provided for: and none of said lots, or land, shall be put up at a less sum than the actual cash value ascertained as aforesaid; and in case any of said lessees shall have failed, or refused to surrender their leases, the sale shall be made subject to those leases; and each purchaser who may purchase at such sale, shall immediately pay to the said agent the amount of his purchase, and take his receipt for the amount, specifying the lot or land purchased; upon which the purchaser shall be entitled to a patent as other purchasers of public lands are: but in case any purchaser shall fail to make his payment as aforesaid, at or before the close of the sale, he shall be considered as having forfeited his purchase, and the land struck off to him shall be again offered for sale, in the same manner as if it had never been struck off: and the said agent, immediately after the close of such sale, shall pay over the money received at such sale, and for rent, to the United States, and report all his proceedings to the general land office; and the President shall be, and he is hereby, authorized, whenever the boundaries of the several lots stipulated to be conveyed to the said society shall be ascertained, to issue patents therefor to said society.

SEC. 6. *And be it further enacted*, That the agent herein provided for, shall take an oath of office, and give bond and security, in such sum and form as the Secretary of the Treasury may direct, and be allowed and paid for his services a salary at the rate of six hundred dollars per annum: *Provided*, That said office shall not continue longer than is necessary to perform the duties herein required, and not longer than one year; and said salary, together with the incidental expenses attending the said survey and sale, shall be charged to the fund to be raised by the sale of said lots and land. The said appraisers shall be allowed the sum of two dollars for each day actually employed in the appraisement aforesaid, and neither the said agent nor appraisers shall be at liberty to purchase any of the said lands or lots.

SEC. 7. *And be it further enacted*, That, if any of such land or lots remain unsold at public auction, as aforesaid, the same shall be subject to entry and sale at the land office in Zanesville, in Ohio, at the actual cash price, ascertained as aforesaid, in the same manner that other lands of the United States are authorized to be entered; and it shall be the duty of the accounting officers of the Treasury Department to keep a separate account of the proceeds of the lots and lands aforesaid, and of all moneys received and disbursed on account thereof; and, after the expenses of survey and sale of said lots and land shall be reimbursed, it shall be the duty of the Secretary of the Treasury to pay to the said society the sums stipulated to be paid them, and for which they shall not have taken lands and lots as hereinbefore provided for: to pay to the said Simmers, Hill, and Waltons, the sums awarded to them; and then to credit the residue of the proceeds of said lots and lands, as they shall be received, to the fund for raising the annuity for the Christian Indians, so called in the manner stipulated in the agreement entered into with them on the eighth of November, one thousand eight hundred and twenty-three.

SEC. 8. *And be it further enacted*, That, whenever the said Christian Indians shall notify the President of the United States, that they wish to remove from their present residence on the river Thames, into the territory of the United States, it shall be lawful for the President to designate a reservation of not less than twenty-four thousand acres of land,



to be held by the said Indians in the usual manner of Indian reservations, so long as they shall live thereon; and from the time said Indians shall remove on to said reservation, the said annuity shall cease.

APPROVED, May 26, 1824.

remove from their residence on the river Thames.

STATUTE I.

CHAP. CLXXV.—*An Act supplementary to the several acts providing for ascertaining and adjusting the titles and claims to land in the St. Helena and Jackson Courthouse land districts.* (a)

May 26, 1824.

1805, ch. 26.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the claimants of lands within the limits of the land district of St. Helena, as established by the act of the twenty-fifth of April, one thousand eight hundred and twelve, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana, which lies east of the river Mississippi, and island of New Orleans," whose claims have been presented to the commissioner appointed to receive and examine claims and titles to lands in said district, or to the register and receiver, acting as commissioners, under the provisions of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands, and establishing land offices in the districts east of the island of New Orleans," and which have not been reported to Congress, or whose claims have not been heretofore presented to the said commissioner; or to the register and receiver, acting as commissioners, be allowed until the first day of January next, to present their titles and claims, and the evidence in support of the same, to the register and receiver of the said district, whose powers and duties, in relation to the same, shall, in all respects, be governed by the provisions of the acts before recited, and of the act of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices in the districts east of the island of New Orleans."

Claimants of lands within the limits of the land district of Saint Helena, to be allowed until the 1st January next, to present them.

April 25, 1812, ch. 67.

Act of March 3, 1819, ch. 100.

Act of May 8, 1822, ch. 128.

SEC. 2. *And be it further enacted,* That the said register and receiver shall have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator, and such other duty as may be required by said register and receiver; and the said register and receiver shall each be allowed, as a compensation for their services, in relation to the said claims, and for the services to be performed under the provisions of the several acts to which this is a supplement, at the rate of one thousand dollars a year; and the clerk at the rate of twelve hundred and fifty dollars a year; and the clerk employed by the said register and receiver, last year, shall be allowed, for the services then rendered by him, nine months' salary, at the same rate; which several sums of money shall be paid out of any money in the treasury not otherwise appropriated: *Provided,* That not more than two years' compensation be thus allowed to either the register and receiver or their clerk; and the payment of the whole, or any portion, of the aforesaid compensation, may be withheld by the Secretary of the Treasury, until a report shall have been made to him, of the performance of the services for which the same is allowed.

The register and receiver to appoint a clerk.

Compensation of the register and receiver.

Compensation of the clerk.

Proviso.

SEC. 3. *And be it further enacted,* That all donation claims which may be presented to the said register and receiver under this act, and all claims founded on complete or incomplete titles, which may be so presented, not heretofore surveyed, shall be surveyed at the expense of the claimants. (a)

Claims to be surveyed at the expense of the claimants.

(a) This section was in the pamphlet laws very different, being a provision for the salary of clerks. It is right as above.

Deputy surveyor to reside where the President may think proper.

SEC. 4. *And be it further enacted*, That the principal deputy surveyor of the United States, for the St. Helena district, shall reside at such place, in the said district, as shall be designated by the President of the United States.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLXXVI.—*An Act explanatory of an act, entitled An act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands, approved on the eighteenth day of May, one thousand eight hundred and twenty-four.*

The benefits, &c. of the act of May 18, 1824, ch. 88, extended to those who have obtained certificates of further credit for any quantity of land.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the benefits and privileges of the act of Congress, entitled "An act to provide for the extinguishment of the debt due to the United States, by the purchasers of public lands," approved on the eighteenth day of May, one thousand eight hundred and twenty-four, of which this act is explanatory, be extended to those persons who have obtained certificates of further credit, for any half-quarter section, or for any fractional section of land, under the provisions of any of the several laws for the relief of purchasers of public lands, referred to in the said act, of which this is explanatory.

All relinquishments of land executed under said act, to be filed with the register of the land office where purchased.

SEC. 2. *And be it further enacted*, That all relinquishments of land, which shall be executed under the provisions of the said act of the eighteenth day of May, one thousand eight hundred and twenty-four, or under the provisions of this act, shall be filed with the register of the land office at which the land was purchased, any thing in the said act of the eighteenth of May, one thousand eight hundred and twenty-four, of which this is explanatory, to the contrary notwithstanding.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLXXVII.—*An Act to allow further time to complete the issuing and locating of military land warrants. (a)*

The issuing of land warrants revived and continued in force for five years.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the authority granted to the Secretary of the Department of War, by an act, approved the twenty-fourth day of February, one thousand eight hundred and nineteen, to issue warrants for the military land bounties, to persons entitled thereto, shall be revived and continued in force for the term of five years.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

CHAP. CLXXVIII.—*Act making an appropriation for the use of the library of Congress, and for furnishing rooms in the Capitol.*

5000 dollars appropriated for the purchase of books.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of five thousand dollars be, and the same is hereby, appropriated, out of any unappropriated money in the treasury, for the purchase of books, under the direction of the joint library committee, for the use of the library of Congress.

1546 dollars for the purchase of furniture.

SEC. 2. *And be it further enacted*, That the sum of fifteen hundred and forty-six dollars be, and the same is hereby, appropriated, out of any unappropriated money in the treasury, for the purchase of furniture for the new library.

SEC. 3. *And be it further enacted*, That the sum of three thousand

(a) Act of May 6, 1812, ch. 77. Act of Dec. 10, 1814, ch. 10, sec. 4. Act of March 18, 1818, ch. 23. Act of Feb. 24, 1819, ch. 41. Act of March 2, 1821, ch. 15.

two hundred and eighty-nine dollars and fifty cents be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for furnishing the rooms in the centre building of the Capitol, under the direction of the commissioner of the public buildings.

APPROVED, May 26, 1824.

For furnishing the rooms in the centre building of the Capitol.

STATUTE I.

CHAP. CLXXIX.—*An Act to authorize the building of lighthouses, light vessels, and beacons, therein mentioned, and for other purposes.*

May 26, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, empowered to provide, by contract, for building lighthouses and light vessels, erecting beacons, and placing buoys, on the following sites or shoals, to wit:

Secretary of the Treasury empowered to provide, by contract, for building lighthouses, &c., on the following sites or shoals.

A lighthouse at Owl's Head, in the state of Maine.

A lighthouse at the mouth of Great Sodus bay, on Lake Ontario; and one on Verplank's Point, in Hudson river, in the state of New York.

A lighthouse at the mouth of Grand River, in the state of Ohio.

A beacon light on Cape Henlopen, in the state of Delaware.

A lighthouse on Pool's Island, and one on Thomas's Point, in the Chesapeake Bay, in the state of Maryland.

A light vessel at or near the long shoal in Pamptico Sound, in the state of North Carolina.

A lighthouse on one of the Sambo Keys, and a light vessel on the Careysfort Reef, in the territory of Florida.

A beacon on Castle Island, and five buoys near Bristol Ferry, in the state of Rhode Island.

A pier and three buoys at the mouth of Saco River, and a pier at the mouth of Well's Harbour, in the state of Maine.

SEC. 2. *And be it further enacted,* That there be appropriated, out of any money in the treasury not otherwise appropriated, the following sums of money, to wit:

Appropriation

For building a lighthouse in the state of Maine, on Owl's Head, four thousand dollars.

A lighthouse on Great Sodus bay, on Lake Ontario, in the state of New York, four thousand five hundred dollars; and for one on Verplank's Point, in the Huson [Hudson] River, in the same state, four thousand five hundred dollars.

A lighthouse at the mouth of Grand River, in the state of Ohio, eight thousand dollars.

For erecting a beacon light on Cape Henlopen, in the state of Delaware, three thousand dollars.

For a lighthouse on Pool's Island, in the Chesapeake, in the state of Maryland, five thousand dollars; and for one on Thomas's Point, in the same bay, and same state, six thousand five hundred dollars.

For a light vessel to be placed at or near the long shoals on Pamptico Sound, in the state of North Carolina, ten thousand dollars.

For a lighthouse on the Sambo Keys, in the territory of Florida, sixteen thousand dollars; for a light vessel for Careysfort Reef, twenty thousand dollars; for the lighthouses directed to be built—one on the Dry Tortugas, and one on Cape Florida, in the same territory, including the appropriations already made by law, a sum, for each, not exceeding sixteen thousand dollars.

For a beacon and buoys between the Dry Tortugas and the coast of Florida, four thousand dollars.

For placing buoys on certain shoals at the mouth of Kennebeck River, in the state of Maine, one hundred and sixty dollars.

For placing buoys on shoals in Buzzard's Bay, and at or near the mouth of Aponeganset River, in the state of Massachusetts, one hundred and sixty dollars.

For placing buoys on Long Island Sound, near to Cornfield Point, and in Guildford Bay, one hundred and sixty dollars.

For placing a buoy at the mouth of Scuppernong River, in Albemarle Sound, in the state of North Carolina, forty dollars.

For placing a beacon on Castle Island, and five buoys near Bristol Ferry, five hundred dollars.

For a pier and three buoys at the mouth of Saco River, and a pier at the mouth of Well's Harbour, ten thousand dollars—five thousand dollars to each of those places.

Salaries to be allowed the keepers of light vessels.

SEC. 3. *And be it further enacted*, That the following annual salaries be allowed and paid to the keepers of light vessels, to wit:

To the keeper of the Sandy Hook light vessel, seven hundred dollars; and for a mate, three hundred and fifty dollars.

To the keeper of the Smith's Point light vessel, in the Chesapeake Bay, five hundred dollars.

To the keeper of the Wolf Trap light vessel, in the same bay, five hundred dollars.

To the keeper of the Willoughby Spit light vessel, in the same bay, five hundred dollars.

To the keeper of the Craney Island light vessel, four hundred and fifty dollars.

To the keeper of the light vessel to be placed at or near the shoals of Cape Hatteras, seven hundred dollars; and for a mate, three hundred and fifty dollars.

500 dollars appropriated to erect a lighthouse at the mouth of the river Teche, Louisiana.

SEC. 4. *And be it further enacted*, That the President of the United States be, and he is, authorized and requested to cause a proper site, at or near the mouth of the river Teche, in Louisiana, to be selected for a lighthouse, and proper places designated for placing buoys near the same. [That,] to enable the President to accomplish these objects, a sum of money, not exceeding five hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824. CHAP. CLXXXI.—*An Act to regulate the mode of practice in the courts of the United States, for the district of Louisiana.* (a)

Mode of proceeding in all *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the mode of proceed-

(a) Decisions of the Supreme Court as to the practice and principles regulating the proceedings of the courts of law, which prevail in the Federal courts of Louisiana.

As, by the laws of Louisiana, questions of fact in civil cases are tried by the court, unless either of the parties demand a jury, in an action of debt on a judgment, the interest on the original judgment may be computed, and make part of the judgment in Louisiana, without a writ of inquiry, and the intervention of a jury. *Mayhew v. Thatcher*, 6 Wheat. 129; 5 Cond. Rep. 34.

By the provisions of the acts of Congress, Louisiana, when she came into the Union, had organized therein a district court of the United States, having the same jurisdiction, except as to appeals and writs of error, as the circuit courts of the United States in other states; and the modes of proceeding in that court were required to be according to the principles, rules and usages which belong to courts of equity, as contradistinguished from courts of common law. And whether there were or not, in the several states, courts of equity proceeding according to such principles and usages, made no difference, according to the construction uniformly given by the Supreme Court. *Livingston v. Story*, 9 Peters, 632.

The provisions of the act of Congress of 1824, relative to the practice of the courts of the United States in Louisiana, contain the descriptive term "civil actions," which embrace cases at law and in equity; and may be fairly construed as used in contradistinction to criminal causes. They apply equally to cases in equity; and if there are any laws in Louisiana directing the mode of proceeding in equity

ing in civil causes in the courts of the United States, that now are, or hereafter may be, established in the state of Louisiana, shall be conformable to the laws directing the mode of practice in the district courts of the said state: *Provided*, That the judge of any such court of the Uni-

civil causes, to be conformable to the laws directing the mode of prac-

causes, they are adopted by that act, and will govern the practice in the courts of the United States. *Ibid*.

If there are no equitable claims or rights cognisable in the courts of the state of Louisiana, nor any courts of equity, and no state laws regulating the practice in equity causes, the law of May 26, 1824, ch. 181, does not apply to a case of chancery jurisdiction; and the district court of Louisiana, was bound to adopt the antecedent modes, authorized under former modes of practice. *Ibid*.

Under the law of Louisiana, there are two kinds of pledges, the pawn and the antichresis. A thing is said to be pawned, when a movable is given as a security; the antichresis consists of immovables. *Livingston v. Story*, 11 Peters, 351.

L. conveyed in 1822, in fee simple, to F. and S., certain real estate in New Orleans, by deed, for a sum of money paid to him, and took from them a counter-letter, signed by them; by which it was agreed, that on the payment of a sum stated in it, on a day stated, the property should be reconveyed by them to L.; and if not so paid, the property should be sold by an auctioneer; and, after repaying, out of the proceeds, the sum mentioned in the counter-letter, the balance should be paid to L. The money was not paid on the day appointed, and a further time was given for its payment, with additional interest and charges; and if not paid at the expiration of the time, it should be sold by an auctioneer. An agreement was at the same time made by L., that the counter-letter should be delivered up to F. and S., and cancelled. The money not being paid, it was again agreed between the parties, that if on a subsequent day fixed upon, it should not, with an additional amount for interest, &c., be paid, the property should belong absolutely to F. and S. The money was not paid, and F. and S. afterwards held the property as their own. The Supreme Court held this transaction to be an antichresis, according to the Civil Code of Louisiana; and on a bill filed in the district court of the United States for the eastern district of Louisiana, in 1832, decreed that the rents and profits of the estate should be accounted for by S., who had become the sole owner of the property by purchase of F.'s moiety; and that the property should be sold by an auctioneer, unless the balance due S., after charging the sum due at the time last agreed upon for the payment of the money, and legal interest, with all the expenses of the estate, deducting the rents and profits, should be paid to S.; and on payment of the balance due S., the residue should be paid to the legal representative of L. *Ibid*.

The antichresis must be reduced to writing. The creditor acquires by this contract, the right of reaping the fruits, or other rewards of the immovables given to him in pledge, on condition of deducting, annually, their proceeds from the interest, if any be due to him, and afterwards from the principal of his debt. The creditor is bound, unless the contrary is agreed on, to pay the taxes, as well as the annual charges of the property given to him in pledge. He is likewise bound, under the penalty of damages, to provide for the keeping and necessary repairs of the pledged estate; and may lay out, from the revenues of the estate, sufficient for such expenses. *Ibid*.

The creditor does not become proprietor of the pledged immovables, by the failure of payment at the stated time; any clause to the contrary, is null: and in that case, it is only lawful for him to sue his debtor before the court, in order to obtain a sentence against him, and to cause the objects which have been put into his hands, to be seized and sold. *Ibid*.

The debtor cannot, before the full payment of his debt, claim the enjoyment of the immovables which he has given in pledge; but the creditor who wishes to free himself from the obligations under the antichresis, may always, unless he has renounced this right, compel the debtor to retake the enjoyment of his immovables. *Ibid*.

The doctrine of prescription, under the civil law, does not apply to this case, which is one of pledge; and if it does, the time before the institution of this suit had not elapsed, in which, by the law of Louisiana, a person may sue for immovable property. *Ibid*.

By the contract of antichresis, the possession of the property is transferred to the person advancing the money. In case of failure to pay, the property is to be sold by judicial process: and the sum which it may bring, over the amount for which it was pledged, is to be paid to the person making the pledge. *Ibid*.

If any rule has been made by the district court of Louisiana, abolishing chancery practice in that court, it is a violation of those rules which the Supreme Court of the United States has passed to regulate the courts of equity of the United States. Those rules are as obligatory on the courts of the United States in Louisiana, as they are upon all other courts of the United States; and the only modifications or additions which can be made by the circuit or district courts, are such as shall not be inconsistent with the rules prescribed. When the rules prescribed by the Supreme Court do not apply, the practice of the circuit and district courts shall be regulated by the practice of the high court of chancery in England. *Story v. Livingston*, 13 Peters, 359.

The Supreme Court has said, upon more than one occasion, after mature deliberation upon able arguments of distinguished counsel against it, that the courts of the United States in Louisiana possess equity powers under the constitution and laws of the United States. That if there are any laws in Louisiana, directing the mode of procedure in equity causes, they are adopted by the act of 26th May, 1824, ch. 181, and will govern the practice in the courts of the United States. But if there are no laws regulating the practice in any equity causes, the rules of chancery practice in Louisiana, mean the rules prescribed by the Supreme Court, for the government of the courts of the United States, under the act of Congress of May 8, 1792, ch. 36, sec. 2. *Ibid*.

No court ought, unless the terms of the act of Congress render it unavoidable, to give a construction to an act, which should, however unintentionally, involve a violation of the Constitution. The terms of the act of 1824 may well be satisfied by limiting its operation to modes of practice and proceedings in the courts below, without changing the effect or conclusiveness of the verdict of a jury upon the facts litigated on the trial. The party may bring the facts into review before the appellate court, so far as they bear

tice in the district courts of the State.

Petit jurors for the trial of all causes, civil or criminal, shall be designated, summoned, and returned in the manner that is now directed by the laws of the state.

Proviso.

Proviso.

ted States may alter the times limited or allowed for different proceedings in the state courts, and make, by rule, such other provisions as may be necessary to adapt the said laws of procedure to the organization of such court of the United States, and to avoid any discrepancy, if any such should exist, between such state laws and the laws of the United States.

SEC. 2. *And be it further enacted*, That petit jurors, for the trial of all causes, as well civil as criminal, shall be designated, summoned, and returned in the manner that now is directed by the laws of the said state, with respect to jurors, to serve in the district courts of the said state of Louisiana, and that all the duties directed by such state laws to be performed by the sheriffs and clerks, in relation to the designation, summoning, and returning, such jurors, shall be performed by the marshal of the United States and the clerk of the court of the United States, in the district where such court of the United States shall sit, and that the petit jurors to serve in such court of the United States, shall be taken from the parish in which said court holds its sessions, but, that the grand jurors may come from any part of the district, and may be summoned and empannelled by the marshal, in the manner now prescribed, and the marshal, for the purpose of designating such petit jurors, shall take the names of all persons liable to serve as jurors, from the list made by the sheriff, for the purpose of drawing jurors for the district court of the state; and such number of jurors shall be drawn for each term of such court of the United States, or for such portion of each term, as the court may, by its rules, direct; *Provided*, That nothing herein contained, shall be so construed as to prevent the judge of any of the said courts of the United States from directing a jury to be summoned from any other parish within the district, whenever it may be necessary to secure an impartial trial; but that, in all such cases, the names of the jury shall be also designated, by lot, in the manner directed by the laws of the state, for designating jurors to serve in the district courts: *And provided, also*, That special juries may be directed for the trial of any particular civil cause, by the consent of parties, but not otherwise.

APPROVED, May 26, 1824.

upon the question of law, by a bill of exceptions. If there be any mistake of the facts, the court below is competent to redress it, by giving a new trial. *Parsons v. Bedford et al.*, 3 Peters, 433.

In the district court of Louisiana, the defendant pleaded the plea of reconvention, which is authorized by the Code of Practice in Louisiana. The district court, on motion of the plaintiffs, ordered the plea to be stricken off. The Code of Practice in Louisiana was adopted in Louisiana, by a statute of that state, passed after the act of Congress of May 26, 1824, regulating the practice of the district court of the United States for the eastern district of Louisiana, and the practice according to that code has not been adopted as a part of the rules of practice of the district court, when the plea was stricken off. Held, that the plea was properly stricken off. *Wilcox et al. v. Hunt*, 13 Peters, 378.

In the case of *Livingston v. Story*, which was before the court in 1835, (9 Peters, 655,) the court took occasion to examine the various laws of the United States establishing and organizing the district court of the eastern district of Louisiana, and to decide whether that court had equity powers; and if so, what should be the mode of proceeding in the exercise of those powers. The various cases which had been before the court, involving substantially the same question, in relation to states where there were no equity state courts, or laws regulating the practice in equity causes, were referred to, and the uniform decisions of the court have been, that there being no equity state courts did not prevent the exercise of equity jurisdiction in the courts of the United States; and it was accordingly decided that the district court of Louisiana was bound to proceed in equity causes, according to the principles, rules and usages, which belong to courts of equity as contradistinguished from courts of law. *Gaines et al. v. Relf et al.*, 15 Peters, 9.

When a party seeks relief, which is mainly appropriate to a court of chancery jurisdiction, in the circuit court of the United States for Louisiana, chancery practice must be followed. *McCollum v. Eager*, 2 Howard, 61.

It is impossible to lay down any general rule as to what constitutes multifariousness in a bill in equity. Every case must be governed by its own circumstances, and the court must exercise a sound discretion. *Gaines et ux. v. Relf et al.*, 2 Howard, 619.

The exercise of chancery jurisdiction, in the courts of Louisiana, does not introduce any new or foreign principle. It is only a change in the mode of redressing wrongs and protecting rights. *Ibid.*

CHAP. CLXXXII.—*An Act supplementary to "An act providing for the examination of titles to land in that part of the state of Louisiana situated between the Rio Honda [Hondo] and the Sabine river."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the powers given to, and duties required of, the register and receiver of the land office south of Red river, in the state of Louisiana, by the act of the third of March, eighteen hundred and twenty-three, entitled "An act providing for the examination of the titles to land in that part of the state of Louisiana, situated between [the] Rio Honda [Hondo] and the Sabine river," be extended to all that tract of country, known and called by the name of "The Neutral Territory," lying east of the present western boundary of Louisiana, and west of the limits to which the land commissioners have heretofore examined titles and claims to land in said state; and in the examination of claims to land within the aforesaid limits, the register and receiver shall, in all respects, be governed by the provisions of the aforesaid act.

SEC. 2. *And be it further enacted,* That the register and receiver of said land offices shall, severally, receive, as a full compensation for the duties required of them by this act, the sum of two hundred dollars, whenever they shall have finished the business required to be performed by them, by this act, and the act to which this is a supplement, and have forwarded their reports to the Secretary of the Treasury.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

Act of March 3, 1823, ch. 30.  
Act of March 26, 1824, ch. 175.

The powers given to, &c., the register and receiver of the land office south of Red river, Louisiana, by the act of March 3, 1823, extended.

The register and receiver to receive each 200 dollars.

CHAP. CLXXXIII.—*An Act to complete the survey of the southern and western boundary of the state of Missouri. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of fifteen hundred dollars, to be paid out of any money in the treasury not otherwise appropriated, and to be applied under the direction of the Secretary of the Treasury, be, and the same is hereby appropriated, to complete the payment for surveying the southern boundary line of the state of Missouri, and so much of the western boundary line thereof, as lies south of the Missouri river.

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.

Appropriation to complete the surveying of the southern boundary line of Missouri, and so much of the western as lies south of the Missouri river.

CHAP. CLXXXIV.—*An Act supplementary to an act passed on the thirteenth day of June, one thousand eight hundred and twelve, entitled "An act making further provision [provisions] for settling the claims to land in the territory of Missouri." (a)*

*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 individual owners, or claimants, of town or village lots, out lots, and common field lots, in, adjoining or belonging to, the several towns, or villages, of Portage des Sioux, St. Charles, St. Louis, St. Ferdinand, Villa a Robert, Carondelet, St. Genevieve, New Madrid, New Bourbon, and Little Prairie, in Missouri, and the village of Arkansas, in the territory of Arkansas, whose lots were confirmed by the act of Congress of the thirtieth [thirteenth] of June, one thousand eight hundred and twelve, entitled "An act making further provision for settling the claims to land in the territory of Missouri," on the ground of inhabitation, cultivation,

STATUTE I.

May 26, 1824.

Duty of the individual owners or claimants of village and other lots, in certain towns in Missouri and territory of Arkansas, which were confirmed by the act of June 13, 1812, ch. 99.

(a) See act of May 26, 1824, ch. 154, an act of June 13, 1812, ch. 99, and notes, vol ii. 743.

or possession, prior to the twentieth day of December, one thousand eight hundred and three, to proceed, within eighteen months after the passage of this act, to designate their said lots, by proving, before the recorder of land titles for said state and territory, the fact of such inhabitation, cultivation, or possession, and the boundaries and extent of each claim, so as to enable the surveyor general to distinguish the private from the vacant lots, appertaining to the said towns and villages.

Duty of the  
surveyor general.

SEC. 2. *And be it further enacted*, That, immediately after the expiration of the said term allowed for proving such facts, it shall be the duty of the surveyor general, within whose district such lots lie, to proceed, under the instructions of the commissioner of the general land office, to survey, designate, and set apart to the said towns and villages, respectively, so many of the said vacant town or village lots, out lots, and common field lots, for the support of schools in the said towns and villages, respectively, as the President of the United States shall not, before that time, have reserved for military purposes, and not exceeding one-twentieth part of the whole lands included in the general survey of such town, or village, according to the provisions of the second section of the above-mentioned act of Congress; and also, to survey and designate, so soon after the passage of this act as may be, the commons belonging to the said towns and villages, according to their respective claims and confirmations, under the said act of Congress, where the same has not been already done: *Provided*, That lots relinquished to the United States on account of damages done them by the earthquakes, and in lieu of which lands have been located elsewhere, shall neither be so designated or set apart, nor taken into the estimate of the quantity to which any town or village is entitled.

Proviso.

The recorder  
to issue a certificate of confirmation for each claim confirmed and to receive one dollar therefor.

SEC. 3. *And be it further enacted*, That the recorder shall issue a certificate of confirmation for each claim confirmed, and shall receive for the services required of him by this act, the sum of one dollar for each lot so proved to have been inhabited, cultivated, and possessed, to be paid by the respective claimants; and, so soon as the said term shall have expired, he shall furnish the surveyor general with a list of the lots so proved to have been inhabited, cultivated, or possessed, to serve as his guide in distinguishing them from the vacant lots to be set apart as above described, and shall transmit a copy of such list to the commissioner of the general land office.

The provisions of this act and the act aforesaid, to extend to the village of Mine à Burton.

SEC. 4. *And be it further enacted*, That the provisions of this act, and of the aforesaid act of the thirtieth [thirteenth] of June, one thousand eight hundred and twelve, be, and the same are hereby extended to the village of Mine à Burton, and the right of filing their claims with the recorder.

APPROVED, May 26, 1824.

#### STATUTE I.

May 26, 1824.

CHAP. CLXXXV.—*An Act granting certain lots of ground to the corporation of the city of Mobile, and to certain individuals of said city. (a)*

All the right and claim of the

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

(a) The decisions of the Supreme Court in construction of this act have been:

A lot of ground was granted by the Spanish government of Florida, in 1802, to Forbes and Company in the city of Mobile, which was afterwards confirmed by the commissioners of the United States. The lot granted was eighty feet in front, and three hundred and four feet in depth, bounded on the east by Water street. This, while the Spanish government had possession of the territory, was known as "a water lot." In front of the lot was a lot, which, at the time of the grant of the lot to Forbes and Company, was covered by the water of the bay and river of Mobile, the high tide flowing over it; and it was separated from Forbes and Company's lot, by Water street. It was afterwards in part reclaimed by Lewis, who had no title to it, and who was afterwards driven off by one of the firm of Forbes and



of the United States to the lots known as the hospital and bake-house lots, containing about three-fourths of an acre of land, in the city of Mobile, in the state of Alabama; and also all the right and claim of the United States to all the lots not sold or confirmed to individuals, either by United States to the lots known as the hospital and bake-house lots in the city

Company. A blacksmith's shop was then put on the lot by him, and Lewis, again by proceedings at law, obtained possession of the blacksmith's shop, it not being his improvement. The improvement was first made in 1823. The Spanish governor in 1809, after the Louisiana treaty of 1803, and before the territory west of the Perdido was out of the possession of Spain, granted the lot in front of the lot owned by Forbes and Company, to William Pollard; but the commissioners of the United States, appointed after the territory was in the full possession of the United States, refused to confirm the same "because of the want of improvement and occupation." In 1824, Congress passed an act, the second section of which gives to those who have improved them, the lots in Mobile, known under the Spanish government as "water lots," except where the lot so improved had been alienated, and except lots of which the Spanish government had made "new grants" or orders of survey during the time the Spanish government had "power" to grant the same, in which case the lot is to belong to the alienee or the grantee. In 1836, Congress passed an act for the relief of William Pollard's heirs, by which the lot granted by the Spanish government of 1809, was given to the heirs, saving the right of third persons; and a patent for this lot was issued to the heirs of William Pollard, by the United States, on the 2d July, 1836. Held, that the lot lying east of the lot granted in 1802, by the Spanish government, to Forbes and Company, did not pass by that grant to Forbes and Company; that the act of Congress of 1824, did not vest the title in the lot east of the lot granted in 1802, in Forbes and Company; and that the heirs of Pollard, under the second section of the act of 1824, which excepted from the grant to the city of Mobile, &c., lots held under "new grants" from the Spanish government, and under the act of Congress of 1836, were entitled to the lot granted in 1809 by the Spanish government to William Pollard. *Pollard's heirs v. Kibbs, 14 Peters, 353.*

The act of Congress under which title was claimed, being a private act, and for the benefit of the city of Mobile, and certain individuals; it is fair to presume it was passed with particular reference to the claims of individuals, and the situation of the land embraced in the law at the time it was passed.

The term "new grant" in its ordinary acceptation, which applied to the same subject or object, is the opposite to "old." But such could not be its meaning in the act of Congress of 1824. The term was doubtless used in relation to the existing condition of the territory in which such grants were made. The territory had been ceded to the United States by the Louisiana treaty, but in consequence of a dispute with Spain about the boundary line, had remained in the possession of Spain. During this time Spain continued to issue evidences of titles to lands, within the territory in dispute. The term "new" was appropriately used as applicable to grants and orders of survey of this description as contradistinguished from those issued before the cession. *Ibid.*

The time when the Spanish government had the "power" to grant lands in the territory, by every reasonable intendment of the act of Congress of 1824, must have been so designated with reference to the existing state of the territory, as between the United States and Spain; the right to the territory being in the United States and the possession in Spain. The language "during the time at which Spain had the power to grant the same," was under such circumstances very appropriately applied to the case. It could with no propriety have been applied to the case, if Spain had full dominion over the territory, by the union of the right and the possession; and, in this view, it is no forced interpretation of the word "power" to consider it here used as imparting an imperfect right, and distinguished from complete lawful authority. *Ibid.*

The acts of Congress of March 25, 1812, appointing commissioners to ascertain the titles and claims to lands on the east side of the Mississippi, and west side of the Perdido, and falling within the cession of France, embraced all claims to this description. It extended to all claims, by virtue of any grant, order of survey, or other evidence of claim, whatsoever, derived from the French, British or Spanish governments; and the reports of the commissioners show, that evidence of claims, of various descriptions, issued by Spanish authority, down to 1810, come under their examination. And the legislation of Congress shows many laws passed, confirming incomplete titles, originating after date of the treaty between France and Spain, at St. Ildefonso. Such claims are certainly not beyond the reach of Congress to confirm; although it may require a special act of Congress for that purpose. Such is the act of Congress of July 2d, 1836, which confirms the title of William Pollard's heirs, to the lot which is the subject of this suit. *Ibid.*

A lot of ground, part of the ground on which fort Charlotte had been erected, in the city of Mobile, before the territory was acquired from Spain, by the United States, had been sold under an act of Congress of 1818. The lot had been laid out according to a plan by which a street, called Water street, was run along the margin of Mobile river; and the street was extended over part of the site of fort Charlotte. The lot was situated west of Water street, but when sold by the United States, its eastern line was between high-water mark of the river. The purchaser of this lot improved the lot lying in front of it, east of Water street, having filled it up, at a heavy expense, thus reclaiming it from the river, which at high-water had covered it. When the lot east of Water street was purchased, the purchaser could not pass along the street, except with the aid of logs, and other timber. Water street, was, in 1823, filled up, at the cost of the city of Mobile. Taxes and assessments for making side-walks, along Water street, were paid to the city of Mobile, by the owner of the lot. The city of Mobile had brought suit for taxes, and had advertised the lot for sale, as the property of a tenant under the purchaser of the lot. On the 26th of May, 1824, Congress passed an act, which declared in the first section, that all the right and claim of the United States to the lots known as the hospital and bake-house lots, containing about three-fourths of an acre of land in the state of Alabama; and all the right and claim of the United States to all the lots not sold or confirmed to individuals, either by this or any former act, and to which no equitable title exists, in favour of any individual under this or any other act, between high-water mark and the channels of the river, and between Church street and North Boundary street, in front of Mobile, should be vested in the corporation of the city of Mobile for the use of the city forever. The second section provides, "that all the right and claim of the United States to so many

of Mobile, &c. vested in the mayor and aldermen of said city.

this or any former act, and to which no equitable title exists, in favour of any individual, under this or any other act, between high-water mark and the channel of the river, and between Church street and North Boundary street, in front of the said city, be, and the same are hereby, vested in the mayor and aldermen of the said city of Mobile, for the time being, and their successors in office, for the sole use and benefit of the said city forever.

Right and claim of the United States to other lots in

SEC. 2. *And be it further enacted,* That all the right and claim of the United States to so many of the lots of ground, east of Water street, and between Church street and North Boundary street, now

of the lots east of Water street, and between Church street and North Boundary street, now known as water lots, as are situated between the channel of the river and the front of the lots, known under the Spanish government as water lots, in the said city of Mobile wherever improvements have been made, be, and the same are hereby, vested in the several proprietors and occupants of each of the lots heretofore fronting on the river Mobile, &c." The city of Mobile claimed from the defendant in error the lot held by him, under the purchase from the United States, and the improvements before described; asserting that the same was vested in the city by the first section of the act of 1824. Held, that under the provisions of the second section of the act, the defendant in error claiming under the purchase made under the act of 1818, and under the act of 1824, was entitled to the lot. *The city of Mobile v. Eslava*, 16 Peters, 261.

The right relinquished by the United States was to the water lots "lying east of Water street, and between Church street and North Boundary street, now known as water lots, as are situated between the channel of the river and the front of the lots, known under the Spanish government as water lots, in the said city of Mobile, wherever improvements have been made." The improvements refer to the water and not to the front lots. A reasonable construction of the act requires, the improvements to have been made or owned by the proprietor of the front lot, at the time of the passage of the act. Being proprietor of the front lot, and having improved the water lot opposite and east of Water street, constitute the conditions on which the right under the statute vests. *Ibid.*

A grant by the Spanish government confirmed by the United States, was made of a lot of ground in the city of Mobile, running from a certain boundary eastwardly to the river Mobile. The land adjacent to this lot, and extending from high-water mark to the channel of the river, in front of the lot, was held by the grantee as appurtenant to the last and above high-water mark. The city of Mobile instituted an action to recover the same, asserting a title to it under the act of Congress of May 26, 1824, granting certain lots of ground to the corporation of the city of Mobile, and to certain individuals in the said city. Held, that this lot was within the exceptions of the act of 1824; and no right to the same was vested in the city of Mobile by the act. *The city of Mobile v. Hallett*, 16 Peters, 261.

Ejectment to recover possession of a lot in the city of Mobile, Alabama. The defendants, in the circuit court, claimed title to the land under Lucy Landry, who was the devisee of one Geronio; who having been in possession of the lot at the corner of St. Francis and Royal streets, occupied it until his death. On the arrival of Lucy Landry at age, she occupied the lot as her own property; and in 1818, she sold and conveyed it by deed to certain persons; stating the eastern boundary in the deed to be the Mobile river. These persons, on the same day, conveyed the premises to Oliver Holman, who entered on it and improved it, by erecting houses and a wharf upon it; and continued to occupy it as a merchant in co-partnership with one Charles Brown, who lived in Boston, until December, 1822, when he died; leaving, as his heirs, the lessors of the plaintiff. The possession of Lucy Landry, of the lot, commenced in 1800, and extended on Royal street, and on the east followed the high-water mark on the river. The land was not subject to inundation, though in many places the water ran across it. Until the improvements made by Holman, the lot was not susceptible of occupancy. There was a ridge of high land formed of shells and artificial deposits, to the east of which, to the river, the lot was situated; and the ridge was protected by the Spanish authorities, no person being permitted by them to improve on the ground or to remove the earth. It was called "The King's Highway," or landing place. Questions as to the title of the proprietors of the adjacent lots above Water street to the lots extending to the river, prevailed until 1824; when on the 26th May, 1824, a law was passed, which granted the lots, known as the water lots under the Spanish government, to the owners of the adjacent grounds. The improvements were made by Holman in 1819 or 1820. The defendants below gave in evidence, to maintain their title, the title to them from Lucy Landry, through her grantees to Oliver Holman: a title bond from Holman to Brown, for half of the lot in controversy, by which a deed was to be executed two years after the date of the bond; and an act of the legislature of Alabama, passed in December, 1823, after the decease of Holman, authorizing the administratrix of Holman, then residing in Boston, where administration of the estate of the deceased had been granted to her, to sell the real estate of which he died seised, in the city of Mobile, for the payment of his debts, the estate being insolvent: a deed made in pursuance of a sale of the premises, under the act of assembly and in conformity to the provisions thereof; and also the record of certain proceedings in the supreme court of Massachusetts, wherein a license was given to the administratrix to make a deed, in pursuance of the title bond to Brown, and the deed, made under this authority. The questions which arose in the case, and on which the court decided, were: First, whether the act of the legislature of Alabama, authorizing the sale of the estate of Holman, was constitutional and valid. Second, whether the proceedings in the supreme court of Massachusetts were operative, and authorized the administratrix to convey the title. Third, whether a volume of state papers, published under the authority of Congress, was evidence. Fourth, whether the lessors of the plaintiff below had established a legal title. Fifth, whether the defendants in the circuit court had not established a title in themselves, independent of and adverse to the title they had derived under Oliver Holman. The act of Congress of May 26, 1824, relinquished the rights of the United States, whatever they were, in the lot in question, to the proprietor of the front lot. *Watkins v. Holman et al.*, 16 Peters, 25.

known as water lots, as are situated between the channel of the river and the front of the lots, known, under the Spanish government, as water lots, in [the] said city of Mobile, whereon improvements have been made, be, and the same are hereby, vested in the several proprietors and occupants of each of the lots heretofore fronting on the river Mobile, except in cases where such proprietor or occupant has alienated his right to any such lot, now designated as a water lot, or the Spanish government has made a new grant, or order of survey, for the same, during the time at which they had the power to grant the same; in which case, the right and claim of the United States shall be, and is hereby, vested in the person to whom such alienation, grant, or order of survey, was made, or in his legal representative; *Provided*, That nothing in this act contained shall be construed to affect the claim or claims, if any such there be, of any individual or individuals, or of any body politic or corporate. (a)

APPROVED, May 26, 1824.

said city, vested in the person to whom such alienation, grant, or order of survey was made.

Proviso.

STATUTE I.

May 26, 1824.

CHAP. CLXXXVI.—*An Act in further addition to "An act to establish an uniform rule of Naturalization, and to repeal the acts heretofore passed on that subject."* (b)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That any alien, being a free white person and a minor, under the age of twenty-one years, who shall have resided in the United States three years next preceding his arriving at the age of twenty-one years, and who shall have continued to reside therein to the time he may make application to be admitted a citizen thereof, may, after he arrives at the age of twenty-one years, and after he shall have resided five years within the United States, including the three years of his minority, be admitted a citizen of the United States, without having made the declaration required in the first condition of the first section of the act to which this is in addition, three years previous to his admission: *Provided*, Such alien shall make the declaration required therein at the time of his or her admission; and shall further declare, on oath, and prove to the satisfaction of the court, that, for three years next preceding, it has been the bona fide intention of such alien to become a citizen of the United States; and shall, in all other respects, comply with the laws in regard to naturalization.

Act of March 26, 1790, ch. 3. Conditions on which an alien being a free white person and a minor, may become a citizen of the United States.

Proviso.

SEC. 2. *And be it further enacted*, That no certificates of citizenship, or naturalization, heretofore obtained from any court of record within the United States, shall be deemed invalid, in consequence of an omission to comply with the requisition of the first section of the act, entitled "An act relative to evidence in cases of naturalization," passed the twenty-second day of March, one thousand eight hundred and sixteen.

No certificate of citizenship or naturalization heretofore obtained from any court to be deemed invalid. 1816, ch. 32.

SEC. 3. *And be it further enacted*, That the declaration required by the first condition specified in the first section of the act, to which this is in addition, shall, if the same has been bona fide made before the clerks of either of the courts in the said condition named, be as valid as if it had been made before the said courts, respectively.

Declaration required by the first section of the former act to be valid on certain conditions.

SEC. 4. *And be it further enacted*, That a declaration by any alien, being a free white person, of his intended application to be admitted a citizen of the United States, made in the manner and form prescribed in the first condition specified in the first section of the act to which this is in addition, two years before his admission, shall be a sufficient compliance with said condition; any thing in the said act, or in any subsequent act, to the contrary notwithstanding.

A declaration of intention made two years before his admission shall be sufficient.

APPROVED, May 26, 1824.

(a) This act has been declared by the Supreme Court to be "a private act;" but its insertion among "The Public Laws" has been considered proper, as the decisions of the court upon its construction, and in cases which have arisen under its provisions, are of general and public importance.

(b) See notes of the acts relating to naturalization, vol. i. 103.

## STATUTE I.

May 26, 1824.

CHAP. CLXXXVII.—*An Act explanatory of an act, entitled "An act for the relief of the officers, volunteers, and other persons, engaged in the late campaign against the Seminole Indians, passed the fourth of May, one thousand eight hundred and twenty-two."*

Provisions of the act of May 4, 1822, ch. 48, shall extend to the volunteer, &c. officers engaged against the Seminole Indians.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper accounting officer of the Treasury Department be, and he is hereby, directed to give such construction to the act of the fourth of May, one thousand eight hundred and twenty-two, as that its provisions shall extend to the claims of the volunteer, field, and staff officers, engaged in the campaign of eighteen hundred and eighteen, against the Seminole Indians, who lost horses or the necessary equipage thereof, in the manner mentioned in said act; and, also, to the claims of all the volunteer officers or soldiers engaged in the campaign aforesaid, who, without any fault or negligence on their part, respectively, lost horses, or the necessary equipage thereof, in battle.*

The claims of all owners of wagons to be settled.

SEC. 2. *And be it further enacted, That the proper accounting officer of the Treasury Department be, and he is hereby, authorized and directed to audit and settle the claims of all owners of wagons and teams, and others, for any horse or horses, impressed into the public service during the said Seminole campaign: Provided, That such impressment, and the value of said horse, or horses, be satisfactorily proved, and that it shall, also, be satisfactorily proved that such horse or horses were not returned to their owners, and that any compensation which may have been allowed and paid for the service of said horse or horses, after the time of their impressment, be deducted.*

Proviso.

To be paid out of the treasury.

SEC. 3. *And be it further enacted, That the amount of such claims, so audited and settled, when ascertained, shall be paid out of any money in the treasury, not otherwise appropriated.*

APPROVED, May 26, 1824.

## STATUTE I.

May 26, 1824.

[Obsolete.]

CHAP. CLXXXVIII.—*An Act to authorize the President of the United States to enter into certain negotiations relative to lands located under Virginia military land warrants lying between Ludlow's and Robert's lines, in the state of Ohio.* (a)

The President authorized to ascertain the number of acres of land lying between Ludlow's and Robert's lines, in Ohio.

*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 shall be, and he is hereby, authorized to ascertain the number of acres, and, by appraisement or otherwise, the value thereof, exclusive of improvements, of all such lands lying between Ludlow's and Robert's lines, in the state of Ohio, as may, agreeably to the principles of a decision of the Supreme Court of the United States, in the case of Doddridge's lessee, against Thompson and Wright, be held by persons under Virginia military warrants, and on what terms the holders will relinquish the same to the United States, and that he report the facts at the commencement of the next session of Congress.*

APPROVED, May 26, 1824.

(a) Under the reservation contained in the cession act of Virginia, and under the acts of Congress of August 10, 1790, ch. 40, and of June 9, 1794, ch. 62, the whole country between the Scioto and Little Miami rivers was subjected to the military warrants to satisfy which the reserve was made. Doddridge v. Thompson, 9 Wheaton, 469; 5 Cond. Rep. 645

The territory lying between the two rivers, is the whole country from their sources to their mouths; and if no branch of either of them has acquired the name, exclusive of another, the main branch to its source must be considered as the true river. *Ibid.*

The act of June 26, 1812, ch. 109, to ascertain the western boundary of the tract reserved for the military warrants, and which provisionally designates Ludlow's line as the western boundary, did not invalidate the title to land between that line and Robert's line, acquired under a Virginia military warrant, previous to the passage of that act. *Ibid.*

The land between Ludlow's and Robert's line was not withdrawn from the territory liable to be surveyed for military warrants, by any act of Congress passed before the act of June 26, 1812, ch. 109. *Ibid.*

CHAP. CLXXXIX.—*An Act to authorize the surveying and making of a road from a point in the north-western boundary of the state of Ohio, near the foot of the Rapids of the Miami of Lake Erie, to Detroit, in the territory of Michigan.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, a road from a point in the north-western boundary of the state of Ohio, near the foot of the rapids of the Miami of Lake Erie, to Detroit, in the territory of Michigan; and said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States, who, if he approve of said survey, shall cause the plats thereof to be deposited in the office of the treasury of the United States, and the said road shall be considered as established and accepted.

SEC. 2. *And be it further enacted,* That the said road shall be opened and made under the direction of the President of the United States, who is hereby authorized to employ the troops of the United States, in the completion, or assisting in the completion, of said road.

SEC. 3. *And be it further enacted,* That the said commissioners shall, each, be entitled to receive three dollars, and their assistants one dollar and fifty cents, for each and every day they shall be necessarily employed in the exploring, surveying, and marking of said road. And for the purpose of compensating the said commissioners and their assistants, and for opening and making said road, there shall be, and is hereby appropriated, the sum of twenty thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, May 26, 1824.

CHAP. CXC.—*An Act to revive and extend the term of certain pensions which have expired by limitation.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the pensions heretofore granted, and paid out of the privateer pension fund, to the widows and orphans of such officers, seamen, and marines, as were slain, or died in consequence of wounds, or casualties, received, while in the line of their duty, on board the private armed ships of the United States, and the terms for the payment of which had expired by limitation, before the ninth day of April, in the year of our Lord one thousand eight hundred and twenty-four, be, and the same are hereby, revived, and extended to such widows and orphans, with all the advantages, and in the same manner, as if their respective terms had not expired; subject to the provisions, restrictions, and limitations, of an act, passed the ninth day of April, in the year of our Lord one thousand eight hundred and twenty-four, entitled "An act extending the term of pensions granted to persons disabled, and to the widows and orphans of those who have been slain, or who have died in consequence of wounds, or casualties, received while in the line of their duty, on board the private armed ships of the United States, during the late war."

APPROVED, May 26, 1824.

STATUTE I.

May 26, 1824.  
[Obsolete.]

President to appoint three commissioners to explore, &c. the most eligible course for a road from a certain point in Ohio, to Detroit.

Troops of the United States to complete the same.

Commissioners to receive 3 dollars, and their assistants \$150 cents per day.

Appropriation.

STATUTE I.

May 26, 1824.  
[Expired.]

Pensions paid out of the privateer pension fund, and the terms for their payment revived and extended.

Act of April 9, 1824, ch. 34.

STATUTE I.

May 26, 1824.

CHAP. CXCI.—*An Act to regulate the fees of the registers of wills in the several counties 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, from and after the passing of this act, there shall be allowed, and paid, (in lieu of the fees now allowed,) to each of the registers of wills, for the counties of Wash-

Specific fees to the registers of wills for Washington and Alexandria.

ington and Alexandria, in the District of Columbia, the following fees; that is to say:

|  |   |
|--|---|
| Probates.  | For every probate of will, (where there is no controversy,) one dollar;   |
| Letters testam-<br>entary.   | For granting letters testamentary, seventy-five cents;  |
| Annexing<br>wills.   | Annexing will, for one hundred words, twelve and one half cents;  |
| Registering.   | Registering the same, for one hundred words, twelve [and] a half cents;   |
| Letters of ad-<br>ministration.                                    | For granting letters of administration, seventy-five cents;   |
|  | Every bond taken of executors, administrators, or guardians, and re-<br>cording the same, one dollar and fifty cents;   |
| Filing, &c.  | For filing and entering renunciation of executors, or widows, twenty-<br>five cents;  |
| Exemplifica-<br>tion, &c.  | For exemplification of letters testamentary, or letters of administration,<br>under seal, one dollar;   |
| Warrants un-<br>der seal.  | For issuing warrant, under seal, to appraisers, and warrant to swear<br>them, fifty cents;  |
| Notice of ad-<br>ministrators.                                     | For notice of administrators to creditors, and orders thereon, fifty cents;   |
| Entering ca-<br>veats.   | For entering caveat, twenty-five cents;   |
| Citations un-<br>der seal.   | For issuing citation, under seal, fifty cents;  |
| Oaths.   | For administering every oath, or affirmation, six and one fourth cents;   |
| Lists of arti-<br>cles appraised.                                  | For filing list of articles appraised, twenty-five cents;   |
| Lists of arti-<br>cles sold at<br>vendue.                          | For filing list of articles sold at vendue, twenty-five cents;  |
| Recording<br>the same.   | For recording the same, (if ordered by the court,) for every hundred<br>words, twelve and one half cents;   |
| Accounts of<br>an executor, &c.                                    | For stating, passing, and filing the account of an executor, adminis-<br>trator, or guardian, not exceeding seventy-five items, three dollars; every<br>additional item, two cents;   |
| Examining<br>vouchers, &c.   | For examining the vouches [vouchers,] passing, and filing the account<br>of an executor, administrator, or guardian, (not stated by the register,)<br>and not exceeding seventy-five items, two dollars; every additional item,<br>two cents; |
| Copies of<br>same under<br>seal.                                   | For copy of same, under seal, if demanded, not exceeding one hun-<br>dred items, one dollar: every additional item, two cents; seal and certi-<br>ficate, thirty-seven cents and one half;  |
| Subpœnas.  | For subpœna, thirty-seven cents and one half. All witnesses to be put<br>into one subpœna, unless separate ones are required by the party. For<br>every name after the first, six cents and one fourth;                                       |
| Duces tecum.   | For duces tecum, under seal, fifty cents;   |
| Search.  | For every search, where no other service is performed for which fees<br>are allowed, eighteen cents and three-fourths:  |
| Balance of<br>distribution of<br>deceased per-<br>sons' estate.    | For making out, and filing, the balance of distribution of deceased<br>persons' estate, for each heir, one dollar;  |
| Taxing costs.  | For taxing all costs, in any one case, twenty-five cents;   |
| Writs of exe-<br>cution.   | For a writ of execution, on a definitive sentence, under seal, seventy-<br>five cents;  |
| Recording,<br>&c. indentures<br>of apprentices,<br>&c.             | For recording, and filing, each indenture of apprentice, including the<br>court's taking recognisance for same, or its approval when done by the<br>justices of the peace, seventy-five cents;  |
| Depositions of<br>witnesses.                                       | For drawing depositions of witnesses, for every hundred words, twelve<br>cents and one half;  |
| Filing all<br>other papers.  | For filing all other papers (except as above required,) four cents each;  |
| Appearance<br>of party under<br>process.                           | For entering appearance of party under process, twelve cents and one<br>half;   |
| Return of<br>process.  | For entering return of process, twelve and one half cents;  |
| Continuance<br>or reference,<br>chargeable, &c.                    | For every continuance or reference, chargeable to the applicants,<br>twelve and one half cents.   |
| Commission<br>to examine wit-<br>nesses, &c. Or-<br>phans' estate. | For commission to examine witnesses, or to auditors, under seal, one<br>dollar.<br>For commission to value orphans' estate, in the hands of guardians,<br>under seal, one dollar;   |

For entering every order of court, twelve cents and one half; if more than one hundred words, then, at the rate of twelve cents and one half per hundred;

Entering orders of Court.

For recording or copying any paper, for one hundred words, twelve cents and one half; seal and certificate, thirty-seven cents and one half;

Recording and copying papers.

For filing petition or report, and entering the same on record, (if necessary,) fifty cents; if more than one hundred words, at the rate of twelve cents and one half per hundred;

Filing petitions or reports.

For entering judgment, or rule of court, twenty-five cents; copy of same, if demanded, for every hundred words twelve cents and one half; seal and certificate, thirty-seven cents and one half;

Entering judgments, &c.

For entering every motion in court, twelve and one half cents;

Entering motions in court.

For entering appointment of guardian, with certificate and seal of said appointment, one dollar; every additional word included in the same certificate, twelve and one half cents;

Entering appointment of guardian, &c.

For issuing attachment and entering motion therefor, seventy-five cents;

Issuing attachments, &c.

For taking a recognisance, twenty-five cents;

Taking a recognisance.

For warrant to marshal to summon jury, under seal, seventy-five cents;

Warrant to summon jury.

For entering panel of jury, and swearing them, fifty cents;

Entering panel of jury.

For taking, filing, and recording, every bond, not above provided for, one dollar;

Taking, filing, &c., bonds.

For passing an account against the estate of a deceased person, twelve and a half cents; to be paid by the applicant, and not to be refunded.

Passing accounts, &c.

SEC. 2. *And be it further enacted*, That the respective officers, whose fees are by this act specified, are hereby required to make fair tables of their fees, agreeable to this act, and to set up the same in their respective offices, within six months after the passing of this act, in some conspicuous part of their office, for the inspection of all persons who may have business in said offices; on pain of forfeiting, for each day the same shall be missing through said officer's neglect, the sum of ten dollars, to be recovered as debts of the same amount are recoverable, one half to the county, and the other half to the informer.

Fair tables of fees to be made out by the officers whose fees are by this act specified.

SEC. 3. *And be it further enacted*, That, if a register of wills, or any person for him, shall take greater fees than herein before expressed, such officer shall forfeit and pay the party injured fifty dollars, to be recovered as debts of the same amount are recoverable. *Provided, always*, That the judges of the orphans' court may allow to the registers [register] of wills, reasonable fees for any service he may have rendered, not specified in this act.

Register to pay fifty dollars to any person from whom he shall take greater fees than expressed in this act.

SEC. 4. *And be it further enacted*, That the register [registers] of wills of the counties of Washington and Alexandria, in the District of Columbia, shall be allowed by the levy courts of their respective counties, for all record books and dockets necessarily furnished for their respective offices, which allowance shall be levied and collected as other county charges are.

Levy courts to allow the registers for all records, &c., furnished their respective offices.

APPROVED, May 26, 1824.

STATUTE I.

CHAP. CXCII.—*An Act to authorize the Secretary of the Treasury to exchange a stock, bearing an interest of four and one half per cent., for certain stocks bearing an interest of six per cent.*

May 26, 1824.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, empowered to borrow, on or before the first day of April next, on the credit of the United States, a sum not exceeding five millions of dollars, at a rate of interest, payable quarter yearly,

The President empowered to borrow a sum of money not exceeding \$5,000,000.

not exceeding four and one half per centum per annum, and reimbursable at the pleasure of the government, at any time after the thirty-first day of December, one thousand eight hundred and thirty-one, to be applied, in addition to the moneys which may be in the treasury at the time of borrowing the same, to pay off and discharge such part of the six per cent. stock of the United States, of the year one thousand eight hundred and twelve, as may be redeemable after the first day of January next.

The Bank of the United States to lend the same or any part thereof.

SEC. 2. *And be it further enacted,* That it shall be lawful for the Bank of the United States to lend the said sum, or any part thereof; and it is hereby further declared, that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treasury, with the approbation of the President of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the whole, or for any part thereof, bearing an interest not exceeding four and one half per centum per annum, transferable [transferable] and reimbursable as aforesaid, and to cause the said certificates of stock to be sold: *Provided,* That no stock be sold under par.

A subscription to the amount of 15,000,000 dollars proposed.

SEC. 3. *And be it further enacted,* That a subscription, to the amount of fifteen millions of dollars, of the six per cent. stock of the year one thousand eight hundred and thirteen, be, and the same is hereby, proposed; for which purpose, books shall be opened at the treasury of the United States, and at the several loan offices, on the first day of July next, to continue open until the first day of October thereafter, for such parts of the above-mentioned description of stock as shall, on the day of subscription, stand on the books of the treasury, and on those of the several loan offices, respectively; which subscription shall be effected, by a transfer to the United States, in the manner provided by law for such transfers, of the credit or credits standing on the said books, and by a surrender of the certificates of the stock so subscribed.

Credits shall be entered to subscribers who are entitled to certificates.

SEC. 4. *And be it further enacted,* That, for the whole or any part of any sum which shall be thus subscribed, credits shall be entered to the respective subscribers, who shall be entitled to a certificate, or certificates, purporting that the United States owe to the holder, or holders thereof, his, her, or their assigns, a sum, to be expressed therein, equal to the amount of the principal stock thus subscribed, bearing an interest of four and one half per centum per annum, payable quarterly, from the thirtieth day of September, one thousand eight hundred and twenty-four, transferable [transferable] in the same manner as is provided by law for the transfer of the stock subscribed, and subject to redemption, at the pleasure of the United States, as follows: One half at any time after the thirty-first day of December, one thousand eight hundred and thirty-two, and the remainder at any time after the thirty-first day of December, one thousand eight hundred and thirty-three: *Provided,* That no reimbursement shall be made, except for the whole amount of such new certificate, nor until after at least six months' public notice of such intended reimbursement. And it shall be the duty of the Secretary of the Treasury to cause to be re-transferred, to the respective subscribers, the several sums by them subscribed, beyond the amount of the certificates of five per cent. stock, issued to them, respectively.

Proviso.

Funds pledged for interest to remain the same.

SEC. 5. *And be it further enacted,* That the same funds which have heretofore been, and now are, pledged, by law, for the payment of the interest, and for the redemption or reimbursement of the stock which may be created or subscribed by virtue of the provisions of this act, shall remain pledged, in like manner, for the payment of the interest accruing on the stock created by reason of such subscription, and for the redemption or reimbursement of the principal of the same. It shall be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly, and every year, such sum and sums as may

Duty of the commissioners of the sinking fund.



be annually wanted to discharge the interest accruing on the stock which may be created by virtue of this act. The said commissioners are hereby authorized to apply, from time to time, such sum and sums, out of the said fund as they may think proper, towards redeeming, by purchase or by reimbursement, in conformity with the provisions of this act, the principal of the said stock; and such part of the annual sum of ten millions of dollars, vested by law in the said commissioners, as may be necessary, and wanting, for the above purposes, shall be, and continue, appropriated to the payment of interest and redemption of the public debt, until the whole of the stock which may be created under the provisions of this act, shall have been redeemed or reimbursed.

SEC. 6. *And be it further enacted*, That nothing in this act contained shall be construed in any wise to alter, abridge, or impair, the rights of those creditors of the United States, who shall not subscribe to the loan to be opened by virtue of this act.

APPROVED, May 26, 1824.

Not to impair the rights of those creditors of the United States who shall not subscribe to the loan.

STATUTE I.

May 26, 1824.

CHAP. CXCIV.—*An Act reserving to the Wyandot tribe of Indians a certain tract of land, in lieu of a reservation made to them by treaty.*

*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, reserved, for the use of the chiefs and tribe of Wyandot Indians, subject to the conditions and limitations of the former reservation, the north-east quarter of section numbered two, in township two, and range seventeen, south of the base line, of land, in the Delaware land district, in the state of Ohio, in lieu of one hundred and sixty acres of land, on the west side of, and adjoining, the Sandusky river; and which was reserved to said tribe of Indians, by a supplementary treaty between the United States and certain tribes of Indians, held at St. Mary's, in the state of Ohio, on the seventeenth day of September, eighteen hundred and eighteen; on condition that the chiefs of said Wyandot tribe first relinquish to the United States all the right, title, and claim, of said tribe, to the one hundred and sixty acres of land reserved by said supplementary treaty.

APPROVED, May 26, 1824.

The north quarter section numbered two, in township two and range seventeen, in the Delaware land district, Ohio, reserved for the use of the Wyandot tribe of Indians.

STATUTE I.

May 26, 1824.

CHAP. CXCV.—*An Act supplementary to the act "to incorporate the inhabitants of the city of Washington," passed the fifteenth of May, one thousand eight hundred and twenty, 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 so much of the act, entitled "An act to incorporate the inhabitants of the city of Washington, and to repeal all acts heretofore passed for that purpose," passed May fifteenth, one thousand eight hundred and twenty, as is inconsistent with the provisions of this act, be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted*, That public notice of the time and place of the sale of all real property, for taxes due the corporation of the city of Washington, shall be given in all cases hereafter, by advertisement, inserted in some newspaper published in the said city, once in each week, for at least twelve successive weeks, in which advertisement shall be stated the number of the square or squares, the number of the lot or lots, (if the square has been divided into lots,) the name or names of the per-

Part of the act of May 15, 1820, ch. 104, repealed.

Public notice of the time and place of sale of all real property for taxes due the corporation of Washington to be given.

(a) Notes of the acts relating to the corporation of Washington, vol. ii. 254—721.

Decisions of the Supreme Court on the provisions of the act incorporating the city of Washington and authorizing the laying of taxes, vol. ii. 721.

son or persons to whom the same may be assessed on the books of the corporation at the time of such advertisement, the amount of the tax due on each square or lot, the period for which the same shall be due, and the aggregate amount of taxes due on all real property assessed in the name of the same person or persons; but, where a whole square is assessed to the same person or persons, although divided into lots, it may be assessed and advertised, as if the same was not divided. And no sale of real property, for taxes, hereafter made, shall be impaired, or void, by reason of such property not being assessed, or advertised, in the name or names of the lawful owner or owners thereof, provided the same shall be advertised as above directed, or by reason of the amount of taxes due thereon not being correctly stated. (a)

Where sales shall not have been made according to law for taxes due the said corporation, on application of the purchaser, such sum shall be refunded him as he paid on said purchase.

SEC. 3. *And be it further enacted*, That in all cases of sales of real property, for taxes due the said corporation, where such sale shall not have been made according to law, and void, it shall be lawful for the said corporation, on the application of the purchaser, or other person entitled under him, to refund and pay to such person or persons, the amount paid by him or them, on account of such purchase; and, also, the subsequent taxes accrued and paid on the said property, and to re-assess the amount of taxes so refunded, on the property on which the same shall have accrued, which shall be collected in the manner as provided by law for the collection of other taxes at any time after the first day of January next, after the same shall be so re-assessed.

Where there are a number of lots assessed to the same person, the corporation is authorized to sell one or more of them for the taxes due on the whole.

SEC. 4. *And be it further enacted*, That it shall be lawful for the said corporation, where there shall be a number of lots assessed to the same person or persons, to sell one, or more, of such lots, for the taxes and expenses due on the whole; and, also, to provide for the sale of any part of a lot, for the taxes and expenses due on the said lot, or other lots assessed to the same person, as may appear expedient according to such rules and regulations as the said corporation may prescribe.

In case of the death, &c. of any commissioner of election, &c.

SEC. 5. *And be it further enacted*, That, in case of the death, resignation, or inability to serve, of any commissioner of election, it shall be lawful for the mayor, or in case of his absence, or inability to perform that duty, for the register of the city, to make an appointment, in writing, to fill any such vacancy, which appointment shall be returned to the register, with the return of such election.

Proprietors allowed the right of redemption.

SEC. 6. *And be it further enacted*, That the proprietor or proprietors of lots which may be sold under the provisions of this act, shall be allowed the right of redemption, in the same manner, and according to the like restrictions, contained in the act to which this is a supplement.

Public notice of the time and place of sale of any real property, chargeable with taxes, to be given.

SEC. 7. *And be it further enacted*, That public notice of the time and place of sale, of any real property chargeable with taxes, in Georgetown or Alexandria, in all cases hereafter, shall be given, once in each week, for twelve successive weeks, in some one newspaper printed in each of said places, and in the National Intelligencer, in which shall be stated the number of the lot or lots, or parts thereof, intended to be sold, and the value of the assessment, and the amount of the taxes due and owing thereon.

In case the owner, &c. does not pay the amount of taxes on lots assessed, before the day of sale, so many as may be sufficient to discharge said amount shall be sold.

SEC. 8. *And be it further enacted*, That if, before the day of sale, advertised as aforesaid, the owner, his agent, or attorney, shall not pay the amount of taxes, with all costs thereon assessed, said lots, or so many as may be sufficient to discharge the same, shall be sold for cash, and to the highest bidder paying therefor; a certificate from the proper officer shall be issued, setting forth that he is the purchaser, and the amount paid by him; and if, at the expiration of twelve months from the day of sale, the owner shall not appear, and pay to the officer who sold the same, the mayor, or the purchaser, the amount of the purchase money, and cost, and taxes, accruing subsequent to the sale, and ten per centum

(a) See the case of Ronkendorf v. Taylor's lessee, 4 Peters, 349.

interest per annum on the purchase money, it shall and may be lawful for a title, in fee simple, at the expiration of said time, to be made to the purchaser: *Provided*, That no sale of real estate shall be made but where the owner or tenant of the property has not sufficient personal estate out of which to enforce a collection of the debt due, and where he has personal property, it shall be lawful to collect said taxes by distress and sale thereof.

*Proviso.*

Sec. 9. *And be it further enacted*, That, on or before the first day of April next, and every five years thereafter, each of the corporations of Washington, Georgetown, and Alexandria, shall cause three respectable freeholders, resident in said city and towns, respectively, being previously sworn, to assess and value, and make return of all and every species of property by law taxable, in said corporations; and, in making their said valuations, they shall determine it agreeably to what they believe it to be worth, in cash, at the time of the valuation.

All species of property, by law taxable, to be assessed.

Sec. 10. *And be it further enacted*, That, where any taxes have fallen due, and yet remain unpaid, or where any real estate has been sold by the corporation of Georgetown or Alexandria, which sale from any defect of proceeding in relation thereto, has been declared, or is considered void, said corporation may proceed, and are hereby authorized, to collect said taxes by sale of the real estate, liable, agreeably to the provisions of this act, in relation to other cases of collecting taxes hereafter to fall due: *Provided*, That, where any person, without notice of the outstanding taxes, has made a bona fide purchase from the legal owner of any real estate, previous to the fifteenth day of May, one thousand eight hundred and twenty-four, said real estate, so acquired, shall not be liable for the taxes due and owing previous to said purchase.

Course to be pursued where taxes have fallen due and remain unpaid.

*Proviso.*

Sec. 11. *And be it further enacted*, That all titles to property conveyed, as aforesaid, on sales for taxes, made in either of said places, shall be by deed from the mayor, under the seal of the corporation; which said conveyance shall be effectual, in law, to convey the title, the requisition of this act having been complied with.

All titles to property conveyed shall be by deed from the mayor.

Sec. 12. *And be it further enacted*, That, on any lot, or lots, or part of a lot, liable for taxes, as aforesaid, being sold, the amount, over and above the tax, cost, and charges, due upon the same, shall be paid over, on application, to the owner of said property.

Amount over the taxes, &c. due upon any lot sold for taxes, to be paid to the owner.

Sec. 13. *And be it further enacted*, That, where the payment of any taxes shall be made or enforced against any tenant, it shall not be lawful for the owner of said property, so made liable for the taxes, to recover of the tenant any rent for the property; but the same shall remain in his possession a lien for the debt, until such time as the rent accruing shall have discharged the same; and the said tenant shall be entitled to charge twenty-five per centum against the landlord, on the amount of the taxes so paid or enforced against him, except where he may have been previously in arrears for his rent.

Where the payment of any taxes shall be enforced against any tenant, it shall not be lawful for the owner of said property to recover of him any rent therefor.

Sec. 14. *And be it further enacted*, That, in all cases of any nuisance affecting, in the opinion of the board of health, the healthiness of the city of Washington, or inhabitants contiguous thereto, which may exist on any lot belonging to the United States, it shall be lawful to have the same removed, in the same manner, and under the same rules and regulations, that nuisances on private property are removed; and the expense of such removal or correction shall be defrayed out of any moneys in the hands of the city commissioner, for the sale of the public property in said city.

Nuisances to be removed.

APPROVED, May 26, 1824.

## RESOLUTIONS.

Feb. 4, 1824.

I. RESOLUTION *in relation to an intended visit of the Marquis de La Fayette to the United States.*

The Marquis de La Fayette having expressed his intention to revisit this country—

The President to communicate to the Marquis de La Fayette the attachments, for him, of this country.

A national ship to be sent for him, &c.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President be requested to communicate to him the assurances of grateful and affectionate attachment still cherished for him by the government and people of the United States:

*And be it further resolved,* That, whenever the President shall be informed of the time when the marquis may be ready to embark, that a national ship, with suitable accommodation, be employed to bring him to the United States.

APPROVED, February 4, 1824.

May 26, 1824.

II. RESOLUTION *providing a place of deposit for the portrait of Columbus, and directing the distribution of certain copies of the Declaration of Independence, now in the Department of State.*

Portrait of Columbus to be placed in the library of Congress.

Copies of the Declaration of Independence to be distributed.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the portrait of Columbus, presented to the nation by G. G. Barrell, United States' Consul at Malaga, be placed in the library of Congress.

*Resolved,* That the two hundred copies of the Declaration of Independence, now in the Department of State, be distributed in the manner following: two copies to each of the surviving signers of the Declaration of Independence; two copies to the President of the United States; two copies to the Vice President of the United States; two copies to the late President, Mr. Madison; two copies to the Marquis de Lafayette; twenty copies for the two houses of Congress; twelve copies for the different departments of the government; two copies for the President's House; two copies for the Supreme Court room; one copy to each of the governors of the states; and one to each branch of the legislatures of the states; one copy to each of the governors of the territories of the United States; and one copy to the legislative council of each territory; and the remaining copies to the different universities and colleges of the United States, as the President of the United States may direct.

The President to cause the distribution to be made.

*Resolved,* That the President of the United States be requested to cause the distribution of the said copies of the Declaration of Independence to be made, agreeably to the foregoing resolution.

APPROVED, May 26, 1824.

# ACTS OF THE EIGHTEENTH 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 sixth day of December, 1824, and ended on the third day of March, 1825.*

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice President of the United States, and President of the Senate; JOHN GAILLARD, President of the Senate, pro tempore; HENRY CLAY, Speaker of the House of Representatives.

### STATUTE II.

CHAP. I.—*An Act making a partial appropriation for the year one thousand eight hundred and twenty-four [five.]*

Dec. 15, 1824.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of two hundred and sixty-five thousand dollars be, and the same is hereby, appropriated, for the compensation granted by law to the Senate and House of Representatives, and to the officers and clerks, and servants of both houses of Congress, and for defraying the contingent expenses thereof; and that the same be paid out of any money in the treasury not otherwise appropriated.

265,000 dollars appropriated for the Senate and House of Representatives.  
1825, ch. 13.

APPROVED, December 15, 1824.

### STATUTE II.

CHAP. III.—*An Act to authorize the Legislature of the State of Ohio to sell and convey certain tracts of land granted to said State for the use of the people thereof.*

Dec. 28, 1824.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Legislature of the State of Ohio shall be, and is hereby, authorized and empowered to cause to be sold and conveyed in such manner, and on such terms and conditions, as said Legislature shall, by law, direct, the following tracts of land heretofore granted to said State, for the use of the people thereof, to wit: so much of the six mile reservation, including the salt springs, commonly called the Sciota Salt Springs, as remains unsold; the salt springs near the Muskingum River, and in the Military Tract, with the sections of land which include the same; the proceeds thereof to be applied to such literary purposes as said Legislature may hereafter direct; and to no other use, intent, or purpose, whatsoever.

Legislature of Ohio authorized to sell certain tracts of land.

1802, ch. 40,  
§ 7.

APPROVED, December 28, 1824.

### STATUTE II.

CHAP. IV.—*An Act authorizing the Secretary of the Treasury to adopt a new hydrometer for ascertaining the proof of liquors.*

Jan. 12, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized, under the direction of the

The Secretary of the Treasury authorized to adopt an hydro-

meter for ascertaining the proof of liquors.

President of the United States, to adopt and substitute such hydrometer as he may deem best calculated to promote the public interest, in lieu of that now prescribed by law, for the purpose of ascertaining the proof of liquors; and that, after such adoption and substitution, the duties imposed by law upon distilled spirits shall be levied, collected, and paid, according to the proof ascertained by any hydrometers so substituted and adopted.

APPROVED, January 12, 1825.

STATUTE II.

Jan. 12, 1825.

CHAP. V.—*An Act authorizing repayment for land erroneously sold by the United States.*

Act of Feb. 25, 1825, ch. 13, sec. 3.

Purchasers of public lands, where the purchase has been found void, to receive such sum as they may have paid therefor.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That every person, or the legal representative of every person, who is, or may be, a purchaser of a tract of land from the United States, the purchase whereof is, or may be void, by reason of a prior sale thereof by the United States, or by the confirmation, or other legal establishment of a prior British, French, or Spanish grant thereof, or for want of title thereto in the United States, from any other cause whatsoever, shall be entitled to repayment of any sum or sums of money, paid for, or on account of, such tract of land, on making proof, to the satisfaction of the Secretary of the Treasury, that the same was erroneously sold, in manner aforesaid, by the United States, who is hereby authorized and required to repay such sum or sums of money, paid as aforesaid.

APPROVED, January 12, 1825.

STATUTE II.

Feb. 5, 1825.

CHAP. VI.—*An Act in addition to an act, entitled "An act to amend the ordinance and acts of Congress for the government of the territory of Michigan," and for other purposes. (a)*

Act of March 3, 1823, ch. 36. The governor, &c. of the Michigan territory, authorized to divide it into townships, &c.

Election of county officers.

Proviso.

Vol. i. 51.

The civil officers of said territory to be appointed by the governor, by and with the advice and consent of the legislative council.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the governor and legislative council of the territory of Michigan be, and they are hereby, authorized to divide the said territory into townships, and incorporate the same, or any part thereof; to grant, define, and regulate the privileges thereof, and to provide by law for the election of all such township and corporation officers, as may be designated within the same.

SEC. 2. *And be it further enacted,* That all county officers within said territory shall be hereafter elected by the qualified electors residing in each county, at such time and place, and in such manner, as the said governor and legislative council may from time to time direct: *Provided,* That nothing in this section contained shall authorize the electors aforesaid to elect any judge of any court of record, or clerk thereof, or any sheriff, or judge of probate, or justice of the peace. And that so much of the ordinance of Congress, passed July the thirteenth, seventeen hundred and eighty-seven, and of the laws of the United States, as are inconsistent with the provisions of this section, and as regard the Michigan territory, be, and the same are hereby, repealed.

SEC. 3. *And be it further enacted,* That the governor of the said territory shall nominate, and, by and with the advice and consent of the said legislative council, shall appoint, all other civil officers in said territory, except such as are appointed by the President of the United States, by and with the advice and consent of the Senate of the same. And the governor of the said territory shall have power to fill all vacancies in the offices required to be nominated by him, which may happen during

(a) See notes to the act of February 16, 1819, ch. 22, for the acts relating to the territory of Michigan.

the recess of said legislative council, by granting commissions, which shall expire at the end of their next session.

SEC. 4. *And be it further enacted*, That the qualified electors of said territory shall, at their next and every subsequent election for members of their legislative council, choose, by ballot, eight persons, having the qualifications of electors, in addition to the number now by law authorized; and the names of the twenty-six persons, so elected, shall be transmitted by the governor of said territory, to the President of the United States, immediately after said election, who shall nominate, and by and with the advice and consent of the Senate of the United States, appoint, therefrom, thirteen persons; which said thirteen persons shall compose the legislative council, any nine of whom shall form a quorum to transact business; and all vacancies occurring in said council shall be filled in the same manner, from the list transmitted as aforesaid. The members of the said legislative council shall receive three dollars each per day, during their attendance at the sessions thereof, and three dollars for every twenty miles in going to, and returning therefrom, in full compensation for their services; which shall be paid by the United States.

Additional members of the legislative council to be also chosen by ballot.

SEC. 5. *And be it further enacted*, That appeals and writs of error shall lie, from the decision of the highest judicial tribunal of said territory, to the Supreme Court of the United States, in the same manner, and under the same regulations as do lie and are taken from the circuit courts of the United States, where the amount in controversy shall exceed one thousand dollars, which shall be ascertained by evidence satisfactory to the court allowing the appeal.

Same course to be pursued with writs of error, as in other courts.

SEC. 6. *And be it further enacted*, That not less than two judges of the supreme or superior court of said territory, shall hereafter hold a court to transact the business of said court.

Two of the superior judges to hold a court.

SEC. 7. *And be it further enacted*, That so much of any ordinance or law of the United States as contravenes the provisions of this act, so far as respects the territory of Michigan, be, and the same is hereby, repealed.

So much of any law as contravenes the provisions of this act, repealed.

APPROVED, February 5, 1825.

STATUTE II.

CHAP. VII.—*An Act confirming certain claims to lands in the western district of Louisiana.* (a)

Feb. 5, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the claims to land embraced in the report made by the commissioners appointed for adjusting the titles and claims to land in the western district of Louisiana, upon the thirtieth day of December, eighteen hundred and fifteen, and recommended by them for confirmation, be, and the same are hereby, confirmed: *Provided*, That no person or persons shall be entitled, by any one claim, to a greater quantity than one league square under this act.

Act of March 3, 1807, ch. 36.  
Act of March 2, 1805, ch. 26.  
Act of Feb. 28, 1823, ch. 15.  
Report of the commissioners for adjusting the titles, &c. to land in the western district of Louisiana, confirmed.

APPROVED, February 5, 1825.

STATUTE II.

CHAP. IX. — *An Act making compensation to the persons appointed by the electors to deliver the votes for President and Vice President.*

Feb. 11, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the person appointed by the electors to deliver to the president of the Senate, a list of the votes for President and Vice President, shall be allowed, on delivery of

Compensation allowed to persons who delivered to the president of the

(a) See notes to act of May 11, 1820, ch. 87.

Senate the votes for President and Vice President.

To take effect from Nov. 1, 1824.

said list, twenty-five cents for every mile of the estimated distance, by the most usual route, from the place of meeting of the electors to the seat of government of the United States, going and returning.

SEC. 2. *And be it further enacted*, That this act shall take effect from the first of November, eighteen hundred and twenty-four.

APPROVED, February 11, 1825.

STATUTE II.

Feb. 11, 1825.

[Obsolete.]

All duties upon books, &c. for the use of the library of Congress, to be remitted.

CHAP. X.—*An Act to remit the duties on books, maps, and charts, imported for the use of the library of Congress.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he hereby is, directed to remit all duties upon such books, maps, and charts, as have been during the present year, or hereafter may be, imported into the United States, by the authority of the joint library committee of Congress, for the use of the library of Congress.

APPROVED, February 11, 1825.

STATUTE II.

Feb. 21, 1825.

[Obsolete.]

Specific appropriations for the military service for 1825.

CHAP. XI.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-five.*

*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, respectively, appropriated for the military service of the United States, for the year one thousand eight hundred and twenty-five, to wit :

For pay of the army, and subsistence of officers, including the military academy, nine hundred and ninety-four thousand four hundred and seven dollars and seventy-five cents.

For subsistence, in addition to an unexpended balance on the first of January, one thousand eight hundred and twenty-five, of twenty-nine thousand one hundred and eighty-eight dollars and forty-five cents, two hundred and sixty thousand four hundred and twenty-nine dollars and fifty-five cents.

For forage for officers, thirty-five thousand five hundred and twenty dollars.

For the recruiting service in addition to an unexpended balance on the first of January, one thousand eight hundred and twenty-five, of one thousand dollars, twenty-three thousand five hundred dollars.

For the contingent expenses of the recruiting service, in addition to an unexpended balance on the first of January, one thousand eight hundred and twenty-five, of eight thousand five hundred dollars, three thousand seven hundred and fifty dollars.

For the purchasing department, two hundred and four thousand five hundred and forty-nine dollars and eighty-six cents.

For the purchase of woollens, during the year one thousand eight hundred and twenty-five, in advance for the year one thousand eight hundred and twenty-six, twenty thousand dollars.

For the expense of building a brick wall round the arsenal lot, on Schuylkill, and repairs of public buildings thereon, eight thousand dollars.

For medical and hospital department, in addition to amount on hand, on first of January, one thousand eight hundred and twenty-five, of thirteen thousand dollars, twenty thousand dollars.

For quartermaster general's department, two hundred and eighty-four thousand nine hundred and seventy-three dollars and seventy-five cents.



For quartermaster's supplies, transportation, mathematical instruments, books, and stationery, for the military academy at West Point, eleven thousand five hundred dollars.

For the contingencies of the army, ten thousand dollars.

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

For the current expenses of the ordnance service, forty thousand seven hundred dollars.

For arsenals, forty-four thousand six hundred dollars.

For the pensions to the revolutionary pensioners of the United States, one million two hundred and forty-eight thousand four hundred and fifty-two dollars and twenty-six cents.

For the half pay pensions to widows and orphans, twenty thousand dollars.

For making surveys, and carrying on the operations of the board of engineers, in relation to internal improvements, and in addition to an unexpended balance on hand, twenty-eight thousand five hundred and sixty-seven dollars.

For paying certain states the amount due on account of militia in the service of the United States, during the late war, ninety-two thousand five hundred and thirty-five dollars and seventy-seven cents, being an amount heretofore appropriated, and which has passed to the surplus fund.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act, shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, also*, That nothing in this section contained shall be construed to extend to balances arising solely from the depreciation of treasury notes received by such person to be expended in the public service; but, in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, February 21, 1825.

To be paid out of the treasury.

Proviso.

Proviso.

STATUTE II.

CHAP. XII.—*An Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-five.*

Feb. 21, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, for defraying the expenses of the navy, for the year one thousand eight hundred and twenty-five, the following sums be, and the same are hereby, respectively, appropriated:

[Obsolete.]  
Special appropriations for the support of the navy for 1825.

For the pay and subsistence of the officers, and pay of the seamen, other than those at navy yards, shore stations, and in ordinary, seven hundred and eighty-three thousand five hundred and fifty-four dollars thirty-seven cents.

Subsistence and pay.

For the pay and subsistence of officers and others, at navy yards, shore stations, and in ordinary, two hundred and seventy-nine thousand three hundred and sixty-four dollars and seventy-three cents.

At navy yards, &c.

For provisions, three hundred and fifty-five thousand eight hundred and seventy-five dollars.

Provisions.

For repairs of vessels, and for wear and tear of vessels in commission, four hundred and fifty thousand dollars.

Repairs.

Improvement,  
&c. of navy yards. For improvement and repairs of navy yards, one hundred and sixty-five thousand dollars, viz: at Portsmouth, in New Hampshire, three thousand dollars; at Charlestown, in Massachusetts, twenty thousand dollars; at New York, sixty thousand dollars; at Philadelphia, twelve thousand dollars; at Washington, forty thousand dollars; at Norfolk, including the purchase of a tract of land, for the extension and security of the navy yard at that place, thirty thousand dollars.

Ordnance. For ordnance and ordnance stores, thirty-five thousand dollars.

Medicines,  
&c. For medicines and hospital stores, thirty-five thousand dollars.

Sundry ex-  
penses. For defraying the expenses which may accrue during the year one thousand eight hundred and twenty-five, for the following purposes: For freight and transportation of materials and stores of every description; for wharfage and dockage; for storage and rent: for travelling expenses of officers, and transportation of seamen; for house rent or chamber money; for fuel and candles to officers, other than those attached to navy yards and shore stations; for commissions, clerk hire, office rent, stationery, and fuel, to navy agents; for premiums and incidental expenses of recruiting; for expenses of pursuing deserters: for compensation to judge advocates: for per diem allowance to persons attending courts martial and courts of inquiry, and to officers engaged in extra service beyond the limits of their stations; for expenses of persons in sick quarters; for burying deceased persons belonging to the navy; for printing and for stationery of every description; for books, charts, nautical and mathematical instruments, chronometers, models, and drawings; for purchase and repairs of steam and fire engines and machinery; for purchase and maintenance of oxen and horses, and for carts, wheels, and workmen's tools, of every description; for postage of letters on the public service; for pilotage; for cabin furniture for vessels in commission; for taxes on navy yards and public property; for assistance rendered to public vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coals and other fuel for forges, founderies, steam-engines, and for candles, oil, and fuel; for vessels in commission and in ordinary: and for no other object or purpose whatever—two hundred thousand dollars.

Contingent  
expenses. For contingent expenses, for objects arising in the current year, and not hereinbefore enumerated, five thousand dollars.

Marine corps. For pay and subsistence of the marine corps, one hundred and eighty-nine thousand eight hundred and sixty dollars and fifty cents.

For clothing for the same, twenty-eight thousand seven hundred and sixty-five dollars.

For fuel for the same, six thousand dollars.

For medicines, hospital stores, and instruments for the officers and marines stationed on shore, two thousand three hundred and sixty-nine dollars seventy-one cents.

For contingent expenses, that is to say: fuel for commissioned officers, transportation, stationery, bed sacks, straw, extra rations to officers, and postage on public letters, fourteen thousand dollars.

For arrearages of contingent expenses for the years one thousand eight hundred and twenty-three and one thousand eight hundred and twenty-four, five thousand dollars.

Proviso. SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for and paid into the treasury, all sums for which he may be liable: *Provided, also*, That nothing in this section contained shall be construed to extend to balances arising solely from the depreciation of treasury notes received by such person to be expended in the public service: but, in all cases where the

pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, February 21, 1825.

CHAP. XIII.—*An Act making appropriations for the support of government, for the year one thousand eight hundred and twenty-five.*

*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, respectively, appropriated, for the service of the year one thousand eight hundred and twenty-five; that is to say:—

For compensation to the Senators, and members of the House of Representatives, their officers and clerks, in addition to the sum of two hundred and sixty-five thousand dollars, appropriated by the act of the fifteenth day of December last, sixty-four thousand eight hundred and sixty-eight dollars.

For expenses of fuel, stationery, printing, and all other incidental and contingent expenses, of both Houses of Congress, sixty-five thousand dollars.

For the expenses of the library of Congress, including the salary of the librarian, one thousand nine hundred and fifty dollars.

For compensation to the President of the United States, twenty-five thousand dollars.

For compensation to the Vice President of the United States, five thousand dollars.

For compensation to the Secretary of State, six thousand dollars.

For compensation to the clerks in the Department of State, per act of the twentieth of April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.

For compensation to the messengers in said department, including the messenger in the patent office, one thousand four hundred and fifty dollars.

For compensation to one mechanist, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, seven hundred dollars.

For the incidental and contingent expenses of the Department of State, including the expenses of printing the laws, and for extra copying of papers, twenty-five thousand five hundred and fifty dollars.

For compensation to the Secretary of the Treasury, six thousand dollars.

For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth of April, one thousand eight hundred and eighteen, including four hundred dollars short appropriated for one thousand eight hundred and twenty-four, ten thousand eight hundred dollars.

For compensation of one clerk, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand one hundred and fifty dollars.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

STATUTE II.

Feb. 25, 1825.

[Obsolete.]

Sums appropriated for the year 1825.

Congress and their officers.

1824, ch. 1.

Contingent expenses thereof.

Library and librarian of Congress.

President.

Vice President.

Secretary of State.

Clerks.

1818, ch. 87.

Messengers.

Mechanist for patent office.

1824, ch. 157.

Incidental and contingent expenses.

Secretary of the Treasury.

Clerks.

1818, ch. 87.

Additional clerk.

1824, ch. 157.

Messengers.

First comptroller.

- Clerks.** For compensation to the clerks in the office of the first comptroller, 1818, ch. 87. per act of twentieth of April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.
- Second comptroller.** For compensation to the second comptroller of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the second comptroller, 1818, ch. 87. per act of twentieth of April, one thousand eight hundred and eighty-nine, nine thousand seven hundred and fifty dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- First auditor.** For compensation to the first auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the first auditor of the treasury, per act of twentieth of April, one thousand eight hundred and eighty-eight, thirteen thousand two hundred dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Second auditor.** For compensation to the second auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the second auditor, sixteen thousand two hundred dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Third auditor.** For compensation to the third auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the third auditor, twenty-three thousand three hundred and fifty dollars.
- Messengers.** For compensation to the messenger and assistant in said office, one thousand and fifty dollars, in full of all allowances.
- Fourth auditor.** For compensation to the fourth auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the fourth auditor, per act of twentieth of April, one thousand eight hundred and eighty-eight, fifteen thousand and fifty dollars.
- Additional clerk.** For one additional clerk, employed per act of appropriation of one thousand eight hundred and twenty-four, one thousand dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Fifth auditor.** For compensation to the fifth auditor of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the fifth auditor, per act of twentieth of April, one thousand eight hundred and eighty-eight, ten thousand five hundred dollars.
- Additional clerks.** For compensation to clerks in said office, per act of twenty-sixth of May, 1824, ch. 157. one thousand eight hundred and twenty-four, three thousand seven hundred dollars.
- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.
- Treasurer.** For compensation to the treasurer of the United States, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the treasurer, per act of twentieth of April, 1818, ch. 87. one thousand eight hundred and eighty-eight, five thousand two hundred and fifty dollars.
- Additional clerks.** For compensation to clerks in said office, per act of twenty-sixth of May, 1824, ch. 157. one thousand eight hundred and twenty-four, one thousand two hundred dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

Messenger.

For compensation to the register of the treasury, three thousand dollars.

Register.

For compensation to the clerks in the office of the register, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars.

Clerks.

1818, ch. 87.

For compensation to the messenger and assistant messenger in said office, including the allowance for stamping ship's registers, one thousand one hundred and fifty dollars, including all allowances.

Messengers.

For compensation to the commissioner of the general land office, three thousand dollars.

Commissioner of general land office.

Clerks.

1818, ch. 87.

For compensation to the clerks in the office of said commissioner, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.

Messengers.

For compensation to the messenger and assistant in said office, one thousand and fifty dollars, in full of all allowances.

Secretary to sinking fund.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

Contingent expenses.

For allowance to the person employed in transmitting passports and sea-letters, for expenses of translating foreign languages in the office of the Secretary of the Treasury; for stationery, fuel, printing, and all other incidental and contingent expenses, in the Treasury Department, and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-five, thirty thousand one hundred and fifty dollars.

Superintendent and watchmen.

For allowance to the superintendent and four watchmen, employed for the security of the State and Treasury buildings, for the repairs of engines, hose, and buckets, one thousand nine hundred dollars.

For compensation to the Secretary of War, six thousand dollars.

Secretary of War.

Clerks.

For compensation to the clerks in the office of the Secretary of War, twenty-one thousand six hundred dollars.

Messengers.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.

Clerks in the office of paymaster general.

For compensation to the clerks in the office of the paymaster general, three thousand nine hundred dollars.

Messenger.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

Clerks in office of commissary general.

For compensation to the clerks in the office of the commissary general of purchases, per act of twenty-sixth May, one thousand eight hundred and twenty-four, three thousand five hundred dollars.

1824, ch. 157.

Messenger.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

Adjutant general's clerks.

1818, ch. 87.

For compensation to the clerks in the office of the adjutant general, per act of twentieth April, one thousand eight hundred and eighteen, two thousand one hundred and fifty dollars.

Clerks of commissary general of subsistence.

For compensation to the clerks in the office of the commissary general of subsistence, per act of twenty-sixth May, one thousand eight hundred and twenty-four, two thousand one hundred and fifty dollars.

1824, ch. 157.

Clerks of chief engineer.

1824, ch. 157.

For compensation to the clerks in the office of the chief engineer, per act of twenty-sixth May, one thousand eight hundred and twenty-four, two thousand one hundred and fifty dollars.

Clerks of the ordnance.

1818, ch. 87.

For compensation to the clerks in the ordnance office, per act of twentieth April, one thousand eight hundred and eighteen, two thousand nine hundred and fifty dollars.

Surgeon general's clerk.

1824, ch. 157.

For compensation to the clerk in the surgeon general's office, per act of the twenty-sixth May, one thousand eight hundred and twenty-four, one thousand one hundred and fifty dollars.

Clerks in the quartermaster general's office.

For compensation to the clerks in the quartermaster general's office, two thousand one hundred and fifty dollars.

Contingent expenses of War Department.

Secretary of the Navy.  
Clerks,  
1818, ch. 87.

Additional clerk.  
1824, ch. 157.  
Messengers.

Contingent expenses.  
Commissioners of navy board.  
Secretary of the navy commissioners.  
Clerks.  
1818, ch. 87.

Clerks and a draftsman.  
1824, ch. 157.  
Messenger.

Contingent expenses.

Superintendent and watchmen of war and navy buildings.

Postmaster General.  
Assistant  
P. M. general.  
Clerks.

1818, ch. 87.

Additional clerks.  
1824, ch. 157.

Messengers.

Contingent expenses.  
Repairing building, &c.

Extra clerks.

Surveyor general.  
Clerks.

Surveyor south of Tennessee.  
Clerks.

Additional Clerks.

Surveyor in Illinois and Missouri.  
Clerks.

For contingent expenses of the War Department, including all the subordinate offices thereof, seven thousand dollars.

For compensation to the Secretary of the Navy, six thousand dollars.

For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth April, one thousand eight hundred and eighteen, eight thousand two hundred dollars.

For compensation to one clerk in said office, per act of twenty-sixth May, one thousand eight hundred and twenty-four, one thousand dollars.

For compensation to the messenger and assistant in said office, one thousand and fifty dollars, in full of all allowances.

For the contingent expenses of said office, two thousand dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary to the commissioners of the navy board, two thousand dollars.

For compensation to the clerks in the office of the commissioners of the navy board, per act of twentieth of April, one thousand eight hundred and eighteen, three thousand five hundred and fifty dollars.

For compensation of clerks, and a draftsman, per act of twenty-sixth May, one thousand eight hundred and twenty-four, four thousand dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

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

For allowance to the superintendent, and four watchmen, employed for the security of the war and navy buildings, and for the incidental and contingent expenses, including oil, fuel, and candles, two thousand and one hundred and fifty dollars.

For compensation to the Postmaster General, four thousand dollars.

For compensation to two assistant postmasters general, five thousand dollars.

For compensation to the clerks in the General Post-office, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.

For compensation to clerks in said office, per act of twenty-sixth May, one thousand eight hundred and twenty-four, five thousand six hundred dollars.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.

For the contingent expenses of said office, four thousand dollars.

For repairing building and yard of the General Post-office, two thousand dollars.

For compensation to extra clerks in the General Post-office, since the first of January, one thousand eight hundred and twenty-four, one thousand and eighty-eight dollars and six cents.

For compensation to the surveyor general, two thousand dollars.

For compensation to the clerks in the office of the surveyor general, two thousand one hundred dollars.

For compensation to the surveyor south of Tennessee, two thousand dollars.

For compensation to the clerks in the office of the said surveyor, one thousand seven hundred dollars.

For compensation of two additional clerks in said office, for the year one thousand eight hundred and twenty-five, one thousand seven hundred dollars.

For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.

For compensation to the clerks in the office of the said surveyor, two thousand dollars.

|   |  |
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| For compensation to the surveyor in Alabama, two thousand dollars.  | Surveyor in Alabama.                                 |
| For compensation to the clerks in the office of the said surveyor, one thousand five hundred dollars.   | Clerks.  |
| For compensation to the surveyor in Florida, including part of the year one thousand eight hundred and twenty-four, two thousand five hundred dollars.  | Surveyor in Florida.                                 |
| For compensation to the clerks in the office of the said surveyor, two thousand five hundred dollars.   | Clerks.  |
| For compensation to the commissioner of the public buildings in Washington city, one thousand five hundred dollars.   | Commissioner of public buildings.                    |
| For compensation to the officers and clerk of the mint, nine thousand six hundred dollars.  | Officers and clerk of mint.                          |
| For furnishing the President's house, under the direction of the President of the United States, fourteen thousand dollars.   | Furnishing the President's house.                    |
| For compensation to persons employed in the different operations of the mint, nine thousand four hundred dollars.   | Persons in the mint.                                 |
| For incidental and contingent expenses, and repairs, cost of machinery, and for allowance of wastage in the gold and silver coinage of the mint, seven thousand seven hundred and seventy-five dollars.                         | Contingent expenses, &c.                             |
| For compensation to the governor, judges, and secretary of the Michigan territory, seven thousand eight hundred dollars.  | Governor, &c. of Michigan.                           |
| For the contingent expenses of the Michigan territory, three hundred and fifty dollars.   | Contingent expenses.                                 |
| For compensation of nine members of the legislative council of the Michigan territory, one thousand and eighty dollars.   | Members of the legislative council.                  |
| For defraying the expenses of the approaching session of the legislative council of the Michigan territory, three thousand and thirty-two dollars.  | For expenses of the session of said council.         |
| For the contingent expenses of the legislative council, including the printing of the laws of said territory, one thousand two hundred dollars.   | Contingent expenses.                                 |
| For compensation to the governor, judges, and secretary of the Arkansas territory, nine thousand dollars.   | Governor, &c. of Arkansas territory.                 |
| For the contingent expenses of the Arkansas territory, three hundred and fifty dollars.   | Contingent expenses.                                 |
| For compensation to the governor, judges, and secretary, of the Florida territory, eight thousand five hundred dollars.   | Governor, judges, members of the council of Florida. |
| For compensation of thirteen members of the legislative council of the territory of Florida, estimating twenty-eight days, at three dollars per day, each, one thousand one hundred and seventy dollars.                        |  |
| For contingent expenses of the legislative council, including traveling expenses of the members, and printing the laws of said territory, two thousand dollars.   | Contingent expenses of said council.                 |
| For the contingent expenses of the Florida territory, three hundred and fifty dollars.  | Contingent expenses.                                 |
| For compensation to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the District of Columbia, seventy-nine thousand two hundred dollars. | Chief justice, the associate judges, &c.             |
| For compensation to the attorney general of the United States, three thousand five hundred dollars.   | Attorney general.                                    |
| For compensation to the clerk in the office of the attorney general, eight hundred dollars.   | Clerk.   |
| For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.   | Reporter of the Supreme Court.                       |
| For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, ten thousand five hundred dollars.   | District attorneys, &c.                              |
| For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia, and of jurors and   | Expenses of the Supreme Court, &c.                   |

witnesses, in aid of the funds arising from fines, penalties, and forfeitures, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, two hundred thousand dollars.

- Pensions.** For the payment of sundry pensions granted by the late and present governments, two thousand and fifty dollars.
- Lighthouses, &c.** For the support and maintenance of lighthouses, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs and improvements, and contingent expenses, one hundred and seventeen thousand four hundred and eighty-five dollars and eighty-five cents.
- Buoys.** For procuring and placing three buoys on the bar near the port of Georgetown, South Carolina, being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first December, one thousand eight hundred and twenty-four, three hundred dollars.
- Lighthouse on Baker's island.** For building a lighthouse on Baker's Island, near Mount Desert, in the state of Maine, in addition to the appropriation of two thousand five hundred dollars, made on the third of March, one thousand eight hundred and twenty-three, one thousand three hundred dollars.
- Buoy at the mouth of Scuppernon river.** For placing a buoy at the mouth of Scuppernon river, in North Carolina, in addition to the appropriation of forty dollars, made on the twenty-sixth of May, one thousand eight hundred and twenty-four, one hundred and forty dollars.
- Buoy at the entrance of Beaufort.** For placing a buoy at the entrance of Beaufort, in North Carolina, eight hundred dollars.
- Balances due officers of internal revenue, &c.** For the payment of balances due to officers of the old internal revenue and direct tax, being the amount carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-four, eight thousand one hundred and thirty-six dollars and fourteen cents.
- Public buildings.** For the public buildings in Washington city, for the year one thousand eight hundred and twenty-five, eighty thousand dollars.
- Fire engine and hose.** For repairs made to the fire engine and hose, for the use of the public buildings, and for keeping the same in repair, one hundred and ten dollars.
- Capitol square.** For improving the Capitol square, one thousand dollars.
- Paving footways on south side of Pennsylvania avenue.** For paving the footway in front of the public grounds on the south side of the Pennsylvania avenue, between the Capitol and the navy office, and for placing stone steps at the several entrances of the navy office, six thousand one hundred and sixty-one dollars and ninety-seven cents.
- President's square.** For levelling, graduating, and improving the President's square, five thousand dollars.
- Stationery, &c. for commissioners of loans.** For stationery and books, for the offices of the commissioners of loans, one thousand five hundred dollars.
- Votes for President, &c.** For bringing to the seat of government the votes for President and Vice President of the United States, three thousand three hundred dollars.
- Discharge of miscellaneous claims.** For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, six thousand dollars.
- Surveying public lands.** For surveying the public lands of the United States, including the services of three commissioners and a surveyor, appointed to value the lands between Roberts' and Ludlow's lines, in the state of Ohio, one hundred and fourteen thousand nine hundred and eighty-two dollars and sixty cents.
- Registers, &c.** For the salaries of the registers and receivers of land offices, forty-two thousand dollars.
- Ministers, &c. of the United States.** For the salaries of the ministers at London, Paris, St. Petersburg, and Madrid, and the chargé des affaires at Stockholm, in the Netherlands, and at Lisbon, forty-nine thousand five hundred dollars.
- Outfits.** For outfits of ministers to London and Madrid, and for chargé des affaires at Lisbon and at Paris, twenty-seven thousand dollars.



For the salaries of ministers or chargé d'affaires who have been, or may be, appointed to the governments on the American continent, to wit: Colombia, nine thousand dollars; Chili, nine thousand dollars; Mexico, nine thousand dollars; Buenos Ayres, four thousand five hundred dollars; Guatemala, four thousand five hundred dollars; and Brazil, four thousand five hundred dollars; in all, forty thousand five hundred dollars.

Salaries of ministers, &c., appointed to the governments on the continent of America.

For outfits of a minister to Mexico, and to chargé d'affaires at Guatemala, Buenos Ayres, and Brazil, twenty-two thousand five hundred dollars.

Outfits of ministers.

For the salaries of the secretaries of legation, fourteen thousand dollars.

Secretaries of legation.

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

Contingent expenses.

For the salaries of agents of claims at Paris and London, four thousand dollars.

Salaries of agents, &c.

For the contingent expenses of foreign intercourse, forty thousand dollars.

Contingent expenses, &c.

For the relief and protection of distressed American seamen in foreign countries, thirty-five thousand dollars.

Seamen.

For the expenses of intercourse with the Barbary powers, thirty thousand dollars.

Intercourse with the Barbary powers. Commissioner, &c., under treaty of Ghent.

For the salaries of the commissioner and arbitrator under the first article of the treaty of Ghent, one half the salary of the secretary, and half the contingent expenses of the commission, twelve thousand dollars.

For expenses of carrying into effect the sixth and seventh articles of the treaty of Ghent, including the compensation of the commissioner, agent, and surveyor, and their contingent expenses, sixteen thousand dollars.

Carrying into effect the 6th and 7th articles of treaty.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated shall be paid out of any money in the treasury, not otherwise appropriated: *Provided, however*, That no money appropriated by this act, shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, also*, That nothing in this section contained shall be construed to extend to balances arising solely from the depreciation of treasury notes received by such person to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

Paid out of the treasury.

Proviso.

Proviso.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay, out of any money in the treasury not otherwise appropriated, the sum or sums of money, to which any person, or the legal representatives of any person, may be entitled, by virtue of the act authorizing repayment for lands erroneously sold by the United States, approved the twelfth day of January, in the year eighteen hundred and twenty-five, upon such person, or his or her legal representatives, complying with the requisitions of that act.

The Secretary of the Treasury to refund moneys paid for lands erroneously sold by the United States.

Act of Jan. 12, 1825, ch. 5.

APPROVED, February 25, 1825.

## STATUTE II.

Feb. 25, 1825.

[Obsolete.]

5000 dollars appropriated to purchase books for the library of Congress.

339 dollars for furniture for the new library.

CHAP. XIV.—*An Act making an appropriation for the purchase of books and furniture for the use of the library of Congress.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of five thousand dollars be, and the same is hereby, appropriated out of any unappropriated money in the treasury, for the purchase of books, under the direction of the joint library committee, for the use of the library of Congress.

SEC. 2. *And be it further enacted,* That the sum of three hundred and thirty-nine dollars be, and the same is hereby, appropriated, out of any unappropriated money in the treasury, for the purchase of furniture for the new library.

APPROVED, February 25, 1825.

## STATUTE II.

March 2, 1825.

[Obsolete.]

Specific appropriations for certain fortifications.

Brenton's point.  
Utrecht point.  
Fort Delaware.

Fort Monroe.  
Fort Calhoun.  
Mobile Point.  
At Chef Monteur.

Fort Jackson.  
At Beaufort.  
Cape Fear.  
Repairs and contingencies.

For the preservation of the islands in Boston harbour.  
Proviso.  
Armament of new fortifications.

CHAP. XV.—*An Act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and twenty-five.*

*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 wit: For fortifications, to each specifically, as follows:

For Brenton's Point, sixty thousand dollars.

For New Utrecht Point, forty thousand dollars.

For fort Delaware, seventy-one thousand six hundred and seventy-nine dollars and fifty cents.

For fort Monroe, one hundred thousand dollars.

For fort Calhoun, seventy thousand dollars.

For the fort at Mobile Point, one hundred thousand dollars.

For the fort at Chef Monteur, [Menteur] one hundred thousand dollars.

For fort Jackson, on the Mississippi, one hundred thousand dollars.

For a fort at Beaufort, in North Carolina, thirty thousand dollars.

For forts at Cape Fear, fifty thousand dollars.

For repairs and contingencies, eight thousand three hundred and twenty dollars and fifty cents.

For the preservation of the islands in Boston harbour, necessary to the security of that place, fifty-two thousand nine hundred and seventy-two dollars and fifty-six cents, *Provided, however,* That the right of soil of said islands shall be first vested in the United States.

For the armament of new fortifications, one hundred thousand dollars.

APPROVED, March 2, 1825.

## STATUTE II.

March 3, 1825.

[Obsolete.]

Further appropriations for the military service.

Superintendent of Indian affairs, &c.

Sub-agents, &c.

Presents to Indians, &c.

Contingent expenses.

CHAP. XVI.—*An Act making further appropriations for the military service for the year one thousand eight hundred and twenty-five.*

*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 wit:

For pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as authorized by law, twenty-eight thousand dollars.

For pay of the sub-agents, including the two on the Missouri, as authorized by law, thirteen thousand dollars.

For presents to Indians, as authorized by act of one thousand eight hundred and two, fifteen thousand dollars.

For contingent expenses, ninety-five thousand dollars.

For payment of the amount of the annuity due to the Cherokee nations, under the treaty of twenty-fourth October, one thousand eight hundred and four, which was ratified during the last session of Congress, and for which no payment or appropriation has heretofore been made, twenty thousand dollars.

Annuity due to the Cherokee nations, &c.

For payment of said annuity for the year one thousand eight hundred and twenty-five, according to the stipulations of said treaty, one thousand dollars.

Payment of said annuity for 1825.

For carrying into effect so much of the fourth article of the treaty of the eighth January, one thousand eight hundred and twenty-one, between the United States and the Creek nation, as relates to the compensation due to the citizens of Georgia by the Creek nation, it being for the payment of the fourth instalment, which will be due on said claims in one thousand eight hundred and twenty-five, according to the stipulations of said treaty, twenty-three thousand dollars.

Compensation due to the citizens of Georgia by Creek nation.

For defraying the expenses of holding treaties with the Sioux, Chippeways, Menomenees, Sauks, Foxes, &c. as per estimate of General Clark, for the purpose of establishing boundaries and promoting peace, &c. between said tribes, ten thousand four hundred dollars.

For defraying the expenses of holding treaties with the Sioux, Chippeways, &c.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, twenty thousand dollars.

Arrearages prior to July 15, 1818.

For arrearages from first July, one thousand eight hundred and fifteen, to first January, one thousand eight hundred and eighteen, four thousand dollars.

For the same, from July 1, 1815, to Jan. 1, 1818.

For the payment of claims against the Osages by citizens of the United States, three thousand five hundred and eighty-two dollars and fifty cents, being the balance of a former appropriation, which has passed to the surplus fund.

Claims against the Osages, &c.

For payment of the annuity to the Sauk and Fox tribes, as provided for by the third article of the treaty with those tribes, dated fourth August, eighteen hundred and twenty-four, one thousand dollars.

Annuity to the Sauk and Fox tribes of Indians.

For payment of the annuity to the Ioway tribe of Indians, as provided for by the second article of the treaty with that tribe, dated fourth August, eighteen hundred and twenty-four, five hundred dollars.

Annuity to the Ioway Indians.

For payment of five hundred dollars to each of the four head chiefs of the Quapaw tribe, agreeably to the second article of the treaty with said tribe, dated the fifteenth November, eighteen hundred and twenty-four, two thousand dollars.

500 dollars to each of the four heads of the Quapaw tribe.

For payment of the annuity provided for by the same article of the said treaty, one thousand dollars.

For payment of an annuity.

For the purchase of provisions for six months, as provided for by the fifth article of said treaty, fifteen thousand three hundred and seventy-two dollars.

For the purchase of provisions.

For furnishing facilities for the transportation of said Indians as provided for by the aforesaid fifth article of said treaty, one thousand dollars.

For transporting Indians.

For the pay of a sub-agent, or interpreter, to reside among said Indians, as is provided for by the same article of said treaty, five hundred dollars.

For pay of a sub-agent and interpreter, &c.

For the payment of the annuities provided for by the second and third articles of the treaty of the twentieth of January, eighteen hundred and twenty-five, with the Choctaw nation of Indians; and, also, of an annuity to Robert Cole, provided for by the tenth article, twelve thousand and one hundred and fifty dollars.

For payment of annuities to the Choctaw nation, &c.

For the payment of the claims of the Choctaw nation, for services on the Pensacola campaign, and other claims of the Choctaw Indians, as provided for by the sixth and eighth articles of said treaty, sixteen thousand nine hundred and seventy-two dollars and fifty cents.

Claims of said nation for services on the Pensacola campaign, &c.

For the salary of the agent, provided for by the ninth article of said treaty, fifteen hundred dollars.

For the salary of an agent.

For carrying into effect the provisions of the ninth article of said

For carrying into effect the provisions of art. 9, of the treaty with the Choctaws.

Towards the execution of any treaty ratified by the United States.

treaty, the provisions of the third article for the survey and sale of the fifty-four sections of land therein referred to; and for running the line defined in the first article; and any other expenses arising out of the execution of the said treaty, ten thousand dollars.

Towards the execution of any treaty that may be ratified by the United States, prior to the next session of Congress with the Creek Indians for the extinguishment of their title to lands in Georgia and Alabama, and for the removal of said Indians west of the Mississippi, two hundred and fifty thousand dollars.

APPROVED, March 3, 1825.

STATUTE II.

March 3, 1825.

Act of April 23, 1808, ch. 55, making provision for arming the militia, extended to the District of Columbia.

CHAP. XVIII.—*An Act for arming the militia of 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 the act of the twenty-third of April, one thousand eight hundred and eight, entitled "An act making provision for arming and equipping the whole body of the militia of the United States," be, and the same is hereby, declared to extend to the District of Columbia; and the President of the United States is hereby authorized and directed to issue arms and military equipments to the militia of said District, under such regulations for the return thereof as he may deem it proper to prescribe.

APPROVED, March 3, 1825.

STATUTE II.

March 3, 1825.

Assent of Congress given to the act of Dec. 8, 1824. Navigation of the Appomattox.

CHAP. XX.—*An Act declaring the assent of Congress to an act of the general assembly of Virginia, therein mentioned.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the assent of Congress is hereby given and declared to an act of the general assembly of Virginia, entitled "An act incorporating a company for the purpose of improving the navigation of the Appomattox river, from Pocahontas bridge to Broadway," passed on the eighth day of December, one thousand eight hundred and twenty-four.

APPROVED, March 3, 1825.

STATUTE II.

March 3, 1825.

Adjournment of the circuit court, for the District of Columbia, by one judge, valid.

CHAP. XXV.—*An Act respecting the adjournment of the circuit court 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 all adjournments of the circuit court of the United States, for the District of Columbia, heretofore made, or which may hereafter be made, by any one judge of the said court, in court sitting, and in the absence of the other judges, shall be as valid as if made by all the judges of the said court.

APPROVED, March 3, 1825.

STATUTE II.

March 3, 1825.

[Obsolete.]  
8000 dollars appropriated

CHAP. XXXV.—*An Act to provide an additional appropriation to complete the public road from Pensacola to St. Augustine, in the territory of Florida.*

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

of the public road, directed to be opened from Pensacola to St. Augustine, in the territory of Florida, the sum of eight thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1825.

for the completion of the public road to be opened from Pensacola to St. Augustine.

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STATUTE II.

CHAP. XLV.—*An Act authorizing the Secretary of the Treasury to direct the completion of entries for the benefit of drawback after the period of twenty days.*

March 3, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, whenever the exporter or exporters, entering any goods, wares, or merchandise, for the benefit of drawback, shall not have completed such entry, by taking the oath or giving the bond, required by the existing laws of the United States within the period prescribed by law, but shall offer to complete the said entry after the expiration of the said period, it shall and may be lawful for the Secretary of the Treasury, upon application to him made, by the said exporter or exporters, setting forth the cause of his or their omission, under oath, and accompanied by a statement of the collector, of all the circumstances attending the transaction within the knowledge of such collector, if he shall be satisfied that the failure to complete the said entry was accidental, or without any intention to evade the law or defraud the revenue, to direct the said entry to be completed, and the certificates or debentures, as the case may be, to issue, in the same manner, as if such entry had been completed, within the period prescribed by the existing laws of the United States.

APPROVED, March 3, 1825.

Course to be pursued by the Secretary of the Treasury where the exporter or exporters entering any goods, &c. for the benefit of drawback, shall not have completed such entry within the period prescribed by law.

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STATUTE II.

CHAP. XLVI.—*An Act to establish certain post-roads, and to discontinue others.*

March 3, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following post-roads be established :

Mail-routes established, and discontinued.

*In Maine.*—From Camden to Vinalhaven. From Portland, by Cumberland, Walnut Hill, in North Yarmouth, Pownal, Durham, Lisbon Four Corners, Lisbon Little River Village, Bowdoin, Litchfield, and Hallowell, to Augusta; and that the present post-road from Freeport to Bowdoin, be discontinued. From Rumford point to Andover, in the county of Oxford. From Portland, through Westbrook, Falmouth, Gray, New Gloucester, Poland, Minot, Turner, Livermore, Jay, Wilton, to Farmington. From Bangor, by Orono, Birch Stream Settlement, Kelmarnock, Maxfield, Siboois, Piscataquois, Passamaduko, Sunkhaze, and Edington, to Bangor. From Bangor to Houlton Plantations. From Anson, by Embden and Concord, to Bingham. From Craig's Mills to Otisfield. From the Great Falls in Berwick, by Berwick and South Berwick, Elliott and Kittery, to Portsmouth, in the state of New Hampshire. From Paris to Augusta, through Buckfield, the South part of Hartford, and the north part of Turner, and through Wayne and Winthrop.

Maine.

The present road from Freeport to Bowdoin discontinued.

*In New Hampshire.*—From Andover and Grafton turnpike, by Andover, Danbury, Grafton, Orange, Canaan, and Lime, to Orford. From Dover, by Rochester, Milton, Wakefield, Ossipee east of the Lake, and Eaton, to Conway. From Newport, by Croydon and Grantham, to Lebanon. From New Ipswich, through Peterborough, to Hancock.

New Hampshire.

*In Vermont.*—From Manchester, by Arlington, to Cambridge, in New York. From St. Albans, by Sheldon and Enosburg, to Berkshire. From

Vermont.

West Poutney, by Hampton, to Fairhaven. From Middlebury, in Vermont, to Bridport, Chimney Point, Lumber Point, and Moriah Post-office, to Elizabethtown, in the state of New York. From Danville, through Walden, Hardwick, Greensboro', Craftsbury, Kelly-vale, and Montgomery, to Berkshire.

**Connecticut.** *In Connecticut.*—From Southbridge, in Massachusetts, by the Presbyterian meeting-house, in the second society in Woodstock, by Eastford, Society in Ashford, Chaplin, Windham, Franklin, to Chelsea Landing, in Norwich, Connecticut. That the mail from Norwalk to Bridgeport shall pass from Kellogg's Mill, through the village of Millriver, to the village of Fairfield, in Connecticut.

**Massachusetts.**

The road from Springfield, Mass., to Stafford, Conn., discontinued.

**New York.**

*In Massachusetts.*—From Boston, by Bolton, Sterling, Princeton, Barre, Shutesbury, Leveret, and Sunderland, to Bloody Brook. From Worcester, through Boylestown, Sterling, Lancaster, Harvard, Littleton, Westford, Chelmsford, to the East Chelmsford Post-office, Massachusetts. From Lancaster, by Sterling, Princeton, Hubbardstown, Petersham, New Salem, Wendell and Montague, to Greenfield, and that the post-road from Springfield, in Massachusetts, to Stafford, in Connecticut, be discontinued.

*In New York.*—From Chitteningo to Fayetteville. From Oxford, by McDonough and German, to Cincinnatus. From Schenectady, by Alexander's Bridge, to Ballston. From the Albany and Schenectady turnpike, by the Ballston turnpike, to Alexander's Bridge. From Mamakating, by Neversink Falls, to Colchester. From the village of Seneca Falls, to the town of Romulus, in the county of Seneca. From Syracuse to Tully. From Cooperstown to Richfield Springs. From Esperance, by Eaton's Corners, Duaneburg, and Minaville, to Amsterdam. From Eaton's Corners, Duaneburg, Princetown, Rotterdam, to Schenectady. From the village of Oswego, through Newark, Burkshire, and Virgil, to the village of Courtland, in Courtland county. From Watertown, by Adams and Mansville, to Sandy Creek, and from thence to Richland, Union Square, Colosse, Central Square, Cicero, and Salina, to Syracuse. From Pike, by Eagle, to China. From Hamburg, by Eden and Collins, to Perrysburg. From Fredonia, by Gerry and St. Clairsville, to Jamestown. From Murray, by Clarendon, and Byron, to Batavia. From Gaines to Barre. From Catskill, by Hunter, to Lexington, instead of going from Lexington to Lexington Heights. From Nahum, Daniels, in Russia, up West Canada Creek Road, by John Graves', to Trenton. From Friendship, by the South Branch of Van Campens' Creek and the Little Genessee Creek, to Cerestown, Pennsylvania. From Unadilla, by Guilford, to Norwich. From Otselic, by Linklean, to German. From the village of Geneva, in the county of Ontario, through the village of Vienna, to the village of Newark, on the Erie Canal. From the village of Pen Yan, in the county of Yates, to the village of Yatesville, and through the town of Middlesex to Rushville. From Middlesex to Italy, and thence, through the south part of Italy and the town of Jerusalem, to Pen Yan. From Elmira, in New York, through South Port, up Seeley's Creek, through Wells and Jackson, to Mansfield, in Pennsylvania. From Dansville, by Allen, to Angelica. From Angelica, by Orensburg, Caneadea, Hume, Pike, and Ganesville centre road, to Warsaw. From Angelica to Ischua. From Pultney, by Jerusalem, to Pen Yan. From Clarkson, by way of Sweden, Bergen, Leroy, and Covington. From Central Square to Oswego Falls. From Locke, by Genoa, to King's Ferry Post-office. From Aurora to Holland, in the county of Erie. From Unadilla village, through Guilford, to Norwich village. From Peekskill, by Somers and Salem, to Ridgefield, Connecticut. From Chester, by Craigsville, Otterkill, and Little Britain, to Montgomery. From Harpersfield, by Davenport, Milfordsville, Lawrensville, Noblesville, and Pittsfield, to New Berlin. From Vienna, in Phelps; to New

ark. From Fullrem's Basin to Penfield. From Hartland, by Somerset, to Kempsville. From Oneida Castle, on the Seneca Turnpike, the most direct highway to Rome; thence, along the state road and canal turnpike, to the post-road leading from Utica to Sackett's Harbour. From Elmira, through Southport, Wells, Jackson, and Sullivan, to Mansfield, in Pennsylvania. From the meeting-house in the town of Lima, by Norton's Mills, to the village of Pittsford, in the county of Monroe. From the village of Seneca Falls to intersect the Geneva and Newburgh mail-route at the post-office of Romulus. Also, from Lockport, by Tuscarora Indian Village, to Manchester, at the Niagara Falls in New York. From Bishop's Corners, in the town of Granville, to the post-office in the town of Hartford; and from thence, to the post-office in the village of Sandy Hill, in the state of New York. From Rochester, in the county of Monroe, by the way of Webster's Mills and the brick meeting-house, in Avon to Geneseo, in the county of Livingston. From Scottsville, on the river road to Rochester, in the county of Monroe. From Geneseo to the York post-office, by William Landon's Four Corners; and from York post-office, by Fowlersville, to Caledonia, Livingston county. From Batavia, by way of Alexandria, Attica, and Thompson's Mills, in Sheldon, and to the Little Lake settlement in China, all in Genessee county. From Covington, by way of Middleberry academy, Warsaw and Gainesville, Genessee county, to the town of Pike, in Allegany county. From New Brunswick, New Jersey, by way of Somerville, Pluckamin, Peapack, Chester and Flanders, to New Town.

*In Pennsylvania.*—From Wellsborough, by Cowdersport and Smithport, to Warren. From Pennsborough, by Webster's, Hill's and Edred's, to Meansville. From Williamsport, up the Lycoming Creek, through Canton, Troy, Columbia, Wells, and Southport, to Elmyra, in New York. From Tunkhannock, through Windham, Eaton, Asylum, and Munroe, to Meansville. From Meansville, up Towanda Creek, through Munroe and Franklin, to Jacob Grantier's, in Canton. From Millersburg, by Berrysburg, to Gratztown. From Bedford, by the way of Buckstown and Newry, to Blair's Gap. From Trumbowersville, by Spinnerstown, Upper Milford, and Millerstown, to Brainings, in Lehigh county. From Franklin to Warren. From Columbia, by Marietta, to Middletown. From Mount Pleasant, by Digman's Turnpike, to Lackawaxen, on the Owego and Milford Turnpike. From Easton, by Stockerstown, Roscommon, and Snydersville, to Stroudsburg. From Fogelsville, through Kleinsville, to Hamburg. From Bethlehem to Mauch Chunk. From Bellefont, by Karthaus, Gillets, and Smithport to Hamilton, in New York. From Jefferson, by Carmichaeltown and Masontown, to New Geneva. From Maytown to Marietta, in Lancaster county. From Ebensburg, through Loretto and Mount Pleasant, to Phillipsburg. From Belmont, through Harmony, Lanesville, Windsor, and Colesville, to Bainbridge. From Bloomsburg, in Columbia county, by way of Fishing Creek, to Columbus, in Luzerne county. From Allentown, in the county of Lehigh, by the way of Kraus's Bridge, Balliet's, the Water Gap, and Lehighton, to Mauch Chunk, in the county of Northampton. From Orwigsburg, by Schuylkill Haven, Friedenborg, Pine Grove, and Stumpstown, to Jonestown. From Indiana to Barnett's, in Jefferson county, and to discontinue the post-route between Indiana and Bedford.

Pennsylvania.

Delaware.

Maryland.

*In Delaware.*—From Laurel, by Cannonsferry, north-west Fork Bridge, and Hunting Creek, to Easton. From Smyrna in Kent county, Delaware, to Church Hill in Queen Ann's county, Maryland, via Millington, (late Head of Chester,) to Saddler's cross roads, in said state.

*In Maryland.*—From Newtown Trap, by Burkittsville and Crampton, to Shapsburg. From the village of Hartford, in Hartford county, Maryland, by Priest Ford, Darlington, and Dublin, in said county, to Conewingo, in Cecil county, Maryland. From Conewingo, in Cecil county,

Maryland, to Lancaster, in Pennsylvania. From Belle Air, in Harford county, Maryland, to Amos Carman's public house, in said county. From Cumberland, by Cresapsburg, to Western Port, and thence, to the Yough Green Glades, in Allegany county.

## Virginia.

*In Virginia.*—From Liberty, by Chambliss' store, to Taylor's store. From Middlebourne, by Salem, to Clarkesburg. From Harrisonburg to Franklin. From Culpepper Courthouse to Orange Courthouse. From Hagen's store, in Preston county, to Smithfield, on the Cumberland road. From Hagen's store, Crab Orchard, Kingwood, by Armstrong's cross-roads, Martin's Gladly Creek, to Billsburg. From Lewisburg, by Frankfort, to Huntersville. From Monroe Courthouse, crossing New river at Henry Ballenger's ferry, to John Pack's. From Nicholas Courthouse to the mouth of Gauly river. From Fincastle, by Newcastle, Giles Courthouse, Peterstown, Union, Sweet Springs, Price's, and Covington, to Fincastle. From Leesville to Pittsylvania Old Courthouse. From Petersburg, by Halifax Courthouse and Hagood's store, to Danville. From Lovingston, by Mill Grove, to Steele's tavern. From Lexington, by Pedler mills, to Lynchburg, and to return by Pedlers mills, the Narrows and the forks of James river, to Lexington.

## North Carolina.

*In North Carolina.*—From Ashville, North Carolina, by Philip Britain's, Charles C. Carson's, Eastaloe Gap, M'Kenney's, in Laraway, by the High Shoals, Little River Keowee, and Boonsford, to Pendleton Courthouse, South Carolina. From Raleigh, by little Nat. Jones', to Haywood. From Statesville, Iredel county, to Wilkesborough, by Mount Pisgah. From Raleigh, by Fishdam, Stagville, and Mount Tirza, to Roxborough. From Lincolnton, by Jacob Fullenwiler's, Ervinsville, and Mooresborough, to Rutherfordton. From Elizabeth, by Beatty's bridge, Long Creek bridge, and Milton, thence, back to Elizabeth. From Onslow Courthouse to John A. Everett's. From Wadesborough to Salisbury, in North Carolina. From Pittsborough, by Joseph L. Brooks', William Lindley's store, Jehu Carter's, Allbright's store, Long's store, Hadley's mills, Mabin's store, to Greensborough. From Charlotte, by Hopewell church, to Beattysford. From Salem, by Clemonstown, to Mocksville. From Raleigh, by Smithfield, Waynesborough, Spring Bank, Spring Hill, Hookerton, Kirston, to Newbern. From Murfreesborough to Windsor.

## South Carolina.

*In South Carolina.*—From Hamburg, by Alexander Stuart's, John Middleton's, Richard Park's, Edmund Acheson's, and Ewell Hill's, to Abbeville. From Columbia, by M'Cord's ferry, to Nelson's ferry, on the Santee, intersecting the main route between Camden and Charleston. From Waterborough to the fork of the Saltcather, St. Bartholomews. From Cambridge, by Scuffletown, Queensboro', and Golden Grove, to Greenville Courthouse.

## Georgia.

*In Georgia.*—From Creek Agency to Tallahassee, in Florida. From Houston Courthouse, by Knoxville, Newman, and Fayetteville, to De Kalb Courthouse. From Macon, by Forsyth and Hamilton, to Covington. From Athens to Lawrenceville, in Gwinett county.

## Tennessee.

*In Tennessee.*—From Morgan Courthouse, by Kingston, to Athens. From Washington to Athens. From Columbia, by Hart's cross roads, Williamsville, at Rock Spring, Fishing Ford, on Dutch river, Farmington, Monroe's and Fayetteville, to Pulaski. From Hardinsville, by M'Nairy Courthouse, and Hardiman Courthouse, to Tipton Courthouse. From Jackson, by Harrisburg, to Dyer Courthouse. From Pulaski, by Lawrenceburg, to Waynesboro'. From Reynoldsburg, by Paris, Weakley Courthouse, to Obion Courthouse. From Monroe to Tompkinsville, Kentucky. From Murfreesboro', by Henderson's, Toliver's store, Beech Grove, Stone fort, Hillsboro', Pleasant Plains, Caldwell's bridge, to Jasper, or Marion Courthouse. From Jackson, by Haywood Courthouse, and Tipton Courthouse, to Daniel Treadwell's, on Big Creek. From Rey-



noldsburg to Dover. From Huntingdon, by Gibson Courthouse to Dyer Courthouse. From Hardinville, to Florence, Alabama.

*In Kentucky.*—From Frankfort, by Gist's, Stennet's, Yeocum's and Macsville, to Springfield. From Pike Courthouse, to Tazewell Courthouse, in Virginia. From Frankfort, by Christianburg and Robert's store, to Lynchburg. From Russelsville, in Kentucky, by Elkton, Red river forge, to Clarksville, in Tennessee, thence to Yellow Creek furnace. From Shelbyville to New Castle, instead of going from Frankfort to New Castle, and from Middletown to New Castle. From Greensburg to Munfordville, by the way of Somerville, and Holderman's Iron Works. From Hopkinsville, by Lindsey's mill, Flat Lick, Dover, and Paris, to Huntington, in Tennessee. From Eddyville, by Waid'sboro', to Paris, in Tennessee. From Hardinsburg to Rome, in the state of Indiana, by Stephenson. From Smithland, by the mouth of Tennessee river, and M'Kracken Courthouse and Mayfield, to Paris, in Tennessee. From Glasgow, to Edmonton, in the county of Barren. From Glasgow to Prewitt's Knob, in Barren county. From Augusta, by Woodward's, to Marys or Claysville. From Louisville, by Transylvania, Westport, and Lynchburg, to Bedford.

Kentucky.

*In Ohio.*—From Chillicothe, by Greenfield, Leesburg, and Wilmington, to Lebanon. From Greenville to Shanesville, in Mercer county. From Lebanon, by Franklin, Germantown, Winchester, and Eaton, to Connersville. From Mount Vernon to Marion. From Hudson, by Boston, Richfield, and Hinkley, to Brunswick. From Parkman, in the county of Geauga, to Batavia, Huntsburgh, Montville, Thompson, to Unionville Post-office and return by Trumbull, Windsor, and Messopotamia. From Warren, by Canfield and New Lisbon, to Steubenville. From Ashtabula, on the Turnpike, by Warren, and Youngstown, to Poland. From Cadiz, by New Rumley, and New Hagerstown, to Centreville. From Warren, by Vienna, Brookfield, Hartford, Vernon, Kinsman, Williamsfield, Andover, Pierpont, and Munroe, to Salem. From Warren, by Bosetta, Mecca, Green, Lebanon, and Lennox, to Jefferson, and return by Wayne, Gustavus, Johnstown, and Fowler, to Warren. From Medina, by Liverpool, and Grafton to Elyria. From Wooster to Tallmadge. From Gallipolis to Burlington, in Lawrence county and to return by Guilandotte and Mercer's Bottom, in Virginia. From Morristown, by Barnesville and McConnellsville, to Bristol. From Mansfield, by Busyrius, to Upper Sandusky. From New Haven to Tiffin. From Lower Sandusky to Portland. From Jackson Courthouse to Portsmouth.

Ohio.

*In Indiana.*—From Rushville by Connersville, Brownsville, Liberty, and from thence by Oxford and Hamilton, in Ohio. From Jackson Post-office, by New Lexington, New Washington, and Bethlehem, to New Castle, in Kentucky. From Winchester, by way of Noblesville, to Indianapolis. From Indianapolis to Crawfordsville. From Princeton, by Petersburg, Washington, Bloomfield, Bloomington, and Martinsville, to Indianapolis. From Rockport, by Portersville, to Washington.

Indiana.

*In Mississippi.*—From Columbus, by the Choctaw Agency, Jackson, Port Gibson, Greenville, Washington, Natchez and Woodville, to St. Francisville, in Louisiana. From Woodville, by Liberty, Holmesville, Columbia, Augusta, and Winchester, to St. Stephens, in Alabama. From Jackson, by Copiah Courthouse, Monticello, Columbia, and Ford's, to Shieldsborough. From Jackson, by Vicksburg, Warrenton, and the Rocky Spring, to Port Gibson. From Washington, by Meadville, Monticello, and Monroe, to Augusta. From Greenville to Petit Gulf. From Columbus, by Hamilton, and the Cotton Gin Port, to the Choctaw Agency. From Augusta, by Leaf River, and Green Courthouse, to Jackson Courthouse. From Woodville to Pinkneyville. Discontinue all other post-roads in said state, except those to the seats of justice, as soon as the same can be effected consistently with existing contracts.

Mississippi.

All other post-  
routes in Mis-  
sissippi to be  
discontinued.

Illinois.

*In Illinois.*—From Springfield to Lewistown. From Carmi, by Fairfield, to Vandalia.

Missouri.

*In Missouri.*—From New London, on the Mississippi river, by Fayette, to Franklin on the Missouri river. From St. Louis, by St. Ferdinand, to St. Charles. That the post-road now established, on the south side of the Missouri river, from St. Louis to Boonville, shall pass by the seat of justice of the county of Gasconade.

Alabama.

The post-route from Augusta to Coosawda discontinued.

*In Alabama.*—From the Dale to Marengo. From Greenville to Montezuma. From Montgomery to Coosawda. Discontinue the post-route from Augusta, by fort Jackson, to Coosawda. And that the Postmaster General be authorized, if by him thought expedient, to cause a mail to be transmitted by water, from the city of Mobile to the city of New Orleans. From Bellefonte, Jackson county, by Gunter's Landing, to Blountsville. From Athens, Limestone county, by Eastport, to Florence.

Arkansas.  
Route from Clark courthouse to Natchitoches, discontinued.

*In Arkansas.*—From Heimpstead Courthouse, by Long Prairie, to Natchitoches, Louisiana. From Little Rock to Monroe, Louisiana. And that the present route from Clark Courthouse, to Natchitoches, Louisiana, be discontinued.

All routes failing within three years to yield one fourth of the expense, unless necessary, discontinued.

SEC. 2. *And be it further enacted,* That all post-routes, which hereafter, within the term of three successive years, fail to yield one fourth of the expense incident to its establishment, shall be discontinued by the Postmaster General, unless in cases where it may be necessary as a connection or continuance of a route or routes: *Provided, also,* That this section shall not be so construed as to deprive the seat of justice in each county of one mail going to and from said town.

Proviso.  
Routes to be discontinued.

SEC. 3. *And be it further enacted,* That the mail-routes from Morgantown, by Crab Orchard, Kingwood, Armstrong's Cross Roads, Martin's Glady Creek, Billsburg, Leedsville, Beaverly, Travellers' Repose, Huntersville, and Frankfort, to Lewisburg; from Hagen's store to Morgantown; from Lewisburg, by Nicholas Courthouse, to Kanawa Courthouse, in Virginia, be, and the same are hereby, discontinued.

Places to and from which the mail may be transported, if the Postmaster General deem it necessary.

SEC. 4. *And be it further enacted,* That the Postmaster General may, whenever he deems it expedient, cause the mail to be transported from St. Charles, in the state of Missouri, to Franklin, in said state, by the seat of justice of Galloway and Boone counties, instead of the route now established by law; and may also cause the mail to be transported from Franklin to Liberty, in Clay county, by the seats of justice of the counties of Saline, Lillard, and Ray, instead of the route now established by law.

APPROVED, March 3, 1825.

## STATUTE II.

March 3, 1825.

CHAP. L.—*An Act to authorize the President of the United States to cause a road to be marked out from the western frontier of Missouri, to the confines of New Mexico.*

The President of the United States to appoint commissioners to mark out a road from the western frontier of Missouri to the confines of New Mexico.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he hereby is, authorized to appoint commissioners to mark out a road from the western frontier of the state of Missouri, to the boundary line of the United States, in the direction of Santa Fe, of New Mexico: *Provided,* That the said commissioners shall first obtain the consent of the intervening tribes of Indians, by treaty, to the marking of the said road, and to the unmolested use thereof to the citizens of the United States, and of the Mexican republic.

Proviso.  
Continuation of said road.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he hereby is, authorized to cause the marking of the said road to be continued from the boundary line of the United States to the frontier of New Mexico, under such regulations as may be agreed upon

for that purpose between the executive of the United States, and the Mexican government.

SEC. 3. *And be it further enacted*, That the sum of ten thousand dollars be, and the same hereby is, appropriated, to defray the expenses of marking the said road; and the further sum of twenty thousand dollars, to defray the expenses of treating with the Indians, for their consent to the establishment and use thereof; the said sums to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1825.

10,000 dollars appropriated to defray the expenses of said road; and 20,000 dollars to treat with the Indians.

STATUTE II.

CHAP. LI.—*An Act fixing the place for holding the circuit and district courts of the United States for the southern district of New York.*

March 3, 1825.

*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 southern district of New York, shall be holden in the City Hall in the city of New York, as heretofore, until otherwise ordered by law, or until the Secretary of the Treasury, on the representation of the judges of said courts, respectively, shall direct further or other accommodation to be provided for said courts or either of them: *Provided*, The competent authority allow to said courts the exclusive use of some suitable apartment for holding the same in the said City Hall: *And provided*, That the district court of the United States for the said southern district of New York may continue to hold its sessions where the same are now held, until the last of May, which shall be in the year one thousand eight hundred and twenty-six, any thing in this act contained to the contrary notwithstanding.

APPROVED, March 3, 1825.

Act of April 3, 1818, ch. 32. The circuit and district courts of the United States, for the southern district of New York to be holden in the City Hall.

Proviso.  
Proviso.

STATUTE II.

CHAP. LII.—*An Act confirming the act of the legislature of Virginia entitled "An act incorporating the Chesapeake and Ohio Canal Company," and "An act of the state of Maryland, confirming the same."*

March 3, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act of the legislature of the state of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company," be and the same is hereby ratified and confirmed, so far as may be necessary for the purpose of enabling any company that may hereafter be formed by the authority of said act of incorporation, to carry into effect the provisions thereof, in the District of Columbia, within the exclusive jurisdiction of the United States, and no further.

The act of the legislature of Virginia incorporating the Chesapeake and Ohio Canal Company, ratified, &c. to a certain extent.

SEC. 2. *And be it further enacted*, That, should the state of Virginia or Maryland desire, at any time, to avail itself of the right secured to it, by the twenty-first section of the act aforesaid, to take and continue a canal, from any point of the Chesapeake and Ohio canal, to any other point within the territory of the District of Columbia, or through the same, on application to the President of the United States, by the executive of the state, the President is authorized and empowered to depute three skilful commissioners of the United States' corps of engineers, to survey and examine so much of the route of such canal, as may effect, in any manner, the navigation of the Chesapeake and Ohio canal. The said commissioners, or a majority of them, shall ascertain, as far as practicable, whether the canal proposed to be constructed by the state aforesaid, will injure or impede the navigation of the Chesapeake

Should the state of Virginia or Maryland desire, at any time, to avail itself of the right secured to it by the twenty-first section of the act aforesaid, the President is to depute three skilful commissioners of the United States' corps of engineers to

examine the route of said canal.

and Ohio canal, and report to the President of the United States the facts and reasons on which they may ground their judgment thereupon; which report shall be submitted to the Congress of the United States, at their session next ensuing the date thereof for their decision thereon; and if Congress shall be of opinion that the said canal may be cut in the manner proposed, as aforesaid, without impeding or injuring the navigation of the Chesapeake and Ohio canal, the same shall be conclusive thereon.

APPROVED, March 3, 1825.

STATUTE II.

March 3, 1825.

CHAP. LVII.—*An Act making appropriation to satisfy certain balances due to the commissioners and secretaries of land claims in Florida.*

3386 dollars five cents appropriated to satisfy certain balances due to the commissioners of land claims in Florida and their secretaries, prior to Dec. 31, 1824.

*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, the sum of three thousand three hundred and eighty-six dollars and five cents, to satisfy certain balances due to the commissioners of land claims in Florida and their several secretaries, prior to the thirty-first day of December, one thousand eight hundred and twenty-four.

APPROVED, March 3, 1825.

STATUTE II.

March 3, 1825.

CHAP. LXIV.—*An Act to reduce into one the several acts establishing and regulating the Post-office Department. (a)*

Act of March 2, 1827, ch. 61.  
Act of July 2, 1836, ch. 270,  
ch. 352, sec. 12.  
Resolution of March 2, 1837.  
Act of Jan. 25, 1839, ch. 4.  
Act of March 3, 1845, ch. 43.  
A general post-office to be established at the seat of government, under the direction of a Postmaster General, who shall appoint two assistants and such clerks as he may deem necessary to complete the business of the office, &c. &c.  
Duties of the postmaster.  
Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be established, at the seat of the government of the United States, a general post-office, under the direction of a Postmaster General. The Postmaster General shall appoint two assistants, and such clerks as may be necessary for the performance of the business of his office, and as are authorized by law; and shall procure, and cause to be kept, a seal for the said office, which shall be affixed to commissions of postmasters, and used to authenticate all transcripts and copies which may be required from the department. He shall establish post-offices, and appoint postmasters, at all such places, as shall appear to him expedient, on the post-roads that are, or may be, established by law. He shall give his assistants, the postmasters, and all other persons whom he shall employ, or who may be employed, in any of the departments of the general post-office, instructions relative to their duty. He shall provide for the carriage of the mail on all post-roads that are, or may be, established by law, and as often as he, having regard to the productiveness thereof, and other circumstances, shall think proper. He may direct the route or road, where there are more than one, between places designated by law for a post-road, which route shall be considered the post-road. He shall obtain from the postmasters, their accounts and vouchers for their receipts and expenditures, once in three months, or oftener, with the balances thereon arising, in favour of the general post-office. He shall pay all expenses which may arise in conducting the post-office, and in the conveyance of the mail, and all other necessary expenses arising on the collection of the revenue, and management of the general post-office. He shall prosecute offences against the post-office establishment. He shall, once in three months, render to the Secretary of the Treasury, a quarterly account of all the receipts and

(a) See vol. i. 363, for notes of the decisions of the courts of the United States, on the duties and obligations of the Postmaster General, Postmasters, and the Post-office Department, vol. ii. 692.

Notes of the acts relative to the Post-office Department, vol. ii. 692.

Notes of the acts of Congress relative to the franking privilege, vol. ii. 599.

expenditures in the said department, to be adjusted and settled as other public accounts. He shall also, superintend the business of the department, in all the duties that are, or may be, assigned to it: *Provided*, That, in case of the death, resignation, or removal from office, of the Postmaster General, all his duties shall be performed by his senior assistant, until a successor shall be appointed, and arrive at the general post-office, to perform the business.

Proviso.

All persons employed in the post-office, and others attached to it in any way to take an oath before entering upon the duties of their office.  
Oath.

SEC. 2. *And be it further enacted*, That the Postmaster General, and all other persons employed in the general post-office, or in the care, custody, or conveyance of the mail, shall, previous to entering upon the duties assigned to them, or [in] the execution of their trusts, and before they shall be entitled to receive any emolument therefor, respectively take and subscribe the following oath, or affirmation, before some magistrate, and cause a certificate thereof to be filed in the general post-office: "I, A. B. do swear or affirm, (as the case may be,) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post-office and post-roads within the United States." Every person, who shall be, in any manner, employed in the care, custody, conveyance, or management of the mail, shall be subject to all pains, penalties, and forfeitures, for violating the injunctions, or neglecting the duties, required of him by the laws relating to the establishment of the post-office and post-roads, whether such person shall have taken the oath or affirmation, above prescribed, or not.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Postmaster General, upon the appointment of any postmaster, to require, and take, of such postmaster, bond, with good and approved security, in such penalty as he may judge sufficient, conditioned for the faithful discharge of all the duties of such postmaster, required by law, or which may be required by any instruction, or general rule, for the government of the department: *Provided, however*, That, if default shall be made by the postmaster aforesaid, at any time, and the Postmaster General shall fail to institute suit against such postmaster, and said sureties, for two years from and after such default shall be made, then, and in that case, the said sureties shall not be held liable to the United States, nor shall suit be instituted against them.

The Postmaster General, on appointing any postmaster, to receive from him bond with good security.

Proviso.

SEC. 4. *And be it further enacted*, That the Postmaster General shall cause a mail to be carried from the nearest post-office, on any established post-road, to the courthouse of any county which is now, or may hereafter be established, in any of the states or territories of the United States, and which is without a mail; and the road, on which such mail shall be transported, shall become a post-road, and so continue, until the transportation thereon shall cease. It shall also be lawful for the Postmaster General to enter into contracts, for a term not exceeding four years, for extending the line of posts, and to authorize the persons, so contracting, as a compensation for their expenses, to receive, during the continuance of such contracts, at rates not exceeding those for like distances, established by this act, all the postage which shall arise on letters, newspapers, magazines, pamphlets, and packets, conveyed by any such posts; and the roads designated in such contracts, shall, during the continuance thereof, be deemed and considered as post-roads, within the provision of this act: and a duplicate of every such contract shall, within sixty days after the execution thereof, be lodged in the office of the comptroller of the treasury of the United States.

Authority given the Postmaster General.

SEC. 5. *And be it further enacted*, That the Postmaster General be authorized to have the mail carried in any steamboat, or other vessel, which shall be used as a packet, in any of the waters of the United States, on such terms and conditions as shall be considered expedient: *Provided*, That he does not pay more than three cents for each

The mail to be carried in any steamboat or other vessel used as a packet.  
Proviso.

letter, and more than one half cent for each newspaper, conveyed in such mail.

Course to be pursued by the master or manager of every steamboat carrying the mail; with his duties enjoined.

SEC. 6. *And be it further enacted,* That it shall be the duty of every master or manager of any steamboat, which shall pass from one port or place to another port or place in the United States, where a post-office is established, to deliver within three hours after his arrival, if in the day time, and within two hours after the next sunrise, if the arrival be in the night, all letters and packets addressed to, or destined for such port or place, to the postmaster there, for which he shall be entitled to receive, of such postmaster, two cents for every letter or packet so delivered, unless the same shall be carried or conveyed under a contract with the Postmaster General; and, if any master or manager of a steamboat shall fail so to deliver any letter or packet, which shall have been brought by him, or shall have been in his care, or within his power, he shall incur a penalty of thirty dollars for every such failure. And every person employed on board any steamboat, shall deliver every letter, and packet of letters, intrusted to such person, to the master or manager of such steamboat, and before the said vessel shall touch at any other port or place; and for every failure or neglect so to deliver, a penalty of ten dollars shall be incurred for each letter or packet.

None but a free white person to carry the mail.

SEC. 7. *And be it further enacted,* That no other than a free white person shall be employed in conveying the mail; and any contractor who shall employ, or permit, any other than a free white person to convey the mail, shall, for every such offence, incur a penalty of twenty dollars.

The Postmaster General, when any established post-road is out of repair, &c. to report to Congress to such effect.

SEC. 8. *And be it further enacted,* That, whenever it shall be made appear, to the satisfaction of the Postmaster General, that any road established, or which may hereafter be established as a post-road, is obstructed by fences, gates, or bars, or other than those lawfully used on turnpike roads to collect their toll, and not kept in good repair, with proper bridges and ferries, where the same may be necessary, it shall be the duty of the Postmaster General to report the same to Congress, with such information as can be obtained, to enable Congress to establish some other road instead of it, in the same main direction.

Any person wilfully stopping the mail, shall, upon conviction, be fined.

SEC. 9. *And be it further enacted,* That, if any person shall, knowingly and wilfully, obstruct or retard the passage of the mail, or of any driver or carrier, or of any horse or carriage, carrying the same, he shall, upon conviction, for every such offence, pay a fine not exceeding one hundred dollars; and if any ferryman, shall, by wilful negligence, or refusal to transport the mail across any ferry, delay the same, he shall forfeit and pay, for every ten minutes that the same shall be so delayed, a sum not exceeding ten dollars. (a)

Before the Postmaster General shall enter into a contract for carrying the mail, twelve weeks' public notice must be given.

SEC. 10. *And be it further enacted,* That it shall be the duty of the Postmaster General to give public notice, in one newspaper published at the seat of government of the United States, and in one or more of the newspapers published in the state or states or territory, where the contract is to be performed, for at least twelve weeks before entering into any contract for carrying the mail, that such contract is intended to be made, and the day on which it is to be concluded, describing the places from and to which such mail is to be conveyed, the time at which it is to be made up, and the day and hour at which it is to be delivered. He shall

(a) If the ordinances of the city of Philadelphia are in collision with an act of Congress, the former must give way. The laws of Congress, made in pursuance of the Constitution of the United States, are the supreme law of the land, any thing in the constitution or laws of any state notwithstanding. *United States v. John Hart, Peters' C. C. R. 390.*

Driving a carriage through a populous and crowded street in the city, at such a rate or in such a manner as to endanger the inhabitants, is an indictable offence at common law, and amounts to a breach of the peace; a constable is authorized, without warrant, to prevent the peace being so broken. *Ibid.*

The act of Congress prohibiting the stoppage of the mail, is not to be so construed as to prevent the arrest of the driver of a carriage in which the mail is carried, when he is driving through a crowded city at such a rate as to endanger the lives of the inhabitants. *Ibid.*

moreover, within ninety days after the making of any contract, lodge a duplicate thereof, together with the proposals which he shall have received respecting it, in the office of the comptroller of the treasury of the United States: *Provided*, That no contract shall be entered into for a longer term than four years.

Proviso.

Every postmaster to keep an office, &c.

SEC. 11. *And be it further enacted*, That every postmaster shall keep an office, in which one or more persons shall attend on every day on which a mail shall arrive, by land or water, as well as on other days, at such hours as the Postmaster General shall direct, for the purpose of performing the duties thereof; and it shall be the duty of the postmaster, at all reasonable hours, on every day of the week, to deliver, on demand, any letter, paper, or packet, to the person entitled to, or authorized to receive the same; and all letters, brought to any post-office half an hour before the time of making up the mail at such office, shall be forwarded therein, except at such post-offices where, in the opinion of the Postmaster General, it requires more time for making up the mail, and which he shall accordingly prescribe; but this shall, in no case, exceed one hour.

SEC. 12. *And be it further enacted*, That no fees or perquisites shall be received by any person employed in the general post-office, on account of the duties to be performed by virtue of his appointment.

No fees &c., in the post-office.

SEC. 13. *And be it further enacted*, That the following rates of postage be charged upon all letters and packets, (excepting such as are excepted by law) conveyed in the mail of the United States, viz: For every letter composed of a single sheet of paper, conveyed not exceeding thirty miles, six cents. Over thirty, and not exceeding eighty, ten cents. Over eighty, and not exceeding one hundred and fifty, twelve and a half cents. Over one hundred and fifty, and not exceeding four hundred, eighteen and three quarters of a cent. Over four hundred, twenty-five cents.

Rates of postage.  
Act of March 3, 1845, ch. 43.

And for every double letter, or letter composed of two pieces of paper double those rates; and for every triple letter, or letter composed of three pieces of paper, triple those rates; and for every packet composed of four or more pieces of paper, or one or more other articles, and weighing one ounce avoirdupois, quadruple those rates; and in that proportion for all greater weights: *Provided*, That no packet of letters, conveyed by the water mails, shall be charged with more than quadruple postage, unless the same shall contain more than four distinct letters. No postmaster shall receive, to be conveyed by the mail, any packet which shall weigh more than three pounds; and the postage marked on any letter or packet, and charged in the post bill which may accompany the same, shall be conclusive evidence in favour of the postmaster who delivers the same, of the lawful postage thereon; unless such letter or packet shall be opened in the presence of the postmaster or his clerk. Every four folio pages, or eight quarto pages, or sixteen octavo, or twenty-four duodecimo pages, or pages less than that of a pamphlet size, or magazine, whatever be the size of the paper of which it is formed, shall be considered a sheet, and the surplus pages of any pamphlet or magazine, shall also be considered a sheet; and the journals of the legislatures of the several states, not being bound, shall be liable to the same postage as pamphlets.

Proviso.

Any memorandum, which shall be written on a newspaper, or other printed paper, pamphlet or magazine, and transmitted by mail, shall be charged with letter postage: *Provided*, The publisher of a newspaper may send a printed or written notice to a subscriber, stating the amount due on his subscription; which notice shall be attached to the margin of the newspaper, and the postmaster who delivers the paper shall charge for such notice the same postage [postage] as for a newspaper.

Proviso.

SEC. 14. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to allow to each postmaster, such commission on the postages by him collected, as shall be adequate to his services

Each postmaster to receive such commission on the

postage of letters as may be adequate to his services.

Proviso.  
Rates.

and expenses: *Provided*, That his commission shall not exceed the following several rates on the amount received in one quarter, viz :

On a sum not exceeding one hundred dollars, thirty per cent.

On any sum over and above the first hundred dollars, and not exceeding four hundred dollars, twenty-five per cent.

On any sum over and above the first four hundred, and not exceeding two thousand four hundred dollars, twenty per cent.

On any sum over and above the first two thousand four hundred dollars, eight per cent.

Exceptions.

Except to the postmasters who may be employed in receiving and despatching foreign mails, whose compensation may be augmented, not exceeding twenty-five dollars in one quarter; and excepting to the postmasters at offices where the mail is regularly to arrive between the hours of nine o'clock at night, and five o'clock in the morning, whose commission on the first hundred dollars collected in one quarter may be increased to a sum not exceeding fifty per cent. The Postmaster General may allow to the postmasters, respectively, a commission of fifty per cent. on the moneys arising from the postage of newspapers, magazines, and pamphlets; and to the postmasters whose compensation shall not exceed five hundred dollars in one quarter, two cents for every free letter delivered out of the office, excepting such as are for the postmaster himself; and each postmaster, who shall be required to keep a register of the arrival and departure of the mails, shall be allowed ten cents for each monthly return which he makes thereof to the general post-office. The Postmaster General may allow to the postmaster at New Orleans, at the rate of eight hundred dollars a year, in addition to his ordinary commissions. The Postmaster General is hereby authorized to allow to the postmaster of the city of Washington, in addition to the allowance made by this act, for postage collected, and for free letters received by him for delivery, a commission of five per cent. on the amount of mails distributed at his office: *Provided, nevertheless*, That the whole annual emolument of the said postmaster, including the extra compensation of eight hundred dollars which is hereby allowed him, shall be subject to the restrictions imposed by the forty-first section of this act.

Allowances to postmasters on newspapers, &c.

Postmaster at New Orleans.  
Postmaster at Washington.

Proviso.

Every letter or packet carried from one port to another, in any private vessel, charged with six cents, &c.

Any person receiving, through fraud, more than the postage of a letter, &c. to be fined for every offence \$100.

No ship or vessel arriving at any port of the United States, where a post-office is established, shall be permitted to report, &c.

Duties of the collector.

SEC. 15. *And be it further enacted*, That every letter or packet, brought into the United States, or carried from one port therein to another, in any private ship or vessel, shall be charged with six cents, if delivered at the post-office where the same shall arrive; and if destined to be conveyed by post to any place, with two cents added to the ordinary rates of postage.

SEC. 16. *And be it further enacted*, That, if any postmaster, or other person, authorized by the Postmaster General to receive the postage of letters, shall fraudulently demand, or receive, any rate of postage, or gratuity, or reward, other than is provided by this act, for the postage of letters or packets, on conviction thereof, he shall forfeit, for every such offence, one hundred dollars.

SEC. 17. *And be it further enacted*, That no ship or vessel, arriving at any port within the United States where a post-office is established, shall be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the postmaster all letters directed to any person or persons within the United States, or the territories thereof, which, under his care, or within his power, shall be brought in such ship or vessel, except such as are directed to the owner or consignee of the ship or vessel. And it shall be the duty of the collector or other officer of the port empowered to receive entries of ships or vessels, to require from every master or commander of such ship or vessel, an oath or affirmation, purporting that he has delivered all such letters, except as aforesaid, and if any commander or master of any such ship or vessel shall break bulk before



he shall have complied with the requirements of this act, every such offender shall, on conviction thereof, forfeit, for every such offence, a sum not exceeding one hundred dollars.

SEC. 18. *And be it further enacted*, That the postmaster to whom such letters may be delivered, shall pay the master or commander, or other person delivering the same, except the commanders of foreign packets, two cents for each letter or packet; and shall obtain from the person delivering the same, a certificate, specifying the number of letters and packets, with the name of the ship or vessel, and the place from whence she last sailed; which certificate, together with a receipt for the money, shall be, with his quarterly accounts, transmitted to the Postmaster General, who shall credit him with the amount.

Master or commander of vessels delivering packets to be paid.

SEC. 19. *And be it further enacted*, That no stage or other vehicle, which regularly performs trips on a post-road, or on a road parallel to it, shall convey letters; nor shall any packet boat or other vessel, which regularly plies on a water declared to be a post-road, except such as relate to some part of the cargo. For the violation of this provision, the owner of the carriage, or other vehicle, or vessel, shall incur the penalty of fifty dollars. And the person who has charge of such carriage, or other vehicle or vessel, may be prosecuted under this section, and the property in his charge may be levied on and sold, in satisfaction of the penalty and costs of suit: *Provided*, That it shall be lawful for any one to send letters by special messenger.

No stage or other vehicle which regularly performs trips on post-roads, &c. to convey letters, &c.

Proviso.

SEC. 20. *And be it further enacted*, That the deputy postmaster, and other agents of the Postmaster General, shall duly account, and answer to him for all way letters which shall come to their hands; and for this purpose, the post-riders, and other carriers of the mail, receiving any way letter or letters, (and it shall be their duty to receive them, if presented more than one mile from a post-office,) shall deliver the same, together with the postage, if paid, at the first post-office to which they shall afterwards arrive; where the postmaster shall duly enter the same, and specify the number and rate or rates, in the post-bill, adding to the rate of each way letter, one cent; which shall be paid by the postmaster to the mail carrier from whom such way letter shall be received.

Accountability of the deputy postmaster, &c.

SEC. 21. *And be it further enacted*, That if any person employed in any of the departments of the post-office establishment, shall unlawfully detain, delay, or open, any letter, packet, bag, or mail of letters, with which he shall be intrusted, or which shall have come to his possession, and which are intended to be conveyed by post; or, if any such person shall secrete, embezzle, or destroy, any letter or packet intrusted to such person as aforesaid, and which shall not contain any security for, or assurance relating to money, as hereinafter described, every such offender, being thereof duly convicted, shall, for every such offence, be fined, not exceeding three hundred dollars, or imprisoned, not exceeding six months, or both, according to the circumstances and aggravations of the offence. And if any person, employed as aforesaid, shall secrete, embezzle, or destroy, any letter, packet, bag, or mail of letters, with which he or she shall be intrusted, or which shall have come to his or her possession, and are intended to be conveyed by post, containing any bank note, or bank post-bill, bill of exchange, warrant of the treasury of the United States, note of assignment of stock in the funds, letters of attorney for receiving annuities or dividends, or for selling stock in the funds, or for receiving the interest thereof, or any letter of credit, or note for, or relating to, payment of moneys, or any bond, or warrant, draft, bill, or promissory note, covenant, contract or agreement whatsoever, for, or relating to, the payment of money, or the delivery of any article of value, or the performance of any act, matter, or thing, or any receipt, release, acquittance, or discharge of, or from, any debt, covenant, or

Persons employed in the post-office, when they detain, &c. letters, &c., shall on conviction be fined or imprisoned.

demand, or any part thereof, or any copy of any record of any judgment, or decree, in any court of law, or chancery, or any execution which may have issued thereon; or any copy of any other record, or any other article of value, or any writing representing the same; or if any such person, employed as aforesaid, shall steal, or take, any of the same out of any letter, packet, bag, or mail of letters, that shall come to his or her possession, such person shall, on conviction for any such offence, be imprisoned not less than ten years, nor exceeding twenty-one years; and if any person who shall have taken charge of the mails of the United States, shall quit or desert the same before such person delivers it into the post-office kept at the termination of the route, or some known mail-carrier, or agent of the general post-office, authorized to receive the same, every such person, so offending, shall forfeit and pay a sum not exceeding five hundred dollars, for every such offence; and if any person concerned in carrying the mail of the United States, shall collect, receive, or carry any letter, or packet, or shall cause or procure the same to be done, contrary to this act, every such offender shall forfeit and pay for every such offence a sum not exceeding fifty dollars. (a)

Persons robbing the mail &c., to suffer death.

SEC. 22. *And be it further enacted*, That if any person shall rob any carrier of the mail of the United States, or other person intrusted therewith, of such mail, or of part thereof, such offender or offenders shall, on conviction, be imprisoned not less than five years, nor exceeding ten years; and, if convicted a second time of a like offence, he or they shall suffer death; or if, in effecting such robbery of the mail the first time, the offender shall wound the person having custody thereof, or put his life in jeopardy, by the use of dangerous weapons, such offender or offenders shall suffer death. (b) And if any person shall attempt to rob the mail of the United States, by assaulting the person having custody thereof, shooting at him, or his horse or mule, or threatening him with

(a) The 25th section of the post-office law of 1825, which prescribes a penalty for the detention of a letter, refers to a letter or packet detained before it reaches its destination. *The United States v. Pearce*, 2 M'Lean's C. C. R. 14.

(b) The defendant was indicted upon the 24th section of the act of Congress of March 3, 1825, entitled "An act to reduce into one, the several acts establishing and regulating the post-office department," for advising, procuring and assisting one Joseph Straughan, a mail carrier, to rob the mail; and was found guilty. Upon this finding, the judges of the circuit court of North Carolina were divided in opinion on the question, whether an indictment founded on the statute for advising, &c., a mail carrier to rob the mail, ought to set forth or aver that the said carrier did, in fact, commit the offence of robbing the mail? By the Supreme Court—The answer to this, as an abstract proposition, must be in the affirmative. But if the question intended to be put, is, whether there must be a distinct substantive averment of that fact, it is not necessary. The indictment in this case sufficiently sets out that the offence had been committed by the mail carrier. *United States v. Mills*, 7 Peters, 138.

The offence charged in this indictment is a misdemeanor, where all are principals; and the doctrine applicable to the principal and accessory in cases of felony does not apply. The offence, however charged against the defendant, is secondary in its character; and there can be no doubt that it must sufficiently appear upon the indictment, that the offence alleged against the chief actor had been committed. *Ibid.*

Upon an indictment for robbing the mail, and putting the life of the person having the custody of it in jeopardy, under the 19th section of the act of April 30th, 1810, ch. 262, a sword, &c. in the hand of the robber, by terror of which the robbery is effected, is a dangerous weapon within the act, putting the life in jeopardy; though it be not drawn or pointed at the carrier. So a pistol in his hands, by means of which the robbery is effected, is a dangerous weapon; and it is not necessary to prove that it was charged; it is presumed to be so until the contrary is proved. *The United States v. Wood*, 3 Wash. C. C. R. 440.

It is not necessary to a conviction, under the 22d section, that the carrier of the mail should have taken the oath prescribed by the 2d section of the act of 1825, or that the whole mail be taken. *The United States v. Wilson et al.* 1 Baldwin's C. C. R. 102.

All persons present at the commission of a crime, consenting thereto, aiding, or assisting and abetting therein, or in doing any act which is a constituent of the offence, are principals. *Ibid.*

The word "rob," in the act of Congress of 1825, sec. 22, is used in the common law sense. *Ibid.* 93.

"Jeopardy," as used in the section, means a well-grounded apprehension of danger to life, in case of refusal to yield to threats, or resistance. *Ibid.*

A mail carrier is within the 18th section of the "Act regulating the post-office establishment," subjecting to a penalty in certain cases, "persons employed in any of the departments of the general post-office." *United States v. Belew*, 2 Brock. 280.

dangerous weapons, and the robbery is not effected, every such offender, on conviction thereof, shall be punished by imprisonment, not less than two years, nor exceeding ten years. And, if any person shall steal the mail, or shall steal or take from, or out of, any mail, or from, or out of, any post-office, any letter or packet: or, if any person shall take the mail, or any letter or packet therefrom, or from any post-office, whether with or without the consent of the person having custody thereof, and shall open, embezzle or destroy any such mail, letter, or packet, the same containing any article of value, or evidence of any debt, due, demand, right, or claim, or any release, receipt, acquittance or discharge, or any other article, paper, or thing, mentioned and described, in the twenty-first section of this act; or, if any person shall by fraud or deception, obtain from any person having custody thereof, any mail, letter, or packet, containing any article of value, or evidence thereof, or either of the writings referred to, or next above mentioned, such offender or offenders, on conviction thereof, shall be imprisoned not less than two, nor exceeding ten, years.<sup>(a)</sup> And if any person shall take any letter, or packet, not containing any article of value, or evidence thereof, out of a post-office, or shall open any letter, or packet which shall have been in a post-office, or in custody of a mail-carrier, before it shall have been delivered to the person to whom it is directed, with a design to obstruct the correspondence, to pry into another's business or secrets; or shall secrete, embezzle, or destroy, any such mail, letter, or packet, such offender, upon conviction, shall pay for every such offence, a sum not exceeding five hundred dollars, and be imprisoned not exceeding twelve months.

SEC. 23. *And be it further enacted*, That if any person shall rip, cut, tear, burn, or otherwise injure, any valise, portmanteau, or other bag, used, or designed to be used, by any person acting under the authority of the Postmaster General, or any person in whom his powers are vested, in a conveyance of any mail, letter, packet, or newspaper, or pamphlet, or shall draw or break any staple, or loosen any part of any lock, chain, or strap, attached to, or belonging to any such valise, portmanteau or bag, with an intent to rob, or steal any mail, letter, packet, newspaper or pamphlet, or to render either of the same insecure, every such offender, upon conviction, shall, for every such offence, pay a sum, not less than one hundred dollars, nor exceeding five hundred dollars, or be imprisoned not less than one year, nor exceeding three years, at the discretion of the court before whom such conviction is had.

SEC. 24. *And be it further enacted*, That every person who, from and after the passage of this act, shall procure, and advise, or assist, in the doing or perpetration of any of the acts or crimes by this act forbidden, shall be subject to the same penalties and punishments as the persons are subject to, who shall actually do or perpetrate any of the said acts or crimes, according to the provision of this act.

SEC. 25. *And be it further enacted*, That every person who shall be imprisoned by a judgment of court, under and by virtue of the twenty-first, twenty-second, twenty-third, or twenty-fourth sections of this act, shall be kept at hard labour during the period of such imprisonment.

SEC. 26. *And be it further enacted*, That the postmasters shall, respectively, publish, at the expiration of every three months, or oftener, when the Postmaster General shall so direct, in one of the newspapers published at or nearest the place of his residence, for three successive weeks, a list of all the letters remaining in their respective offices, or, instead thereof, shall make out a number of such lists, and cause them

Punishment ordained where any person shall injure, in any way, the portmanteau, &c., in which the mail is carried.

Persons, who shall in any way be accessory, or engage in any of the crimes forbidden by this act, &c.

Persons imprisoned by a judgment of court under this act, &c.

Postmasters to publish for three successive weeks, in one of the newspapers nearest to the place of

(a) The defendant was indicted for receiving treasury notes, stolen from the mail of the United States. A treasury note was offered in evidence. The Supreme Court, on a division of opinion from the circuit court of Virginia, held, that the treasury notes issued by authority of the act of Congress of October 12, 1838, are promissory notes, within the meaning of the act of Congress of March 3, 1825, regulating the Post-office Department. The United States v. Hardyman, 13 Peters, 176.

The stealing or taking a letter, within the 22d section of the act of 1825, means a clandestine taking. The United States v. Pearce, 2 McLean's C. C. R. 14.

their residence, a list of all the letters remaining in their respective offices.

Unreclaimed letters to be sent to the General Post-office and there opened.

Public officers by whom letters, &c. are to be received free of postage.

Proviso.

Liability of persons franking letters not written by themselves.

Proviso.

Printers to send one newspaper to each

to be posted at such public places in their vicinity, as shall appear to them best adapted for the information of the parties concerned; and at the expiration of the next three months, shall send such of the said letters as then remain on hand, as dead letters, to the general post-office, where the same shall be opened and inspected; and if any valuable papers or matters of consequence, shall be found therein, it shall be the duty of the Postmaster General to return such letter to the writer thereof, or cause a descriptive list thereof to be inserted in one of the newspapers published at the place most convenient to the supposed residence of the owner, if within the United States; and such letter, and the contents, shall be preserved, to be delivered to the person to whom the same shall be addressed, upon payment of the postage, and the expense of publication. And if such letter contain money, the Postmaster General may appropriate it to the use of the department, keeping an account thereof, and the amount shall be paid by the department to the rightful claimant so soon as he shall be found.

SEC. 27. *And be it further enacted*, That letters and packets to and from the following officers of the United States, shall be received and conveyed by post, free of postage. Each postmaster, provided each of his letters or packets shall not exceed half an ounce in weight; each member of the Senate, and each member and delegate of the House of Representatives of the Congress of the United States, the secretary of the Senate, and clerk of the House of Representatives, provided each letter or packet, (except documents printed by the order of either House of Congress,) shall not exceed two ounces in weight, and during their actual attendance in any session of Congress, and sixty days before and after such session; and in case of excess of weight, that excess alone shall be paid for; the President of the United States, Vice President, the Secretaries of State, of the Treasury, of War, of the Navy, Attorney General, Postmaster General, and the assistants postmaster general, the comptrollers of the treasury, auditors, register, treasurer, and commissioner of the general land office, and such individual who shall have been, or may hereafter be, President of the United States, and each may receive newspapers by post, free of postage: *Provided*, That postmasters shall not receive, free of postage, more than one daily newspaper, each, or what is equivalent thereto; nor shall members of the Senate, or of the House of Representatives, the clerk of the House, or secretary of the Senate, receive newspapers, free of postage, after their privilege of franking shall cease. (a)

SEC. 28. *And be it further enacted*, That, if any person shall frank any letter or letters, other than those written by himself, or by his order, on the business of his office, he shall, on conviction thereof, pay a fine of ten dollars, and it shall be the especial duty of postmasters to prosecute for said offence: *Provided*, That the Secretary of the Treasury, Secretary of State, Secretary of War, Secretary of the Navy, and Postmaster General, may frank letters or packets on official business, prepared in any other public office, in the absence of the principal thereof. And if any person, having the right to receive his letters free of postage, shall receive, enclosed to him, any letter or packet addressed to a person not having that right, it shall be his duty to return the same to the post-office, marking thereon the place from whence it came, that it may be charged with postage. And if any person shall counterfeit the hand-writing or frank of any person, or cause the same to be done, in order to avoid the payment of postage, each person, so offending, shall pay for every such offence, five hundred dollars.

SEC. 29. *And be it further enacted*, That every printer of newspapers may send one paper to each and every other printer of newspapers within

(a) This section is repealed by the 5th section of the act of March 3, 1845, ch. 43.

the United States, free of postage, under such regulations as the Postmaster General shall provide.<sup>(a)</sup>

SEC. 30. *And be it further enacted*, That all newspapers conveyed in the mail shall be under cover, open at one end, and charged with a postage of one cent each, for any distance not more than one hundred miles, and one and a half cents for any greater distance: *Provided*, That the postage of a single newspaper, from any one place to another, in the same state, shall not exceed one cent, and the Postmaster General shall require those who receive newspapers by post, to pay always the amount of one quarter's postage in advance; and should the publisher of any newspaper, after being three months previously notified that his paper is not taken out of the office, to which it is sent for delivery, continue to forward such paper in the mail, the postmaster to whose office such paper is sent, may dispose of the same for the postage, unless the publisher shall pay it. If any person employed in any department of the post-office, shall improperly detain, delay, embezzle, or destroy any newspaper, or shall permit any other person to do the like, or shall open, or permit any other to open any mail, or packet of newspapers, not directed to the office where he is employed, such offender shall, on conviction thereof, forfeit a sum, not exceeding fifty dollars, for every such offence. And if any other person shall open any mail or packet of newspapers, or shall embezzle or destroy the same, not being directed to such person, or not being authorized to receive or open the same, such offender shall, on the conviction thereof, pay a sum not exceeding twenty dollars for every such offence. And if any person shall take, or steal, any packet, bag, or mail of newspapers from, or out of any post-office, or from any person having custody thereof, such person shall, on conviction, be imprisoned, not exceeding three months, for every such offence, to be kept at hard labour during the period of such imprisonment. If any person shall enclose or conceal a letter, or other thing, or any memorandum in writing, in a newspaper, pamphlet, or magazine, or in any package of newspapers, pamphlets, or magazine, or make any writing or memorandum thereon which he shall have delivered into any post-office, or to any person for that purpose, in order that the same may be carried by post, free of letter postage, he shall forfeit the sum of five dollars for every such offence; and the letter, newspaper, package, memorandum, or other thing, shall not be delivered to the person to whom it is directed, until the amount of single letter postage is paid for each article of which the package is composed. No newspapers shall be received by the postmasters, to be conveyed by post, unless they are sufficiently dried and enclosed in proper wrappers, on which, besides the direction, shall be noted the number of papers which are enclosed for subscribers, and the number for printers: *Provided*, That the number need not be endorsed, if the publisher shall agree to furnish the postmaster, at the close of each quarter, a certified statement of the number of papers sent in the mail, chargeable with postage. <sup>(b)</sup>

The Postmaster General, in any contract he may enter into for the conveyance of the mail, may authorize the person with whom such contract is to be made, to carry newspapers, magazines, and pamphlets, other than those conveyed in the mail: *Provided*, That no preference shall be given to the publisher of one newspaper over that of another, in the same place. When the mode of conveyance, and size of the mail, will admit of it, such magazines and pamphlets as are published periodically, may be transported in the mail to subscribers, at one and a half cents a sheet, for any distance not exceeding one hundred miles, and two and a half cents for any greater distance. And such magazines and pamphlets as

other free of postage.

All newspapers conveyed in the mail to be under cover, &c.

Proviso.

Proviso.

Proviso.  
Act of March 3, 1845, ch. 43, sec. 2.

(a) Act of March 3, 1845, ch. 43.

(b) See act of March 3, 1845, ch. 43.

are not published periodically, if sent in the mail, shall be charged with a postage of four cents on each sheet, for any distance not exceeding one hundred miles, and six cents for any greater distance.

Where any postmaster shall neglect or refuse to render his accounts and pay over to the Postmaster General the balance by him due quarter yearly, suit shall be commenced against him.

SEC. 31. *And be it further enacted*, That, if any postmaster, or other person authorized to receive the postage of letters and packets, shall neglect or refuse to render his accounts, and pay over to the Postmaster General the balance by him due, at the end of every three months, it shall be the duty of the Postmaster General to cause a suit to be commenced against the person or persons so neglecting or refusing. That all suits, which shall be hereafter commenced, for the recovery of debts or balances due to the general post-office, whether they appear by bond or obligations, made in the name of the existing, or any preceding Postmaster General, or otherwise, shall be instituted in the name of the "Postmaster General of the United States." That certified statements, under the seal of the general post-office, of the accounts of the several postmasters and contractors, after the same shall have been examined and adjusted at that office, shall be admitted as evidence in all suits brought by the Postmaster General for the recovery of balances or debts due from postmasters or contractors; and, also, certified copies of the quarterly accounts of postmasters; or, if lodged in the treasury, copies, certified by the register, under the seal of his office, shall be admitted as evidence.

Forfeiture by a postmaster neglecting to render his accounts for one month after the time, and in the form, &c., prescribed by this law.

SEC. 32. *And be it further enacted*, That, if any postmaster shall neglect to render his accounts for one month after the time, and in the form and manner prescribed by law, and by the Postmaster General's instructions, conformable therewith, he shall forfeit double the value of the postages which shall have arisen at the same office in any equal portion of time previous or subsequent thereto; or in case no account shall have been rendered at the time of trial of such case, then such sum as the court and jury shall estimate, equivalent thereto, to be recovered by the Postmaster General, in an action of debt, on the bond against the postmaster and his securities, and for which the securities shall be liable.

All pecuniary penalties, &c., be one half for the informer and the other half for the United States.

SEC. 33. *And be it further enacted*, That all pecuniary penalties and forfeitures, incurred under this act, shall be one half for the use of the person or persons informing and prosecuting for the same, and the other half to the use of the United States, and shall be paid over to the Postmaster General, and accounted for by him as other moneys of the department.

Provision to be made for the reception of all letters, &c. to be conveyed from any port of the United States beyond the sea, &c.

SEC. 34. *And be it further enacted*, That it shall be lawful for the Postmaster General to make provision, where it may be necessary, for the receipt of all letters and packets intended to be conveyed by any ship or vessel beyond sea, or from any port in the United States to another port therein; and the letters so received shall be formed into a mail, sealed up, and directed to the postmaster of the port to which such ship or vessel shall be bound; and for every letter or packet so received, there shall be paid, at the time of its reception, a postage of one cent, which shall be for the use of the postmasters respectively receiving the same. And the Postmaster General may make arrangements with the postmasters in any foreign country, for the reciprocal receipt and delivery of letters and packets through the post-office.

Postmasters, &c., exempted from militia duties.

SEC. 35. *And be it further enacted*, That the postmasters, post-riders, and drivers of the mail stages, shall be exempt from militia duties, and serving on juries, or any fine or penalty for neglect thereof.

Letter-carrier to be employed at such post-offices as the Postmaster General shall direct.

SEC. 36. *And be it further enacted*, That letter-carriers shall be employed at such post-offices as the Postmaster General shall direct, for the delivery of letters in the places, respectively, where such post-offices are established; and, for the delivery of each such letter, the letter-carrier may receive of the person to whom the delivery is made, two cents: *Provided*, That no letter shall be delivered to such letter-carrier for delivery, addressed to any person who shall have lodged at the post-office a written request that the letters shall be detained in the office. And,

Proviso.

for every letter lodged at any post-office, not to be carried by post, but to be delivered at the place where it is so lodged, the postmaster shall receive one cent of the person to whom it shall be delivered.

SEC. 37. *And be it further enacted*, That all causes of action arising under this act, may be sued, and all offenders against this act, may be prosecuted, before the justices of the peace, magistrates, or other judicial courts of the several states, and of the several territories of the United States, they having competent jurisdiction, by the laws of such states or territories, to the trial of claims and demands of as great value and of the prosecutions, where the punishments are of as great extent; and such justices, magistrates, or judiciary, shall take cognisance thereof, and proceed to judgment and execution, as in other cases.

SEC. 38. *And be it further enacted*, That, in all suits or causes arising under this act, the court shall proceed to trial, and render judgment the first term after such suit shall be commenced: *Provided, always*, That, whenever service of the process shall not have been made twenty days at least previous to the return day of such term, the defendant shall be entitled to one continuance, if the court on the statement of such defendant shall judge it expedient: *Provided, also*, That, if the defendant in such suits shall make affidavit that he has a claim against the general post-office, not allowed by the Postmaster General, although submitted to him conformably to the regulations of the post-office, and shall specify such claim in the affidavit, and that he could not be prepared for the trial at such term, for want of evidence, the court, in such case, being satisfied in those respects, may grant a continuance until the next succeeding term; and the Postmaster General shall be authorized to discharge from imprisonment any person confined in jail, on any judgment in a civil case, obtained in behalf of the department: *Provided*, It be made to appear that the defendant has no property of any description: *And provided*, That such release shall not bar a subsequent execution against the property of the defendant.

SEC. 39. *And be it further enacted*, That it shall be the duty of the Postmaster General to report, annually, to Congress, every post-road which shall not, after the second year from its establishment, have produced one third of the expense of carrying the mail on the same.

SEC. 40. *And be it further enacted*, That the adjutant general of the militia of each state and territory shall have right to receive, by mail, free of postage, from any major general or brigadier general thereof, and to transmit to said generals, any letter or packet, relating solely to the militia of such state or territory: *Provided, always*, That every such officer, before he delivers any such letter or package for transmission, shall in his own proper hand-writing, on the outside thereof, endorse the nature of the papers enclosed, and thereto subscribe his name and office, and shall previously furnish the postmaster of the office where he shall deposit the same, with a specimen of his signature. And, if any such officer shall frank any letter or package, in which shall be contained any thing relative to any subject, other than of the militia of such state or territory, every offender shall, on conviction of every such offence, forfeit and pay a fine of fifty dollars.

SEC. 41. *And be it further enacted*, That whenever the annual emoluments of any postmaster, after deducting therefrom the necessary expenditures incident to his office, shall amount to more than two thousand dollars, the surplus shall be accounted for, and paid to the Postmaster General, and by him to be accounted for in the same manner as other moneys accruing from the post-office establishment.

SEC. 42. *And be it further enacted*, That no postmaster, assistant postmaster, or clerk employed in any post-office shall be a contractor, or concerned in a contract for carrying the mail: *Provided*, That this section shall not interfere with contracts heretofore made.

All causes of action arising under this act, may be sued, and offenders prosecuted before competent tribunals.

All suits, &c. arising under this act, shall proceed to trial, &c.

Proviso.

Proviso.

Proviso.

Proviso.

The Postmaster General to report annually to Congress, every post-road, &c.

The adjutant general of the militia of each state, &c. to receive from any major or brigadier general of the same, letters, &c. relating thereto, free of postage.

Proviso.

Act of March 3, 1845, ch. 43.

Whenever the annual emoluments of a postmaster, after certain deductions, are more than 2000 dollars, the surplus to be returned.

No postmaster or assistant postmaster to be a contractor.

No additional allowance shall be made by the Postmaster General to the contractor or carrier of any mail.

Exceptions.

Penalties for not executing contracts.

Any person buying, &c. any article mentioned in the 21st sec. of this act, knowing the same to be stolen, &c. shall be fined and imprisoned.

All acts, &c. passed for the establishment of the post-office, repealed. Act of April 21, 1808, ch. 48. Proviso.

SEC. 43. *And be it further enacted,* That no additional allowance shall be made by the Postmaster General, to the contractor or carrier of any mail, on any route, over or beyond the amount stipulated in the contract entered into for the transportation of the mail on such route, unless additional service shall be required; and then no additional compensation shall be allowed to exceed the exact proportion of the original amount to the additional duties required; and the Postmaster General shall, in all such cases, within thirty days thereafter, transmit to the first comptroller of the treasury an account of such additional services, and the compensation to be allowed therefor.

SEC. 44. *And be it further enacted,* That any person or persons, who shall hereafter make any proposal, in writing, to carry or transport the mail upon any route or routes, which may be advertised to be let, and such person or persons shall be determined by the Postmaster General to be entitled to the contract, by virtue of such proposition, and [if] such person or persons shall fail or refuse to enter into an obligation, with good and sufficient security, to perform such contract within the time required by the Postmaster General in such advertisement, such person or persons shall forfeit and pay so much money as shall be the difference between the amount contained in such proposal, and the amount the Postmaster General shall have to pay for the same transportation of the mail on such route or routes; which sum may be recovered by the Postmaster General in an action on the case.

SEC. 45. *And be it further enacted,* That, if any person shall buy, receive, or conceal, or aid in buying, receiving, or concealing any article mentioned in the twenty-first section of this act, knowing the same to have been stolen or embezzled from the mail of the United States, or out of any post-office, or from any person having the custody of the said mail, or the letters sent or to be sent therein; or if any person shall be accessory after the fact to any robbery of the carrier of the mail of the United States, or other person intrusted therewith, of such mail, or of part thereof, every person, so offending, shall, on conviction thereof, pay a fine not exceeding two thousand dollars, and be imprisoned and confined to hard labour for any time not exceeding ten years. And such person or persons so offending, may be tried and convicted without the principal offender being first tried, provided such principal offender has fled from justice, or cannot be found to be put on his trial.

SEC. 46. *And be it further enacted,* That all acts and parts of acts which have been passed for the establishment and regulation of the General Post-office, shall be, and the same are hereby, repealed: *Provided,* That the act, entitled "An act concerning public contracts," approved on the twenty-first of April, one thousand eight hundred and eight, shall not be affected hereby, but shall remain in full force and virtue: *And provided, also,* That nothing herein contained shall be construed to affect or extend to, any offence committed against the laws, now in force, intended by this act to be repealed; but the same shall be prosecuted, and determined, and punished, according to the said laws, nor to affect any existing contract, or debt, or demand, due to or from the department; but all such offences, crimes, debts, duties, demands, and contracts, shall be held in force, and adjudged, determined, and executed, according to the present laws in force, as though this act had not passed; nor shall it affect any appointments to office made under the laws hereby repealed.

APPROVED, March 3, 1825.



## STATUTE II.

March 3, 1825.

CHAP. LXV. — *An Act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes.*(u)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That if any person or persons, within any fort, dock-yard, navy-yard, arsenal, armory, or magazine, the site whereof is ceded to, and under the jurisdiction of, the United States, or on the site of any lighthouse, or other needful building belonging to the United States, the site whereof is ceded to them, and under their jurisdiction, as aforesaid, shall, wilfully and maliciously, burn any dwelling-house, or mansion-house, or any store, barn, stable, or other building, parcel of any dwelling or mansion-house, every person, so offending, his or her counsellors, aiders, and abettors, shall be deemed guilty of felony, and shall, on conviction thereof, suffer death.

SEC. 2. *And be it further enacted,* That if any person or persons, in any of the places aforesaid, shall, wilfully and maliciously, set fire to, or burn, any arsenal, armory, magazine, rope-walk, ship-house, ware-house, block-house, or barrack, or any store-house, barn, or stable, not parcel of a dwelling house, or any other building not mentioned in the first section of this act, or any ship or vessel, built, or building or begun to be built, or repairing, or any lighthouse, or beacon, or any timber, cables, rigging, or other materials for building, repairing, or fitting out, ships, or vessels, or any pile of wood, boards, or other lumber, or any military, naval, or victualling stores, arms, or other munitions of war, every person so offending, his or her counsellors, aiders, and abettors, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding five thousand dollars, and by imprisonment and confinement to hard labour, not exceeding ten years, according to the aggravation of the offence.

SEC. 3. *And be it further enacted,* That, if any offence shall be committed in any of the places aforesaid, the punishment of which offence is not specially provided for by any law of the United States, such offence shall, upon a conviction in any court of the United States having cognisance thereof, be liable to, and receive the same punishment as the laws of the state in which such fort, dock-yard, navy-yard, arsenal, armory, or magazine, or other place, ceded as aforesaid, is situated, provide for the like offence when committed within the body of any county of such state.

SEC. 4. *And be it further enacted,* That, if any person or persons, upon the high seas, or in any arm of the sea, or in any river, haven, creek, basin, or bay, within the admiralty and maritime jurisdiction of the United States, and out of the jurisdiction of any particular state, shall commit the crime of wilful murder, or rape, or shall, wilfully and maliciously, strike, stab, wound, poison, or shoot at, any other person, of which striking, stabbing, wounding, poisoning, or shooting such person shall afterwards die, upon land, within or without the United States, every person so offending, his or her counsellors, aiders, or abettors, shall be deemed guilty of felony, and shall, upon conviction thereof, suffer death.

SEC. 5. *And be it further enacted,* That if any offence shall be committed on board of any ship or vessel, belonging to any citizen or citizens of the United States, while lying in a port or place within the jurisdiction of any foreign state or sovereign, by any person belonging to the company of said ship, or any passenger, on any other person belonging to the company of said ship, or any other passenger, the same offence shall be cognisable and punishable by the proper circuit court of the United States, in the same way and manner, and under the same circumstances, as if said offence had been committed on board of such ship or vessel on the high seas, and without the jurisdiction of such foreign sovereign or

Act of April 30, 1790, ch. 9.  
Any person within any fort, &c., who shall maliciously burn any dwelling-house, &c. to suffer death.

Act of April 2, 1792, ch. 16, sec. 16.

Act of Jan. 30, ch. 1, 1799.

Act of April 24, 1800, ch. 35.

Any person wilfully setting fire to, &c. any arsenal, &c., to be fined and imprisoned.

Any offence committed in any of the aforesaid places, &c., to be dealt with according to the laws of the state.

Murder on the high seas, &c. punishable with death.

Act of April 30, 1790, ch. 9, sec. 12.

Any offence committed on board any ship or vessel belonging to a citizen of the United States, within the jurisdiction of any foreign state, by any person belonging thereto, to be cognisa-

(u) See notes to the act of April 30, 1790, ch. 9, vol. i. 112, 113, 114, 115, 116, 117, 118.

ple, &c., by the proper court of the United States.

Punishment of any person who, &c., shall, &c., attack any ship or vessel, &c., with an intent to plunder.

Act of April 30, 1790, ch. 9, sec. 12.

Act of March 3, 1819, ch. 77.

Act of May 15, 1820, ch. 113.

Of any person who shall attempt to kill, rob, &c.

Act of April 30, 1790, ch. 9, sec. 10.

Of any person buying, &c. any goods, &c., knowing the same to be the subject of larceny.

Act of April 30, 1790, ch. 9, sec. 11.

Of any person who shall plunder, steal, or destroy any money, goods, &c. belonging to any ship or vessel &c. in distress.

Act of April 30, 1790, ch. 9, sec. 16.

state: *Provided, always,* That if such offender shall be tried for such offence, and acquitted or convicted thereof, in any competent court of such foreign state or sovereign, he shall not be subject to another trial in any court of the United States.

SEC. 6. *And be it further enacted,* That, if any person or persons, upon the high seas, or in any arm of the sea, or in any river, haven, creek, basin, or bay, within the admiralty and maritime jurisdiction of the United States, and out of the jurisdiction of any particular state, shall, by surprise or by open force or violence, maliciously attack, or set upon, any ship or vessel belonging in whole or part, to the United States, or to any citizen or citizens thereof, or to any other person whatsoever, with an intent unlawfully to plunder the same ship or vessel, or to despoil any owner or owners thereof of any moneys, goods, or merchandise, laden on board thereof, every person so offending, his or her counsellors, aiders, or abettors, shall be deemed guilty of felony; and shall, on conviction thereof, be punished by fine, not exceeding five thousand dollars, and by imprisonment and confinement to hard labour, not exceeding ten years, according to the aggravation of the offence.

SEC. 7. *And be it further enacted,* That, if any person or persons, upon the high seas, or in any other of the places aforesaid, with intent to kill, rob, steal, commit a rape, or to do or perpetrate any other felony, shall break or enter any ship or vessel, boat, or raft; or if any person or persons shall, wilfully and maliciously, cut, spoil, or destroy, any cordage, cable, buoys, buoy-rope, headfast, or other fast, fixed to any anchor or moorings, belonging to any ship, vessel, boat, or raft; every person, so offending, his or her counsellors, aiders, and abettors, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding one thousand dollars, and by imprisonment and confinement to hard labour, not exceeding five years, according to the aggravation of the offence.

SEC. 8. *And be it further enacted,* That, if any person or persons, upon the high seas, or in any of the places aforesaid, shall buy, receive, or conceal, or aid in concealing any money, goods, bank notes, or other effects or things which may be the subject of larceny, which have been feloniously taken or stolen, from any other person, knowing the same to have been taken or stolen, every person, so offending, shall be deemed guilty of a misdemeanor, and may be prosecuted therefor, although the principal offender chargeable, or charged with the larceny, shall not have been prosecuted or convicted thereof; and shall on conviction thereof, be punished by fine, not exceeding one thousand dollars, and imprisonment and confinement to hard labour, not exceeding three years, according to the aggravation of the offence.

SEC. 9. *And be it further enacted,* That, if any person or persons shall plunder, steal, or destroy, any money, goods, merchandise, or other effects, from or belonging to any ship or vessel, or boat, or raft, which shall be in distress, or which shall be wrecked, lost, stranded, or cast away, upon the sea, or upon any reef, shoal, bank, or rocks, of the sea, or in any other place within the admiralty and maritime jurisdiction of the United States, or if any person or persons shall wilfully obstruct the escape of any person endeavouring to save his or her life from such ship, or vessel, boat, or raft, or the wreck thereof, or, if any person or persons shall hold out or show any false light, or lights, or extinguish any true light, with intention to bring any ship or vessel, boat or raft, being or sailing upon the sea, into danger, or distress, or shipwreck; every person, so offending, his or her counsellors, aiders, and abettors, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding five thousand dollars, and imprisonment and confinement to hard labour, not exceeding ten years, according to the aggravation of the offence. (a)

(a) Indictment in the circuit court of the United States for the southern district of New York, for

SEC. 10. *And be it further enacted*, That, if any master or commander of any ship or vessel, belonging, in whole, or in part, to any citizen or citizens of the United States, shall, during his being abroad, maliciously, and without justifiable cause, force any officer, or mariner of such ship or vessel, on shore, or leave him behind, in any foreign port or place, or refuse to bring home again, all such of the officers and mariners of such ship or vessel, whom he carried out with him, as are in a condition to return, and willing to return, when he shall be ready to proceed in his homeward voyage, every master or commander, so offending, shall, on conviction thereof, be punished by fine, not exceeding five hundred dollars, or by imprisonment, not exceeding six months, according to the aggravation of the offence. (a)

SEC. 11. *And be it further enacted*, That, if any person or persons, shall, wilfully and maliciously, set on fire, or burn, or otherwise destroy or cause to be set on fire, or burnt, or otherwise destroyed, or aid, procure, abet, or assist in setting on fire, or burning or otherwise destroying, any ship or vessel of war of the United States, afloat on the high seas, or in any arm of the sea, or in any river, haven, creek, basin or bay within the admiralty jurisdiction of the United States, and out of the jurisdiction of

Of any master, &c., of any ship or vessel belonging in whole or in part to a citizen or citizens of the United States, while abroad, who shall force any officer, &c., on shore to leave him behind in any foreign port or place.

Of any person wilfully, &c. setting on fire any ship or vessel of the United States afloat on the high seas, or any arm of the sea, within

feloniously stealing a quantity of merchandise, belonging to the ship *Bristol*, the ship being in distress and cast away on a shoal of the sea on the coast of New York. The indictment was founded on the 9th section of the act, entitled "An act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved March 3, 1825. The goods were taken above high-water mark, upon the beach, in the county of Queens, in the state of New York. Held, that the offence committed was within the jurisdiction of the circuit court. *The United States v. Coombs*, 12 Peters, 72.

In cases purely dependent on the locality of the act done, the admiralty jurisdiction is limited to the sea, and to the tide water, as far as the tide flows. Mixed cases may arise, and often do arise, where the act and services done are of a mixed nature, as when salvage services are performed, partly on tide-water and partly on shore, for the preservation of the property; in which case the admiralty jurisdiction has been constantly exercised, to the extent of decreeing salvage. *Ibid.*

The offence of larceny is not punishable under the act 1790, ch. 9, unless committed in a place under the sole and exclusive jurisdiction of the United States; and to bring the case within the statute, there must be an averment of such sole and exclusive jurisdiction in the indictment. *The United States v. Edmond Davis*, 5 Mason's C. C. R. 356.

"Personal goods" in that statute does not include choses in action, the latter not being the subject of larceny at common law. *Ibid.*

Where larceny is committed in a place not under the sole and exclusive jurisdiction of the United States, it may be yet punishable under the third section of the act of 1825, ch. 66. *Ibid.*

Offences are punishable under that section according to the state laws, where they are committed under circumstances, or in places, in which, before that act, no court of the United States had authority to punish them. *Ibid.*

It seems, that a reservation in a cession of "concurrent jurisdiction" to serve state process, civil and criminal in the ceded place, does not exclude the exclusive legislation, or exclusive jurisdiction of the United States, over the ceded place. It merely operates as a condition of the grant. *Ibid.*

See *United States v. Kessler*, Baldwin's C. C. R. 15.

(a) The crimes act of 1825, ch. 66, sec. 10, enumerates three distinct offences: (1) maliciously and wilfully, and without justifiable cause, forcing an officer or mariner on shore, in a foreign port, or (2) maliciously, or without justifiable cause, leaving any officer or mariner behind in a foreign port, or (3) maliciously, or without justifiable cause, refusing to bring home again all the officers or mariners of the ship, in a condition to return and willing to return. It is not necessary to complete the first or second of the enumerated offences, that the officer or mariner should be in a condition to return or willing to return. These latter words apply only to the trial of the enumerated offences. *The United States v. Netcher*, 1 Story's C. C. R. 307.

Where a mariner applied for a discharge, which was refused by the master, and he thereupon used abusive language to the master, for which he was imprisoned by the master, so that he was unable to return, and the ship sailed without him, it was held, that the leaving him behind was an offence under the crimes act of 1825, ch. 66, sec. 10. *Ibid.*

Indictment for maliciously, and without justifiable cause, forcing a seaman on shore, in a foreign port, against the crimes act of 1825, ch. 66, sec. 10. "Maliciously," in the statute, means wilfully, against a knowledge of duty; "justifiable cause" does not mean such a cause as the known policy of the American laws on the subject contemplates as a cause of moral necessity, for the safety of the ship and crew, or the due performance of the voyage. *The United States v. Thaddeus Coffin*, 1 Sumner's C. C. R. 394.

Under the 10th section of the act of 1825, ch. 66, the forcing a mariner on shore must be done, not only without justifiable cause, but also maliciously, to justify a conviction. If done under a mistaken sense of duty, it is not a case for conviction. *The United States v. Spencer Ruggles*, 5 Mason's C. C. R. 192.

"Maliciously," in the statute, means with a wilful disregard of right and duty, or doing the act, against a man's own conviction of duty. *Ibid.*

A master of a ship has authority to confine his seamen in a common jail in a foreign port, for offences and misconduct in extreme cases; and when the proper correction and punishment cannot be effected on ship-board. *Ibid.*

the admiralty jurisdiction of the United States.

Proviso.

Of any officer of the United States who is guilty of extortion.

Of any person in any case, matter, &c., who when on oath or affirmation, shall be required to be taken or administered, under any law of the United States, shall wilfully swear falsely.

Act of April 30, 1790, ch. 9, sec. 19.

When any person is arraigned for any offence, not capital, and refuse to answer to such indictment, judgment shall be rendered accordingly.

Act of April 30, 1790, sec. 29.

In every case where a criminal is convicted, the court which shall pass the sentence shall order the same to be executed in any state prison, &c.

Act of April 30, 1790, ch. 9, sec. 23.

Punishment of any person employed in the Bank of the

any particular state, every person so offending, shall be deemed guilty of felony, and shall, on conviction thereof, suffer death: *Provided*, That nothing herein contained shall be construed to take away or impair the right of any court martial to punish any offence, which, by the law of the United States, may be punishable by such court.

SEC. 12. *And be it further enacted*, That, if any officer of the United States shall be guilty of extortion, under, or by colour of his office, every person so offending shall, on conviction thereof, be punished by fine, not exceeding five hundred dollars, or by imprisonment, not exceeding one year, according to the aggravation of the offence. (a)

SEC. 13. *And be it further enacted*, That, if any person, in any case, matter, hearing, or other proceeding, when an oath or affirmation shall be required to be taken or administered under or by any law or laws of the United States, shall, upon the taking of such oath or affirmation, knowingly and willingly swear or affirm falsely, every person, so offending, shall be deemed guilty of perjury, and shall, on conviction thereof, be punished by fine, not exceeding two thousand dollars, and by imprisonment and confinement to hard labour, not exceeding five years, according to the aggravation of the offence. And if any person or persons shall knowingly or willingly procure any such perjury to be committed, every person so offending shall be deemed guilty of subornation of perjury, and shall on conviction thereof, be punished by fine, not exceeding two thousand dollars, and by imprisonment and confinement to hard labour, not exceeding five years, according to the aggravation of the offence. (b)

SEC. 14. *And be it further enacted*, That, if any person, upon his or her arraignment upon any indictment before any court of the United States for any offence, not capital, shall stand mute, or will not answer or plead to such indictment, the court shall, notwithstanding, proceed to the trial of the person, so standing mute, or refusing to answer or plead, as if he or she had pleaded not guilty, and upon a verdict being returned by the jury, may proceed to render judgment accordingly. And the trial of all offences which shall be committed upon the high seas or elsewhere, out of the limits of any state or district, shall be in the district where the offender is apprehended, or into which he may be first brought.

SEC. 15. *And be it further enacted*, That, in every case where any criminal convicted of any offence against the United States shall be sentenced to imprisonment and confinement to hard labour, it shall be lawful for the court by which the sentence is passed, to order the same to be executed in any state prison, or penitentiary within the district where such court is holden; the use of which prison or penitentiary may be allowed or granted by the legislature of such state for such purposes; and the expenses attendant upon the execution of such sentence, shall be paid by the United States.

SEC. 16. *And be it further enacted*, That, if any person who shall be employed as president, cashier, clerk, or servant, in the Bank of the United States, created and established by an act, entitled "An act to incorporate the subscribers to the Bank of the United States," passed on the tenth day of April, in the year of our Lord one thousand eight hun-

(a) Where the United States instituted an action for the recovery of a sum of money on a bond given with sureties by a purser in the navy, and the defendants, in substance, pleaded that the bond, with the condition thereon, was variant from that prescribed by law, and was, under colour of office, extorted from the obligor and his sureties, contrary to the statute, by the then Secretary of the Navy, as the condition of the purser remaining in the office, and receiving the emoluments, and the United States demurred to the plea; it was held, that the plea constituted a good bar to the action. *The United States v. Tingey*, 5 Peters, 114.

No officer of the government has a right, by colour of his office, to require from any subordinate officer, as a condition for his holding his office, that he should execute a bond with a condition different from that prescribed by law. That would be, not to execute, but to supersede the requisites of the law. It would be very different, when such bond was, by mistake or otherwise, voluntarily, substituted by the parties for the statute bond, without any coercion, or extortion by colour of office. *Ibid.*

(b) See notes to the fourth section of the act of March 1, 1823, ch. 20.

dred and sixteen, or in any office of discount and deposit, established by the directors of said bank in any state or territory of the United States, shall feloniously take, steal, and carry away any money, goods, bond, bill, bank note, or other note, check, draft, treasury note, or other valuable security or effects, belonging to said bank, or deposited in said bank; or, if any person so employed as president, cashier, clerk, or servant, shall fraudulently embezzle, secrete, or make away with any money, goods, bond, bill, bank note, or other note, draft, treasury note, or other valuable security or effects, which he shall have received, or which shall come to his possession or custody by virtue of such employment: every person so offending shall be deemed guilty of felony, and shall, on conviction thereof, be punished, by fine, not exceeding five thousand dollars, and by imprisonment and confinement to hard labour, not exceeding ten years, according to the aggravation of the offence.

SEC. 17. *And be it further enacted*, That, if any person or persons shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any paper, writing, or instrument, in imitation of, or purporting to be, an indent, certificate of the public stock, or debt, treasury note, or other public security of the United States, or any letters patent, issued or granted by the President of the United States, or any bill, check, or draft for money drawn by, or on the treasurer of the United States, or by, or on, any other public officer or agent of the United States, duly authorized to make, draw, accept, or pay the same, on behalf and for account of the United States, (a) or if any person or persons shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any such false, forged, or counterfeited paper, writing, or instrument, knowing the same to be false, forged, or counterfeited, with intent to defraud the United States, or any body politic or corporate, or any other person or persons whatsoever; or if any person or persons shall falsely alter any indent, certificate of the public stock, or debt, treasury note, or other public security of the United States, or any letters patent, issued or granted by the President of the United States, or any bill, check, or draft for money drawn by or on the treasurer of the United States, or any other public officer or agent of the United States, duly authorized to make, draw, accept, or pay such bill, check, or draft, or if any person or persons shall pass, utter, or publish, or attempt to pass, utter, or publish, as true and unaltered, any such falsely altered indent, certificate, treasury note, or other public security, letters patent, or bill, check, or draft, knowing the same to be falsely altered, with intent to defraud the United States, or any body politic or corporate, or any person or persons whatsoever, (b) every such person, so offending, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding five thousand dollars, and by imprisonment and con-

United States taking, &c. any money, &c. belonging to said bank.

Act of April 10, 1816, ch. 44.

Forgery of treasury notes, or other public security of the United States.

Act of April 30, 1790, ch. 9, sec. 14.

(a) Forgeries under the laws of the United States must be tried in the district where the crime is committed. *The United States v. Britton*, 2 Mason's C. C. R. 464.

In an indictment for forgery, it is in general necessary to set forth the tenor of the instrument, and it must be proved as set forth. *Ibid.*

(b) Passing a paper is putting it off on payment or exchange. Uttering it, is a declaration that it is good, with an intent to pass, or an offer to pass it. *United States v. Mitchell et al.*, Baldwin's C. C. R. 366.

The party accused of passing or uttering counterfeit paper, must be present when the act is done, privy to it, or aiding, consenting, or procuring it to be done. If done by consent, all are equally guilty. *Ibid.*

Passing a counterfeit note in the name of a fictitious person, an assumed name, or on a bank which never existed, is within the law. It is not necessary that the note, if genuine should be valid, if on its face it purports to be good. The want of validity must appear on its face. *Ibid.*

The possession of other counterfeit papers, by the defendant, or a confederate, at the time of passing counterfeit notes, is evidence of the scienter. *Ibid.*

The law presumes the intention of passing counterfeit paper, to be to defraud any person who may suffer a loss by receiving it as genuine. *The United States v. Shellmire*, Baldwin's C. C. R. 370.

Intoxication is no defence to a charge of passing counterfeit bank notes, if the defendant was possessed of his reason, and was capable of knowing whether the note so passed was good or bad. *Ibid.*

finement to hard labour, not exceeding ten years, according to the aggravation of the offence.

Forgery of letters of attorney, certificates of stock of the United States, or certificates of stock of the Bank of the United States.

SEC. 18. *And be it further enacted*, That, if any person or persons shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any paper, writing, or instrument, in imitation of, or purporting to be, any letter of attorney, or other authority or instrument to assign, transfer, sell, or convey any share or sum in the public stock or debt of the United States, or in the capital stock of the president, directors, and company of the Bank of the United States, or to receive any annuity or annuities, dividend or dividends, due or to become due on any such stock or debt; or to receive any pension, prize money, wages, or other debt or sum of money due, or to become due from the United States; or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or willingly aid or assist in forging or counterfeiting the name or names of any of the holders or proprietors of any such public stock or debt, or of any person entitled to any such annuity, dividend, pension, prize money, wages, or other debt or sum of money as aforesaid, in or to any such pretended letter of attorney, authority, or instrument; or shall, knowingly and fraudulently, demand, or endeavour to have or obtain such share or sum in such public stock or debt, or capital stock of the said bank, or to have any part thereof transferred, assigned, sold, or conveyed, or such annuity, dividend, pension, prize money, wages, or other debt or sum of money, or any part thereof, to be received or paid, by virtue of any such false, forged, or counterfeited letter of attorney, authority, or instrument; or shall falsely and deceitfully personate any true or real proprietor or holder of such share or sum in such public stock or debt, or capital stock of the said bank, or any person entitled to such annuity, dividend, pension, prize money, wages, or other debt or sum of money, as aforesaid, and thereby transferring or endeavouring to transfer such public stock or debt or capital stock of the said bank, or receiving, or endeavouring to receive the money of such true or lawful holder or proprietor thereof, or the money of such person or persons, really and truly entitled to receive such annuity, dividend, pension, prize money, wages, or other debt, or sum of money, as aforesaid, as if such offender were the true and lawful owner thereof, and entitled thereto; every person, so offending, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding five thousand dollars, and by imprisonment and confinement to hard labour, not exceeding ten years, according to the aggravation of the offence. (a)

Forging an abstract or official copy, &c. or certificate of the recording, &c. of any ship or vessel in the office of any

SEC. 19. *And be it further enacted*, That if any person or persons, shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any instrument in imitation of, or purporting to be, an abstract or official copy, or certificate of the recording, registry, or enrolment of any ship or vessel, in the office of any collector of the cus-

(a) Indictment in the circuit court of North Carolina, for the forgery of, and an attempt to pass a certain paper writing, in imitation of, and purporting to be a bill or note, issued by the president and directors of the Bank of the United States, founded on the 18th section of the act of 1816, incorporating the Bank of the United States. The note was signed with the name of John Huske, who had not been, at any time, President of the Bank of the United States, but who, at the time of the counterfeit, was the president of the office of discount and deposit at Fayetteville; and was countersigned with the name of John W. Sanford, who at no time was the cashier of the mother bank, but who at the time of the counterfeiting was cashier of the said office of discount and deposit. Held, that this was an offence within the provisions of the law. *The United States v. Turner*, 7 Peters, 132.

The policy of the act extends to such a case. The object is to guard the public from false and counterfeit paper; purporting on its face to be issued by the bank. It could not be presumed that persons in general could be cognisant of the fact, who, at particular periods, were the president and cashier of the bank. They were officers liable to be removed at the pleasure of the directors, and the times of their appointment or removal, or even their names, could not ordinarily be within the knowledge of the body of the citizens. The public mischief would be equally great, whether the names were those of the genuine officers, or of fictitious or unauthorized persons, and ordinary diligence would not protect them against imposition. *Ibid.*

toms of the United States, or a license to any ship or vessel, for carrying on the coasting trade, or fishery or fisheries of the United States, or a certificate of ownership, pass, passport, sea letter, or clearance, granted for any ship or vessel, under the authority of the United States, or a permit, debenture, or other official document, granted by any collector or other officer of the customs, by virtue of his or their office; or shall falsely alter any abstract, official copy, or certificate of any recording, registering, or enrolling of any ship or vessel in the office of any collector of the customs of the United States, or any license to any ship or vessel for carrying on the coasting trade or fisheries of the United States, or any certificate of ownership, pass, passport, sea letter, or clearance granted for any ship or vessel under the authority of the United States, or any permit, debenture, or other official document granted by any collector, or other officer of the customs, by virtue of his or their office; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any such false, forged, or counterfeited instrument, or any such falsely altered abstract, official copy, certificate, license, pass, passport, sea letter, clearance, permit, debenture, or other official document as aforesaid, knowing the same to be false, forged, or counterfeited, or falsely altered, with an intent to defraud the United States, or any other body politic or corporate, or person, whatsoever; every person, so offending, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding one thousand dollars, and by imprisonment and confinement to hard labour not exceeding three years.

collector of the  
customs.  
Act of April  
30, 1790, sec. 14.

SEC. 20. *And be it further enacted,* That, if any person, or persons, shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any coin, in the resemblance or similitude of the gold or silver coin, which has been, or hereafter may be, coined at the mint of the United States; or in the resemblance or similitude of any foreign gold or silver coin which by law now is, or hereafter may be made current in the United States; or shall pass, utter, publish, or sell or attempt to pass, utter, publish, or sell, or bring into the United States; from any foreign place, with intent to pass, utter, publish, or sell, as true, any such false, forged, or counterfeited coin, knowing the same to be false, forged, or counterfeited, with intent to defraud any body politic, or corporate, or any other person or persons, whatsoever; every person, so offending, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding five thousand dollars, and by imprisonment, and confinement to hard labour, not exceeding ten years, according to the aggravation of the offence. (a)

Forging of  
gold or silver  
coin.

SEC. 21. *And be it further enacted,* That, if any person, or persons, shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any coin, in the resemblance or similitude of any copper coin which has been, or hereafter may be, coined at the mint of the United States; or shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or bring into the United States, from any foreign place, with intent to pass, utter, publish, or sell, as true, any such false, forged, or counterfeited coin, with intent to defraud any body politic, or corporate, or any other person, or persons, whatsoever; every person, so offending, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine, not exceeding one thousand dollars, and by imprisonment, and confinement to hard labour, not exceeding three years.

Forgery of  
copper coin.

SEC. 22. *And be it further enacted,* That, if any person or persons,

(a) The head pistareen is no part of the Spanish milled dollar. Such pistareen or piece of coin is not a silver coin of Spain made current, by law, in the United States. *United States v. Gardner*, 10 Peters, 618.

Of a person, on the high seas &c. using a dangerous weapon with an intent to kill, &c.

upon the high seas, or in any arm of the sea, or in any river, haven, creek, basin, or bay, within the admiralty jurisdiction of the United States, and out of the jurisdiction of any particular state, on board any vessel belonging in whole or in part to the United States, or any citizen or citizens thereof, shall, with a dangerous weapon, or with intent to kill, rob, steal, or to commit a mayhem, or rape, or to perpetrate any other felony, commit an assault on another, such person shall, on conviction thereof, be punished by fine, not exceeding three thousand dollars, and by imprisonment and confinement to hard labour, not exceeding three years, according to the aggravation of the offence. (a)

Of any person guilty of conspiracy, &c.

SEC. 23. *And be it further enacted*, That, if any person or persons shall, on the high seas, or within the United States, wilfully and corruptly conspire, combine, and confederate, with any other person or persons, such other person or persons being either within or without the United States, to cast away, burn, or otherwise destroy, any ship or vessel, or to procure the same to be done, with intent to injure any person, or body politic, that hath underwritten, or shall thereafterwards underwrite, any policy of insurance thereon, or on goods on board thereof, or with intent to injure any person, or body politic, that hath lent or advanced, or thereafter shall lend or advance, any money on such vessel, on bottomry or respondentia, or shall, within the United States, build or fit out, or aid in building or fitting out, any ship or vessel, with intent that the same shall be cast away, burnt, or destroyed, for the purpose or with the design aforesaid, every person, so offending, shall, on conviction thereof, be deemed guilty of felony, and shall be punished by fine, not exceeding ten thousand dollars, and by imprisonment, and confinement to hard labour, not exceeding ten years.

Of any person employed by the mint, who shall debase, &c. any gold or silver coin struck by said mint, for the purpose of gain.

SEC. 24. *And be it further enacted*, That, if any of the gold or silver coins which shall be struck or coined at the mint of the United States, shall be debased, or made worse, as to the proportion of fine gold or fine silver therein contained, or shall be of less weight or value than the same ought to be, pursuant to the several acts relative thereto, through the default or with the connivance of any of the officers or persons who shall be employed at the said mint, for the purpose of profit or gain, or otherwise, with a fraudulent intent, and if any of the said officers or persons shall embezzle any of the metals which shall, at any time, be committed to their charge for the purpose of being coined, or any of the coins which shall be struck or coined at the said mint, every such officer, or person who shall commit any, or either, of the said offences, shall be deemed guilty of felony, and shall be sentenced to imprisonment and hard labour for a term not less than one year, nor more than ten years, and shall be fined in a sum not exceeding ten thousand dollars.

All acts, &c. inconsistent with this, repealed.

Proviso.  
Act of April 30, 1790, ch. 9.

Nothing in this act to be

SEC. 25. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act, shall be, and the same are hereby, repealed: *Provided, nevertheless*, That all such acts, and parts of acts, shall be, and remain in full force for the punishment of all offences committed before the passing of this act.

SEC. 26. *And be it further enacted*, That nothing in this act contained

(a) Under the words "high seas," in the crimes act of 1825, sec. 22, the words "high seas" mean the unenclosed waters of the ocean outside of the fauces terræ. *The United States v. Thomas Grush*, 5 Mason's C. C. R. 290.

The state courts have jurisdiction of offences committed on arms of the sea, havens, basins or bays, within the ebb and flow of the tide, when these places are within the body of the county; and in such cases the circuit court of the United States has no jurisdiction. *Ibid.*

Where an arm of the sea or creeks, haven, basin or bay, is so narrow that a person standing on one shore can reasonably discern, and distinctly see by the naked eye, what is doing on the opposite shore, the waters are within the body of a county. *Ibid.*

In such waters, it seems, that the admiralty and common law courts have concurrent jurisdiction. *Ibid.*

The county of Suffolk, in which the city of Boston is included, extends to all waters between the circumjacent islands, down to the Great Brewster and Point Allerton. *Ibid.*



shall be construed to deprive the courts of the individual states, of jurisdiction, under the laws of the several states, over offences made punishable by this act.

APPROVED, March 3, 1825.

construed so as to deprive the courts of individual states of jurisdiction.

STATUTE II.

March 3, 1825.

CHAP. LXVI. — *An Act further to amend the act authorizing payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes, passed ninth April, one thousand eight hundred and sixteen.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any person having a claim for a building destroyed by the enemy during the late war, under the ninth section of the act to which this is an amendment, and of the act to amend the same, passed the third of March, one thousand eight hundred and seventeen, which shall have been presented to the commissioner of claims, appointed under the act first aforesaid, at any time before the tenth of April, one thousand eight hundred and eighteen, and which was not paid under said acts, nor finally rejected by said commissioner, may, within nine months, hereafter, present the same with the evidence to support it, to the third auditor of the treasury, for examination and adjustment, and if he shall be satisfied the building or buildings for which damages are claimed, was, at the time of its destruction, occupied by order of any agent or officer of the United States, as a place of deposit for military or naval stores, or as barracks for the military forces of the United States, he shall proceed to assess the damages, and certify the amount for payment, in the way pointed out in the act first above referred to, which shall be immediately paid out of any money in the treasury not otherwise appropriated: *Provided,* That if the auditor shall be satisfied the evidence before him is insufficient to enable him correctly to decide between the United States and the claimant, he may, on giving notice to the claimant, cause other evidence to be taken: *And provided, also,* That no payment shall be made under the provisions of this act, where the property destroyed was occupied under a contract with the owner, and at the risk of such owner.

Act of April 9, 1816, ch. 40. Act of March 3, 1817, ch. 110.

Course to be pursued by those having claims for buildings destroyed during the late war.

Proviso.

Proviso.

SEC. 2. *And be it further enacted,* That the amount which shall appear to have been paid to the owners, as rent for the use or occupation of their property, shall be deducted from the amount directed to be paid to them under this act.

Amount paid for the use thereof, deducted.

SEC. 3. *And be it further enacted,* That, in case the whole amount of claims presented and allowed, under this act, shall exceed the sum of two hundred and fifty thousand dollars, then, and in that case, the claimants shall, respectively, receive only their rateable proportion of the sum of two hundred and fifty thousand dollars, to be liquidated by the said auditor, in the adjustment of the amount to be received by such claimants respectively.

When the claimants to receive a rateable proportion.

APPROVED, March 3, 1825.

STATUTE II.

CHAP. LXXIV.—*An Act to authorize the sale of a section of land therein mentioned.*

March 3, 1825.

[Obsolete.]

*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 shall be, and he is hereby, authorized to cause to be exposed to public sale, in the same manner other lands of the United States are, the section numbered thirty-four, of the eleventh township and third range of townships offered for sale, at Steubenville, Ohio; and, if not so sold, the said section shall be liable to entry in the Steubenville land office, as other lands are.

Section numbered 34, of the eleventh township and third range of townships to be offered for sale in Ohio.

APPROVED, March 3, 1825.

## STATUTE II.

March 3, 1825.

[Obsolete.]

Act of Feb. 11, 1825, ch. 10. Additional appropriation for bringing to the seat of government the votes for President and Vice President.

CHAP. LXXV.—*An Act making an additional appropriation for defraying the expenses of bringing to the seat of government the votes for President and Vice President of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be, and there hereby is, appropriated, out of any money in the treasury not otherwise appropriated, the sum of two thousand nine hundred and sixty-nine dollars and fifty cents, for the payment of the expenses of bringing to the seat of government the votes for President and Vice President of the United States, in addition to the sum of three thousand three hundred dollars, heretofore appropriated for the same object.

APPROVED, March 3, 1825.

## STATUTE II.

March 3, 1825.

Secretary of the Treasury authorized to subscribe, for 1500 shares of the capital stock of the Chesapeake and Delaware Canal Company.

The Secretary of the Treasury to vote for the president and directors of said company.

CHAP. LXXVI.—*An Act authorizing the subscription of stock in the Chesapeake and Delaware Canal Company.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to subscribe, in the name and for the use of the United States, for one thousand five hundred shares of the capital stock of the Chesapeake and Delaware Canal Company, and to pay for the same, at such times, and in such proportions, as may be required by the said company, out of the dividends which may grow due to the United States upon their bank stock in the Bank of the United States.

SEC. 2. *And be it further enacted,* That the said Secretary of the Treasury shall vote for president and directors of the said company, according to such number of shares, and shall receive upon the said stock, the proportion of the tolls which shall from time to time, be due to the United States for the shares aforesaid.

APPROVED, March 3, 1825.

## STATUTE II.

March 3, 1825.

The circuit court for the district of South Carolina, at Columbia, to commence on the 4th Tuesday of Nov. annually.

Same course to be pursued with suits, &c., as before.

CHAP. LXXVIII.—*An Act to amend an act, entitled "An act to alter the times of holding the circuit and district courts of the United States, for the district of South Carolina." (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from and after the passing of this act, the circuit court for the district of South Carolina, at Columbia, South Carolina, shall commence on the fourth Tuesday in November, annually, instead of the third Tuesday, as is now provided for by an act approved the twenty-fifth of May, one thousand eight hundred and twenty-four.

SEC. 2. *And be it further enacted,* That all suits, actions, torts, processes, and other proceedings, which now are pending in said circuit court, or which now are, or may hereafter be commenced for, or returnable to, the said circuit court at Columbia, at the time heretofore established, shall be returnable to, heard, tried, and determined in the said circuit court, at the time hereby fixed and established.

APPROVED, March 3, 1825.

(a) See notes to the act of May 25, 1824, ch. 145.

## STATUTE II.

March 3, 1825.

CHAP. LXXX.—*An Act to change the time of holding the district court of the United States for the eastern district of Louisiana.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district court of the United States for the eastern district of Louisiana, shall be annually holden in the city of New Orleans, on the second Monday of December, instead of the third Monday of November, as now prescribed by law.

Time of holding the district court of United States, for the east district of Louisiana, changed.

All suits, &c., to be proceeded with as before.

SEC. 2. *And be it further enacted,* That all suits, actions, writs, processes, and other proceedings, which now are pending in said district court, or which are, or may hereafter be, commenced for or returnable to, the said district court, on the third Monday of November, as heretofore established, shall be returnable to, heard, tried, and proceeded with, in the said district court, in the same manner as if the time for holding thereof had not been changed.

APPROVED, March 3, 1825.

## STATUTE II.

March 3, 1825.

CHAP. LXXXIII.—*An Act to extend the time for the settlement of private land claims in the territory of Florida, to provide for the preservation of the public archives in said territory, and for the relief of John Johnson.* (b)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, when the Secretary of the Treasury shall be satisfied that John Johnson, of Indiana, did enter, at the Brookville land office, in said state, the east half of the north-east quarter of section thirty-five, and the west half of the north-west quarter of section thirty-six, in township seventeen, north, in range four, east, by mistake, instead of the east half of the south-east quarter, and the west half of the south-west quarter of the same sections, it shall be lawful for a patent to be issued to the said John Johnson for the two last-mentioned half quarters, so intended to be entered, on his relinquishing to the United States his interest in, and surrendering the patent issued for, the two first-mentioned half quarters, in such manner as shall be directed by the Secretary of the Treasury.

Act of April 22, 1826, ch. 29.

The Secretary of the Treasury, when satisfied that John Johnson, of Indiana, did enter, through mistake, certain half quarter sections of land, shall issue to him a patent for two others.

SEC. 2. *And be it further enacted,* That the commissioners appointed to ascertain claims and titles to land in East Florida, be, and they are hereby, authorized to continue their session until the first Monday of January, one thousand eight hundred and twenty-six, under the same laws, ordinances, and regulations, heretofore established for their government.

The commissioners of land claims in east Florida, to continue their session.

SEC. 3. *And be it further enacted,* That so much of the act, entitled "An act to extend the time limited for the settlement of private land claims in Florida," as renders void all claims to land in said territory, not filed on or before the first day of September, one thousand eight hundred and twenty-four, be, and the same is hereby, repealed, and it shall be lawful for claims to be filed before the board of commissioners in East Florida, any time prior to the first day of November, one thousand eight hundred and twenty-five.

Part of the act extending the time for the settlement of private land claims in Florida, repealed.

Act of Feb. 24, 1824, ch. 28.

SEC. 4. *And be it further enacted,* That there shall be appointed two additional clerks to the board of commissioners of East Florida, to each of whom shall be allowed the sum of seven hundred dollars, to be paid quarterly by the treasury of the United States.

Two additional clerks for the board of commissioners of East Florida.

SEC. 5. *And be it further enacted,* That each of the commissioners appointed for the examination of claims in East Florida, be allowed at

Compensation of the commissioners.

(a) See notes to the act of March 3, 1823, ch. 44.

(b) See note of the act of May 8, 1822, ch. 129.

the rate of two thousand dollars per annum, in full for their services, to be paid quarterly at the treasury of the United States, out of any money in the treasury not otherwise appropriated: *Provided, however,* That no one of said commissioners shall be entitled to draw any portion of the compensation hereby allowed him, except on showing an actual and faithful performance of the duties required of him.

**Proviso.**

Duty of the late commissioners and their clerk.

SEC. 6. *And be it further enacted,* That it shall be the duty of the late commissioners for the examination of titles and claims to lands in West Florida, and of their clerk, to deliver to the register and receiver of the land office for the western land district of Florida, all records, evidence, and papers, in the possession of them, or either of them, relating to said titles and claims. And it shall be the duty of said register and receiver to examine and decide on all titles and claims to land in West Florida, not heretofore decided upon by said commissioners, subject to the limitations, and in conformity with the provisions of the acts of Congress heretofore passed on that subject.

Duty of the register and receiver.

SEC. 7. *And be it further enacted,* That the several claimants to lands, in said district, where claims have not been heretofore decided on, be permitted to file their claims, and the evidence in support of them, with the register and receiver of said district, at any time before the first day of November next, whose duty it shall be to report the same, with their decision thereon, to the Secretary of the Treasury, on or before the first day of January next, to be laid before Congress at the next session.

Claimants, where their claims have not heretofore been decided on, permitted to file them, &c., with the register and receiver, before Nov. 1.

SEC. 8. *And be it further enacted,* That the said register and receiver shall have power to appoint their clerk, and prescribe his duties, and who shall be allowed, in full compensation for his services, the sum of eight hundred dollars, and said register and receiver shall each be allowed the sum of one thousand dollars for the performance of the duties required of them by this act, which said several sums of money shall be paid said register and receiver, and their clerk, out of any money in the treasury not otherwise appropriated, whenever the business is completed, and the report approved by the Secretary of the Treasury.

The register and receiver empowered to appoint their clerk.

SEC. 9. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to appoint two officers, to be called the keepers of the public archives in the territory of Florida, one of whom shall keep his office at St. Augustine, in East Florida, and the other at Pensacola, in West Florida.

The President to appoint two keepers of the public archives in Florida.

SEC. 10. *And be it further enacted,* That the said officers shall each give bond and security in the sum of twenty thousand dollars, for the safe keeping and preservation of the said archives, and for the faithful performance of the duties of their respective offices, and the translation of such of the records and documents as are hereinafter provided for, and shall each receive a salary of five hundred dollars, to be paid quarterly from the treasury of the United States.

Officers to give bond and security for the faithful performance of their duties.

SEC. 11. *And be it further enacted,* That the said officers shall cause to be made a faithful and complete translation and record of all the Spanish records, and documents delivered to them, and having relation to land claims derived from the Spanish and British governments, distinguishing and keeping separately those which relate to grants made within the district of Baton Rouge, Mobile, north of latitude thirty-one, and those made within the present limits of Florida; a complete descriptive list of each of which translations and records, when completed, shall be forwarded to the Secretary of the Treasury, and the said officers shall, severally, be entitled to receive from the treasury of the United States, on the completion of the work, a compensation at the rate of ten cents for each hundred words by them translated and recorded.

Officers to cause a complete translation, &c., of the Spanish records having relation to the land claims.

SEC. 12. *And be it further enacted,* That the said officers shall make out and deliver to individual applicants, copies or translations of any

Officers to deliver copies

documents in their said offices, on being paid for the same at the rate of six and one fourth cents for each hundred words.

SEC. 13. *And be it further enacted*, That the several sums of money hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1825.

or translations to individual applicants. Appropriations.

STATUTE II.

CHAP. XCIII.—*An Act to authorize the sale of unserviceable ordnance, arms, and military stores.*

March 3, 1825.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be sold any ordnance, arms, ammunition or other military stores, or subsistence, or medical supplies, which, upon proper inspection or survey, shall appear to be damaged, or otherwise unsuitable for the public service, whenever, in his opinion, the sale of such unserviceable stores will be advantageous to the public service.

The President of the United States to cause to be sold any ordnance, &c., damaged to such a degree, as renders them useless to the public service.

SEC. 2. *And be it further enacted*, That the inspection or survey of the unserviceable stores shall be made by an inspector general, or such other officer or officers as the Secretary of War may appoint for that purpose; and the sales shall be made under such rules and regulations as may be prescribed by the Secretary of War.

The inspection or survey to be made by an inspector general.

APPROVED, March 3, 1825.

STATUTE II.

CHAP. XCV.—*An Act authorizing the establishment of a navy yard and depot, on the coast of Florida, in the Gulf of Mexico.*

March 3, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to select and purchase a site for a navy yard and depot, on the coast of Florida, in the gulf of Mexico, and to erect such buildings, and make such improvements thereon as he may judge necessary for the accommodation and supply of the United States' vessels of war in that quarter; and that the sum of one hundred thousand dollars be appropriated for effecting that object, out of any moneys in the treasury not otherwise appropriated.

The President of the United States authorized to select a site for a navy yard and depot, on the coast of Florida.

APPROVED, March 3, 1825.

STATUTE II.

CHAP. XCVI.—*An Act to establish the city of Hudson and the city of Troy, in the state of New York, Bowdoinham, in the state of Maine, and Fairport, in the state of Ohio, ports of delivery, and to abolish Topsham as a port of delivery.*

March 3, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the city of Hudson and the city of Troy, in the state of New York, Bowdoinham, in the district of Bath, in the state of Maine, and Fairport, in the district of Cuyahoga, in the state of Ohio, be, and the same are hereby, severally, made, a port of delivery.

The cities of Hudson and Troy, in New York, &c. made ports of delivery.

SEC. 2. *And be it further enacted*, That the port of delivery established at Topsham, in the state of Maine, be, and the same is hereby, abolished.

The port of delivery at Topsham, in Maine, abolished.

APPROVED, March 3, 1825.

## STATUTE II.

March 3, 1825.

Act of May 15,  
1820, ch. 123.

150,000 dol-  
lars appropri-  
ated for opening  
a road from the  
town of Canton  
in Ohio, on the  
right bank of  
the Ohio river,  
to the Musking-  
um river, at  
Zanesville, in  
said state.

Some fit per-  
son to be ap-  
pointed as su-  
perintendent  
of said road.

The superin-  
tendent not to  
be interested,  
directly or indi-  
rectly, in the  
avails of any  
contracts made  
by him as afore-  
said, and to hold  
his office during  
the pleasure of  
the President.

A commis-  
sioner to be ap-  
pointed.

Act of May  
25, 1820, ch.  
123.

Proviso.

CHAP. XCVIII.—*An Act for the continuation of the Cumberland road.*(a)

*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 fifty thousand dollars, of moneys not otherwise appropriated, be, and the same is hereby, appropriated for the purpose of opening and making a road from the town of Canton, in the state of Ohio, on the right bank of the Ohio river, opposite the town of Wheeling, to the Muskingum river, at Zanesville, in said state; which said sum of one hundred and fifty thousand dollars shall be replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, Illinois, and Missouri, into the Union, on an equal footing with the original states.

SEC. 2. *And be it further enacted,* That, for the immediate accomplishment of this object, the President, with the advice of the Senate, shall appoint some fit person as the superintendent of said road, whose duty it shall be, under the direction of the President, to divide the same into sections of not more than ten miles each; to contract for and personally superintend the opening and making the said road, as well as to receive, disburse, and faithfully account with the treasury for all sums of moneys by him received in virtue of this act.

SEC. 3. *And be it further enacted,* That the superintendent shall not be interested, directly, or indirectly, in the avails, of any contracts so to be made by him as aforesaid: That he shall, before he enters upon the discharge of the duties enjoined by this act, execute a bond to the United States, with security, to be approved of by the Secretary of the Treasury, conditioned for the faithful discharge of his duties prescribed by this act: That he shall hold his office during the pleasure of the President, and shall receive at the rate of fifteen hundred dollars per annum for his services, during the time he may be employed in the discharge of the duties required by this act.

SEC. 4. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized and empowered to appoint one impartial and judicious person, not being a citizen of either of the states through which the road hereinafter mentioned, shall pass, to be a commissioner; and, in case of the death, resignation, refusal to act, or any disability of any such commissioner, to appoint another in his stead, who shall have power, according to the provisions of the act, entitled "An act to authorize the appointment of commissioners to lay out the road therein mentioned," approved, May the fifteenth, one thousand eight hundred and twenty, to complete the examination and survey heretofore commenced by virtue of the provisions of said act, and to extend the same to the permanent seat of government of the state of Missouri; the said road to conform, in all respects, to the provisions of the said recited act, except that it shall pass by the seat of government of the states of Ohio, Indiana, and Illinois, and the said commissioner and the person employed under him, shall receive the same compensation for their services, respectively, as is allowed by the said recited act, *Provided, however,* That the said road shall commence at Zanesville, in the state of Ohio: and to defray the expense thereof, the sum of ten thousand dollars is hereby appropriated, out of the appropriation made by the first section of this act.

APPROVED, March 3, 1825.

(a) For acts of Congress relating to the Cumberland road, see vol. iii. 357.

STATUTE II.

March 3, 1825.

CHAP. XCIX.—*An Act to authorize the register or enrolment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel.*

Enrolments and licenses for steamboats, &c. owned by any incorporated company.

Register for steamboats.

Upon the death, &c. of the president, a new license shall be taken out.

That previously to granting a register, the oath as to the ownership of the steamboat, to be taken.

Before granting a register, oath that no part of such steamboat, &c. is owned by any foreigner.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That enrolments and licenses for steamboats or vessels, owned by any incorporated company, may be issued in the name of the president or secretary of such company; and that such enrolments and licenses shall not be vacated or affected by a sale of any share or shares of any stockholder, or stockholders, in such company.

SEC. 2. *And be it further enacted,* That registers for steamboats or vessels, owned by any incorporated company, may be issued in the name of the president or secretary of such company; and that such register shall not be vacated or affected by a sale of any share or shares of any stockholder or stockholders in such company.

SEC. 3. *And be it further enacted,* That, upon the death, removal, or resignation, of the president or secretary of any incorporated company, owning any steamboat or vessel, a new register, or enrolment and license, as the case may be, shall be taken out for such steamboat or vessel.

SEC. 4. *And be it further enacted,* That, previously to granting a register, or enrolment and license, for any steamboat or vessel, owned by any company, the president or secretary of such company shall swear, or affirm, as to the ownership of such steamboat or vessel, by such company, without designating the names of the persons composing such company; which oath, or affirmation, shall be deemed sufficient, without requiring the oath or affirmation of any other person interested or concerned in such steamboat or vessel.

SEC. 5. *And be it further enacted,* That, before granting a register for any steamboat or vessel, so owned by any incorporated company, the president or secretary thereof shall swear, or affirm, that, to the best of his knowledge and belief, no part of such steamboat or vessel has been, or is then, owned by any foreigner or foreigners.

APPROVED, March 3, 1825.

STATUTE II.

March 3, 1825.

[Obsolete.]

The president authorized to borrow a sum not exceeding twelve millions of dollars.

CHAP. C.—*An Act authorizing the Secretary of the Treasury to borrow a sum not exceeding twelve millions of dollars, or to exchange a stock of four and one half per cent. for a certain stock bearing an interest of six per cent.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to borrow, on or before the first day of January next, on the credit of the United States, a sum not exceeding twelve millions of dollars, at a rate of interest payable quarterly, not exceeding four and one half per centum per annum, six millions whereof reimbursable at the pleasure of the government, at any time after the thirty-first day of December, in the year eighteen hundred and twenty-eight; and six millions at any time after the thirty-first day of December, in the year eighteen hundred and twenty-nine, to be applied, in addition to the moneys which may be in the treasury at the time of borrowing the same, to pay off and discharge such part of the six per cent. stock of the United States, of the year one thousand eight hundred and thirteen, as may be redeemable after the first day of January next.

SEC. 2. *And be it further enacted,* That it shall be lawful for the Bank of the United States to lend the said sum, or any part thereof; and it is hereby further declared, that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treas-

The Bank of the United States to lend said sum or any part thereof.

sure, with the approbation of the President of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the whole or any part thereof, bearing an interest not exceeding four and one half per centum per annum, transferable and reimbursable as aforesaid, and to cause the said certificates to be sold: *Provided*, That no stock be sold under par.

A subscription to the amount of twelve millions of dollars of the six per cent. stock of 1813, proposed.

SEC. 3. *And be it further enacted*, That a subscription to the amount of twelve millions of dollars, of the six per cent. stock of the year eighteen hundred and thirteen, be, and the same is hereby, proposed; for which purpose books shall be opened at the treasury of the United States, and at the several loan offices, on the first day of April next, to continue open until the first day of October thereafter, for such parts of the above mentioned description of stock as shall, on the day of subscription, stand on the books of the treasury, and on those of the several loan offices, respectively; which subscription shall be effected by a transfer to the United States, in the manner provided by law for such transfers, of the credit or credits standing on the said books, and by a surrender of the certificates of the stock so subscribed: *Provided*, That all subscription by such transfer of stock shall be considered as part of the said twelve millions of dollars authorized to be borrowed by the first section of this act.

Proviso.

Credits to be entered to the respective subscribers.

SEC. 4. *And be it further enacted*, That, for the whole or any part of any sum which shall be thus subscribed, credits shall be entered to the respective subscribers, who shall be entitled to a certificate or certificates purporting that the United States owe to the holder or holders thereof, his, her, or their assigns, a sum to be expressed therein, equal to the amount of the principal stock thus subscribed, bearing an interest not exceeding four and one half per centum per annum, payable quarterly, from the thirty-first day of December, one thousand eight hundred and twenty-five; transferable in the same manner as is provided by law for the transfer of the stock subscribed, and subject to redemption at the pleasure of the United States, as follows: one half at any time after the thirty-first day of December, one thousand eight hundred and twenty-eight; and the remainder at any time after the thirty-first day of December, one thousand eight hundred and twenty-nine: *Provided*, That no reimbursement shall be made except for the whole amount of such new certificate; nor until after at least six months' public notice of such intended reimbursement. And it shall be the duty of the Secretary of the Treasury to cause to be re-transferred to the respective subscribers the several sums by them subscribed beyond the amount of the certificates of four and one half per cent. stock issued to them respectively.

Proviso.

Funds heretofore pledged by law for the payment of the interest, &c. still remain pledged.

SEC. 5. *And be it further enacted*, That the same funds which have heretofore been, and now are, pledged by law for the payment of the interest, and for the redemption and reimbursement of the stock which may be redeemed or reimbursed by virtue of the provisions of this act, shall remain pledged in like manner for the payment of the interest accruing on the stock created by reason of such subscription, and for the redemption or reimbursement of the principal of the same. And it shall be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly and every year, such sum and sums as may be annually required to discharge the interest accruing on the stock which may be created by virtue of this act. The said commissioners are, also, hereby authorized to apply, from time to time, such sum and sums out of the said fund, as they may think proper, towards redeeming, by purchase, or by reimbursement, in conformity with the provisions of this act, the principal of the said stock; and such part of the annual sum of ten millions of dollars, vested by law in the said commissioners, as may be necessary and required for the above



purposes, shall be and continue appropriated to the payment of interest and redemption of the public debt, until the whole of the stock which may be created under the provisions of this act, shall have been redeemed or reimbursed.

SEC. 6. *And be it further enacted*, That nothing in this act shall be construed in any wise to alter, abridge, or impair the right of those creditors of the United States, who shall not subscribe to the loan to be opened by virtue of this act.

APPROVED, March 3, 1825.

Nothing in this act to impair the right of certain creditors of the United States.

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STATUTE II.

CHAP. CI.—*An Act to authorize the building of ten sloops of war, and for other purposes.*

March 3, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be built, in addition to the present naval force of the United States, a number of sloops of war, not exceeding ten, to carry not less than twenty guns, each, of such description and weight of metal as the President may direct; and that the sum of five hundred thousand dollars be, and the same is hereby, appropriated, for the aforesaid purpose, out of any money in the treasury not otherwise appropriated.

The President to cause to be built a number of sloops of war not exceeding ten.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to cause to be sold, at such time, and in such manner, as he shall judge best for the public interest, the whole, or a part, of the vessels which were purchased under the authority of the act, entitled "An act authorizing an additional naval force for the suppression of piracy;" also, the whole of the public vessels upon Lakes Erie, Ontario, and Champlain, except the ships of the line New Orleans and Chippewa, now on the stocks, under cover at Sacketts' Harbour.

Certain public vessels to be sold.

Act of Dec. 20, 1822, ch. 1.

SEC. 3. *And be it further enacted*, That the proceeds of such sales shall be applied under the direction of the President of the United States, to the repairs and building of sloops of war—which have been, or may be, authorized to be built.

Proceeds of such sales, &c.

APPROVED, March 3, 1825.

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STATUTE II.

CHAP. CII.—*An Act to alter the terms of the district court of the United States in the western district of Virginia.*(a)

March 3, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the terms of the district court, in and for the western district of Virginia, instead of the time now fixed by law, shall be holden on the days and at the places hereinafter mentioned, namely, at Staunton, on the last Mondays in March and August; at Wythe Courthouse, on the first Mondays in April and September; at Lewisburg, on the Fridays after the first Mondays in April and September, and at Clarksburg, on the first Mondays of June and November, in each year.

Act of Feb. 10, 1820, ch. 9.

Terms of the district court for the western district of Virginia, changed.

SEC. 2. *And be it further enacted*, That all recognisances, process, suits, and proceedings, of every kind, whether of a civil or criminal nature, commenced or pending in either of said courts, shall be returned to, proceeded in, and determined at the terms herein provided for, in the same manner as if the time of holding said courts had not been changed.

Recognisances, &c., to be proceeded with as before.

APPROVED, March 3, 1825.

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(a) See notes to the act of Feb. 4, 1819, ch. 12.

## STATUTE II.

March 3, 1825.

A road to be opened in the territory of Florida, commencing at the bay of Tampa, to Wantons, in said territory.

The troops of the United States to be employed.

12,000 dollars appropriated.

CHAP. CIII.—*An Act to authorize the laying out and opening of a public road from St. Mary's river, to the bay of Tampa, in the territory of Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to cause to be opened, in the territory of Florida, a public road, commencing at the bay of Tampa, and, pursuing the most direct practicable route to Wantons, in said territory, and thence, pursuing the most direct and practicable route to Cole-rain, on the St. Mary's river.

SEC. 2. *And be it further enacted,* That the President be, and he is hereby, authorized to employ the troops of the United States, stationed in Florida, in such manner as he may think [think] proper, in the completion; or assisting in the completion of said road.

SEC. 3. *And be it further enacted,* That, for defraying the expenses of opening said road, the sum of twelve thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1825.

## STATUTE II.

March 3, 1825.

The Treasury Department to liquidate the claim of the state of Virginia against the United States.

Rules applicable when the amount of interest on said claim is ascertained.

Amount of interest to be paid from the treasury.

CHAP. CVI.—*An Act authorizing the payment of interest due to the state of Virginia.*

*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, and they are hereby, authorized and directed to liquidate and settle the claim of the state of Virginia against the United States, for interest upon loans or moneys borrowed and actually expended by her, for the use and benefit of the United States, during the late war with Great Britain.

SEC. 2. *And be it further enacted,* That, in ascertaining the amount of interest, as aforesaid, due to the state of Virginia, the following rules shall be understood as applicable to and governing the case, to wit: First, That interest shall not be computed on any sum which Virginia has not expended for the use and benefit of the United States, as evidenced by the amount refunded or repaid to Virginia by the United States; Second, that no interest shall be paid on any sum on which she has not paid interest; Third, That, when the principal, or any part of it, has been paid or refunded by the United States, or money placed in the hands of Virginia for that purpose, the interest on the sum or sums so paid or refunded, shall cease, and not be considered as chargeable to the United States, any longer than up to the time of the repayment as aforesaid.

SEC. 3. *And be it further enacted,* That the amount of the interest, when ascertained as aforesaid, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1825.

## STATUTE II.

March 3, 1825.

Any ship or vessel, after the passing of this act, to be forfeited, if engaged in carrying any property, whatever,

CHAP. CVII.—*An Act concerning wrecks on the coast of Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, if any ship or vessel shall, after the passing of this act, be engaged or employed in carrying or transporting any property whatsoever, taken from any wreck, from the sea, or from any of the keys or shoals within the jurisdiction of the United States, on the coast of Florida, to any foreign port or place, every such ship or vessel, so engaged and employed, together with her tackle,

apparel, and furniture, shall be wholly forfeited, and may be seized and condemned in any court of the United States or territories thereof, having competent jurisdiction.

SEC. 2. *And be it further enacted*, That all property, of every description whatsoever, which shall be taken from any wreck from the sea, or from any of the keys and shoals, within the jurisdiction of the United States, on the coast of Florida, shall be brought to some port of entry within the jurisdiction aforesaid.

SEC. 3. *And be it further enacted*, That all and every forfeiture or forfeitures, which shall be incurred by virtue of the provisions of this act, shall accrue one moiety to the informer or informers, and the other to the United States, and may be mitigated or remitted, in manner prescribed by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," passed the third day of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed eleventh February, one thousand eight hundred.

APPROVED, March 3, 1825.

taken from a wreck, on the coast of Florida, &c.

Property taken from a wreck to be brought to some port of entry, &c.

Distribution of forfeitures.  
Act of March 3, 1797, ch. 13.  
Act of Feb. 11, 1800, ch. 6.

CHAP. CXI.—*An Act to extend the time of issuing and locating military land warrants to officers and soldiers of the revolutionary army.*

*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 second section of the act approved the twenty-fourth day of February, one thousand eight hundred and nineteen, for issuing military land warrants to the officers and soldiers of the revolutionary army, shall be extended till the fourth of March, one thousand eight hundred and twenty-seven, and the time for locating the unlocated warrants shall be extended till the first day of October thereafter.

APPROVED, March 3, 1825.

STATUTE II.

March 3, 1825.

[Expired.]

The time limited by the act of Feb. 24th, 1819, ch. 41, for issuing military land warrants, extended.

CHAP. CXII.—*An Act to make Castine a port of entry for ships or vessels coming from beyond the Cape of Good Hope.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the first day of April next, Castine, in the state of Maine, shall be, and is hereby, made a port of entry for ships or vessels coming from beyond the Cape of Good Hope.

APPROVED, March 3, 1825.

STATUTE II.

March 3, 1825.

Castine, in the state of Maine, made a port of entry.

CHAP. CXIII.—*An Act to authorize the building of lighthouses and light vessels, and beacons, and monuments, therein mentioned; and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, empowered to provide by contract, for building lighthouses and light vessels, erecting beacons and monuments, and placing buoys, on the following sites or shoals, to wit:

A lighthouse on a proper site on Moose Peak Islands, in the state of Maine; and a monument on a proper site on Stage island, in the same state.

A lighthouse on a proper site, at or near the mouth of Burlington harbour, in the state of Vermont.

STATUTE II.

March 3, 1825.

Secretary of the Treasury to provide for the building of lighthouses, &c.

A lighthouse on Moose Peak islands, &c.

At the mouth of Burlington harbour.

A house at Nantucket harbour.

A lighthouse on Dutch island.

Beacons at Mill river harbour.

A lighthouse near Fire Island inlet, &c.

At Cedar Point, &c.

A light vessel for Albermarle Sound.

On Point Defer. Appropriations.

A house at the entrance of Nantucket harbour, for the keeper; with a tower on the same for the lantern, in the state of Massachusetts.

A lighthouse on Dutch Island, in Narraganset Bay, in the state of Rhode Island; and a small beacon light on Warwick Neck, in the same state.

Three small beacons at the entrance of Mill river harbour, in the state of Connecticut.

A lighthouse near the Fire Island inlet, on the south side of Long Island, in the state of New York; and a lighthouse on Stoney Point, instead of Verplank's Point, as heretofore directed, in the same state.

A lighthouse on Cedar Point, at or near the mouth of Patuxent river, in the state of Maryland, and a small beacon light on Point Look Out, at the mouth of Potomac, in the same state.

A light vessel for Albermarle Sound, in the state of North Carolina, to be placed either at or near [the] south point of Roanoke Island, or at the end of Wade's Point Shoal, at the mouth of Pasquotank river, in the same state.

A lighthouse on Point Defer, in the state of Louisiana.

SEC. 2. *And be it further enacted,* That there be appropriated, out of any money in the treasury not otherwise appropriated, the following sums of money, to wit:

For a lighthouse on the Moose Peak Islands, in the state of Maine, four thousand dollars; for a monument on Stage Island, one thousand five hundred dollars; and for placing a buoy in Winter Harbour, in the same state, fifty dollars.

For a lighthouse at the mouth of Burlington harbour, in the state of Vermont, four thousand dollars.

For the keeper's house at the entrance of Nantucket harbour, with a tower on the same, in the state of Massachusetts, sixteen hundred dollars.

For a lighthouse on Dutch Island, in Narraganset Bay, in the state of Rhode Island, three thousand dollars; and for a small beacon light on Warwick Neck, in the same state, one thousand dollars.

For three small beacons at the entrance of Mill river harbour, in the state of Connecticut, two thousand six hundred dollars.

For a lighthouse near Fire Island inlet, in the state of New York, a sum not exceeding ten thousand dollars; and for the lighthouse heretofore directed to be built on Throg's Neck, and for the site thereof, in the same state, seven thousand dollars.

For a lighthouse on Cedar Point, in the state of Maryland, six thousand dollars; and for a small beacon light on Point Look Out, in the same state, one thousand eight hundred dollars.

For the light vessel to be placed in Albermarle Sound, in the state of North Carolina, a sum not exceeding five thousand five hundred dollars. For replacing the buoy at Ocracoke Inlet, and for two buoys to be placed, one at Fulcher's Point, and one at Cross Rock, Croaton Sound, in the same state, one hundred and eighty dollars.

For three buoys to be anchored at proper places, at the entrance of the harbour of Pensacola, in the territory of Florida, one hundred and eighty dollars.

For the lighthouse on Point Defer, in the state of Louisiana, ten thousand dollars.

For completing the work to secure Plymouth Beach, in the state of Massachusetts, five thousand seven hundred and twelve dollars.

For erecting a pier at the mouth of Cayahoga River, in the state of Ohio, five thousand dollars; and for completing the pier at the mouth of Grand River, in the same state, one thousand dollars.

And for surveys to be made under the direction of the President of the United States, for the following purposes, to wit: to ascertain the practicability and necessity of constructing a pier, at the mouth of the

harbour of Marblehead, for the security of shipping; and also a pier in the harbour of Holmes' Hole, for the same object, in the state [of] Massachusetts, the sum of four hundred dollars.

APPROVED, March 3, 1825.

## STATUTE II.

CHAP. CXIV.—*An Act to authorize the surveying and making a road from Little Rock, to Cantonment Gibson, in the territory of Arkansas.*

March 3, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, a road from Little Rock to Cantonment Gibson, in the territory of Arkansas; and said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States, who shall cause the same to be deposited in the war office.

The President to appoint three commissioners to explore, &c. in the most eligible course, a road from Little Rock to Cantonment Gibson, in Arkansas.

SEC. 2. *And be it further enacted,* That said road shall be opened and made under the direction of the President of the United States, who is hereby authorized to employ the troops of the United States in the completion, or assisting in the completion, of said road.

Troops of the United States to assist in completing said road.

SEC. 3. *And be it further enacted,* That said commissioners shall each be entitled to receive three dollars, and their assistants one dollar and fifty cents for each and every day which they shall necessarily be employed in the exploring, surveying, and marking said road; and for the purpose of compensating the aforesaid commissioners, and their assistants, and for opening and making said road, there shall be, and hereby is, appropriated, the sum of ten thousand dollars, to be paid out of any money in the treasury not otherwise appropriated.

Commissioners to receive three dollars, and their assistants one dollar and fifty cents per day.

APPROVED, March 3, 1825.

## STATUTE II.

CHAP. CXX.—*An Act to authorize the surveying and opening of a road, from Detroit to Chicago, in the state of Illinois.*

March 3, 1825.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, a road from Detroit, in the territory of Michigan, to Chicago, in the state of Illinois: And said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States; who, if he approves of said survey, shall cause the plats thereof to be deposited in the office of the treasury of the United States.

The President of the United States to appoint three commissioners who shall explore, &c., in the most eligible course, a road from Detroit in Michigan to Chicago in Illinois.

SEC. 2. *And be it further enacted,* That the said commissioners shall each be entitled to receive three dollars, and their assistants one dollar and fifty cents each, for each and every day which they shall be necessarily employed in exploring, surveying, and marking said road, and making out the plat and field notes above required. And for the purpose of compensating the said commissioners and their assistants, there shall be, and is hereby, appropriated, the sum of three thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated.

Commissioners to receive three dollars, and their assistants one dollar and fifty cents per day.

APPROVED, March 3, 1825.

## RESOLUTIONS.

- March 3, 1825. I. RESOLUTION *authorizing the public documents, printed by order of Congress, to be furnished to the Gardiner Lyceum.*

One copy of Seybert's Statistical Annals, &c., to be furnished the Gardiner Lyceum.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That one copy of Seybert's Statistical Annals, and of Pitkin's Statistical View, and also one copy of the public journals of the Senate and House of Representatives, and of the documents published under the orders of the Senate and House of Representatives, respectively, which have been, or shall be, published, by virtue of a resolution passed December twenty-seventh, one thousand eight hundred and thirteen, be transmitted to the executive of the state of Maine, for the use and benefit of the Gardiner Lyceum, in said state.

APPROVED, March 3, 1825.

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- March 3, 1825. II. RESOLUTION *directing an inventory of the furniture in the President's house to be taken.*

An inventory of the furniture of the President's house to be taken.

*Resolved 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 directed to take an inventory of the furniture of the President's house, at such time as may be convenient to the President, and to deliver a copy thereof to the President elect, and one copy to each House of Congress.

APPROVED, March 3, 1825.

# ACTS OF THE NINETEENTH CONGRESS

OF THE

## UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday the first day of December, 1825, and ended on the twenty-second day of May, 1826.*

JOHN QUINCY ADAMS, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; NATHANIEL MACON, President of the Senate, pro tempore, from the 20th of May; J. W. TAYLOR, Speaker of the House of Representatives.

### STATUTE I.

CHAP. I.—*An Act making appropriation for compensation to the members and officers, and for the contingent expenses, of the two Houses of Congress.*

Dec. 23, 1825.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of four hundred and fifty-five thousand dollars be, and the same is hereby, appropriated, for compensation to the Senators and members of the House of Representatives, and delegates of territories, their officers and attendants; and the further sum of eighty thousand dollars, for fuel, stationery, and all other contingent expenses of the two Houses of Congress, and that the said sums be paid out of any money in the treasury not otherwise appropriated.

Compensation to the Senators and members of the House of Representatives, &c., for fuel, &c.

1825, ch. 13.

APPROVED, December 23, 1825.

### STATUTE I.

CHAP. II.—*An Act making appropriations for the payment of the revolutionary and other pensioners of the United States.*

Jan. 18, 1826.

[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 they are hereby, respectively appropriated towards the military service of the year one thousand eight hundred and twenty-six, and for the objects following; that is to say:

Appropriations for the military service of the year 1826, &c.

For the pensions to the revolutionary pensioners of the United States, one million three hundred and fifty-two thousand seven hundred and ninety dollars.

For pensions to revolutionaries pensioners.

For the invalid and half pay pensioners, in addition to an unexpended balance of one hundred and fifty thousand dollars, sixty-seven thousand five hundred dollars.

For the invalid and half pay pensioners.

For pensions to the widows and orphans, twelve thousand dollars.

For pensions to the widows and orphans.

SEC. 2. *And be it further enacted,* That the said sums, respectively, shall be paid out of any money in the treasury not otherwise appropriated.

To be paid from the treasury.

APPROVED, January 18, 1826.

## STATUTE I.

Feb. 1, 1826.

Act of April 3, 1818, ch. 32.  
In the district court for the northern district of N. Y., said court is to hold its sessions on the third Tuesday of January.

CHAP. III.—*An Act for altering the time of holding the district court in the northern district of New York.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from and after the next term of the district court of the United States for the northern district of New York, the term directed by law to be held at Albany on the last Tuesday in January, shall, instead thereof, be held at Albany on the third Tuesday in January in each year, thereafter.

APPROVED, February 1, 1826.

## STATUTE I.

Feb. 1, 1826.

Act of April 18, 1818, ch. 69, revived, and to continue in force for three years.

CHAP. IV.—*An Act to revive and continue in force, an act, entitled "An act fixing the compensations of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That an act passed the eighteenth of April, one thousand eight hundred and eighteen, entitled "An act fixing the compensation of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian," be, and the same is hereby, declared to be revived, and to continue in force for three years, and until the termination of the session of Congress next ensuing.

APPROVED, February 1, 1826.

## STATUTE I.

Feb. 1, 1826.

Act of the legislative council of Florida, of July 4th, 1823, declared null and void.

CHAP. V.—*An Act to annul "An act concerning wreckers and wrecked property," passed by the governor and legislative council of the territory of Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act of the governor and legislative council of the territory of Florida, entitled "An act concerning wreckers and wrecked property," approved by the governor the fourth day of July, one thousand eight hundred and twenty-three, be, and the same is hereby, disapproved, and declared null and void.

APPROVED, February 1, 1826.

## STATUTE I.

Feb. 1, 1826.

[Obsolete.]

Legislature of Ohio authorized to sell, &c., all or any part of the lands appropriated by Congress for the use of schools in said state, and invest the money in some productive fund.

Proviso.

CHAP. VI.—*An Act to authorize the legislature of the state of Ohio to sell the lands heretofore appropriated for the use of schools in that state.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislature of the State of Ohio shall be, and is hereby, authorized to sell and convey, in fee simple, all, or any part, of the lands heretofore reserved and appropriated by Congress, for the use of schools within said state, and to invest the money arising from the sale thereof, in some productive fund, the proceeds of which shall be forever applied, under the direction of said legislature, for the use and support of schools within the several townships and districts of country, for which they were originally reserved and set apart, and for no other use or purpose whatsoever: *Provided,* Said land, or any part thereof, shall, in no case, be sold without the consent of the inhabitants of such township, or district, to be obtained in such manner as the legislature of said state shall by law direct: *And provided, also,* That, in the apportionment of the proceeds

Proviso.

(a) See notes to the act of April 3, 1818, ch. 32, for the acts relating to the district court in the northern district of New York.



of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

SEC. 2. *And be it further enacted*, That, if the proceeds accruing to any township or district, from said fund, shall be insufficient for the support of schools therein, it shall be lawful for said legislature to invest the same, as is herein before directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same.

APPROVED, February 1, 1826.

If the proceeds accruing to any township or district be insufficient for the support of schools therein, the legislature is to invest, &c.

STATUTE I.

CHAP. VII.—*An Act making appropriations for the purchase of books, and defraying certain expenses for the use of the Library of Congress.*

March 3, 1826.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of five thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purchase of books, under the direction of the joint library committee, for the use of the library of Congress.

[Obsolete.]  
5000 dollars appropriated for the purchase of books for the library of Congress.

SEC. 2. *And be it further enacted*, That the sum of two hundred and ninety-five dollars and twenty-five cents be, and the same is hereby, appropriated out of any unappropriated money in the treasury, for defraying the expense for two stoves, and nine tons of coal, for the use of the library of Congress.

Purchasing of two stoves, &c.

APPROVED, March 3, 1826.

STATUTE I.

CHAP. VIII.—*An Act concerning the transportation of the mail between Vincennes and St. Louis.*

March 3, 1826.

*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 alter and establish certain post-roads," approved March third, one thousand eight hundred and twenty-one, as directs that "the mail from Vincennes, Indiana, to St. Louis, Missouri, shall pass by Vandalia," shall be, and the same hereby is, repealed.

Repeal of part of the act of March 3, 1821, ch. 33.

APPROVED, March 3, 1826.

STATUTE I.

CHAP. IX.—*An Act for the survey of a route for a Canal between the Atlantic and the Gulf of Mexico.*

March 3, 1826.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be made an accurate and minute examination of the country south of the St. Mary's river, and including the same, with a view to ascertain the most eligible route for a canal, admitting the transit of boats, to connect the Atlantic with the Gulf of Mexico, and also, with a view to ascertain the practicability of a ship channel; that he cause particularly to be examined the route from the St. Mary's river to the Appalachicola river or bay, and from the St. John's river to the Vassasousa bay, with a view to both the above objects; that he cause the necessary surveys, both by land and along the coast, with estimates of the expense of each, accompanied with proper plans, notes, observations, explanations and opinions, of the

The President of the United States authorized to cause to be made an accurate and minute examination south of the St. Mary's river, with a view to ascertain the most eligible route for a canal, to connect the Atlantic with the Gulf of Mexico.

## Appropriation.

board of engineers, and that he cause a full report of these proceedings to be made to Congress; and to carry the same into effect, the sum of twenty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1826.

## STATUTE I.

March 3, 1826.

Act of March 3, 1809, ch. 30. Limits of Georgetown extended westwardly, &c.

CHAP. X.—*An Act to extend the limits of Georgetown, 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, in addition to the limits prescribed by an act supplementary to an act, entitled "An act to amend the charter of Georgetown," approved third of March, eighteen hundred and nine, the said limits between Seventh and Eighth streets shall be further extended, so as to extend westwardly, from Fayette street, three hundred feet.

APPROVED, March 3, 1826.

## STATUTE I.

March 14, 1826.

[Obsolete.] Expenses of the navy, for the year 1826.

CHAP. XII.—*An Act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-six.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for defraying the expenses of the navy for the year one thousand eight hundred and twenty-six, the following sums be, and the same are hereby, respectively, appropriated:

For pay and subsistence of officers, &c., at navy yards, &c.

For the pay and subsistence of the officers, and pay of the seamen, other than those at navy yards, shore stations, and in ordinary, nine hundred and eight thousand five hundred and ninety-five dollars and fifty cents.

Of officers, &c., at navy yards, &c.

For the pay, subsistence, and allowances of officers, and pay of seamen, and others at navy yards, shore stations, hospitals, and in ordinary, one hundred and forty one thousand six hundred and thirteen dollars and twenty-five cents.

Naval constructors, &c.

For the pay of naval constructors, superintendents, and all the civil establishment at the several navy yards and stations, fifty-two thousand two hundred and forty dollars.

For provisions.

For provisions, three hundred and seventy-seven thousand eight hundred and seventy-one dollars seventy-five cents.

Repairs of vessels.

For repairs of vessels in ordinary, and for wear and tear of vessels in commission, three hundred and fifty thousand dollars.

Navy yards.

For repairs and improvements of navy yards, one hundred and seventy thousand dollars, to wit: Portsmouth, New Hampshire, ten thousand dollars; Charlestown, Massachusetts, forty thousand dollars; New York, thirty-five thousand dollars; Philadelphia, thirty thousand dollars; Washington, fifteen thousand dollars; Gosport, forty thousand dollars.

Survey of harbours.

For a survey of the harbours of Savannah and Brunswick, in Georgia, Beaufort in South Carolina, and Baltimore, Maryland, with a view to ascertain the practical facilities of those places for naval purposes, ten thousand dollars.

Medicines, &c.

For medicines, surgical instruments, and hospital stores, and all other expenses on account of the sick, forty-five thousand dollars.

For defraying certain expenses for 1826.

For defraying the expenses which may accrue during the year one thousand eight hundred and twenty-six, for the following purposes:

For freight and transportation, &c., &c.

For freight and transportation of materials and stores of every description; for wharfage and dockage; for storage and rent: for travelling expenses of officers, and transportation of seamen; for house rent or chamber money; for fuel and candles to officers, other than those

attached to navy yards and shore stations; for commissions, clerk hire, office rent, fuel, and stationery to navy agents; for premiums and incidental expenses of recruiting; for expenses of pursuing deserters; for compensation to judge advocates; for per diem allowance to persons attending courts martial, and courts of inquiry, and to officers engaged on extra service beyond the limits of their stations; for expenses of persons in sick quarters, for burying deceased persons belonging to the navy; for printing and stationery of every description; for books, charts, mathematical and nautical instruments, chronometers, models, and drawings; for purchase and repair of fire and steam engines and machinery; for purchase and maintenance of oxen and horses, and for carts, wheels, and workmen's tools, of every description; for postage of letters on public service; for pilotage; for cabin furniture for vessels in commission; for taxes on navy yards and public property; for assistance rendered to public vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coals and other fuel for forges, founderies, steam engines, and for candles, oil, and fuel; for vessels in commission, and in ordinary: and including the expense of breaking up the stations on the Lakes, and at New Orleans and Barrataria, and for transporting the articles from thence, and for no other object or purpose whatever, two hundred and forty thousand dollars.

For contingent expenses, for objects arising during the year one thousand eight hundred and twenty-six, and not hereinbefore enumerated, five thousand dollars.

Contingent expenses.

For the pay and subsistence of the officers, non-commissioned officers, musicians, privates, and washerwomen of the marine corps, one hundred and seventy-six thousand one hundred and fifty-eight dollars and ten cents.

Pay, &c., of officers, &c., of the marine corps.

For clothing for the same, twenty-eight thousand seven hundred and sixty-five dollars.

Clothing.

For fuel for the same, six thousand dollars.

Fuel.

For contingencies, that is to say: for travelling expenses for officers, and transportation for men, freight of stores from one station to another, toll, ferriage, wharfage and cartage, expenses of recruiting, per diem allowance for attending courts martial and courts of inquiry, compensation to judge advocates, house rent, chamber money, where there are no quarters assigned, incidental labour in the quartermaster's department, expenses of burying deceased persons belonging to the corps, printing and stationery, postage on public letters, forage, per diem allowance to officers on extra duty, expenses of pursuing deserters, keeping in repair the barracks at the different stations, straw for the men, barrack furniture, spades, axes, shovels, picks, and carpenters' tools, and for no other purpose whatever, thirteen thousand five hundred dollars.

Contingent expenses.

For sundry expenses arising in the current year, not hereinbefore mentioned, five hundred dollars.

For defraying sundry expenses.

For medicines, hospital stores, and instruments for the officers and marines stationed on shore, two thousand three hundred and sixty-nine dollars and seventy-one cents.

Medicines, &c.

For barracks, nine thousand dollars.

Barracks.

For the agency on the coast of Africa, for receiving the negroes, mulattoes, and persons of colour, delivered from on board vessels seized in the prosecution of the slave trade, by commanders of the United States armed vessels, thirty-two thousand dollars.

Agency to the coast of Africa.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided*,

Money to be paid from the treasury. *Proviso.*

Provided nothing in this section be construed so as to extend to balances arising solely from the depreciation of treasury notes.

*also*, That nothing in this section contained, shall be construed to extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith to the agent of the Treasury Department, the balance due; and it shall be the duty of said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, March 14, 1826.

STATUTE I.

March 14, 1826.

CHAP. XIII.—*An Act making appropriations for the support of government, for the year one thousand eight hundred and twenty-six.*

[Obsolete.]  
Sums appropriated for the year 1826.

*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, respectively, appropriated, for the service of the year one thousand eight hundred and twenty-six; that is to say:—

Congress and their officers.

For compensation to the Senators, and members of the House of Representatives, their officers and clerks, in addition to the sum of four hundred and fifty-five thousand dollars, appropriated by the act of the twenty-third December last, fifty thousand and twenty dollars; and for the contingent expenses of the Senate, in addition to the sum heretofore appropriated, seven thousand dollars.

Act of Dec. 23, 1825, ch. 1.

Library and librarians of Congress.  
President.

For expenses of the library of Congress, including the salary of the librarian, one thousand nine hundred and fifty dollars.

For compensation to the President of the United States, twenty-five thousand dollars.

Vice President.

For compensation to the Vice President of the United States, five thousand dollars.

Secretary of State.

For compensation to the Secretary of State, six thousand dollars.

Clerks.  
1818, ch. 87.

For compensation to clerks in the Department of State, per act of twentieth of April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.

Machinist for patent office.  
1824, ch. 157.

For compensation to one machinist, in the patent office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, seven hundred dollars.

Messengers.

For compensation to the messengers in the Department of State, including the messenger in the patent office, one thousand four hundred and fifty dollars.

Incidental and contingent expenses.

For the incidental and contingent expenses of the Department of State, including the expense of printing and distributing the laws, and for extra copying of papers, twenty-eight thousand and ninety-five dollars.

Secretary of the Treasury.

For compensation to the Secretary of the Treasury, six thousand dollars.

Clerks.  
1818, ch. 87.

For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth of April, one thousand eight hundred and eighteen, ten thousand four hundred dollars.

Additional clerk.  
1824, ch. 157.

For compensation to one clerk, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand one hundred and fifty dollars.

Messengers.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.

First comptroller.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

Clerks.

For compensation to the clerks in the office of the first comptroller,

|  |                                      |
|--|--------------------------------------|
| per act of the twentieth of April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.  | 1818, ch. 87.                        |
| For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.  | Messengers.                          |
| For compensation to the second comptroller of the treasury, three thousand dollars.  | Second comptroller.                  |
| For compensation to the clerks in the office of the second comptroller, per act of twentieth of April, one thousand eight hundred and eighty-nine, nine thousand seven hundred and fifty dollars.            | Clerks.<br>1818, ch. 87.             |
| For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.  | Messenger.                           |
| For compensation to the first auditor of the treasury, three thousand dollars.   | First auditor.                       |
| For compensation to the clerks in the office of the first auditor of the treasury, per act of the twentieth of April, one thousand eight hundred and eighteen, thirteen thousand two hundred dollars.        | Clerks.<br>1818, ch. 87.             |
| For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.  | Messenger.                           |
| For compensation to the second auditor of the treasury, three thousand dollars.  | Second auditor.                      |
| For compensation to clerks in the office of the second auditor of the treasury, per act of the twentieth of April, one thousand eight hundred and eighteen, sixteen thousand two hundred dollars.            | Clerks.<br>1818, ch. 87.             |
| For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.  | Messenger.                           |
| For compensation to the third auditor of the treasury, three thousand dollars.   | Third auditor.                       |
| For compensation to the clerks in the office of the third auditor of the treasury, per act of the twentieth April, one thousand eight hundred and eighteen, twenty-one thousand nine hundred dollars.        | Clerks.<br>1818, ch. 87.             |
| For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.  | Messengers.                          |
| For compensation to the fourth auditor of the treasury, three thousand dollars.  | Fourth auditor.                      |
| For compensation to the clerks in the office of the fourth auditor of the treasury, per act of the twentieth of April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.          | Clerks.<br>1818, ch. 87.             |
| For one additional clerk, employed per acts of appropriations, of one thousand eight hundred and twenty-four-five, one thousand dollars.   | Additional clerk.                    |
| For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.  | Messenger.                           |
| For compensation to the fifth auditor of the treasury, three thousand dollars.   | Fifth auditor.                       |
| For compensation to the clerks in the office of the fifth auditor of the treasury, per act of the twentieth of April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.            | Clerks.<br>1818, ch. 87.             |
| For compensation to the clerks in said office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, three thousand seven hundred dollars.   | Additional clerks.<br>1824, ch. 157. |
| For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.  | Messenger.                           |
| For compensation to the treasurer of the United States, three thousand dollars.  | Treasurer.                           |
| For compensation to the clerks in the office of the treasurer of the United States, per act of the twentieth of April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars. | Clerks.<br>1818, ch. 87.             |
| For compensation to clerks in said office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand two hundred dollars.   | Additional clerks.<br>1824, ch. 157. |

- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of allowances.
- Register.** For compensation to the register of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the register of the treasury, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, including the allowance for stamping ships' registers, one thousand one hundred and fifty dollars, in full of all allowances.
- Commissioner of general land office.** For compensation to the commissioner of the general land office, three thousand dollars.
- Clerks.** For compensation to the clerks in the general land office, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.
- Secretary to sinking fund.** For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.
- Translation and contingent expenses.** For allowance to the person employed in transmitting passports and sea-letters; for expenses of translating foreign languages in the office of the Secretary of the Treasury; for stationery, fuel, printing, books, and all other incidental and contingent expenses, in the Treasury Department, and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-six, and for advertising notices in relation to the public debt and loans, and to make good a deficiency of three thousand dollars for the same objects, for the year one thousand eight hundred and twenty-five, thirty-six thousand nine hundred and fifty dollars.
- Superintendent and watchmen.** For allowance to the superintendent and four watchmen, employed for the security of the State and Treasury buildings, for the repairs of engines, hose, and buckets, one thousand nine hundred dollars.
- Secretary of War.** For compensation to the Secretary of War, six thousand dollars.
- Clerks.** For compensation to the clerks in the office of the Secretary of War, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand six hundred dollars.
- Arrearage to one clerk, from Aug. to Dec.** For arrearage to one clerk employed in the office of the Secretary of War, from the first day of April to the thirty-first day of December, one thousand eight hundred and twenty-five, seven hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars, in full of allowances.
- Contingent expenses thereof.** For contingent expenses of the office of the Secretary of War, including iron railing for the steps of the war office, painting, and paving, three thousand dollars.
- Books, &c.** For books, maps, and plans, for the War Department, five hundred dollars.
- Clerks in the office of paymaster general.** For compensation to the clerks in the office of the paymaster general, three thousand nine hundred dollars.
- Messenger.** For compensation to the messenger, in said office, seven hundred dollars, in full of all allowances.
- Clerks in office of commissary general.** For compensation to the clerks in the office of the commissary general of purchases, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, three thousand three hundred and fifty dollars.
- Messengers.** For compensation to the messenger in said office, seven hundred dollars, in full of allowances.
- Contingent expenses.** For contingent expenses of said office, eight hundred and thirty dollars.
- Adjutant general's clerks.** For compensation to the clerks in the office of the adjutant general, per act of the twentieth of April, one thousand eight hundred and eighteen, two thousand one hundred and fifty dollars.
- Messengers.** For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks in the office of the commissary general of subsistence, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, two thousand one hundred and fifty dollars.

For contingent expenses of said office, two thousand six hundred dollars.

For compensation to the clerks in the office of the chief engineer, per act of twenty-sixth May, one thousand eight hundred and twenty-four, two thousand one hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the ordnance office, per act of the twentieth of April, one thousand eight hundred and eighteen, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, seven hundred and sixty dollars.

For compensation to the clerk in the office of the surgeon general, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand one hundred and fifty dollars.

For contingent expenses of said office, two hundred and thirty dollars.

For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, six hundred and ninety dollars.

For compensation to the Secretary of the Navy, six thousand dollars.

For compensation to the clerks in the office of the Secretary of the Navy, per act of the twentieth of April, one thousand eight hundred and eighteen, eight thousand two hundred dollars.

For compensation to the clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand dollars.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of allowances.

For contingent expenses of said office, two thousand dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary to the commissioners of the navy board, two thousand dollars.

For compensation to the clerks in the office of the commissioners of the navy board, per act of the twentieth of April, one thousand eight hundred and eighteen, three thousand five hundred and fifty dollars.

For compensation to the clerks, and a draftsman, in said office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, four thousand dollars.

For compensation to the messenger in said office, seven hundred dollars, in full of all allowances.

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

For allowance to the superintendent, and four watchmen, employed for the security of the war and navy buildings, and for the incidental and contingent expenses, including oil, fuel, and candles, two thousand one hundred and fifty dollars.

For compensation to the Postmaster General, four thousand dollars.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks in the General Post-office, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.

For compensation to the clerks in said office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, five thousand six hundred dollars.

For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.

Clerks of commissary general of subsistence. 1824, ch. 157. Contingent expenses.

Clerks of chief engineer. 1824, ch. 157.

Contingent expenses.

Clerks of the ordnance. 1818, ch. 87.

Contingent expenses.

Surgeon general's clerk. 1824, ch. 157.

Contingent expenses. Clerks.

Contingent expenses.

Secretary of the Navy.

Clerks. 1818, ch. 87.

Additional clerk. 1824, ch. 157.

Messengers.

Messengers.

Contingent expenses.

Commissioners of navy board.

Secretary of the navy commissioners.

Clerks. 1818, ch. 87.

Additional clerks, &c. 1824, ch. 157.

Messenger.

Messenger.

Contingent expenses.

Superintendent and watchmen of war and navy buildings.

Postmaster General.

Assistant P. M. general.

Clerks. 1818, ch. 87.

Clerks. 1818, ch. 87.

Additional clerks. 1824, ch. 157.

Messengers.

Messengers.

- Messenger.** For compensation to the messenger in said office, seven hundred dollars, in full of allowances.
- Register.** For compensation to the register of the treasury, three thousand dollars.
- Clerks.** For compensation to the clerks in the office of the register of the treasury, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, including the allowance for stamping ships' registers, one thousand one hundred and fifty dollars, in full of all allowances.
- Commissioner of general land office.** For compensation to the commissioner of the general land office, three thousand dollars.
- Clerks.** For compensation to the clerks in the general land office, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars, in full of all allowances.
- Secretary to sinking fund.** For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.
- Translation and contingent expenses.** For allowance to the person employed in transmitting passports and sea-letters; for expenses of translating foreign languages in the office of the Secretary of the Treasury; for stationery, fuel, printing, books, and all other incidental and contingent expenses, in the Treasury Department, and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-six, and for advertising notices in relation to the public debt and loans, and to make good a deficiency of three thousand dollars for the same objects, for the year one thousand eight hundred and twenty-five, thirty-six thousand nine hundred and fifty dollars.
- Superintendent and watchmen.** For allowance to the superintendent and four watchmen, employed for the security of the State and Treasury buildings, for the repairs of engines, hose, and buckets, one thousand nine hundred dollars.
- Secretary of War.** For compensation to the Secretary of War, six thousand dollars.
- Clerks.** For compensation to the clerks in the office of the Secretary of War, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand six hundred dollars.
- Arrearage to one clerk, from Aug. to Dec.** For arrearage to one clerk employed in the office of the Secretary of War, from the first day of April to the thirty-first day of December, one thousand eight hundred and twenty-five, seven hundred and fifty dollars.
- Messengers.** For compensation to the messengers in said office, one thousand and fifty dollars, in full of allowances.
- Contingent expenses thereof.** For contingent expenses of the office of the Secretary of War, including iron railing for the steps of the war office, painting, and paving, three thousand dollars.
- Books, &c.** For books, maps, and plans, for the War Department, five hundred dollars.
- Clerks in the office of paymaster general.** For compensation to the clerks in the office of the paymaster general, three thousand nine hundred dollars.
- Messenger.** For compensation to the messenger, in said office, seven hundred dollars, in full of all allowances.
- Clerks in office of commissary general.** For compensation to the clerks in the office of the commissary general of purchases, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, three thousand three hundred and fifty dollars.
- Messengers.** For compensation to the messenger in said office, seven hundred dollars, in full of allowances.
- Contingent expenses.** For contingent expenses of said office, eight hundred and thirty dollars.
- Adjutant general's clerks.** For compensation to the clerks in the office of the adjutant general, per act of the twentieth of April, one thousand eight hundred and eighteen, two thousand one hundred and fifty dollars.
- Contingent expenses.** For contingent expenses of said office, eight hundred dollars.



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| For compensation to the attorney general of the United States, three thousand five hundred dollars.  | Attorney general.   |
| For compensation to the clerk in the office of the attorney general, eight hundred dollars.  | Clerk.  |
| For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, ten thousand nine hundred dollars.  | District attorneys, &c.   |
| For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, and for defraying the expenses of prosecutions for offences committed against the United States, and for the safe keeping of prisoners, one hundred and fifty thousand dollars. | Expenses of the Supreme Court, &c.                                    |
| For the payment of sundry pensions granted by the late and present governments, two thousand and fifty dollars.  | Pensions.   |
| For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs, and improvements, and contingent expenses, one hundred and thirty-two thousand three hundred and forty-six dollars and sixty-six cents.   | Lighthouses, &c.  |
| For procuring and placing three buoys on the bar near the port of Georgetown, South Carolina, being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first of December last, six hundred dollars.   | Buoys.  |
| For building a lighthouse on Baker's Island, on Mount Desert, in the state of Maine, being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first of December last, two thousand five hundred dollars.  | Lighthouse on Baker's Island, &c.                                     |
| For building a lighthouse on Dutch Island, in Narraganset Bay, Rhode Island, in addition to the appropriation of three thousand dollars, made per act of the third of March, one thousand eight hundred and twenty-five, two thousand dollars.   | For building a lighthouse on Dutch Island. 1825, ch. 113.             |
| For building a small beacon light on Warwick Neck, in Rhode Island, in addition to the appropriation of one thousand dollars, made per act of the third of March, one thousand eight hundred and twenty-five, two thousand dollars.  | A beacon on Warwick Neck, in Rhode Island. 1825, ch. 113.             |
| For building a light vessel for Albemarle Sound, in North Carolina, to be placed either at or near the South Point of Roanoke Island, at or near the end of Wade's Point shoal at the mouth of Pasquotank river, in addition to the appropriation of five thousand five hundred dollars, made per act of the third of March, one thousand eight hundred and twenty-five, three thousand dollars.                   | For building a light vessel for Albemarle Sound, N. C. 1825, ch. 113. |
| For building a lighthouse on Point Defer, in the state of Louisiana, in addition to the appropriation of ten thousand dollars, made per act of the third of March, one thousand eight hundred and twenty-five, four thousand dollars.  | For building a lighthouse on Point Defer, Louisiana. 1825, ch. 113.   |
| For surveying the public lands of the United States, seventy-four thousand one hundred and thirty-one dollars.   | For surveying public lands.   |
| For the salaries of the registers and receivers of land offices, in cases where no moneys are received by them for land, two thousand dollars.   | Registers and receivers of land offices.                              |
| For stationery and books, for the offices of commissioners of loans, one thousand six hundred dollars.   | Stationery, &c.   |
| For the salary of the late governor of the Michigan territory, (William Hull,) from the 10th of April, one thousand eight hundred and twelve, to the first of February, one thousand eight hundred and thirteen, one thousand six hundred and twenty-eight dollars thirty-two cents.   | Salary of the late governor of the Michigan territory.                |
| For the salary of the secretary to the land commissioners in East Florida, (Francis J. Fatio,) omitted in the act of the 3d of March, one  | Salary of the secretary to the  |

land commissioners in East Florida.

Balance due superintendent of the Cumberland road.

Assistant superintendent.

Amount due to a contractor, &c.

Compensation to clerk of land commissioners.

1823, ch. 10.  
Registers for ships, &c.

Discharge of miscellaneous claims.

Compensation to a commissioner, &c.

1823, ch. 30.  
1824, ch. 175.

To the ministers at London, Paris, &c.

Salaries of ministers, &c., appointed to the governments on the continent of America.

Outfits.

Secretaries of legation.

Contingent expenses.

Agents of claims at London and Paris.

Expense of foreign intercourse.

Seamen.

Intercourse with the Barbary powers.

Commissioner, &c., under treaty of Ghent.

Carrying into effect the 6th and 7th articles thereof.

Compensation to Thomas H. Gillis for extra services in the

thousand eight hundred and twenty-five, one thousand two hundred and fifty dollars.

For balance of the amount allowed to the late superintendent of the Cumberland road, (David Shriver, Jun.) in lieu of, and in full of all his claims, three thousand dollars.

For compensation to the assistant superintendent of the Cumberland road, (William Hawkins,) from the eighth of August to the fourth of October, one thousand eight hundred and nineteen, one hundred and fifty-eight dollars and ninety cents.

For amount found due to a contractor, (William Stephenson,) for executing a part of the work on the Cumberland road, two hundred and fifty-two dollars and thirteen cents.

For compensation allowed to the clerk of the land commissioners in Michigan territory, (J. Biddle,) per act of the twenty-first of February, one thousand eight hundred and twenty-three, one thousand dollars.

For registers for ships and vessels, and lists of crews, four thousand dollars.

For the discharge of such miscellaneous claims against the United States not otherwise provided for, as shall be ascertained and admitted, in due course of settlement, at the treasury, twelve thousand dollars.

For compensation allowed to one of the commissioners for examining titles to lands between the Rio Hondo, and the Sabine river, per acts of the third March, eighteen hundred and twenty-three, and twenty-sixth May, eighteen hundred and twenty-four, seven hundred dollars.

For the salaries of the ministers at London, Paris, St. Petersburg, and Madrid, and of the chargé des affaires at Stockholm, at the Netherlands, and at Lisbon, forty-nine thousand five hundred dollars.

For the salaries of the ministers or chargé des affaires who have been, or may be, appointed to the governments on the American continent, to wit: Colombia, nine thousand dollars; Chili, nine thousand dollars; Mexico, nine thousand dollars; Buenos Ayres, four thousand five hundred dollars; Guatemala, four thousand five hundred dollars; Brazil, four thousand five hundred dollars; Peru, four thousand five hundred dollars.

For outfits of a chargé des affaires at Peru and Guatemala, nine thousand dollars.

For the salaries of the secretaries of legation, fourteen thousand dollars.

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

For the salaries of the agents of claims at London and Paris, four thousand dollars.

For the contingent expenses of foreign intercourse, forty thousand dollars.

For the relief and protection of distressed American seamen in foreign countries, thirty-five thousand dollars.

For the expenses of intercourse with the Barbary powers, thirty thousand dollars.

For the salaries of the commissioner and arbitrator under the first article of the treaty of Ghent, one half the salaries of the secretary, clerk, and messengers, and half the contingent expenses of the commission, ten thousand three hundred and thirty-seven dollars.

For expenses of carrying into effect the sixth and seventh articles of the treaty of Ghent, including the compensation of the commissioner, agent, and surveyor, and their contingent expenses, sixteen thousand dollars.

For compensation to Thomas H. Gillis, chief clerk in the office of the fourth auditor, for performing the service of the said auditor, during his last illness, from the eighth of October, one thousand eight hundred

and twenty-three, to the twenty-third of June, one thousand eight hundred and twenty-four, nine hundred and fifty dollars, being the amount of the surplus of the appropriation for the fourth auditor's salary for the year one thousand eight hundred and twenty-four.

office of fourth auditor.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated shall be paid out of any money in the treasury, not otherwise appropriated: *Provided, however*, That no money appropriated by this act shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, also*, That nothing in this section contained shall be construed to extend to balances arising solely from the depreciation of treasury notes received by such person to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

Money to be paid from the treasury. Proviso.

Proviso.

APPROVED, March 14, 1826.

STATUTE I.

CHAP. XIV.—*An Act making appropriations for certain fortifications of the United States, for the year eighteen hundred and twenty-six, and for other purposes.*

March 14, 1826.

[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 wit: For fortifications, to each specifically, as follows:

Specific appropriations for certain fortifications.

For fort Adams, at Brenton's Point, one hundred thousand dollars.

Fort Adams.

For fort Hamilton, at New Utrecht [Utrecht] Point, seventy-five thousand dollars.

Fort Hamilton.

For fort Monroe, at Old Point Comfort, one hundred and fifteen thousand dollars.

Fort Monroe.

For fort Calhoun, at the Rip Rap Shoal, eighty thousand dollars.

Fort Calhoun.

For the fort at Bogue Point, North Carolina, twenty-five thousand dollars.

Fort at Bogue point.

For the fort at Oak Island, North Carolina, thirty thousand dollars.

Oak island.

For the fort at Mobile Point, ninety thousand dollars.

Mobile Point.

For the fort at Chef Menteur, eighty-five thousand dollars.

Chef Menteur.

For fort Jackson, at Plaquemine Bend, ninety thousand dollars.

Fort Jackson.

For the fort to be commenced at Bayou Bienvenu, Louisiana, ninety thousand dollars.

Fort at Bayou Bienvenu.

For repairs and contingencies, fifteen thousand dollars.

Repairs, &c.

For repair of fort Constitution, in Portsmouth Harbour, two thousand five hundred dollars.

Fort Constitution.

For the purchase of land, and the right of way on Throg's Point, in Long Island Sound, seventeen thousand dollars.

For the purchase of land, &c., on Throg's point.

SEC. 2. *And be it further enacted*, That the said sums shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 14, 1826.

STATUTE I.

CHAP. XV.—*An Act to authorize the legislature of the state of Mississippi to appropriate the amount of the three per cent. fund, arising from the sales of public lands.*

March 14, 1826.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That three fifths of the five

Three fifths of the five per

cent. fund, arising from the sale of public lands, to the making of roads and canals, &c.

per cent. fund, arising from the net proceeds of the sales of public lands, within the state of Mississippi, may be appropriated by the legislature thereof, to the making of public roads and canals, and to the improvement of the navigation of rivers and bays, within said state.

APPROVED, March 14, 1826.

STATUTE I.

March 25, 1826.

[Obsolete.]

Specific appropriations for the Indian department.

Superintendent of Indian affairs, &c.

Sub-agents, &c.

Presents to Indians, &c.

Contingent expenses.

Money to be paid from the treasury.

Proviso.

Proviso.

CHAP. XVI.—*An Act making appropriations for the Indian department, for the year one thousand eight hundred and twenty-six.*

*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 wit :

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as established by law, twenty-nine thousand five hundred dollars.

For the pay of sub-agents, as established by law, thirteen thousand five hundred dollars.

For presents to Indians, as authorized by act of one thousand eight hundred and two, fifteen thousand dollars.

For the contingent expenses, ninety-five thousand dollars.

SEC. 2. *And be it further enacted,* That the several sums hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however,* That no money appropriated by this act shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for and paid into the treasury all sums for which he may be liable: *Provided also,* That nothing in this section contained shall be construed to extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service; but in all cases where the pay or salary of any person is withheld in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury Department, the balance due, and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, March 25, 1826.

STATUTE I.

March 25, 1826.

[Obsolete.]

Specific appropriation for the year 1826.

Army, &c. and military academy.

Subsistence.

Forage for officers.

Recruiting service.

Contingent expenses.

CHAP. XVII.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-six.*

*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, respectively appropriated, for the military service of the United States, for the year one thousand eight hundred and twenty-six, to wit :

For pay of the army, and subsistence of officers, including the military academy, nine hundred and ninety-four thousand four hundred and seven dollars and seventy-five cents.

For subsistence, two hundred and eighty-nine thousand one hundred dollars.

For forage for officers, thirty-five thousand five hundred and twenty dollars.

For the recruiting service, in addition to an unexpended balance, on the thirty first of December, one thousand eight hundred and twenty-five, of six thousand seven hundred and sixty-nine dollars, twelve thousand one hundred and forty-five dollars.

For the contingent expenses of the recruiting service, in addition to an unexpended balance on thirty-first day of December, one thousand

eight hundred and twenty-five, of seven thousand dollars, two thousand four hundred and fifty-seven dollars.

For the purchasing department, in addition to materials on hand, of sixty thousand dollars, two hundred and two thousand two hundred and fifty-one dollars and nineteen cents.

Purchasing department.

For one thousand complete suits of extra clothing to be put in depot, and for one additional pair of shoes to be allowed for each enlisted soldier per annum, fifty-one thousand five hundred and two dollars and forty-five cents.

Extra clothing, &c.

For the purchase of woollens, during the year one thousand eight hundred and twenty-six, in advance for the year one thousand eight hundred and twenty-seven, twenty thousand dollars.

Purchase of woollens.

For medical and hospital department, twenty-five thousand and seventy-seven dollars.

Medical and hospital department.

For the quartermaster general's department, two hundred and eighty-four thousand seven hundred and six dollars and sixty-seven cents.

Quartermaster general's department.

For quartermaster's supplies, transportation, stationery, outstanding debts, repairs, chairs for examinations, grates, and lightning rods, for the military academy at West Point, fifteen thousand and five hundred and forty-two dollars and seventy-four cents.

Quartermaster's supplies, &c.

For articles required for the mathematical, drawing, chemical, and mineralogical departments, additions to the library, paving, barracks, parade, conduit for supplying water, and for new quarters, as recommended by the board of visitors for the military academy at West Point, nineteen thousand one hundred and eighty-seven dollars and seventy-five cents.

Mathematical instruments, &c.

For the contingencies of the army, ten thousand dollars.

Contingencies.

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

Armories.

For the current expenses of the ordnance service, sixty-five thousand dollars.

Ordnance service.

For arsenals, twenty-seven thousand seven hundred dollars.

Arsenals.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, fifteen thousand dollars.

Arrearages.

For arrearages from the first of July, one thousand eight hundred and fifteen, to the first of January, one thousand eight hundred and seventeen, three thousand dollars.

Arrearages from July 1, 1815.

For building an arsenal at Vergennes, Vermont, fifteen thousand dollars.

Building an arsenal, &c.

For completing the repair of Plymouth beach, thirteen thousand one hundred and eighty-four dollars and ninety cents.

Repair of Plymouth beach.

For the continuation of the Cumberland road, one hundred and ten thousand dollars, which shall be replaced out of the fund reserved for laying out, and making roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, Illinois, and Missouri, into the Union, on equal footing with the original States.

Continuation of the Cumberland road.

For repairs made on the Cumberland road during the year one thousand eight hundred and twenty-five, seven hundred and forty-nine dollars.

Repairs on the Cumberland road.

For completing the works for deepening the channel of entrance into the harbour of Presque Isle, seven thousand dollars.

Harbour of Presque Isle.

For the defraying the expenses incidental to making examinations, surveys, preparatory to, and in aid of, the formation of roads and canals, fifty thousand dollars.

Surveys, &c., of roads and canals.

For the armament of new fortifications, one hundred thousand dollars.

Armament of new fortifications.

Sec. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Pro-*

To be paid from the treasury.

Proviso.

Proviso.

*vided, also,* That nothing in this section shall be construed to extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service; but in all cases where the salary or pay of any person is withheld in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury Department the balance due, and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, March 25, 1826.

STATUTE I.

March 31, 1826.

CHAP. XVIII.—*An Act to confirm the supplementary report of the commissioners of the western district of Louisiana.*

[Obsolete.]

Certain claims described in the supplementary report of the commissioners of the western district of Louisiana, confirmed,

1816, ch. 159.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the claims marked B, described in the supplementary report of the commissioners of the western district of the state of Louisiana, dated the 11th of May, one thousand eight hundred and fifteen, and recommended by them for confirmation, be, and the same are hereby, confirmed in the same manner, and under the same restrictions, as the report, to which this was supplementary, was confirmed, by the act of the twenty-ninth of April, one thousand eight hundred and sixteen.

APPROVED, March 31, 1826.

STATUTE I.

April 5, 1826.

CHAP. XXI.—*An Act to provide for the employment of an additional naval force.*

[Obsolete.]

Sums respectively appropriated for the navy, for 1826.

*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, respectively appropriated, for defraying the expenses of the navy for the year one thousand eight hundred and twenty-six, in addition to the sums heretofore appropriated by law for that object, that is to say:

Pay and subsistence of petty officers and seamen, &c.

Provisions.

For pay and subsistence of petty officers, and for pay of seamen, other than those at navy yards, shore stations, and in ordinary, sixty-six thousand eight hundred and ninety-seven dollars.

For provisions, forty-three thousand eight hundred and sixty-eight dollars.

Medicines, &c.

For medicines and hospital stores, four thousand dollars.

Repairs, &c. of vessels.

For repairs, and wear and tear of vessels, ninety thousand dollars.

To be paid from the treasury.

Proviso.

SEC. 2. *And be it further enacted,* That the several appropriations hereby made, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however,* That no money appropriated, by this act, shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, further,* That nothing in this section contained shall extend to balances arising solely from the depreciation of treasury notes received by such person to be expended in the public service, but in all cases where the pay or salary of any person is withheld in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report forthwith, to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, April 5, 1826.

Proviso.

CHAP. XXII.—*An Act to extend the land districts in the territory of Arkansas.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all that tract of country in the territory of Arkansas, lying north of the base line, and west of the Lawrence land district, be, and the same is hereby, attached to, and made a part of, said land district; and all that part of the territory of Arkansas lying south of the base line, and west of the Arkansas land district, be, and the same is hereby, attached to, and made a part of, the Arkansas land district: (a) *Provided,* That nothing in this act contained shall be construed as authorizing a survey or interference of any kind whatever upon any lands, the right whereof is in any Indian tribe.

APPROVED, April 5, 1826.

STATUTE I.

April 5, 1826.

Tract of country attached to the land district in Arkansas.

Proviso.

STATUTE I.

April 5, 1826.

CHAP. XXIII.—*An Act for altering the time of holding one term of the district court for the western district of Pennsylvania.* (b)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the term of the district court of the western district of Pennsylvania, now directed to be held at Pittsburg, in the county of Alleghany, on the second Monday of October, shall hereafter be held at the same place, on the third Monday of October, in each year thereafter.

SEC. 2. *And be it further enacted,* That all actions, suits, processes, pleadings, and other proceedings, commenced and pending in the said district court, shall have day, be heard, and determined, on the said third Monday of October, in the same manner as they would have been, on the second Monday of October, if the act had not passed.

APPROVED, April 5, 1826.

Term of court held in Pittsburg altered.

All actions, suits, &c., to remain the same as if no change had taken place.

STATUTE I.

April 14, 1826.

CHAP. XXV.—*An Act to authorize the state of Pennsylvania to lay out and make a canal through the United States' public ground, near the city of Pittsburg.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the consent of Congress is hereby given to the state of Pennsylvania, to lay out and make a canal through the United States' public ground at the village of Lawrenceville, near the city of Pittsburg: *Provided,* That, in laying out and making said canal, the said state, the engineers, artisans, or labourers, by her employed, shall not interfere with, or injure, any of the buildings, improvements, or other works, erected, or that may hereafter be erected by, or for the use of, the United States.

SEC. 2. *And be it further enacted,* That, as a condition on which the assent of Congress is given, wherever said canal shall cross any public or private road, or highway, in said public ground, the state of Pennsylvania shall cause bridges to be erected fit for the passage of carts and wagons; and forever thereafter keep and maintain the said bridges passable and in good repair, without receiving any toll or tolls, or any other compensation whatever.

APPROVED, April 14, 1826.

Consent of Congress given to lay out and make a canal through the United States' public ground.  
Proviso.

Bridges to be erected and kept in repair fit for the passage of carts and wagons.

(a) Act of Feb. 17, 1818, ch. 12. Act of March 17, 1820, ch. 26.  
(b) See notes to the act of May 15, 1820, ch. 111.

## STATUTE I.

April 20, 1826.

CHAP. XXVI.—*An Act to equalize the duties on vessels of the Republic of Columbia [Columbia] and their cargoes.*(a)

Duties imposed on vessels of Columbia, &c., to be the same as those payable on vessels of the United States, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That no other or higher rate of duties shall be imposed or collected on vessels of the Republic of Columbia [Columbia,] and their cargoes, consisting of articles of the growth, produce, or manufacture of said republic, than are, or may be, payable on vessels of the United States with cargoes composed as aforesaid.

Secretary of the treasury to return all duties assessed since Jan. 29, 1826, on vessels of Columbia, and their cargoes being the growth, &c., of said republic.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to return all duties which have been assessed since the twenty-ninth January, eighteen hundred and twenty-six, on vessels of the Republic of Columbia [Columbia,] and their cargoes composed of articles of the growth, produce or manufacture of the said republic, beyond the amount which would have been payable on vessels of the United States and cargoes, composed as aforesaid, imported therein; and that the same allowances of drawback on exportations, in vessels of the Republic of Columbia, [Columbia,] be made as on the like exportations, in vessels of the United States.

This act to continue in force during the time that the equality for which it provides be reciprocated in the ports of Columbia, &c.

SEC. 3. *And be it further enacted,* That this act shall continue and be in force during the time that the equality for which it provides shall, in all respects, be reciprocated in the ports of the Republic of Columbia [Columbia,] and if, at any time hereafter, the said equality shall not be reciprocated in the ports of the said republic, the President may, and he is hereby authorized to, issue his proclamation, declaring that fact, whereupon this act shall cease and determine.

APPROVED, April 20, 1826.

## STATUTE I.

April 20, 1826.

CHAP. XXVII.—*An Act appropriating a sum of money for the repair of the post-roads between Jackson and Columbus in the state of Mississippi.*

Appropriation for the repair of the post-road between Jackson and Columbus, Miss.

*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, for the repair of the post-road in the Indian country, between Jackson and Columbus, in the state of Mississippi, to be expended under the direction of the Postmaster General; and that the said sum of money be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 20, 1826.

## STATUTE I.

April 22, 1826.

CHAP. XXVIII.—*An Act giving the right of pre-emption, in the purchase of lands, to certain settlers in the states of Alabama, Mississippi, and territory of Florida.*(b)

Any person, &c., who, on or before Jan. 1, 1825, cultivated, &c. a tract of land in Florida, &c., shall be entitled to the pre-emption in the purchase thereof, under the act of Feb. 5, 1813, ch. 20.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That every person, or the legal representatives of any person, who, being either the head of a family, or twenty-one years of age, did, on or before the first day of January, in the year one thousand eight hundred and twenty-five, actually inhabit and cultivate a tract of land situated in the territory of Florida, which tract is not rightfully claimed by any other person, and who shall not have removed from the said territory, shall be entitled to the right of pre-emption in the purchase thereof, under the same terms, restrictions, conditions, provisions and regulations, in every respect, as are directed by the

(a) See notes to the act of January 7, 1824, ch. 4, for notes of the act relating to discriminating duties.

(b) See notes to the act of May 8, 1822, ch. 129.



act, entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the Illinois territory," passed February the fifth, one thousand eight hundred and thirteen: *Provided*, That no person shall be entitled to the provisions of this section, who claims any tract of land in said territory, by virtue of a confirmation of the commissioners, or by virtue of any act of Congress.

Act of Feb. 5, 1813, ch. 20.

Proviso.

SEC. 2. *And be it further enacted*, That any person, or the legal representatives of any person, entitled to a preference in becoming the purchaser of a tract of land at private sale, according to the provisions of this act, who is settled on a fractional quarter section, shall have the privilege of purchasing an adjoining quarter section, or the fractional quarter section, improved by them, at their option.

Any person, &c., settled on a fractional quarter section, to have the privilege of purchasing an adjoining one.

Where two or more persons have the right or pre-emption.

SEC. 3. *And be it further enacted*, That, in cases where two or more persons entitled to the right of pre-emption shall be settled on one quarter, or fractional quarter section of land, they shall be authorized to purchase one or more quarter sections, which, with the quarter section, or fractional quarter upon which such persons are settled, shall be equally divided between them, in such manner as the register and receiver shall direct, so as to secure, as far as may be practicable, to each person, their improvements, respectively: *Provided*, That in no instance shall any person be entitled to a preference in the purchase for more than one quarter section of land, in addition to his portion of the fractional quarter section on which he is settled.

Proviso.

SEC. 4. *And be it further enacted*, That any person, or persons, who have settled on and improved any of the lands in the said territory, reserved for the use of schools, and who would have had the right of pre-emption thereto by this law, had not the same been so reserved, shall have the right of pre-emption under the same terms and conditions, and subject to the same restrictions, provided for in other cases of a right of pre-emption in said territory to a quarter section of unappropriated lands in the same township, and as near adjacent as lands of like quantity can be obtained.

Any person settled on, &c., any of the school lands, shall have the right of pre-emption, &c.

SEC. 5. *And be it further enacted*, That every person, or his or her legal representative, comprised in the list of actual settlers, reported to the commissioner of the general land office, by the register and receiver for the district of Jackson Courthouse, in the state of Mississippi, under the authority of an act of Congress, entitled "An act for adjusting the claims to land, and establishing land offices in the districts east of the Island of New Orleans," approved the third day of March, one thousand eight hundred and nineteen, not having any written evidence of claim to land, in said district, and who, on the third day of March, one thousand eight hundred and nineteen, did actually inhabit and cultivate a tract of land in said district, not claimed by virtue of any written evidence of claim, legally derived from either the French, British, or Spanish governments, or granted as a donation by virtue of any act of Congress heretofore passed, shall be entitled to a right of preference, on becoming the purchaser from the United States of such tract of land, at the same price for which other public lands are sold at private sale: *Provided*, That such tract of land shall not contain more than one hundred and sixty acres, to be located by sectional lines, and that the same shall be duly entered with the register of the proper office, within the term of two years, or before, if the same shall be offered at public sale: *And provided also*, Where any person is settled on, and has improved any school lands in said district, he, she or they, shall be governed by the provisions of the fourth section of this act.

Right of pre-emption, &c., to certain persons.

Act of March 3, 1819, ch. 99.

Proviso.

Proviso.

APPROVED, April 22, 1826.

## STATUTE I.

April 22, 1826.

CHAP. XXIX.—An Act to confirm the reports of the commissioners for ascertaining claims and titles to lands in West Florida, and for other purposes. (a)

Decisions made by the commissioners appointed to ascertain claims, &c., to lands in West Florida, confirmed.

Reports recognised as valid, &c.

Act of March 3, 1825, ch. 83.

The Spanish claims contained in special reports, act of May 8, 1822, ch. 129, confirmed.

Claims to lots in report, &c., with the exception, confirmed, &c.

Claims contained in the report of the register, &c., confirmed.

Location of the claim of Francisco and Fernando Moreno.

Claims to lands in report L. with the exception of that on the square Ferdinand seventh, confirmed, &c.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the decisions made by the commissioners, appointed to ascertain claims and titles to lands in the district of West Florida, made in favour of claimants to lands and lots in said district, contained in the reports, opinions, and abstracts, of the commissioners, which have been transmitted to the Secretary of the Treasury, according to law, be, and the same are hereby, confirmed.

SEC. 2. *And be it further enacted,* That all the reports, abstracts, and opinions, made and forwarded by the two commissioners in said district, subsequently to the first day of January, eighteen hundred and twenty-five, the period at which that board expired by law, be, and the same are hereby, recognised as valid, and confirmed as aforesaid; and the said commissioners, and their secretary, shall be entitled to receive the same compensation as they were authorized to demand by law, prior to that day, up to the time at which the receiver and register took possession of their records, in obedience to an act of the third day of March, eighteen hundred and twenty-five, entitled "An act to extend the time for the settlement of private land claims, in the territory of Florida," &c.

SEC. 3. *And be it further enacted,* That the Spanish claims contained in special reports, from one to thirty, reported in obedience to the fourth section of an act of Congress, approved May eighth, eighteen hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands in the territory of Florida," be, and the same are hereby, confirmed to the claimants in possession.

SEC. 4. *And be it further enacted,* That the claims to lots in report and abstract K, recommended for confirmation as equitable titles, with the exception of the last ten, be, and the same are hereby, declared valid and confirmed, and the claim of the Catholic inhabitants to a lot on which the church stands, be, and the same is hereby, confirmed to them for that use, so long as it is occupied for that purpose.

SEC. 5. *And be it further enacted,* That the claims contained in the report of the receiver and register, made to the Secretary of the Treasury, in obedience to a law of the last session of Congress, dated the thirteenth day of July, eighteen hundred and twenty-five, be, and the same are hereby, confirmed.

SEC. 6. *And be it further enacted,* That the claim of Francisco and Fernando Moreno, near fort San Carlos de Barancas, shall be so located as not to interfere with the grounds reserved by the laws and ordinances of the Spanish government, for forts, nor with that which has been lately selected for a navy yard and naval depot, by the navy commissioners, and approved by the President of the United States.

SEC. 7. *And be it further enacted,* That the claims to lots in report L, with the exception of that on the square Ferdinand Seventh, be, and the same are hereby, approved and confirmed, so far as the United States have any title to the same, without prejudice to the rights of the corporation: and the lots reserved for market house and other public uses, in the plan of the Constitutional Cabildo, are relinquished and confirmed to the corporation of Pensacola; and the lots reserved and granted for church, parish, vicar, school, and custom-house, are respectively set apart and confirmed, for the objects set forth in the decrees of said Cabildo, so far as the United States have any title to the same, without prejudice, as aforesaid: *Provided,* That no claim on the public squares of Seville, Ferdinand Seventh, and the square and garden on which the court-house stands, as laid off in said plan of the Cabildo, shall be allowed or

(a) See notes to the act of May 8, 1822, ch. 129.

recognised as valid, by this act; and *Provided also*, That the confirmation of all the said claims provided for by this act, shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tract of land, so confirmed or granted.

SEC. 8. *And be it further enacted*, That the lands fronting Pensacola Bay, from the mouth of the Big Bayou, to a line below Tartar Point, and thence back to the Bayou, selected by the navy commissioners, and all the lands fronting said bay, and for one mile back, as far as the Grand Lagoon, shall be reserved from sale or location, for the use of the navy yard or depot, and for other public works of the United States.

SEC. 9. *And be it further enacted*, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized to receive and adjust the accounts of the commissioners appointed to ascertain claims and titles to lands in East and West Florida, for the contingent expenses of said commissioners, and to pay the same out of any money in the treasury not otherwise appropriated.

APPROVED, April 22, 1826.

Proviso—As to certain claims.

Confirmation of all claims to amount, &c.

Lands fronting Pensacola bay, &c., be reserved from sale for the use of the United States.

Accounts of the commissioners of East and West Florida.

STATUTE I.

CHAP. XXX.—*An Act to exempt the professors, tutors, stewards, and students of the different seminaries of learning in the District of Columbia, from militia duty.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the president, professors, tutors, stewards, and students of the different seminaries of learning in the District of Columbia be, and they hereby are, declared to be exempt from the performance of militia duty, except in case of war.

APPROVED, May 4, 1826.

May 4, 1826.

Presidents, professors, &c., exempt from militia duty, except in case of war.

STATUTE I.

CHAP. XXXI.—*An Act to authorize the President of the United States to run and mark a line dividing the territory of Florida from the state of Georgia.*

*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 of America be, and he is hereby, authorized, in conjunction with the constituted authorities of the state of Georgia, to cause to be run and distinctly marked the line dividing the territory of Florida, from the state of Georgia, from the junction of the rivers Chatahoochie and Flint, to the head of St. Mary's river: and for that purpose he is hereby authorized to appoint a commissioner, or surveyor, or both, as in his opinion may be necessary: *Provided*, That the line so to be run and marked, shall be run straight from the junction of said rivers Chatahoochie and Flint, to the point designated as the head of St. Mary's river, by the commissioners appointed under the third article of the treaty of friendship, limits, and navigation, between the United States of America and the King of Spain, made at San. Lorenzo el Real, on the seven and twentieth day of October, one thousand seven hundred and ninety-five: *And provided, also*, That the compensation to be allowed to the person or persons, so to be appointed by the President of the United States, shall not exceed in amount the compensation allowed by the government of Georgia to the person or persons appointed on its part, for the same object.

SEC. 2. *And be it further enacted*, That the person or persons, so to be appointed by the President of the United States, with such as have been or shall be appointed for the same purpose, on the part of the state of Georgia, after they, in conjunction, shall have run and distinctly marked said line, shall make two fair drafts, or maps thereof, both of

May 4, 1826.

The President of the United States to cause to be run and marked, the line dividing the territory of Florida from the state of Georgia.

A commissioner to be appointed.

Proviso.

Compensation.

Two fair drafts or maps to be made and certified, &c.

which shall be certified by them, and one of which shall be deposited in the office of the Secretary of State for the United States, and the other delivered to the governor of Georgia.

Appropriation.

SEC. 3. *And be it further enacted*, That, for the purpose of carrying this act into execution, the sum of five thousand dollars be, and hereby is, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 4, 1826.

STATUTE I.

May 4, 1826.

CHAP. XXXII.—*An Act to extend the lines of certain land districts in the state of Missouri.*

Boundaries of the districts.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the western boundary of the land district of Cape Girardeau, and of the western district in the state of Missouri, be and the same is hereby, extended to the western boundary of the state of Missouri.

APPROVED, May 4, 1826.

STATUTE I.

May 4, 1826.

CHAP. XXXIII.—*An Act making appropriations for carrying into effect the appointment of a Mission at the Congress of Panama.*

[Obsolete.]

Sums appropriated for carrying into effect the appointment of a mission to Panama, viz.

*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 carrying into effect the appointment of a mission at the Congress of Panama; that is to say:

For the outfits of two envoys extraordinary and ministers plenipotentiary, eighteen thousand dollars.

For the salaries for the same at the rate of nine thousand dollars per year, eighteen thousand dollars: *Provided*, That it shall not be lawful to pay to either of the said envoys more than nine thousand dollars for his salary in any one year, in the capacity of public minister abroad.

For the secretary of the mission at Panama, at the rate of two thousand dollars per annum, two thousand dollars.

For the contingent expenses of the said mission, two thousand dollars.

APPROVED, May 4, 1826.

For the secretary to said mission.  
For contingent expenses.

STATUTE I.

May 4, 1826.

CHAP. XXXIV.—*An Act making further provision for the extinguishment of the debt due to the United States, by the purchasers of public lands.*

The provisions of the act of May 18, 1824, ch. 88, and the act explanatory thereof, May 26, 1824, ch. 176, revived and continued in force until July 4, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the provisions of the act, entitled "An act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May the eighteenth, one thousand eight hundred and twenty-four, and the provisions of the act, entitled "An act explanatory of an act entitled an act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May the twenty-sixth, one thousand eight hundred and twenty-four, be, and the same are hereby, severally revived and continued in force, in all respects whatsoever, until the fourth day of July, one thousand eight hundred and twenty-seven.

Lands forfeited under the acts of March 2, 1821, ch. 12, April 20, 1822, ch. 30, and May 10, 1800, ch. 55, sec. 5, may be redeemed.

SEC. 2. *And be it further enacted*, That the legal holder of any certificate of lands purchased from the United States, which land has reverted by virtue of the provisions of the act of the second of March, eighteen hundred and twenty-one, or the several acts supplementary thereto; or which, by virtue of the fifth section of the act of tenth of May, one thousand eight hundred, is subject to be sold for the balance due thereon

with interest, or which, under the provisions of the said act, has become forfeited to the United States, since the first day of July, eighteen hundred and twenty, and which has not been sold, shall be permitted to redeem the same at any time previous to the first day of May, one thousand eight hundred and twenty-seven, on paying the amount of the purchase money due, exclusive of interest, with a deduction of thirty-seven and a half per cent.

SEC. 3. *And be it further enacted*, That if the legal holder of any certificate of further credit extended to purchasers of public lands by the act of the second of March, eighteen hundred and twenty-one, entitled "An act for the relief of the purchasers of public lands, prior to the first day of July, eighteen hundred and twenty," shall, previous to the fourth day of July, eighteen hundred and twenty-seven, discharge the amount due on such certificate, by relinquishment, or payment, or both, such holder shall be entitled to a remission of all interest due thereon at the day of such discharge, together with a deduction of thirty-seven and a half per cent. on the amount actually paid in cash.

APPROVED, May 4, 1826.

If the legal holder of any certificate shall, prior to July 1, 1827, discharge the amount due thereon, he is entitled to a remission of interest due at the day of such discharge, &c. 1821, ch. 12.

STATUTE I.

May 4, 1826.

CHAP. XXXV.—*An Act supplementary to the several acts for ascertaining titles and claims to lands in the St. Helena and Jackson Courthouse land districts.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the claims to land contained in abstracts A, B, and E, of the report of the register and receiver of the land district of St. Helena Courthouse, reported to the Secretary of the Treasury, under date of the nineteenth January, one thousand eight hundred and twenty-five, in obedience to an act of Congress of the twenty-sixth of May, one thousand eight hundred and twenty-four, and the claims embraced in the supplemental report of the register and receiver, under date of the fifth of December, one thousand eight hundred and twenty-five, and which are recommended for confirmation, be, and the same are hereby, confirmed, so far as they may come within the provisions of, and be conformable to, the principles, limitations, and restrictions of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to land, and establishing land offices in the districts east of the Island of New Orleans."

SEC. 2. *And be it further enacted*, That the register and receiver of said district shall possess the same powers and perform the same duties in relation to the claims confirmed by this act, as are given to and required of them by the act of Congress, of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims and titles to lands, and establishing land offices in the district east of the Island of New Orleans:" *Provided*, That nothing contained in this act shall be so construed as to extend further than a relinquishment of all right and title to said lands, on the part of the United States, without prejudice to the interests of third persons.

SEC. 3. *And be it further enacted*, That the register and receiver, and clerk of said land office, at St. Helena, shall continue to have and receive, for the term of twelve months from the passing of this act, the same salary for the performance of the duties required of them by this act, and the acts to which this is a supplement, as is now allowed by law, which shall be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, May 4, 1826.

Act of April 12, 1814, ch. 52. Claims to land in land district of St. Helena Courthouse, of Jan. 19, 1825, &c., confirmed. Act of May 26, 1824, ch. 175.

Act of March 3, 1819, ch. 99.

Register and receiver of said district to possess the same powers as are given them by the act of Congress, of May 8, 1822, ch. 128. *Proviso.*

Register, receiver, &c., to receive the same salary as is now allowed by law.

## STATUTE I.

May 4, 1826.

[Obsolete.]

On application of a consul or vice consul of France, made in writing, stating that the person therein named has deserted from a public or private vessel of France while in any port of the United States, he shall be delivered up.

Proviso.

Act to be in force so long as the convention of June 24, 1822, be obligatory.

CHAP. XXXVI.—*An Act to provide for the apprehension and delivery of deserters from French ships in the ports of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, on the application of a consul or vice consul of France, made in writing, stating that the person therein named has deserted from a public or private vessel of France, while in any port of the United States, and on proof, by the exhibition of the register of the vessel, ship's roll, or other official document, that the person named belonged, at the time of desertion, to the crew of said vessel, it shall be the duty of any court, judge, justice, or other magistrate, having competent power to issue warrants, to cause the said person to be arrested for examination; and if, on the examination, the facts stated are found to be true, the person arrested, not being a citizen of the United States, shall be delivered up to the consul or vice consul, to be sent back to the dominions of France; or, on the request, and at the expense of the said consul or vice consul, shall be detained, until the consul or vice consul finds an opportunity to send him back to the dominions of France: *Provided nevertheless,* That no person shall be detained more than three months after his arrest, but at the end of that time shall be set at liberty, and shall not be again molested, for the same cause.

SEC. 2. *And be it further enacted,* That this act shall continue in force, so long as the convention of the twenty-fourth of June, eighteen hundred and twenty-two, between the United States and France, shall be mutually obligatory on the parties to it, and no longer.

APPROVED, May 4, 1826.

## STATUTE I.

May 4, 1826.

After the year 1826, the session of the Supreme Court, changed.

Courts to be held on the second Monday in January.

Sessions of the sixth circuit court of the United States for Georgia district, and the sixth circuit court for South Carolina district, changed.

CHAP. XXXVII.—*An Act for altering the time of holding the session of the Supreme Court of the United States, and of the sessions of the circuit courts of the United States, for the districts of Georgia and South Carolina. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from and after the year one thousand eight hundred and twenty-six, the session of the Supreme Court, heretofore held on the first Monday of February annually, shall, instead thereof, be held on the second Monday of January annually; and all actions, suits, appeals, recognisances, processes, writs, and proceedings whatever, pending, or which may be pending in said court, or returnable thereto, shall have day therein, and be heard, tried, proceeded with, and decided, in like manner as if the time of holding said session had not been altered. (b)

SEC. 2. *And be it further enacted,* That the sixth circuit court of the United States, for the district of Georgia, which is by law appointed to be holden on the fourteenth day of December, annually, shall hereafter be holden on the fourth Monday in November annually; and that the sixth circuit court of the United States, for the district of South Carolina, which is by law appointed to be holden on the fourth Tuesday of November, annually, shall hereafter be holden on the second Monday in December annually; and all that process which shall have been issued, and all recognisances returnable, and all suits and other proceedings

(a) See notes to the act of May 25, 1824, ch. 145, as to the sessions of the circuit courts in the districts of Georgia and South Carolina.

(b) By "An act concerning the Supreme Court," act of June 17, 1814, ch. 96, the sessions of the Supreme Court are directed to commence on the first Monday in December in each year. The justices of the Supreme Court are required to attend one term of the circuit court in each year, to be designated by the justice of the Supreme Court, assigned to any circuit. The justice of the Supreme Court may, at his discretion, attend any other terms of the circuit court, whenever, in his opinion, the public interest or special exigencies may require.

which have been continued to the said courts respectively, on the days heretofore provided by law for their meeting, shall be returned, and held continued to the said courts, at the times herein provided for the meeting of the said courts respectively.

APPROVED, May 4, 1826.

STATUTE I.

May 13, 1826.

CHAP. XXXVIII.—*An Act to alter the times of holding the circuit courts of the United States for the district of New York, and the April term of the circuit court for the district of Connecticut.*(a)

*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 July next, the circuit courts of the United States for the district of New York shall commence and be held at the City Hall of the city of New York, on the last Mondays in May and October, instead of the times heretofore established by law. And the circuit court of the United States for the district of Connecticut, holden at New Haven, shall be held on the last Wednesday in April, instead of the time heretofore established by law.

SEC. 2. *And be it further enacted,* That all indictments, informations, suits, or actions, and proceedings of every kind, whether of a civil or criminal nature, pending in the said courts, respectively, on the first day of July next, shall thereafter have day in court, and be proceeded in, heard, tried, and determined, on the days herein appointed, for holding the said courts, respectively, in the same manner as they might and ought to have been done, had the said courts been holden respectively on the days heretofore directed by law.

SEC. 3. *And be it further enacted,* That all writs, suits, actions, or recognisances, or other proceedings, which are or shall be instituted, served, commenced, had, or taken to the said circuit courts, or either of them, to have been holden as heretofore directed by law, shall be returnable to, entered in, heard, tried, and have day in court, in each of the said courts, respectively, to be holden at the times by this act directed, in the same manner as might and ought to have been done, had the said courts been holden at the times heretofore directed by law.

APPROVED, May 13, 1826.

Act of April 3, 1818, ch. 32.

Act of May 22, 1826, ch. 150.

Times of holding the circuit courts for the district of New York and Connecticut, changed.

All indictments &c., to remain as if no change had taken place.

All writs, &c., to be proceeded with as before.

STATUTE I.

May 13, 1826.

CHAP. XXXIX.—*An Act authorizing the payment of interest due to the state of Maryland.*

*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, and they are hereby, authorized and directed to liquidate and settle the claim of the state of Maryland against the United States, for interest upon loans on moneys borrowed, and actually expended by her, for the use and benefit of the United States, during the late war with Great Britain.

SEC. 2. *And be it further enacted,* That, in ascertaining the amount of interest as aforesaid, due to the state of Maryland, the following rules shall be understood as applicable to, and governing the case, to wit: First, that interest shall not be computed on any sum which Maryland has not expended for the use and benefit of the United States, as evidenced by the amount refunded or repaid to Maryland, by the United States; Second, that no interest shall be paid on any sum on which she has not paid interest; Third, that, when the principal, or any part of it, has been paid, or refunded by the United States, or money placed in the hands of Maryland, for that purpose, the interest on the sum or sums so paid or refunded,

[Obsolete.] Accounting officers of the treasury directed to liquidate the claim of the state of Maryland against the United States.

Rules to govern the case.

(a) See notes to the act of April 3, 1818, ch. 32.

shall cease, and not be considered as chargeable to the United States, any longer than up to the time of the repayment, as aforesaid.

To be paid  
from the treas-  
ury.

SEC. 3. *And be it further enacted*, That the amount of the interest, when ascertained, as aforesaid, shall be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, May 13, 1826.

STATUTE I.

May 13, 1826.

CHAP. XL.—*An Act to authorize a subscription for stock, on the part of the United States, in the Louisville and Portland Canal Company.*

Secretary of  
the Treasury to  
subscribe for, in  
the name of the  
United States,  
1000 shares of  
the capital stock  
of the Louis-  
ville and Port-  
land Canal  
Company.  
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 Treasury be, and he hereby is, authorized and directed to subscribe for, or purchase, in the name, and for the use of the United States, not exceeding one thousand shares of the capital stock of the Louisville and Portland Canal Company, and to pay for the same, at such times, and in such proportions, as may be required of, and paid by other stockholders of said company, out of any money in the treasury not otherwise appropriated: *Provided*, Said shares can be procured for a sum not exceeding one hundred dollars each.

Secretary of  
the Treasury to  
vote for the  
president, &c.,  
of said compa-  
ny.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall vote for president and directors of said company, according to such number of shares, and shall receive, upon the said stock, the proportion of the tolls which shall, from time to time, be due to the United States, for the shares aforesaid.

APPROVED, May 13, 1826.

STATUTE I.

May 13, 1826.

[Obsolete.]

Compensation  
and mileage  
granted by law  
to the members  
of the Senate  
and House of  
Representatives,  
&c.

CHAP. XLI.—*An Act making further appropriations for compensation and mileage to the members of the Senate and House of Representatives.*

*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 fifty thousand dollars be, and the same is hereby, appropriated, for the compensation and mileage, granted by law to the members of the Senate and House of Representatives, and delegates of territories; and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 13, 1826.

STATUTE I.

May 13, 1826.

Act of May  
26, 1824, ch.  
195.

Tenements  
and lots of  
ground on  
which taxes,  
&c., remain un-  
paid, &c., to be  
sold.

Proviso.

CHAP. XLV.—*An Act further to amend the charter of the town of Alexandria.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That tenements and lots of ground within the town of Alexandria, on which taxes, assessments, or charges, remain due and unpaid, to the common council of the said town, for the space of two years, or shall hereafter remain due and unpaid, for that space of time, or so much of said lots as may be necessary, may be sold at public auction, for the payment of the taxes, assessments, or charges, which are, or shall be due thereon, with the expenses attending the sale: *Provided*, That, before any such sale be made, an affidavit of the collector of the district or ward, in which such lots lie, stating that no goods or chattels of the person or persons charged with the payment of such taxes, assessments, or charges, sufficient to satisfy the same, can be found within the corporation, shall be lodged with the clerk of the common council: *And provided*, That public notice of

Proviso.



the time and place of such sale, shall be given, by advertising in some newspaper published in the town of Alexandria, for at least six months, where the property is assessed to persons residing out of the United States; three months, where the property is assessed to persons residing within the United States, but without the District of Columbia: and six weeks, when the property is assessed to persons residing within the District of Columbia; in which notice shall be stated, the street or streets, on which such lots lie, the streets by which the square in which they lie is bounded: the name of the person or persons to whom they have been last assessed, on the books of the assessors, and the amount of the taxes, assessments, or charges, due thereon: *And provided, further,* That the purchaser or purchasers shall not be obliged to pay, at the time of such sale, more than the taxes, assessments, or charges due, and the expenses of sale; and that, if, within two years from the day of sale, the proprietor or proprietors of such lot, his, her, or their heirs, representatives or agents, shall repay to such purchaser, or to the mayor, the money paid for such taxes, assessments, or charges and expenses, as aforesaid, with ten per centum per annum, as interest thereon, or make a tender of the same, he or she shall be re-instated in his, her, or their original title; but if no such tender be made, within two years next after such sale, then the purchaser shall pay the balance of the purchase money of such lot or lots, into the treasury of the common council, where it shall remain, subject to the order of the proprietor or proprietors, or his or their legal representatives; and the purchaser, on the payment of the whole amount of the purchase money, shall receive a title to the said lot or lots, in fee simple, from the mayor, under his hand, and the seal of his office, which shall be deemed good and valid in law and equity.

SEC. 2. *And be it further enacted,* That the common council of Alexandria shall have power to provide for the establishment, maintenance, and superintendence of public schools, and for registering of births, marriages, and deaths, and shall have power to preserve the navigation of the Potomac river, within their jurisdiction; to erect, repair, and regulate public wharves, deepen docks and basins, and to limit the extension of private wharves, into the harbour; to authorize, with the approbation of the President of the United States, the drawing of lotteries, for effecting any important improvement in and to the town, which the ordinary funds and revenue thereof will not accomplish; to restrain and prohibit the drawing of other lotteries, the keeping of tippling houses, and all kinds of gaming; to provide for the licensing, taxing, and regulating auctions, theatrical and public shows and amusements, and venders of lottery tickets; to appoint gaugers of casks, inspectors of domestic spirits, measurers and inspectors of wood, lumber and bark, grain, coal, beef, pork, fish, butter, and lard; weighers of hay, fodder, and straw; and to regulate, by law, the inspection, measurement, and weighing of the articles aforesaid; to regulate party, and other walls and fences, and to determine by whom they shall be kept in repair; to direct in what part of the town buildings of wood shall not be erected, and to regulate the size of bricks to be made or used, and shall have power to restrain and prohibit the nightly, and other disorderly meeting of slaves, free negroes or mulattoes, and to punish such slaves, by whipping, not exceeding forty stripes, or, at the option of the owner of such slaves, by fine or confinement to labour, not exceeding three months for every one offence; and to punish such free negroes and mulattoes for such offences, by fixed penalties, not exceeding twenty dollars for one offence; and in case of the failure of such free negro or mulatto to pay and satisfy such penalty and costs, to cause such free negro or mulatto to be confined to labour for any time, not exceeding six months for any one offence; to cause and provide for the removal of all such paupers, vagrants, and other persons, as may not be legally entitled to residence within the said corporation; to punish, by

**Proviso:** The purchaser or purchasers shall not be obliged to pay, at the time of such sale, more than the taxes, assessments, or charges due, and expenses of sale.

**Power given to the common council of Alexandria.**

fine or penalty, any minor or apprentice, guilty of any breach of any law of the corporation, unless such fine or penalty, with the costs of prosecution, be paid by the parent, guardian, or master of such minor or apprentice, by confinement to labour for a limited time, not exceeding three months for any one offence.

Common council to have power to subscribe to the stock of the turnpike road, authorized by an act of the general assembly of Virginia, of Feb. 14, 1818.

SEC. 3. *And be it further enacted*, That the said common council shall have power to subscribe to the stock of the turnpike road, which is authorized to be made by an act of the general assembly of Virginia, passed the fourteenth day of February, one thousand eight hundred and eighty-two, entitled "An act incorporating a company to establish a turnpike road from Wiley's Tavern, in the county of Fairfax, to a point of intersection on the Little River turnpike road, or on the line of the District of Columbia," and to any turnpike road, or other public improvement, which has been, or may be, authorized by any act of Congress, leading to the town of Alexandria; and the said common council may lay any tax on the property in the said town, to promote any public improvement for the benefit of the said town, when, in the opinion of the said common council, it may be expedient, which said taxes may be collected as all other taxes are, or may be directed to be collected.

Part of the act of May 26, 1824, ch. 195, repealed.

SEC. 4. *And be it further enacted*, That so much of an act, passed the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act supplementary to the act to incorporate the inhabitants of the city of Washington, passed the fifteenth of May, one thousand eight hundred and twenty, and for other purposes," as relates to the town of Alexandria, be, and the same is hereby, repealed.

APPROVED, May 13, 1826.

#### STATUTE I.

May 15, 1826.

CHAP. XLVI.—*An Act to amend the several acts for the establishment of a territorial government in Florida. (a)*

Act of March 30, 1822, ch. 13.  
Act of May 26, 1824, ch. 163.  
Act of March 3, 1823, ch. 28.  
Superior courts of Florida, to exercise original jurisdiction in maritime causes, and equity, &c. &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the superior courts of the territory of Florida, within their respective districts, shall have and exercise original jurisdiction in all civil causes, in law and equity, whether arising under the laws of the said territory or otherwise, where the sum in controversy shall amount to one hundred dollars; and shall have original and exclusive cognisance of all civil causes of admiralty and maritime jurisdiction, including all seizures under laws of impost, navigation, or trade of the United States, whether such seizures be made on land or water, and of all suits for penalties and forfeitures incurred under the laws of the United States; and original, but not exclusive jurisdiction, of all suits in which the United States shall be a party, whatever may be the amount in controversy in such causes and suits; and shall have and exercise appellate jurisdiction, in all civil causes, originating in the inferior courts of said territory, whatever may be the amount in controversy; and shall have and exercise original and exclusive jurisdiction of all crimes and offences committed against the laws of the said territory, where the punishment shall be death; and original and appellate jurisdiction of all other crimes and offences committed against the laws of the said territory; and original and exclusive jurisdiction of all crimes and offences which shall be cognisable, under the authority of the United States, committed within the respective districts of the said superior courts, or upon the high seas.

Power given to the superior courts in term, and the judges

SEC. 2. *And be it further enacted*, That the said superior courts, and court of appeals, in term, and the judges thereof, in vacation, shall, respectively, have full power and authority, in all civil causes and criminal

(a) See notes to the act of March 30, 1822, ch. 13.

cases, to issue writs of habeas corpus, of error, of certiorari, of mandamus, of prohibition, of scire facias, and of quo warranto, according to the principles and rules of law.

SEC. 3. *And be it further enacted*, That the said superior courts, respectively, shall be held as occasion may require, to prevent a delay of justice, for the trial of causes of admiralty and maritime jurisdiction, and for the hearing of causes in equity, as often as the judges of the said courts, respectively, shall deem fit to appoint.

SEC. 4. *And be it further enacted*, That the said superior courts, respectively, shall have power, in cases where there has been a trial by jury, to grant new trials, as often as may be deemed necessary for the due administration of justice, for reasons for which new trials have usually been granted in the courts of law, and shall have power to administer all necessary oaths or affirmations, and to make and establish all necessary rules of practice and pleading, and for the orderly conducting of the business of the said courts: *Provided*, Such rules be not repugnant to the laws of the United States, or of the said territory.

SEC. 5. *And be it further enacted*, That writs of error and appeal shall lie, and may be taken on all final decisions of said superior courts, where the matter in dispute shall amount to the sum or value of one hundred dollars, exclusive of costs, to the court of appeals of said territory; in all civil causes of admiralty and maritime jurisdiction; in all causes of seizure, under the laws of impost, navigation, and trade, of the United States; in all suits for penalties and forfeitures incurred under the laws of the United States, and in all suits in which the United States shall be a party; in all civil causes, in law and equity, arising under the Constitution and laws of the United States, and treaties made, and which shall be made, under their authority; and in all civil cases affecting ambassadors, other public ministers and consuls; in controversies between citizens of two different states, and between aliens and citizens of the United States; in the same manner, and under the same regulations, as appeals are directed to be taken from a district to a circuit court of the United States. And writs of error and appeal shall lie, and may be taken from the final decisions of the said court of appeals, in all such cases, to the Supreme Court of the United States, in the same manner and under the same restrictions and regulations, as writs of error and appeals are directed to be taken from the circuit courts of the United States. And in all other cases, writs of error and appeal may be taken and prosecuted from said superior courts to the court of appeals, in such manner as the legislative council have directed, or shall direct.

SEC. 6. *And be it further enacted*, That the regulations prescribed by the nineteenth, twentieth, twenty-first, twenty-second, twenty-third, and twenty-fourth sections of the act of the twenty-fourth of September, seventeen hundred and eighty-nine, entitled "An act to establish the judicial courts of the United States," and by the act of the twelfth of December, seventeen hundred and ninety-four, entitled, "An act to amend and explain the twenty-second section of the act establishing the judicial courts of the United States," as far as said regulations shall be practicable, shall be observed in respect to all writs of error and appeals, from the said superior courts to the court of appeals in the cases enumerated in the first part of the preceding section, and in writs of error and appeals from the said court of appeals to the Supreme Court of the United States.

SEC. 7. *And be it further enacted*, That the clerks of the said superior courts, respectively, where the courts are held shall keep correct, particular, and regular minutes and records of every day's proceedings of the said courts, and the said clerks, marshals, and district attorneys, shall respectively, receive for their services, in all causes of admiralty and maritime jurisdiction, and in causes arising on seizures under the laws of impost

in vacation, to issue writs of habeas corpus, &c.

Superior courts to be held as occasion may require.

Superior courts, in cases where there has been a trial by jury, to have power to grant new trials.

Proviso.

Writs of error and appeal shall lie, and may be taken on all final decisions of said superior courts, where the matter in dispute shall amount to the sum or value of one hundred dollars, exclusive of costs to the court of appeals of said territory.

Regulations to be observed in respect to all writs of error and appeals to the Supreme Court of the United States.

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

Act of Dec. 12, 1794, ch. 3.

Clerks of the superior courts shall keep correct, particular, and regular minutes and records of every day's

proceeding, &c.  
&c.

navigation, and trade, of the United States, the same fees and compensation as are allowed by law to the clerks, marshals and district attorneys, of the district court of the United States for Louisiana district, in similar causes, and in all other causes, such fees as have been or shall be hereafter established by the legislative council of the said territory. And the clerk, United States' attorney, and marshal, of the court of appeals, shall have the same fees and compensation for attending said court, whilst exercising the powers of a circuit court, as directed in this act, as are allowed to the clerk, attorney, and marshals of the circuit courts of the United States: and, in all other cases, such fees as the legislative council of said territory have established, or may direct.

Fees.

Judges of the superior courts required to hold a court in one other place in their respective districts.

SEC. 8. *And be it further enacted,* That the judges of the superior courts shall only be required to hold a court in one other place, in their respective districts, than the one assigned by the laws of the United States, to be designated by the governor and legislative council; and so much of any law, as restricts said courts to a particular number of days, for the trial of causes arising under the constitution and laws of the United States, be, and the same is hereby, repealed.

Marshals of each district shall reside within the same.

SEC. 9. *And be it further enacted,* That the marshals of each district shall reside within the same, and execute all the process of said courts, whether arising under the laws of the United States, or of said territory; and perform all the duties of ministerial officers of the same; and shall execute bond, with security, to be approved by said judges, conditioned for the performance of the duties required of the executive officers, by the laws of said territory, in the sum of ten thousand dollars, which shall be recorded by the clerks of said courts.

Bond to be given.

Thirteen persons shall be annually elected by the people of said territory, to compose the legislative council, &c., &c.

SEC. 10. *And be it further enacted,* That thirteen persons shall be annually elected by the people of said territory who shall compose the legislative council thereof, each of whom shall be an inhabitant of said territory, and shall have resided therein one year next preceding his election; and the term for which each shall be elected shall be one year, to commence on the second Monday of December annually. And it shall be the duty of the governor to divide the said territory into thirteen convenient districts, so as to give to each district, as near as may be, an equal number of free white inhabitants, for the purpose of electing members of the legislative council of said territory; and he shall also designate places for holding elections in each district, and appoint judges or managers to preside at, and conduct the same, who shall take the same oath, and observe the same formality, as is now required by law, in the election of delegate to Congress. The time and place of holding the elections shall be made known, by proclamation, and sent to each district, respectively: and it shall be lawful for the inhabitants within the respective districts, who are, or may be qualified voters, under the laws of the same, to elect one person in each district, as a member of the legislative council. And it shall be the duty of the said judges or managers, in each district, to make a return to the governor of the name of every person voted for as a member of the legislative council, in such district, together with the number of votes which each person shall have received, written in full, opposite his name; and the votes in each district shall be canvassed by the governor and secretary of the territory, or by such other persons, or in such other manner, as the legislative council may hereafter direct by law; and the person in each district, having the greatest number of legal votes, shall be declared elected, and entitled to a seat in the legislative council; and in case two or more persons shall have the greatest, and an equal number of votes in any district, it shall be lawful for the governor to order a new election in such district, in such manner, and at such time, as the legislative council may by law prescribe. And the said legislative council shall hold a session in every year, commencing on the second Monday in December, in each year, at

the seat of government in said territory, and continue not longer than six weeks; and the members of said council shall receive three dollars each per day, during their attendance in council, and three dollars for every twenty miles, to be estimated by the actual distance from the place of residence to the seat of government, and so distinctly certified by the governor of said territory, in going to, and returning from, any meeting of the legislative council, once in each session, and no more; and the first election shall be held on the first Monday of October next, and at such times thereafter, and under such regulations, as the governor and legislative council shall direct.

SEC. 11. *And be it further enacted*, That the members of the legislative council shall not be eligible to any office created during the period of their service, or the fees of which were regulated by laws passed whilst they were members, or for one year thereafter.

SEC. 12. *And be it further enacted*, That it shall not be lawful for the legislative council to pass any law imposing a higher tax on the lands of non-residents, than those of residents of said territory.

SEC. 13. *And be it further enacted*, That so much of the several acts of which this is an amendment, as may be inconsistent with the provisions of this act, be, and the same are hereby, repealed; and so much of any of the laws of said territory, as are repugnant to the same, are disapproved and annulled.

SEC. 14. *And be it further enacted*, That the several acts passed by the governor and legislative council, granting divorces; the four first sections of "An act to amend an act to define crimes," &c. approved December tenth, eighteen hundred and twenty-five; and "An act to prescribe the forms of actions," &c. approved December fifth, eighteen hundred and twenty-five; the act "in addition and amendment of an act to determine fees," &c. approved December ninth, eighteen hundred and twenty-five; and "An act to amend an act regulating judicial proceedings," &c. approved December eighth, eighteen hundred and twenty-five; and "An act to provide, in part, for raising a revenue," approved the ninth of December, eighteen hundred and twenty-five, be, and the same are hereby, disapproved and annulled.

APPROVED, May 15, 1826.

Members of the legislative council not to be eligible to any office, &c.

Taxes.

So much of the several acts of which this is an amendment, &c., repealed.

Acts by the legislative council, &c., disapproved and annulled.

CHAP. XLVII.—*An Act for the sale of a house and lot in New Orleans, and a store house at the Quarantine ground in Louisiana.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized to sell a house and lot, in Royal street, in the city of New Orleans, heretofore used for the district court of the United States, and a public store-house and lot of land at the Quarantine ground, in the state of Louisiana, whenever, in his opinion, the same shall be deemed expedient.

APPROVED, May 15, 1826.

STATUTE I.

May 15, 1826.

Secretary of the Treasury authorized to sell a house and lot, public property, in Royal street in the city of New Orleans.

CHAP. LVI.—*An Act to alter the lines between the land districts in the territory of Michigan.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the boundaries of the southern land district, in the territory of Michigan, as established by the act passed the third of March, eighteen hundred and twenty-three, entitled "An act to establish an additional land office in the territory of Michigan," shall be so altered, as that, from the point where the

STATUTE I.

May 16, 1826.

Boundaries of the southern land district, in Michigan, established by the act of March 3, 1823, ch. 52, to be altered.

present boundary line between the third and fourth townships south intersects the meridian line, the boundary of the said district shall run north with the meridian line until it shall intersect the base line, and thence with the said line west to Lake Michigan.

APPROVED, May 16, 1826.

STATUTE I.

May 16, 1826.

CHAP. LIX.—*An Act to extend the time allowed for the redemption of land sold for direct taxes, in certain cases.*

Time allowed for the redemption of lands sold for non-payment of taxes, under several acts extended.

Act of Aug. 2, 1813, ch. 37.  
Act of Jan. 9, 1815, ch. 21.  
Act of March 5, 1816, ch. 24.  
Interest to be paid, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the time allowed for the redemption of lands which have been, or may be, sold for the non-payment of taxes, under the several acts passed on the second of August, one thousand eight hundred and thirteen; the ninth day of January, one thousand eight hundred and fifteen, and the fifth day of March, one thousand eight hundred and sixteen, for laying and collecting a direct tax within the United States, so far as the same have been purchased for, or on behalf of the United States, be revived and be extended for the further term of two years, from and after the expiration of the present session of Congress: *Provided, also,* That, on such redemption, interest shall be paid at the rate of twenty per centum on the taxes aforesaid, and on the additions of twenty per centum chargeable thereon; and the right of redemption shall enure, as well to the heirs and assignees of the land so purchased on behalf of the United States, as to the original owners thereof.

APPROVED, May 16, 1826.

STATUTE I.

May 16, 1826.

CHAP. LXII.—*An Act to confirm certain claims to lands in the district of Opelousas, in Louisiana.*

Claims to lands recommended for confirmation in the report of the register of the land office at Opelousas, in Louisiana, of Oct. 1, 1825, confirmed.

Confirmation to operate only as a relinquishment of the claims 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 several claims to lands, recommended for confirmation in the report of the register of the land office at Opelousas, in the state of Louisiana, dated on the first day of October, one thousand eight hundred and twenty-five, and which are designated in that report by letter A, and numbered one, two, three, four, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-five, twenty-six, thirty-one, thirty-two, thirty-three, thirty-four, thirty-eight, thirty-nine, forty, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-five, sixty-six, sixty-nine, seventy, seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-two, eighty-three, eighty-seven, and ninety, be, and the same are hereby, confirmed agreeably to the said report: *Provided,* That this confirmation shall operate only as a relinquishment of the claim of the United States to the lands hereby confirmed.

APPROVED, May 16, 1826.

STATUTE I.

May 17, 1826.

CHAP. LXIV.—*An Act supplementary to "An act for the gradual increase of the navy of the United States."*

Act of April 29, 1816, ch. 138.  
The President to cause

*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 the building of one of the

ships authorized by the act for the gradual increase of the navy of the United States, to be suspended, and the timber for the same to be laid up and secured. And he is hereby further authorized, if in his opinion, the same can be done on advantageous terms to the United States, to cause to be purchased for the United States, a ship of not less than the smallest class authorized to be built by the said act, and for carrying such purchase into effect, the amount for which the purchase may be made, may be paid out of the appropriation heretofore made for the gradual increase of the navy of the United States.

APPROVED, May 17, 1826.

the building of one of the ships authorized by the act for the gradual increase of the navy to be suspended, &c.

STATUTE I.

May 18, 1826.

CHAP. LXV.—*An Act for the subscription of stock in the Dismal Swamp Canal Company.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to subscribe, in the name and for the use of the United States, for six hundred shares of the capital stock of the Dismal Swamp Canal, and to pay for the same, at such times, and in such proportions, as may be required by the existing rules and regulations of the said company.

Secretary of the Treasury to subscribe, for 600 shares of the capital stock of the Dismal Swamp Canal.

SEC. 2. *And be it further enacted, by the authority aforesaid,* That the Secretary of the Treasury shall vote for the president and directors of said company, according to said number of shares, and shall receive, upon said stock, the proportions of tolls and emoluments which shall, from time to time, become due to the United States, on the shares of stock aforesaid.

SEC. 3. *And be it further enacted,* That this act shall not go into effect until the United States' board of engineers shall examine said canal, and make a report, in writing, to the Secretary of War, that, in their opinion, the plan on which the canal is to be executed, will answer, as far as circumstances will permit, as a part of the chain of canals contemplated along the Atlantic Coast, and that in their opinion, the sum hereby authorized to be subscribed for will be sufficient to finish the canal according to said plan: *And it is further provided,* That to carry this act into effect, the sum of one hundred and fifty thousand dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

This act not to go into effect until the board of engineers shall examine said canal, and make a report, in writing, to the Secretary of War. 150,000 dollars appropriated to carry this act into effect.

SEC. 4. *And be it further enacted,* That the money subscribed on behalf of the United States shall be actually expended in the completion of the canal, and not in the payment of any debt or debts now owing by the company; and it shall be the duty of the Secretary of the Treasury, before the payment of any part of the money subscribed on behalf of the United States, to adopt such measures as shall insure the application of the same to the completion of the said canal, according to the plan proposed, and to no other purpose whatsoever.

The money subscribed on behalf of the United States to be actually expended wholly in the completion of the canal.

APPROVED, May 18, 1826.

STATUTE I.

May 18, 1826.

CHAP. LXVI.—*An Act to authorize the sale and conveyance of the house belonging to the United States at the Hague.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President be, and he is hereby, authorized to cause to be sold and conveyed, the house and lot belonging to the United States at the Hague, which was conveyed to the United States, by virtue of a resolution of the continental Con-

[Obsolete.] President to cause to be sold and conveyed, the house and lot belonging to the

United States  
at the Hague.

gress of the twenty-seventh of December, seventeen hundred and eighty-two.

APPROVED, May 18, 1826.

STATUTE I.

May 18, 1826.

[Obsolete.]

Specific ap-  
propriations.

For ten sloops  
of war.

1825, ch. 101.

For pay of  
labourers and  
teams employ-  
ed in loading  
and unloading  
vessels, &c. &c.

For the in-  
clined plane at  
the navy yard in  
Washington.

1823, ch. 32.

For ship-  
houses.

1823, ch. 32.

For contin-  
gent expenses  
of the naval  
service prior to  
1824.

1823, ch. 32.

For pay to  
superintend-  
ents, naval con-  
structors, &c.

1823, ch. 32.

For the sup-  
pression of  
piracy.

1822, ch. 2.

For reward-  
ing captors of  
Algerine ves-  
sels as author-  
ized by law.

CHAP. LXVII.—*An Act making further appropriation for ten sloops of war, and re-appropriating certain balances carried to the surplus fund.*

*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 objects following, that is to say :*

For building ten sloops of war, as authorized by the act of third March, eighteen hundred and twenty-five, three hundred and fifty thousand dollars.

For pay of labourers and teams, employed in loading and unloading vessels, piling, docking, and removing timbers and stores, in the service of the navy, being the balance of the appropriation of the act of the third March, eighteen hundred and twenty-three, carried to the surplus fund, seventeen thousand six hundred ninety-three dollars and forty-five cents.

For the inclined plane at the navy yard in Washington, being the balance of the appropriation, by the act of the third March, eighteen hundred and twenty-three, carried to the surplus fund, ten thousand and seventeen dollars and forty-one cents.

For ship houses, being the balance of an appropriation, by the act of third March, eighteen hundred and twenty-three, carried to the surplus fund, forty-four thousand two hundred and ninety-six dollars and fifty-two cents.

For contingent expenses of the naval service, prior to the year eighteen hundred and twenty-four, two thousand four hundred and fifty-eight dollars and thirty-one cents; fifty dollars whereof, being the balance of appropriation, by the act of the third of March, eighteen hundred and twenty-three, and carried to the surplus fund.

For pay to the superintendents, naval constructors, store keepers, inspectors of timber, clerks of the yards, and artificers in the naval service, being the balance of appropriation, by the act of the third March, eighteen hundred and twenty-three, carried to the surplus fund, twenty-nine thousand eight hundred and seventy-five dollars and eighty-nine cents.

For the suppression of piracy, being the balance of an appropriation, by the act of the twentieth December, eighteen hundred and twenty-two, carried to the surplus fund, three thousand seven hundred and twenty-two dollars and twenty-seven cents.

For rewarding captors of Algerine vessels, as authorized by law, being the balance of former appropriations, carried to the surplus fund, fourteen thousand seven hundred and thirty-one dollars and twenty-eight cents.

APPROVED, May 18, 1826.

STATUTE I.

May 18, 1826.

CHAP. LXXIII.—*An Act for authorizing the building of lighthouses and light vessels, erecting beacon lights, placing buoys, removing obstructions in the river Savannah, and for other purposes.*

The Secretary  
of the Treasury  
empowered to

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he is hereby, empowered to provide by contract for*



building lighthouses and light vessels, and erecting beacons and beacon lights, and placing buoys, on the following sites or shoals, to wit:

In the state of Maine, a lighthouse on Mantinicus rock, and one on Pemaquid point.

build light-houses, &c.

Maine.

In the state of Massachusetts, a light vessel to be anchored at or near Tuckanuck shoal, in the Vineyard Sound; the tonnage of the light vessel not to be under one hundred and twenty-five tons; a lighthouse on the end of Sandy Neck, at or near the mouth of Barnstable harbour.

Massachu-  
setts.

A lighthouse at or near the end of Long Point, Provincetown har-  
bour.

In the state of Connecticut, a lighthouse at or near the mouth of Norwalk harbour, to be located on the Rauton Neck, or on the west end of Norwalk, Long Island, under the direction of the Secretary of the Treasury, after an examination of those sites shall have been made by suitable persons, to be by him appointed for that purpose. A beacon on the round shoals, at the mouth of Ousatonic river.

Connecticut.

In the state of New York, a lighthouse at or near Dunkirk, on Lake Erie. One at the east end of Lake Erie, on a proper site to be selected, at or near the mouth of Buffaloe creek. One on the west end of Plum island, in Long Island Sound; and one on Tibit's Point, in Lake Ontario.

New York.

In the states of New York and New Jersey, a lighthouse upon the bluff, near fort Tompkins, on Staten Island; one in Princess bay, on said island, and two on the Highland of Neversink.

New York  
and New Jer-  
sey.

In Delaware bay, a lighthouse on the Brandywine Shoals.

Delaware.

In the state of Maryland, a lighthouse on Cove point, instead of Cedar point, as heretofore ordered. A lighthouse on Smith's island, one on Concord point, at or near the mouth of the Susquehannah river; and a light vessel to be anchored at or near Hooper's straits, Chesapeake bay.

Maryland.

In the state of Virginia, a lighthouse on Smith's island, near Cape Charles, on a proper site to be selected, under the direction of the Secretary of the Treasury.

Virginia.

In the state of North Carolina, a light vessel, not to be under fifty, nor to exceed eighty tons, to be anchored at the south-west straddle of the Royal Shoal; and the beacon on Federal point, at the New Inlet of Cape Fear river, to be made a beacon light.

North Caro-  
lina.

In the state of South Carolina, a lighthouse on Cape Romaine or its vicinity, or a light vessel to be anchored off the said cape, or its vicinity; the preference to be given to the one or the other, which, in the opinion of the Secretary of the Treasury, shall best subserve the purposes of navigation, and afford security to the same.

South Caro-  
lina.

In the state of Georgia, a beacon on Grass island, at the entrance of Cockspar harbour.

Georgia.

In the state of Mississippi, a lighthouse on the Mississippi river, at the town of Natchez.

Mississippi.

SEC. 2. *And be it further enacted*, That the following sums of money be, and the same are hereby, appropriated, to wit:

Sums appro-  
priated.

In the state of Maine, four thousand dollars for a lighthouse on Mantinicus rock; and four thousand dollars for one on Pemaquid point.

Maine.

In the state of Massachusetts, two thousand five hundred dollars for a lighthouse at or near the end of Long Point, Provincetown harbour; eight thousand, for a light vessel to be anchored at or near Tuckanuck shoal, in the Vineyard Sound; and ninety dollars for Spar buoys, to be anchored, one on the Middle Ground shoal, near the entrance of Salem harbour, and one on the Ledge rocks, of Dorchester Flatts, in Boston harbour; three thousand five hundred dollars for a lighthouse on the end of Sandy Neck, at or near the mouth of Barnstable harbour; and two hundred

Massachu-  
setts.

dollars for placing buoys on proper sites, in or near the harbour of Gloucester.

**Rhode Island.** In the state of Rhode Island, sixty dollars, for buoys on Sally rock, at or near the entrance of the harbour of East Greenwich.

**Connecticut.** In the state of Connecticut, four thousand dollars for a lighthouse, to be located on Routon Neck, or on the west end of Norwalk, Long Island; one thousand dollars for a beacon on the Round Shoals, at the mouth of the Ousatic river; one hundred and twenty-five dollars for placing buoys on the following sites, to wit: one on Thimble Island Reef, one on Inn Reef, one on Negro Head, one on Brown Reef, and one on Bird's Reef, at or near the entrance of Brandford harbour: and one hundred dollars for making an examination and a survey, if necessary, to ascertain the utility and expense of erecting beacons in Long Island Sound, on Shipman's Reef, lying near the promontory of the same name, in Stamford, on Smith's Ledge, opposite the town of Darien, and on a Reef known by the name of Patrick's Horse, at the western extremity of Norwalk harbour.

**New York.** In the state of New York, a lighthouse at or near Dunkirk, six thousand dollars, on Lake Erie; two thousand five hundred dollars for one at the east end of Lake Erie, on a site to be selected; four thousand dollars for one on Plum island, in Long Island Sound; three thousand dollars for one on Tibit's Point, Lake Ontario.

**New York and New Jersey.** In the states of New York and New Jersey, thirty thousand dollars for a lighthouse upon the bluff, near Fort Tompkins, on Staten Island, for one in Princess bay, on said island, and two on the Highlands of Neversink; also, for keeping the buoys, now anchored, the one on the Romer, on the south-west point of the eastern branch, and the other on the north-east point of Sandy Hook, known by the name of the False Hook, and for placing spar buoys along the channel, from the bar to the south-west spit, and from thence to the middle ground and at such other places between the last-mentioned place and the city, as may be deemed necessary: and also spar buoys on the Stepping Stone, Execution Rocks, and Middle Ground, in Long Island Sound.

**New Jersey.** In the state of New Jersey, three hundred dollars for placing buoys at proper sites, five buoys at the entrance of the harbour of Little Egg Harbour.

**Delaware.** In the bay of Delaware, twenty-nine thousand and two hundred dollars for a lighthouse on the Brandywine Shoals.

**Maryland.** In the state of Maryland, three thousand five hundred dollars for a lighthouse on Smith's island; two thousand five hundred dollars for one on Concord point, at or near the mouth of Susquehannah river; and four thousand dollars for a light vessel at Hooper's straits.

**Maryland and Virginia.** In the states of Maryland and Virginia, six hundred and sixty dollars for placing buoys in the river Potomac, to wit: one on Port Tobacco Shoals, four on the south side of Nanjemoy Reach, one on Lower Cedar point bar, one on Craney Island bar, and four for designating the channel in that part of the river called the Kettle Bottoms.

**Virginia.** In the state of Virginia, ten thousand dollars for a lighthouse on Smith's island, near Cape Charles, on a proper site to be selected.

**North Carolina.** In the state of North Carolina, nine thousand five hundred dollars for a light vessel, to be anchored at the south-west Straddle, Royal Shoal; and two thousand dollars for a beacon light on Federal Point, Cape Fear river; and one hundred and sixty dollars for buoys, to be placed on proper sites, on the north and south sides of New Inlet, near Federal Point.

**South Carolina.** In the state of South Carolina, two hundred and forty dollars for buoys, to be placed on the bar of Georgetown; and seventeen thousand dollars for a lighthouse on Cape Romaine, or a light vessel to be anchored off said cape.

In the state of Alabama, three hundred and twenty dollars for buoys, to be placed on the following points, to wit; A spar buoy at the south-east extremity of the shoal projecting from Mobile Point, one on the west side of the channel on the bar, one on the south-east side of the Spit projecting from Sand Island, and one on Dog river bar.

Alabama.

In the state of Louisiana, one thousand one hundred dollars, for placing eleven buoys on proper sites, at the entrance of the Mississippi river, and six hundred dollars for three lamps or lights, to wit: one for Petit Coquelles, one for Chef Menteur, and one for Fort St. Philip.

Louisiana.

In the state of Georgia, fifty thousand dollars, to be applied under the direction of the President of the United States, to remove obstructions in the river Savannah, below the city of Savannah; one thousand five hundred dollars for a beacon on Grass Island, at the entrance of Cockspur Harbour. In the state of Mississippi, not exceeding one thousand five hundred dollars for a lighthouse on the Mississippi river, at the town of Natchez. In the territory of Florida, not exceeding sixteen thousand dollars for a lighthouse on Sambo Keys, or Sand Key.

Georgia.

Mississippi.

SEC. 3. *And be it further enacted*, That the keeper of Quaddy Head lighthouse, in the state of Maine, shall be allowed, in addition to his present salary, the sum of sixty dollars annually, for ringing the bell connected with said lighthouse, from the time he commenced ringing said bell.

Addition to the salary of the keeper of Quaddy Head lighthouse, Maine.

SEC. 4. *And be it further enacted*, That, when the lighthouses, directed to be built on the Highlands of Neversink, in the state of New-Jersey, shall be built and lighted, the light vessel, at present anchored at the Hook, shall be removed, and anchored at or near Five Fathom Bank, off the capes of Delaware Bay. And also, that when the Brandywine lighthouse shall be lighted, the Brandywine light vessel, if the same will answer the purpose, shall be anchored at or near Tuckanuck Shoal, in the Vineyard Sound.

When the lighthouse on the Highlands of Neversink is built and lighted, the light vessel, at present anchored at the Hook, shall be removed, &c.

SEC. 5. *And be it further enacted*, That, whenever the lighthouse, directed to be built on a proper site, near Buffalo Creek, in the state of New York, shall be built and lighted, the present lighthouse near Buffalo shall not be lighted. And that the Secretary of the Treasury be, and he is hereby, authorized to cause the lighthouse, heretofore directed to be built on Throgg's Neck, to be erected either on the said Neck, or the reef adjacent thereto, as he may deem expedient.

Lighthouse to be built near Buffalo Creek.

Lighthouse at Throgg's Neck.

SEC. 6. *And be it further enacted*, That the several appropriations herein made, shall be paid out of any money in the Treasury not otherwise appropriated.

Sums appropriated to be paid from the treasury.

APPROVED, May 18, 1826.

STATUTE I.

May 18, 1826.

CHAP. LXXIV.—*An Act regulating the accountability for clothing and equipage issued to the army of the United States, and for the better organization of the quartermaster's department.*

*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 quartermaster's department, in addition to its present duties, to receive, from the purchasing department, and distribute to the army of the United States, all clothing and camp and garrison equipage required for the use of the troops; and that it shall be the duty of the quartermaster general, under the direction of the Secretary of War, to prescribe and enforce, under the provisions of this act, a system of accountability for all clothing and equipage issued to the army.

Duties of the quartermaster's department in addition to its present duties.

Every captain or commander of a company, &c., at the expiration of every quarter, to make returns of supplies.

SEC. 2. *And be it further enacted,* That every captain, or commander of a company, detachment, or recruiting station, or other officer, who shall have received clothing or camp equipage for the use of his command, or for issue to the troops, shall render to the quartermaster general, at the expiration of each regular quarter of the year, quarterly returns of such supplies, according to the forms which may be prescribed, accompanied by the requisite vouchers for any issues that shall have been made; which returns and vouchers, after due examination by the quartermaster general, shall be transmitted for settlement to the proper office of the Treasury Department.

Duty of all officers charged with the issue of clothing, &c.

SEC. 3. *And be it further enacted,* That it shall be the duty of all officers charged with the issue of clothing, or other supplies, carefully to preserve the same from waste or damage; and, in case of deficiency, on final settlement, of any article of supplies, the value thereof shall be charged against the delinquent, and deducted from his monthly pay, unless he shall show, to the satisfaction of the Secretary of War, by one or more depositions, setting forth the circumstances of the case, that the said deficiency was occasioned by unavoidable accident, or was lost in actual service, without any fault on his part; and, in case of damage, he shall also be subject to charge for the damage actually sustained, unless he shall show, in like manner, to the satisfaction of the Secretary of War, that due care and attention were given to the preservation of said supplies, and that the damage did not result from neglect.

Two additional quartermasters, and ten assistant quartermasters, to be appointed.

SEC. 4. *And be it further enacted,* That, the better to enable the quartermaster's department to carry into effect the provisions of this act, there be appointed two additional quartermasters, and ten assistant quartermasters, to be taken from the line of the army, who shall have the same rank and compensation as are provided for like grades by the act, entitled "An act to reduce and fix the military peace establishment of the United States," approved the second day of March, one thousand eight hundred and twenty-one: *Provided,* That assistant quartermasters be entitled, also, to receive the allowance of forage heretofore authorized, by law, to regimental and battalion quartermasters.

Act of March 2, 1821, ch. 13.

Proviso.

SEC. 5. *And be it further enacted,* That each officer appointed under this act, shall, before he enter upon his duties, give bond, with sufficient surety, to be approved by the Secretary of War, in such sum as the President shall direct, with condition for the faithful performance of the duties of his office.

Each officer appointed, to give bond and security.

APPROVED, May 18, 1826.

#### STATUTE I.

May 20, 1826.

CHAP. LXXV.—*An Act to allow compensation to such witnesses, on the part of the United States, as may be imprisoned, to compel their attendance in court on account of their inability to give security in a recognizance.*

The marshals to allow compensation to persons imprisoned on account of inability to give security, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the marshals for the several districts and territories of the United States be authorized to pay such persons as may have been, or shall hereafter be, imprisoned on account of inability to give security in a recognizance for their attendance as witnesses on behalf of the United States, the same sum, for each day's imprisonment, as is provided by law for witnesses actually attending court under process: *Provided,* The said allowance be first fixed and certified by the proper judge, as in case of jurors.

Proviso.

APPROVED, May 20, 1826.

CHAP. LXXVI.—*An Act authorizing the importation of statues of George Washington and Alexander Hamilton, free of duty.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Washington Monument Association in Massachusetts be, and are hereby, authorized to import into the United States, from the city of London, a statue of Washington, free of duty; and that the Merchant's Exchange Company, of the city of New York, be, and they are hereby, authorized to import into the United States, for the use of the New Exchange Building, in the city of New York, a statue of Alexander Hamilton, free of duty.

APPROVED, May 20, 1826.

STATUTE I.  
May 20, 1826.

[Obsolete.]  
Statue of Washington, and of Alexander Hamilton, authorized to be imported free of duty.

CHAP. LXXVII.—*An Act authorizing the payment of interest due to the state of Delaware.*

*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, and they are hereby, authorized and directed to liquidate and settle the claim of the state of Delaware against the United States, for interest upon loans or moneys borrowed, and actually expended by her, for the use and benefit of the United States, during the late war with Great Britain.

SEC. 2. *And be it further enacted,* That, in ascertaining the amount of interest as aforesaid, due to the state of Delaware, the following rules shall be understood as applicable to, and governing the case, to wit: First, that interest shall not be computed on any sum which Delaware has not expended for the use and benefit of the United States, as evidenced by the amount refunded or repaid to Delaware by the United States. Second, that no interest shall be paid on any sum on which she has not paid interest. Third, that, when the principal, or any part of it, has been paid or refunded by the United States, or money placed in the hands of Delaware for that purpose, the interest on the sum or sums so paid or refunded, shall cease and not be considered as chargeable to the United States, any longer than up to the time of the repayment as aforesaid.

SEC. 3. *And be it further enacted,* That the amount of interest, when ascertained as aforesaid, shall be paid out of any money in [the] treasury not otherwise appropriated.

APPROVED, May 20, 1826.

STATUTE I.  
May 20, 1826.

[Obsolete.]  
The claims of Delaware against the United States, to be settled.

Rules adopted to govern the case.

Amount of interest, when ascertained, to be paid from the treasury.

CHAP. LXXVIII.—*An Act for improving certain harbours, and the navigation of certain rivers and creeks, and for authorizing surveys to be made of certain bays, sounds, and rivers, 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 of money be, and the same are hereby, appropriated, to be applied under the direction of the President of the United States, to accomplish the purposes hereinafter mentioned, to wit:

In the state of Maine, one thousand two hundred dollars, for building a pier, on Steels' Ledge, near the harbour of Belfast.

In the state of Massachusetts, three thousand five hundred dollars, for the preservation of the point of land forming Provincetown harbour.

In the state of New York, fifteen thousand dollars, for building a pier, and repairing the old one, at the mouth of Buffaloe Creek; and three thousand dollars for clearing out and deepening the harbour of Sackett's Harbour.

STATUTE I.  
May 20, 1826.

[Obsolete.]  
Specific appropriations.

Maine.

Massachusetts.

New York.

- Delaware. In the state of Delaware, twenty-two thousand dollars for building piers, at proper sites, in the river Delaware, at New Castle, and three thousand dollars for repairing the old piers at the same place, and deepening the water around them.
- Ohio. In the state of Ohio, five thousand six hundred and twenty dollars, to remove obstructions at the mouth of Grand River; twelve thousand dollars for the same purpose, at the mouth of Ashtabula Creek; two thousand dollars for the same purpose, at the mouth of Cunningham Creek; and five thousand dollars for the same purpose, in Huron River; and four hundred dollars for making a survey of Sandusky Bay, to ascertain the expediency and expense of constructing piers, to improve the navigation thereof, and of placing buoys therein.
- Maine. In the state of Maine, two hundred dollars for making a survey to ascertain the practicability and utility of removing obstructions to navigation in Pisquataqua river, and the expense of effecting the same.
- Massachusetts. In the state of Massachusetts, five hundred dollars for making surveys of the following places, to wit: the flat on the north-west side of the harbour of Edgartown, to ascertain the practicability of building a light-house thereon, and the utility of the same to navigation, and of preventing the said harbour from being filled up with sand.  
The bar at the mouth of Merrimack river, and the practicability of deepening the channel over the same, and the harbour of Hyannis, in the Vineyard Sound, to ascertain what improvements can be made in the same for the safe anchorage of vessels, and the expense of effecting, severally, these objects.
- Connecticut. In the state of Connecticut, four hundred dollars for making a survey of Saugatuck river and harbour, and to ascertain the expediency and expense of removing the obstructions to the navigation thereof, and of facilitating the commercial intercourse between the port of Saugatuck and the city of New York.
- New York. In the state of New York, two hundred dollars for making a survey of Oswego bay and harbour, for ascertaining the expediency and expense of constructing piers, to improve the navigation thereof.
- Pennsylvania. In the state of Pennsylvania, one hundred dollars, to defray the expense of a survey of the public piers at Chester, in the river Delaware, in order to determine the expediency of accepting the cession thereof made by the state of Pennsylvania, and the expense of repairing the same.
- North Carolina. In the state of North Carolina, one thousand dollars for making a survey of the Swash, in Pamlico Sound, near Ocracock Inlet, for the purpose of ascertaining whether the channel through the same can be deepened; and also one of Cape Fear River, below the town of Wilmington, [Wilmington,] for the same purpose, and also for a survey of Roanoke Inlet and sound, with the view of ascertaining the practicability of making a permanent ship channel between Albemarle Sound and the Atlantic Ocean, at Roanoke Inlet, or elsewhere, and a statement of the costs of effecting, severally, these objects.
- Alabama. In the state of Alabama, a sum not exceeding ten thousand dollars, for the purpose of removing the obstructions and deepening the harbour of Mobile.
- Michigan. In the territory of Michigan, two hundred dollars for making a survey of La Plaisance bay, to ascertain the expediency of improving the navigation thereof, and the expense of effecting the same.

Sums herein appropriated to be paid from the treasury.

SEC. 2. *And be it further enacted*, That the several sums herein appropriated be, and the same are hereby, directed to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 20, 1826.

CHAP. LXXXIX.—*An Act to authorize the payment of interest due to the city of Baltimore.*

STATUTE I.  
May 20, 1826.

*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, and they are hereby, authorized and directed to liquidate and settle the claim of the city of Baltimore against the United States, for interest upon money borrowed, and actually expended by the city in its defence, during the late war with Great Britain.

Accounting officers of the Treasury Department to liquidate the claims of the city of Baltimore, &c.

SEC. 2. *And be it further enacted,* That, in ascertaining the amount of interest due to the city of Baltimore, the following rules shall be adhered to, to wit: That interest shall not be computed on any sum which the city of Baltimore has not expended for the benefit of the United States, which sum shall be evidenced by the amount refunded or repaid to the city of Baltimore by the United States; that no interest shall be paid on any sum on which the city of Baltimore has not paid interest; and that when the principal, or any part of it, has been paid by the United States to the city of Baltimore, the interest on the sum so paid shall cease, and not be chargeable to the United States any longer than to the time of repayment.

Rules to be adhered to in ascertaining the amount of interest due said city.

SEC. 3. *And be it further enacted,* That the amount of the interest, when ascertained as aforesaid, shall be paid out of any moneys in the treasury not otherwise appropriated.

Amount of interest, when ascertained, to be paid from the treasury.

APPROVED, May 20, 1826.

STATUTE I.  
May 20, 1826.

CHAP. LXXX.—*An Act to amend an act, entitled "An act to incorporate a company for making a certain turnpike road in the county of Alexandria," passed thirteenth July, one thousand eight hundred and thirteen.*

Whereas, by an act, entitled "An act incorporating a company to establish a turnpike road, from Wiley's Tavern, in the county of Fairfax, to a point of intersection on the Little River turnpike road, or on the line of the District of Columbia," passed by the general assembly of the state of Virginia, it is provided, that the company thereby incorporated may, at their discretion, locate their said road so as to intersect the Little River turnpike road, or the line of the District of Columbia; in the latter case of intersecting the line of the District of Columbia, the said road may terminate at some distance from the town of Alexandria—

Act of July 13, 1813, ch. 12. Preamble.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the commissioners, to be appointed under the act of Congress to which this is an amendment, for locating and marking the road therein mentioned, shall have power to lay out the same from any point of intersection on the line of the District of Columbia, if the said Virginia Company shall so locate their road, to such point in the line of the corporation of Alexandria, as they, in their judgment, may think fit; and the said company, incorporated by the act to which this is an amendment, at their annual meeting in March, shall elect, from among the stockholders, a President and four directors, to manage the concerns of the company for one year, and until others are appointed in their place.

Commissioners to be appointed.

SEC. 2. *And be it further enacted,* That the rates of toll heretofore fixed by the said act, shall be considered as the rates for two miles, and that the company shall have power to demand and receive, in the same proportion, for a greater or less distance: *Provided,* The tolls to be collected thereon shall not exceed the rate of tolls on the Little River turnpike road, for the like distance; and that Hugh Smith, Robert J. Taylor, Richard M. Scott, John C. Vowell, Thomas Vowell, Thomas

Rates of toll.

Proviso.

Sandford, William Fowle, Humphrey Peake, and Francis Peyton, be added to the commissioners named in the said act, for taking subscriptions to the said stock.

If the road become free under said act, the levy court of Alexandria shall keep it in repair.

SEC. 3. *And be it further enacted*, That if, at any time hereafter, the said road shall become free under the provisions of the said act, then, and in that case, the levy court of the county of Alexandria shall thereafter keep the said road in repair, at the expense of the said county.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

CHAP. LXXXI.—*An Act to provide for erecting a penitentiary in the District of Columbia, and for other purposes.*

President of the United States to appoint the commissioners.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized and required to appoint three commissioners, whose duty it shall be to select a proper site in the District of Columbia, on which to erect a penitentiary, for the said district.

When the commissioners shall have selected the site, it must be approved by the President.

SEC. 2. *And be it further enacted*, That, as soon as the said commissioners shall have selected the said site, and the President of the United States shall have approved thereof, it shall be the duty of the commissioner of the public buildings to cause to be built thereon, of substantial materials, a penitentiary for the said district, sufficiently large to contain one hundred and sixty separate cells, and other necessary apartments, for the residence of the keeper of the said penitentiary, and other purposes, on a plan to be approved by the President of the United States, and enclose the same in a securely walled yard of sufficient dimensions to allow room to employ the convicts who may be there confined at any kind of labour which may be found most profitable.

Penitentiary to be erected.

40,000 dollars appropriated for defraying the expenses thereof.

SEC. 3. *And be it further enacted*, That, for the purpose of defraying the expense of erecting the said building, there is hereby appropriated the sum of forty thousand dollars, to be paid out of any money in the treasury not otherwise appropriated.

Duty of the commissioner of the public buildings.

SEC. 4. *And be it further enacted*, That it shall be the duty of the said commissioner of the public buildings, to cause the present jail in the city of Washington to be so altered and repaired, as to make it a suitable, convenient, healthy, and comfortable prison for the use of the city and county of Washington; for the making and finishing of which repairs, the sum of five thousand dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

Commissioners to select a site in the county of Alexandria, for a county jail.

SEC. 5. *And be it further enacted*, That the said commissioners shall also select a site in the county of Alexandria, for a county jail, on which it shall be the duty of the commissioner of the public buildings to cause a county jail, for the city and county of Alexandria, to be erected and finished on a plan to be approved by the President of the United States. And there is hereby appropriated, for the building of the said jail, the sum of ten thousand dollars, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

CHAP. LXXXII.—*An Act concerning the United States' arsenal in Georgia.*

Secretary of War to cause to be purchased in the vicinity of

*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 to cause to be purchased, in the vicinity of Augusta, a suitable site for an United States' arsenal,



and to be erected thereon such buildings as may be necessary, in lieu of those at this time occupied for such purpose: *Provided*, Such site can be obtained upon reasonable terms, and with a proper regard to health, and to the public convenience: *And provided, also*, That the consent of the proper authorities of the state of Georgia shall be given thereto, and the jurisdiction over the same be ceded to the United States.

Augusta, a site for an arsenal. Proviso.  
Proviso.

SEC. 2. *And be it further enacted*, That a sum not exceeding seventy thousand dollars be, and the same is hereby, appropriated for the objects aforesaid, out of any money in the treasury not otherwise appropriated. And that the Secretary of War be, and he is hereby, authorized to cause to be sold, or otherwise disposed of, the buildings above mentioned, at present used as an arsenal, with the ground on which they stand, so as may best conduce to the public interest, and to the object aforesaid.

A sum not exceeding 70,000 dollars appropriated, &c.

APPROVED, May 20, 1826.

STATUTE I.

CHAP. LXXXIII.—*An Act to appropriate lands for the support of schools in certain townships and fractional townships, not before provided for.*

May 20, 1826.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That to make provision for the support of schools, in all townships or fractional townships for which no land has been heretofore appropriated for that use in those states in which section number sixteen, or other land equivalent thereto, is by law directed to be reserved for the support of schools, in each township, there shall be reserved and appropriated, for the use of schools, in each entire township, or fractional township, for which no land has been heretofore appropriated or granted for that purpose, the following quantities of land, to wit: for each township or fractional township, containing a greater quantity of land than three quarters of an entire township, one section; for a fractional township, containing a greater quantity of land than one half, and not more than three quarters of a township, three quarters of a section; for a fractional township, containing a greater quantity of land than one quarter, and not more than one half of a township, one half section; and for a fractional township, containing a greater quantity of land than one entire section, and not more than one quarter of a township, one quarter section of land.

Following quantities of land where none is appropriated for the use of schools in certain townships or fractional townships, to be reserved for such purpose.

SEC. 2. *And be it further enacted*, That the aforesaid tracts of land shall be selected by the Secretary of the Treasury, out of any unappropriated public land within the land district where the township for which any tract is selected may be situated; and when so selected, shall be held by the same tenure, and upon the same terms, for the support of schools, in such township, as section number sixteen is, or may be held, in the state where such township shall be situated.

Aforesaid tracts of land to be selected by the Secretary of the Treasury.

SEC. 3. *And be it further enacted*, That there shall be selected, in the manner above mentioned, one section and one quarter section of land, for the support of schools within that tract of country, usually called the French grant, in the county of Sciota, and state of Ohio.

Land to be selected in the French grant in Ohio.

APPROVED, May 20, 1826.

STATUTE I.

CHAP. LXXXVIII.—*An Act to authorize the Secretary of the War Department to purchase a site for an arsenal at St. Louis, in the state of Missouri, and to provide for the erection of an arsenal on the same.*

May 20, 1826.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the War Department be, and is hereby, authorized to purchase, as

Secretary of War to purchase a site for an arsenal at or

in the vicinity of  
St. Louis.

soon as it can be effected, on reasonable terms, a site for an arsenal, at or in the vicinity of St. Louis, Missouri; and to cause to be erected such an arsenal on the same, as may be deemed proper for the safe keeping of the arms and munitions of the United States, on that frontier; and that for these purposes the sum of fifteen thousand dollars be, and the same is hereby, appropriated out of the moneys of [in] the treasury not otherwise appropriated.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

[Obsolete.]

CHAP. LXXXIX.—*An Act to authorize the judge of the district court for the western district of Virginia, to hold the district court for the western district of Pennsylvania, for the trial of certain cases.*

Judge for the western district of Virginia to hold the district court of the western district of Pennsylvania, for the trial of certain cases.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district judge for the western district of Virginia is hereby authorized and required to hear, try, and determine, all causes now pending in the district court for the western district of Pennsylvania, in which the judge of the said last-mentioned district court had been concerned as counsel before his appointment, in the same manner, and at the same times and places, as the said district judge of the western district of Pennsylvania might or could have done, had he not been concerned as counsel therein.

Compensation.

SEC. 2. *And be it further enacted,* That the said judge shall receive for his services eight dollars per day, for the time he shall be employed in holding said courts, and travelling to and from his place of residence, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

CHAP. XC.—*An Act concerning a seminary of learning in the territory of Michigan.*

A quantity of land not exceeding two entire townships, to be reserved for the use and support of an university in Michigan.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to set apart and reserve from sale, out of any of the public lands within the territory of Michigan, to which the Indian title may be extinguished, and not otherwise appropriated, a quantity of land, not exceeding two entire townships, for the use and support of an university within the territory aforesaid, and for no other use or purpose whatsoever, to be located in tracts of land corresponding with any of the legal divisions into which the public lands are authorized to be surveyed, not less than one section, one of which said townships, so set apart and reserved from sale, shall be in lieu of an entire township of land, directed to be located in said territory for the use of a seminary of learning therein, by an act of Congress entitled "An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes," approved March twenty-sixth, one thousand eight hundred and four.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

CHAP. CIX.—*An Act to extend the width of the Washington canal.*

Washington Canal Company authorized to increase the width of the

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Washington Canal Company be, and are hereby, authorized to increase the width of the Washington Canal, from Seventh street west, to its western

extremity, by removing its southern boundary to a distance not exceeding one hundred and fifty feet from its northern boundary; and also to form a basin on the canal between Sixth and Seventh streets west, according to such plan as shall be approved by the President of the United States.

Washington canal.

SEC. 2. *And be it further enacted*, That it shall be the duty of the said canal company, within five years from and after the passing of this act, to cause the bed of the said canal, through its whole length, to the eastern branch, to be so constructed as to contain water at least one foot in depth at ordinary low tide.

Duty of the canal company.

APPROVED, May 20, 1826.

STATUTE I.

CHAP. CX.—*An Act making appropriations to defray the expenses of negotiating and carrying into effect certain Indian treaties.*

May 20, 1826.

*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 objects hereinafter mentioned, that is to say :

[Obsolete.]  
Sums appropriated for the objects hereinafter mentioned.

To carry into effect sundry stipulations of treaties with the Cherokees, Creeks, Socks, and Foxes, Ioways, Quapaws, and Choctaws, namely :

Sundry stipulations.

For payment of the annuity provided for by the second article of the Cherokee treaty, of twenty-fourth of October, eighteen hundred and four, annually, forever, one thousand dollars.

The annuity under the Cherokee treaty, Oct. 24, 1804.

For payment of the fifth and last instalment, due in the present year, on the claims of the citizens of Georgia, against the Creek nation, under the fourth article of the treaty with said nation, of the eighth January, eighteen hundred and twenty-one, twenty-three thousand dollars.

Claims of citizens of Georgia against the Creek nation.

For the annuity of the Sock and Fox Indians, provided for by the third article of the treaty with them, of fourth August, eighteen hundred and twenty-four, annually, for nine years, one thousand dollars.

For the annuity of the Sock and Fox Indians.

For the annuity of the Ioways, provided for by the second article of the treaty with them, of fourth August, eighteen hundred and twenty-four, annually, for nine years, five hundred dollars.

For the annuity of the Ioways.

For the expense, annually, of supporting blacksmiths, furnishing farming utensils and cattle, and employing persons to aid the Socks and Foxes and Ioways, in agriculture, as provided for by the fourth and fifth articles of the aforesaid treaties with them, three thousand dollars.

For supporting blacksmiths, &c.

For the annuity of the Quapaws, provided for by the second article of the treaty with them, of fifteenth November, eighteen hundred and twenty-four, annually, for ten years, one thousand dollars.

For the annuity of the Quapaws.

For the annuities provided for by the second and third articles of the treaty of twentieth January, eighteen hundred and twenty-five, with the Choctaw nation, (six thousand dollars annually, for fifteen years, and six thousand dollars, annually, forever,) and by the tenth article of said treaty, of one hundred and fifty dollars, for Robert Cole, a Choctaw chief, during life, twelve thousand one hundred and fifty dollars.

For the annuities to the Choctaws, of Jan. 20, 1825, &c.

For the payment of the annuity due to the Chickasaw nation, for the year eighteen hundred and twenty-one, under the several treaties with them, which has remained unpaid in consequence of the delinquency of the late agent, Robert C. Nicholas, and against whom suit has been instituted for the recovery of the amount, thirty-five thousand one hundred dollars.

For the annuity to the Chickasaws for 1821.

To carry into effect the treaties with the Osages, of the second, and with the Kansas, of the 3d June, eighteen hundred and twenty-five, namely :—

To carry into effect the treaties with the Osages and Kansas.

For surveying the lands reserved to said Indians by said treaties, ten thousand dollars.

Surveying.

For payment of the annuities to the Osages and Kansas.

For the payment of the annuities to the Osage and Kansas Indians, as provided for by the third article of said treaties, of seven hundred dollars, in lieu of all former annuities to the former, and three thousand five hundred dollars to the latter, annually, for twenty years, ten thousand five hundred dollars.

For the purchase of cattle, &c.

For the purchase of cattle, hogs, and other domestic animals, and articles, as stipulated for by the fourth articles of said treaties, including the expense of transportation and delivery of the same, fourteen thousand seven hundred and fifty dollars.

For houses for Osage chiefs, and one for the principal Kansas chief.

For the expense of building four houses for Osage chiefs, as stipulated for by the said fourth article of the treaty with them, and one for the principal Kansas chief, (as estimated for by General Clark,) ten thousand dollars.

Agents, &c.

For carrying into effect the provisions of the aforesaid treaties, relative to agents, blacksmiths, agriculturists, and other persons to be employed for the benefit of said Indians, including the expense of erecting the necessary buildings for the accommodation of such persons, for tools, and all other expenses connected with said provisions, fourteen thousand one hundred and fifty dollars.

Debts due by the Kansas and Osages to Francis G. Chouteau, &c.

For payment of the debts due by the Kansas Indians to Francis G. Chouteau, and by the Osages to Augustus P. Chouteau, Paul Baillio, and William S. Williams, as provided for by the eighth and thirteenth articles of said treaties, two thousand dollars.

Claims of citizens for depredations.

For payment of claims of citizens for depredations committed by the Kansas and Osage Indians, as provided for by the seventh and ninth articles of the aforesaid treaties, eight thousand dollars.

For expenses incurred under the 9th and 12th articles.

For expense incurred under the ninth article of the treaty with the Kansas, and eighth and twelfth articles of the treaty with the Osages, and all other expenses attending the negotiation of said treaties, eight thousand three hundred and six dollars and seventeen cents.

Treaty with the Shawnees.

To carry into effect the treaty with the Shawnees, of seventh November, eighteen hundred and twenty-five, namely:—

For surveying the lands granted to them.

For surveying the lands granted to the Shawnees, by the second article of said treaty, one thousand two hundred and fifty dollars.

For the payment of the sums stipulated for, &c.

For the payment of the sum stipulated for, and, by same article of said treaty, for the improvements abandoned by the Indians, on the lands ceded by them, and the inconveniences of removal, fourteen thousand dollars.

The claims of the Shawnees.

For payment of the claims of the Shawnees against citizens of the United States, as provided for in the fourth article of said treaty, eleven thousand dollars.

For carrying into effect the 4th article relative to a blacksmith, &c.

For carrying into effect the provision of the said fourth article, relative to a blacksmith, including the expense of tools, iron, and the erection of the necessary buildings for the blacksmith's quarters and shop, two thousand five hundred and fifty dollars.

For expenses incurred in negotiation.

For expenses incurred in the negotiation of said treaty, one thousand six hundred dollars.

To carry into effect the treaty concluded at Prairie du Chien with certain Indian tribes.

To carry into effect a stipulation contained in the treaty concluded at Prairie du Chien, nineteenth August last, with certain tribes of Indians, for holding two general councils with the Indians, on Lake Superior, and Green Bay, (as per accompanying copy of a detailed estimates [estimate] for these, and the other objects which follow, furnished by Governor Cass,) twenty-seven thousand dollars.

The stipulations of the 4th article of the treaty with the Miamies.

To carry into effect the stipulation of the fourth article of the treaties [treaty] with the Miamies, of sixth October, eighteen hundred and eighteen, providing for a gun-smith, the annual sum of six hundred dollars.

To carry into effect the provision of the same article of said treaty,

for the delivery of one hundred and sixty bushels of salt, annually, to the Miamies, the annual sum of three hundred and twenty dollars.

To carry into effect the provision of the third article of the treaty with the Delawares, Shawnees, Pottawatimies, Miamies, Kickapoos, Eel Rivers, Weas, Piankeshaws, and Kaskaskias, of seventh June, eighteen hundred and three, for the delivery of one hundred and fifty bushels of salt, annually, to said Indians, the annual sum of three hundred dollars.

For arrearages of salt due to the Indians, under the provisions of the treaty aforesaid, six hundred and forty dollars.

For the payment of the annuity secured to the Christian Indians, so called, in consideration of the relinquishment of their title to three sections of land, in Tuscarawas county, Ohio, by the agreements entered into with Governor Cass, for that purpose, filed in the general land office, and by the act of Congress of twenty-sixth of May, eighteen hundred and twenty-four, (seventh section,) the annual sum of four hundred dollars.

APPROVED, May 20, 1826.

To carry into effect the provision of the 3d article of the treaty with the Delawares, &c.

For arrearages of salt.

For payment of the annuity secured to the Christian Indians.

Act of May 26, 1824, ch. 174, sec. 7.

STATUTE I.

May 20, 1826.

CHAP. CXI.—An Act further to amend the charter of Georgetown, 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 levy court of Washington county, in the District of Columbia, shall not possess the power of assessing any tax on real or personal property within the limits of the corporation of Georgetown, nor shall the corporation of the said town be obliged to contribute in any manner towards the expenses or expenditures of said court, except for the one fourth part of the expenses incurred on account of the orphans' court, the office of coroner, the jail of said county, and one half of the expenses for the opening and repairing of roads in the county of Washington, west of Rock Creek, and leading to Georgetown: *Provided, always,* That nothing herein contained shall be construed to prevent the said court, or the collector by them appointed, from collecting all taxes which have been levied by the said court on real and personal property within the limits of Georgetown, before the passage of this act, and of appropriating the same according to present existing laws; but that it shall be the duty of the said court, and they are hereby authorized and directed to use all the powers with which they are now invested, for collecting the said tax: *And provided further,* That all laws now in force, which make it the duty of the said court to provide for the support of the poor residing within the limits of Georgetown, be, and the same are hereby, repealed, and that henceforth it shall be the duty of said court to provide for the support of such only of the poor of the county as reside out of the limits of Washington and Georgetown.

SEC. 2. *And be it further enacted,* That the said corporation may, for the general purposes mentioned in the charter of said town, and for the support of the poor annually, lay a tax on all real and personal property within the limits of Georgetown, not exceeding seventy cents in the hundred dollars, any law to the contrary notwithstanding.

SEC. 3. *And be it further enacted,* That this act shall commence and be in force from and after the passage thereof.

APPROVED, May 20, 1826.

Levy court of Washington county, District of Columbia, shall not possess the power of assessing any tax on real or personal property within the limits of Georgetown, &c.

Proviso.

Proviso.

The corporation to lay a tax on all real and personal property, not exceeding 70 cents in the 100 dollars. The act to take immediate effect.

## STATUTE I.

May 20, 1826.

CHAP. CXII.—*An Act to provide for paying certain pensioners at Pittsburg, in the state of Pennsylvania.*

A pension agency in Pittsburg, Pennsylvania.

*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 empowered to establish a Pension agency at Pittsburg, in the state of Pennsylvania, for the payment of pensioners of the United States, resident in the counties of Monroe, Morgan, Perry, Guernsey, Belmont, Jefferson, Harrison, Tuscarawas, Holmes, Wayne, Stark, Columbiana, Trumbull, Ashtabula, Geauga, Portage, Cuyahoga, Lorain, Medina, Huron, Sandusky, Seneca, and Richland, in the state of Ohio, and the counties of Alleghany, Armstrong, Butler, Beaver, Washington, Westmoreland, Indiana, and Jefferson, in the state of Pennsylvania.

Secretary of the Treasury to make arrangements with the Bank of the United States for paying pensioners therein.

SEC. 2: *And be it further enacted,* That the Secretary of the Treasury is authorized to make the necessary arrangements with the Bank of the United States, for paying the before-mentioned pensioners, at the office of discount and deposit of said bank, at Pittsburg, as in other cases.

APPROVED, May 20, 1826.

## STATUTE I.

May 20, 1826.

CHAP. CXXIII.—*An Act for altering the time for holding the courts of the United States, in the western district of Virginia.*(a)

Times for holding the courts of the United States in the western district of Virginia, changed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the courts of the United States in the western district of Virginia, shall be hereafter held on the days herein provided for, instead of the times now provided for by law, that is to say: at Clarksburg, on the first Mondays in April and September; at Lewisburg, on the first Wednesday after the second Mondays in April and September; at Wythe Courthouse, on the first Wednesday after the third Mondays in April and September; and at Staunton, on the first Wednesdays after the fourth Mondays in April and September; and all matters in said courts, returnable, or continued to the terms heretofore provided for, shall be taken to be returnable, and continued to the terms herein provided for. This act to take effect from and after the first day of July next.

APPROVED, May 20, 1826.

## STATUTE I.

May 20, 1826.

CHAP. CXXIV.—*An Act relative to the issuing of executions, in the district and circuit courts of the United States, in certain cases.*

Writs of execution, where the district or circuit courts in any one state have been, or may be, divided into two judicial districts, may be executed in any part of such state.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all writs of execution, upon any judgment or decree, obtained in any of the district or circuit courts of the United States, in any one state, which shall have been, or may hereafter be, divided into two judicial districts, may run and be executed, in any part of such state; but shall be issued from, and made returnable to, the court where the judgment was obtained, any law to the contrary notwithstanding.

APPROVED, May 20, 1826.

## STATUTE I.

May 20, 1826.

CHAP. CXXV.—*An Act concerning the seat of justice in Gallatin county in the state of Illinois.*

State of Illinois to sell in fee simple, to the county of

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the state of Illinois is hereby authorized to give or sell, in fee simple, to the county of Gallatin,

(a) See notes to the act of Feb. 4, 1819, ch. 12.

in that state, for the purposes of locating and fixing the seat of justice in said county, a tract not exceeding one hundred acres of the tract of land, situate in said county, and granted to said state, for the use thereof, by the act of the eighteenth of April, eighteen hundred and eighteen, entitled "An act to enable the people of the Illinois territory to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states," any restriction in said act of Congress to the contrary notwithstanding.

APPROVED, May 20, 1826.

Gallatin, a tract of land.

Act of April 1818, ch. 67.

STATUTE I.

May 20, 1826.

CHAP. CXXXVI.—*An Act to enable the President to hold treaties with certain Indian tribes.*

*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, to be paid out of any money in the treasury not otherwise appropriated, shall be, and the same hereby is, appropriated, to defray the expense of holding treaties with the Miami and Potawatami tribes of Indians, and any other tribes claiming lands in the state of Indiana.

APPROVED, May 20, 1826.

Appropriation to defray the expenses of holding treaties with the Miami and Potawatami Indians, &c.

STATUTE I.

May 20, 1826.

CHAP. CXXXVII.—*An Act allowing fees to the district attorney of Missouri.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be allowed to the attorney of the United States, for the district of Missouri, a fee of six dollars in each case now pending, or hereafter to be by him prosecuted on behalf of the United States, to be paid by the unsuccessful party, in addition to the salary and compensation allowed by law: *Provided,* That the fees herein provided for shall not be taxed on any suit now commenced, or to be commenced, or any petition filed, or to be filed, in relation to the confirmation of land claims, in Missouri, under the provisions of the act of the twenty-sixth of May, one thousand eight hundred and twenty-four.

Sec. 2. *And be it further enacted,* That, as a compensation to the said district attorney, in all cases in which he has already prosecuted suits, for the United States, to judgment, he shall receive the sum of two hundred and fifty dollars, to be paid to him by the proper officer of the Treasury Department.

APPROVED, May 20, 1826.

A fee of six dollars to be allowed the attorney for the district of Missouri.

Proviso.

Act of May 26, 1824, ch. 173.

250 dollars to be allowed and paid him, from the treasury.

STATUTE I.

May 20, 1826.

CHAP. CXXXVIII.—*An Act supplementary to "An act providing for the disposition of three several tracts of land in Tuscarawas county, in the state of Ohio, and for other purposes," passed the twenty-sixth of May, one thousand eight hundred and twenty-four.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to adopt such measures as, in his judgment, the interests of the United States, and the parties concerned, may require, for the purpose of carrying into full and complete effect the provisions of the act to which this is a supplement, and the intentions of Congress, as expressed in said act.

APPROVED, May 20, 1826.

Act of May 26, 1824, ch. 174.

The provisions of the act to be carried into effect.

## STATUTE I.

May 20, 1826.

Act of Feb. 4, 1807, ch. 5.  
 Act of March 9, 1808, ch. 29.  
 Act of May 20, 1812, ch. 17.  
 Time of holding the district courts of the United States for the district of North Carolina, changed.

All suits, &c., &c., to be proceeded with, as if no change had taken place.

CHAP. CXXIX.—*An Act to alter the time of holding the district courts in the district of North Carolina.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district courts of the United States for the district of North Carolina, shall, after the passing of this act, commence and be holden on the following days, instead of the times heretofore established by law, that is to say: At Edenton, in and for the district of Albemarle, on the third Monday of April and October; at Newbern, in and for the district of Pamptico, on the Thursday next after the third Monday of April and October; and at Wilmington, in and for the district of Cape Fear, on the fourth Monday of April and October.

SEC. 2. *And be it further enacted,* That all suits, actions, writs, process, and other proceedings, commenced or to commence, or which shall be now pending in any of the district courts of the district of North Carolina, as heretofore established, shall be returnable to, heard, tried, and proceeded with, in the said district courts, in the same manner as if the time for holding thereof had not been changed.

APPROVED, May 20, 1826.

## STATUTE I.

May 20, 1826.

15th sec. of the act of May 15, 1820, ch. 104, extended.

CHAP. CXXX.—*An Act supplementary to the act, entitled "An act to incorporate the inhabitants of the city of Washington, and to repeal all acts heretofore passed for that purpose," passed fifteenth May, eighteen hundred and twenty.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the fifteenth section of the act of the fifteenth of May, eighteen hundred and twenty, to which this is a supplement, shall be so construed as to extend the provisions of said section as well to public open spaces as to public squares or reservations.

APPROVED, May 20, 1826.

## STATUTE I.

May 20, 1826.

Time of holding the circuit court, for the county of Washington and Alexandria counties, in the District of Columbia, changed.

CHAP. CXXXI.—*An Act altering the times of holding the courts 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 the circuit court for Washington county, in the District of Columbia, shall, hereafter, commence and be held, on the first Monday of December, and first Monday of May, in each year, instead of the days now fixed by law; and the circuit court, for the county of Alexandria, in the said district, on the first Monday of November, and the second Monday of April, instead of the days now fixed by law; and that all process whatsoever, now issued, or which may be issued, in the respective counties of Washington and Alexandria, in said district, returnable to the days respectively, now fixed by law, for each of the said counties, shall be returnable, and returned on the days prescribed by this act; and causes, recognisances, pleas, and proceedings, civil and criminal, returnable to, and depending before, the said courts, at the respective times of holding the same, as heretofore established, shall be returned and continued, in the same counties, respectively, in the same manner as if the said causes, recognisances, pleas, and proceedings, had been regularly returned or continued to the said respective times appointed by this act for holding the said courts.

APPROVED, May 20, 1826.



STATUTE I.

May 20, 1826.

CHAP. CXXXII.—*An Act to fix the time of holding the circuit and district courts of the United States in the district of Ohio. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the circuit court of the United States within and for the district of Ohio, instead of the time now fixed by law, shall hereafter be held on the second Monday of July, and the fourth Monday of December, in each year; and the district court of the United States, in and for said district, shall hereafter be held on the Mondays next succeeding the times herein fixed for holding the circuit court; and all suits and matters of every kind returnable to, or pending in, either of said courts, shall be held to be returnable and continued to the terms of said courts herein provided for.

APPROVED, May 20, 1826.

The time of holding the circuit and district courts of the United States, for the district of Ohio, changed, &c.

STATUTE I.

May 20, 1826.

CHAP. CXXXIII.—*An Act to aid certain Indians of the Creek Nation in their removal to the west of the Mississippi.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the United States will give to each warrior of the nation of Creek Indians, who shall, at any time within two years, remove to the west of the Mississippi, according to article six, in the treaty made and concluded at Washington City, on the 26th day of January, one thousand eight hundred and twenty-six, between the United States and the Creek Indians, one rifle gun and ammunition, a butcher knife, one blanket, one brass kettle, and one beaver trap; and shall further aid them with provisions on the way, and with transportation across the Mississippi river, and other streams; and furnish them with provisions for their support for one year after their arrival in the country which may be set apart for them, to the westward of the territory of Arkansas or state of Missouri; and the United States will pay to all such emigrants, the actual value of all the improvements left by them, and which are of a nature to add to the real value of the land, which is to be ascertained by a commissioner appointed by the President of the United States for that purpose, and paid for as soon as practicable after the passage of this act, not exceeding twenty thousand dollars.

SEC. 2. *And be it further enacted,* That the agent to be appointed to accompany and reside with the aforesaid emigrating Creeks, according to article eight of the treaty last above mentioned, shall receive an annual salary of fifteen hundred dollars.

SEC. 3. *And be it further enacted,* That there shall be delivered to the said agent in each and every year, a fair and full proportion of all the annuities heretofore stipulated to be paid to the Creek Indians according to the number of emigrants who may remove; and, to enable the government to divide the annuities fairly, the said agents shall make annual returns of the whole number of such emigrants; and the amount to be paid under the ninth article of the treaty aforesaid, may be extended to any number of emigrants over and above three thousand persons.

SEC. 4. *And be it further enacted,* That, for the purpose of making known the beneficial objects of the government, and for carrying into effect the objects of this act, the agent to be appointed to reside with the emigrating Creeks, shall have full liberty, for the space of two years, to go among the Indians of the Creek nation, and explain to them the policy of the government, and to give to such individuals, families, and

[Obsolete.]

United States to give to each warrior of the Creek nation, who shall within two years remove to the west of the Mississippi according to article 6 of the treaty of Jan. 26, 1826, one rifle gun, &c.

Agent appointed to accompany them, to receive 1500 dollars per annum.

There is to be delivered to the said agent, annually, fair and full proportion of annuities heretofore stipulated to be paid to the Creek Indians.

The agent is to reside with the emigrating Creeks, &c.

(a) See notes of the acts passed relating to the circuit and district courts in Ohio. Act of March 4, 1820, ch. 21.

parties, as may determine, from time to time, all the aids which are contemplated by this act; and shall designate a proper place at which the emigrants may cross the Mississippi river; and shall establish *depots* of provisions at one or more places, under the care of suitable persons, to support them on their march.

60,000 dollars appropriated to carry this act into effect.

SEC. 5. *And be it further enacted*, That the sum of sixty thousand dollars to be paid out of any money in the treasury not otherwise appropriated, shall be, and the same is hereby, appropriated, to defray the expense of carrying this act into effect.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

CHAP. CXXXIV.—*An Act to allow the transportation of goods, wares, and merchandise, to and from Philadelphia and Baltimore, by the way of Lancaster and York, or by the mail-route.*

Any goods, &c., which lawfully might be transported to or from Philadelphia, &c., by the way of Elkton, &c., shall be entitled to all the benefits, &c., existing in the case of goods, &c., transported by any of the routes above mentioned.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That any goods, wares, and merchandise, which lawfully might be transported to or from the city of Philadelphia and Baltimore, by the way of Elkton, Bohemia or Frenchtown, and Port Pen, Appoquinimink, New Castle, Christiana Bridge, Newport or Wilmington, or to and from the city of Philadelphia and Baltimore, by the way of Appoquinimink and Sassafra river, shall, and may be, lawfully transported to and from the city of Philadelphia and Baltimore, by the way of Lancaster and York, or by the mail-route, and shall be entitled to all the benefits and advantages, and shall be subject to all the provisions, regulations, limitations, and restrictions, existing in the case of goods, wares, and merchandise, transported by any of the routes before mentioned.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

CHAP. CXXXV.—*An Act to enable the President of the United States to hold a treaty with the Choctaw and Chicasaw nations of Indians.*

Appropriation to defray the expenses of a treaty with the Choctaw and Chicasaw nations of Indians.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of twenty thousand dollars be, and the same is hereby, appropriated to defray the expenses of treating with the Choctaw and Chicasaw nations of Indians, for the purpose of extinguishing their titles to lands within the limits of the state of Mississippi. The said sum [to] be paid out of any money in the treasury not otherwise appropriated.

Commissioners to be appointed.

SEC. 2. *And be it further enacted*, That, for the purpose of negotiating said treaty on the part of the United States, the President shall be, and he is hereby, authorized to appoint commissioners after the adjournment of the present session of Congress, or at an earlier period, if practicable, and to fix their compensation, so as not to exceed what has been heretofore allowed for like services.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

CHAP. CXXXVI.—*An Act to regulate the summoning of grand jurors, in the district courts.*

The clerks of the district courts are not to summon a grand jury,

*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 August next, the clerks of the district courts of the United States shall not issue a process to summon, or cause to be returned to

any session of the said courts, a grand jury, unless by special order of the district judge.

unless by order of the judge.

APPROVED, May 20, 1826.

STATUTE I.

CHAP. CXXXVII.—*An Act declaring valid and legalizing certain sales of land in the state of Mississippi.*

May 20, 1826.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sales of lands lying in Monroe county, in the state of Mississippi, which have been sold at the land offices of Huntsville, and Tuscaloosa, since the thirtieth of October, eighteen hundred and twenty-two, are hereby legalized and declared valid, as though made at the proper land offices; and that patents be issued for them, in the same manner as for other lands sold at the land offices at Huntsville and Tuscaloosa.

Lands lying in Monroe county, Mississippi, which have been sold since Oct., 1822, legalized, &c.

APPROVED, May 20, 1826.

STATUTE I.

CHAP. CXXXVIII.—*An Act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the general land office.*

May 20, 1826.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the officers and soldiers of the Virginia line, on the continental establishment, their heirs or assigns, entitled to bounty lands within the tract of country reserved by the state of Virginia, between the Little Miami and Sciota rivers, shall be allowed until the first day of June, eighteen hundred and twenty-nine, to obtain warrants, and until the first day of June, eighteen hundred and thirty-two, to complete their locations, and until the first day of June, eighteen hundred and thirty-three, to return their surveys and warrants, or certified copies thereof, to the commissioner of the general land office, and to obtain patents: *Provided,* That no location shall be made by virtue of any warrant obtained after the first day of June, eighteen hundred and twenty-nine, and no patent shall issue in consequence of any location made after the first day of June, eighteen hundred and thirty-two; *And provided also,* That no patent shall be obtained, on any such warrant, unless there be produced, to the Secretary of War, satisfactory evidence that such warrant was granted for services which, by the laws of Virginia, passed prior to the cession of the north-western territory, would have entitled such officer, or soldier, his heirs or assigns, to bounty lands; and also a certificate of the register of the land office of Virginia, that no warrant has issued from the said land office for the same services.

Act of March 1, 1823, ch. 39. Officers, &c., of the Virginia line, on the continental establishment, entitled to bounty lands, to be allowed until 1st June, 1829, to obtain warrants, &c.

Proviso.

Proviso.

SEC. 2. *And be it further enacted,* That no patent shall be issued, by virtue of the preceding section, for a greater quantity of land than the rank, or term of service, of the officer or soldier to whom or to whose heirs or assigns such warrant has been granted, would have entitled him to, under the aforesaid laws of Virginia; and whenever it appears, to the Secretary of War, that the survey made by virtue of any of the aforesaid warrants, is for a greater quantity of land than the officer or soldier is entitled to for his services, the Secretary of War shall certify, on each survey, the amount of such surplus quantity, and the officer or soldier, his heirs or assigns, shall have leave to withdraw his survey from the office of the Secretary of War, and re-survey his location, excluding such surplus quantity, in one body, from any part of his re-survey, and a patent shall issue upon such re-survey, as in other cases.

No patent to be issued by virtue of the preceding section, for a greater quantity of land than the rank or term of service of the officer, &c., to whose heirs or assigns such warrant has been granted, would have entitled him to, &c.

SEC. 3. *And be it further enacted,* That no holder of any warrant,

No holder of any warrant to be permitted to withdraw or remove the same, and locate it in any other land, except in cases of eviction.

Proviso.

which has been, or may be located, shall be permitted to withdraw or remove the same, and locate it on any other land, except in cases of eviction, in consequence of a legal judgment first obtained, from the whole or a part of the located land, or unless it be found to interfere with a prior location and survey: nor shall any lands heretofore sold by the United States, within the boundaries of said reservation, be subject to location, by the holder of any such unlocated warrant: *Provided*, That no location shall, after the passage of this act, be made on lands for which patents had previously issued, or which had been previously surveyed, nor shall any location be made on lands lying west of Ludlow's line, and any patent which, nevertheless, may be obtained, contrary to the provisions of this section, shall be null and void.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

Repairs of the post-road in the Indian country between Chatahoochie and Line Creek.

CHAP. CXXXIX.—*An Act appropriating a sum of money for the repair of the post-road from the Chatahoochie to Line Creek, in the state of Alabama.*

*Be it enacted 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 the same is hereby, appropriated, for the repair of the post-road in the Indian country between the Chatahoochie and Line creek, in the state of Alabama, to be expended under the direction of the Postmaster General, and that it be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 20, 1826.

STATUTE I.

May 20, 1826.

Duty of the Secretary of the Treasury, where sales have been made to satisfy any direct taxes imposed thereon by virtue of the laws of the United States.

To cause evidence of proceeding to be preserved.

CHAP. CXL.—*An Act to perpetuate the evidence relating to the sale of dwelling-houses, lots, and lands, for the non-payment of direct taxes due the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, where sales shall have been made of any dwelling-houses, lots, or lands, to satisfy any direct taxes imposed thereon, by virtue of the laws of the United States, the Secretary of the Treasury shall, so far as practicable, cause such of the books, and other documentary evidence relating to the assessment of such taxes, and to the advertising and sale of such houses, lots, and lands, for the non-payment thereof, as may remain in the hands of the assessors and collectors, or their representatives, to be deposited, for safe keeping, in the office of the clerk of the district court of the United States, within whose district such houses, lots, and lands, may lie.

APPROVED, May 20, 1826.

STATUTE I.

May 22, 1826.

Soldiers, or their heirs, to whom bounty lands have been patented, in Arkansas, unfit for cultivation, to receive in exchange, a like quantity on any

CHAP. CXLVII.—*An Act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That it shall and may be lawful for any soldiers in the late war, or their heirs, to whom bounty lands have been patented, or may hereafter be patented, in the territory of Arkansas, and which land is unfit for cultivation, and who have removed, or shall hereafter remove, to the said territory, with a view to actual settlement on the lands by them drawn—in all such cases, where it shall be made to appear, in such manner as the commissioner of the general land office

shall direct, to the satisfaction of the register and receiver of the proper district, that the land patented to them is unfit for cultivation, and on the surrender of the patent to them granted, accompanied with such a release of their interest as the commissioner of the general land office shall prescribe, such soldier, or his heirs, may locate and enter with the register of the land office, for the proper district, in the territory of Arkansas, according to the sectional and divisional lines, the like quantity on any of the unappropriated public lands in the military district in said territory; and upon such entry and location being made, it shall be the duty of the register to issue to the person so locating, a certificate specifying the quarter or half section of land so located and entered; and it shall be the duty of the commissioner of the general land office, if he is satisfied such certificate was fairly obtained, to issue a patent for the lands so located, whenever the certificate aforesaid shall be presented to him for that purpose. *Provided*, That before such certificate of location shall be granted, the applicant shall satisfy the register and receiver that his interest in the land originally patented to him, has not been divested, either by his own acts, or by the operation of law, for taxes, or otherwise. *And provided, also*, That such surrender and re-location shall be made on or before the first day of January, eighteen hundred and thirty. But, if said interest shall have been divested in either mode above mentioned, no title shall be acquired to the land subsequently patented.

APPROVED, May 22, 1826.

of the unappropriated lands in the military district in said territory.

Duty of the register.  
Duty of the commissioner of the general land office.  
Proviso.

Such surrender, &c., to be made on or before the 1st Jan. 1830, &c.

STATUTE I.

May 22, 1826.

[Obsolete.]

CHAP. CXLVIII.—*An Act making appropriations to carry into effect the treaty concluded between the United States and the Creek nation, ratified the twenty-second of April, eighteen hundred and twenty-six.*

*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 not otherwise appropriated, to carry into effect the treaty concluded between the United States and the Creek nation, on the twenty-fourth of January, eighteen hundred and twenty-six, and ratified on the twenty-second of April, eighteen hundred and twenty-six, that is to say: For the payment of the sums to the chiefs and warriors of the Creek nation, stipulated in the third article of the said treaty, in addition to an unexpended balance of one hundred and seventy thousand dollars, appropriated by the act of the third of March, eighteen hundred and twenty-five, and which is hereby directed to be used for the purpose of this act, forty-seven thousand six hundred dollars, both of which sums shall be paid to the chiefs of the Creek nation, to be divided among the chiefs and warriors of said nation, and that the same be done under the direction of the Secretary of War, in a full council of the nation convened upon notice for that purpose.

For the payment of the permanent annuity to the Creek nation, provided for by the fourth article of the said treaty, the sum of twenty thousand dollars.

For the payment of the sum to the friends and followers of General M<sup>o</sup>Intosh, stipulated for in the ninth article of the said treaty, one hundred thousand dollars.

For the payment of the sum to the Creek nation, stipulated for by the supplemental article to the said treaty, thirty thousand dollars.

For carrying into effect the stipulations of the sixth, seventh, eighth, tenth, eleventh, and sixteenth articles, and to defray all other expenses attending the faithful execution of the provisions of said treaty, one hundred and twenty thousand dollars.

APPROVED, May 22, 1826.

Appropriation to carry into effect the treaty between the United States and the Creek nation.

Payment of the sum to the chiefs and warriors of said nation.

March 3, 1825, ch. 16.

Annuity to the Creek nation.

For the payment of the sum to the friends of Gen. M<sup>o</sup>Intosh.

Payment to Creek nation.

For carrying into effect the stipulations of the treaty.

## STATUTE I.

May 22, 1826.

The times of holding the district courts in the district of Alabama. changed.

## Proviso.

All causes, &c., to remain and be proceeded with as before.

CHAP. CXLIX.—*An Act to fix the times and places of holding the district courts of the United States, in the districts of Alabama. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district courts in the districts of Alabama shall hereafter be holden at the times and places, and in the manner herein provided for, any law to the contrary notwithstanding; that is to say: At Huntsville, in and for the northern district of Alabama, on the first Monday of March, and the first Monday of October; at Mobile, in and for the southern district, on the first Monday in May, and on the second Monday in October, in each year: *Provided,* That, for the final disposition of causes commenced in, and pending in the district court, now held at Cahawba, in said southern district, there shall be a court held at said place, at the times now fixed by law, and after judgment in said cases, final process thereon may be issued from, and made returnable to, the said court, to be held at Mobile, in which court all further proceedings thereon shall be had.

SEC. 2. *And be it further enacted,* That all causes and proceedings, of every description, commenced or depending in either of said courts, shall be continued and returnable to said courts, to be held according to the provisions of this act, and proceeded with in due form of law.

APPROVED, May 22, 1826.

## STATUTE I.

May 22, 1826.

[Obsolete.]

Appeals and writs of error from the decisions of the district court for the northern district of New York.

CHAP. CL.—*An Act allowing appeals and writs of error from the decisions in the district court in the northern district of New York, in certain cases.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That appeals and writs of error shall lie from decisions in the district court for the northern district of New York, when exercising the powers of a circuit court; and from decisions which may be made by the circuit court for the southern district of said state, in causes heretofore removed to said circuit court, from the said district court sitting as a circuit court, to the Supreme Court of the United States, in the same manner as from circuit courts.

APPROVED, May 22, 1826.

## STATUTE I.

May 22, 1826.

Accounting officers of the treasury to settle the claim of New York against the United States, for moneys expended by her.

Rules applicable to, and governing the case.

CHAP. CLL.—*An Act authorizing the payment of interest due to the state of New York.*

*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, and they are hereby, authorized and directed to liquidate and settle the claim of the state of New York, against the United States, for interest upon loans on moneys borrowed, and actually expended by her, for the use and benefit of the United States, during the late war with Great Britain.

SEC. 2. *And be it further enacted,* That, in ascertaining the amount of interest, as aforesaid, due to the state of New York, the following rules shall be understood as applicable to, and governing the case, to wit: First, that interest shall not be computed on any sum which New York has not expended for the use and benefit of the United States, as evidenced by the amount refunded or repaid to New York, by the United States; Second, that no interest shall be paid on any sum on which she has not paid interest: Third, that when the principal, or any

(a) See notes to the act of April 21, 1820, ch. 47, for a list of the acts passed relating to the district court of Alabama.

part of it, has been paid or refunded by the United States, or money placed in the hands of New York for that purpose, the interest on the sum or sums so paid or refunded, shall cease and not be considered as chargeable to the United States, any longer than up to the time of the repayment as aforesaid.

SEC. 3. *And be it further enacted*, That the amount of the interest, when ascertained as aforesaid, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 22, 1826.

Amount of interest to be paid from the treasury.

STATUTE I.

CHAP. CLII.—*An Act to compensate the registers and receivers of the land offices, for extra services rendered under the provisions of the act of the second of March, eighteen hundred and twenty-one.*

May 22, 1826.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, for the services rendered by the registers and receivers of the several land districts, in carrying into effect the act for the relief of the purchasers of public lands, prior to the first day of July, eighteen hundred and twenty, passed on the second day of March, one thousand eight hundred and twenty-one, and the several acts supplementary thereto, the Secretary of the Treasury, with the approbation of the President, in addition to the fees allowed by the said act and supplementary acts, shall be, and he is hereby, authorized to make such allowance and compensation to each of the said officers, as shall appear to him to be reasonable and just; which allowance shall, in no case, exceed the expenditure incurred in clerk hire, by any register or receiver, in consequence of the duties imposed upon those officers by the provisions of the said act, and the acts supplementary thereto, and the one half of one per cent. on the amount of payments made by relinquishments and discounts, calculating the value of the lands relinquished at the rate of two dollars per acre: *Provided*, That the allowance made on account of per centage, including their annual salary, and including their commission on the money actually paid, shall in no case exceed, to any one officer for any one year, the sum of three thousand dollars.

Additional fees to the registers and receivers of land offices, for extra services.

Act of March 2, 1821, ch. 12.

Proviso.

APPROVED, May 22, 1826.

STATUTE I.

CHAP. CLIII.—*An Act to compensate receivers of public moneys for transporting and depositing the same.*

May 22, 1826.

*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 Secretary of the Treasury to allow to the several receivers of public moneys, in the several land offices, a reasonable compensation for transporting to, and depositing such moneys in, any bank or other place of deposit, that may, from time to time, be designated by the Secretary of the Treasury for that purpose, which compensation shall be regulated according to the actual labour, expense, and risk, of such transportation and deposit, to the place of deposit, and returning therefrom. (a)

Compensation to the receivers of public money, in the several land offices, for transporting and depositing moneys.

SEC. 2. *And be it further enacted*, That it shall be lawful for the Secretary of the Treasury, in his discretion, to make a like compensation to the several receivers of public moneys for similar services by them performed since the reduction of their compensation by the act of the twentieth of April, one thousand eight hundred and eighteen.

A like compensation to be made to them for similar services performed by them since the act of 30th of April, 1818, ch. 123.

APPROVED, May 22, 1826.

(a) The felonious taking and carrying away the public moneys in the custody of a receiver of public money, without any fault or negligence on his part, does not discharge him and his securities, and cannot be set up as a defence to an action on his official bond. *The United States v. Prescott*, 3 Howard, 578.

## STATUTE I.

May 22, 1826.

Sums respectively appropriated for the following purposes :

For the President's house, for the purchase of furniture, &c.

All furniture to be of American manufacture.

Commissioner of public buildings hereafter to receive a salary of 2000 dollars.

CHAP. CLIV.—*An Act making appropriations for the public buildings in Washington, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, respectively appropriated, to be paid out of any money in [the] treasury not otherwise appropriated, for the following purposes; that is to say :

For finishing the large room in the President's house; for the purchase of furniture, and for repairs of the house, the sum of twenty-five thousand dollars; for finishing the fences, and graduating and improving the grounds connected with the President's house, the sum of five thousand eight hundred and sixty-five dollars; for continuing the work on the Capitol, the sum of one hundred thousand dollars; for repair of hose for fire engine, the sum of three hundred dollars; for the widow of Giovanni Andrei, four hundred dollars, to defray the expenses of her return to Italy.

SEC. 2. *And be it further enacted,* That all furniture purchased for the use of the President's house, shall be, as far as practicable, of American or domestic manufacture.

SEC. 3. *And be it further enacted,* That the commissioner of [the] public buildings shall hereafter receive the sum of two thousand dollars per annum as his salary, to be paid to him as other salaries are paid, and any law heretofore authorizing him to employ a clerk in his office shall be, and the same is hereby, repealed.

APPROVED, May 22, 1826.

## STATUTE I.

May 22, 1826.

Appropriation for the relief of the Florida Indians.

CHAP. CLV.—*An Act for the relief of the Florida Indians.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of twenty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be expended under the directions of the President, in affording sustenance to the suffering Florida Indians.

APPROVED, May 22, 1826.

## RESOLUTIONS.

May 4, 1826.

Postmaster General authorized, &c., to cause to be made an examination of the various routes between Baltimore, and Philadelphia, and report to Congress, &c.

I. RESOLUTION *directing a survey of certain routes between Baltimore and Philadelphia, for a post-road.*

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Postmaster General be authorized and required to cause an examination and survey of the various routes between Baltimore and Philadelphia, crossing the Susquehanna at Havre de Grace Ferry, Port Deposit, and Conewingo Bridges, and report to Congress the route which may be best adapted for a permanent post-road, with an estimate of the expense of making each of said routes safe and convenient for the transportation of the mail.

APPROVED, May 4, 1826.



II. RESOLUTION *expressive of the sense of Congress of the gallant conduct of Lieutenant Duncan, of the United States' Navy.*

May 13, 1826.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the provisions of the joint resolutions of Congress, passed October twentieth, eighteen hundred and fourteen, entitled "Resolutions expressive of the sense of Congress of the gallant conduct of Captain Thomas McDonough, the officers, seamen, and marines, and infantry serving as marines, on board of the United States squadron on Lake Champlain," be so construed and extended as to include the name of Silas Duncan, a lieutenant in the navy of the United States, in testimony of the sense which is entertained by both houses of Congress, of the distinguished gallantry and good conduct of the said Lieutenant Duncan, in an action with the enemy's forces, on the sixth of September, eighteen hundred and fourteen, on the same Lake.

Resolutions expressive of the sense of Congress of the gallant conduct of Capt. Thomas McDonough, &c., extended to Lt. Duncan.

APPROVED, May 13, 1826.

III. RESOLUTION *directing a system of cavalry tactics, and a system of instruction for artillery, to be prepared for the use of the cavalry and artillery of the militia.*

May 18, 1826.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of War be authorized to have prepared a complete system of cavalry tactics, and also a system of exercise and instruction of field artillery, including manœuvres for light or horse artillery, for the use of the militia of the United States, to be reported for consideration, or adoption by Congress at its next session.

Secretary of War to have prepared a complete system of cavalry tactics, &c.

APPROVED, May 18, 1826.

IV. RESOLUTION *authorizing the delivery of rifles promised to Captain Aitkin's volunteers, at the siege of Plattsburg.*

May 20, 1826.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby authorized to cause to be delivered to Martin J. Aitkin, Azariah C. Flagg, Ira A. Wood, Gustavus A. Bird, James Trowbridge, Hazen Moers, Henry K. Averill, St. John B. L. Skinner, Frederick P. Allen, Hiram Walworth, Ethan Everist, Amos Soper, James Patten, Bartemus Brooks, Smith Bateman, Melancton W. Travis, and Flavel Williams, each, one rifle, promised them by General Macomb, while commanding the Champlain department, for their gallantry and patriotic services as a volunteer corps, during the siege of Plattsburg, in September, one thousand eight hundred and fourteen, on each of which said rifles there shall be a plate containing an appropriate inscription.

President of the United States to cause to be delivered to certain persons, for their gallantry at Plattsburg, in 1814, each, one rifle.

APPROVED, May 20, 1826.

V. RESOLUTION *directing surveys and estimates for dry docks.*

May 22, 1826.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States cause an examination and accurate survey to be made by a skilful engineer, of a site for a dry dock, at the navy yard at Ports-

President of the United States to cause an examination, &c., to be made, for

a site for a dry  
dock at certain  
navy yards.

mouth, New Hampshire; Charlestown, Massachusetts; Brooklyn, New York; and Gosport, Virginia; and that such engineer be required to state the dimensions necessary for such docks, the advantages of each of the above-named places for such establishment, the objections that apply to either, with a detailed estimate of the expense of a suitable site, and of constructing a dock at each of said places; and that the President be requested to communicate the same to Congress in the first week of the next session.

APPROVED, May 22, 1826.

# ACTS OF THE NINETEENTH 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 fourth day of December, 1826, and ended on the third day of March, 1827.*

JOHN QUINCY ADAMS, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; NATHANIEL MACON, President of the Senate, pro tempore; J. W. TAYLOR, Speaker of the House of Representatives.

### STATUTE II.

CHAP. IV.—*An Act to provide for taking evidence in the courts of the United States in certain cases.*(a) Jan. 24, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, whenever a commission shall be issued, by any court of the United States, for taking the Whenever a commission shall be issued,

(a) The decisions of the courts of the United States upon the laws relating to commissioners to take testimony have been:

Depositions taken under a commission issued at the instance of the defendant, may be read in evidence by the plaintiff, although the plaintiff had no notice of the time and place of taking them. *Yeaton v. Fry*, 5 Cranch, 335; 2 Cond. Rep. 273.

The court will not award a commission to take the testimony of absent witnesses until the commissioners are named. *Van Stephorst v. The state of Maryland*, 2 Dall. 401; 1 Cond. Rep. 2.

Under particular circumstances the court allowed a special commission, to take the depositions of witnesses, with instructions: 1. That the interrogatories should be filed in the court here by both parties previous to the issuing of the commission. 2. That the commissioners should be directed not to admit any additional interrogatories. 3. That neither parties nor counsel should be allowed to appear before the commissioners. *Cunningham v. Otis*, 1 Gallis. C. C. R. 166.

Commissioners to take depositions of witnesses, act under a special authority derived from the court, which must be strictly pursued; and, therefore, where a commission had issued to four commissioners jointly to take depositions, and it was executed and returned by three only, although both of the commissioners nominated by the defendant, had acted; yet he may object to the reading of the depositions, and the objections will be sustained. *Armstrong v. Brown*, 1 Wash. C. C. R. 34.

A commission to take testimony, which had issued in a case in which the United States was a party, was set aside, because it had been opened by an officer of the government before it came into the hands of the clerk, and a new commission was ordered, to which the original papers, which had been annexed to the first commission, were attached. *The United States v. Price's Adm'rs*, 2 Wash. C. C. R. 356.

A commission to take evidence in an enemy's country, in a prize cause, is contrary to the established practice in a prize court. *The Diana*, 2 Gallis. C. C. R. 93.

Each interrogatory, annexed to the commission, should be substantially answered, at least; and the omission, so to answer, is fatal to the whole testimony of the witness: although, in his answer to the general interrogatory, the witness has said he knows nothing material to either party. *Ketland v. Bissett*, 1 Wash. C. C. R. 144.

Where a commission to take evidence was executed in a foreign country, the government of which refused to let the commissioners act, considering it an assumption of the sovereign power, but the commission was executed by a judge of the court in the presence of the commissioners; the depositions were permitted to be read, as otherwise the course of justice might be impeded. In such a case the evidence must be fairly taken; all the evidence on each side must be put and answered. If, however, the interrogatories have been substantially put and answered, it is sufficient. *Winthrop v. The Union Ins. Co.*, 2 Wash. C. C. R. 7.

It is no objection to the reading of a deposition, taken under a commission to a foreign country, that the same witness had been previously examined and cross-examined in the United States. *Ibid.*

A joint commission to take the depositions of witnesses, must be executed by all the commissioners,

by any court of the United States, for taking the testimony of a witness or witnesses, at any place within the United States, or the territories thereof, it shall be lawful for the clerk of any court of the United States, for the district or territory within which such place may be, and he is hereby enjoined and required, upon

to make the depositions evidence, although the commissioners named by the party making the objection, after proceeding some length in the examination of the witnesses, withdrew. *Muns v. Dupont*, 2 Wash. C. C. R. 563.

The provision of the judiciary act of 1789, ch. 20, sec. 30, as to taking depositions, *de bene esse*, does not apply to cases pending in the Supreme Court of the United States, but only to cases in the district and circuit courts. Testimony, by depositions, can only be regularly taken for the Supreme Court, under a commission issuing according to the rules of the court. *The Argo*, 2 Wheat. 287; 4 Cond. Rep. 119.

Depositions taken according to the proviso in the 13th section of the judiciary act of 1789, ch. 20, under a "*dedimus potestatem*," "according to common usage, where it may be necessary to prevent a failure or delay of justice," are, under no circumstances, to be considered as taken *de bene esse*, whether the witness reside beyond the process of the court, or within it: the provision of the act relative to depositions, *de bene esse*, being confined to those taken under the enacting part of the section. *Sergeant's Lessee v. Biddle et al.* 4 Wheat. 508; 4 Cond. Rep. 522.

A commission was issued in the name of Richard M. Meade, the name of the party being Richard W. Meade. This is a clerical error in making out the commission, and does not affect the execution of the commission. *Keene v. Meade*, 3 Peters, 1.

It is not known that there is any practice in the execution or return of a commission, requiring a certificate, in whose handwriting the depositions returned with the commission were set down. All that the commission requires, is, that the commissioners, having reduced the depositions taken by them to writing, should send them with the commission, under their hands and seals, to the judges of the court out of which the commission issued. But it is immaterial in whose handwriting the depositions are; and it cannot be required that they should certify any immaterial fact. *Ibid.* 8.

A certificate by the commissioners, that A. B., whom they were going to employ as a clerk, had been sworn, admits of no other reasonable interpretation than that A. B. was the person appointed by them as clerk. *Ibid.* 9.

It is not necessary to return with the commission the form of the oath administered by the commissioners to the witnesses. When the commissioners certify the witnesses were sworn, and the interrogatories annexed to the commission were all put to them, it is presumed that they were sworn and examined as to all their knowledge of the facts. *Ibid.* 10.

The plaintiffs issued a commission to take testimony abroad, and the defendant joined in the same, by filing cross-interrogatories, but the plaintiffs afterwards found a witness to prove the facts they desired to establish by the commission; and they abandoned it. The court said a trial under those circumstances, would be a surprise on the defendant. *Le Roy v. The Delaware Ins. Co.*, 2 Wash. C. C. R. 223.

If the cross-interrogatories are not put to a witness examined under a commission to take testimony, the examination of the witness cannot be read on the trial. *Gilpins v. Consequa, Peters'* C. C. R. 86.

It is no objection to a deposition taken under a commission to Holland, that it is in the English language, the commissioners before whom it was taken being Dutchmen, and not stating that they had the assistance of an interpreter. *Ibid.*

It is not an objection to the evidence taken under a commission, that the cross-interrogatories were not put to each witness, immediately after he had answered the chief interrogatories, but were put to him after all the chief interrogatories had been answered by all the witnesses. *Ibid.*

A commission is not defectively executed, because the commissioners and their clerk were not sworn. *Ibid.*

Those who execute a commission are appointed by the court, and although they may be nominated by the parties, they are not their agents. *Ibid.*

If all the interrogatories, which accompany a commission, are substantially, although not severally answered, it is sufficient; and this principle applies as well to the answers given to the interrogatories annexed to letters rogatory, as to answers under a commission. *Nelson v. The United States, Peters'* C. C. R. 235.

The circuit court of the United States will issue letters rogatory, for the purpose of obtaining the testimony of witnesses, when the government of the place where the evidence is to be obtained will not permit a commission to be executed. *Ibid.*

The testimony of a witness, taken under a commission, directed to five persons, or any one of them, cannot be read in evidence if another person than the commissioner, and who was not named in the commission, assisted in taking the examinations of the witnesses. *Willings v. Consequa, Peters'* C. C. R. 301.

A commission directed to A. to be executed in one county, cannot be executed by him in another. The commissioner ought to state when and where the commission was executed. He acts under a special authority. The depositions were rejected, being obnoxious to this principle. *Bourdureau et al. v. Montgomery et al.*, 4 Wash. C. C. R. 186.

If the general interrogatory, under a commission, is not answered, it is a fatal objection to the whole deposition; all the interrogatories must be substantially answered. *Dodge v. Israel*, 4 Wash. C. C. R. 323.

*Query*, If it is not an objection to a deposition, that it was committed to writing by the witness before he was sworn; and whether exhibits, referred to in a deposition, ought not to be annexed by the commissioners to the deposition, or so designated by them as to leave no reasonable doubt of their identity. *Ibid.*

If reasonable notice of formal objections to the depositions taken under a commission, be not given, the court may be induced to set aside a verdict or nonsuit rendered in consequence of this objection, without costs. *Ibid.*

Depositions taken, under a commission, to another state, cannot be read, unless proof be given

the application of either of the parties in the suit, cause, action, or proceeding, in which such commission shall have been issued, his, her, or their agent or agents, to issue a subpoena, or subpoenas, for such witness or witnesses, residing or being within the said district or territory, as shall be named in the said commission, commanding such witness or witnesses to appear and testify before the commissioner or commissioners, in such commission named, at a time and place in the subpoena to be stated, and if any witness, after being duly served with such subpoena, shall refuse or neglect to appear, or after appearing, shall refuse to testify, (not being privileged from giving testimony,) such refusal or neglect being proved to the satisfaction of any judge of the court, whose clerk shall have issued such subpoena or subpoenas, he may thereupon proceed to enforce obedience to the process, or to punish the disobedience, in like manner as any court of the United States may do in case of disobedience to process of *subpœna ad testificandum*, issued by such court; and the witness or witnesses, in such cases, shall be allowed the same compensation as is allowed to witnesses attending the courts of the United States: *Provided*, That no witness shall be required to attend at any place out of the county in which he may reside, nor more than forty miles from his place of residence, to give his or her deposition, under this law.

SEC. 2. *And be it further enacted*, That whenever either of the parties in such suit, cause, action, or proceeding, shall apply to any judge of a court of the United States, in the district or territory of the United States, in which the place for taking such testimony may be, for a *subpœna duces tecum*, commanding the witness, therein to be named, to appear and testify before the said commissioner or commissioners, at the time and place in the said subpoena to be stated, and also to bring or carry with him or her, and produce to such commissioner or commissioners, any paper, writing, or written instrument, or book, or other document supposed to be in the possession or power of such witness, such judge being satisfied, by the affidavit of the person applying, or otherwise, that there is reason to believe that such paper, writing, written instrument, book, or other document, is in the possession or power of the witness, and that the same, if produced, would be competent and material evidence for the party applying therefor, may order the clerk of the court, of which he is a judge, to issue such *subpœna duces tecum*, accordingly, and if such witness, after being duly served with such subpoena duces tecum, shall fail to produce any such paper, writing, written instrument, book, or other document, being in the possession or power of such witness, and described in such

witness or witnesses, at any place within the United States, or the territories thereof, it shall be lawful for the clerk of any court of the United States, for the district or territory within which such place may be, to issue a subpoena, or subpoenas, for such witness or witnesses named in said commission.

Proviso.

Any judge of the United States to issue a subpoena duces tecum, in certain cases.

that a copy of the interrogatories, and a written notice of the rule for a commission, and the names of the commissioners, were served on the opposite party or his attorney, according to one of the rules of the circuit court of Pennsylvania. *Lessee of Rhoads and Snyder v. Selin*, 4 Wash. C. C. R. 715.

It is no objection to a deposition, that a material part of the evidence comes out under the general interrogatory. *Ibid*.

A commission was issued under a rule to take depositions at Selinsgrove, and was endorsed "commission to Selinsgrove." It should appear, by the certificate of the commissioners, or otherwise, that the depositions were taken at the place indicated, or they cannot be read. *Ibid*.

Affidavits to be used as further proof, in causes of admiralty and maritime jurisdiction in the Supreme Court, must be taken by commission. *The London Packet*, 2 Wheat. 371; 4 Cond. Rep. 162.

A deposition taken under a commission is fatally defective, if the general interrogatory, "Do you know any thing further?" &c., is not answered. *Richardson v. Golden*, 3 Wash. C. C. R. 109.

If a commission issue to A. & B., or either of them, to take the depositions of witnesses, the depositions of A. may be taken before B. *Lonsdale v. Brown*, 3 Wash. C. C. R. 404.

Evidence to establish heirship and pedigree, had been obtained under a commission issued for that purpose to France, in an action of ejectment, in which the plaintiffs had recovered the lots of ground for which the suit was instituted. In the course of that trial, a bill of exceptions was tendered by the plaintiffs and sealed by the court, in which the evidence contained in the commission was inserted. The commission, and the testimony obtained under it, were afterwards lost. In an action for mesne profits brought by the plaintiffs in the ejectment, against the landlord of the defendant in the suit, who had employed counsel to oppose the claims of the plaintiffs, but who was not a party to the suit on record; it was held, by the Supreme Court, that the testimony, as copied into the bill of exceptions, was legal and competent evidence of pedigree. *Chirac v. Reinecker*, 2 Peters, 613.

*subpœna duces tecum*, before, and to such commissioner or commissioners, at the time and place in such subpœna stated, such failure being proved to the satisfaction of the said judge, he may proceed to enforce obedience to the said process of *subpœna duces tecum*, or to punish the disobedience, in like manner as any court of the United States may do in case of disobedience to a like process, issued by such court; and when any such paper, writing, written instrument, book, or other document, shall be produced to such commissioner or commissioners, he or they shall, at the cost of the party requiring the same cause to be made, a fair and correct copy thereof, or of so much thereof as shall be required by either of the parties: *Provided*, that no witness shall be deemed guilty of contempt for disobeying any subpœna directed to him by virtue of this act, unless his fees for going to, returning from, and one day's attendance at the place of examination, shall be paid or tendered to him at the time of the service of the subpœna.

Proviso.

APPROVED, January 24, 1827.

STATUTE II.

Jan. 24, 1827.

[Obsolete.]

Certain lands to be selected for seminaries of learning.

CHAP. V.—*An Act concerning the selection of certain lands heretofore granted by compact, to the state of Missouri, for seminaries of learning.*

*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 President of the United States, as soon as may be, to cause to be selected, from any of the public lands of the United States in Missouri, the sale of which is authorized by law, and in quantities not less than a section, according to the divisional lines of the public surveys, the several townships of land heretofore secured by compact to the state of Missouri, for the purposes of a seminary or seminaries of learning in that state, and to cause one descriptive list of such selections to be filed with the governor of Missouri, in the office of the secretary of that state; and another like list to be filed in the general land office of the United States; and the lands so selected shall, immediately thereupon, vest in the state of Missouri, according to, and in satisfaction of, the above-mentioned compact with the United States.

APPROVED, January 24, 1827.

STATUTE II.

Jan. 29, 1827.

[Obsolete.]

Members of the legislative council to be hereafter chosen by the people.

Act of Feb. 16, 1819, ch. 22.

Act of March 3, 1823, ch. 36.

Act of Feb. 5, 1825, ch. 6.

CHAP. VI.—*An Act to allow the citizens of the territory of Michigan to elect the members of their legislative council, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That at the next, and at each succeeding election of members of the legislative council of the territory of Michigan, the qualified electors of the said territory may, instead of choosing twenty-six, as heretofore directed, elect thirteen fit persons as their representatives, in the manner, and with the qualifications now, or hereafter to be, prescribed by law; which said representatives, so elected, shall be and constitute the said legislative council. And for the purpose of securing an equal representation, the governor and legislative council of said territory, are hereby authorized and required to apportion the representatives, so to be elected as aforesaid, among the several counties or districts, in the said territory, in proportion, as near as may be, to the whole number of inhabitants in each county or district, exclusive of Indians not taxed.

One or more judges of the supreme court, to hold, annually, a court or

SEC. 2. *And be it further enacted*, That the said governor and legislative council be, and they are hereby, authorized to provide by law for holding, annually, one or more courts, by one or more of the judges of the supreme court of said territory, in each of the counties in that part

of the territory eastward of the Lake Michigan; and also for the appointment of a clerk in each county, to act as clerk to the said court therein; and further to prescribe the jurisdiction of said courts, and the powers and duties of the judge or judges holding the same.

SEC. 3. *And be it further enacted*, That the judges of the supreme court of the territory of Michigan have, and may exercise, the right of appointing the clerk of the said court, and of removing him at pleasure.

SEC. 4. *And be it further enacted*, That no member of the legislative council shall be eligible to any office created, or the fees of which were regulated by a law or laws passed whilst he was a member, during the period for which he was elected, and for one year thereafter.

SEC. 5. *And be it further enacted*, That all laws, and parts of laws, in so far as the same shall be inconsistent with the provisions of this act, are hereby repealed; and, further, that Congress have the right, at any time, to alter or repeal this act.

APPROVED, January 29, 1827.

courts in each county eastward of Lake Michigan, &c.

Clerk of said court to be appointed by the judges.

No member of the legislative council to be eligible to any office, &c.

All laws, &c. inconsistent with this, repealed.

CHAP. VII.—*An Act making appropriations for the payment of the revolutionary and other pensioners 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 following sums be, and they are hereby, respectively appropriated towards the military service of the year one thousand eight hundred and twenty-seven, and for the objects following; that is to say:

For the pensions to the revolutionary pensioners of the United States, one million two hundred and sixty thousand one hundred and eighty-five dollars;

For the invalid and half pay pensioners, three hundred and one thousand and fifty-five dollars;

For pensions to the widows and orphans, twelve thousand dollars.

SEC. 2. *And be it further enacted*, That the said sums, respectively, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, January 29, 1827.

STATUTE II.

Jan. 29, 1827.

[Obsolete.]

Sums respectively appropriated towards the payment of revolutionary pensioners.

Revolutionary pensioners.

Invalid pensioners.

Widows and orphans.

Sums appropriated to be paid from the treasury.

STATUTE II.

Jan. 29, 1827.

[Obsolete.]

The township of land reserved for a seminary of learning, in the district of East Florida, by act of March 3d, 1823, ch. 28, sec. 11, to be located east of Appalachiecola river, &c.

April 22, 1826, ch. 29.

Power given to the governor to lease the same.

CHAP. VIII.—*An Act to provide for the location of the two townships of land reserved for a seminary of learning in the territory of Florida, and to complete the location of the grant to the Deaf and Dumb Asylum of Kentucky.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the township of land reserved in the district of East Florida, by an act of Congress, approved the third day of March, one thousand eight hundred and twenty-three, for a seminary of learning, shall be located east of the Appalachiecola river, and may be located in sections corresponding with any of the legal divisions into which the public lands are authorized to be surveyed, so as not to interfere with private land claims, or the rights of pre-emption; and the township located west of the Appalachiecola river, as directed in the aforesaid act, so far as it is covered by the claims of those entitled to the right of pre-emption, by the act approved the twenty-second of April, one thousand eight hundred and twenty-six, shall be located in sections upon any unappropriated lands in said district of country, until the amount taken by said interferences shall be satisfied and discharged.

SEC. 2. *And be it further enacted*, That the governor and legislative council of said territory shall have power to take possession of the lands granted for the use of schools and for a seminary of learning, and to

lease the same from year to year; and the money arising from the rent of said lands shall be appropriated to the use of schools, and the erection of a seminary of learning, in such manner as they may direct; and they shall have power to pass laws for the preservation of said lands from intrusion and trespass until Florida shall be admitted into the Union as a state.

Location of the grant to the Deaf and Dumb Asylum of Kentucky.

1826, ch. 24.

SEC. 3. *And be it further enacted*, That the incorporated Deaf and Dumb Asylum of Kentucky shall have the power, under the direction of the Secretary of the Treasury, of locating so much of the township of land granted to the said institution, as has been taken by the claims of those who are entitled to the right of pre-emption in the territory of Florida, under the provisions of the act aforesaid; which shall be located in sections upon any unappropriated and unreserved lands in either of the territories of Florida or Arkansas; which said tracts, when so located, shall be disposed of by the corporation of said Deaf and Dumb Asylum, agreeably to the provisions of an act passed the fifth of April, one thousand eight hundred and twenty-six, entitled "An act for the benefit of the incorporated Deaf and Dumb Asylum of Kentucky."

APPROVED, January 29, 1827.

STATUTE II.

Feb. 8, 1827.

CHAP. IX.—*An Act to provide for the confirmation and settlement of private land claims in East Florida, and for other purposes.*(a)

Decisions made by the commissioners appointed to ascertain claims, &c., to land in East Florida, contained in their reports, &c., transmitted to the Secretary of the Treasury, confirmed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the decisions made by the commissioners appointed to ascertain claims and titles to land in the district of East Florida, and those recommended for confirmation, under the quantity of three thousand five hundred acres, in favour of claimants to lands and lots, contained in the reports, abstracts, and opinions, of said commissioners, which have been transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the twenty-first of February, eighteen hundred and twenty-five, and the twenty-first of February, eighteen hundred and twenty-six, be, and the same are hereby, confirmed.

Certain conflicting Spanish claims confirmed.

Act of May 8, 1822, ch. 129, sec. 4.

Proviso.  
Proviso.

SEC. 2. *And be it further enacted*, That all the conflicting Spanish claims, reported in obedience to the fourth section of an act of Congress, approved May the eighth, eighteen hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands in the territory of Florida," be, and the same are hereby confirmed: *Provided*, That this confirmation shall only operate as a relinquishment of the title of the United States: *Provided further*, That nothing in the foregoing sections shall be construed to prevent or bar the judicial decision between persons claiming titles to the lands confirmed.

Commons in the city of St. Augustine confirmed to the corporation.

Parochial church, &c., confirmed, &c.

Old Episcopal church lot relinquished.

Proviso.

SEC. 3. *And be it further enacted*, That the commons in the city of St. Augustine be, and the same are hereby, confirmed to the corporation of said city, to the same extent that they were used, claimed and enjoyed under the Spanish government. And the parochial church and burying ground in possession of the Roman Catholic congregation are confirmed to them: and the old Episcopal Church lot is, hereby, relinquished and confirmed to the Incorporated Episcopal church of St. Augustine: *Provided always*, That the grants in this section specified shall forever inure to the purposes for which they are confirmed, and shall not be alienated without the consent of Congress.

Duty of the secretary of the late commissioners.

SEC. 4. *And be it further enacted*, That it shall be the duty of the secretary of the late board of commissioners to deliver over to the receiver and register, to be appointed for the district of East Florida, all

(a) See notes of the decisions of the Supreme Court of the United States on Florida land claims, act of May 8, 1822, ch. 129.



records, evidence, and papers, in the possession of said board, relating to claims and titles to land, in said district; and it shall be the duty of said receiver and register, to examine and decide all claims and titles to land, in East Florida, not heretofore decided by the late board of commissioners, subject to the limitations, and in conformity with the provisions of the several acts of Congress providing for the adjustment of private land claims in Florida.

Sec. 5. *And be it further enacted*, That the several claimants to land in said district, whose claims have not been heretofore decided on or filed, before the late board of commissioners, be permitted to file their claims, and the evidence in support of them, with the register and receiver of said district, and evidence in support of those filed before said board, at any time before the first of November next, whose duty it shall be to report the same, with their decision thereon, and those already filed, to the Secretary of the Treasury, on or before the first day of January, one thousand eight hundred and twenty-eight, to be laid before Congress at the next session.

Sec. 6. *And be it further enacted*, That the receiver and register shall have power to appoint a clerk, and prescribe his duties; and the receiver and register shall each be entitled to receive the sum of fifteen hundred dollars per annum, to be paid quarterly out of any money in the treasury not otherwise appropriated, as a full compensation for the performance of their duties as receiver and register, and the additional duties required by this act, and shall not be allowed any other fees or commissions whatever; and the clerk appointed by them shall be allowed the sum of one thousand dollars, to be paid quarterly out of any money in the treasury not otherwise appropriated.

Sec. 7. *And be it further enacted*, That the keepers of public archives of East and West Florida shall furnish to the surveyor of public lands in Florida, without delay, a description of each claim to land, which shall have been confirmed, which shall specially designate the quantity, locality and connection of such claim; and where the confirmation may have been made on a grant or survey, a copy of the courses and distances contained in such grant or survey, and the date of the survey or grant; and it shall be the duty of the surveyor of public lands in Florida, to cause, under such instructions as he may receive from the Treasury Department, the said claims to be surveyed, and connected with the township lines of the public surveys, and to give to them their proper township and sectional numbers, agreeably to such descriptions; and he shall make separate plats and certificates of survey of the same, one of which shall be returned to the office of the register of the land office for the district in which the land may lie, and the other shall be delivered to the claimant. But it shall be the duty of the surveyor to withhold his certificate, if he shall have reason to believe that the lands claimed are other lands than those intended to be confirmed; or if it shall appear that the survey, under which the land is claimed, has been made subsequent to the date of the survey under which the claim was confirmed.

Sec. 8. *And be it further enacted*, That, so soon as the said tracts of land shall have been thus surveyed, and the surveys thereof returned to the office of the proper register, it shall be the duty of the said register to issue certificates in favour of the claimants entitled thereto; and, if it shall appear, to the satisfaction of the commissioner of the general land office, that the certificates have been fairly obtained, and correspond with the transcripts transmitted to the Secretary of the Treasury, and the plat returned by the surveyor, patents shall be granted, in like manner as is provided by law for the other public lands of the United States.

Sec. 9. *And be it further enacted*, That the surveyor of the public lands shall designate on the township plats the claims for which he shall have refused to issue his certificates of survey.

Duty of the register and receiver.

Claimants to lands whose claims have not been heretofore decided on, or filed, to file them at any time before the 1st of November next.

Receiver and register to receive each, as an annual compensation, 1500 dollars, and to appoint a clerk whose salary shall be 1000 dollars.

Keepers of the public archives to furnish to the surveyors of public lands in Florida, a description of each claim to land confirmed, which shall specially designate the quantity, &c., of such claim.

Duty of the register to issue certificates in favour of claimants.

Duty of the surveyor.

Expense of surveying to be paid by the United States.  
Proviso.

Patents.

Course to be pursued by the holders of claims over three thousand five hundred acres.

Duty of the register and receiver.

The governor and legislative council to sell one of the reserved quarter sections of land near Tallahassee, and apply the proceeds to the erection of public buildings.

Persons whose improvements were included in the reserve made to certain Indian chiefs in the treaty of Sept. 18th, 1823, entitled to a pre-emption to the same quantity of land.

SEC. 10. *And be it further enacted*, That the expense of surveying all claims founded on surveys or grants shall be paid by the United States: *Provided*, The same shall not exceed four dollars per mile, for every mile actually run and marked.

SEC. 11. *And be it further enacted*, That no patent shall issue, without the consent of the parties, for lands, the claims to which may have been confirmed on surveys, which interfere with each other, until a legal decision shall have been had on the same.

SEC. 12. *And be it further enacted*, That the holders of claims over three thousand five hundred acres, which have been filed with the commissioners, or with the register and receiver of the land office for West Florida, acting as commissioners for adjudicating on claims, or of claims which have been filed with the commissioners for adjudicating claims to land in East Florida, or which, under the provisions of this act, may be filed with the register and receiver of the land office for East Florida, and which claims have not been reported against by the said commissioners, or by the register and receiver, shall cause the same to be so connected with the township lines of the public surveys, and shall furnish to the surveyor of the public lands in Florida, such information as will enable him to exhibit, accurately, the said claims on his township plats, and the lands thus claimed shall be reserved from sale: *Provided*, The information required to enable the surveyor to exhibit them on the township plats, shall have been furnished to him within one year after the lines of the townships, within which such claims may lie, shall have been run; or, where the township lines have already been run, within one year from the passage of this act.

SEC. 13. *And be it further enacted*, That it shall be the duty of the register and receiver at Tallahassee, to deliver over to the keeper of the public archives of West Florida, all the records and papers of the late board of commissioners for West Florida; and it shall be the duty of the register and receiver of the land office for East Florida, to deliver to the keeper of the public archives of East Florida, all the records and papers of the late board of commissioners for East Florida, relating to claims confirmed by this act.

SEC. 14. *And be it further enacted*, That it shall be lawful for the governor and legislative council to sell one of the reserved quarter sections of land, near Tallahassee, and apply the proceeds to the erection of public buildings; and it shall be lawful for them to reserve such portion of the quarter section to the town of Tallahassee, contiguous to the creek and waterfall, as may, in their opinion, contribute to the health and convenience of the inhabitants; and they shall have power to pass laws for the preservation of, and expulsion from, the other two reserved quarter sections, all intruders, and to abate all nuisances; which said two reserved quarter sections shall be reserved for, and vested in, the state, should that territory ever be erected into one.

SEC. 15. *And be it further enacted*, That the three persons whose improvements were included in the reserves made to certain Indian chiefs, in the treaty with the Florida Indians, of the eighteenth of September, one thousand eight hundred and twenty-three, shall be entitled to a pre-emption to the same quantity of land, in said district, upon the same terms and conditions as other pre-emptions, to be located under the direction of the receiver and register, upon the production of proof that they would have been entitled to the provisions of the act granting the right of pre-emption, if the reserves had not been made.

APPROVED, February 8, 1827.

CHAP. XIV.—*An Act to authorize the corporation of the city of Washington to introduce into the lotteries they are authorized to establish, certain land prizes herein mentioned. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it shall, and may, be lawful for the corporation of the city of Washington, (who are authorized by the acts of Congress incorporating the city of Washington to raise moneys by lottery,) to permit the introduction into their lotteries, from time to time, as a substitute for part of the money prizes in their schemes, such portions of the lands that were authorized to be sold by way of lottery, in and by the act of the legislature of the state of Virginia, passed in favour of the late Thomas Jefferson, as to them shall appear proper, until the whole of the said lands shall be sold.

APPROVED, February 22, 1827.

STATUTE II.  
Feb. 22, 1827.  
[Obsolete.]

Act of May 3, 1802, ch. 53. Corporation to introduce into their lotteries certain land prizes.

CHAP. XVIII.—*An Act to provide for reports of the decisions of the Supreme Court. (b)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That a reporter shall, from time to time, be appointed by the Supreme Court of the United States, to report its decisions, who shall be entitled to receive from the treasury of the United States, as an annual compensation for his services, the sum of one thousand dollars: *Provided, nevertheless,* That the said 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 such decisions shall be made; and shall deliver eighty copies of the decisions, so printed and published, to the Secretary of State, without any expense to the United States; which copies shall be distributed as follows, to wit: to the President of the United States, the judges of the Supreme Court, the judges of the district courts, the Attorney General of the United States, the Secretaries of State, Treasury, War, and Navy, the comptrollers of the treasury, and the judges of the several territories of the United States, one copy each; five copies for the use of each House of Congress; and the residue of the copies shall be deposited in the library of Congress; *And provided, also,* That the said decisions shall be sold to the public at large at a price not exceeding five dollars a volume.

SEC. 2. *And be it further enacted,* That in case of the death, resignation, or dismissal from office, of either of the officers before mentioned, the said copies of [the] decisions delivered to them, as aforesaid, shall belong, and be delivered over, to their successors in said offices.

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

APPROVED, February 22, 1827.

STATUTE II.  
Feb. 22, 1827.

[Expired.]  
Act of March 3, 1817, ch. 63.  
Act of March 3, 1823, ch. 34.  
Act of Aug. 29, 1842, ch. 264.  
A reporter of the decisions to be appointed by the Supreme Court with an annual compensation of 1000 dollars.  
Proviso.

Proviso.

Act to continue in force for three years.

CHAP. XIX.—*An Act to authorize the President of the United States to remove the land office in the Choctaw district, in the state of Mississippi.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it shall and may be lawful for the President of the United States, whenever he shall deem it proper, to remove the land office, now located at Jackson, in the Choc-

STATUTE II.  
Feb. 22, 1827.

The President to remove the land office in the Choctaw district, and to

(a) See vol. ii. 726.

(b) See notes to the act of March 3, 1817, ch. 63.

establish the same at any other convenient place within the same land district.

taw land district, in the state of Mississippi, and to locate and establish the same at any other convenient and suitable place within the same land district. And it shall be the duty of the register and receiver of said land office, so soon as the removal shall be ordered, and such new location made by the President, to remove all the records, books, and papers appertaining to said land office, to the place designated.

APPROVED, February 22, 1827.

STATUTE II.

Feb. 22, 1827.

Lawful to make entry, &c., of any foreign ships at the port of Fairfield.

CHAP. XX.—*An Act concerning the entry of vessels at the port of Fairfield, in Connecticut.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful to make entry of any foreign ship or vessel, and of the cargo which may be on board the same, and to unlade such cargo, or any part thereof, at the port of Fairfield, in the state of Connecticut, under the regulations in such cases by law provided.*

APPROVED, February 22, 1827.

STATUTE II.

Feb. 22, 1827.

Act of April 20, 1818, ch. 110.

Act of March 3, 1849, ch. 75. Norwegian vessels, after the date of this act, until the termination of the next session of Congress, to be exempt from the payment of discriminating duties of tonnage and impost.

Secretary of the Treasury directed to cause to be repaid all alien or discriminating duties of tonnage or impost, received on such vessels since the 25th Sept. last.

CHAP. XXI.—*An Act to exempt Swedish and Norwegian vessels, and the merchandise imported therein, from the payment of discriminating duties of tonnage and impost, for a limited time, 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, from and after the date of this act, until the termination of the next session of Congress, vessels truly and wholly belonging to the subjects of the king of Sweden and Norway, arriving in the United States, in ballast or with cargoes, shall be exempted from the payment of any other or higher duties or charges whatsoever, than vessels of the United States are required to pay under like circumstances; that merchandise, the produce and manufacture of the territories of the king of Sweden and Norway, imported in Swedish or Norwegian vessels, shall not be subjected to any other or higher duties than are levied on the same kinds of merchandise when imported in American vessels; and that the exemption or privilege allowed by this act shall extend to vessels arriving, and merchandise imported, from the Swedish colony of St. Barthelemy: *Provided*, That the owners of vessels, arriving from said colony in the United States, shall be inhabitants of that colony, and there established and naturalized, and shall have caused their vessels to be there naturalized.*

2. *And be it further enacted, That the Secretary of the Treasury be, and he is hereby, directed to cause to be repaid or remitted, all alien or discriminating duties of tonnage or impost, which since the twenty-fifth of September last may have been paid, or secured to be paid, on vessels of the description mentioned in the first section of this act, or on merchandise imported in such vessels; for the purpose of which repayment, any money in the treasury not otherwise appropriated, is hereby appropriated.*

APPROVED, February 22, 1827.

STATUTE II.

March 2, 1827.

[Obsolete.]

Sums appropriated to de-

CHAP. XXII.—*An Act making appropriations for the support of the Navy of the United States, for the year eighteen hundred and twenty-seven.*

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

(a) See notes to the act of Jan. 7, 1824, ch. 4.

penses of the navy, for the year one thousand eight hundred and twenty-seven, the following sums be, and the same are hereby, respectively, appropriated :

For the pay and subsistence of the officers, and pay of the seamen, other than those at navy yards, shore stations, and in ordinary, one million one hundred and twelve thousand three hundred and ninety-two dollars and twenty-five cents.

For the pay, subsistence, and allowances of officers, and pay of seamen, and others, at navy yards, shore stations, hospitals, and in ordinary, one hundred and seventy-two thousand nine hundred and twenty-four dollars and twenty-five cents.

For the pay of naval constructors, superintendents, and all the civil establishments at the several navy yards, fifty-eight thousand and thirty-one dollars and fifty cents.

For provisions, five hundred and seventy-nine thousand one hundred and forty-eight dollars and fifty-four cents.

For repairs of vessels in ordinary, and for the wear and tear of vessels in commission, four hundred and fifty thousand dollars.

For medicines, surgical instruments, hospital stores, and all other expenses on account of the sick, fifty thousand dollars.

For ordnance and ordnance stores, thirty-five thousand dollars.

For repairs and improvements of navy yards, two hundred and thirty-one thousand seven hundred dollars and seventy-two cents.

For defraying the expenses which may accrue during the year one thousand eight hundred and twenty-seven, for the following purposes :

For freight and transportation of materials and stores of every description ; for wharfage and dockage ; for storage and rent ; for travelling expenses of officers, and transportation of seamen ; for house rent or chamber money, and for fuel and candles to officers, other than those attached to navy yards and shore stations ; 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 for persons attending courts martial and courts of inquiry, and to officers engaged in extra service beyond the limits of their stations ; for printing and for stationery of every description ; for books, charts, nautical and mathematical instruments, chronometers, models, and drawings ; for purchase and repairs of steam and fire engines, and for machinery ; for purchase and maintenance of oxen and horses, and for carts, wheels, and workmen's tools of every description ; for postage of letters on public service ; for pilotage ; for cabin furniture of vessels in commission ; for taxes on navy yards and public property ; for assistance rendered to public vessels in distress ; for incidental labour at navy yards, not applicable to any other appropriation ; for coal and other fuel for forges, foundries, steam engines, and for candles, oil, and fuel, for vessels in commission and in ordinary ; and for no other object or purpose whatever, two hundred and twenty thousand dollars.

For contingent expenses for objects arising in the year one thousand eight hundred and twenty-seven, and not herein before enumerated, five thousand dollars.

For pay and subsistence of the marine corps, one hundred and twenty thousand dollars.

For clothing for the same, twenty-eight thousand seven hundred and sixty-five dollars.

For fuel for the same, six thousand dollars.

For contingencies for the same, fourteen thousand dollars.

For medicines for the same, two thousand three hundred and sixty-nine dollars.

For barracks for the same, forty-one thousand dollars.

fray the expenses of the navy, for the year 1827.

For pay and subsistence of officers, &c., other than those at navy yards, &c.

Of officers, &c., at navy yards, &c.

Naval constructors, &c.

Provisions.

Repairs of vessels.

Medicines, &c.

Ordnance, &c.

Repairs, &c. of navy yards.

For defraying certain expenses for 1827.

For freight and transportation, &c., &c.

Contingent expenses arising in 1827.

Pay, &c., of officers, &c., of marine corps. Clothing.

Fuel.

Contingen-

cies. Medicine.

Barracks.

To carry into effect a resolution of Congress, of May 22, 1826.

Agency on the coast of Africa.

Act of March 3, 1819, ch. 101, sec. 2.

Balance of the appropriation to be carried to the surplus fund 1st January, 1827, re-appropriated.

Money to be paid from the treasury.

Proviso.  
Proviso.

For carrying into effect a joint resolution of Congress, of May twenty-second, eighteen hundred and twenty-six, directing surveys and estimates for dry docks, two thousand seven hundred and seven dollars and twenty-seven cents.

For the agency on the coast of Africa, and expenses of supporting in the United States, and transporting to the coast of Africa, those persons who have been released and subject to be transported by the provisions of the act of eighteen hundred and nineteen, thirty-six thousand seven hundred and ten dollars. For arrearages prior to the first of January, eighteen hundred and twenty-seven, twenty thousand dollars.

SEC. 2. *And be it further enacted*, That the balances of the appropriations for the navy department to be carried to the surplus fund on the first of January, one thousand eight hundred and twenty-seven, be, and the same are hereby, re-appropriated.

SEC. 3. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided*, however, that no money appropriated by this act shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted and paid into the treasury all sums for which he may be liable: *Provided*, also, that nothing in this section contained shall be construed to extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report, forthwith, to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent, and his sureties.

APPROVED, March 2, 1827.

#### STATUTE II.

March 2, 1827.

[Obsolete.]  
Sums appropriated for the year 1827.

Congress and their officers.

Library and librarian of Congress.  
President.

Vice President.

Secretary of State.  
Clerks.  
1818, ch. 87.

Machinist for patent office.  
1824, ch. 157.

Messengers.

CHAP. XXIII.—*An Act making appropriations for the support of government for the year one thousand eight hundred and twenty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, respectively appropriated, for the service of the year one thousand eight hundred and twenty-seven; that is to say:

For compensation to the Senators and members of the House of Representatives, their officers and clerks, and for the contingent expenses of both Houses of Congress, four hundred and twenty-eight thousand four hundred and forty dollars.

For expenses of the library of Congress, including the salary of the librarian, one thousand nine hundred and fifty dollars.

For compensation to the President of the United States, twenty-five thousand dollars.

For compensation to the Vice President of the United States, five thousand dollars.

For compensation to the Secretary of State, six thousand dollars.

For compensation to the clerks in the Department of State, per act of twentieth of April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.

For compensation to one machinist in the patent office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, seven hundred dollars.

For compensation to the messengers in the Department of State, including the messenger in the patent office, in full of all allowances, one thousand four hundred and fifty dollars.

For the incidental and contingent expenses of the Department of State, including the expenses of printing and distributing the laws, and for extra copying of papers, twenty-eight thousand and fifty dollars.

Contingent expenses.

For compensation to the Secretary of the Treasury, six thousand dollars.

Secretary of the Treasury. Clerks. 1818, ch. 87.

For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth of April, one thousand eight hundred and eighty, ten thousand four hundred dollars.

Additional clerk. 1824, ch. 157.

For compensation to one clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand one hundred and fifty dollars.

Messengers. 1818, ch. 87.

For compensation to the messengers in said office, and assistant, in full of all allowances, one thousand and fifty dollars.

First comptroller.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

Clerks. 1818, ch. 87.

For compensation to the clerks in the office of the first comptroller, per act of twentieth of April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars.

Messengers.

For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.

Second comptroller.

For compensation to the second comptroller of the treasury, three thousand dollars.

Clerks. 1818, ch. 87.

For compensation to the clerks in the office of the second comptroller, per act of twentieth of April, one thousand eight hundred and eighteen, nine thousand seven hundred and fifty dollars.

Messenger.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

First auditor.

For compensation to the first auditor of the treasury, three thousand dollars.

Clerks. 1818, ch. 87.

For compensation to the clerks in the office of the first auditor, per act of twentieth of April, one thousand eight hundred and eighteen, thirteen thousand two hundred dollars.

Messenger.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

Second auditor.

For compensation to the second auditor of the treasury, three thousand dollars.

Clerks. 1818, ch. 87.

For compensation to the clerks in the office of the second auditor, per act of twentieth of April, one thousand eight hundred and eighteen, sixteen thousand two hundred dollars.

Messenger.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

Third auditor.

For compensation to the third auditor of the treasury, three thousand dollars.

Clerks. 1818, ch. 87.

For compensation to the clerks in the office of the third auditor, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-one thousand nine hundred dollars.

Messengers.

For compensation to the messenger in said office, and assistant, in full of all allowances, one thousand and fifty dollars.

Fourth auditor.

For compensation to the fourth auditor of the treasury, three thousand dollars.

Clerks. 1818, ch. 87.

For compensation to the clerks in the office of the fourth auditor, per act of twentieth of April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.

Additional clerk.

For compensation to one additional clerk, employed per acts of appropriations, of one thousand eight hundred and twenty-four, five and six, one thousand dollars.

Messenger.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

Fifth auditor.

For compensation to the fifth auditor of the treasury, three thousand dollars.

- Clerks. For compensation to the clerks in the office of the fifth auditor, per act of twentieth of April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.  
1818, ch. 87.
- Additional clerks. For compensation to the clerks in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, three thousand seven hundred dollars.  
1824, ch. 157.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- Treasurer. For compensation to the treasurer of the United States, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the treasurer of the United States, per act of twentieth of April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.  
1818, ch. 87.
- Additional clerks. For compensation to the clerks in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand two hundred dollars.  
1824, ch. 157.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- Register. For compensation to the register of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the register of the treasury, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars.  
1818, ch. 87.
- Messengers. For compensation to the messengers in said office, including the allowance for stamping ships' registers, in full of all allowances, one thousand one hundred and fifty dollars.
- Commissioner of general land office. For compensation to the commissioner of the general land office, three thousand dollars.
- Clerks. For compensation to the clerks in the general land office, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand five hundred and fifty dollars.  
1818, ch. 87.
- Messengers. For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.
- Secretary to sinking fund. For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.
- Translating and contingent expenses. For allowances to the person employed in transmitting passports and sea-letters, for expenses of translating foreign languages in the office of the Secretary of the Treasury; for stationery, fuel, printing, books, and all other incidental and contingent expenses, in the Treasury Department, and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-seven, and for advertising notices in relation to the reimbursement of certain portions of the public debt, thirty-six thousand seven hundred and fifty dollars.
- Superintendent and watchmen. For allowance to the superintendent and four watchmen, employed for the security of the State and Treasury buildings, and for the repairs of engines, hose, and buckets, one thousand nine hundred dollars.
- Secretary of War. For compensation to the Secretary of War, six thousand dollars.
- Clerks. For compensation to clerks in the office of the Secretary of War, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand six hundred dollars.  
1818, ch. 87.
- Messengers. For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.
- Contingent expenses. For contingent expenses of the office of the Secretary of War, three thousand dollars.
- Books, &c. For books, maps, and plans, for the War Department, one thousand dollars.
- Clerks in the office of paymaster general. For compensation to the clerks in the office of the paymaster general, per act of the twentieth of April, one thousand eight hundred and eighteen, three thousand nine hundred dollars.  
1818, ch. 87.



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| For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.  | Messenger.                                   |
| For contingent expenses of said office, five hundred dollars.  | Contingent expenses.                         |
| For compensation to the clerks in the office of the commissary general of purchases, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, three thousand five hundred dollars.          | Clerks in office of commissary general.      |
| For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.  | 1824, ch. 157.<br>Messenger.                 |
| For contingent expenses of said office, eight hundred and thirty dollars.  | Contingent expenses.                         |
| For compensation to the clerks in the office of the adjutant general, per act of twentieth of April, one thousand eight hundred and eighty-two, two thousand one hundred and fifty dollars.                    | Adjutant general's clerks.                   |
| For contingent expenses of said office, including arrearages for eighty hundred and twenty-six, twelve hundred and ninety-four dollars and twenty-seven cents.   | 1818, ch. 87.<br>Contingent expenses.        |
| For compensation to the clerks in the office of the commissary general of subsistence, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, two thousand one hundred and fifty dollars. | Clerks of commissary general of subsistence. |
| For contingent expenses of said office, including printing advertisements, two thousand six hundred dollars.   | 1824, ch. 157.<br>Contingent expenses.       |
| For compensation to the clerks in the office of the chief engineer, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, two thousand one hundred and fifty dollars.                    | Clerks of chief engineer.                    |
| For contingent expenses of said office, one thousand dollars.  | 1824, ch. 157.                               |
| For compensation to the clerks in the ordnance office, per act of twentieth April, one thousand eight hundred and eighty-two, two thousand nine hundred and fifty dollars.                                     | Contingent expenses.                         |
| For contingent expenses of said office, seven hundred and sixty dollars.   | Clerks of the ordnance.                      |
| For compensation to the clerk in the office of the surgeon general, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand one hundred and fifty dollars.                    | 1818, ch. 87.<br>Contingent expenses.        |
| For contingent expenses of said office, two hundred and twenty-five dollars.   | Surgeon general's clerk.                     |
| For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.   | 1824, ch. 157.                               |
| For contingent expenses of said office, eight hundred and thirty dollars.  | Contingent expenses.                         |
| For compensation to the Secretary of the Navy, six thousand dollars.   | Quartermaster general's clerks.              |
| For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth of April, one thousand eight hundred and eighty-two, eight thousand two hundred dollars.                       | Contingent expenses.                         |
| For compensation to the clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand dollars.  | Secretary of the Navy.                       |
| For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.  | Clerks.                                      |
| For contingent expenses of said office, including arrearages of, and prior to, eighteen hundred and twenty-six, three thousand dollars.  | 1818, ch. 87.                                |
| For compensation to the commissioners of the navy board, ten thousand five hundred dollars.  | Additional clerk.                            |
| For compensation to the secretary to the commissioners of the navy board, two thousand dollars.  | 1824, ch. 157.<br>Messengers.                |
| For compensation to the clerks in the office of the commissioners of the navy board, per act of twentieth of April, one thousand eight hundred and eighty-two, three thousand five hundred and fifty dollars.  | Contingent expenses.                         |
| For compensation to the clerks and draftsmen in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, four thousand dollars.  | Commissioners of navy board.                 |
|  | Secretary of the navy commissioners.         |
|  | Clerks.                                      |
|  | 1818, ch. 87.                                |
|  | Additional clerks, &c.                       |
|  | 1824, ch. 157.                               |

- Messenger.** For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- Contingent expenses.** For contingent expenses of said office, one thousand eight hundred dollars.
- Superintendent and watchmen of war and navy buildings.** For allowance to the superintendent and four watchmen, employed for the security of the war and navy buildings, and for the incidental and contingent expenses, including oil, fuel, candles, and labour, two thousand one hundred and fifty dollars.
- Postmaster General.** For compensation to the Postmaster General, four thousand dollars.
- Assistant P. M. general Clerks.** For compensation to the two assistant postmasters general, five thousand dollars.
- 1818, ch. 87.** For compensation to the clerks in the office of the Postmaster General, per act of twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.
- Additional clerks.** For compensation to the clerks in said office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, five thousand six hundred dollars.
- 1824, ch. 157.**
- Messengers.** For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.
- Contingent expenses.** For contingent expenses of said office, five thousand dollars.
- Surveyor general.** For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.
- Clerks.** For compensation to clerks in the office of said surveyor, two thousand one hundred dollars.
- Surveyor south of Tennessee.** For compensation to the surveyor south of Tennessee, two thousand dollars.
- Clerks.** For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.
- Surveyor in Illinois, &c.** For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.
- Clerks.** For compensation to the clerks in the office of said surveyor, two thousand dollars.
- Surveyor in Alabama.** For compensation to the surveyor in Alabama, two thousand dollars.
- Clerks.** For compensation to the clerks in the office of said surveyor, one thousand five hundred dollars.
- Surveyor in Florida.** For compensation to the surveyor in Florida, two thousand dollars.
- Clerks.** For compensation to the clerks in the office of said surveyor, two thousand dollars.
- Public lands.** For surveying the public lands of the United States, twenty thousand dollars.
- Surveys in Florida.** For making surveys in Florida, agreeable to the provisions of the act, entitled "An act to provide for the confirmation of private land claims in East Florida, and for other purposes," ten thousand dollars.
- 1827, ch. 9.**
- Commissioner of public buildings.** For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.
- Officers and clerk of mint.** For compensation to the officers and clerk of the mint, nine thousand six hundred dollars.
- Persons in the mint.** For compensation to the persons employed in the different operations of the mint, ten thousand eight hundred dollars.
- Contingent expenses, &c.** For incidental and contingent expenses and repairs; cost of machinery; for allowance for wastage in gold and silver coinage of the mint, and for the occasional employment of an assistant engraver, ten thousand six hundred dollars.
- Governor, &c., of Michigan.** For compensation to the governor, judges, and secretary of the Michigan territory, seven thousand eight hundred dollars.
- Contingent expenses.** For the contingent expenses of the Michigan territory, three hundred and fifty dollars.
- Members of** For compensation and mileage to the members of the legislative

|   |  |
|---|--|
| <p>council, including printing the laws, and the contingent and incidental expenses of said council, five thousand four hundred and eighty-two dollars.</p>   | <p>the legislative council, &amp;c.</p>                        |
| <p>For compensation to the governor, judges, and secretary of the Arkansas territory, including additional compensation to the judges, to the twenty-fifth May, one thousand eight hundred and twenty-seven, seven thousand six hundred and sixteen dollars and thirty-five cents.</p>  | <p>Governor, &amp;c. of Arkansas territory.</p>                |
| <p>For the contingent expenses of the Arkansas territory, three hundred and fifty dollars.</p>  | <p>Contingent expenses.</p>                                    |
| <p>For compensation to the governor, judges, and secretary of the Florida territory, eight thousand five hundred dollars.</p>   | <p>Governor, judges, &amp;c., of Florida.</p>                  |
| <p>For the contingent expenses of the Florida territory, three hundred and fifty dollars.</p>   | <p>Contingent expenses.</p>                                    |
| <p>For compensation and mileage to the members of the legislative council, including printing the laws and the contingent and incidental expenses of said council, six thousand three hundred and ninety-eight dollars.</p>   | <p>Compensation, mileage, &amp;c.</p>                          |
| <p>For compensation to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the District of Columbia, seventy-eight thousand seven hundred and eleven dollars and forty-two cents.</p>  | <p>Chief justice, the associate judges, &amp;c.</p>            |
| <p>For compensation to the reporter of the decisions of the Supreme Court, for the last and present year, two thousand dollars.</p>   | <p>Reporter of decisions of the Supreme Court.</p>             |
| <p>For compensation to the Attorney General of the United States, three thousand five hundred dollars.</p>  | <p>Attorney general.</p>                                       |
| <p>For compensation to the clerk in the office of the Attorney General, eight hundred dollars.</p>  | <p>Clerk.</p>  |
| <p>For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, ten thousand nine hundred dollars.</p>  | <p>District attorneys, &amp;c.</p>                             |
| <p>For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, one hundred and fifty thousand dollars.</p> | <p>Expenses of the Supreme Court, &amp;c.</p>                  |
| <p>For the payment of sundry pensions granted by the late and present governments, two thousand and fifty dollars.</p>  | <p>Pensions.</p>   |
| <p>For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs and improvements, and contingent expenses, one hundred and fifty-eight thousand six hundred and fifty dollars.</p>   | <p>Lighthouses, &amp;c.</p>                                    |
| <p>For building a light vessel, to be anchored at or near Hooper's Straits, in Chesapeake bay, Maryland, in addition to the appropriation of four thousand dollars, made per act of eighteenth of May, one thousand eight hundred and twenty-six, five thousand dollars.</p>  | <p>Light vessel at or near Hooper's Straits. 1826, ch. 73.</p> |
| <p>For building a lighthouse on Concord Point, at or near the Susquehannah river, in addition to the appropriation of two thousand five hundred dollars, made per act of eighteenth of May, one thousand eight hundred and twenty-six, one thousand five hundred dollars.</p>   | <p>Lighthouse on Concord Point. 1826, ch. 73.</p>              |
| <p>For stationery and books for the offices of commissioners of loans, one thousand six hundred dollars.</p>  | <p>Stationery, &amp;c.</p>                                     |
| <p>For the salaries of the keepers of the public archives in Florida, one thousand dollars.</p>   | <p>Keepers of public archives.</p>                             |
| <p>For the discharge of such miscellaneous claims of the United States, not otherwise provided for, as shall be ascertained and admitted, in due course of settlement at the treasury, twelve thousand dollars.</p>   | <p>Miscellaneous claims against the United States.</p>         |
| <p>For the salaries of the ministers at London, Paris, St. Petersburg, Madrid, Mexico, Colombia, and Chili, sixty-three thousand dollars.</p>   | <p>Ministers at London, &amp;c.</p>                            |

Chargé des affaires at Stockholm, &c.

For the salaries of the chargé des affaires at Stockholm, the Netherlands, Lisbon, Guatemala, Brazil, Buenos Ayres, and Peru, thirty-one thousand five hundred dollars.

Outfits of a minister to Colombia, &c.

For outfits of a minister to Colombia, and a chargé des affaires to Guatemala, thirteen thousand five hundred dollars.

Chargé des affaires to Denmark.

For salary and outfit of a chargé des affaires to Denmark, nine thousand dollars.

Secretaries of legation.

For the salaries of the secretaries of legation, fourteen thousand dollars.

Contingent expenses.

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

Agents of claims at London and Paris.

For the salaries of the agents of claims at London and Paris, four thousand dollars.

Expense of foreign intercourse.

For the contingent expenses of foreign intercourse, thirty thousand dollars.

Seamen. Intercourse with the Barbary powers.

For the relief and protection of distressed American seamen in foreign countries, twenty-five thousand dollars.

Commissioner, &c., under treaty of Ghent.

For the expenses of intercourse with the Barbary powers, twenty thousand dollars.

For the salaries of the commissioner and arbitrator under the first article of the treaty of Ghent, one half the salaries of the secretary, clerk, and messengers, and half the contingent expenses of the commission, twelve thousand dollars.

Carrying into effect the 6th and 7th articles thereof.

For expenses of carrying into effect the sixth and seventh articles of the treaty of Ghent, including the compensation of the commissioner, agent, and surveyor, and their contingent expenses, ten thousand dollars.

Money to be paid from the treasury.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated shall be paid out of any money in the treasury, not otherwise appropriated: *Provided, however*, That no money appropriated by this act, shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, also*, That nothing in this section contained shall be construed to extend to balances arising solely from the depreciation of treasury notes received by such persons to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith to the agent of [the] Treasury Department, the balance due; and it shall be the duty of said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

Proviso.

Proviso.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

CHAP. XXIX.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-seven.*

[Obsolete.] Sums respectively appropriated for the military service, for 1827.

*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, respectively appropriated for the military service of the United States, for the year one thousand eight hundred and twenty-seven, to wit:

Pay of the army.

For pay of the army and subsistence of officers, including the military academy, nine hundred and ninety-nine thousand three hundred and sixty-three dollars and seventy-five cents.

Subsistence.

For subsistence, in addition to an unexpended balance in the treasury, on the thirty-first December, eighteen hundred and twenty-six, of thirty thousand dollars, two hundred and fifty-four thousand nine hundred dollars.

Forage for officers.

For forage for officers, forty thousand one hundred and twenty-eight dollars.

For the recruiting service, twenty-six thousand six hundred dollars.  
 For the contingent expenses of the recruiting service, thirteen thousand three hundred dollars.

Recruiting service.  
 Contingent expenses of same.  
 Purchasing department.

For the purchasing department, in addition to materials on hand, amounting to forty thousand dollars, two hundred and sixty-four thousand six hundred and twenty-five dollars and seventy-five cents.

Purchase of woollens.

For the purchase of woollens during the year one thousand eight hundred and twenty-seven, in advance for the year one thousand eight hundred and twenty-eight, twenty thousand dollars.

For the medical and hospital department, twenty-five thousand five hundred dollars.

Medical and hospital department.  
 Medicine, &c.

For medical supplies for the posts on the Red river, the Arkansas, and the Upper Mississippi, for the year one thousand eight hundred and twenty-eight, five thousand dollars.

Quartermaster general's department.

For the quartermaster general's department, two hundred and eighty-seven thousand one hundred and twenty-nine dollars and eighty-nine cents.

Arrearages.

For arrearages in the quartermaster general's department, thirty-five thousand dollars.

For quartermaster's supplies, transportation and stationery for the military academy at West Point, seven thousand nine hundred and fifteen dollars and forty-two cents.

Quartermaster's supplies, &c.

For articles required for the mathematical, drawing, chemical, and mineralogical departments, library, new buildings, and repairs and improvement of barrack parade, twenty-four thousand two hundred and twenty-four dollars and fifty-three cents.

Mathematical instruments, &c.

For the contingencies of the army, ten thousand dollars.

Contingencies.

For the current expenses of the ordnance service, sixty-five thousand dollars.

Ordnance service.

For national armories, three hundred and sixty thousand dollars.

Armories.

For defraying the expenses of the officers of the militia who were employed upon the military board which prepared the system of cavalry, artillery, and infantry exercise, one thousand six hundred and eighty dollars.

Defraying the expenses of militia officers.

For the settlement of the claims of the militia of Georgia, for services rendered during the years one thousand seven hundred and ninety-two, three, and four, agreeable to the estimates of Constant Freeman, and to be paid under the direction of the Secretary of War, one hundred and twenty-nine thousand three hundred and seventy-five dollars and sixty-six cents, which shall be considered as full satisfaction for said claims.

Settlement of the claims of the Georgia militia.

For arsenals, forty-four thousand four hundred dollars.

Arsenals.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, twenty thousand dollars.

Arrearages prior to July 1, 1815.

For constructing the road from Canton to Zanesville, in the state of Ohio, and for continuing and completing the survey of the Cumberland road from Zanesville to the seat of government of Missouri, one hundred and seventy thousand dollars, which shall be replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts, passed for the admission of the states of Ohio, Indiana, Illinois, and Missouri, into the Union, on an equal footing with the original states.

Road from Canton to Zanesville, &c.

Cumberland road.

For paying a balance due to John McClure, as superintendent of the repairs of the Cumberland road, five hundred and ten dollars.

Balance due John McClure.

For completing the works and deepening the channel of entrance into the harbour of Presque Isle, to cover the expense of work done and to be done, which has not been contemplated by any appropriation heretofore made, two thousand dollars.

Completing works, &c., of Presque Isle.

For defraying the expense of an expedition fitted out, consisting of the militia of Georgia, and the territory of Florida, for the suppression

Expedition for the suppression

sion of Indian aggressions. 1824, ch. 46.

Examinations and surveys. Re-appropriations.

Road from Memphis to Little Rock.

Navigation of the Ohio and Mississippi rivers.

Treaty with the Choctaws.

Rations to the Florida Indians.

Running the line of the land assigned them.

Sums appropriated to be paid from the treasury.

Proviso.

Proviso.

of aggressions committed by the Indians on the frontiers of Georgia and Florida, thirty-nine thousand two hundred and sixty dollars and sixty cents.

For defraying the expenses incidental to making examinations and surveys, authorized by act of thirtieth of April, one thousand eight hundred and twenty-four, thirty thousand dollars.

SEC. 2. *And be it further enacted*, That the following sums, being balances of appropriations heretofore made, and transferred to the surplus fund, be, and the same are hereby, re-appropriated to the several objects hereinafter mentioned, to wit:

For opening a road from Memphis, in Tennessee, to Little Rock, in Arkansas territory, two thousand four hundred and seventy dollars eighteen cents.

For improving the navigation of the Ohio and Mississippi rivers, forty-four thousand nine hundred and eleven dollars fifty-nine cents.

For carrying into effect the treaty with the Choctaw nation of Indians, dated October eleventh, eighteen hundred and twenty, twenty-five thousand six hundred and sixty-six dollars sixty-nine cents.

For rations to the Florida Indians, twenty-two thousand and sixty-eight dollars and thirty-seven cents.

For running the line of the land assigned to the Florida Indians, three hundred and thirty dollars and fifty-six cents.

SEC. 3. *And be it further enacted*, That the several sums hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act shall be paid to any person for his compensation, who is in arrears to the United States, until such person shall have accounted for and paid into the treasury all sums for which he may be liable: *Provided, also*, That nothing in this section shall be construed to extend to balances arising solely from the depreciation of treasury notes received by such person, to be expended in the public service; but in all cases where the salary, or pay of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith, to the agent of the Treasury Department, the balance due; it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, March 2, 1827.

## STATUTE II.

March 2, 1827.

[Obsolete.]

Sums appropriated.

Forts.

CHAP. XXX.—*An Act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and twenty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to wit: For fortifications, to each specifically, as follows:

For fort Adams, at Brenton's point, seventy thousand dollars. For fort Hamilton, at New Utrecht point, fifty-five thousand dollars. For fort Monroe, ninety thousand dollars. For fort Calhoun, fifty-five thousand dollars. For fort Macon at Bouge point, fifteen thousand dollars. For fort at Oak Island, twenty-five thousand dollars. For fort at Mobile point, seventy thousand dollars: For fort at Chef Menteur, thirty thousand dollars. For fort Jackson, eighty thousand dollars. For repairs and contingencies, fifteen thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act shall be paid to any person for his compensation, who is in arrears to the

Repairs and contingencies.

Sums appropriated to be paid from the treasury.

Proviso.

United States, until such person shall have accounted for, and paid into the treasury all sums for which he may be liable: *Provided, also,* That nothing in this section shall be construed to extend to balances arising solely from the depreciation of treasury notes, received by such person to be expended in the public service. But, in all cases where the salary or pay of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury Department the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, March 2, 1827.

Proviso.

CHAP. XXXI.—*An Act making appropriations for the erection and completion of certain barracks, store-houses, and hospitals, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to wit:

For the completion of barracks, store-houses, and hospital, at the Military Cantonment, near St. Louis, twenty thousand dollars.

For the completion of quarters, barracks, and hospital, at fort St. Philip, twelve thousand dollars.

For the erection of new barracks and hospital at Michilimackinac, six thousand dollars.

For the erection of a wharf at fort Wolcott, Rhode Island, five hundred dollars.

For the purchase of a house and lot of land at Eastport, Maine, required for the use of the garrison at that post, eighteen hundred dollars.

For the purchase of lots adjoining the barracks at St. Augustine, Florida, six hundred dollars.

For the completion of the barracks at Savannah, fourteen thousand four hundred and fifty-two dollars and fifty-one cents.

SEC. 2. *And be it further enacted,* That the several sums hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1827.

CHAP. XXXII.—*An Act making appropriations for the Indian department, for the year one thousand eight hundred and twenty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to wit:

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as established by law, thirty-one thousand dollars.

For the pay of sub-agents, as established by law, fifteen thousand one hundred dollars.

For presents to Indians, as authorized by act of one thousand eight hundred and two, fifteen thousand dollars.

For defraying the expenses of holding a treaty with the Cherokee Indians, for the purpose of extinguishing their claim to lands within the limits of the state of North Carolina; and, also, for the purpose of extinguishing their claim to as much land as will be necessary for a canal to connect the Highwassee and Canasaga with each other, the sum of ten thousand dollars.

For the contingent expenses, ninety-five thousand dollars.

STATUTE II.

March 2, 1827.

[Obsolete.] Sums appropriated.

For completion of military barracks, &c.

For completion of military quarters, &c.

Barracks, &c., at Michilimackinac.

Wharf at fort Wolcott.

House, &c. at Eastport, Maine.

Barracks at St. Augustine.

Barracks at Savannah.

STATUTE II.

March 2, 1827.

[Obsolete.]

Sums appropriated for the Indian dept., for 1827.

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

Pay of sub-agents.

Presents, 1802, ch. 13.

For defraying the expenses of holding treaty with the Cherokee Indians, &c.

Contingencies.

Pay for rations delivered to the Florida Indians.

To pay for rations delivered to the Florida Indians by Benjamin Chaires, under a contract with the United States, in fulfilment of the stipulations of the treaty of the eighteenth of September, one thousand eight hundred and twenty-three, seven thousand nine hundred and forty-seven dollars and fifty-nine cents.

Provision, heretofore made, for carrying into effect the treaty of the 2d and 3d June, 1825, with the Osage and Kansas Indians, to be modified.

SEC. 2. *And be it further enacted,* That the provision heretofore made for carrying into effect the treaty of the second and third of June, one thousand eight hundred and twenty-five, with the Osage and Kansas nations of Indians, shall be, and the same is hereby, modified so as to read "for the payment of the annuities to the Osage and Kansas Indians, as provided for by the third article of said treaties, of seven thousand dollars to the former, and three thousand five hundred dollars to the latter, annually, for twenty years," ten thousand five hundred dollars.

Sums appropriated to be paid from the treasury. Proviso.

SEC. 3. *And be it further enacted,* That the several sums hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however,* That no money appropriated by this act shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury of the United States, all sums for which he may be liable: *Provided, also,* That nothing in this section contained shall be construed to extend to balances arising solely from the depreciation of treasury notes, received by such person, to be expended in the public service; but, in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent, or attorney, to report forthwith, to the agent of the Treasury Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827. [Obsolete.]

CHAP. XXXIII.—*An Act making appropriations for the public buildings, and other objects.*

Sums respectively appropriated for the public buildings, &c.

*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, respectively, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes: that is to say—

Capitol, Capitol square, &c.

For completing the work remaining to be done on and about the Capitol, the Capitol square, and its enclosures, and for engine house, the sum of eighty-three thousand nine hundred and eighty-five dollars and five cents; for repairs on the Capitol, the sum of five hundred dollars; for repairs and improvements at the War and Navy Departments, the sum of one thousand four hundred and ninety-five dollars and thirty-five cents; for additional fire apparatus, the sum of one thousand two hundred and twenty-seven dollars: *Provided,* That no platform nor steps be extended from the top of the area wall to the building, nor any change, whatever, be made in the present arrangement of the room under the library.

Proviso.

Repairs, cases for records, &c.

For repairs, cases for records, and other furniture for the office of the clerk of the Supreme Court of the United States, four hundred and fifty dollars.

Completion of the penitentiary.

For the completion of the penitentiary in the District of Columbia, fifteen thousand three hundred and ninety dollars.

Appropriation by an act, approved May 22, 1826, ch. 154,

SEC. 2. *And be it further enacted,* That of the sum of money appropriated by an act of Congress, approved twenty-second May, one thousand eight hundred and twenty-six, for finishing the large room in the President's house, for the purchase of furniture, and the repairs of



the house, six thousand dollars be expended, under the direction of the President of the United States.

APPROVED, March 2, 1827.

for finishing the large room in the President's house, &c.

STATUTE II.

March 2, 1827.

CHAP. XXXIV.—*An Act supplementary to "An act to perfect certain locations and sales of the public lands in Missouri," passed April the twenty-six, [sixth,] one thousand eight hundred and twenty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the locations of lands heretofore made according to law, by virtue of warrants issued under the act of Congress, passed the seventeenth day of February, one thousand eight hundred [and] fifteen, for the relief of the inhabitants of the late county of New Madrid, in the Missouri territory, who suffered by earthquakes, in lieu of lots and out lots, in and adjacent to the villages of New Madrid and Little Prairie, and not exceeding six hundred and forty acres in the whole to any one sufferer, shall be perfected into grants in the manner prescribed by the last mentioned act of Congress, any construction thereof to the contrary notwithstanding.

APPROVED, March 2, 1827.

Act of April 26, 1822, ch. 40.

The location of lands for the relief of the inhabitants of the late county of New Madrid, to be perfected into grants.

Act of Feb. 17, 1815, ch. 45.

Act of July 9, 1832, ch. 180, and notes.

STATUTE II.

March 2, 1827.

CHAP. XXXV.—*An Act to extend the time of issuing and locating military land warrants to officers and soldiers of the revolutionary army.*

*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 second section of the act, approved the twenty-fourth day of February, one thousand eight hundred and nineteen, for issuing military land warrants to the officers and soldiers of the revolutionary army, shall be extended till the fourth day of March, one thousand eight hundred and thirty; and the time for locating the unlocated warrants shall be extended till the first day of October thereafter.

APPROVED, March 2, 1827.

[Expired.]

Act of Feb. 24, 1819, ch. 41.

Time of issuing and locating military land warrants, extended.

STATUTE II.

March 2, 1827.

CHAP. XXXVI.—*An Act to provide for the adjustment of claims to persons entitled to indemnification, under the first article of the treaty of Ghent, and for the distribution, among such claimants, of the sum paid, and to be paid, by the government of Great Britain, under the convention between the United States and his Britannic majesty, concluded at London on the thirteenth of November, one thousand eight hundred and twenty-six.*

*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 shall be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint three commissioners and one clerk, who shall constitute a commission, to carry into effect the purposes of this act.

President to appoint three commissioners and one clerk.

SEC. 2. *And be it further enacted,* That all records, documents, and other papers, which were in possession of the commissioners, constituting the mixed commission under the treaty of Ghent, so far as the same are under the control of the government of the United States, shall be delivered to the commissioners under this act.

Records, &c., constituting the mixed commission under the treaty of Ghent, to be delivered to them.

SEC. 3. *And be it further enacted,* That the said commissioners, or a majority of them, with their clerk, shall convene in the city of Washington on the tenth day of July next, and shall proceed to execute the duties

Said commissioners and clerk to con-

vene at the city of Washington, on the 10th July next.

Claims to be arranged and docketed with all convenient despatch.

And determined.

Power given said commissioners.

Compensation.

Oath required of them.

Continuance of the commission.

Payment of claims admitted by them, to an amount not exceeding 1,204,960 dollars, to be paid from the treasury.

Proviso.

All moneys already received, under the convention of 13th November, 1826, to be paid into the treasury.

of their commission, and the Secretary of State shall be, and he is hereby, authorized and required, forthwith, after the passing of this act, to give a notice of the said intended meeting, to be published in one or more public gazettes in the city of Washington, and in the states from which the property of claimants who have heretofore registered their claims, shall have been taken.

SEC. 4. *And be it further enacted*, That the said commissioners shall proceed immediately after their meeting in the city of Washington, with all convenient despatch, to arrange and docket the several claims, and to consider the evidence which shall have been, or which may be, offered by the respective claimants, allowing such further time for the production of such further evidence as they may require, as they shall think reasonable and just; and they shall thereupon proceed to determine the said claims, and to award distribution of the said fund among the several claimants, according to their respective rights.

SEC. 5. *And be it further enacted*, That the said commissioners shall be, and they are hereby, authorized and empowered to make all needful rules and regulations not contravening the laws of the land, the provisions of this act, or the provisions of the said treaty and convention, for carrying their said commission into full and complete effect.

SEC. 6. *And be it further enacted*, That the said commissioners shall be entitled to, and allowed the sum of, three thousand dollars per annum, each; and the clerk of the said commission shall be entitled to, and allowed the sum of, one thousand five hundred dollars per annum during the continuance of the said commission; and the President of the United States shall be, and he is hereby, authorized to make such provision for the incidental expenses of the said commission as shall appear to him reasonable and proper; and the said salaries and expenses shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 7. *And be it further enacted*, That the said commissioners and clerk, shall severally take an oath for the faithful performance of the duties of their respective offices.

SEC. 8. *And be it further enacted*, That the commission hereby created shall not continue after the end of the next session of Congress.

SEC. 9. *And be it further enacted*, That the payment of such claims as may be admitted and adjusted by the said commissioners, or the major part of them, to an amount not exceeding twelve hundred and four thousand nine hundred and sixty dollars, shall be made out of any moneys in the treasury not otherwise appropriated; that is to say: so soon, and as often as any of the said claims shall be adjudged to be valid, and the principal amount shall be ascertained, there shall be paid on such claims, respectively, a sum equal to seventy-five per centum of the principal sums thereof, so ascertained; and at the termination of the time hereby fixed for the dissolution of the board, or such earlier dissolution thereof as may be determined upon by the board itself, after it shall have examined and decided upon all the claims aforesaid, the balance of all such sums as shall be adjudged to the claimants, shall be paid: *Provided*, the whole sum adjudged or awarded to them, collectively, shall not exceed the aforesaid sum of twelve hundred and four thousand nine hundred and sixty dollars; and if the whole sum adjudged or awarded shall exceed that amount, the claimants shall, respectively, receive in proportion to the sums awarded to them, respectively, a part of the balance thereof remaining for distribution.

SEC. 10. *And be it further enacted*, That all moneys already received, and all which shall hereafter be received, under the convention aforesaid, signed at London on the thirteenth of November, one thousand eight hundred and twenty-six, shall be paid into the treasury of the United States.

SEC. 11. *And be it further enacted*, That as soon as the said com-

mission shall be executed and completed, the records, documents, and all other papers in the possession of the commission, or its officers, shall be deposited in the office of the Secretary of State.

Records, documents, &c.

SEC. 12. *And be it further enacted,* That all claims which were deposited in the Department of State, and by mistake omitted to be placed on the definitive list delivered to the former commissioners, shall be, and are hereby, required to be added thereto; and the said claimants shall be entitled to the same rights and benefits as if such claims had been placed on the said definitive list, in terms of the third article of the convention concluded at St. Petersburg, on the twelfth day of July, eighteen hundred and twenty-two.

Claims deposited by mistake in the Department of State.

APPROVED, March 2, 1827.

STATUTE II.

CHAP. XXXVII.—*An Act to establish sundry post-roads.*

March 2, 1827.

*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:

Post-roads established.

*In Maine.*—From Bangor, by Dutton, Kirkland, and Blakesburg, to Boyleston Mills. From Freeman, by New Vineyard, to Farmington. From Dixfield to Weld. From Belfast, by Knox, Freedom, and Hussey's Mills, to Albion. From Guilford, by Abbot, and Monson, to Hashelltown. From Winthrop, by Readfield, and Bellegrade, to Waterville. From Alfred, by Shapleigh East Parish, Emery's Mills, Shapleigh West Parish, and Milton Mills, to Lebanon, in place of the present route from Alfred to Lebanon. From Bethel, by Greenwood, to Norway. From East Machias to Cooper. From Augusta, by Waterville back meeting house, and Schowheagan Falls, to Norridgewock.

Maine.

*In New Hampshire.*—From Littleton to Stephen's Ferry, in Lyman. From Meredith's Bridge, by the Shakers' village, to Concord. From Nashua village, in Dunstable, by Hollis, Brooklyn and Mason, to New Ipswich.

New Hampshire.

*In Vermont.*—From Peacham, by Bradley's Mills and Stevens' Mills, in Barnet, to Stevens' Ferry. From Montpelier, by Woodbury, to Hardwick. From Bishop's Corner, Granville, New York, by Wells' Four Corners, to Middletown, Vermont. From Rutland, by Sherburne, Bridgewater, and Woodstock, to Hartford. From Montpelier, by Worcester, Elmore, Morristown, Hyde Park, Johnson, Waterville, Bakersfield, Fuller's Mills, and Sheldon, to Franklin. From Starkesborough, in the county of Addison, by Russel and Dyke's Store, in Huntington, to Richmond, in the county of Chittenden. From Woodstock to Snow's store. From Charlotte to Huntington. From Montpelier, through the western part of Berlin, Northfield, Roxbury, Braintree, the west part of Randolph, and Bethel, to Royalton, Vermont. From Irasburg to Derby. From Middlebury, by Cornwall, near the Baptist meeting-house, Post-office at Shoreham, Larrabee's Ferry, Lower Falls, at Ticonderoga, New York, to Schroon.

Vermont.

*In Massachusetts.*—From West Middleborough to Rochester. From Cumington, by Windsor, to Dalton. From Greenfield to Leyden. From Greenwich, by Greenwich village, east part of New Salem, on the Lumber road, South Orange, Warwick, Winchester, and Swanzey, to Keene, New Hampshire. From Middleborough Four Corners, to Wareham. From Falmouth to North Falmouth, Monument, Pocasset, to the place where the road intersects the mail-road from Wareham to Sandwich. From Northfield to Winchester, New Hampshire. From Deerfield, by Conway, Ashfield, Plainfield, to Hancock.

Massachusetts.

*In Rhode Island.*—From Providence, by the way of Slade's ferry, to Fall river, in (Troy,) Massachusetts.

Rhode Island:

Connecticut.

*In Connecticut.*—From Middletown to Hartford, on the east side of the Connecticut river. From Litchfield, by Northfield, to Plymouth.

New York.

*In New York.*—From Chester, by Minerva, Hoffman township, and Paradox settlement, to Ticonderoga. From Luzerne to Glenn's Falls. From Warren, in Phillips, to Cold Springs. From Peekskill, by Red Mills, to Carmel. From Mount Pleasant to New Castle, and thence to Bedford, Pound Ridge. From Saratoga Springs to Glenn's Falls. From Galway, by Broad Albin and Johnstown, to Palatine. From North China, by West China, to Sardinia. From Durham to Windham. From Deruyter, by Fairchild's store, in Linklane, to German. From Port Plain, by Cooperstown, Hartwick, Milford, Otego, Huntsville, to Binghamton. From Cooperstown to Meredith. From Skaneateles, by Gulf and Canton, to Baldwinsville. From the city of Hudson to Salisbury. From Carpenter's Point, by Bolton's and Forrestburg, to Monticello. From Ellisburg, by Smithville, to Sackett's Harbour. From Mexico to Oswego Falls. From New Paltz landing, by the Hudson River road, Esopus, and Kingston's landing, to Kingston. From Lockport to Wright's tavern. From Maysville, by Miner, and Clymer, to Waterford, Pennsylvania. From Burlington to Bridge-water. From Geneseo, by Portage and Pike Four Corners, to Pike. From North China, by Franklinville, to Olean. From Ellicottsville, by Otto, to Lodi. From Herkimer village to Bennett's Post-office, in German Flats. From Little Falls village, by Manheim, Centre Post-office, to Lasselsville. From Holland, by Sardinia, to Franklinville. From Covington, by York, to Geneseo, instead of the route by Moscow. From Sheldon Post-office, by Stricker's settlement, to Fox's settlement, in West China. From Jamestown, by Ashville, Smithville, Climer, to Erie, Pennsylvania. From Dunkirk, by Stockton Ellery, and Clark Parker, to the Lake road. From Mayville, by Magnolia, Bemus's, Harmony, Sugar Grove, Youngsville, to the mouth of Broken Straw. From Truxton, by Apulia, Lafayette, and Onondago Hollow, to Syracuse. From Binghamton, by Stoddart's, Rockwell's Mills, Nanticoke creek, Lisle Post-office; thence by Whitney's Point, and Hyde's settlement, to the village of Binghamton. From Mechanicksville, by the Creek road, to Malta. From Syracuse, Brockway's Corner, and Belle Isle, to Baldwinsville. From Canastota, by Ridgeville and Bridgeport, to Cicero Four Corners. From Skaneateles, by Eldbridge, to Jordan. From Canandaigua, by Bristol to Naples. From Fayette, by Forrestville, and Villanova, to Jamestown. From Westfield to Waterford, Pennsylvania. From Fleming, by Jared Beardsley's Corner, Venice, and North Lansing, to Libertyville. From White Plain to Harrison. From Jamestown, by Cold Spring and Randolph, to Little Valley. From Sandy Hill, by Patten's Mills, and Smith's Furnace, to Dresden. From Canandaigua, by Bristol, Richmond, and Freeport, to Dansville. From Willet Post-office to Lisle Post-office. From Middleburg by Schoharie and Sloansville, to Canojaharie Post-office. From Elmira, by the way of M'Connel town, and Sing Sing, through Catlin, and Reading, to unite with the mail-route from Starkey to Geneva. From Goshen to Carpenter's Point, by the way of Brookfield, Centreville and Greenville. From Ellicottsville to Warren, Pennsylvania. From Centreville to Freedom. From Angelica, by Scio, and Independence, to Harrison, Pennsylvania. From Canandaigua to Farmington. From Independence, by Canisteo, to Hornellsville.

New Jersey.

*In New Jersey.*—From Clarkston, New York, by the Dutch Factory, P. D. Tallman's, New Milford, the Old Bridge, and Stone Arabia, to Hackensac. From Salem, by Allowaystown, Roadstown, to Bridgetown. From Philadelphia, by Haines' glass manufactory, Hammington, Pleasant Mills, Gloucester Furnace, Gravelly Landing, and Smithville, to Leeds' Point. From Woodbury, by Paulsboro', Raccoon Lower Bridge, Pedericktown, Scultown, Sharpstown, Woodstown, and Cole's Mills, to Mullica Hill. From Philadelphia, by Mount Ephraim, Chew's Landing, and Black-

woodtown, to Waterloo, in the county of Cape May. From Lambertsville, by Hopewell meeting house, to New Brunswick.

*In Pennsylvania.*—The mail from Smithport, to return by N. C. Gallup's, in Sergeant, Elihu Chadwick's, in Shippen, T. and H. Coleman's, in Gibson township, to Karthaus. From Columbus, in Luzerne, by Harvey's Mills, J. Huff's, and Falley's Mills, to Kingston. From New Berlin, by Lewisburg, to Milton. From Dunnsburg, along the west branch of the Susquehannah river, to the mouth of Sinnemahoning; thence to the mouth of Bennett's branch, up the same to the point where the road from Bellefonte to Smithport crosses it. From Pottsville, by Mifflinburg, to Berwick. From Pennsboro', by Hughesburg, and Mount Lewis, to Cherry township. From Mansfield, in Tioga county, through Dart's settlement, to Wellsboro'. From Buckwalter's, in Charlestown, by F. Seltzer's, Pottsgrove, Unionville, and Birdsboro', to Reading. From Water street, by Birmingham, and Mount Pleasant, [to] Curwensville. From Selinsgrove to Louisburg. From Sunbury, by Libertypole and Catawissa, to Nescopeck. From Wilkesbarre, by Dallas, North Moreland, Lee's Tavern, in Exeter, Nicholson, Abington, Buttermilk Falls, and thence to Wilkesbarre. From Lancaster, by the old Philadelphia road, to Downingtown. From Bald Eagle, in Lycoming, by Curtin's Iron works, to Millsbury. From Hendrickville to Blairsville. From Reading, by Unionville, Boyerstown, Hoff's Martztown, Kurtztown, and Princetown, to Reading, in lieu of the present route. From Pittsburg, by Findlayville, Williamsport, and Bentleysville, to Bealsville. From Berwick, by the Nob Mountain, Jerseytown, Fruitstown, and McEwensville, to Watson Town. From Jamestown, New York, by Sugar Grove, to Union Mills. From Blairsville to Indiana. From Whitestown, by Pottersville and Newcastle, to Youngstown, in Ohio. From Berlin to the Sorrel Horse, on the Somerset and Connelville post-route. From Centreville, in Butler county, to Harlandsburg, in Mercer county. From Mercer, by New Wilmington, to New Bedford. From Pittsburg, by Kittaning, to Olean. From Mercer, by Greenville, to Parkman, Ohio. From York, by Jacob Kaufflet's Tavern, Margaretta Furnace, to Wrightsville. From Manchester, Maryland, by Christian Herrick's and Jefferson, to York. From Philipsburg, by Kyler's and Clearfield town, to Gillet's, on the route from Bellefonte to Smithport. From Bedford, by Colerain, to the Inn of Walter Slicer, in Maryland. From Paul Furman's, by James Morgan's and Samuel Edsall's, to James French's, in Well's township. From Wyalusing to the house of Jesse Ross, in Pike township. From Downington, by West Bradford, Pennsbury, and Centreville, to Wilmington. From Reading, by Udree's Furnace, Dale Forge and Charlestown, to Quakertown. From Windham, in Pennsylvania, to Smithsborough, in New York. From Meadville, to Sugar Grove, in Warren county. From Lawrenceburg, by way of Foxburg, to Shippensville. From Lawrenceburg, by way of Hulinsburg, to Roseburg. From Dilleburg, by Carlisle, Sterret's Gap, and Bloomfield, to Millerstown. From Columbia, by Marietta and Maytown, to Elizabethtown.

*In Delaware.*—From St. George's, by Delaware city, to Port Penn.

*In Maryland.*—From Allen's Fresh to the Lott. From Annapolis, by Broad Creek, to Queenstown. The post-road from Laurel, Delaware, to Easton, shall pass by Seaford. From Rockville, through Mechanicksville, to Colesville.

*In Virginia.*—From Lynchburg, by Ward's Bridge, Dejernet's, and Adam's mills, to Abraham Rorer's, in Pittsylvania. From Buckingham C. H., by Farmeville, to Boydton, in Mecklenburg. From Luray, by Moilam's Gap, to Rapidann meeting house, in Madison county. From Jerusalem, by Cross Keys, to Spratley Williams'. From New Canton to New Glasgow. From Madison C. H., by Rapidann meeting-house, Moilam's Gap, Luray, Woodstock, to Moorfield's. From Staunton, by Bell-

Pennsylvania.

Delaware.  
Maryland.

Virginia.

ville, Covington, to Lewisburg. From Fincastle, by New Castle, to Giles C. H. From Wellsburg to Fairview, in Ohio. From Romney, by Burlington, to the mouth of Savage river, in Maryland. From Bowling Green to Port Royal. From Lewis C. H., to Randolph C. H., Virginia. From Kanhawa C. H., by Logan C. H., to Russel C. H. From Cumberland C. H. to Warren. From Grave creek, by Dille's Bottom, Powhatan, Sunfish, to Woodsfield, Ohio.

North Carolina.

*In North Carolina.*—From Morgantown, by W. M'Gimsey's, D. Baker's, G. Garland's, Caney river, and Big Joy, to Ashville. From Elizabeth, on the West side of Cape Fear river, by Beatty's Bridge, and Long Creek Bridge, on the East side of said river, to Wilmington. From Rockingham C. H. by Troublesome Iron Works, Martinsville, Greenborough, New Salem, and Ashborough, to Lawrenceville. From Charlotte, by Harris' Ferry, on Cataba river, to Chester C. H., South Carolina.

South Carolina.

*In South Carolina.*—From Laurel Hill, by Adamsville, Marlborough New C. H. and Marlborough Old C. H., to Society Hill. From Edgefield C. H., by Kirksey's Scotch Cross, Dead Falls, John Daniel's, and C. Orr's, to Varennes. From Columbia, by Flatt Spring, Williamson's and Davis Bridges, to Barnwell C. H. From Columbia, by William Brown's Buckhead, William Jenkin's, Fishdam Ferry, to Union C. H. From Cambridge, by Dead Falls, and Donald's store, to Christopher Orr's store. From Waxhaw, by the house of James Stewart, to Mount Pleasant. From Sumpterville, by the plantation of George I. M'Cauley, to Pineville. From Charleston to Augusta, by the way of Walterborough, and Barnwell C. H.

Georgia.

*In Georgia.*—From Savannah, by Dublin and Marion; to Macon. From Athens to Danielsville. From Jacksonville, in Telfair county, to Tallahassee, Florida.

Ohio.

*In Ohio.*—From Clarksville, by Edwardsville and Goshen, to Milford. From Painsville, in Geauga, by Kirtland Mills, Chester Cross Roads, and Bainbridge, to Aurora. From Middlebury near Portage Summit, by Springfield, Suffield, Randolph, and Atwater, to Deerfield. From Thornville, in Perry county, by Somerset, and Bristol, to Logan in Hocking. From Circleville to London. From Upper Sandusky to Bellefontain. From Sandusky city, by York, Sippoo, and Melmore, to Upper Sandusky. From New Market, in Highland, by Russelsville, to Georgetown, in Brown county. From New Philadelphia, by Shanesville, Millersburg, and Danville, to Mount Vernon. From Mansfield, by Uniontown, and Orangeville, Sullivan, Huntington, Wellington, and Elyria, to the mouth of Black river. From Centreville to New Lisbon. From Zanesville, by Millford, New Market and Dover, to Athens, thence to Jackson. From Millersburg to Mansfield. From New Haven to Harrisville. From Lawrenceburg, Indiana, by Elizabethtown, William Clark's store, H. Smith's Mills, Jenkins's in Morgan township, Peagdale's Cross Roads, and Dick's Mills, to Oxford. From New Lisbon, by Hanover, Waynesburg, Landyville, Bolivar, and Berlin, to Millersburg. From Canton, by Bolivar and Dover, to New Philadelphia. From Akron, by Clinton, Fulton, Massilon, and Bethlehem, to Bolivar. From Cadiz, by Annapolis, Moore's Salt Works, to New Lisbon. From Berlin, by Fredericksburg, to Wooster. From Chilicothe, by Clarksburg, Duff's Fork, and London, to Urbanna. From Wheeling, by Mount Pleasant, Harrisville, Cadiz, New Philadelphia, Wooster, and the Black Swamp road, to Detroit, in lieu of the present post-route. From Portland, by Tiffin, to Upper Sandusky. From Cambridge to McConnelsville. From Coolville to Athens. From Cambridge, by Milnersville, to New Philadelphia. From Chester to Athens. From Canton by Shanesville, to Coshocton. From Mansfield to Tyro. From Jefferson to Meadville, Pennsylvania. From Xenia to Fairfield.

Kentucky.

*In Kentucky.*—From Columbia, by Creilsburg and Seventy-Six, to

Elliot's Cross Roads, in Cumberland. From Glasgow, by Pikesville, Hughes', and Isaac's, to Glasgow. From Scottsville to Franklin. That the post-road from Maysville to Georgetown, pass by L. Kindall's, on Raven Creek. From Lexington, by Centreville, to Cynthiana. From Greenupsburg to Sandy Salt Works, in lieu of the route from Catlettsburg to Sandy Salt Works. From Mumfordsville, by Litchfield, and Hudsonville, to Hardensburg. From Owensborough, by Hartford, and Morgantown, to Bowling Green. From Elkton, by Hopper's Tan Yard, Stewart's Mill, W. William's, and Sandy Lick to Bellville. From Bowling Green, by Brownsville, in Edmondson county, Litchfield, and Hardensburg, to Corydon. From Lee Courthouse, to Harlan Courthouse. From the Yellow Banks, by the narrows of Panther's Creek, Shoemaker's Ferry, on Green river, and Morgan's Mill, to Greenville.

*In Tennessee.*—From Winchester, to Bellefonte, in Alabama. From Tipton Courthouse to the Warehouse, on the Mississippi river. From Treadwell's, on Big Creek, to Memphis. From Iron Banks, in Kentucky, by Dresden, Gibsonport, Jackson, and Bolivar, to Cotton Gin Port, in Mississippi. From Columbia, by Hurt's Cross Roads, to Murfreesborough: thence to Lebanon. From Bowling Green, in Kentucky, by Springfield, mouth of Harpeth, to Charlotte. From Yellow Creek post-office, in Montgomery, to Reynoldsburg. From Tellico Plains, by Canasaga Valley, to Columbus, in McMinn county. From Knoxville to Tazewell. From Brownsville to Fulton. From McMinnville, in Warren county, by Davis' Mills, to Shelbyville, in Bedford county. From White Plains, by Hillham, and Martinsville, to Tompkinsville, in Kentucky. From Winchester to Jasper. From Jonesborough, via Paper-ville, to Abingdon. From Greenville, by Bright Hope Furnace, and Chucky Bend, to Dandridge.

Tennessee.

*In Alabama.*—From Clayborne, by Rocky Mount, and Hawell's Ferry, to Fort Stoddart. From Triana, by Moulton, to Russelville. From Spring Place to Ridge's Ferry. From Moulton, by Walker Courthouse, to Tuscaloosa. From Ashville, through Coosa Valley, by Kelly's Creek, Harpersville, and Hughs' store, to Montevallo. From Courtland to Leighton.

Alabama.

*In Mississippi.*—From Covington Courthouse to Winchester. From Augusta to Ellisville, in Jones' county. From Gallatin, in Copiah county, by Liberty, to Silliman's, in Louisiana. From New Mexico, by Yazoo Courthouse, to Vicksburg. From Yazoo Courthouse, by Smith's ferry, Braggsville, to Hannam's Bluff.

Mississippi.

*In Louisiana.*—From West Baton Rouge, along the west bank of the Mississippi, to Donaldsonville. From Baton Rouge to Opelousa Church.

Louisiana.

*In Indiana.*—From Lawrenceburg, by Georgetown, Harrison, New Trenton, Brookville, to return by the mouth of Big Cedar, Solomon Allen's and Cambridge, to Lawrenceburg, in place of the present route. From Indianapolis, by Greencastle, in Putnam, and Rockville, in Parke, to Newport, in Vermillion. From Princeton to Mount Carmel, Illinois. From Evansville to Mount Vernon. From Danville, by Crawfordsville, to Fountain Courthouse. From Crawfordsville to Tippecanoe Courthouse. From Rockville, in the county of Parke, by Fountain Courthouse, to Tippecanoe Courthouse. From New Castle to Noblesville. From Elizabeth, Kentucky, by Brandenburg and Laconia, to Corydon. From Vernon, by Greensburg, to New Castle. From Crawfordsville, by Fountain Tippecanoe, Deer creek, mouth of Eel river, to fort Wayne. From Brookville, by Morven, and Columbus, to Bloomington. From Terre Haute, by Paris, to Springfield. From Terre Haute, to fort Wayne, by Montezeuma, Covington, Attica, Lafayette and Mississicwa. From New Castle to Noblesville. From Noblesville to fort Wayne. From Winchester, in Ran-

Indiana.

dolph county, to fort Wayne. From Indianapolis, on the Horse Shoe Bend, state road, to the Ohio river; thence to Elizabeth, in the state of Kentucky.

Illinois. *In Illinois.*—From Edwardsville to Springfield.

Missouri. *In Missouri.*—From Jefferson city, by Gasconade Courthouse, Massey's Iron Works, Potosi and Farmington, to Jackson. From Fulton, by Columbia, Rockport, Booneville, Meredith, Marmaduke's and Jones' Salt Works, to Lexington. From Cooper Courthouse to Fulsom. From Monticello, by Covington Courthouse to St. Stephen's, Alabama.

Michigan territory. *In Michigan Territory.*—From Taylor's Village, on Stoney Creek, by Indian Village, in Shelby, to E. Andrews', From Stoney Creek Post-office, by N. Millard's, Gideon Gates', to fort Gratiot.

Arkansas territory. *In Arkansas Territory.*—From Memphis to Little Rock.

Florida territory. *In Florida Territory.*—From Pensacola to Blakeley. From Pensacola to fort Crawford. From St. Mary's, by Fernandina, and the town of St. John, to Jacksonville.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

[Obsolete.]

3000 dollars appropriated for the purchase of books.

400 dollars as compensation to an assistant librarian.

CHAP. XL.—*An Act making an appropriation for the purchase of books for the use of the library of Congress, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of three thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the purchase of books, under the direction of the joint library committee, for the use of the library of Congress.

SEC. 2. *And be it further enacted,* That the sum of four hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, as a compensation to an assistant employed by the librarian of Congress during the present session.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

Time of holding said court changed to the 2d Monday in December instead of that of October, &c.

Records, &c., belonging to said court, heretofore holden at Cahawba, except such as may be necessary in any criminal prosecution, pending in said court, to be transferred to the district court, holden at Mobile, &c.

CHAP. XLI.—*An Act to alter the time of holding the district court of the United States for the southern district of Alabama, 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 the district court of the United States, for the southern district of Alabama, shall be holden in the city of Mobile, on the second Monday in December instead of the second Monday in October, and in addition to the term now directed by law to be holden on the first Monday in May in each and every year, and shall continue so long as business may require.

SEC. 2. *And be it further enacted,* That the records and papers belonging to the district court heretofore holden at the town of Cahawba, in the southern district of Alabama, except such as may be necessary in any criminal prosecution pending in the said court, shall be transferred to, and become a part of, the records and papers of the district court holden at Mobile, and all causes of a civil nature pending in the district court heretofore holden at the said town of Cahawba, shall be transferred to the district court holden in the city of Mobile, and shall have day therein and be proceeded in to final judgment and execution, in the same manner as if the said causes had originated in the said court holden at Mobile; and it shall be lawful for the said last-mentioned court to issue execution upon any judgment heretofore rendered in the district

(a) See notes to act of April 21, 1820, ch. 47.



court holden at Cahawba, which said judgment shall not have been satisfied, and to issue writs of *scire facias* for the purpose of reviving any judgment heretofore rendered by the district court holden at Cahawba, and to issue all other writs or process which may be necessary, according to the course of judicial proceedings.

SEC. 3. *And be it further enacted*, That all causes of a criminal nature, now pending in the district court holden at Cahawba, shall be proceeded in by the said court, to final judgment, and to execution of such judgment or sentence as may be rendered by the said court, in the said causes; and, that immediately thereafter, the records and papers in the said causes shall be transferred to, and become a part of, the records and papers of the district court, holden at Mobile.

APPROVED, March 2, 1827.

Causes of a criminal nature now pending in the district court, holden at Cahawba, to be proceeded in by the said court to final judgment, &c.

STATUTE II.

CHAP. XLII.—*An Act giving further compensation to the captains and subalterns of the army of the United States, in certain cases.*

March 2, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the passing of this act, each captain and subaltern in the army shall be allowed one additional ration.

After the passage of this act, each captain, &c., to be allowed an additional ration.

SEC. 2. *And be it further enacted*, That every officer in the actual command of a company in the army of the United States, shall be entitled to receive ten dollars per month additional pay, as compensation for his duties and responsibilities, with respect to the clothing, arms, and accoutrements of the company, whilst he shall be in the actual command thereof: *Provided*, That no subaltern officer who shall be in the performance of any staff duty, for which he receives an extra compensation, shall be entitled to the additional ration herein provided for.

Every officer, in actual command of a company, in the army of the United States, to receive 10 dollars per month, additional pay.  
Proviso.

APPROVED, March 2, 1827.

STATUTE II.

CHAP. XLIII.—*An Act authorizing the completion and repair of certain roads in the territory of Florida, and for other purposes.*

March 2, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be opened and repaired, in the territory of Florida, a public road, known by the name of the King's road, from the Georgia line, by St. Augustine, to New Smyrna.

President to cause to be opened a public road from the Georgia line, by St. Augustine.

SEC. 2. *And be it further enacted*, That the President be, and he is hereby, authorized to employ the troops of the United States, stationed in Florida, in such manner as he may think proper, in opening and repairing said road; and for defraying the expenses thereof, the sum of eleven thousand dollars is hereby appropriated.

Troops of the United States in Florida to assist in opening and repairing the same.

SEC. 3. *And be it further enacted*, That the additional sum of five thousand dollars be, and the same is hereby, appropriated for the completion of the United States' military road from Pensacola to St. Augustine, by the construction of a bridge across the St. Sebastian's river, near St. Augustine; and that the further sum of six thousand dollars be, and the same is hereby, appropriated, for the purpose of completing the road from Colerain, in Georgia, to Tampa Bay, in the territory of Florida; and the appropriations aforesaid shall be paid out of any money in the treasury not otherwise appropriated.

Additional sum of 5000 dollars appropriated for the completion of United States' military road from Pensacola to St. Augustine by the construction of a bridge across the St. Sebastian's river.

SEC. 4. *And be it further enacted*, That if any part of the above appropriations shall remain unexpended, it shall be appropriated to open-

Communication between Moscheto or Halifax and Indian rivers.

1824, ch. 22.

ing the communication between Moscheto or Halifax and Indian rivers, in the line of communication to Capē Florida, described in the report of the engineer, appointed in pursuance of an act of Congress, of the twenty-eighth day of February, one thousand eight hundred and twenty-four, authorizing the survey of a military road from St. Augustine to Cape Florida.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

30,000 dollars appropriated.

A suitable person to superintend the repairs to be made on said road to be appointed.

CHAP. XLIV.—*An Act for the preservation of the Cumberland road. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of thirty thousand dollars be, and is hereby, appropriated for the purpose of repairing the public road from Cumberland to Wheeling, under the direction of the President of the United States, to be paid out of any money in the public treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to appoint some suitable person to superintend the repairs to be made on said road, whose compensation, to be paid out of the sum appropriated by this act, shall be fixed by the President of the United States.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

Secretary of the Treasury to refund the discriminating duties paid between the 3d of March, 1815, and the 13th November of the same year.

CHAP. XLV.—*An Act to refund certain duties paid upon vessels belonging to citizens of Hamburg, and their cargoes. (b)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to refund the discriminating duties that were paid in the ports of the United States between the third of March, eighteen hundred and fifteen, and the thirteenth November of the same year, upon any vessels belonging to citizens of the city of Hamburg, and their cargoes; and that the same be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

Sums, respectively, appropriated.

Improving Hyannis harbour. Building two piers at the mouth of Oswego harbour.

1826, ch. 78.

CHAP. XLVI.—*An Act to authorize the improving of certain harbours, the building of piers, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, respectively appropriated, to be applied under the direction of the President of the United States, to accomplish the objects hereinafter mentioned; that is to say:

For improving Hyannis harbour, in the state of Massachusetts, a sum not exceeding ten thousand six hundred and fifty dollars.

For building two piers at the mouth of Oswego harbour in the state of New York, thirty-three thousand three hundred and forty-eight dollars and sixty-four cents; no part of which last-mentioned sum shall be expended until a contract shall have been made for completing said piers, agreeably to the plan proposed in a report made under the act of the twentieth of May last; and for erecting a pier by contract, at the mouth of Dunkirk harbour, in the state of New York, three thousand dollars.

(a) For the notes relating to the Cumberland road, see vol. ii. p. 357.

(b) See notes as to discriminating duties, Act of Jan. 7, 1824, ch. 4.

For improving Cleaveland harbour, in the State of Ohio, ten thousand dollars.

Cleaveland harbour.

For improving the harbour at the mouth of Pascagoula river, in the state of Mississippi, and for removing the obstructions to the navigation of said river, eight thousand dollars.

Harbour at the mouth of Pascagoula river.

For removing obstructions to the navigation of Saugatuck river, and protecting Saugatuck Harbour, by a suitable work, to prevent the washing of the sand from Cedar Point, into said harbour, a sum not exceeding fifteen hundred dollars.

Navigation of the Saugatuck harbour, &c.

For completing a pier at the entrance of La Plaisance bay, in the territory of Michigan, agreeably to the plan and estimate made under the act of the twentieth of May last, three thousand nine hundred and seventy-seven dollars and eighty-one cents.

Completing a pier at the entrance of La Plaisance bay. 1826, ch. 78.

For making a survey and examination to ascertain the expediency and expense of constructing piers to improve the harbour of Churches Cove, in the town of Little Compton, in the state of Rhode Island, two hundred dollars.

Improvement of the harbour of Churches Cove.

For making a survey and examination to ascertain the expediency and expense of erecting a pier in Stonington harbour, in the state of Connecticut, two hundred dollars.

Erecting a pier in Stonington harbour.

For defraying the expense of an examination of the public piers at Port Penn, Marcus Hook, and Fort Mifflin, in the river Delaware, in the states of Pennsylvania and Delaware, in order to determine the expediency and expense of repairing and improving the same, one hundred dollars.

Expense of an examination of the public piers at Port Penn, &c.

For a survey of the Colbert Shoals, in the Tennessee river, to ascertain the nature of the obstructions, the practicability, the manner, and the expense of removing them, two hundred dollars.

Survey of the Colbert Shoals.

For removing the obstructions to the navigation of the Kennebec river, in the state of Maine, at Lovejoy's Narrows, four thousand dollars; no part of which sum shall be expended until a contract shall have been made for removing said obstructions, agreeably to the plan proposed by the engineer employed to make a survey of said narrows.

Removing the obstructions to the navigation of the Kennebec river.

For the erection of piers, placing beacons or buoys, and removing obstructions at, and near, the entrance into the harbour of Saco in the state of Maine, a sum not exceeding seven thousand dollars.

Erection of piers, &c.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

Sums appropriated to be paid from the treasury.

APPROVED, March 2, 1827.

STATUTE II.

CHAP. XLVII.—*An Act to authorize the building of lighthouses and beacons, and for other purposes.*

March 2, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to provide, by contract, for building lighthouses and beacons, and placing buoys on the sites hereinafter mentioned, to wit:

[Obsolete.]  
Building of lighthouses, &c.

A lighthouse at or near the mouth of Portsmouth harbour, in the state of New Hampshire, to be placed on the ledge called the Whale's Back, or on such other site, near to said ledge, as the Secretary of the Treasury shall select.

A lighthouse near the mouth of Portsmouth harbour.

A lighthouse at the point of Marsh near the mouth of Neuse river, in the state of North Carolina.

A lighthouse at the Point of Marsh.

A beacon, in the harbour, at the mouth of Bass river, between the towns of Dennis and Yarmouth; a beacon on a ledge of rocks, called the

A beacon, in the harbour at

the mouth of  
Bass river, &c.

Bishops, three miles south-east from the lighthouse on Point Gammon; a beacon on Collin's ledge; a buoy on the Channel rock; a buoy on the south-west rock; a buoy on the Gangway rocks; a buoy on the south-west part of Suckene-cut shoals; a buoy on the end of Dogfish bar; and a buoy on the south end of Kilpond bar, in the Vineyard Sound, in the state of Massachusetts.

A buoy on  
Cheppinaxet  
Point, &c.

A buoy on Cheppinaxet point; a buoy on Garden point; and a buoy on Long Point in East Greenwich harbour, in the state of Rhode Island.

A beacon on  
Well's Point,  
&c.

A beacon on Well's Point; a buoy on Marchard flat; a buoy on Stoney bar, and a buoy on Allen's flat, in Bridgeport harbour; a beacon on Patrick's reef, in Norwalk harbour; a buoy on Smith's ledge, near Darien, and a buoy on Shippan reef, in the state of Connecticut.

Buoys at the  
entrance of Mo-  
bile bay.

Four buoys at the entrance of Mobile bay, and one at the mouth of Dog river, in the state of Alabama.

Buoys on the  
bar at the en-  
trance of St.  
Augustine har-  
bour.

Three buoys on the bar at the entrance of St. Augustine harbour, and three buoys in St. Mark's harbour, in the territory of Florida.

Secretary of  
the Treasury to  
accept from the  
state of Penn-  
sylvania, the  
cession of the  
public piers,  
&c.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to accept, from the state of Pennsylvania, the cession, to the United States, of the public piers, and the causeway leading thereto, which were built by said state, at Chester, in the Delaware river, and directed to cause said piers and causeway to be repaired by contract.

A column to  
be erected on  
Little Mark Is-  
land.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby empowered and directed to cause to be built, by contract, a column on Little Mark Island, at the entrance of Harpswell Sound, in the state of Maine.

Sums appro-  
priated.

SEC. 4. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated to accomplish the objects specified in this act, that is to say:

Lighthouse  
at Portsmouth  
harbour.

For building a lighthouse at or near the mouth of Portsmouth harbour, fifteen hundred dollars.

Lighthouse  
near the mouth  
of Neuse river.

For building a lighthouse on the point of Marsh near the mouth of Neuse river, three thousand five hundred dollars.

Beacon at  
Bass river, &c.

For erecting a beacon at the mouth of Bass river, between the towns of Dennis and Yarmouth, one thousand dollars; for erecting a beacon or spindle on the ledge of rocks, called the Bishops, one hundred dollars; for erecting a beacon or spindle on Collin's ledge, one hundred dollars; and for placing six buoys on the sites above designated, in the Vineyard Sound, one hundred and fifty dollars.

Buoys in  
Greenwich  
harbour.

For placing three buoys in East Greenwich harbour, seventy-five dol-  
lars.

Beacon on  
Well's Point.

For erecting a beacon on Well's Point, in Bridgeport harbour, five hundred dollars; and for placing three buoys in said harbour seventy-five dollars.

Beacon on  
Patrick's reef.

For erecting a beacon on Patrick's reef, in Norwalk harbour, three hundred dollars; for placing a buoy on Smith's ledge, near Darien, twenty-five dollars; and for placing a buoy on Shippan reef, thirty dollars.

Public piers,  
&c., at Chester.

For repairing the public piers and causeway at Chester, five thousand three hundred and eighty-three dollars and forty cents.

Column on  
Little Mark  
Island.

For erecting a column on Little Mark Island, at the entrance of Harpswell Sound, twelve hundred dollars.

Pier adjacent  
to the one at  
Buffalo, &c.  
1826, ch. 73.

For erecting a pier adjacent to the pier at Buffalo, in the state of New York, and placing thereon the lighthouse authorized to be built at the east end of Lake Erie, by the act of eighteenth of May, one thousand eight hundred and twenty-six, including the appropriation of two thousand five hundred dollars, made by the act aforesaid for that object, six thousand five hundred dollars; any part of which sum may be applied by the Secretary of the Treasury to defray the expense of altering the lighthouse

already erected at said Buffalo, if he shall be of the opinion that the same may be so altered as to render unnecessary the erection of another lighthouse in the vicinity of Buffalo.

For altering and repairing the Newport lighthouse, at the entrance of Narragansett Bay, twelve hundred dollars.

For erecting a lighthouse at Natchez, in the state of Mississippi, in addition to the appropriation of one thousand five hundred dollars heretofore made for that object, one thousand nine hundred and twenty-six dollars.

For placing four buoys at the entrance of Mobile Bay, and one at the mouth of Dog river, nine hundred dollars.

For placing three buoys on the bar at the entrance of St. Augustine harbour, one hundred and twenty dollars; and for placing three buoys in St. Mark's harbour, one hundred and twenty dollars.

For the erection of a light vessel of between one hundred and thirty and one hundred and fifty tons, for the south-west point of the Royal Shoal, on Pamptico Sound in North Carolina, eleven thousand dollars, and the vessel now stationed at the shoal commonly called Ocracock, nine feet shoal in said sound.

For a lighthouse at Cat Island, in the Gulf of Mexico, five thousand dollars.

For the erection of two lighthouses on Cape Elizabeth, in Maine, three thousand dollars.

SEC. 5. *And be it further enacted*, That the sums hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1827.

Repairing the Newport lighthouse.

Lighthouse at Natchez. 1826, ch. 73.

Buoys at the entrance of Mobile Bay.

Buoys on the bar at St. Augustine harbour.

Light vessel, for the south-west point of the Royal Shoal.

Lighthouse at Cat Island.

Two lighthouses on Cape Elizabeth.

Sums appropriated to be paid from the treasury.

STATUTE II.

CHAP. XLVIII.—*An Act to authorize the laying out and opening of certain roads in the territory of Michigan.*

March 2, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be laid out, in the territory of Michigan, a road, commencing at Detroit, and pursuing the most direct and practicable route to the Saganaw river and bay, in said territory; and that in like manner he cause to be laid out a road from Detroit to fort Gratiot, at the outlet of Lake Huron; and for each of these objects the President shall appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, the aforesaid roads, and cause the plats of such surveys, accompanied with the field notes, to be made out, certified and transmitted to the President, who, if he approve of the same, shall cause them to be deposited in the War Department and the roads shall be considered as established and accepted.

The President to cause to be laid out, a road commencing at Detroit, and pursuing the most direct and practicable route to the Saganaw river and bay, &c.

SEC. 2. *And be it further enacted*, That the commissioners, one of whom, on each route, shall be a surveyor, shall each receive three dollars, and their assistants one dollar and fifty cents, per day, for the time necessarily employed in exploring, surveying, and marking said roads; and that for the purpose of defraying the expenses thereof, the sum of one thousand five hundred dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

Each commissioner to be a surveyor, and to receive 3 dollars, and their assistants, 1 dollar 50 cents per day.

SEC. 3. *And be it further enacted*, That, for the purpose of connecting the Detroit and the river Raisin with the Maumee and Sandusky roads, and to complete the opening and construction of the same, there shall be appropriated the sum of twelve thousand dollars, which

12,000 dollars appropriated, for the purpose of connecting the Detroit and

the river Raisin with the Maumee and Sandusky roads.

20,000 dollars for the opening of the Detroit and Chicago road.  
Proviso.

shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That, for the opening and construction of the Detroit and Chicago road, the sum of twenty thousand dollars be appropriated, which shall be paid out of any money in the treasury not otherwise appropriated: *Provided*, The said sum shall be expended upon such part of the road as is within the territory of Michigan. And that the opening and construction of the roads provided for by this act shall be done under the direction of the President of the United States.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

[Obsolete.]  
Sums, respectively, appropriated.

CHAP. XLIX.—*An Act making appropriations to carry into effect certain Indian treaties.*

*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 hereby are, respectively appropriated, for the purpose of carrying into effect treaties made with Chippewa, Pottawatamie, and Miami tribe of Indians, to wit:

Treaty with the Chippewas.

The sum of one thousand dollars, being the sum stipulated for by the sixth article of the treaty of the fifth of August, one thousand eight hundred and twenty-six, with the Chippewas.

Annuity to be paid the Pottawatamies.

The sum of two thousand dollars, being the annuity to be paid to the Pottawatamies, by the third article of the treaty of the sixteenth of October, one thousand eight hundred and twenty-six.

To carry into effect the same article.

The sum of one thousand five hundred dollars, for carrying into effect the same article for the building of a mill.

Schoolmaster, &c., &c.

The sum of three thousand eight hundred and twenty dollars, for carrying into effect the stipulations of the same article for the support of a schoolmaster, a blacksmith, a miller, and for the delivery of salt.

Goods to be delivered under the 4th article.

The sum of thirty-one thousand four hundred and forty-seven dollars and seventy-one cents, for goods delivered, and to be delivered, under the fourth article of said treaty.

Payment of certain claims.

The sum of nine thousand five hundred and seventy-three dollars, for the payment of certain claims which are provided for by the fifth article of said treaty.

Payment of goods delivered to the Miamies.

The sum of fifty-seven thousand three hundred dollars, for the payment for goods delivered, and to be delivered, under the fourth article of the treaty of the twenty-third of October, one thousand eight hundred and twenty-six, with the Miamies.

Payment of annuities.

The sum of thirty-five thousand dollars, for the payment of the annuities, as provided for in the same article of said treaty, the same including and being in lieu of all former annuities.

Provisions of the same article.

The sum of eight thousand seven hundred dollars, for carrying into effect the provisions of the same article, for furnishing wagons and oxen, erecting houses, and furnishing cattle and hogs.

Delivery of iron, steel, and tobacco, &c.

The sum of one thousand one hundred dollars, for the delivery of iron, steel, and tobacco, and the support of labourers, as provided by the same article.

Payment of certain claims.

The sum of seven thousand seven hundred and twenty-seven dollars and forty-seven cents, for the payment of certain claims, as provided for by the fifth article of said treaty.

Support of poor and infirm persons.

The sum of two thousand dollars, for the support of the poor and infirm persons, and the education of youth of the tribe, as provided for by the sixth article of said treaty.

The sum of twenty-five thousand seven hundred dollars, as provided

for by the seventh article of said treaty, for the purchase of certain lands, according to the schedule therein referred to.

Purchase of certain lands.

SEC. 2. *And be it further enacted*, That the same be paid out of any money in the treasury not otherwise appropriated.

Sums appropriated to be paid from the treasury.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

CHAP. L.—*An Act in addition to "An act to regulate and fix the compensation of the clerks in the different offices," passed April, one thousand eight hundred and eighteen.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of State be authorized to employ, in the State Department, one additional clerk, whose compensation shall not exceed sixteen hundred dollars; two additional clerks, whose compensation shall not exceed one thousand dollars each; and one additional clerk for the patent office, whose compensation shall not exceed eight hundred dollars.

Act of April 20, 1818, ch. 87.

Secretary of State authorized to employ additional clerks.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized to employ, in the Treasury Department, one additional clerk, whose compensation shall not exceed fourteen hundred dollars; in the office of the fourth auditor, two additional clerks, whose compensation shall not exceed one thousand dollars each.

Secretary of the Treasury to employ an additional clerk.

SEC. 3. *And be it further enacted*, That the Secretary of the Navy be, and he hereby is, authorized to employ one additional clerk, whose compensation shall not exceed one thousand dollars.

Secretary of the Navy to employ an additional clerk.

SEC. 4. *And be it further enacted*, That the Secretary of the War Department be, and he hereby is, authorized to employ one additional clerk for the office of the chief engineer; one additional clerk for the office of the adjutant general; and one additional clerk for the office of the commissary general of subsistence; the compensation to each not exceeding eight hundred dollars.

Secretary of War, to employ additional clerks, for certain departments.

SEC. 5. *And be it further enacted*, That the Postmaster General be, and [he] hereby is, authorized to employ five additional clerks, whose compensation shall not exceed one thousand dollars each; and one additional clerk, whose compensation shall not exceed one thousand four hundred dollars.

Postmaster General to employ five additional clerks.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury be authorized to allow four clerks in the office of the register of the treasury, and one clerk in the office of the navy commissioners, one clerk in the fifth auditor's office, and one clerk in the first comptroller's office, who now receive eight hundred dollars each, the sum of one thousand dollars each a year.

Secretary of the Treasury to allow four clerks in the office of the register of the treasury, &c.

SEC. 7. *And be it further enacted*, That the sum of one thousand dollars, as compensation for one clerk in the bureau of Indian affairs, be applied under the direction of the Secretary of War, under the act of eighteen hundred and eighteen.

Clerk in the bureau of Indian affairs.

SEC. 8. *And be it further enacted*, That, from and after the thirty-first of March, eighteen hundred and twenty-seven, so much of the second section of the act to fix the compensation of the clerks in the different offices, passed on the twentieth of April, eighteen hundred and eighteen, as relates to the clerks authorized to be employed in the office of the commissioner of the general land office, be repealed, and that there be employed, from and after that period, in said office, one clerk, whose compensation shall not exceed seventeen hundred dollars; ten clerks, whose compensation shall not exceed eleven hundred and fifty dollars; and six clerks, whose compensation shall not exceed one thousand dollars; and that there be two hundred and fifty dollars allowed as a con-

After the 31st March, 1827, a portion of the section of the act of 20th April, 1818, ch. 87, repealed.

tingency for keeping the account of the three per cent. fund, appropriated to the use of certain states.

Sum of  
18,400 dollars,  
appropriated.

SEC. 9. *And be it further enacted*, That the sum of eighteen thousand four hundred dollars be, and hereby is, appropriated out of any money in the treasury not otherwise appropriated, as compensation to the several clerks authorized by this act, and for the additional compensation provided therein.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

CHAP. LI.—*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.* (a)

A certain quantity of land to be allowed for opening a canal to unite the waters of the Illinois river with those of Lake Michigan.

*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, granted to the state of Illinois, for the purpose of aiding the said state in opening a canal to unite the waters of the Illinois river with those of Lake Michigan, a quantity of land equal to one half of five sections in width, on each side of said canal, and reserving each alternate section to the United States, to be selected by the commissioner of the land office, under the direction of the President of the United States, from one end of the said canal to the other; and the said lands shall be subject to the disposal of the legislature of the said state, for the purpose aforesaid, and no other: *Provided*, That the said canal, when completed, shall be and forever remain, a public highway for the use of the government of the United States, free from any toll, or other charge, whatever, for any property of the United States, or persons in their service, passing through the same: *Provided*, That said canal shall be commenced within five years, and completed in twenty years, or the state shall be bound to pay to the United States the amount of any lands previously sold, and that the title to purchasers under the state shall be valid.

Proviso.

Proviso.

Duty of the governor of the state, when the canal is located, &c.

SEC. 2. *And be it further enacted*, That, so soon as the route of the said canal shall be located and agreed on by the said state, it shall be the duty of the governor thereof, or such other person or persons as may have been, or shall hereafter be, authorized to superintend the construction of said canal, to examine and ascertain the particular sections to which the said state will be entitled, under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.

Power given to the legislature.

SEC. 3. *And be it further enacted*, That the said state, under the authority of the legislature thereof, after the selection shall have been so made, shall have power to sell and convey the whole, or any part of the said land, and to give a title in fee simple therefor, to whomsoever shall purchase the whole, or any part thereof.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

CHAP. LII.—*An Act to authorize the state of Indiana to locate and make a road therein named.*

General assembly authorized to locate and make a road from Lake

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the general assembly of the state of Indiana shall be, and the same are hereby, authorized to locate and make a road from Lake Michigan, by the way of Indianapolis,

(a) An act to authorize the state of Illinois to open a canal through the public lands to connect the Illinois river with Lake Michigan. March 30, 1822, ch. 14.

An act to amend an act entitled "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 and to allow further time to the state of Ohio, for commencing the Miami canal from Dayton, to Lake Erie," March 2, 1833, ch. 87.



to some convenient point on the Ohio river, agreeably to the second article of a treaty made and concluded near the mouth of the Mississinowa, upon the Wabash, in the state of Indiana, the sixteenth day of October, in the year of our Lord one thousand eight hundred and twenty-six, between the commissioners on the part of the United States, and the chiefs and warriors of the Potawatamie tribe of Indians; and the said general assembly are hereby authorized to apply the strip of land and the sections of land, by said article ceded to the United States, or the proceeds thereof, to the making of the same; and the said grant shall be at their sole disposal.

APPROVED, March 2, 1827.

Michigan, by the way of Indianapolis to some convenient point on the Ohio river.

STATUTE II.

March 2, 1827.

CHAP. LIII.—*An Act concerning a seminary of learning in the territory of Arkansas.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to set apart and reserve from sale, out of any of the public lands within the territory of Arkansas, to which the Indian title has been, or may be, extinguished, and not otherwise appropriated, a quantity of land not exceeding two entire townships, for the use and support of an university within the said territory and for no other use or purpose whatsoever; to be located in tracts of land of not less than an entire section, corresponding with any of the legal divisions into which the public lands are authorized to be surveyed, one of which said townships, so set apart and reserved from sale, shall be in lieu of an entire township of land directed to be located on the waters of the Arkansas river in said territory, for the use of a seminary of learning therein, by an act of Congress, entitled "An act making provision for the establishment of additional land offices in the territory of Missouri," approved February the seventeenth, one thousand eight hundred and eighteen.

APPROVED, March 2, 1827.

Secretary of the Treasury to set apart a certain quantity of land, out of the public lands, for the use of an university.

1818, ch. 12.

STATUTE II.

March 2, 1827.

[Expired.]

CHAP. LV.—*An Act to authorize the importation of brandy in casks of a capacity not less than fifteen gallons, and the exportation of the same for the benefit of a drawback of the duties.*

*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, brandy may be imported into the United States, in casks of a capacity not less than fifteen gallons, any thing in any law to the contrary notwithstanding: *Provided, however,* That all the provisions of existing laws, not inconsistent with this act, relating to the importation of foreign spirits, be complied with: *And provided further,* That all brandy imported in casks of a capacity less than ninety gallons, shall be deposited, at the expense and risk of the importer, in such public or other ware-houses as shall be designated by the collector or surveyor, for the port where the same shall be landed, and shall be removed therefrom in the manner prescribed by an act, entitled "An act providing for the deposit of wines and distilled spirits in public ware-houses, and for other purposes."

SEC. 2. *And be it further enacted,* That brandy imported in casks of a capacity not less than fifteen gallons, may be exported for the benefit of a drawback of the duties which shall have been paid thereon; and the exporter or exporters of brandy so imported shall be entitled to receive a debenture or debentures, for the amount of such drawback, agreeably to the

Act of March 2, 1799, ch. 22, sec. 108.

Brandy, after the passage of this act, to be imported into the United States in casks not less than 15 gallons.  
Proviso.  
Proviso.

Act of April 20, 1818, ch. 129.

Where the same is imported in casks not less than fifteen gallons.

existing laws; and all acts now in force regulating the exportation of spirits, and the allowance and payment of drawbacks and debentures, shall be deemed applicable to brandy, the importation of which is permitted by this act.

SEC. 3. *And be it further enacted*, That this act shall continue in force for the period of three years, and no longer.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

CHAP. LVI.—*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. (a)*

A certain quantity of land granted to said state, for opening a canal to unite, at navigable points, the waters of the Wabash river, with those of Lake Erie.

Proviso.

Proviso.

Duty of the governor of said state, when the canal is located, &c.

Power given to the legislature to sell.

*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, granted to the state of Indiana, for the purpose of aiding the said state in opening a canal to unite at navigable points the waters of the Wabash river with those of Lake Erie, a quantity of land equal to one half of five sections in width, on each side of said canal, and reserving each alternate section to the United States, to be selected by the commissioner of the land office, under the direction of the President of the United States, from one end thereof to the other; and the said lands shall be subject to the disposal of the legislature of said state, for the purpose aforesaid, and no other; *Provided*, That the said canal, when completed, shall be, and forever remain, a public highway for the use of the government of the United States, free from any toll, or other charge, whatever, for any property of the United States, or persons in their service passing through the same: *Provided*, That said canal shall be commenced within five years, and completed in twenty years, or the state shall be bound to pay to the United States the amount of any lands previously sold, and that the title to purchasers under the state shall be valid.

SEC. 2. *And be it further enacted*, That, so soon as the route of the said canal shall be located and agreed on by the said state, it shall be the duty of the governor thereof, or such other person or persons as may have been, or shall hereafter be, authorized to superintend the construction of said canal, to examine and ascertain the particular lands to which the said state will be entitled under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.

SEC. 3. *And be it further enacted*, That the said state, under the authority of the legislature thereof, after the selection shall have been so made, shall have power to sell and convey the whole, or any part of the said land, and to give a title, in fee simple, therefor, to whomsoever shall purchase the whole or any part thereof.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

CHAP. LVII.—*An Act to authorize the President of the United States to ascertain and designate the northern boundary of the state of Indiana.*

April 19, 1816, ch. 57.

Surveyor general, under the direction of the President, authorized and required to cause to be surveyed, &c.,

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the surveyor general, under the direction of the President of the United States, be, and he is hereby, authorized and required to cause to be surveyed, marked, and designated, the northern boundary line of the state of Indiana, as divides said state from the territory of Michigan, agreeably to the boundary as established by the act, entitled "An act to enable the people of the Indiana territory to form a constitution and state government, and for the admission of such state

(a) An act granting certain lands in the state of Indiana, the better to enable the said state to extend and complete the Wabash and Erie canal, from Terre Haute to the Ohio river, March 3, 1845, ch. 42.

into the Union, on an equal footing with the original states," approved April the nineteenth, one thousand eight hundred and sixteen; and to cause to be made a plat or plan of the said northern boundary of the state, particularly noting the place where the boundary line intersects or touches the margin of Lake Michigan, and return the same, when made, to Congress: *Provided*, That the whole expense of surveying and marking said boundary line shall not exceed five dollars for every mile that shall be actually surveyed and marked, which shall be paid out of the moneys appropriated for defraying the expense of surveying public lands.

APPROVED, March 2, 1827.

the northern boundary line of said state, dividing said state from the territory of Michigan.

Act of April 19, 1816, ch. 57.

Proviso.

STATUTE II.

March 2, 1827.

CHAP. LVIII.—*An Act establishing a port of delivery at the town of Marshfield, in the district of Plymouth, and a port of delivery at Rhinebeck Landing, in the district of New York.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the town of Marshfield, in the district of Plymouth, and Rhinebeck Landing, in the district of New York, shall each be a port of delivery.

APPROVED, March 2, 1827.

Town of Marshfield, and Rhinebeck Landing, made ports of delivery.

STATUTE II.

March 2, 1827.

CHAP. LIX.—*An Act to authorize the legislature of the state of Alabama to sell the lands heretofore appropriated for the use of schools in that state.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the legislature of the state of Alabama shall be, and is hereby, authorized to sell, and convey, in fee simple, all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within said state, and to invest the money arising from the sale thereof, in some productive fund, the proceeds of which shall be forever applied, under the direction of said legislature, for the use and support of schools within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose, whatsoever; *Provided*, Said land, or any part thereof, shall in no case be sold without the consent of the inhabitants of such township or district, to be obtained in such manner as the legislature of said state shall by law direct: and *Provided* also, that, in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

SEC. 2. *And be it further enacted*, That, if the proceeds accruing to any township or district from said fund shall be insufficient for the support of schools therein, it shall be lawful for said legislature to invest the same as is herein before directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same.

APPROVED, March 2, 1827.

Authorized to sell, &c., in fee simple, all, or any part of the lands heretofore reserved by Congress for the use of schools, within said state.

Proviso.

Proviso.

Where the proceeds accruing to any one township or district, is insufficient for the use of schools therein.

STATUTE II.

March 2, 1827.

CHAP. LX.—*An Act to authorize the sale of certain tracts of land in the state of Ohio, commonly called Moravian land.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the several lots of land lying in the Salem, Gnadenhutzen, and Shoeburn tracts of land, which have been valued at more than one dollar and twenty-five cents per acre,

Certain lots lying in the Salem, Gnadenhutzen, and Shoeburn

tracts of land, to be offered at public sale.

may be offered at public sale, at such time as the President of the United States may think expedient, and sold as other public lands of the United States.

APPROVED, March 2, 1827.

STATUTE II.

March 2, 1827.

Act of March 3, 1825, ch. 64.  
Act of March 3, 1845, ch. 43.  
Postmaster General to allow postmasters a certain commission.  
Proviso.

One cent to be allowed to each postmaster, for every letter received from any ship, &c.  
Proviso.

No person other than the Postmaster General, or his authorized agents, to set up any foot or horse post.

Authority of franking given to the commissioners of the navy board, &c.  
Act of March 3, 1845, ch. 43.  
1825, ch. 64.

One or more pieces of paper, mailed as a letter, and weighing one ounce, to be charged with quadruple postage, &c.

Act of March 3, 1845, ch. 43.

No postmaster or assistant postmaster, to act as agent for lottery offices.

CHAP. LXI.—*An Act amendatory of the act regulating the Post-office Department.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Postmaster General be authorized to allow to the postmasters at the several distributing offices, a commission, not to exceed five per cent. on the amount of postage on letters and packets received for distribution. The allowance to commence on the third of March, eighteen hundred and twenty-five: *Provided,* That if the number of mails received at, and despatched from, any such office, is not increased by the distributing system, then no allowance shall be made therefor, except where special provision is made.

SEC. 2. *And be it further enacted,* That the Postmaster General be authorized to allow to each postmaster, one cent for every letter received from any ship or vessel, and mailed by him: *Provided,* his usual commission, together with the allowance aforesaid, shall not exceed the sum of two hundred dollars a year; and the letter carriers employed at post-offices shall be authorized to receive, for each newspaper delivered by them, an half cent, and no more.

SEC. 3. *And be it further enacted,* That no person, other than the Postmaster General, or his authorized agents, shall set up any foot or horse post, for the conveyance of letters and packets, upon any post-road, which is or may be established as such by law; and every person who shall offend herein, shall incur a penalty of not exceeding fifty dollars, for each letter or packet so carried.

SEC. 4. *And be it further enacted,* That the commissioners of the navy board, the adjutant general, commissary general, inspectors general, quartermaster general, paymaster general, the secretary of the Senate, clerk of the House of Representatives, and the superintendent of the patent office, be authorized to frank, and to receive letters and packets by post free of postage, and that no other persons or officers, excepting those enumerated herein, and in the act to "reduce into one the several acts establishing and regulating the Post-office Department," passed on the third of March, eighteen hundred and twenty-five, shall be authorized to frank or to receive letters through the mail free of postage.

SEC. 5. *And be it further enacted,* That one or more pieces of paper, mailed as a letter, and weighing one ounce, shall be charged with quadruple postage, and at the same rate, should the weight be greater; and quadruple postage shall be charged on all packets containing four pieces of paper. Every printed pamphlet or magazine which contains more than twenty-four pages on a royal sheet, or any sheet of less dimensions, shall be charged by the sheet, and small pamphlets printed on a half or quarter sheet of royal, or less size, shall be charged with half the amount of postage charged on a full sheet; and there shall be printed or written, on one of the outer pages of all pamphlets and magazines to be sent by mail, the number of sheets they contain; and if such number shall not be truly stated, double postage shall be charged.

SEC. 6. *And be it further enacted,* That no postmaster, or assistant postmaster, shall act as agent for lottery offices, or, under any colour of purchase, or otherwise, vend lottery tickets; nor shall any postmaster receive free of postage, or frank lottery schemes, circulars, or tickets.

(a) For notes of the decisions of the courts of the United States on "The Post-office," see vol. i. p. 363.

For a violation of this provision, the person offending shall suffer a penalty of fifty dollars.

APPROVED, March 2, 1827.

STATUTE II.

CHAP. LXXII.—*An Act to increase the salary of the Postmaster General.*

March 2, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from the first day of the present year, there shall be paid, annually, to the Postmaster General, two thousand dollars, in addition to his present salary.

2,000 dollars to be paid him, annually, in addition to his present pay.

APPROVED, March 2, 1827.

STATUTE II.

CHAP. LXXVII.—*An Act for altering the times of holding the district court of the United States for the eastern district of Virginia, holden at the city of Richmond. (a)*

March 3, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the terms of the district court of the United States for the eastern district of Virginia, now directed to be holden in the city of Richmond, on the second day of April, and the fifteenth day of October, in every year, shall, in future, be held in the said city on the fifteenth day of May, and on the fifteenth day of November, annually; and that all suits, actions, and proceedings of whatever kind, now depending in, or returnable to, said court, shall be taken to be continued or returnable to the terms herein established.

Terms of the district court for the eastern district, changed.

APPROVED, March 3, 1827.

STATUTE II.

CHAP. LXXVIII.—*An Act supplementary to the several acts providing for the adjustment of land claims in the state of Alabama. (b)*

March 3, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the claimants of lands, town lots, or out-lots, within that part of the limits of the former land district, of Jackson Courthouse, which is embraced in the state of Alabama, whose claims have been presented to the commissioners appointed to receive and examine claims and titles to lands, in said district of Jackson Courthouse, or to the register and receiver of the land office at Jackson Courthouse, acting as commissioners under the provisions of the act

Course to be pursued by claimants of lands, &c. within a certain part of the former land district of Jackson Courthouse.

(a) See notes to the act of Feb. 4, 1819, ch. 12, for a list of the acts relating to the district courts in Virginia.

(b) A concession of lands made by the Spanish authorities at Mobile in the year 1806, cannot be given in evidence in support of an ejectment in the courts of the United States, the same not having been recorded or passed upon by the board of commissioners or register of the land office established by the acts of Congress relating to land titles in that country. *De La Croix v. Chamberlain*, 12 Wheat. 599, 6 Cond. Rep. 659.

It is the settled doctrine of the judicial department of the government, that the treaty of 1819, with Spain, ceded to the United States no territory west of the Perdido. It had already been acquired by the Louisiana treaty. *Pollard et al. v. Files*, 2 Howard, 591.

In the interval between the Louisiana treaty and the time when the United States took possession of the country west of the Perdido, the Spanish government had the right to grant permits to settle and improve by cultivation or to authorize the erection of establishments for mercantile purposes. *Ibid.*

These incipient concessions are not disregarded by Congress, but are recognised in the acts of 1804, 1812, 1819, and as claims are within the act of 1824. *Ibid.*

The act of 1824 gives a title to the owners of old water lots in Mobile, only where an improvement was made east of Water street, and made by the proprietor of the lot on the west side of that street, such person could not claim as riparian proprietor, or where his lot had a definite limit on the east. *Ibid.*

See the case of *Foster and Elam v. Neilson*, 2 Peters, 253.

See notes to the act of May 26, 1824, ch. 185, "An act granting certain lots of ground to the corporation of the city of Mobile, and to certain individuals of said city."

Act of March 3, 1819, ch. 99.

of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands, and establishing land offices, in the district east of the Island of New Orleans," and which have not been reported to Congress, or whose claims have not heretofore been presented to the said commissioners, or to the register and receiver, acting as commissioners, or whose claims have been acted upon, but additional evidence adduced, be allowed until the first day of September, eighteen hundred and twenty-seven, to present their titles and claims, and the evidence in support of the same to the register and receiver of the land office at St. Stephen's, in the state of Alabama, whose powers and duties, in relation to the same, shall, in all respects, be governed by the provisions of the acts before recited, and of the act of the eighth of May, eighteen hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the district east of the Island of New Orleans."

Act of May 8, 1822, ch. 128.

Power given to the register and receiver.

SEC. 2. *And be it further enacted*, That the said register and receiver shall have power to receive and examine such titles and claims, and, for that purpose, shall hold their sessions at the city of Mobile; they shall give suitable notice of the time and place of their sessions, but may adjourn from time to time, and meet at such other places as may be necessary, or may best suit the convenience of the claimants, on giving proper notice of the time of their adjournments. And the said register and receiver shall have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator, and such other duty as may be required by the said register and receiver, and the said register and receiver shall each be allowed, as a compensation for their services, in relation to said claims, and for the services to be performed under the provisions of the several acts to which this is a supplement, at the rate of one thousand dollars per annum; and the clerk at the rate of one thousand dollars per annum; which several sums of money shall be paid out of any moneys in the treasury not otherwise appropriated: *Provided*, That no more than one year's compensation shall be thus allowed to either the register or receiver, or clerk; and the payment of the whole of the aforesaid compensation shall be withheld by the Secretary of the Treasury, until a report, to be approved by him, shall have been made to him, of the performance of the services for which the same is allowed.

Proviso.

Duty of the register and receiver of the land office at Augusta, in Mississippi.

SEC. 3. *And be it further enacted*, That the register and receiver of the land office at Augusta, in the state of Mississippi, be, and they are hereby, required to separate, so far as practicable, from the titles to lands in Mississippi, all such papers or claims, or evidence of claims, for any tract of land or town lot, lying in the state of Alabama, and certify the same generally to the register of the land office at St. Stephen's, in the state of Alabama; and, on proper application, to deliver them over to the said register, whose duty it shall be to receive the same, and preserve them among the records of his office.

APPROVED, March 3, 1827.

## STATUTE II.

March 3, 1827.

[Obsolete.]

Accounting officers of the Treasury Department to liquidate the claims of the state of Pennsylvania against the U. S.

CHAP. LXXIX.—*An Act authorizing the payment of interest to the state of Pennsylvania.*

*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, and they are hereby, authorized and directed to liquidate and settle the claim of the state of Pennsylvania against the United States, for interest upon loans or moneys borrowed, and actually expended by her, for the use and benefit of the United States, during the late war with Great Britain.

SEC. 2. *And be it further enacted*, That, in ascertaining the amount of interest, as aforesaid, due to the state of Pennsylvania, the following rules shall be understood as applicable to, and governing the case, to wit: First, that interest shall not be computed on any sum which Pennsylvania has not expended for the use and benefit of the United States, as evinced by the amount refunded or repaid to Pennsylvania by the United States. Second, that no interest shall be paid on any sum on which she has not paid interest. Third, that when the principal, or any part of it, has been paid or refunded by the United States, or money placed in the hands of Pennsylvania for that purpose, the interest on the sum or sums so paid or refunded, shall cease, and not be considered as chargeable to the United States any longer than up to the time of the re-payment, as aforesaid.

Rules, applicable to the case, when the amount of interest is ascertained.

First.

Second.

Third.

SEC. 3. *And be it further enacted*, That the amount of interest, when ascertained as aforesaid, shall be paid out of any money in the treasury not otherwise appropriated.

Amount of interest to be paid from the treasury.

APPROVED, March 3, 1827.

STATUTE II.

CHAP. LXXX.—*An Act authorizing the establishment of an arsenal in the town of Augusta, in Maine.*

March 3, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Department of War be, and he is hereby, authorized and required to purchase as soon as it can be effected, on reasonable terms, a site for an arsenal, in the town of Augusta, in the state of Maine; and to cause to be erected thereon such an arsenal as may be deemed proper, for the safe keeping of the arms and munitions of the United States, for the northern and eastern frontier; and that, for these purposes, the sum of fifteen thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated.

Secretary of War to purchase a site for an arsenal in Augusta, state of Maine.

APPROVED, March 3, 1827.

STATUTE II.

CHAP. XCI.—*An Act to authorize the governor and legislative council of Florida, to provide for holding additional terms of the superior courts therein.*

March 3, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the governor and legislative council of the territory of Florida are hereby authorized, until Congress shall otherwise direct, to provide by law, for holding the superior courts of said territory at such other places, within their respective districts, as may be necessary for the more convenient administration of justice therein.

[Obsolete.]  
Additional terms of the superior courts to be held.

APPROVED, March 3, 1827.

STATUTE II.

CHAP. XCII.—*An Act for improving the navigation of the Ohio river.*(a)

March 3, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all snags, sawyers, stumps, logs, and obstructions of every description, which tend to endanger the steamboat navigation of the Ohio river, at any navigable stages of the water, and which present themselves, and are to be found on the banks and sides of the river, shall be removed so that the navigation of said river, may be rendered at all times safe: and the same shall

Snags, &c., to be removed.

(a) See notes of the acts for the improvement of the navigation of the Ohio river, act of May 24, 1824, ch. 139.

be done under the supervision and direction of the Secretary of War, and through the aid of some practical agent acquainted with the situation of the river, its respective bars, islands, and dangerous [dangerous] places and parts; and he shall likewise cause the channel of said river, at a part usually called the Grand Chain, near its mouth, so to be deepened by a proper channel formed, that at the usual state of the water, steamboats may be enabled safely to pass and re-pass the same.

30,000 dollars  
appropriated.

SEC. 2. *And be it further enacted*, That, for carrying this act into effect, the sum of thirty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1827.

STATUTE II.

March 3, 1827.

CHAP. XCIII.—*An Act to grant a certain quantity of land to the state of Ohio, for the purpose of making a road from Columbus to Sandusky.*

Land granted.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be, and are hereby, appropriated, to the state of Ohio, for the purpose of aiding the Columbus and Sandusky turnpike company in making a road from Columbus to Sandusky city, the one half of a quantity of land equal to two sections, on the western side of said road, and most contiguous thereto, to be bounded by sectional lines, from one end of said road to the other, wheresoever the same may remain unsold, reserving to the United States each alternate section the whole length of said road through the lands of the United States, to be selected by the commissioner of the general land office, under the direction of the President: *Provided*, That no toll shall at any time be collected of any mail stage, nor of any troops, or property of the United States.

APPROVED, March 3, 1827.

STATUTE II.

March 3, 1827.

CHAP. XCIV.—*An Act for the gradual improvement of the navy of the United States.*

Act of March  
2, 1833, ch. 67.  
Act of May  
31, 1838, ch. 92,  
sec. 2.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, for the gradual improvement of the navy of the United States, the sum of five hundred thousand dollars per annum, for six years, is hereby appropriated, to be applied as in this act prescribed, and as may, hereafter, be directed by law.

President authorized to cause to be procured ship timber, suitable for the construction of vessels of different classes.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to cause to be procured, ship timber suitable for the construction of vessels of the various classes now recognised in the navy of the United States; and also the timber proper for the construction of steam batteries; and to take the proper measures for having the said timber duly seasoned and preserved, so as to be fit for immediate use.

Measures to be adopted to preserve the live oak timber, growing on the lands of the United States.

SEC. 3. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to take the proper measures to preserve the live oak timber growing on the lands of the United States, and he is also authorized to reserve from sale such lands, belonging to the United States, as may be found to contain live oak, or other timber in sufficient quantity to render the same valuable for naval purposes. (a)

(a) Acts providing for the preservation of timber for the navy of the United States are:—  
An act making reservation of certain public land, to supply timber for naval purposes, March 1, 1817, ch. 22.



SEC. 4. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to cause to be constructed two dry docks, on the most approved plan, for the use of the navy of the United States, the one of said docks to be erected at some point to the south, and the other to the north of the Potomac river.

Two dry docks.

SEC. 5. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to cause the necessary examinations and inquiries to be made, to ascertain the practicability and expediency of erecting a marine rail-way for the repair of sloops of war, and other vessels of an inferior class, at Pensacola, and, if it shall appear from such inquiry an [and] examination, that such rail-way would be useful to the navy of the United States, and can be constructed at a reasonable expense, that he cause the same to be constructed, on the most approved plan.

Marine rail-way for the repairs of sloops of war, &c., at Pensacola.

SEC. 6. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to cause the navy yards of the United States to be thoroughly examined, and plans to be prepared, and sanctioned by the President, for the improvement of the same, and the preservation of the public property therein, from which plans, no deviation shall hereafter be made but by his special order.

Navy yards to be thoroughly examined.

SEC. 7. *And be it further enacted*, That the money appropriated by this act shall not be transferred to any other object of expenditure, nor shall any part thereof be carried to the fund denominated the surplus fund; and annual reports shall be submitted to Congress of the expenditures under this act, and the measures taken to carry the same into effect.

Money appropriated to be paid from the treasury.

APPROVED, March 3, 1827.

STATUTE II.

CHAP. XCV.—*An Act granting to the corporation of the city of Mobile the right of preference in purchase of four sections of land, or a quantity equal to four sections, at or near Spring Hill, in the county of Mobile.*

March 3, 1827.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the register and receiver of the land office at Saint Stephen's be, and they are hereby, authorized and directed to receive from the corporation of the city of Mobile, the sum of one dollar and twenty-five cents per acre, for a quantity of land, not exceeding four sections, at or near Spring Hill, in the county of Mobile, and state of Alabama; and, upon the receipt of said sum as aforesaid, the said register and receiver shall issue their certificate to, and in the name of the corporation of the city of Mobile, for the said quantity of land, not exceeding four sections as aforesaid.

Register and receiver at St. Stephen's to receive from the corporation of the city of Mobile, 1 dollar 25 cents, per acre, for a certain quantity of land.

SEC. 2. *And be it further enacted*, That, for and in consideration of the sum aforesaid, paid as aforesaid, [that] all the right and claim of the United States, to the said quantity of land, not exceeding four sections, in the county of Mobile, and state aforesaid, be, and the same is hereby, vested in the mayor and aldermen of the said city of Mobile, for the time being, and their successors in office, to be applied or disposed of by them, for the sole use and benefit of the said city forever: *Provided*, That no part of any claim, arising from acts of Congress, known as donations or pre-emptions by the reported list of actual settlers, or from grants recognised by any treaty, shall be covered or taken by this grant, but the same shall be excepted from, and held as not covered or interfered with by this act.

In consideration of the sum paid as aforesaid, the United States relinquish their title.

Proviso.

An act to amend "An act making reservation of certain public lands for naval purposes," passed 1st March, 1817, May 15, 1820, ch. 136.

An act for the preservation of the timber of the United States in Florida, Feb. 23, 1822, ch. 9.

An act to provide for the punishment of offences committed in cutting, destroying, or removing, live oak and other timber or trees, reserved for naval purposes, March 2, 1831, ch. 66.

Patents shall issue.

SEC. 3. *And be it further enacted*, That patents shall issue, upon the presentation of said certificate of the register and receiver aforesaid, for the said quantity of land, not exceeding four sections, to the corporation of the city of Mobile, in the same manner that patents now issue upon the final certificate for other public lands.

APPROVED, March 3, 1827.

STATUTE II.

March 3, 1827.

CHAP. XCVI.—*An Act to provide for the completion of the road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas, and for other purposes.*

9065 dollars appropriated.  
Act of Jan. 31, 1824, ch. 17.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of nine thousand and sixty-five dollars be, and the same is hereby, appropriated, in aid of the unexpended balance of the former appropriation to the same object, for the completion of the road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas, to be paid, as the same may be required, out of any money in the treasury not otherwise appropriated by law.

Road from fort Smith on the Arkansas river to fort Towson, on the Red river, &c.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to cause a military road to be opened from Fort Smith, on the Arkansas river, to Fort Towson, on the Red river, and from thence southwardly, to the northern boundary line of the state of Louisiana, by Washington, in Hempstead county, following the highlands between the waters of the Washita and Red rivers, in the direction of Natchitoches, Louisiana.

Troops of the United States to be employed.

SEC. 3. *And be it further enacted*, That the President be, and he is hereby, authorized to employ such part of the troops of the United States as he may think proper, to survey and construct said road; and for the purpose of carrying into effect the provisions of this act, the sum of twelve thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1827.

STATUTE II.

March 3, 1827.

CHAP. XCVII.—*An Act concerning the location of land reserved for the use of a seminary of learning, in the state of Louisiana.*

Secretary of the Treasury to locate a certain quantity of land, for a seminary of learning.

Act of April 21, 1806, ch. 39, sec. 11.

Act of March 3, 1811, ch. 46, sec. 7.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized to locate a quantity of land, not exceeding two entire townships, reserved by the eleventh section of the act of the twenty-first April, eighteen hundred and six, and by the seventh section of the act of the third of March, eighteen hundred and eleven, for the use of a seminary of learning in the state of Louisiana, on any of the public lands in said state, in sections corresponding with any of the legal divisions into which the public lands are authorized to be surveyed.

When the location is made, the title is to be invested in said state.

SEC. 2. *And be it further enacted*, That, so soon as the location of said lands shall be made as aforesaid, the title thereto shall be, and is hereby, vested in the state of Louisiana, for the use of a seminary or seminaries of learning therein, as the legislature of said state may direct.

APPROVED, March 3, 1827.

RESOLUTION.

RESOLUTION directing the Secretary of the Navy to apply to the government of Pennsylvania for jurisdiction over certain lands at the navy yard, Philadelphia.

Jan. 24, 1827.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Navy be directed to request the government of the state of Pennsylvania to cede to the United States jurisdiction over such lands as are owned by the United States, and improved for public purposes, at the navy yard near Philadelphia.

State of Pennsylvania to cede to the United States certain lands.

APPROVED, January 24, 1827.

# ACTS OF THE TWENTIETH CONGRESS

OF THE

## UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the third day of December, 1827, and ended on the twenty-sixth day of May, 1828.*

JOHN QUINCY ADAMS, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; NATHANIEL MACON, President of the Senate, pro tempore; ANDREW STEVENSON, Speaker of the House of Representatives.

### STATUTE I.

Jan. 3, 1828.

CHAP. I.—*An Act making partial appropriations for the support of government during the year one thousand eight hundred and twenty-eight.*

[Obsolete.]

Appropriations.  
Act of Feb.  
12, 1828, ch. 6.

*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, respectively, appropriated towards the support of government for the year one thousand eight hundred and twenty-eight, viz:

Compensation to senators and representatives.

For compensation granted by law to the members of the Senate and House of Representatives of the United States and their officers, four hundred and seventy-one thousand eight hundred dollars.

Expenses of fire-wood, &c.

For the expenses of fire-wood, stationery, printing, and all other contingent expenses of the two houses of Congress, one hundred and six thousand two hundred and three dollars.

Sums appropriated to be paid from the treasury.

SEC. 2. *And be it further enacted,* That the sums herein appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, January 3, 1828.

### STATUTE I.

Jan. 25, 1828.

CHAP. II.—*An Act to prevent defalcations on the part of the disbursing agents of the government, and for other purposes.*

No money appropriated to be paid to persons in arrears to the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That no money hereafter appropriated shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided,* That nothing herein contained shall be construed to extend to balances arising solely from the depreciation of treasury notes received by such person, to be expended in the public service; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officers, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury

Proviso.

Department, the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

APPROVED, January 25, 1828.

STATUTE I.

CHAP. IV.—*An Act making appropriations for the payment of the revolutionary and other pensioners of the United States.*

Feb. 12, 1828.

[Obsolete.]  
Sums appropriated for the year 1828.

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, respectively, appropriated towards the military service of the year one thousand eight hundred and twenty-eight, and for the objects following; that is to say:

For the pensions of the revolutionary pensioners of the United States, in addition to an unexpended balance of former appropriations, of five hundred and sixty-four thousand dollars, two hundred and thirty-six thousand dollars.

Pensions to revolutionary pensioners.

For the invalid and half-pay pensioners, in addition to a balance of one hundred and forty-one thousand dollars of former appropriations, one hundred and sixty thousand and ninety-five dollars.

Invalid and half pay pensioners.

APPROVED, February 12, 1828.

STATUTE I.

CHAP. VI.—*An Act making appropriations for the support of government for the year one thousand eight hundred and twenty-eight.*

Feb. 12, 1828.

[Obsolete.]  
Sums appropriated.

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, respectively appropriated, for the service of the year one thousand eight hundred and twenty-eight; that is to say:

For compensation to the President of the United States, twenty-five thousand dollars.

President.

For compensation to the Vice President of the United States, five thousand dollars.

Vice President.

For compensation to the Secretary of State, six thousand dollars.

Secretary of State.

For compensation to the clerks in the Department of State, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand nine hundred dollars.

Clerks.  
1818, ch. 87.

For compensation to one machinist in the patent office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, seven hundred dollars.

Machinist patent office.  
1824, ch. 157

For compensation to the messengers in the Department of State, including the messenger in the patent office, in full of all allowances, one thousand four hundred and fifty dollars.

Messengers.

For the incidental and contingent expenses of the Department of State, including the expenses of printing and distributing the laws, and for extra copying of papers, twenty-seven thousand five hundred and fifty dollars.

Incidental and contingent expenses, &c.

For compensation to clerks in said department, by virtue of the act of second March, one thousand eight hundred and twenty-seven, four thousand four hundred dollars.

Clerks.  
March 2, 1827,  
ch. 50.

For compensation to the Secretary of the Treasury, six thousand dollars.

Secretary of the Treasury.

For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand four hundred dollars.

Clerks.  
1818, ch. 87.

For compensation to one clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand one

Clerks.  
1824, ch. 157.

- 1827, ch. 50. hundred and fifty dollars; and, also, for one clerk, per act of second of March, one thousand eight hundred and twenty-seven, one thousand four hundred dollars.
- Messengers. For compensation to the messengers in said office, and assistant, in full of all allowances, one thousand and fifty dollars.
- First comptroller. For compensation to the first comptroller of the treasury, three thousand five hundred dollars.
- Clerks. For compensation to the clerks in the office of the first comptroller, 1818, ch. 87. per act of twentieth of April, one thousand eight hundred and eighteen, seventeen thousand eight hundred and fifty dollars; and also for additional salary of one clerk, per act of second of March, one thousand eight hundred and twenty-seven, two hundred dollars.
- 1827, ch. 50.
- Messengers. For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.
- Second comptroller. For compensation to the second comptroller of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the second comptroller, 1818, ch. 87. per act of twentieth of April, one thousand eight hundred and eighteen, nine thousand seven hundred and fifty dollars.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- First auditor. For compensation to the first auditor of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the first auditor, per act of twentieth of April, one thousand eight hundred and eighteen, thirteen thousand two hundred dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- Second auditor. For compensation to the second auditor of the treasury, three thousand dollars.
- 1818, ch. 87.
- Clerks. For compensation to the clerks in the office of the second auditor, per act of twentieth of April, one thousand eight hundred and eighteen, sixteen thousand two hundred dollars.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- Third auditor. For compensation to the third auditor of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the third auditor, per act of twentieth of April, one thousand eight hundred and eighteen, twenty thousand nine hundred dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, and assistant, in full of all allowances, one thousand and fifty dollars.
- Fourth auditor. For compensation to the fourth auditor of the treasury, three thousand dollars.
- 1818, ch. 87.
- Clerks. For compensation to the clerks in the office of the fourth auditor, per act of twentieth April, one thousand eight hundred and eighteen, fifteen thousand and fifty dollars.
- Two additional clerks. For compensation to two additional clerks, employed per act of second March, one thousand eight hundred and twenty-seven, two thousand dollars.
- 1827, ch. 50.
- Messenger. For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.
- Fifth auditor. For compensation to the fifth auditor of the treasury, three thousand dollars.
- Clerks. For compensation to the clerks in the office of the fifth auditor, per act of twentieth April, one thousand eight hundred and eighteen, ten thousand five hundred dollars.
- 1818, ch. 87.
- Clerks. For compensation to the clerks in said office, per act of twenty-sixth 1824, ch. 157. of May, one thousand eight hundred and twenty-four, three thousand

seven hundred dollars ; and, also, for additional salary of one clerk, per act of second March, one thousand eight hundred and twenty-seven, two hundred dollars.

1827, ch. 50.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

Messenger.

For compensation to the treasurer of the United States, three thousand dollars.

Treasurer.

For compensation to the clerks in the office of the treasurer of the United States, per act of twentieth April, one thousand eight hundred and eighteen, five thousand two hundred and fifty dollars.

Clerks.

1818, ch. 87.

For compensation to the clerks in said office, per act of twenty-sixth May, one thousand eight hundred and twenty-four, one thousand two hundred dollars.

Clerks.

1824, ch. 157.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

Messenger.

For compensation to the register of the treasury, three thousand dollars.

Register.

For compensation to the clerks in the office of the register of the treasury, per act of the twentieth April, one thousand eight hundred and eighteen, twenty-two thousand three hundred and fifty dollars ; and, also, for additional salary of four clerks, per act of second March, one thousand eight hundred and twenty-seven, eight hundred dollars.

Clerks.

1818, ch. 87.

1827, ch. 50.

For compensation to the messengers in said office, including the allowance for stamping ships' registers, in full of all allowances, one thousand one hundred and fifty dollars.

Messengers.

For compensation to the commissioner of the general land office, three thousand dollars.

Commissioner of general land office.

Clerks.

1827, ch. 50.

For compensation to the clerks in the general land office, per act of second March, one thousand eight hundred and twenty-seven, nineteen thousand four hundred and fifty dollars.

Messengers.

For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

Secretary to sinking fund.

For allowances to the person employed in transmitting passports and sea letters ; for expenses of translating foreign languages in the office of the Secretary of the Treasury ; for stationery, fuel, printing, books, and all other incidental and contingent expenses in the Treasury Department and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-eight, and for advertising notices in relation to the reimbursement of certain portions of the public debt, thirty-four thousand five hundred and fifty dollars.

Translating and contingent expenses.

For allowance to the superintendent and four watchmen, employed for the security of the state and treasury buildings : and for the repairs of engines, hose, and buckets, one thousand nine hundred dollars.

Allowance to the superintendent and four watchmen.

For compensation to the Secretary of War, six thousand dollars.

Secretary of War.

For compensation to the clerks in the office of the Secretary of War, per act of twentieth April, one thousand eight hundred and eighteen, twenty-two thousand six hundred dollars.

Clerks.

1818, ch. 87.

For one clerk in the bureau of Indian affairs, per act of second March, one thousand eight hundred and twenty-seven, one thousand dollars.

Clerks in the bureau of Indian affairs.

1827, ch. 50.

For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars.

Messengers.

Contingent expenses.

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

Books, &c.

For books, maps, and plans, for the War Department, one thousand dollars.

Clerks in the

For compensation to the clerks in the office of the paymaster general,

office of the  
paymaster gen-  
eral.

Messenger.

Contingent  
expenses.  
Clerks in office  
of commissary  
general.

1824, ch. 157.  
Messenger.

Contingent  
expenses.

Adjutant gen-  
eral's clerks.  
1818, ch. 87.

1827, ch. 50.

Contingent  
expenses.

Clerks of com-  
missary general  
of subsistence.  
1824, ch. 157.  
1827, ch. 50.

Contingent  
expenses.

Clerks of  
chief engineer.  
1824, ch. 157.

1827, ch. 50.

Contingent  
expenses.

Clerks of the  
ordnance.  
1818, ch. 87.

Contingent  
expenses.

Surgeon gen-  
eral's clerks.  
1824, ch. 157.

Contingent  
expenses.

Quartermaster  
general's clerks.  
Contingent ex-  
penses.

Secretary of  
the Navy.

Clerks.  
1818, ch. 87.

Clerks.  
1824, ch. 157.

1827, ch. 50.

Messengers.

Contingent  
expenses.

Commissioners  
of navy board.

Secretary of  
navy board.

Clerks.

per act of the twentieth of April, one thousand eight hundred and eigh-  
teen, three thousand nine hundred dollars.

For compensation to the messenger in the said office, in full of all allow-  
ances, seven hundred dollars.

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks in the office of the commissary gen-  
eral of purchases, per act of twenty-sixth of May, one thousand eight  
hundred and twenty-four, three thousand five hundred dollars.

For compensation to the messenger in said office, in full of all allow-  
ances, seven hundred dollars.

For contingent expenses of said office, eight hundred and thirty dol-  
lars.

For compensation to the clerks in the office of the adjutant general,  
per act of twentieth of April, one thousand eight hundred and eighteen,  
two thousand one hundred and fifty dollars; and one clerk, per act of  
second March one thousand eight hundred and twenty-seven, eight hun-  
dred dollars.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the office of the commissary general  
of subsistence, per act of twenty-sixth of May, one thousand eight hun-  
dred and twenty-four, two thousand one hundred and fifty dollars, and  
one clerk, per act of second March, one thousand eight hundred and  
twenty-seven, eight hundred dollars.

For contingent expenses of said office, including printing advertise-  
ments, two thousand six hundred dollars.

For compensation to the clerks in the office of the chief engineer,  
per act of twenty-sixth of May, one thousand eight hundred and twenty-  
four, two thousand one hundred and fifty dollars; and one additional  
clerk, per act of second March, one thousand eight hundred and twenty-  
seven, eight hundred dollars.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the ordnance office, per act of  
twentieth April, one thousand eight hundred and eighteen, two thousand  
nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general,  
per act of the twenty-sixth of May, one thousand eight hundred and  
twenty-four, one thousand one hundred and fifty dollars.

For contingent expenses of said office, two hundred and four dollars.

For compensation to the clerks in the office of the quartermaster  
general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, six hundred and thirty-one  
dollars.

For compensation to the Secretary of the Navy, six thousand dollars.

For compensation to the clerks in the office of the Secretary of the  
Navy, per act of the twentieth of April, one thousand eight hundred and  
eighteen, eight thousand two hundred dollars.

For compensation to the clerk in said office, per act of twenty-sixth of  
May, one thousand eight hundred and twenty-four, one thousand dollars;  
and also one clerk, per act of the second March, one thousand eight  
hundred and twenty-seven, one thousand dollars.

For compensation to the messengers in said office, in full of all allow-  
ances, one thousand and fifty dollars.

For contingent expenses of said office, three thousand dollars.

For compensation to the commissioners of the navy board, ten thou-  
sand five hundred dollars.

For compensation to the secretary to the commissioners of the navy  
board, two thousand dollars.

For compensation to the clerks in the office of the commissioners of



the navy board, per act of the twentieth April, one thousand eight hundred and eighteen, three thousand five hundred and fifty dollars; and for additional pay to one clerk, per act of second March, one thousand eight hundred and twenty-seven, two hundred dollars.

For compensation to the clerks and draftsmen in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, four thousand dollars.

For compensation to the messenger in said office, in full of all allowances, seven hundred dollars.

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

For allowance to the superintendent and four watchmen, employed for the security of the war and navy buildings, and for the incidental and contingent expenses, including oil, fuel, candles, and labour, two thousand one hundred and fifty dollars.

For compensation to the Postmaster General, six thousand dollars.

For deficiency in the appropriation of one thousand eight hundred and twenty-seven, two thousand dollars.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks in the office of the Postmaster General, per act of the twentieth of April, one thousand eight hundred and eighteen, twenty-two thousand seven hundred dollars.

For compensation to the clerks in said office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, five thousand six hundred dollars; and for clerks, per act of second March, one thousand eight hundred and twenty-seven, six thousand four hundred dollars.

For compensation to the messengers in said office, in full of all allowances, one thousand and fifty dollars; and also, for one additional assistant messenger, three hundred and fifty dollars.

For contingent expenses of said office, five thousand dollars.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.

For compensation to the surveyor south of Tennessee, two thousand dollars.

For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.

For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand dollars.

For compensation to the surveyor in Alabama, two thousand dollars.

For compensation to the clerks in the office of said surveyor, one thousand five hundred dollars.

For compensation to the surveyor in Florida, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand dollars.

For surveying the public lands of the United States, thirty-three thousand dollars, in addition to an unexpended balance of fifty-four thousand two hundred and forty dollars and forty-three cents.

For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.

For compensation to the officers and clerk of the mint, nine thousand six hundred dollars.

For compensation to the persons employed in the different operations of the mint, nine thousand five hundred dollars.

For incidental and contingent expenses and repairs; cost of machinery;

1818, ch. 87.

Additional clerk, &c. 1827, ch. 50.

Clerks and draftsmen. 1824, ch. 157.

Messenger.

Contingent expenses.

Superintendent and four watchmen, &c.

Postmaster General. Deficiency in appropriation for 1827.

Two assistant P. M. General. Clerks. 1818, ch. 87.

Clerks. 1824, ch. 157.

1827, ch. 50.

Messengers.

Contingent expenses.

Surveyor general in Ohio, &c. Clerks.

Surveyor south of Tennessee. Clerks.

Surveyor in Illinois, &c. Clerks.

Surveyor in Alabama. Clerks.

Surveyor in Florida. Clerks.

Surveying public lands.

Commissioner public buildings.

Officers and clerk of mint.

Persons employed, in the mint.

Incidental and contingent expenses, &c.

for allowance for wastage in gold and silver coinage of the mint; and for the occasional employment of an assistant engraver, the unexpended balance heretofore appropriated to these objects, amounting to twelve thousand seven hundred and eighty-two dollars and thirty-five cents.

Governor, &c. of the Michigan territory.

For compensation to the governor, judges, and secretary of the Michigan territory, seven thousand eight hundred dollars.

Contingent expenses.

For the contingent expenses of the Michigan territory, three hundred and fifty dollars.

Compensation, &c. to the legislative council, &c.

For compensation and mileage to the members of the legislative council, and printing the laws, and the contingent and incidental expenses of said council; and for deficiency of the appropriation for the year eighteen hundred and twenty-seven, seven thousand one hundred and thirty-five dollars.

Governor, &c. of the Arkansas territory.

For compensation to the governor, judges, and secretary of the Arkansas territory, including additional compensation to the judges, to the twenty-sixth day of May, one thousand eight hundred and twenty-eight, nine thousand dollars.

Contingent expenses.

For contingent expenses of the Arkansas territory, three hundred and fifty dollars.

Governor, &c. of the Florida territory.

For compensation to the governor, judges, and secretary of the Florida territory, eight thousand five hundred dollars.

Contingent expenses.

For the contingent expenses of the Florida territory, three hundred and fifty dollars.

Compensation, &c. of the legislative council, &c.

For compensation and mileage to the members of the legislative council, and printing the laws, and the contingent and incidental expenses of said council, six thousand six hundred and sixty-three dollars.

Chief justice, &c. of the United States.

For compensation to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the District of Columbia; and, also, for additional compensation to the district judge of the district of Missouri, to the twenty-sixth of May, eighteen hundred and twenty-eight, seventy-nine thousand two hundred dollars.

Reporter of decisions of Supreme Court.

For compensation to the reporter of the decisions of the Supreme Court, for the present year, one thousand dollars.

Attorney general.

For compensation to the attorney general of the United States, three thousand five hundred dollars.

Clerk.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

Sundry district attorneys and marshals.

For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, ten thousand nine hundred dollars.

Expenses of the Supreme, &c. Courts of the United States.

For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, one hundred and fifty thousand dollars.

Payment of pensions.

For the payment of sundry pensions granted by the late and present governments, two thousand and fifty dollars.

Maintenance of lighthouses, &c.

For the support and maintenance of lighthouses, floating-lights, beacons, buoys, and stakeages including the purchase of oil, keepers' salaries, repairs, and improvements, and contingent expenses, one hundred and sixty-six thousand four hundred and forty-four dollars.

Completing a lighthouse on Baker's Island.

For completing a lighthouse on Baker's Island, near Mount Desert, in Maine; being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first day of December last, one thousand three hundred dollars.

Six buoys in the Vineyard Sound.

For placing six buoys in the Vineyard Sound, in addition to the appropriation already made, fifty dollars.

For building a lighthouse on Cove Point, instead of Cedar Point, as heretofore ordered, in Maryland, being the amount of an appropriation for that object carried to the surplus fund on the thirty-first day of December last, five thousand six hundred and eighty-five dollars.

Lighthouse on Cove Point.

For the erection of two lighthouses on Cape Elizabeth, in Maine, in addition to the appropriation of three thousand dollars made by act of second March, one thousand eight hundred and twenty-seven, four thousand five hundred dollars.

Two lighthouses on Cape Elizabeth. 1827, ch. 47.

For placing three buoys on the bar at the entrance of St. Augustine harbour in Florida, in addition to the appropriation of one hundred and twenty dollars, made by act of second March, one thousand eight hundred and twenty-seven, two hundred and eighty dollars.

Three buoys at the entrance of St. Augustine harbour. 1827, ch. 47.

For placing three buoys in St. Mark's harbour, in Florida, in addition to the appropriation of one hundred and twenty dollars made by the act of second of March, one thousand eight hundred and twenty-seven, two hundred and eighty dollars.

Three buoys in St. Mark's harbour. 1827, ch. 47.

For stationery and books for the offices of commissioners of loans, one thousand six hundred dollars.

Stationery, &c.

For the salaries of the keepers of the public archives in Florida, one thousand dollars.

Salaries.

For the discharge of such miscellaneous claims of the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, twelve thousand dollars.

Discharge of miscellaneous claims.

For the salaries of the ministers to London, Paris, St. Petersburg, Madrid, Mexico, and Colombia; for the salary of *chargés des affaires* at Stockholm, the Netherlands, Lisbon, Guatemala, Brazil, Buenos Ayres, Peru and Chili; for outfit of a minister to London, of the *chargés des affaires* at Chili and Brazil, and to cover an outfit to the present *chargé d'affaires* at Colombia; for the salaries of the secretaries of legation, and for contingent expenses of all the missions abroad, including one hundred thousand dollars, which is the unexpended balance of appropriation applicable to the aforesaid objects, one hundred and forty-nine thousand dollars.

Salaries of the ministers to London, &c., and *chargés d'affaires* at Stockholm, &c.

For the salaries of the agents of claims at London and Paris, four thousand dollars.

Agents of claims, London and Paris.

For the relief and protection of distressed American seamen in foreign countries, twenty-five thousand dollars, including an unexpended appropriation of sixteen thousand dollars.

Relief, &c., of distressed American seamen.

For registers for ships and vessels, and lists of crews, four thousand dollars.

Registers for ships, &c.

For expense of bringing the votes for President and Vice President of the United States to the seat of government, six thousand five hundred dollars.

Expenses of bringing the votes for President, &c.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

To be paid from the treasury.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be directed to pass to the credit of the Postmaster General, the sum of twelve thousand six hundred and twenty-eight dollars and twenty-four cents, being the sum actually expended during the years one thousand eight hundred and twenty-five, one thousand eight hundred and twenty-six, and one thousand eight hundred and twenty-seven, for extra clerk hire in the department of the general post-office, for repairs of the buildings of that department, and for contingencies.

Secretary of the Treasury to pass to the credit of the Postmaster General.

APPROVED, February 12, 1828.

## STATUTE I.

March 10, 1828.

[Obsolete.]

Act of March 17, 1800, ch. 15. continued in force until March 3, 1838.

CHAP. XV.—*An Act to revive and continue in force "An act declaring the assent of Congress to a certain act of Maryland."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act passed the seventeenth day of March, in the year one thousand eight hundred, entitled "An act declaring the assent of Congress to certain acts of the states of Maryland and Georgia," and which, by subsequent acts, has been revived and continued in force, until the third day of March, one thousand eight hundred and twenty-eight, be, and the same so far as relates to the act of Maryland, hereby is revived and continued in force, until the third day of March, one thousand eight hundred and thirty-eight: *Provided,* That nothing herein contained, shall authorize the demand of a duty on tonnage on vessels propelled by steam, employed in the transportation of passengers.

Proviso.

APPROVED, March 10, 1828.

## STATUTE I.

March 10, 1828.

District courts for the North Carolina district, after the passing of this act, to be held, &c.

CHAP. XVI.—*An Act to alter the time of holding the district courts of the United States in the district of North Carolina.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district courts of the United States for the district of North Carolina shall, after the passing of this act, commence and be holden on the following days: that is to say: at Edenton, in, and for, the district of Albemarle, on the third Monday of April and October; at Newbern, in, and for, the district of Pamlico, on the fourth Monday of April and October; and at Wilmington, in, and for, the district of Cape Fear, or Clarendon, on the first Monday after the fourth Monday of April and October, in each and every year.

All suits to be proceeded with, in the same manner as if no change had taken place.

SEC. 2. *And be it further enacted,* That all suits, actions, writs, process, and other proceedings, commenced, or to commence, or which shall now be pending, in any of the said district courts, shall be returnable to, heard, tried, and proceeded with, in the said district courts, in the same manner as if the time for holding thereof had not been changed.

APPROVED, March 10, 1828.

## STATUTE I.

March 19, 1828.

[Obsolete.]

Appropriations for the navy for 1828.

CHAP. XVII.—*An Act making appropriations for the support of the Navy of the United States, for the year eighteen hundred and twenty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for defraying the expenses of the navy for the year one thousand eight hundred and twenty-eight, the following sums be, and the same are hereby, respectively appropriated:

For pay and subsistence of officers, &c.

For the pay and subsistence of the officers, and pay of the seamen, other than those at navy yards, shore stations and in ordinary, one million one hundred and seventy-six thousand three hundred and twelve dollars.

Pay of officers, and pay of seamen, &c.

For pay and subsistence and allowances of officers, and pay of seamen, &c. at navy yards, shore stations, hospitals, and in ordinary, one hundred and eighty-five thousand and thirty-two dollars.

Pay, &c., of naval constructors, &c.

For pay of superintendents, naval constructors, and all the civil establishment at the several yards and stations, fifty-nine thousand one hundred and two dollars.

Provisions.

For provisions, five thousand and five hundred dollars.

(a) District Court in North Carolina, vol. i. 73, vol. ii. 413, 471, 676.

For repairs of vessels in ordinary, and for wear and tear of vessels in commission, four hundred and seventy-five thousand dollars.

For medicines, surgical instruments and hospital stores, twenty-seven thousand dollars.

For ordnance and ordnance stores, fifty thousand dollars.

For repairs and improvements of navy yards, one hundred and five thousand dollars.

For arrearages prior to first of January, one thousand eight hundred and twenty-eight, fifteen thousand dollars.

For completing the construction and equipment of the sloops of war, authorized by act of Congress of third March, one thousand eight hundred and twenty-five, two hundred and one thousand three hundred and fifty dollars.

For defraying the expenses that may accrue during the year one thousand eight hundred and twenty-eight, for the following purposes, to wit: For freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; travelling expenses of officers and transportation of seamen; house rent and chamber money, fuel and candles to officers other than those attached to navy yards and shore stations, and for officers in sick quarters where there is no hospital; for commissions, clerk hire, office rent, stationery, and fuel to the 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, and to officers engaged on extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts, nautical and mathematical instruments, chronometers, models and drawings; for purchase and repair of steam and fire engines, and for machinery; for purchase and maintenance of oxen and horses, and for carts, wheels and workmen's tools of every description; for postage of letters on public service; for pilotage; for cabin furniture of vessels in commission; for taxes on navy yards and public property; for assistance rendered to public vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, founderies, and steam-engines; for candles, oil and fuel for vessels in commission and in ordinary; for repairs of magazines and powder houses; for preparing moulds for ships to be built; and for no other object or purpose whatever, two hundred and forty thousand dollars.

For contingent expenses for objects arising in the year one thousand eight hundred and twenty-eight, and not hereinbefore enumerated, five thousand dollars.

For pay and subsistence of the marine corps, one hundred and twenty-two thousand three hundred and seventy-six dollars.

For clothing for the same, twenty-eight thousand seven hundred and sixty-five dollars.

For fuel for the same, twelve thousand one hundred and ninety-six dollars.

For contingent expenses, thirteen thousand five hundred dollars.

For additional contingencies not enumerated for the same, five hundred dollars.

For military stores for the same; that is to say; for keeping the arms in repair, armorer's pay and armorer's tools, and ordnance stores, three thousand dollars.

For medicines, hospital stores and instruments for the use of the officers and marines on shore, two thousand three hundred and sixty-nine dollars.

For the compensation of Colonel Samuel Miller, for certain extra services relative to the accounts of R. M. Desha, one hundred and twenty-one dollars and twenty cents.

Repairs of vessels.

Medicines, &c.

Ordnance, &c.

Repairs, &c., of navy yards.

Arrearages prior to Jan. 1st, 1828.

For the sloops of war authorized by act of 1825, ch. 101.

For defraying certain expenses during the year 1828.

Wharfage, &c.

Travelling expenses of officers, &c.

For premiums, &c.

For printing, &c.

For taxes on navy yards, and public property, &c.

For candles, oil, &c.

Contingent expenses arising in 1828.

Pay, &c., of marine corps.

Clothing for same.

Fuel for the same.

Contingent expenses.

Additional contingencies. Military stores for same.

Medicines, &c., for officers, &c., on shore.

Compensation to Col. Samuel Miller.

For the following items which have been carried to the surplus fund on the first of January, eighteen hundred and twenty-eight, viz :

For contingent expenses prior to 1824.

For contingent expenses for 1824.

For contingent expenses for 1825.

Contingent expenses not enumerated.

Navy yards.  
Navy yard at Pensacola.

Swords, &c.  
Five schooners.

For building barges.

A sum not exceeding 10,000 dollars appropriated, &c.

1827, ch. 94.

For contingent expenses prior to one thousand eight hundred and twenty-four, eight hundred and forty-two dollars, thirty-four cents.

For contingent expenses for one thousand eight hundred and twenty-four, two thousand eight hundred and ninety-three dollars, four cents.

For contingent expenses for one thousand eight hundred and twenty-five, seven hundred and eighty-four dollars, twenty-eight cents.

For contingent expenses for one thousand eight hundred and twenty-five, not enumerated, two hundred and forty dollars, eight cents.

For navy yards, five thousand dollars.

For navy yard at Pensacola, three hundred dollars thirty-seven cents.

For swords and medals, five hundred and seventy-nine dollars, sixty-two cents.

For five schooners, fifty-eight dollars thirty-three cents.

For building barges, sixty-seven dollars sixteen cents.

SEC. 2. *And be it further enacted*, That the aforesaid sums be paid out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted*, That there be, and hereby is, appropriated, for the purchase of such lands as the President of the United States may think necessary and proper to provide live oak and other timber for the use of the navy of the United States, a sum not exceeding ten thousand dollars, to be paid out of the moneys appropriated for the gradual improvement of the navy of the United States, by the first section of the act, entitled "An act for the gradual improvement of the navy of the United States, approved the third day of March, one thousand eight hundred and twenty-seven."

APPROVED, March 19, 1828.

#### STATUTE I.

March 19, 1828.

[Obsolete.]  
Sums appropriated for fortifications.

Forts.

Preservation of islands in Boston harbour.  
To be paid from the treasury.

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

*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 wit: for fortifications, to each specifically, as follows:

For fort Adams, eighty thousand dollars. For fort Hamilton, sixty thousand dollars. For fort Monroe, one hundred thousand dollars. For fort Calhoun, eighty thousand dollars. For fort Macon, at Bogue point, fifty-two thousand five hundred dollars. For fort at Mobile point, eighty thousand dollars. For fort Jackson, eighty-eight thousand five hundred dollars. For repairs and contingencies, fifteen thousand dollars. For fortifications at Pensacola, fifty thousand dollars. For fortifications at Charleston, twenty-five thousand dollars. For fortifications at Savannah, twenty-five thousand dollars. For fort at Oak Island, North Carolina, sixty thousand dollars. For preservation of islands in Boston harbour, two thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 19, 1828.

#### STATUTE I.

March 19, 1828.

Every person, &c., comprised

CHAP. XIX.—*An Act granting the right of preference in the purchase of public lands, to certain settlers in the St. Helena land district, in the state of Louisiana.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That every person, his or her

legal representatives, comprised in the list of actual settlers reported to the commissioner of the general land office, by the register for the district of St. Helena, in the state of Louisiana, under the authority of the act of Congress, entitled "An act for adjusting the claims to land, and establishing land offices, in the district east of the island of New Orleans," approved the third day of March, one thousand eight hundred and nineteen, or who did actually inhabit and cultivate a tract of land in said district on the third day of March, one thousand eight hundred and nineteen, not rightfully claimed by any other person, by virtue of any written evidence of claim, legally derived from either the French, British, or Spanish government, or granted as a donation by virtue of any act of Congress heretofore passed, shall be entitled to a right of preference, on becoming the purchaser, from the United States, of such tract of land, at the same price for which other public lands are sold at private sale: *Provided*, That such tract of land shall not contain more than one quarter section, to be located by sectional lines; and that the same shall be entered with the register of the land office in said district, within two years, or before, if the same shall be offered at public sale.

APPROVED, March 19, 1828.

in the list of actual settlers, reported to the commissioner of the general land office, under act of March 3d, 1819, ch. 99, shall be entitled to the right of preference, on becoming the purchaser from the United States, of such tract of land.

Proviso.

STATUTE I.

CHAP. XXI.—*An Act making appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-eight.*

March 21, 1828.

*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, respectively appropriated for the military service of the United States, for the year one thousand eight hundred and twenty-eight, to wit:

[Obsolete.]

Appropriation for military service for the year 1828.

For pay to the army and subsistence of officers, including the military academy, one million and fifty-six thousand three hundred and six dollars and seventy-five cents.

Pay, &c., of officers and the military academy.

For subsistence.

For subsistence, in addition to an unexpended balance in the treasury, on the thirty-first of December, one thousand eight hundred and twenty-seven, of sixty-five thousand dollars, two hundred and eighteen thousand dollars.

For forage for officers.

For forage for officers, forty thousand one hundred and twenty-eight dollars.

For clothing for servants of officers, &c.

For clothing for servants of officers of the army, and of the military academy, and twenty supernumerary second lieutenants, graduates of the military academy, nineteen thousand seven hundred and seventy dollars.

For the recruiting service.

For the recruiting service, in addition to an unexpended balance in the treasury on thirty-first day of December, one thousand eight hundred and twenty-seven, of thirteen thousand six hundred dollars, twenty-two thousand six hundred and seventy-four dollars.

For the contingent expenses of the recruiting service.

For the contingent expenses of the recruiting service, in addition to an unexpended balance of three thousand three hundred dollars, in the treasury on the thirty-first of December, eighteen hundred and twenty-seven, fourteen thousand eight hundred and thirty-seven dollars.

For arrearages of the year 1827, 1827, ch. 29.

For arrearages of the year eighteen hundred and twenty-seven, being the difference between the amount appropriated by Congress for the pay and subsistence of the captains and subalterns, and that allowed by the act of the second of March, eighteen hundred and twenty-seven, thirty-eight thousand and seventy-seven dollars and eight cents.

For the purchasing department.

For the purchasing department, in addition to materials on hand, amounting to forty thousand dollars, viz: for clothing for the army, camp equipage, cooking utensils, and hospital furniture, one hundred and seventy-eight thousand three hundred and seventy-seven dollars and forty-nine cents.

For the purchase of woollens for the year 1828.

Medical and hospital department.

Quartermaster general's department.

Arrearages in the same.

For quartermaster general's department, viz: barracks for two additional companies and quarters for the graduates from West Point.

Fuel, stationery, transportation, &c., repairs, and for improving barracks, &c.

Board of visitors.

Contingencies.  
Arrearages.

National armories.  
Ordnance department.

Arsenals.  
Arsenal at Augusta, in Maine.

To be paid from treasury.

Secretary of War authorized and required to establish, &c., the pay of the militia, &c., called into actual service in Illinois and Michigan under act of Jan. 2, 1795, ch. 9.

Appropriation.

Part of appropriation for the relief of Colonel Wm. Lawrence, &c., carried to the surplus fund, re-appropriated.

1816, ch. 23.

For the purchase of woollens during the year one thousand eight hundred and twenty-eight, in advance for the year one thousand eight hundred and twenty-nine, twenty thousand dollars.

For the medical and hospital department, twenty-five thousand five hundred dollars.

For the quartermaster general's department, three hundred and forty-three thousand dollars.

For arrearages in the quartermaster general's department, forty-two thousand dollars.

For quartermaster general's department, viz: barracks for two additional companies, and quarters for the graduates from West Point, ordered to join the infantry school of practice, and to complete store-houses and hospitals, engine and hose, fire buckets, barrack quarters, defences, &c. for four companies at Prairie du Chien: to complete quarters, barracks, hospital and store-houses at fort St. Philip: to complete the buildings and enclose the grounds with pickets, at the establishment near Savannah: for engine and hose complete for fortress Monroe, and for fire buckets, forty-four thousand two hundred and thirty dollars and eighty-four cents.

For fuel, stationery, transportation, &c.; repairs, and for improving barracks, erecting new buildings, procuring articles for the mathematical, drawing, chemical, and mineralogical departments, and for the library and contingencies, for the military academy at West Point, excluding the items for quartermaster's clerk, adjutant's clerk, and quartermaster's sergeant, thirty-two thousand two hundred and thirty-four dollars and fifty-eight cents.

For defraying the expenses of the board of visitors, one thousand five hundred dollars.

For contingencies of the army, ten thousand dollars.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, ten thousand dollars.

For national armories, three hundred and sixty thousand dollars.

For current expenses of the ordnance service, sixty-five thousand dollars.

For arsenals, fifty-seven thousand three hundred dollars.

For completing the arsenal at Augusta, in Maine, thirty thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, be paid out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted*, That the Secretary of War be authorized and required to settle, adjust, and pay, in conformity with the provisions of the act of the second of January, one thousand seven hundred and ninety-five, regulating the pay of the militia, when called into actual service, the claims of the militia and Indians of the state of Illinois, and territory of Michigan, called out by competent authority, or received into service by any general or field officer of the United States, on the occasion of the recent Indian disturbances, and that the expenses of transportation, supplies, materials, ferriage, and work incident to the expedition, shall be settled, according to the justice of the claim, and with strict regard to the law and usage heretofore established for the settlement of such claims; and that the sum of forty thousand dollars be appropriated for the aforesaid objects, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That the sum of five hundred and fourteen dollars and twenty-one cents, being part of an appropriation made by the act of fifth of March, one thousand eight hundred and sixteen, for the relief of Lieutenant Colonel William Lawrence and others, and which was carried to the surplus fund on the thirty-first day of December, one thousand eight hundred and twenty-six, be, and the same is hereby, re-appropriated.



Sec. 5. *And be it further enacted*, That the unexpended balances of appropriations for the following objects be, and the same are hereby, re-appropriated, to wit :

For balances due certain states on account of militia in the service of the United States during the late war, sixty-eight thousand eight hundred and eighty-five dollars and seventy cents.

For a road from Little Rock to Cantonment Gibson, five thousand five hundred and fifty-eight dollars and twenty-six cents.

For extinguishing the Creek title to lands in Georgia, four thousand nine hundred and eighty-nine dollars and fifty-seven cents.

For claims against the Osages, by citizens of the United States, eight hundred and thirty-four dollars and fifty cents.

APPROVED, March 21, 1828.

Unexpended balances of appropriations re-appropriated.

For balances due certain states, &c.

Road from Little Rock, &c.

Extinguishing the Creek title.

Claims against the Osages.

STATUTE I.

CHAP. XXII.—*An Act to revive and continue in force the several acts making provision for the extinguishment of the debt due to the United States by the purchasers of the public lands. (a)*

March 21, 1828.

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act, entitled "An act

Act of May 18, 1824, ch. 88, and expla-

(a) *Acts which have been passed for the relief of purchasers of public lands :*

An act to extend the time for making payment for the public lands of the United States, March 2, 1809, ch. 26.

An act to extend the time for making payment for the public lands of the United States in certain cases, April 30, 1810, ch. 36.

An act allowing further time for completing the payments on certain lands held by right of pre-emption in the Mississippi territory, December 12, 1811, ch. 6.

An act directing the terms on which lands sold at public sale, and that revert for failure in payment, shall be again sold, January 14, 1812, ch. 15.

An act giving further time to the purchasers of public lands north-west of the river Ohio, to complete their payments, April 23, 1812, ch. 64.

An act supplementary to the act entitled "An act giving further time to the purchasers of public lands north-west of the river Ohio, to complete their payments," July 6, 1812, ch. 134.

An act giving further time to the purchasers of public lands to complete their payments, March 3, 1813, ch. 43.

An act giving further time to the purchasers of public lands, to complete their payments, February 19, 1814, ch. 14.

An act giving further time to purchasers of public lands, to complete their payments, February 4, 1815, ch. 34.

An act for the relief of certain purchasers of public lands in the Mississippi territory, April 24, 1816, ch. 75.

An act to suspend for a limited time the sale or forfeiture of lands for failure in completing the payment thereon, April 18, 1818, ch. 75.

An act to suspend for a limited time the sale or forfeiture of lands for failure in completing the payment thereon, March 3, 1819, ch. 74.

An act further to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon, March 30, 1820, ch. 28.

An act for the relief of the purchasers of public lands prior to the first day of July, eighteen hundred and twenty, March 2, 1821, ch. 12.

An act supplementary to the act entitled "An act for the relief of the purchasers of public lands prior to the 1st day of July, one thousand eight hundred and twenty," April 20, 1822, ch. 30.

An act further to extend the provisions of the act entitled "An act supplementary to an act, entitled 'An act for the relief of the purchasers of public lands prior to the first of July, one thousand eight hundred and twenty,'" March 3, 1823, ch. 57.

An act to provide for the extinguishment of the debt due the United States by the purchasers of public lands, May 18, 1824, ch. 88.

An act explanatory of an act entitled "An act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved on the eighteenth day of May, one thousand eight hundred and twenty-four, May 26, 1824, ch. 176.

An act making further provision for the extinguishment of the debt due to the United States, by the purchasers of public lands, May 4, 1826, ch. 34.

An act for the relief of purchasers of the public lands, that have reverted for non-payment of the purchase money, May 23, 1828, ch. 71.

An act to amend an act entitled "An act for the relief of purchasers of the public lands that have reverted for non-payment of the purchase money," passed the twenty-third of May, one thousand eight hundred and twenty-eight, July 9, 1832, ch. 181.

natory act of May 26, 1824, ch. 176, an act making further provision for the extinguishment of the debt due to the United States by the purchasers of public lands, continued until July 4, 1829, 1826, ch. 34.

The provisions of this act extended to all lands.

to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May the eighteenth, one thousand eight hundred and twenty-four, and the act, entitled "An act explanatory of an act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May the twenty-sixth, one thousand eight hundred and twenty-four; and also the act, entitled "An act making further provision for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May the fourth, one thousand eight hundred and twenty-six, be, and the same are hereby, revived and continued in force until the fourth day of July, one thousand eight hundred and twenty-nine.

SEC. 2. *And be it further enacted*, That the provisions of this act be, and the same are hereby, extended to all lands on which a further credit has not been taken, and which, having become forfeited to the United States since the first of July, one thousand eight hundred and twenty, remain unsold.

APPROVED, March 21, 1828.

STATUTE I.

April 3, 1828.

[Obsolete.]

Six hundred copies of the statistical tables, to be published by Waterston and Van Zandt, to be purchased, &c. 1500 dollars appropriated.

CHAP. XXIII.—*An Act authorizing a subscription for the statistical tables prepared by George Waterston and Nicholas B. Van Zandt.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary for the Department of State be, and he is hereby, authorized and directed to subscribe for, and receive, for the use and disposal of Congress, six hundred copies of the statistical tables proposed to be published by George Waterston and Nicholas B. Van Zandt, of the city of Washington.

SEC. 2. *And be it further enacted*, That the sum of fifteen hundred dollars shall be, and hereby is, appropriated, to defray the cost of the said subscription; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 3, 1828.

STATUTE I.

April 17, 1828.

Claims purporting to be confirmed, &c., or recommended for confirmation, under the act of May 11, 1820, ch. 85, confirmed.

Claims purporting to be confirmed, or recommended for confirmation under the act of Feb. 21, 1823, ch. 10, confirmed.

CHAP. XXVIII.—*An Act to confirm certain claims to lands in the territory of Michigan.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the claims purporting to be confirmed, or recommended for confirmation, by the commissioners appointed to carry into effect the "Act to revive the powers of the commissioners for ascertaining and deciding on claims to lands in, and for settling the claims to lands at, Green Bay and Prairie du Chien, in the territory of Michigan," passed on the eleventh day of May, one thousand eight hundred and twenty, which are contained in volumes two, four, and five, be, and the same are, confirmed.

SEC. 2. *And be it further enacted*, That the claims purporting to be confirmed, or recommended for confirmation, by the commissioners appointed to carry into effect "An act to revive and continue in force certain acts for the adjustment of land claims in the territory of Michigan," passed the twenty-first of February, one thousand eight hundred and twenty-three, which are contained in volumes one, three, six, eight, and nine, of said reports, be, and the same are hereby, confirmed.

(a) Notes of the acts which have been passed relating to the sales of lands in the territory of Michigan, vol. ii. 437.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury, under the direction of the President of the United States, be, and he is hereby, authorized and required, as soon as may be, to adopt such measures as may be necessary, to give full effect to the reports of the commissioners which are enumerated in the first and second sections of this act: *Provided*, That this act shall not be so construed as to prejudice the rights of third persons, or to impose any obligation, on the part of the United States, to make payment, or give other lands, to any claimant who may be deprived of his possessions by operation of law; nor shall the confirmations made by this act be so construed as to extend further than to a relinquishment, by the United States, of all interest in, and to, said lands, nor to any lands occupied by the United States for military purposes.

Secretary of the Treasury authorized, &c. to give full effect to the reports of the commissioners enumerated in the 1st and 2d sections of this act.  
 Proviso.

SEC. 4. *And be it further enacted*, That it shall be the duty of the register of the land office at Detroit, to issue patent certificates, in the forms usual in similar cases, to claimants whose claims are confirmed by this act, upon which certificates, if legally and properly obtained, patents shall be granted by the commissioner of the general land office.

Register of the land office at Detroit, to issue certificates to claimants.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to John J. Deming, of Detroit, the sum of thirty dollars, which shall be in full for his services in preparing and publishing maps for the use of the commissioners aforesaid.

Secretary of the Treasury to pay John J. Deming 30 dollars.

SEC. 6. *And be it further enacted*, That, for surveying the donation rights or back concessions in said territory, heretofore made under the above-mentioned acts of Congress, and not paid for, and also for such surveys as may be necessary to carry into effect the provisions of this act, there shall be paid, out of any money in the treasury not otherwise appropriated, the same compensation per mile as is allowed by the tenth section of the act of the eighth of February, one thousand eight hundred and twenty-seven, entitled "An act to provide for the confirmation and settlement of private land claims in East Florida, and for other purposes," any thing in any act to the contrary notwithstanding.

Same compensation per mile, as is allowed by the 10th section of the act of Feb. 8, 1827, ch. 9, to be paid for surveying the donation rights or back concessions in said territory.

APPROVED, April 17, 1828.

STATUTE I.

CHAP. XXIX.—*An Act providing for the appointment of an additional judge of the superior court for the territory of Arkansas, and for other purposes. (a)*

April 17, 1828.

*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 President of the United States of America, by and with the advice and consent of the Senate, to appoint and commission an additional judge of the superior court for the territory of Arkansas, who shall reside in said territory, and hold his commission for the term of four years.

An additional judge of the superior court to be appointed for the territory of Arkansas.

SEC. 2. *And be it further enacted*, That, when said judge shall have been commissioned, the legislature of the territory of Arkansas shall be authorized to organize the counties of said territory into four judicial districts, and to assign to each of the four judges of the superior court of the territory of Arkansas one of said circuits or districts, and to require

Legislature of Arkansas authorized to organize the counties of said territory into

(a) *Acts relating to the courts in Arkansas:*

An act to extend the jurisdiction of the district court of the United States, in the district of Arkansas, March 1, 1837, ch. 16.

An act supplementary to the act entitled "An act to amend the judicial system of the United States, March 3, 1837, ch. 34, sec. 2.

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

An act supplementary to the act entitled "An act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers," passed thirtieth June, one thousand eight hundred and thirty-four, June 17, 1844, ch. 103.

four judicial districts, &c.

Additional duties.

A clerk in each county of their respective districts.

Compensation of said clerks.

Appeal.

Salary as the other judges.

Writs of error, &c., to be made to the Supreme Court of the United States.

Act of the legislature, in relation to the courts of said territory, confirmed.

Acts coming within the purview of this act repealed.

said judges to hold circuit or district courts in each county of their respective districts, at such place and time as the legislature aforesaid may appoint and designate.

SEC. 3. *And be it further enacted*, That, in addition to holding district or circuit courts, as aforesaid, the judges aforesaid shall hold two terms annually, of the superior court, at the seat of government in said territory; and the legislature aforesaid shall be authorized, in all cases, except when the United States is a party, to fix the respective jurisdictions of the district and superior court. The United States' cases shall be tried in the superior court, in the manner that said cases are now tried.

SEC. 4. *And be it further enacted*, That the judges aforesaid shall be authorized to nominate and appoint, and the governor to commission, a clerk in each county of their respective districts, in such manner, with such powers, and for such term of time, as the legislature aforesaid may designate; but in no county shall the clerk of the superior court be appointed the clerk of the circuit court; and the compensation of said clerks, except in United States' cases, shall be fixed by the legislature aforesaid.

SEC. 5. *And be it further enacted*, That, when any party to a suit is aggrieved by a decision of a judge holding a district court, except in criminal cases, the party aggrieved shall be at liberty, by appeal, writ of error, or *certiorari*, to remove said suit to the superior court of said territory, for further trial; and the case thus brought up shall be tried by the judges, or any two of them other than the judge who made the decision in the district court.

SEC. 6. *And be it further enacted*, That the additional judge hereby authorized to be appointed shall receive the same salary now allowed by law to the judges of the superior court for the territory of Arkansas.

SEC. 7. *And be it further enacted*, That writs of error and appeal from the final decision of the superior court for the territory of Arkansas, shall be made to the Supreme Court of the United States, in the manner, and under the same regulations, as from the circuit courts of the United States, when the amount in controversy, to be ascertained by oath or affirmation of either party, shall exceed one thousand dollars.

SEC. 8. *And be it further enacted*, That the act of the legislature of the territory of Arkansas, passed at the last session of the legislature of said territory, in relation to the courts of said territory, so far as the provisions of said act are not inconsistent with and repugnant to this act, be, and the same is hereby, affirmed until said legislature may alter or modify the same.

SEC. 9. *And be it further enacted*, That all acts coming within the purview of this act be, and the same are hereby, repealed; and that this act shall take effect, and be in force, from and after its passage.

APPROVED, April 17, 1828.

#### STATUTE I.

April 17, 1828.

CHAP. XXX.—*An Act authorizing the President of the United States to appoint certain agents therein mentioned.* (a)

An agent or agents, to be employed in prosecuting the designation, &c., of the line forming the north-eastern

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint such agent or agents as may be usefully employed in prosecuting the designation and settlement of the line forming the north-eastern boundary of the United States and bring-

(a) An act to provide for carrying into effect the treaty between the United States and Great Britain, concluded at Washington on the ninth day of August, one thousand eight hundred and forty-two, March 3, 1843, ch. 89.

ing the existing controversy with Great Britain relating thereto to a speedy termination.

APPROVED, April 17, 1828.

boundary of the United States, &c.

STATUTE I.

CHAP. XXXI.—*An Act explanatory of "An act to grant a certain quantity of land to the state of Ohio for the purpose of making a road from Columbus to Sandusky."*

April 17, 1828.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, in lieu of the lands appropriated by the act approved on the third of March, one thousand eight hundred and twenty-seven, there shall be granted to the state of Ohio, for the purposes designated in the said act, forty-nine sections of land, to be located in the Delaware land district, in the following manner, to wit: every alternate section, through which the road may run, and the section next adjoining thereto, on the west, so far as the said sections remain unsold, and, if any part of the said sections shall have been disposed of, then a quantity equal thereto, shall be selected under the direction of the commissioner of the general land office, from the vacant lands in the sections adjoining on the west of those appropriated.

Forty-nine sections of land to be located in the Delaware land district in lieu of lands designated in the act of March 3, 1827, ch. 93.

Act of Dec. 12, 1811, ch. 8.

APPROVED, April 17, 1828.

STATUTE I.

CHAP. XXXIX.—*An Act to extend the time allowed for the redemption of land sold for direct taxes in certain cases.*(a)

April 28, 1828.

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the time allowed for the redemption of lands which have been, or may be, sold for the non-payment of taxes under the several acts passed on the second of August, one thousand eight hundred and thirteen; the ninth day of January, one thousand eight hundred and fifteen; and the fifth day of March, one thousand eight hundred and sixteen, for laying and collecting a direct tax within the United States, so far as the same have been purchased for, or on behalf of, the United States, be revived, and be extended for the further term of three years, from and after the expiration of the present session of Congress: *Provided, also,* That on such redemption, interest shall be paid at the rate of twenty per centum on the taxes aforesaid, and on the additions of twenty per centum, chargeable thereon; and the right of redemption shall enure, as well as to the heirs and assignees of the land so purchased, on behalf of the United States, as to the originals thereof.

Time allowed for the redemption of lands which have been sold for the non-payment of taxes, under acts of Aug. 2, 1813, ch. 37, Jan. 9, 1815, ch. 21, and March 5, 1816, ch. 24, revived and extended for three years.

Proviso.

APPROVED, April 28, 1828.

(a) *Acts extending the time for the sales of land for direct taxes:*

- An act supplementary to the several acts relating to direct taxes, April 20, 1818, ch. 83, sec. 3, 4.
- An act extending the time allowed for the redemption of land sold for direct taxes, in certain cases, May 11, 1820, ch. 88.
- An act reviving and extending the time allowed for the redemption of land sold for direct taxes, in certain cases, Feb. 4, 1822, ch. 4.
- An act extending the time allowed for the redemption of land sold for direct taxes, in certain cases, March 3, 1823, ch. 47.
- An act to extend the time allowed for the redemption of land sold for direct taxes, in certain cases, May 16, 1826, ch. 69.
- An act extending the time allowed for the redemption of land sold for direct taxes, in certain cases, April 28, 1828, ch. 39.

## STATUTE I.

April 28, 1828.

CHAP. XL.—*An Act extending the limits of certain land offices in Indiana, and for other purposes.*

Lands lying east of the second principal meridian and north of the southern boundary of fort Wayne district, attached to the land district.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the lands in the state of Indiana, to which the Indian title is extinguished, which lies east of the line dividing the first and second ranges east of the second principal meridian, and north of the southern boundary of the Fort Wayne district, shall be attached to the land district, the land office of which is established at Fort Wayne; and that all the lands to which the Indian title is extinguished in said state, and which may lie west of the line dividing the first and second ranges east of the second principal meridian, shall be attached to the land district, the land office of which is established at Crawfordsville.

Second principal meridian to be extended to the northern boundary. Proviso.

SEC. 2. *And be it further enacted,* That the surveyor general shall cause the second principal meridian to be extended to the northern boundary of the state of Indiana: *Provided,* The assent of the Indians be obtained to the running and marking that portion of the meridian line which may lie within the lands not ceded to the United States.

APPROVED, April 28, 1828.

## STATUTE I.

April 28, 1828.

CHAP. XLI.—*An Act in addition to the act, entitled "An act to provide for the sale of lands, conveyed to the United States, in certain cases, and for other purposes," passed the twenty-sixth day of May, eighteen hundred and twenty-four.*

Act of May 26, 1824, ch. 172.

In all cases where lands have been sold, or conveyed to, or for, the United States, for forts, &c., not used, &c., to be sold.

The President authorized to procure the assent of the legislature of any state within which any purchase of land has been made for the erection of forts, &c.

Where lands have been conveyed for the United States, to individuals, a release of their interest to be obtained.

*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 have been, or shall hereafter be, conveyed to, or for, the United States, for forts, arsenals, dockyards, lighthouses, or any like purpose, or in payment of debts due the United States, which shall not be used, or necessary for the purposes for which they were purchased, or other authorized purpose, it shall be lawful for the President of the United States to cause the same to be sold for the best price to be obtained, and to convey the same to the purchaser by grant or otherwise.

SEC. 2. *And be it further enacted,* That the President of the United States be authorized to procure the assent of the legislature of any state, within which any purchase of land has been made, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings, without such consent having been obtained; and also to obtain exclusive legislation over any such tract as is provided for in the sixteenth clause of the eighth section of the first article of the constitution; and that he be authorized to procure the like consent and exclusive legislation as to all future purchases of land for either of those purposes.

SEC. 3. *And be it further enacted,* That the President of the United States, in all cases where lands have been conveyed for the United States to individuals or officers, be authorized to obtain from the person or persons to whom the conveyance has been made, a release of their interest to the United States.

APPROVED, April 28, 1828.

## STATUTE I.

April 28, 1828.

CHAP. XLII.—*An Act authorizing the legislative council of Florida to meet in October instead of December; and repealing the proviso in the sixth section of the act, entitled "An act to amend an act, for the establishment of a territorial government in Florida, and for other purposes," approved March the third, one thousand eight hundred and twenty-three.*

Act of March 3, 1823, ch. 28. Sessions of the legislative council.

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

the territory of Florida shall begin its next session on the second Monday in October instead of December, and annually thereafter on the same day in the said month of October.

SEC. 2. *And be it further enacted*, That the proviso in the sixth section of the act, entitled "An act to amend 'An act for the establishment of a territorial government in Florida, and for other purposes,'" approved March the third, one thousand eight hundred and twenty-three, be, and the same is hereby, repealed: *Provided*, That nothing herein contained shall be construed as approving any act or acts heretofore passed by the legislative council of the territory of Florida.

Proviso in the 6th section of the act of March 3, 1823, ch.23, repealed.

Proviso.

SEC. 3. *And be it further enacted*, That it shall be the duty of the governor and legislative council, at the next session of said council, to divide said territory into thirteen election districts, in such manner as to give to each the same number of qualified electors, as nearly as conveniently may be, and to secure to each district an equal representation; and the said governor and council shall have power, from time to time, to alter and regulate the several districts in such manner as the increasing population of the territory may require.

Division of the territory into thirteen election districts.

SEC. 4. *And be it further enacted*, That the judges of the superior courts in said territory shall have power to order extra terms of said courts, or to adjourn them to any other time and place when the public interest may require it, and when, from sickness or other cause, the judges cannot hold the regular terms, giving due notice of the same: and it shall also be lawful for the said judges to hold courts in either of the districts, when the judge of the district is absent, or prevented from attending by sickness or other cause.

Judges of the superior courts to have power to order extra terms of said courts, &c.

APPROVED, April 28, 1828.

STATUTE I.

CHAP. XLIV.—*An Act making a supplementary appropriation for the military service of the year one thousand eight hundred and twenty-eight.*

May 2, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, the sum of one hundred thousand dollars, for the armament of fortifications.

[Obsolete.]  
100,000 dollars appropriated for the armament of fortifications.

SEC. 2. *And be it further enacted*, That the quartermaster general be, and he is hereby, authorized to apply the sum of eighteen hundred dollars of the money heretofore appropriated for the quartermaster's department, to the confirmation and completion of the purchase of thirty acres of land, near the city of Savannah, in Georgia; which purchase was conditionally made by Lieutenant C. A. Waite, for the purpose of erecting barracks for the United States.

Quartermaster general authorized to apply 1800 dollars of the money heretofore appropriated, &c.

APPROVED, May 2, 1828.

STATUTE I.

CHAP. XLV.—*An Act making appropriations for the public buildings, and for other purposes.*

May 2, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums of money be, and the same hereby are appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes; that is to say—

[Obsolete.]  
Sums appropriated.

For completing the work remaining to be done, on and about the public buildings, fifty-six thousand four hundred dollars and eight cents.

For completing work, &c.

For a building lot, &c., for a jail at Alexandria.

For completing penitentiary, District of Columbia.

For a building near the Navy Department.

For an entrance, &c. into the Capitol.

Commissioner of public buildings to cause an engine house to be built.

After March 4, 1829, office of architect of the Capitol to cease and determine, &c.

Regulations of the city of Washington for the preservation of the public peace, &c., extended to the Capitol and Capitol square, whenever application be made by the presiding officer of either house of Congress, or the commissioner of the public buildings, &c.

A reasonable compensation to be paid the necessary assistants of the commissioner, &c.

For the cost of a building lot, and other expenditures for the jail at Alexandria, one thousand six hundred and ninety-nine dollars and sixteen cents.

For the completion of the penitentiary in the District of Columbia, twenty-two thousand three hundred and eighty-seven dollars and ninety-seven cents.

For defraying the expense of a building, near the Navy Department, twelve hundred and sixty-one dollars and eighteen cents.

For an entrance and door way into the Capitol, from the top of the terrace on the western front, three thousand one hundred and twenty-one dollars and ten cents.

SEC. 2. *And be it further enacted*, That the commissioner of the public buildings be, and he hereby is, authorized and empowered to be caused to be built, an engine house, for the accommodation of the Franklin Engine Company, under suitable conditions, to secure the faithful performance of the work, and to procure an hydraulic engine and the requisite appurtenances of the same; and that the sum of three thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to defray the expense of the same.

SEC. 3. *And be it further enacted*, That, from and after the fourth day of March, one thousand eight hundred and twenty-nine, the office of architect of the Capitol shall cease and determine; and that the said architect shall, on said day, deliver up to the commissioner of the public buildings all the books, plans, accounts, vouchers, and all other papers and things belonging to his office: and the said commissioner shall take charge of, and superintend the public buildings, and perform such other duties as may be required of him by law; and that the said commissioner be required to reside near the Capitol.

SEC. 4. *And be it further enacted*, That the regulations of the city of Washington, for the preservation of the public peace and order, be extended to the Capitol and Capitol square, whenever the application of the same shall be requested by the presiding officer of either house of Congress, or the commissioner of the public buildings; and that it shall be the duty of the commissioner of the public buildings to obey such rules and regulations as may, from time to time, be prescribed, jointly, by the presiding officers of the two houses of Congress, for the care, preservation, orderly keeping, and police of all such portions of the Capitol, its appurtenances, and the enclosures about it, and the public buildings and property in its immediate vicinity, as are not in the exclusive use and occupation of either house of Congress; that it shall also be his duty to obey such rules and regulations as may be, from time to time, prescribed by the presiding officer of either house of Congress; for the care, preservation, orderly keeping, and police of those portions of the Capitol and its appurtenances, which are in the exclusive use and occupation of either house of Congress respectively; and that it shall also be his duty to obey such rules and regulations as may, from time to time, be prescribed by the President of the United States, for the care, preservation, orderly keeping, and police of the other public buildings and public property, in the city of Washington; and the commissioner and his assistants are hereby authorized and empowered to use all necessary and proper means for the discharge of the aforesaid duties; and the necessary assistants of the commissioner shall receive a reasonable compensation for their services, to be allowed by the presiding officers of the two houses of Congress; one moiety of the said sums to be paid out of the contingent fund of the Senate, and the other moiety of the same to be paid out of the contingent fund of the House of Representatives.

APPROVED, May 2, 1828.



CHAP. XLVI.—*An Act to authorize the purchase and distribution of the seventh volume of the Laws 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 Secretary for the Department of State be, and he is hereby, authorized and directed to subscribe for, and receive, for the use and disposal of Congress, five hundred and fifty copies of the seventh volume of the Laws of the United States, to contain an index to the same, to be well bound; and cause to be distributed, one copy thereof to the President of the United States, one copy to the Vice President of the United States, one copy to each of the heads of departments, to the attorney general of the United States, to each of the Senators and Representatives, and to each delegate of territories of the twentieth Congress; fifteen copies to the Secretary of the Senate, for the use of the Senate, and thirty copies to the clerk of the House of Representatives, for the use of that House; one copy to each branch of the legislature of each state and territory; and one copy to each of the executives of the several states and territories; and cause the residue to be deposited in the library of Congress.

SEC. 2. *And be it further enacted,* That for the purpose aforesaid, the sum of two thousand two hundred dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 9, 1828.

STATUTE I.

May 9, 1828.

[Obsolete.]  
Secretary of state authorized, &c., to subscribe for, &c., for use and disposal of Congress, 550 copies of the seventh volume of the laws of the United States.

2200 dollars appropriated.

CHAP. XLVII.—*An Act making appropriations for the Indian department, for the year one thousand eight hundred and twenty-eight.*

*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 wit:

For pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as authorized by law, thirty-one thousand dollars.

For the pay of sub-agents as established by law, fifteen thousand one hundred dollars.

STATUTE I.

May 9, 1828.

[Obsolete.]  
Sums appropriated.

Superintendent of Indian affairs.  
Sub-agents.

(a) *Acts which have been passed authorizing the publication of the laws of the United States:*

An act for the more general promulgation of the laws of the United States, March 3, 1795, ch. 50.

An act to amend the act, entitled "An act for the more general promulgation of the laws of the United States," Dec. 21, 1796, ch. 1.

An act in addition to an act entitled "An act for the more general promulgation of the laws of the United States," March 2, 1799, ch. 30.

An act to provide for the more extensive distribution of the laws of the United States, March 27, 1804, ch. 60.

An act for the disposal of certain copies of the laws of the United States, Jan. 2, 1805, ch. 3.

An act authorizing a subscription for the laws of the United States, and for the distribution thereof, April 18, 1814, ch. 69.

An act to authorize the publication of the laws of the United States, within the territories of the United States, Nov. 21, 1814, ch. 6.

An act to provide for the publication of the laws of the United States, and for other purposes, April 20, 1818, ch. 80.

An act to amend the act, entitled "An act to provide for the publication of the laws of the United States, and for other purposes," May 11, 1820, ch. 92.

An act to authorize the purchase of a number of copies of the sixth volume of the laws of the United States, March 3, 1823, ch. 67.

An act to authorize the purchase and distribution of the seventh volume of the laws of the United States, May 9, 1828, ch. 46.

An act to provide for the purchase and distribution of certain copies of the digest of the laws of the United States by Thomas F. Gordon, Feb. 24, 1829, ch. 18.

By the act making appropriations for the support of government, March 18, 1830, ch. 33, seven hundred and fifty dollars were appropriated "for completing the sets of the laws on hand in the Department of State."

Regulation of the publication of the laws of the United States in newspapers, Act of August 26, 1842, ch. 202, sec. 21.

A resolution to authorize the attorney general to contract for copies of a proposed edition of the laws of the United States, March 3, 1845.

Presents to Indians.

For presents to Indians, as authorized by act of one thousand eight hundred and two, fifteen thousand dollars.

Houses for sub-agents, &c.

For houses for sub-agents, interpreters, and blacksmiths, at Peoria and Iowa sub-agencies; expenses of emigrating Indians; claims of Delawares, for horses taken by white men; holding councils for settlement of differences among Indian tribes, &c. within the superintendency of General Clark, as estimated for by him, fourteen thousand three hundred and twenty-four dollars.

Expenses of intercourse with the Indians within the Michigan territory, &c.

For additional expense arising out of the recently extended intercourse with the Indians within the Michigan territory, and the establishment of a new sub-agency therein, for the Chippewas, high up Lake Superior, at La Point, or Michael's Island, as recommended by Governor Cass, five thousand dollars.

Additional expenses for the removal of the Quapaws, &c.

For additional expense at the Red river agency, on account of the removal of the Quapaws, and attaching them to that agency, agreeably to the late treaty with them, one thousand three hundred dollars.

Treaty with the Creek nation.

For expenses attending Indian agency established under the late treaty with the Creek nation, and an act of Congress of twentieth May, one thousand eight hundred and twenty-six, four thousand five hundred dollars.

Act of May 20, 1826, ch. 110,

For aiding emigration of the Creek Indians.

For aiding the emigration of the Creek Indians, providing for them for the period of twelve months after their emigration, and for rendering them such assistance as the President of the United States may think proper, in their agricultural operations, for the purpose of carrying into effect the provisions of the existing treaty with the Creek nation of Indians, having relation to the aforesaid objects, fifty thousand dollars.

For carrying into effect articles of agreement and cession entered into on April 24, 1802, between the United States and the state of Georgia.

And the sum of fifty thousand dollars be, and the same is hereby, appropriated, to enable the President of the United States to carry into effect the articles of agreement and cession, entered into on the twenty-fourth of April, one thousand eight hundred and two, between the United States and the state of Georgia, which sum of money, or so much thereof as may be necessary, shall be applied under the direction of the President of the United States, to the extinguishment of the claims of the Cherokee Indians, to all the lands which they occupy within the limits of said state.

Indian department.

For contingencies of Indian department, ninety-five thousand dollars.

Refunding to the state of North Carolina the amount expended by her, in extinguishing the title of certain Indians.

For refunding to the state of North Carolina the amount expended by her in extinguishing the title of certain Indians of the Cherokee tribe, to reservations of land within the limits of said state, granted to them in fee simple, by treaties with the United States, in the years one thousand eight hundred and seventeen, and one thousand eight hundred and nineteen, the sum of twenty-two thousand dollars.

Sums appropriated, to be paid from the treasury.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 9, 1828.

#### STATUTE I.

May 9, 1828.

CHAP. XLVIII.—*An Act to authorize a railroad within the District of Columbia.*

Assent of Congress given to the constructing a railroad.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the assent of Congress to the constructing a railroad by a company incorporated by the legislature of Maryland, from Baltimore to the city of Washington, be and the same is hereby given to the extent that Congress has jurisdiction of the soil over which it may pass; conceding to said company to exact such tolls, and to enjoy such benefits and privileges, as the act of incorporation of the state of Maryland gives to said corporation within the limits of the state of Maryland: *Provided*, In the location of the road it shall not

Proviso.

be lawful for said company to pass through any of the reserved squares or open spaces of the city without the consent of Congress.

APPROVED, May 9, 1828.

STATUTE I.

CHAP. XLIX.—*An Act regulating commercial intercourse with the islands of Martinique and Guadaloupe. (a)*

May 9, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all French vessels coming directly from the islands of Martinique and Guadaloupe, and laden with articles, the growth or manufacture of either of said islands, and which are permitted to be exported therefrom in American vessels, may be admitted into the ports of the United States on payment of no higher duties on tonnage, or on their cargoes, as aforesaid, than are imposed on American vessels, and on like cargoes imported in American vessels: *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 at said islands, by the French ordinance of February fifth, one thousand eight hundred and twenty-six, have been revoked or annulled, he is hereby authorized, by proclamation, to suspend the operation of this act, and withhold all privileges allowed under it.

[Obsolete.]  
French vessels coming directly from the islands of Martinique and Gaudaloupe, and laden with articles, the growth, &c., of either of said islands, admitted into the ports of the United States, on certain conditions.  
Proviso.

APPROVED, May 9, 1828.

STATUTE I.

CHAP. LII.—*An Act supplementary to "An act to provide for the adjustment of claims of persons entitled to indemnification, under the first article of the treaty of Ghent, and for the distribution among such claimants, of the sum paid, and to be paid by the Government of Great Britain, under a convention between the United States and his Britannic Majesty, concluded at London, on the thirteenth of November, one thousand eight hundred and twenty-six," passed on the second day of March, one thousand eight hundred and twenty-seven.*

May 15, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the eighth section of the aforesaid act shall be, and the same is hereby, repealed.

Act of March 2, 1827, ch. 36.  
Eighth section repealed.  
Commission not to continue after Sept. 1, 1828.

SEC. 2. *And be it further enacted,* That the commission created by the said act, shall not continue after the first day of September next.

APPROVED, May 15, 1828.

STATUTE I.

CHAP. LIII.—*An Act for the relief of certain surviving officers and soldiers of the army of the revolution.*

May 15, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That each of the surviving officers of the army of the Revolution in the continental line, who was entitled to half pay by the resolve of October twenty-first, seventeen hundred and eighty, be authorized to receive, out of any money in the treasury not otherwise appropriated, the amount of his full pay in said line, according to his rank in the line, to begin on the third day of March, one thousand eight hundred and twenty-six, and to continue during his natural life: *Provided,* That, under this act, no officer shall be entitled to receive a larger sum than the full pay of a captain in said line.

Each of the surviving officers of the revolutionary army in the continental line, to receive pay according to his rank in the line.  
Proviso.

SEC. 2. *And be it further enacted,* That whenever any of said officers has received money of the United States, as a pensioner, since the third day of March, one thousand eight hundred and twenty-six, afore-

Money received since March 3, 1826, to be deducted.

(a) See notes to act of Jan. 7, 1824, ch. 4.

said, the sum so received shall be deducted from what said officer would otherwise be entitled to, under the first section of this act; and every pension to which said officer is now entitled shall cease after the passage of this act.

Every surviving non-commissioned officer, &c., who enlisted in said line during the war, and continued in its service until its termination, to receive full pay. Proviso.

How to be paid.

SEC. 3. *And be it further enacted*, That every surviving non-commissioned officer, musician, or private, in said army, who enlisted therein for and during the war, and continued in service until its termination, and thereby became entitled to receive a reward of eighty dollars, under a resolve of Congress, passed May fifteenth, seventeen hundred and seventy-eight, shall be entitled to receive his full monthly pay in said service, out of any money in the treasury not otherwise appropriated; to begin on the third day of March, one thousand eight hundred and twenty-six, and to continue during his natural life: *Provided*: That no non-commissioned officer, musician or private in said army, who is now on the pension list of the United States, shall be entitled to the benefits of this act.

SEC. 4. *And be it further enacted*, That the pay allowed by this act, shall, under the direction of the Secretary of the Treasury, be paid to the officer or soldier entitled thereto, or to their authorized attorney, at such places and days as said secretary may direct; and that no foreign officer shall be entitled to said pay, nor shall any officer or soldier receive the same, until he furnish to said secretary satisfactory evidence that he is entitled to the same in conformity to the provisions of this act; and the pay allowed by this act shall not, in any way, be transferable or liable to attachment, levy, or seizure, by any legal process whatever, but shall inure wholly to the personal benefit of the officer or soldier entitled to the same by this act.

said pay as accrued by the provisions of this act before March 3, 1828, to be paid to officers, &c.

SEC. 5. *And be it further enacted*, That so much of said pay, as accrued by the provisions of this act, before the third day of March, eighteen hundred and twenty-eight, shall be paid to the officers and soldiers entitled to the same, as soon as may be, in the manner and under the provisions before mentioned; and the pay which shall accrue after said day, shall be paid semi-annually, in like manner, and under the same provisions.

APPROVED, May 15, 1828.

#### STATUTE I.

May 19, 1828.

[Repealed.]

After Sept. 1, 1828, there shall be levied the following duties:

On iron, in bars, or bolts, not manufactured.

On bar and bolt iron, made wholly, or in part, by rolling. Proviso.

On iron in pigs.

#### CHAP. LV.—*An Act in alteration of the several acts imposing duties on imports.*(a)

*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 September, one thousand eight hundred and twenty-eight, in lieu of the duties now imposed by law, on the importation of the articles hereinafter mentioned, there shall be levied, collected, and paid, the following duties; that is to say:

*First.* On iron in bars or bolts, not manufactured, in whole or in part, by rolling, one cent per pound.

*Second.* On bar and bolt iron, made wholly, or in part, by rolling, thirty-seven dollars per ton: *Provided*, That all iron in slabs, blooms, loops, or other form, less finished than iron in bars or bolts, except pigs or cast iron, shall be rated as rolled iron in bars or bolts, and pay a duty accordingly.

*Third.* On iron, in pigs, sixty-two and one half cents per one hundred and twelve pounds.

(a) An act to alter and amend the several acts imposing duties on imports, July 14, 1832, ch. 227.

An act to modify the act of the fourteenth of July, 1832, and other acts imposing duties on imports, March 2, 1833, ch. 55.

An act to provide revenue from imports, and to change and modify the laws imposing duties on imports, and for other purposes, Aug. 30, 1842, ch. 270.

*Fourth.* On iron or steel wire, not exceeding number fourteen, six cents per pound, and over number fourteen, ten cents per pound.

On iron, or steel wire.

*Fifth.* On round iron, or brazier's rods, of three sixteenths to eight sixteenths of an inch diameter, inclusive; and on iron in nail or spike rods, slit or rolled; and on iron in sheets, and hoop iron and on iron slit or rolled for band iron, scroll iron, or casement rods, three and one half cents per pound.

On round iron, or brazier's rods.

*Sixth.* On axes, adzes, drawing knives, cutting knives, sickels, or reaping hooks, scythes, spades, shovels, squares, of iron or steel, bridle bits of all descriptions, steelyards and scale beams, socket chisels, vices, and screws of iron for wood, called wood screws, ten per cent. ad valorem, in addition to the present rates of duty.

On axes, adzes, &c.

*Seventh.* On steel, one dollar and fifty cents per one hundred and twelve pounds.

On steel.

*Eighth.* On lead, in pigs, bars, or sheets, three cents per pound; on leaden shot, four cents per pound; on red or white lead, dry or ground in oil, five cents per pound; on litharge, orange mineral, lead manufactured into pipes, and sugar of lead, five cents per pound.

On lead, in pigs or sheets.

SEC. 2. *And be it further enacted,* That, from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, in lieu of those now imposed by law.

After June 30, 1828, there be collected, &c. the following duties:

*First.* On wool unmanufactured, four cents per pound; and also, in addition thereto, forty per cent. ad valorem, until the thirtieth day of June, one thousand eight hundred and twenty-nine; from which time an additional ad valorem duty of five per cent. shall be imposed, annually until the whole of said ad valorem duty shall amount to fifty per cent. And all wool imported on the skin, shall be estimated as to weight and value, and shall pay the same rate of duty as other imported wool.

On wool unmanufactured. Wool imported.

*Second.* On manufactures of wool, or of which wool shall be a component part, (except carpetings, blankets, worsted stuff goods, bombazines, hosiery, mits, gloves, caps, and bindings,) the actual value of which, at the place whence imported, shall not exceed fifty cents the square yard, shall be deemed to have cost fifty cents the square yard and be charged thereon with a duty of forty per centum ad valorem, until the thirtieth day of June, eighteen hundred and twenty-nine, and from that time a duty of forty-five per centum ad valorem: *Provided,* That on all manufactures of wool, except flannels and baizes, the actual value of which, at the place whence imported, shall not exceed thirty-three and one third cents per square yard, shall pay fourteen cents per square yard.

On manufactures of wool, or of which wool shall be a component part, except carpetings, &c. Proviso: on all manufactures of wool, except, &c.

*Third.* On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, the actual value of which, at the place whence imported, shall exceed fifty cents the square yard, and shall not exceed one dollar the square yard, shall be deemed to have cost one dollar the square yard, and be charged thereon with a duty of forty per centum ad valorem, until the thirtieth day of June, eighteen hundred and twenty-nine, and from that time a duty of forty-five per centum ad valorem.

On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, to exceed fifty cents the square yard.

*Fourth.* On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, the actual value of which, at the place whence imported, shall exceed one dollar the square yard, and shall not exceed two dollars and fifty cents the square yard, shall be deemed to have cost two dollars and fifty cents the square yard, and be charged with a duty thereon of forty per centum ad valorem, until the thirtieth day of June, eighteen hundred and twenty-nine, and from that time a duty of forty-five per centum ad valorem.

On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, not to exceed 2 dollars and 50 cents the square yard, shall be deemed, &c.

*Fifth.* All manufactures of wool, or of which wool shall be a component part, except as aforesaid, the actual value of which, at the place

Fifth. whence imported, shall exceed two dollars and fifty cents the square yard, and shall not exceed four dollars the square yard, shall be deemed to have cost, at the place whence imported, four dollars the square yard, and a duty of forty per cent. ad valorem, shall be levied, collected, and paid, on such valuation, until the thirtieth day of June, one thousand eight hundred and twenty-nine, and from that time a duty of forty-five per centum ad valorem.

Sixth. *Sixth.* On all manufactures of wool, or of which wool shall be a component part, except as aforesaid, the actual value of which, at the place whence imported, shall exceed four dollars the square yard, there shall be levied, collected, and paid, a duty of forty-five per cent. ad valorem, until the thirtieth day of June, one thousand eight hundred and twenty-nine, and from that time a duty of fifty per centum ad valorem.

Seventh. *Seventh.* On woollen blankets, hosiery, mits, gloves, and bindings, thirty-five per cent. ad valorem. On clothing ready made, fifty per centum ad valorem.

Eighth. *Eighth.* On Brussels, Turkey and Wilton carpets and carpetings, seventy cents per square yard. On all venetian and ingrin [ingrain] carpets or carpeting, forty cents per square yard. On all other kinds of carpets and carpeting, of wool, flax, hemp, or cotton, or parts of either, thirty-two cents per square yard. On all patent printed or painted floor cloths, fifty cents per square yard. On oil cloth other than that usually denominated patent floor cloth, twenty-five cents per square yard. On furniture oil cloth, fifteen cents per square yard. On floor matting made of flags or other materials, fifteen cents per square yard.

After June 30, 1828, there shall be collected, &c., on the importation of the following articles, certain duties.

On unmanufactured hemp.

SEC. 3. *And be it further enacted,* That from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, there shall be levied, collected, and paid on the importation of the following articles, in lieu of the duty now imposed by law :

*First.* On unmanufactured hemp, forty-five dollars per ton, until the thirtieth day of June, one thousand eight hundred and twenty-nine, from which time, five dollars per ton in addition, per annum, until the duty shall amount to sixty dollars per ton. On cotton bagging, four and a half cents per square yard, until the thirtieth day of June, one thousand eight hundred and twenty-nine, and afterwards a duty of five cents per square yard.

On unmanufactured flax.

*Second.* On unmanufactured flax, thirty-five dollars per ton, until the thirtieth day of June, one thousand eight hundred and twenty-nine, from which time an additional duty of five dollars per ton, per annum, until the duty shall amount to sixty dollars per ton.

On sail duck.

*Third.* On sail duck, nine cents per square yard ; and, in addition thereto, one half cent yearly, until the same shall amount to twelve and a half cents per square yard.

On molasses.

*Fourth.* On molasses, ten cents per gallon.

On all imported distilled liquors.

*Fifth.* On all imported distilled spirits, fifteen cents per gallon, in addition to the duty now imposed by law.

On all manufactures of silk, &c.

*Sixth.* On all manufactures of silk, or of which silk shall be a component material, coming from beyond the Cape of Good Hope, a duty of thirty per centum ad valorem ; the additional duty of five per centum to take effect from and after the thirtieth day of June, one thousand eight hundred and twenty-nine ; and on all other manufactures of silk, or of which silk shall be a component material, twenty per centum ad valorem.

On indigo.

On indigo, an additional duty of five cents the pound, from the thirtieth day of June, one thousand eight hundred and twenty-nine, until the thirtieth day of June, one thousand eight hundred and thirty, and from that time an additional duty of ten cents each year, until the whole duty shall amount to fifty cents per pound.

After June 30, 1828, no

SEC. 4. *And be it further enacted,* That, from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, no drawback of

duty shall be allowed on the exportation of any spirit, distilled in the United States, from molasses; no drawback shall be allowed on any quantity of sail duck, less than fifty bolts, exported in one ship or vessel, at any one time.

drawback of duty shall be allowed on the exportation of any spirits, &c.

SEC. 5. *And be it further enacted*, That, from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, there shall be levied, collected, and paid, in lieu of the duties now imposed by law, on window glass, of the sizes above ten inches by fifteen inches, five dollars for one hundred square feet: *Provided*, That all window glass imported in plates or sheets, uncut, shall be chargeable with the same rate of duty. On vials and bottles not exceeding the capacity of six ounces each, one dollar and seventy-five cents per groce.

After June, 30, 1823, on window glasses of certain sizes.

Proviso: all window glass imported.

SEC. 6. *And be it further enacted*, That from and after the thirtieth day of June, one thousand eight hundred and twenty-eight, there shall be levied, collected, and paid, in lieu of the duties now imposed by law, on all imported roofing slates, not exceeding twelve inches in length, by six inches in width, four dollars per ton; on all such slates exceeding twelve, and not exceeding fourteen inches in length, five dollars per ton; on all slates exceeding fourteen, and not exceeding sixteen inches in length, six dollars per ton; on all slates exceeding sixteen inches, and not exceeding eighteen inches in length, seven dollars per ton; on all slates exceeding eighteen, and not exceeding twenty inches in length, eight dollars per ton; on slates exceeding twenty inches and not exceeding twenty-four inches in length, nine dollars per ton; and on all slates exceeding twenty-four inches in length, ten dollars per ton. And that, in lieu of the present duties, there be levied, collected, and paid, a duty of thirty-three and a third per centum, ad valorem, on all imported ciphering slates.

On all imported roofing slates.

On ciphering slates.

SEC. 7. *And be it further enacted*, That all cotton cloths whatsoever, or cloths of which cotton shall be a component material, excepting nankeens, imported direct from China, the original cost of which, at the place whence imported, with the addition of twenty per cent. if imported from the Cape of Good Hope, or from any place beyond it, and of ten per cent. if imported from any other place, shall be less than thirty-five cents the square yard, shall, with such addition, be taken and deemed to have cost thirty-five cents the square yard, and charged with duty accordingly.

On cotton cloths, excepting nankeens, imported direct from China, &c.

SEC. 8. *And be it further enacted*, That, in all cases where the duty which now is, or hereafter may be, imposed, on any goods, wares, or merchandises, imported into the United States, shall, by law, be regulated by, or be directed to be estimated or levied upon the value of the square yard, or of any other quantity or parcel thereof; and in all cases where there is or shall be imposed any ad valorem rate of duty on any goods, wares, or merchandises, imported into the United States, it shall be the duty of the collector within whose district the same shall be imported or entered, to cause the actual value thereof, at the time purchased, and place from which the same shall have been imported into the United States, to be appraised, estimated, and ascertained, and the number of such yards, parcels, or quantities, and such actual value of every of them, as the case may require: And it shall, in every such case, be the duty of the appraisers of the United States, and of every of them, and of every other person who shall act as such appraiser, by all the reasonable ways and means in his or their power, to ascertain, estimate, and appraise the true and actual value, any invoice or affidavit thereto, to the contrary notwithstanding, of the said goods, wares, and merchandise, at the time purchased, and place from whence the same shall have been imported into the United States, and the number of such yards, parcels, or quantities, and such actual value of every of them, as the case may require; and all such goods, wares, and merchandises, being manufactures of

In all cases where the duty now is, or hereafter may be, imposed on any goods, &c.

wool, or whereof wool shall be a component part, which shall be imported into the United States in an unfinished condition, shall, in every such appraisal, be taken, deemed, and estimated by the said appraisers, and every of them, and every person who shall act as such appraiser, to have been, at the time purchased, and place from whence the same were imported into the United States, of as great actual value as if the same had been entirely finished. And to the value of the said goods, wares, and merchandise, so ascertained, there shall, in all cases where the same are or shall be charged with an ad valorem duty, be added all charges, except insurance, and also twenty per centum on the said actual value and charges, if imported from the Cape of Good Hope, or any place beyond the same, or from beyond Cape Horn; or ten per centum if from any other place or country: and the said ad valorem rates of duty shall be estimated on such aggregate amount, any thing in any act to the contrary notwithstanding: *Provided*, That, in all cases where any goods, wares, or merchandise, subject to ad valorem duty, or whereon the duty is or shall be by law regulated by, or be directed to be estimated or levied upon the value of the square yard, or any other quantity or parcel thereof, shall have been imported into the United States from a country other than that in which the same were manufactured or produced, the appraisers shall value the same at the current value thereof, at the time of purchase before such last exportation to the United States, in the country where the same may have been originally manufactured or produced.

Appraisal-  
ment.

Proviso.

In cases where the actual value to be appraised of any goods, &c. imported into the United States, and subject to ad valorem duty.

Proviso.

1799, ch. 22.  
1823, ch. 21.

Duty of the  
Secretary of the  
Treasury.

Sec. 9. *And be it further enacted*, That, in all cases where the actual value to be appraised, estimated, and ascertained, as hereinbefore stated, of any goods, wares, or 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, by ten per centum, exceed the invoice value thereof, in addition to the duty imposed by law on the same, if they had been invoiced at their real value, as aforesaid, there shall be levied and collected, on the same goods, wares, and merchandise, fifty per centum of the duty so imposed on the same goods, wares, and merchandise, when fairly invoiced: *Provided, always*, That nothing in this section contained shall be construed to impose the said last-mentioned duty of fifty per centum, for a variance between the bona fide invoice of goods produced in the manner specified in the proviso to the eighth section of this act, and the current value of the said merchandise in the country where the same may have been originally manufactured or produced: *And, further*, That the penalty of fifty per centum, imposed by the thirteenth section of the act, entitled "An act supplementary to, and to amend the act, entitled 'An act to regulate the collection of duties on imports and tonnage, passed the second day of March, one thousand seven hundred and ninety-nine, and for other purposes,'" approved March first, one thousand eight hundred and twenty-three, shall not be deemed to apply or attach to any goods, wares, or merchandise, which shall be subject to the additional duty of fifty per centum, as aforesaid, imposed by this section of this act.

Sec. 10. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, under the direction of the President of the United States, from time to time, to establish such rules and regulations, not inconsistent with the laws of the United States, as the President of the United States shall think proper, 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 value thereof, and of the square yards, parcels, or other quantities thereof, as the case may require, and of such actual value of every of them: And it shall be the duty of the Secretary of the Treasury to report all such



rules and regulations, with the reasons therefor, to the then next session of Congress.

APPROVED, May 19, 1828.

STATUTE I.

May 19, 1828.

[Obsolete.]

CHAP. LVI.—*An Act making appropriations for the improvement of certain harbours, the completion of the Cumberland road to Zanesville, the securing the lighthouse on the Brandywine Shoal, and the making of surveys.*

*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 wit :

For the completion of the Cumberland road, continued to Zanesville, in the state of Ohio, one hundred and seventy-five thousand dollars : (a) which said sum of money shall be replaced out of the fund reserved, for laying out and making roads, under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, Illinois, and Missouri into the Union, on an equal footing with the original states.

Completion of Cumberland road, &c.

To complete the removal of obstructions at the mouth of Grand river, in the state of Ohio, nine thousand one hundred and thirty-five dollars and eleven cents.

Removal of obstructions from Grand river.

To complete the removal of obstructions at the mouth of Huron river, in the state of Ohio, four thousand four hundred and thirteen dollars and thirty-five cents.

Removal of obstructions from Huron river.

To complete the erection of piers, at the mouth of Dunkirk harbour, in the state of New York, six thousand dollars.

Piers at Dunkirk harbour.

To complete the construction of the road from Detroit to Maumee, five thousand nine hundred dollars.

A road from Detroit to Maumee.

To continue the road from Detroit to Chicago, as far as the boundary line of the state of Indiana, eight thousand dollars.

Road from Detroit to Chicago.

To pay a balance due the commissioners for laying out a road from Detroit to Saganaw river and bay, and a road from Detroit to Fort Gratiot, in the territory of Michigan, three hundred and two dollars and sixty-nine cents.

A balance due for laying out a road, &c.

To complete the building of two piers at the mouth of Oswego harbour, in the state of New York, authorized by an act of Congress, approved the twentieth [second] of March last, entitled "An act to authorize the improving of certain harbours, the building of piers, and for other purposes," nine thousand five hundred and eighty-three dollars and thirty-nine cents.(b)

Two piers at the mouth of Oswego harbour.

Act of March 2, 1827, ch. 46.

For deepening the channel of entrance, into the harbour of Presque Isle, six thousand two hundred and twenty-three dollars and eighteen cents.

Deepening the channel near Presque Isle.

For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, two thousand four hundred and three dollars and fifty cents.

Removal of obstructions in Ashtabula creek, Ohio.

For completing the removal of obstructions at the mouth of Cunningham creek, Ohio, one thousand five hundred and seventeen dollars and seventy-six cents.

Removal of obstructions in Cunningham creek, Ohio.

For removing obstructions to the navigation of Kennebec river, at Lovejoy's Narrows, by removing the half tide and other rocks, in addition to the appropriation of last session, three thousand five hundred dollars.

Removing obstructions in Kennebec river.

For preserving and securing the lighthouse on the Brandywine Shoal, in the bay of Delaware, ten thousand dollars.

Lighthouse on Brandywine shoal.

For defraying the expenses incidental to making examinations and surveys, under the act of thirtieth April, one thousand eight hundred and

Incidental expenses, &c.

(a) Notes of the acts which have passed relating to the Cumberland road, vol. ii. 357.

(b) This act was passed on the 2d March, 1827.

Act of April 30, 1824, ch. 46.

Proviso.

Complete a pier at Buffalo.

To be paid out of any money in the treasury.

twenty-four, thirty thousand dollars: *Provided*, That this appropriation shall not be construed into a legislative sanction of any examination or survey which shall not be deemed of national importance, and within the provisions of the aforesaid act of the thirtieth April, one thousand eight hundred and twenty-four.

To complete a pier adjacent to a pier at Buffalo, in the state of New York, thirty-four thousand two hundred and six dollars.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 19, 1828.

STATUTE I.

May 19, 1828.

CHAP. LVII.—*An Act for the punishment of contraventions of the fifth article of the treaty between the United States and Russia.*

Any one, a citizen of the United States or trading under their authority by virtue of 5th article of treaty with Russia, of April 17, 1824, not permitted to sell to the natives on the north-west coast of America, &c., spirituous liquors.

Superior jurisdiction extended to the superior and circuit courts, in each of the territorial districts, in criminal cases.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That if any one, being a citizen of the United States, or trading under their authority, shall, in contravention of the stipulations entered into by the United States with the Emperor of all the Russias, by the fifth article of the treaty, signed at St. Petersburg, on the seventeenth day of April, in the year of our Lord one thousand eight hundred and twenty-four, sell, or cause to be sold, to the natives of the country on the north-west coast of America, or any of the islands adjacent thereto, any spirituous liquors, fire arms, or other arms, powder or munitions of war of any kind, the person so offending shall be fined in a sum not less than fifty nor more than two hundred dollars, or imprisoned not less than thirty days, nor more than six months.

SEC. 2. *And be it further enacted*, That the superior courts in each of the territorial districts, and the circuit courts and other courts of the United States, of similar jurisdiction in criminal causes, in each district of the United States, in which any offender against this act shall be first apprehended or brought for trial, shall have, and are hereby invested with, full power and authority to hear, try and punish, all crimes, offences and misdemeanors, against this act; such courts proceeding therein in the same manner as if such crimes, offences and misdemeanors, had been committed within the bounds of their respective districts.

APPROVED, May 19, 1828.

STATUTE I.

May 19, 1828.

CHAP. LVIII.—*An Act to authorize the President of the United States to run and mark a line, dividing the territory of Arkansas from the state of Louisiana. (a)*

President of United States to cause to be run, &c., the line dividing the territory of Arkansas, from the state of Louisiana.

Commissioner to be appointed.

Proviso.

*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 of America be, and he is hereby, authorized, in conjunction with the constituted authorities of the state of Louisiana, to cause to be run, and distinctly marked, the line dividing the territory of Arkansas from the state of Louisiana; commencing on the right bank of the Mississippi river, at latitude thirty-three degrees north, and running due west on that parallel of latitude, to where a line running due north from latitude thirty-two degrees north, on the Sabine river, will intersect the same. And, for that purpose, he is hereby authorized, to appoint a commissioner, or surveyor, or both, as in his opinion may be necessary: *Provided*, The compensation to be allowed to the person or

(a) See notes of the acts relating to the territory afterwards the state of Arkansas, vol. iii. 493.

persons so to be appointed by the President of the United States, shall not exceed in amount the compensation allowed by the government of Louisiana to the person or persons appointed, on its part, for the same object.

SEC. 2. *And be it further enacted*, That the person or persons, so to be appointed by the President of the United States, with such as have been or shall be appointed for the same purpose, on the part of the state of Louisiana, after they, in conjunction, shall have run, and distinctly marked said line, shall make two fair drafts, or maps thereof, both of which shall be certified by them, and one of which shall be deposited in the office of the Secretary of State for the United States, and the other delivered to the governor of Louisiana.

SEC. 3. *And be it further enacted*, That, for the purpose of carrying this act into execution, the sum of one thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, May 19, 1828.

Person appointed to make two fair certified drafts, one of which shall be deposited in the Secretary of State's office, and the other with the governor of Louisiana.

1000 dollars appropriated.

STATUTE I.

CHAP. LIX.—*An Act concerning the orphans' court of Alexandria county, in the District of Columbia.*

May 19, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in addition to the regular monthly sessions of the orphans' court of Alexandria county, in the district aforesaid, as now authorized by law, that the judge of the aforesaid court be, and he is hereby, authorized and empowered, to hold extra sessions thereof, whenever the public interest may require it.

Judge authorized to hold extra sessions.

SEC. 2. *And be it further enacted*, That in lieu of the per diem allowance of six dollars, as now established by law, that he be allowed a fixed salary of five hundred dollars per annum, payable in the same manner as heretofore the per diem allowance has been, any law to the contrary notwithstanding.

To receive in lieu of per diem allowance of six dollars, a fixed salary of 500 dollars per annum.

SEC. 3. *And be it further enacted*, That this law shall be in force from and after the passing of the same.

Law to be in force after the passing of the same.

APPROVED, May 19, 1828.

STATUTE I.

CHAP. LX.—*An Act to reduce the duty on Greek and Latin books, printed previous to the year one thousand seven hundred and seventy-five.*

May 19, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act, entitled "An act to amend the several acts imposing duties on imports," passed twenty-second of May, one thousand eight hundred and twenty-four, shall not be construed to impose upon books printed in Greek and Latin, which the importer shall make it satisfactorily appear to the collector of the port at which the same shall be entered, were printed previous to the year one thousand seven hundred and seventy-five, a higher duty than four cents per volume.

Duty on Greek and Latin books printed previous to 1775, not to be imposed in certain cases. Act of May 22, 1824, ch. 136.

APPROVED, May 19, 1828.

STATUTE I.

CHAP. LXVII.—*An Act to continue the mint at the city of Philadelphia, and for other purposes.* (a)

May 19, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act, entitled "An act

Act of March, 3, 1801, ch. 21.

(a) See notes of acts relating to the mint, and to coins of the United States, vol. i. 246.

concerning the mint," approved March the third, one thousand eight hundred and one, be, and the same hereby is, revived and continued in force and operation, until otherwise provided by law.

For purpose of securing a due conformity, the brass troy weight procured in 1827 shall be the standard troy pound.  
1792, ch. 16.

SEC. 2. *And be it further enacted*, That, for the purpose of securing a due conformity in weight of the coins of the United States, to the provisions of the ninth section of the act, passed the second of April, one thousand seven hundred and ninety-two, entitled "An act establishing a mint, and regulating the coins of the United States," the brass troy pound weight procured by the minister of the United States at London, in the year one thousand eight hundred and twenty-seven, for the use of the mint, and now in the custody of the director thereof, shall be the standard troy pound of the mint of the United States, conformably to which the coinage thereof shall be regulated.

A series of weights corresponding to the aforesaid troy pound weight, to be procured.

SEC. 3. *And be it further enacted*, That it shall be the duty of the director of the mint to procure, and safely to keep a series of standard weights, corresponding to the aforesaid troy pound, consisting of an one pound weight, and the requisite subdivisions and multiples thereof, from the hundredth part of a grain to twenty-five pounds; and that the troy weights ordinarily employed in the transactions of the mint, shall be regulated according to the above standards, at least once in every year, under his inspection; and their accuracy tested annually in the presence of the assay commissioners, on the day of the annual assay.

When silver bullion is found to require the operation of the test.

SEC. 4. *And be it further enacted*, That, when silver bullion, brought to the mint for coinage, is found to require the operation of the test, the expense of the materials employed in the process, together with a reasonable allowance for the wastage necessarily arising therefrom, to be determined by the melter and refiner of the mint, with the approbation of the director, shall be retained from such deposit, and accounted for by the treasurer of the mint to the treasury of the United States.

Silver bullion found to contain a proportion of gold.  
Proviso.

SEC. 5. *And be it further enacted*, That, when silver bullion, brought to the mint for coinage, shall be found to contain a proportion of gold, the separation thereof shall be effected at the expense of the party interested therein: *Provided, nevertheless*, That, when the proportion of gold is such that it cannot be separated advantageously, it shall be lawful, with the consent of the owner, or, in his absence, at the discretion of the director, to coin the same as an ordinary deposit of silver.

Director of the mint may employ the requisite number of clerks.

SEC. 6. *And be it further enacted*, That the director of the mint may employ the requisite number of clerks, at a compensation not exceeding in the whole the sum of seventeen hundred dollars, and such number of workmen and assistants as the business of the mint shall, from time to time, require.

Director of the mint to receive and cause to be assayed bullion not intended for coinage, &c.

SEC. 7. *And be it further enacted*, That it shall be lawful for the director of the mint to receive, and cause to be assayed, bullion not intended for coinage, and to cause certificates to be given of the fineness thereof by such officer as he shall designate for that purpose, at such rates of charge, to be paid by the owner of said bullion, and under such regulations, as the said director may, from time to time, establish.

Act of Jan. 18, 1837, ch. 3, sec. 14.

APPROVED, May 19, 1828.

#### STATUTE I.

May 19, 1828.

CHAP. LXVIII.—*An Act further to regulate processes in the courts of the United States. (a)*

Act of March 3, 1821, ch. 51.  
Forms of

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

(a) In addition to the notes of the decisions of the courts of the United States on the subject of process and proceeding in vol. i. 93, the following cases are referred to:

The legislature of a state cannot suspend process in the courts of the United States, as to its citizens. *Babcock v. Weston*, 1 Gallis. C. C. R. 168.

cess, except the style, and the forms and modes of proceeding in suits in the courts of the United States, held in those states admitted into the Union since the twenty-ninth day of September, in the year seventeen hundred and eighty-nine, in those of common law, shall be the same in mesne process, except the style, and the forms and modes of pro-

It is not a contempt of court to serve a person with a summons, while attending at the place where the court is held, as a party in a cause, or as a witness. It is a contempt of court to serve process, either of summons or capias, in the actual or constructive presence of the court. *Blight's Ex'rs v. Ashley*, 1 Peters' C. C. R. 41.

Attachments for the non-attendance of a witness, on a subpoena, must be served by the marshal of the court; although the persons against whom the process is issued, reside in a distant county. *United States v. Montgomery*, circuit court of the United States, 2 Dall. 33.

An attachment is the usual process to bring a party into court, where he has not made a true return: and if he is present in court, no such process is necessary; but the court may pass an order directing him, immediately, to answer interrogatories. *United States v. Greene*, 3 Mason's C. C. R. 482.

Attachments may issue out of the admiralty courts of the United States, against the goods or debts of an absent person, so as to make him a party to the suit. *Bouysson et al. v. Miller et al.*, *Bee's Adm. Decis.* 186.

The admiralty may issue process of attachment to compel an appearance in cases of maritime torts, as well as in cases of contract. *Manro v. Almeida*, 10 Wheat. 473; 6 Cond. Rep. 190.

An admiralty court has jurisdiction to proceed by attachment in rem for a tort. *The Candalero*, *Bee's Adm. Decis.* 60.

The process of attachment may issue whenever the defendant has concealed himself, or has absconded from the country, and the goods to be attached are within the jurisdiction of the court of admiralty. It may issue against his goods and chattels, and against his credits and effects, in the hands of third persons. *Manro v. Almeida*, 10 Wheat. 473; 6 Cond. Rep. 190.

It seems that an attachment cannot issue without an express order of the judge, but it may be issued simultaneously with the monition; and where the attachment issued in this manner, and in pursuance of the prayer of the libel, the Supreme Court will presume that it was regularly issued. *Ibid.*

The act for regulating processes in the courts of the United States, provides that the forms and modes of proceeding in courts of equity, and in those of admiralty and maritime jurisdiction, shall be according to the principles, rules and usages which belong to courts of equity, and to courts of admiralty, respectively, as contradistinguished from courts of common law, subject, however, to alterations by the courts, &c. This act has been generally understood to adopt the principles, rules and usages of the court of chancery of England. *Hinde v. Vattier*, 5 Peters, 398.

Process of foreign attachment cannot be properly issued by the circuit courts of the United States, in cases where the defendant is domiciled abroad, or not found within the district in which the process issues, so that it cannot be served upon him. *Toland v. Sprague*, 12 Peters, 300.

By the general provisions of the laws of the United States: 1. The circuit courts can issue no process beyond the limits of their districts. 2. Independently of positive legislation, the process can only be served upon persons within the same districts. 3. The acts of Congress adopting the state process, adopt the form and modes of service only, so far as the persons are rightfully within the reach of such process; and did not intend to enlarge the sphere of the jurisdiction of the circuit courts. 4. The right to attach property to compel the appearance of persons, can properly be used only in cases in which such persons are amenable to the process of the circuit court, in personam; that is, where they are inhabitants, or found within the United States; and not where they are aliens, or citizens resident abroad, at the commencement of the suit, and have no inhabitancy here. *Ibid.*

In the case of a person being amenable to process, in personam, an attachment against his property cannot be issued against him, except as a part of, or together with process to be served upon his person. *Ibid.*

The circuit and district courts of the United States cannot, either in suits at common law or equity, send their process into another district, except where specially authorized so to do, by some act of Congress. *Ex parte Graham*, 3 Wash. C. C. R. 456.

The marshal may have an attachment to enforce the payment of his fees of office, against suitors in the court. *Anonymous*, 2 Gallis. C. C. R. 101.

The court will not dictate to the marshal, what return he shall make to process in his hands. He must make his return at his peril, and any person injured by it, may have his legal remedy for such return. *Wortman v. Conyngham*, Peters' C. C. R. 241.

Congress has, by the constitution, exclusive authority to regulate proceedings in the courts of the United States; and the states have no authority to control those proceedings; except so far as the state process acts are adopted by Congress, or by the courts of the United States, under the authority of Congress. *Wayman v. Southard*, 10 Wheat. 1; 6 Cond. Rep. 1.

The 14th section of the judiciary act of 1789, ch. 20, authorizes the courts of the United States to issue writs of execution, as well as other writs. *Ibid.*

The 34th section of the judiciary act of 1789, ch. 20, does not apply to the process and practice of the courts. It merely furnishes a rule of decision, and is not intended to regulate the remedy. *Ibid.*

The process act of 1792, ch. 137, is the law which regulates executions issuing from the courts of the United States: and it adopts the practice of the supreme courts of the states, in 1789, as the rule for governing proceedings on such executions, subject to such alterations as the courts of the United States may make, but not subject to the alterations which have since taken place in the state laws and practice. *Ibid.*

The statutes of Kentucky concerning executions, which require the plaintiff to endorse on the execution, that bank notes of the Bank of Kentucky, or notes of the Bank of the Commonwealth of Kentucky, will be received in payment, and on his refusal, authorize the defendant to give a replevin bond for the debt, payable in two years, are not applicable to executions issued on judgments rendered by the courts of the United States. *Ibid.*

ceeding in suits  
in courts of  
United States  
admitted into  
the Union

each of the said states, respectively, as are now used in the highest court, of original and general jurisdiction of the same, in proceedings in equity, according to the principles, rules, and usages, which belong to courts of equity, and in those of admiralty and maritime jurisdiction, according to

The laws of the United States authorize the courts of the Union so to alter the form of the process of execution used in the supreme courts of the states in 1789, as to subject to execution, issuing out of the federal courts, lands and other property not thus subject by the state laws in force at that time. *Bank of the United States v. Halstead*, 10 Wheat. 51; 6 Cond. Rep. 22.

A subpoena duces tecum may issue to the President of the United States. 1 Burr's Trial, 183.

A party cannot be arrested in Pennsylvania, on an attachment from the circuit court in Rhode Island, for contempt, in not appearing in that court after a monition served upon him in Pennsylvania, to answer in a prize cause depending in the court in Rhode Island. *Ex parte Graham*, 3 Wash. C. C. R. 456.

A writ of error does not lie to an order of the court below to stay the proceedings finally, upon suggestion of the attorney of the United States, in a case to which the United States are not parties; but the court will award a mandamus nisi, in the nature of a procedendo. *Livingston v. Dorgenois*, 7 Cranch, 577; 2 Cond. Rep. 618.

The marshal of the District of Columbia is bound to serve a subpoena in chancery, as soon as he reasonably can; and he will, in case of neglect, be answerable to the plaintiff, who has, in consequence of such neglect, sustained any loss. *Kennedy v. Brent*, 6 Cranch, 187; 2 Cond. Rep. 345.

On a *capias*, in *assumpsit* against three, and one arrested, who gives bail, and non est inventus as to the others, if the party files his declaration and proceeds against the one arrested, he cannot afterwards bring in the others by alias *capias*, and make them parties to the suit. *United States v. Parker*, 2 Dall. 373.

An alias *capias* must be tested, as of the term to which the original writ was returned. *Ibid.*

A term cannot intervene between the teste and return of a writ of error. *Hamilton v. Moore*, 3 Dall. 371; 1 Cond. Rep. 168.

If the defendant below intermarries after the judgment, and before the service of the writ of error, the service of the citation upon the husband will be sufficient. *Fairfax's Ex'rs v. Fairfax*, 5 Cranch, 19; 2 Cond. Rep. 178.

There is no act of Congress which authorizes a circuit court to issue a compulsory process to the district court for the removal of a cause from that jurisdiction before a final judgment or decree is pronounced. If a *certiorari* should issue in such a case, the district court may and ought to refuse obedience to the writ: and after the cause is thus removed, either party may move for a *procedendo*, or pursue the cause in the district court, in like manner as if the record had not been removed. But, if instead of taking advantage of this irregularity, the defendant enter his appearance in the circuit court, take defence and plead to issue, it is too late after verdict to object to the irregularity. The cause will be considered as an original one in the circuit court, made so by consent of parties, even though no declaration *de novo* should be filed in the circuit court. *Patterson v. The United States*, 2 Wheat. 221; 4 Cond. Rep. 98.

Whenever, by the state laws in force in 1789, a *capias* might issue from a state court, the acts of 1789 and 1792, extending, in terms, to that species of writ, must be understood to have adopted its use permanently in the federal courts. *United States v. January*, 10 Wheat. 66. In a note.

At an early period after the organization of the federal courts, the rules of practice in force in the state courts, which were similar to the English practice, were adopted by the judges of the circuit court. A subsequent change in the practice of the state courts, will not authorize a departure from the rules adopted in the circuit court. *Anonymous*, Peters' C. C. R. 1.

Whenever, by the laws of the United States, a defendant is to be arrested, the process of arrest employed in the state, shall be pursued. 2 Burr's Trial, 481.

Upon executing a writ of inquiry, in Virginia, in an action of *assumpsit* upon a promissory note, it is necessary to produce a note, corresponding with that stated in the declaration; but it is not necessary to prove the note. *Sheehy v. Mandeville*, 7 Cranch, 208; 2 Cond. Rep. 476.

A party charged with a crime, even before indictment found, may have compulsory process for his witnesses. But his omitting to avail himself of this right is not such negligence as will deprive him of the benefit of having his cause postponed, if his witnesses be absent; but it will justify the court in imposing terms on him. *United States v. Moore*, Wallace's C. C. R. 23.

The process act of Congress, of 1828, was passed shortly after the decision of the Supreme Court of the United States, in the case of *Wayman v. Southard*, and the *Bank of the United States v. Halsted*, and was intended as a legislative sanction of the opinions of the court in those cases. The power given to the courts of the United States, by this act, to make rules and regulations on final process, so as to conform the same to the laws of the states on the same subject, extends to future legislation; and as well to the modes of proceedings on executions, as to the forms of writs. *Ross & King v. Duval et al.*, 13 Peters, 45.

All proceedings for attachments are on the civil side of the courts, and are to be entitled with the names of the parties, until an attachment issues; after which they are on the criminal side. *United States v. Wayne*, Wallace's C. C. R. 134.

The courts of chancery of the United States will, under circumstances, order a commission of rebellion, to be returnable forthwith. *Ibid.*

The judiciary act of 1789, ch. 20, does not contemplate compulsive process against any person in any district, unless he be an inhabitant of, or found within, the same district at the time of serving the writ. *Piequet v. Swan*, 5 Mason's C. C. R. 35.

The act of Massachusetts of 1797, ch. 50, prescribing the modes of serving process, does not apply to a case where the defendant has been an inhabitant, but at the time of the suit brought has his actual domicile in another state or country. *Ibid.*

Under the statute of Massachusetts of 1823, ch. 142, giving relief against fraud to secure attaching creditors, it is not necessary that the second attachment should be returnable to the same term of the

the principles, rules, and usages, which belong to courts of admiralty, as contradistinguished from courts of common law, except so far as may have been otherwise provided for by acts of Congress; subject, however, to such alterations and additions, as the said courts of the United States respectively shall, in their discretion, deem expedient, or to such regulations as the Supreme Court of the United States shall think proper, from time to time, by rules, to prescribe to any circuit or district court concerning the same.

since 29th Sept. 1829.

Subject, however, to such alterations, &c.

SEC. 2. *And be it further enacted*, That, in any one of the United States, where judgments are a lien upon the property of the defendant, and where, by the laws of such state, defendants are entitled in the courts thereof, to an imparlance of one term or more, defendants, in actions in the courts of the United States, holden in such state, shall be entitled to an imparlance of one term.

Where judgments are a lien upon the property of the defendant.

SEC. 3. *And be it further enacted*, That writs of execution and other final process issued on judgments and decrees, rendered in any of the courts of the United States, and the proceedings thereupon shall be the same, except their style, in each state, respectively, as are now used in the courts of such state, saving to the courts of the United States in those states, in which there are not courts of equity, with the ordinary equity jurisdiction, the power of prescribing the mode of executing their decrees in equity by rules of court: *Provided, however*, That it shall be in the power of the courts, if they see fit in their discretion, by rules of court, so far to alter final process in said courts as to conform the same to any change which may be adopted by the legislatures of the respective states for the state courts.

When writs of execution and other final process issued on judgments, &c., rendered in any of the courts of the United States, &c. Proviso.

court as the first attachment. Query, If the plaintiff must, in all cases under that act, sign and make oath to his petition to be admitted to defend against the first attachment, or if he is abroad, it may be done by his agent. *Lodge v. Lodge*, 5 Mason's C. C. R. 407.

Pennsylvania. Levy and condemnation, under an execution, keep a judgment alive, and preserve the lien without a scire facias. *United States v. The Mechanics' Bank, Gilpin's D. C. R. 54*.

Where there is a scire facias to revive a judgment, the defendant cannot avail himself of matters of defence which occurred previous to the original judgment. *United States v. Thompson, Gilpin's D. C. R. 622*.

Laws which relate to practice, process, or modes of proceeding before or after judgment, are exceptions to the 34th section of the judiciary act of 1789, as Congress have legislated on the subject. The Supreme Court of the United States have established the distinction to be this: State laws, which furnish the court a rule for forming a judgment, are binding on the federal courts, not laws for carrying that judgment into execution; that is governed by the acts of Congress, and the rules of practice adopted in pursuance thereto. *Thompson v. Phillips, Baldwin's C. C. R. 274*.

The act of the legislature of Ohio, of February, 1820, relative to proceedings against parties to promissory notes, by which all the parties to a note might be proceeded against in one suit, was a very wise and benevolent law, and its salutary effects produced its immediate adoption into the practice of the courts of the United States, and the suits have, in many instances, been prosecuted under it. *Fullerton v. The Bank of the United States*, 1 Peters, 604.

Although the act of the legislature of Ohio, regulating the mode of proceeding in actions on promissory notes, was passed after the making of the note upon which this action was brought, yet the circuit court of the United States for the district of Ohio, having incorporated the action under that statute, with all its incidents, into its course of practice, and having full power by law to adopt it, there does not appear any legal objection to its doing so, in the prosecution of the system under which it has always acted. *Yeaton v. Lenox*, 3 Peters, 123.

The process act of 1828 expressly adopts the mesne process, and modes of proceeding in suits at common law, then existing in the highest state court, under the state laws; which of course included all the regulations of the state laws as to bail, and exemptions of the party from arrest and imprisonment. In regard, also, to writs of execution, and other final process, and "the proceedings thereupon;" it adopts an equally comprehensive language, and declares they shall be the same as were then used in the courts of the state. *Beers v. Haughton*, 9 Peters, 329.

The circuit court of each district, sit within and for that district, and are bounded by its local limits. Whatever may be the extent of the jurisdiction of the circuit court over the subject matter of suits, in respect to persons and property, it can only be exercised within the limits of the district. Congress might have authorized civil process from any circuit court to have run into any state of the Union. It has not done so. It has not, in terms, authorized any civil process to run into any other district; with the single exception of subpoenas to witnesses within a limited distance. In regard to final process, there are two cases, and only two, in which writs of execution can now by law be served in any other district than that in which the judgment was rendered; one in favour of private persons in another district of the same state; and the other in favour of the United States, in any part of the United States. *Toland v. Sprague*, 12 Peters, 300.

Nothing in this act to be construed to extend to any court, &c.

SEC. 4. *And be it further enacted*, That nothing in this act contained shall be construed to extend to any court of the United States now established, or which may hereafter be established, in the state of Louisiana. (a)

APPROVED, May 19, 1828.

STATUTE I.

May 23, 1828.

CHAP. LXIX.—*An Act to authorize the building of lighthouses, and for other purposes.*

Secretary of the Treasury empowered to provide for building light-houses, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, empowered to provide, by contract, for building lighthouses and light vessels, and erecting beacons, and placing buoys, on the following sites and shoals, to wit:

At Dice's Head.  
On Nobsque point.

In the state of Maine, a lighthouse at Dice's Head.

In the state of Massachusetts, a lighthouse on Nobsque point; one on the Point of Flats, at the entrance of Edgartown harbour; a lighthouse on Dumpling rock, south of the mouth of Aponeganset river.

On Nayat point, &c.

In the state of Rhode Island, a lighthouse on Nayat point; and two pyramids or spindles, to wit: one on a reef of rocks, under water, opposite to Pawtuxet, and one on a reef of rocks, opposite the Punham Rock, in the northern part of Narraganset bay.

Beacon light on Spindle Rock.

In the state of Connecticut, a beacon light on or near the Spindle Rock, at the mouth of Black Rock harbour.

Two light-houses north of Kinder Hook, &c.

In the state of New York, two small lighthouses, to wit: one on the flats, two miles north of Kinder Hook, upper landing, called the Drowned Lands, and one on the point of the island on the west side of the channel, opposite the lower landing. A lighthouse at a proper site, at or near Portland, on Lake Erie.

Two light-houses on Little Watt's Island, &c.

In the state of Maryland, two lighthouses; one on Little Watt's Island, at the south-eastern extremity of Tangier Sound; and the other on Clay Island, at the northernmost extremity of the same sound; and a beacon light, or a small lighthouse on Point Lookout, in the Chesapeake bay.

Lighthouse on Smith's point.

In the state of Virginia, a lighthouse on Smith's point, at the mouth of the Potomac, in the Chesapeake bay.

Light vessel to be substituted, &c.

In the state of North Carolina, a light vessel, to be substituted for the lighthouse heretofore directed to be built at the Point of Marsh, at the mouth of Neuse river.

Beacon light-house on Pamptico Sound, &c.

A beacon light, or small lighthouse, at a proper site on Pamptico point; and one at the south entrance of Roanoake marshes.

Lighthouse in Mobile bay, &c.

In the state of Alabama, a lighthouse at or near Choctaw point, in Mobile bay; and an iron spindle on Sand island, on the outer bar of Mobile bay.

Two light-houses, one at Otter creek point, &c.

In the territory of Michigan, two lighthouses; one at Otter creek point, at the head of Lake Erie, and the other on the Island of Bois Blanc, near Michilimacinae.

Lighthouse, St. John's river. Sums appropriated to be paid from the treasury.

In the territory of Florida, a lighthouse at the mouth of St. John's river.

SEC. 2. *And be it further enacted*, That the following sums of money be appropriated and paid out of any moneys in the treasury not otherwise appropriated, for the purpose of carrying the provisions of this act into effect, viz:

Lighthouse on Dice's Head.

For building a lighthouse on Dice's Head, five thousand dollars.

Lighthouse on Nobsque Rock, &c.

For the lighthouse on Nobsque point, three thousand dollars; and for the pier and lighthouse at the entrance of Edgartown harbour, five thousand five hundred dollars.

Lighthouse, Dumpling rock.

For a lighthouse on Dumpling rock, four thousand dollars.

(a) See an act to regulate the mode of practice in the courts of the United States in Louisiana, May 26, 1824, ch. 181, and notes to that act.



For a lighthouse on Nayat point, three thousand five hundred dollars; and for two pyramids or spindles, in Narraganset bay, two thousand dollars.

Lighthouse on Nayat point.

For a beacon-light on or near Spindle rock, at the mouth of Black Rock harbour, six thousand two hundred dollars.

Beacon-light on or near Spindle rock.

For two small lighthouses in Hudson river, eight thousand dollars.

Two lighthouses in Hudson river.

For a lighthouse at or near Portland, on Lake Erie, five thousand dollars; one thousand dollars for removing obstructions in order to make the light of the lighthouse at the mouth of Genessee river, on Lake Ontario, visible at a distance.

Lighthouse near Portland.

For erecting a tower and placing a bell thereon with machinery, near the lighthouse on Pool's Island, Chesapeake bay, two thousand eight hundred dollars.

A tower, &c., near the lighthouse on Pool's island, &c.

For the lighthouse on Little Watt's island, six thousand five hundred dollars; and for that on Clay island, six thousand five hundred dollars; and for a beacon-light, or small lighthouse, on Point Look Out, four thousand five hundred dollars.

Lighthouse on Little Watt's Island, &c.

For the lighthouse on Smith's point, seven thousand five hundred dollars.

On Smith's point.

For a beacon-light or lighthouse on Pamptico point, five thousand dollars; and for one at the entrance of Roanoke Marshes, five thousand dollars; for a light vessel, to be placed at or near the point of Marsh Shoal, at or near the mouth of Neuse river, six thousand five hundred dollars; this sum to be in addition to the sum already appropriated for building a lighthouse at the point of Marsh, at the mouth of the said river, for which lighthouse the light vessel is substituted.

Beacon-light or lighthouse on Pamptico point, &c.

1827, ch. 47.

For a lighthouse at Otter Creek point, five thousand dollars.

Otter Creek point.

For one on Bois Blanc, five thousand dollars.

On Bois Blanc. St. John's river.

For one at St. John's river, six thousand five hundred dollars; and for one on Choctaw point, six thousand five hundred dollars.

Four buoys in the Hudson river.

For placing four buoys in Hudson river, on the following sites: One on a reef of rocks opposite Van Wee's point; one on a reef of rocks north of Constitution point; one on a reef of rocks, the south point of Conner's Hook island; and one on a wreck of a vessel sunk in Haverstraw bay; three hundred dollars.

Two buoys near the Pea Patch in the river Delaware.

For placing two buoys near the channel, to the eastward of the Pea Patch, in the river Delaware, viz: one on the north-east point of the Pea Patch; and one on a small shoal in the passage, four hundred dollars.

Spindles, &c. Kennebec bay.

For spindles or monuments, and buoys, to render the navigation of Kennebec bay and river safe, fifteen hundred dollars.

Buoy on Killpond bar.

For placing a buoy on Killpond bar, in Buzzard's bay, sixty dollars.

Twenty buoys in Louisiana.

For placing twenty buoys, at proper sites, in the river Teche, in the state of Louisiana, two thousand six hundred dollars.

Iron spindle on Sand Island.

For an iron spindle on Sand Island, on the bar of Mobile bay, six hundred dollars.

Five buoys in the channel between Key West.

For five buoys, in the channel, between Key West and the islands to the westward of it and the main, leading from the Gulf Stream to the bay of Mexico, seven hundred dollars.

Two buoys at the mouth of St. John's river.

For two buoys at the mouth of St. John's river, territory of Florida, one hundred and sixty dollars.

SEC. 3. *And be it further enacted,* That the said secretary be empowered as aforesaid, and that the following sums be appropriated and paid as aforesaid, for the purposes hereafter designated, viz:

To build a lighthouse, at a proper site, near St. Mark's harbour, in Florida, the sum of six thousand dollars.

Lighthouse near St. Mark's harbour.

To build a lighthouse on a ledge of rocks, called the Whale's Back, in the harbour of Portsmouth, in the state of New Hampshire, eight thousand dollars, in addition to the former appropriation for that object.

Lighthouse at Portsmouth.

1827, ch. 47.

Lighthouse near the mouth of Duck creek.

Salaries of the respective keepers of lighthouses.  
Proviso.

To build a lighthouse near the mouth of Duck creek, adjoining Delaware bay, the sum of four thousand dollars.

SEC. 4. *And be it further enacted*, That, from and after the passage of this act, the Secretary of the Treasury be, and he is hereby, authorized and empowered to regulate and fix the salaries of the respective keepers of lighthouses, in such manner as he shall deem just and proper: *Provided*, The whole sum allowed shall not exceed an average of four hundred dollars to each keeper.

Appropriation.

SEC. 5. *And be it further enacted*, That the sum of five thousand two hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, in addition to the sums heretofore appropriated, to pay the salaries to the several keepers of the lighthouses within the United States; to be applied under the direction of the Secretary of the Treasury, in conformity to the authority in him vested by the third section of this act.

APPROVED, May 23, 1828.

#### STATUTE I.

May 23, 1828.

CHAP. LXX.—*An Act supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida. (a)*

Act of May 8, 1822, ch. 129.  
Act of March 3, 1823, ch. 29.

The three claims to land in the district of West Florida, contained in the reports of the commissioners, numbered 4, 8, and 10, excluding from the latter the land contained in certificate, and in the plats A. and C., &c., confirmed.

No more than the quantity of acres contained in a league square shall be confirmed within the bounds of any one grant, &c.

All the decisions made by the register, &c., of the district of East Florida, as commissioners under act of Feb. 8, 1827, ch. 9, recommended for confirmation, confirmed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the three claims to land in the district of West Florida, contained in the reports of the commissioners, and numbered four, [4] eight, [8] and ten, [10] excluding from the latter the land contained in certificate, and in the plats A. and C., and the claims contained in the reports of the commissioners of East Florida, and in the reports of the receiver and register, acting as such, made in pursuance of the several acts of Congress providing for the settlement of private land claims in Florida, and recommended for confirmation by said commissioners, and by the register and receiver, be, and the same are hereby, confirmed to the extent of the quantity contained in one league square, to be located by the claimants, or their agents, within the limits of such claims or surveys filed, as aforesaid, before the said commissioners, or receiver and register, which location shall be made within the bounds of the original grant, in quantities of not less than one section, and to be bounded by sectional lines.

SEC. 2. *And be it further enacted*, That no more than the quantity of acres contained in a league square, shall be confirmed within the bounds of any one grant: and no confirmation shall be effectual until all the parties in interest, under the original grant, shall file with the register and receiver of the district where the grant may be situated, a full and final release of all claim to the residue contained in the grant: and where there shall be any minors incapable of acting within said territory of Florida, a relinquishment by the legal guardian shall be sufficient; and thereafter the excess in said grants, respectively, shall be liable to be sold as other public lands of the United States.

SEC. 3. *And be it further enacted*, That all the decisions made by the register and receiver of the district of East Florida, acting *ex officio*, as commissioners, in pursuance of an act of Congress, approved the eighth of February, one thousand eight hundred and twenty-seven, authorizing them to ascertain and decide claims and titles to lands in the district aforesaid, and those recommended for confirmation under the quantity of three thousand five hundred acres, contained in the reports, abstracts, and opinions, of the said register and receiver, transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the twenty-ninth January, one thousand eight hundred and twenty-

(a) See notes of the decisions of the Supreme Court upon claims and titles to land in the territory of Florida, vol. iii. 709.

eight, be, and the same are hereby, confirmed. The confirmations authorized by this act shall operate only as a release of any claim had by the United States, and not to affect the interest of third persons.

SEC. 4. *And be it further enacted*, That the said register and receiver shall continue to examine and decide the remaining claims in East Florida, subject to the same limitations and in conformity with the provisions of the several acts of Congress, for the adjustment of private land claims in Florida, until the first Monday in December next, when they shall make a final report of all the claims, aforesaid, in said district, to the Secretary of the Treasury; and it shall never be lawful, after that time, for any of the claimants to exhibit any further evidence in support of said claims. And the said register and receiver, and clerk, shall receive the compensation provided in the act aforesaid, to be paid out of any money in the treasury not otherwise appropriated: *Provided*, That the extra compensation of one thousand dollars, each, which is hereby allowed to the register and receiver, for services under and by the provisions of this act, shall not be paid until a report of all the claims be made to the Secretary of the Treasury.

SEC. 5. *And be it further enacted*, That the proper accounting officers of the treasury be, and they are hereby, authorized to adjust and pay the accounts of the register and receiver, acting as commissioners, their contingent expenses, and the receiver the compensation heretofore allowed for bringing their reports to Washington, out of any money in the treasury not otherwise appropriated.

SEC. 6. *And be it further enacted*, That all claims to land within the territory of Florida, embraced by the treaty between Spain and the United States of the twenty-second of February, one thousand eight hundred and nineteen, which shall not be decided and finally settled under the foregoing provisions of this act, containing a greater quantity of land than the commissioners were authorized to decide, and above the amount confirmed by this act: and which have not been reported, as antedated or forged by said commissioners, or register and receiver acting as such, shall be received and adjudicated, by the judge of the superior court of the district within which the land lies, upon the petition of the claimant, according to the forms, rules, regulations, conditions, restrictions, and limitations prescribed to the district judge, and claimants in the state of Missouri, by act of Congress, approved May twenty-sixth, 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:" *Provided*, That nothing in this section shall be construed to authorize said judges to take cognisance of any claim annulled by the said treaty, or the decree ratifying the same by the king of Spain, nor any claim not presented to the commissioners or register and receiver, in conformity to the several acts of Congress, providing for the settlement of private land claims in Florida.

SEC. 7. *And be it further enacted*, That it shall be lawful for the claimants to lands, as aforesaid, to take an appeal, as directed in the act aforesaid, from the decision of the judge of the district, to the Supreme Court of the United States, within four months after the decision shall be pronounced; and the said judges shall each be entitled to receive the extra compensation given to the district judge of Missouri, for the performance of the duties required by this act, out of any money in the treasury not otherwise appropriated.

SEC. 8. *And be it further enacted*, That so much of the said act, the provisions of which, so far as they are applicable, and are not altered by this act, are hereby extended to the territory of Florida, as subjects the claimants to the payment of costs in any case where the decision may be in favour of their claims, be, and the same is hereby, repealed; and

Register and receiver to examine and decide the remaining claims in East Florida, &c.

Proviso.

Accounting officers of the treasury to adjust, &c., the accounts of the register and receiver, &c.

Claims not decided and finally settled by the commissioners to be decided by the judge of the superior court of the district.

Act of May 26, 1824, ch. 173.

Proviso.

Claimant may appeal to the Supreme Court of the United States within four months after the decision shall be pronounced, &c.

Costs.

Repeal of certain provisions.

Attorney general of the United States, for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, to make out and transmit to the attorney general a statement containing the facts of the case, &c.

The President of the United States to appoint a law agent, to superintend, &c.

Duty of the agent.

The President to appoint assistant counsel.

Claims to lands, &c., within the purview of this act, forever barred after the passage of this act, if, &c.

Decrees rendered by said district or Supreme Court United States to be conclusive, &c.

the costs shall abide the decision of the cause as in ordinary causes before the said court. And so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed.

SEC. 9. *And be it further enacted*, That it shall be the duty of the attorney of the United States for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, to make out and transmit to the attorney general of the United States, a statement, containing the facts of the case, and the points of law on which the same was decided: and it shall be the duty of the attorney general, in all cases where the claim exceeds one league square, and in all other cases, if he shall in such latter cases think the decision of the district judge is erroneous, to direct an appeal to be made to the Supreme Court of the United States, and to appear for the United States, and prosecute such appeal: which appeal in behalf of the United States may be granted at any time within six months after the rendition of the judgment appealed from, or at any time before the expiration of the term thereof, which may commence next after the expiration of said six months; and it shall be the further duty of the district attorney to observe the instruction given to him by the attorney general in that respect.

SEC. 10. *And be it further enacted*, That it shall be lawful for the President of the United States to appoint a law agent, whose special duty it shall be to superintend the interests of the United States in the premises, to continue him in place as long as the public interest requires his continuance; and to allow such pay to the agent as the President may think reasonable. It shall also be the duty of said agent to collect testimony in behalf of the United States, and to attend, on all occasions, when said claimants may take depositions; and no deposition so taken by them shall be read as evidence, unless said agent or district attorney shall have been notified, in writing, of the time and place of taking them, so long previous to said time as to afford to him an opportunity of being present.

SEC. 11. *And be it further enacted*, That it shall be lawful for the President to employ assistant counsel, if in his opinion the public interest shall require the same: and to allow to such counsel and the district attorney, such compensation as he may think reasonable.

SEC. 12. *And be it further enacted*, That any claims to lands, tenements, or hereditaments, within the purview of this act, which shall not be brought by petition before said court within one year from the passage of this act, or which, after being brought before said court, shall, on account of the neglect or delay of the claimant, not be prosecuted to a final decision within two years, shall be forever barred, both at law and in equity; and no other action at common law, or proceeding in equity, shall ever thereafter be sustained in any court whatever.

SEC. 13. *And be it further enacted*, That the decrees which may be rendered by said district, or the Supreme Court of the United States, shall be conclusive between the United States and the said claimants only, and shall not affect the interests of third persons.

APPROVED, May 23, 1828.

#### STATUTE I.

May 23, 1828.

CHAP. LXXI.—*An Act for the relief of purchasers of the public lands that have reverted for non-payment of the purchase money.* (a)

Where public lands have

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

(a) See notes to the act of March 21, 1828, ch. 22.

lands have been purchased, on which a further credit has not been taken under the provisions of the act of the second of March, one thousand eight hundred and twenty-one, and have reverted, or are liable to revert, to the United States, for failure to pay the purchase money, or have been sold by the United States by reason of such failure to pay, and in all cases where one twentieth of the purchase money shall have been deposited and forfeited to the United States, it shall be the duty of the register of the land office, where the purchase or deposit was made, to issue, upon application, to the person, or persons, legally entitled to the benefit of the payments made previous to such reversion or sale, his, her, or their legal representatives, or assigns, a certificate for the amount so paid, and not refunded, which shall be received and credited as cash in payment of any public land that has been heretofore, or may hereafter be, sold by the United States, in the state or territory in which such original purchase or deposit was made.

been purchased, on which a further credit has not been taken under the provision of act of March 2, 1821, ch. 12, and have reverted, or are liable to revert, to the United States, for failure to pay the purchase money.

Fees.

Duty of the commissioner of the general land office to prescribe the form of such certificates.

Fees.

Certificates, when received in payment for lands, shall be entered in the books of the land office where received, and transmitted to the general land office.

Lands sold at New York or Pittsburg, &c.

Certificates not to be issued to any person, except, &c.

Where any tract of land returned as sold to the general land office shall have been paid for in forged or altered certificates.

SEC. 2. *And be it further enacted,* That it shall be the duty of the commissioner of the general land office to prescribe the form of such certificates, which shall, in every case, specify the tract or tracts of land so reverted or sold, the amount paid, date of payments, and by whom made; and it shall be the duty of the register issuing such certificates, to keep a record of the same, and to forward to the general land office, at the close of each month, an abstract of the certificates issued during the month; and for each certificate, the officer issuing the same shall be entitled to receive, from the applicant, the sum of fifty cents.

SEC. 3. *And be it further enacted,* That the said certificates, when received in payment for lands, shall be entered in the books of the land office, where received, and transmitted with the accounts of the receiver of the public moneys, to the general land office, in such manner as the commissioner of said office shall prescribe; and if, upon comparison of the original with the returns from the office whence any certificate issued, it shall appear to the satisfaction of the said commissioner, that such certificate has been issued and duly paid, according to the true intent and meaning of this act, the same shall be passed to the credit of the person paying the same as so much cash.

SEC. 4. *And be it further enacted,* That, for any moneys forfeited, on lands sold at New York or Pittsburg, the certificate shall be issued by the Secretary of the Treasury; which certificate shall be received in payment for lands at any of the land offices of the United States, as the certificates issued in conformity to the foregoing provisions of this act are made receivable.

SEC. 5. *And be it further enacted,* That, in no case, shall a certificate be issued to any person, except to the person who originally forfeited the lands, or to his heir or heirs; nor shall a grant issue, or the lands purchased with any scrip be transferred, until six months after the certificate shall have been deposited in the office.

SEC. 6. *And be it further enacted,* That, if any tract of land returned as sold to the general land office, shall have been paid for in forged or altered certificates, such sale shall be void, and the land subject to be sold again, at public or private sale, as the case may be; and in case any such forged or altered certificate shall be received upon any debt for land heretofore sold, or in part payment of any tract of land that may be hereafter sold, it shall be the duty of the commissioner of the general land office, by advertisement, or in such other manner as he shall direct, to give notice thereof to the person making such payment; and if, within six months after notice, such person shall not pay into the proper land office the amount so falsely paid, the tract of land upon which such payment was made, shall, with all money actually paid thereon, be forfeited to the United States.

SEC. 7. *And be it further enacted,* That, where two or more persons

Where two or more persons become the purchaser or purchasers of a section or fractional section.

Proviso.

have become purchasers of a section or fractional section, the register of the land office for the district in which the lands lie, shall on application of the parties, and a surrender of the original certificate, issue separate certificates, of the same date with the original, to each of the purchasers, or their assignees, in conformity with the division agreed on by them: *Provided*, That, in no case, shall the fractions so purchased be divided by other than north, and south, or east and west lines; nor shall any certificate issue for less than eighty acres.

APPROVED, May 23, 1828.

STATUTE I.

May 23, 1828.

CHAP. LXXII.—*An Act to provide for extending the term of certain pensions, chargeable on the navy and privateer pension fund.*

Where provision has been made by law, for half pay to the widows, &c., of officers, &c., killed in battle, &c., the term of certain pensions to be extended.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in all cases where provision has been made, by law, for the five years' half pay to the widows and children of officers, seamen and marines, who were killed in battle, or who died in the naval service of the United States during the late war; and also, in all cases where provision has been made for extending the term for five years in addition to any term of five years, the said provision shall be further extended for an additional term of five years, to commence at the end of the current, or last expired term of five years in each case, respectively; making the provision equal to twenty years half pay; which shall be paid out of the fund heretofore provided by law; and the said pensions shall cease for the causes mentioned in the laws providing the same, respectively.

Pensions of all widows, who are now, or who may within one year last past be in receipt thereof under provision of the following laws or either of them, continued.

Act of March 4, 1814, ch. 20.

Act of April 16, 1818, ch. 65.

Proviso.

SEC. 2. *And be it further enacted*, That the pensions of all widows, who now are, or who, at any time within one year last past, have been in the receipt thereof, under the provision of the following laws of the United States, or either of them, to wit: An act passed March the fourth, one thousand eight hundred and fourteen, entitled "An act giving pensions to the orphans and widows of the persons slain in the public or private armed vessels of the United States," and an act passed April the sixteenth, one thousand eight hundred and eighteen, entitled "An act in addition to an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," so far as regards persons receiving pensions from the fund arising from captures and salvage, made by the private armed vessels of the United States, be and the same are hereby continued, under the restrictions and regulations in the said acts contained, for and during the additional term of five years, from and after the period of the expiration of the said pensions, respectively: *Provided, however*, That the said pensions shall be paid from the proceeds of the privateer pension fund alone, and without recourse to the United States, for any deficiency, should such occur, which may hereafter arise thereon; *And provided further*, That no such pension shall be paid to any such widow after her inter-marriage, had, or to be had, after she shall have become such widow.

APPROVED, May 23, 1828.

Proviso.

STATUTE I.

May 23, 1828.

CHAP. LXXIII.—*An Act to authorize the improving of certain harbours, the building of piers, and for other purposes.*

Sums respectively appropriated.

*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, respectively appropriated, to be applied under

the direction of the President of the United States, to accomplish the objects hereinafter mentioned; that is to say:

For removing the sand bar at or near the mouth of Merimack river in the state of Massachusetts, by erecting piers, or other works, thirty-two thousand one hundred dollars.

For removing the sand bar, &c.

For the preservation of Deer island, in Boston harbour, in the state of Massachusetts, eighty-seven thousand dollars.

Preservation of Deer island.

Towards erecting piers, or other works, at or near Stonington harbour, in the state of Connecticut, for the purpose of making the same a good and secure harbour, twenty thousand dollars.

Piers near Stonington harbour.

For repairing the public piers at Port Penn, Marcus Hook, and fort Mifflin, four thousand four hundred and thirteen dollars.

Repairing piers at Port Penn, &c.

For purchasing a dredging machine, to be worked by steam, and employing the same for the removal of the shoals forming obstructions to the navigation near Ocracock Inlet, in the state of North Carolina, twenty thousand dollars.

Purchasing a dredging machine, &c.

Towards removing the sand bar at or near the mouth of Black river, in the state of Ohio, by the erection of piers, or other works, seven thousand five hundred dollars.

Removing the sand bar in Black river.

For removing obstructions in the Apalachicola river, in the territory of Florida, three thousand dollars.

Obstructions in Apalachicola river.

For improving the navigation of Red river, through, or around, that part of it called the Raft, situated in Louisiana and Arkansas, twenty-five thousand dollars, three thousand dollars in addition to a former appropriation for clearing out and deepening the harbour of Sackett's Harbour.

Improving the navigation of Red river, &c.

For making a survey of the harbour of Nantucket, and the passage leading to it, and an estimate of the cost of improving and making the harbour a good and secure one, three hundred dollars.

A survey of the harbour of Nantucket, &c.

For making a survey of Genessee river and harbour, in the state of New York, and estimates of the cost for improving the same, three hundred dollars.

Survey of Genessee river, &c.

For surveying the mouth of Sandy creek, which discharges itself into Mexico bay, on Lake Ontario, in the state of New York, for the purpose of constructing a harbour at that place, and ascertaining the cost of the same, three hundred dollars.

Surveying the mouth of Sandy Creek, &c.

For making a survey and examination of the southern shore of Lake Ontario, in the state of New York, between Genessee and Oswego rivers, with a view to the improvement of the most accessible and commodious harbours on the frontier, by erecting piers, or other works, and estimates of the costs of the same, four hundred dollars.

A survey of the southern shore of Lake Ontario, &c.

For deepening the channel through the *pass au Heron*, near the Bay of Mobile, eighteen thousand dollars.

Deepening the pass au Heron.

For deepening the channel at the mouth of Pascagoula river, seventeen thousand five hundred dollars, in addition to the sum before appropriated for that object.

Deepening Pascagoula river.

For surveying the obstructions to the navigation of the Wabash river, between its mouth and Eel river, five hundred dollars.

Obstructions in the Wabash river.

Towards improving the navigation of the Mississippi and Ohio rivers, the sum of fifty thousand dollars.

Mississippi and Ohio rivers.

For removing obstructions in the Berwick branch of the Piscataqua river, eight thousand dollars.

Removing obstructions.

For deepening the inland passage, or present channel, for navigation between the St. John's river in Florida, and St. Mary's harbour, in Georgia, the sum of thirteen thousand five hundred dollars.

Deepening the channel in St. Mary's harbour, &c.

For a survey of the river and harbour of St. Marks, in Florida, with a view to the practicability and expense of deepening the same, the sum of five hundred dollars.

Survey of the river St. Marks.

For erecting a pier and a beacon thereon, at or near a ledge of rocks called Allen's rocks, in Warren river, the sum of four thousand dollars.

Erecting a pier, &c. at Allen's rocks.

APPROVED, May 23, 1828.

STATUTE I.

May 23, 1828.

CHAP. LXXV.—*An Act to grant certain relinquished and unappropriated lands to the state of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Black Warrior rivers.*

400,000 acres of relinquished lands in certain counties in Alabama granted to said state, to be applied to navigation.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That four hundred thousand acres, of the relinquished lands in the counties of Madison, Morgan, Limestone, Lawrence, Franklin, and Lauderdale, in the state of Alabama, be, and the same is [are] hereby, granted to said state, to be applied to the improvement of the navigation of the Muscle Shoals, and Colbert's Shoals, in the Tennessee river, and such other parts of said river within said state as the legislature thereof may direct: But if there shall not be four hundred thousand acres of relinquished unappropriated land in said counties, the deficiency to be made up out of any unappropriated lands in the county of Jackson, in said state.

Price at which the land shall be sold.

SEC. 2. *And be it further enacted,* That said state of Alabama, shall have power to sell, dispose of and grant said land, for the purposes aforesaid, at a price not less than the minimum price of the public lands of the United States, at the time of such sale.

Improvement.

SEC. 3. *And be it further enacted,* That the said state of Alabama shall commence said improvements within two years after the passage of this act, and complete the same within ten years thereafter.

Grant of all lands to become null and void, if applied to any other object whatever.

SEC. 4. *And be it further enacted,* That if said state of Alabama shall apply the lands hereby granted, or the proceeds of the sales, or any part thereof, to any other use or object whatsoever, than as directed by this act, before said improvements shall have been completed, the said grant for all lands then unsold shall thereby become null and void; and the said state of Alabama shall become liable and bound to pay to the United States the amount for which said land, or any part thereof, may have been sold, deducting the expenses incurred in selling the same.

Improvements of said navigation shall be commenced, &c.

SEC. 5. *And be it further enacted,* That the improvements of said navigation shall be commenced at the lowest point of obstruction in said river, within said state, continued up the same until completed, and be calculated for the use of steamboats, according to such plan of construction as the United States' engineers, appointed to survey and report thereon, may recommend, and the President of the United States approve: *Provided,* That such plan shall embrace, if practicable, a connection of the navigation of Elk river, with the said improvements.

Proviso.

SEC. 6. *And be it further enacted,* That after the completion of said improvements, the surplus of said grant, if any, shall be applied to the improvement of the navigation of the Coosa, Cahawba, and Black Warrior rivers, in said state, under the direction of the legislature thereof.

Surplus of said grant, to be applied, &c.

SEC. 7. *And be it further enacted,* That the said rivers, when improved as aforesaid, shall remain forever free from toll for all property belonging to the government of the United States, and for all persons in their service, and for all the citizens of the United States, unless a toll shall be allowed by act of Congress.

Rivers, when improved, to be ever free from toll for all property belonging to the United States, &c.

APPROVED, May 23, 1828.

STATUTE I.

May 23, 1828.

CHAP. LXXVI.—*An Act making an appropriation for the erection of a breakwater near the mouth of Delaware bay.*

[Obsolete.]

Breakwater to be made near the mouth of Delaware bay.

*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 cause to be made near the mouth of Delaware bay, a breakwater.

250,000 dollars appropriated.

SEC. 2. *And be it further enacted,* That the sum of two hundred and fifty thousand dollars be, and it hereby is, appropriated, towards the ac-



complishment of that object, and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 23, 1828.

## STATUTE I.

CHAP. LXXVII.—*An Act to establish a southern judicial district in the territory of Florida.* (a)

May 23, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be established another judicial district in the territory of Florida, to be called the southern district, embracing all that part of the territory which lies south of a line from Indian river on the east, and Charlotte harbour on the west, including the latter harbour; which said court shall exercise all the jurisdiction within said district as the other superior courts, respectively, exercise within their respective districts, and shall be subject to all the laws which govern or regulate the same; and there shall be appointed for said district a judge, and he is hereby authorized to appoint a clerk

Another judicial district to be established in Florida, to be called the southern district, &c.

Judge to be appointed, who may appoint a

(a) Act relating to the courts of Florida, vol. iii. 752.

The following case, which originated in the courts established by the act of May 23, 1826, contains decisions upon principles of admiralty law, of great general interest.

The schooner North Carolina, bound from Appalachicola to Charleston, with a cargo of cotton, part on account of the consignees, and part the property of the shipper, struck on a reef about ninety-five miles from Key West; and the next morning one hundred and ten bales of cotton were taken from her by the wrecking schooner Hyder Ally, when she floated, and she sailed with the Hyder Ally to Indian Key, and arrived there the same evening. The Hyder Ally was one of those wrecking schooners in the profits of which Houseman was a participator. He became the consignee of the North Carolina; and salvage being claimed by the master of the Hyder Ally, a reference was made by the master of the North Carolina, and the master of the wrecker, and by an award thirty-five per cent. was allowed as salvage; and one hundred and two bales of cotton were put into the stores of Houseman, in part payment of the salvage; and one hundred dollars was paid in cash, and a draft for six hundred dollars was given by the captain of the North Carolina, in further satisfaction of the salvage, and the commissions of Houseman, with the vessel's expenses. Afterwards, the consignees of the cotton sent an agent to Key West, who proceeded, by a libel in his name, as agent in the superior court of the United States of Monroe county in Florida, alleging the facts, and by process issued by the court, seventy-two bales of the cotton of the North Carolina were attached in the hands of Houseman. The court decreed that the libellant should recover the seventy-two bales of cotton, and Houseman appealed to the court of appeals. In that court, a supplemental libel was filed by the appellee, claiming damages for the taking and the detention of fifty other bales of cotton, making the whole number of one hundred and twenty-two bales, which had gone into the possession of Houseman. The court of appeals gave a decree in favour of the appellee for the value of one hundred and twenty-two bales. The Supreme Court affirmed the decree as to the seventy-two bales, and set aside that part of the decree which allowed the value of the fifty bales; leaving the consignees or owners of the fifty bales to proceed in the superior court of East Florida by a new libel for the recovery of the same or the value thereof. *Houseman v. The Schooner North Carolina*, 15 Peters, 41.

There are many cases in which the contract of the captain, in relation to the amount of salvage to be paid to the salvors, or his agreement to refer the question to arbitrators, would bind the owners. In times of disaster, it is always his duty to exercise his best judgment, and to use his best exertions for the benefit of both the vessel and cargo: and when, from his situation, he is unable to consult them or their agent, without an inconvenient and injurious delay, it is in his power to compromise a question of salvage, and he is not bound in all cases to wait for the decision of a court of admiralty. *Ibid.*

So, too, when the salvage service has not been important, and the compensation demanded is a small one, it may often be the interest of the owners, that the amount should be settled at once by the captain, and the vessel proceed on her voyage, without waiting even a day for the purpose of consulting them. But in all such cases, unless the acts of the captain are ratified by the owners, his conduct will be carefully watched and scrutinized by the court; and his contracts will not be regarded as binding on the parties concerned, unless they appear to have been bona fide, and such as a discreet owner, placed in the same circumstances, would probably have made. If he settles the amount by agreement, those who claim under it must show that the salvage allowed was reasonable and just. If he refers it to arbitrators, those who claim the benefit of the award, must show that the proceedings were fair, and the referees worthy of the trust. *Ibid.*

The case is within the jurisdiction of a court of admiralty. It is a question of salvage of a vessel which had been stranded on a reef in the ocean. The points in controversy are whether salvage is due, and if due, how much. The admiralty is the only court in which such a question can be tried. *Ibid.*

It is well settled in admiralty proceedings, that the agent of absent owners may libel either in his own name, as agent, or in the name of his principals, as he thinks best. That a power of attorney given subsequent to the libel is a sufficient ratification of what he had before done in their behalf, and that the consignees of a cargo have a sufficient interest in the cargo that they may proceed in the admiralty for the recovery not only of their own property, but for that part of it which may be consigned to them. *Ibid.*

clerk for said court.

Attorney and marshal's salaries, &c.

Stated sessions of said courts.

Where in any case concerning wrecked property, &c., the judge shall have determined the rate of salvage, to be allowed to salvors.

Articles in the cargo of a perishable nature, a sale of them to be directed.

Property remaining after the portion adjudged to the salvors, not to be removed from such stores as may be used for public purposes.

No vessel to be employed as a wrecker, unless under the authority of the judge of said court, &c.

for said court. There shall also be appointed an attorney and marshal, who shall exercise all the duties, give the same bond and security, and be entitled to the same salaries, fees, and compensation, that is now allowed by law to attorneys and marshals in other districts in the territory.

SEC. 2. *And be it further enacted*, That the stated sessions of said court shall be held on the first Mondays of May and November annually, at Key West; and such other intermediate sessions, from time to time, as the judge in his discretion may think advisable and necessary. The judge shall reside at the island of Key West, and shall be entitled to receive, as a salary for his services, two thousand dollars per annum, to be paid quarterly, out of any moneys in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted*, That whenever, in any case concerning wrecked property, or property abandoned at sea, the judge aforesaid shall have determined the rate of salvage to be allowed to salvors, it shall be his duty, unless the salvage decreed shall have been adjusted, without recourse to vessel and cargo, to direct such proportion of salvage to be paid to the salvors in kind; and that the property saved shall be divided accordingly, under the inspection of the officers of the court, and before it shall have been taken out of the custody of the revenue officers.

SEC. 4. *And be it further enacted*, That whenever it shall be ascertained, to the satisfaction of the judge of said court that any of the property saved, is, from its character, not susceptible of being divided in the manner proposed, or that there are articles in the cargo of a perishable nature, it shall be his duty to direct a sale of the same, for the benefit of all concerned.

SEC. 5. *And be it further enacted*, That the property remaining, after separating the portion adjudged to the salvors shall not be removed from such store as may be used for public purposes, nor disposed of in any other way, within nine months, unless by the order of the owners, or of their authorized agents: and that the duties accruing upon such property may be secured at any port in the United States, where the owners may reside.

SEC. 6. *And be it further enacted*, That no vessel shall be employed as a wrecker, unless under the authority of the judge of said court; and that it shall not be lawful to employ on board such vessel, any wrecker who shall have made conditions with the captain or supercargo of any wrecked vessel, before or at the time of affording relief.

APPROVED, May 23, 1828.

#### STATUTE I.

May 23, 1828.

CHAP. LXXXV.—*An Act to amend and explain an act, entitled "An act confirming an act of the legislature of Virginia, incorporating the Chesapeake and Ohio Canal Company, and an act of the state of Maryland, for the same purpose."*(a)

Assent already given by the United States to the charter of the Chesapeake and Ohio Canal by an act of Congress incorporating, and of

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the assent already given by the United States to the charter of the Chesapeake and Ohio Canal Company, by an act of Congress, entitled "An act confirming an act of the legislature of Virginia, entitled an act incorporating the Chesapeake and Ohio Canal Company;" and an act of the state of Maryland confirming the same, shall not be impaired by any change of the route of the said canal, from or above the town of Cumberland, on the river

(a) For the acts of the states of Virginia and Maryland, and of the Congress of the United States, incorporating the Chesapeake and Ohio Canal Company, the proceedings of the general special meeting of the Patowmac Company declaring their assent thereto, made necessary by said acts, to which, are added, extracts from the charter of the Patowmac Company; see Appendix, No. 1.

Potomac, or the distribution thereof into two or more sections, at any time hereafter, or any change in the dimensions of that part of the present eastern section, extending from Cumberland, or the mouth of Will's Creek, to the mouth of Savage, at the base of the Alleghany, or any substitution which the interest of the Chesapeake and Ohio Canal Company may, in the opinion of the company, require to be made, of inclined planes, rail-ways, or an artificial road for a continued canal, through the Alleghany mountain, in any route which may be, by the company, finally adopted therefor, between the town of Cumberland and the river Ohio.

SEC. 2. *And be it further enacted*, That, to obviate any possible ambiguity that might arise in the construction of the second section of the act of Congress aforesaid, the authority, by that act designed to be given to the states of Maryland and Virginia, or to any company incorporated by either or both of those states, to extend a branch from the said canal, or to prolong the same, from the termination thereof, by a continuous canal, within, or through the District of Columbia, towards the territory of either of those states, shall be deemed and taken to be as full and complete in all respects, as the authority granted by that act, to the Chesapeake and Ohio Canal Company to extend the main stem of the said canal, within the said district; or the authority reserved to the government of the United States to provide for the extension thereof, on either or both sides of the river Potomac, within the District of Columbia: *Provided*, That nothing herein contained shall impair the restriction in the charter of the Chesapeake and Ohio Canal Company, designed to protect the canal from injury, by the prolongation thereof, or by any branch therefrom.

SEC. 3. *And be it further enacted*, That the act of the legislature of Maryland, which passed at their December session, of one thousand eight hundred and twenty-seven, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," be, and the same is hereby, confirmed, so far as the assent of Congress may be deemed necessary thereto.

APPROVED, May 23, 1828.

Maryland confirming, the same not to be impaired by any change, &c.

Act of March 3, 1825, ch. 52.

To obviate any possible ambiguity, that might arise in the construction of the 2d section of the act of Congress aforesaid, the authority given to the states of Maryland and Virginia, &c. shall be as full &c.

Proviso.

Act of the legislature of Maryland of Dec. 1837, confirmed.

STATUTE I.

CHAP. LXXXVI.—*An Act authorizing a subscription to the stock of the Chesapeake and Ohio Canal Company.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to subscribe, in the name and for the use of the United States, for ten thousand shares of the capital stock of the Chesapeake and Ohio Canal Company, and to pay for the same, at such times, and in such proportions, as shall be required of and paid by the stockholders, generally, by the rules and regulations of the company, out of the dividends which may accrue to the United States upon their bank stock in the bank of the United States: *Provided*, That not more than one fifth part of the sum, so subscribed for the use of the United States, shall be demanded, in any one year, after the organization of the said company; nor shall any greater sum be paid on the shares so subscribed for, than shall be proportioned to assessments made on individual or corporate stockholders: *And provided, moreover*, That, for the supply of water to such other canals as the state of Maryland, or Virginia, or the Congress of the United States, may authorize to be constructed, in connection with the Chesapeake and Ohio Canal, the section of the said canal leading from the head of the Little Falls of the Potomac river, to the proposed basin, next above Georgetown, in the District of Columbia, shall have the elevation, above the tide of the

May 24, 1828.

Secretary of the Treasury in the name of the United States, to subscribe for 10,000 shares of the capital stock of the Chesapeake and Ohio Canal Company.

Proviso.

Proviso.

river at the head of the said falls, and shall preserve, throughout the whole section aforesaid, a breadth, at the surface of the water, of not less than sixty feet, and a depth, below the same, of not less than five feet, with a suitable breadth at bottom.

Secretary of the Treasury to vote for president, &c., of said company, according to the number of shares purchased for the United States.

SEC. 2. *And be it further enacted*, That the said Secretary of the Treasury shall vote for the president and directors of the said company, according to such number of shares as the United States may at any time hold in the stock, thereof, and shall receive, upon the said stock, the proportion of the tolls which shall, from time to time, be due to the United States for the shares aforesaid; and shall have and enjoy, in behalf of the United States, every other right of a stockholder in the said company.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. LXXXVII.—*An Act to enlarge the powers of the several corporations of the District of Columbia, and for other purposes.*

Corporation of Washington, Georgetown, and Alexandria, to have severally, full power, &c., to subscribe, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the corporation of Washington, the corporation of Georgetown, and the corporation of Alexandria, within the District of Columbia, shall, severally, have full power and authority to subscribe and pay for shares of the stock of the Chesapeake and Ohio Canal Company; and all such subscriptions as shall have been already made by either of the said corporations, shall, and the same are hereby declared to be valid and binding on the said corporations, respectively.

Corporations, severally authorized to borrow money, at any rate of interest not exceeding six per cent. per annum.

SEC. 2. *And be it further enacted*, That the said corporations shall, severally, have power and authority, from time to time, as the same may be deemed by them, respectively, either necessary or expedient, to borrow money, at any rate of interest, not exceeding six per centum per annum, to pay their respective subscriptions, and the interest accruing thereon, to the amount which they have subscribed, or shall hereafter subscribe.

Certificates of stock for the sums borrowed to be constituted.

SEC. 3. *And be it further enacted*, That the said corporations shall be, and the same are hereby, respectively, empowered to cause to be constituted certificates of stock for the sums borrowed, in pursuance of the authority severally vested in them by this act; each of said certificates shall be of the form following, to wit:

Form.

City or town of [here insert the title of the city or town.]

Mayor's Office.

Be it known, That there is due from the corporation of the city or town of [here insert the title of the city or town of] unto [here insert the name of the creditor,] or ——— assigns, the sum of [here insert the amount in dollars] bearing interest at [here insert the rate of interest] per centum per annum, from the day of ———, eighteen hundred and ———, inclusively, payable quarter yearly; the principal sum above mentioned is to be paid on the ——— day of ———, in the year eighteen hundred and ———, which debt is recorded in this office and is transferable only by appearance in person, or by attorney, at this office. ———, In testimony whereof, I have hereunto subscribed my name, and caused the seal of the said city to be affixed.

———, Mayor.

———, Register, or other recording officer of the corporation.

A list of such certificates denoting their respective numbers, &c., to be deposited with the Secretary of the Treasury.

A list of all such certificates, denoting their respective numbers, dates, and sums, and the persons to whom the same shall have been issued, authenticated by the mayor, subscribing the same, shall be deposited by said officer at the time of subscribing the same, or within ten days thereafter, with the Secretary of the Treasury of the United States.

The said certificate shall not be issued, in any case, for a less sum

each, than one hundred dollars: The forgery of any such certificate, or of any transfer thereof, or of any power of attorney purporting to authorize such transfer, shall be punishable in like manner with the forgery of a certificate of the public debt of the United States.

SEC. 4. *And be it further enacted*, That the said corporations are, respectively, empowered to employ an agent, or agents, for the purpose of obtaining subscriptions to the loan or loans authorized by this act, or of selling from time to time, the certificates of stock which may be created in pursuance thereof, and to fix the compensation of such agent or agents, which they shall respectively pay, as well as all other expenses attending the said loans, out of the proceeds thereof, or of any other funds which they may respectively provide.

SEC. 5. *And be it further enacted*, That a tax, at the rate of one per centum and thirteen-hundredths of one per centum on the assessed value of the real and personal estates within the city of Washington, as shall appear by the appraisalment thereof, made under the authority of the corporation, or of the several acts of Congress, hereinafter declared to be revived and in force, within the said corporation to be existing, at the time hereinafter limited for the collection of the said tax; and at the rate of fifty-six hundredths of one per centum on the assessed value of the real and personal estate within the town of Georgetown, as shall appear by the appraisalment thereof, made under the authority of the corporation, or of the several acts of Congress hereinafter declared to be revived and in force, within the said corporation, to be existing at the time hereinafter limited for the collection of the said tax; and at the rate of fifty-eight hundredths of one per centum on the assessed value of the real and personal estate within the town of Alexandria, as shall appear by the appraisalment thereof, made under the authority of the corporation of the said town, or of the several acts of Congress, hereinafter declared to be revived and in force, within the said corporation, to be existing at the time hereinafter limited for the collection of the said tax; be, and the same is hereby, imposed and assessed on the real and personal estate lying and being in the said city and towns: and, upon the failure of the said corporations, or of any of them, to pay, into the treasury of the United States, ninety days before the same shall become due, to the holders of the shares or certificates of such loan or loans, as aforesaid, according to the terms and conditions thereof, the sum, or sums which they or any of them shall have, respectively, stipulated to pay at the expiration of the period aforesaid, so that the same shall not be ascertained beforehand to be in readiness to meet the demand or claim about to arise on the shares or certificates of the said loan—the President of the United States shall be, and he is hereby, empowered to appoint a collector or collectors, whose duty it shall be to proceed and collect the tax imposed as above, on the real and personal estate in the said city and towns, or either of them, the corporation or corporations of which shall have so failed to pay as aforesaid, in advance, the sum or sums about to become due and demandable as aforesaid, or any part thereof remaining unpaid, as aforesaid, into the treasury, ninety days in advance; such part, in case a part only be so in arrear, to be rateably and equally assessed, levied, and collected, upon the property chargeable, as aforesaid, with the said tax, within the said city and towns, or either of them, making such default in paying as required, ninety days in advance as aforesaid; the appraisalment or assessment of the value of the said estates, preparatory to the collection of the said tax, if not previously made by the said corporation, to be made in the mode prescribed, as aforesaid, in the several acts of Congress hereby revived and put in operation: *Provided*, That if satisfactory evidence be afforded the President of the United States, by the several corporations aforesaid, that they are proceeding, in good faith, to raise and pay, in due time, their

Forgery of certificates.

An agent or agents to be employed for the purpose of obtaining subscriptions to the loan or loans authorized by this act.

A tax at the rate of one per centum per annum and thirteen hundredths of one per centum levied on the assessed value of the real, &c. estates within the cities of Washington, Georgetown.

Tax on property in Alexandria.

President authorized to appoint a collector or collectors.

Proviso.

portions, respectively, of the said loan or loans, and will be competent to raise the same by the means on which they rely, he shall be, and he is hereby, empowered to restrain such collector or collectors from proceeding to collect the said tax within the corporation affording the evidence aforesaid, until the expiration of the ninety days aforesaid, when if the amount of the said tax be not actually paid, the collection thereof shall proceed without further delay, on notice to the collector of such default.

Collector or collectors to be appointed, to give bond, with good and sufficient securities, for the faithful performance of the duties required by this act, &c.

Act of Feb. 27, 1815, ch. 60.

SEC. 6. *And be it further enacted*, That the collector or collectors, who may be appointed as aforesaid, shall give bond, with good and sufficient security, for the faithful performance of the duties required by this act, and shall possess all the powers, be subject to all the obligations, and proceed, in all respects, in the discharge of his or their duties, in collecting the said tax, as the several collectors possessed, were subject to and were required to do, by an act, entitled "An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a direct tax upon the District of Columbia," approved the twenty-seventh of February, one thousand eight hundred and fifteen, and by the several acts of Congress therein referred to, or which were subsequently passed, in order to alter or amend the same; all of which acts, for the effectual fulfilment of the purpose of this act, according to the tenor and intent thereof, are hereby declared to be revived, and in full force within the limits of the several corporations aforesaid.

Tax to be continued, &c., according to the provisions of this act. Proviso.

SEC. 7. *And be it further enacted*, That the tax imposed by this act shall be continued and collected from time to time, according to the provisions and conditions of this act, and of the several acts aforesaid, so long as the proceeds thereof may, by any possibility, be required to meet the payment of the several loans authorized as aforesaid: *Provided, however*, That all or either of the said corporations may, in the negotiation of such loan, or loans, as they, or either of them, shall deem it expedient to make, in pursuance of the authority vested in them by this act, stipulate such terms or conditions for the payment of the interest, or the redemption of the principal sum thereof, as shall dispense with the system of taxation provided by this act.

Where any loan or loans shall be negotiated by the corporation or any one of them.

SEC. 8. *And be it further enacted*, That, in the event that any loan or loans shall be negotiated by the said corporations, or any one of them, to the extent, in whole or in part, of the subscription of one or all of the said corporations, to the stock of the Chesapeake and Ohio Canal Company, in conformity with the provisions of this act, and based upon the system of taxation therein provided, a copy or copies of the contract or contracts, for any and all such loans, shall, as soon as practicable after the execution thereof, be deposited, either by the corporation or corporations contracting such loan or loans or by the creditor or creditors interested therein, with the Secretary of the Treasury; and, out of all such sums as shall be paid, by the respective corporations, in advance, as aforesaid, on account of their several contracts, or as shall be levied and collected, in manner hereinbefore provided, the holders of the certificates of any such loan shall be entitled to receive, at the public treasury, such amount as may be due to them, respectively; and, on the occurrence of any deficiency in the sum or sums voluntarily paid in, or assessed and collected, within the said corporations, respectively, for the payment of their respective creditors, the extent of such deficiency shall be ascertained by the Secretary of the Treasury, from a reference to the terms of the loan or loans, in relation to which such deficiency may occur; and, being so ascertained and published in some one or more newspapers printed in the District of Columbia, the Secretary of the Treasury shall instruct the proper collector to proceed to collect, and pay into the public treasury, the said amount, with all lawful charges attending the same, according to such farther rateable assessment upon

the estates and property within the jurisdiction of the corporation in arrear, according to the provisions of this act, and of the several acts referred to therein, as shall be sufficient to supply such ascertained deficiency; and, on the completion of such collection, the holder or holders of the certificates of the stock of the corporation, shall be entitled to receive such amount as may have been found due, and unprovided for, by the sums before paid in, or collected on account of such corporation.

APPROVED, May 24, 1828.

CHAP. LXXXIX.—*An Act making appropriations for custom-houses and ware-houses.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he hereby is, authorized to cause to be selected, and purchased, a suitable site for a custom-house and ware-house at Newport, in Rhode Island, and to cause a safe and convenient building to be erected thereon, for the transaction of custom-house business, and for the safe keeping of the records thereof and of the property in the custody of the government; and that a sum not exceeding ten thousand dollars be, and the same is hereby appropriated, for the purposes aforesaid, out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, likewise authorized to cause to be purchased a suitable site for a custom-house and ware-house in the city of Mobile, in the state of Alabama, and to have erected a safe and convenient building, or to purchase a proper site with a suitable and convenient building already erected thereon, for the transaction of custom-house business and for the safe keeping of the property in custody of the government; and that a sum not exceeding eight thousand five hundred dollars be, and the same is hereby appropriated, for the purpose aforesaid, out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he hereby is, authorized to cause to be put in proper repair, and to be used for a custom-house, a certain brick store, in Newburyport, Massachusetts, once the property of Abner Wood and David Wood, junior, of said Newburyport, but now belonging to the United States; and that a sum not exceeding three hundred dollars be, and the same is hereby appropriated, for the purpose aforesaid, out of any money in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury is hereby authorized and directed to cause a suitable site to be selected and purchased for a custom-house and warehouse at Portland, in Maine, and to cause a safe and convenient building to be erected thereon, for the transaction of custom-house business, and for the safe keeping of the records thereof, and of the property in the custody of the government; and that a sum not exceeding twenty thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purposes aforesaid.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

[Obsolete.]

Secretary of the Treasury of cause to be purchased a suitable site for a custom-house and warehouse, at Newport, Rhode Island.

A sum not exceeding 10,000 dollars appropriated.

Also a suitable site for a custom-house and warehouse in the city of Mobile, Ala.

A sum not exceeding 8500 dollars appropriated.

A certain brick store in Newburyport, Mass., to be put in repair and used as a custom-house.

A sum not exceeding 300 dollars appropriated.

A suitable site to be selected, &c., for a custom-house and warehouse at Portland, Maine.

A sum not exceeding \$20,000 appropriated.

## STATUTE I.

May 24, 1828.

Act of May  
26th 1824, ch.  
173, continued  
in force.

Claims to be  
decided upon.

To be rati-  
fied.

So much of  
the said act, as  
subjects the  
claimants to the  
payment of  
costs, in any  
case where the  
decision may be  
in favour of  
their claims,  
repealed.

Where any  
claim, founded  
on concession,  
&c., shall be  
adjudged  
against and re-  
jected.

CHAP. XC.—*An Act to continue in force for a limited time, and to amend an act, entitled "An act to enable 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." (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act approved the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act to enable 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," shall be, and the same hereby is, continued in force: that is to say, for the purpose of filing petitions in the manner prescribed by that act, to and until the twenty-sixth day of May, in the year one thousand eight hundred and twenty-nine, and for the purpose of enabling the claimants to obtain a final decision on the validity of their claims in the courts of Missouri and Arkansas, respectively; the said claims having been exhibited within the time above specified; the said act shall be continued in force to, and until, the twenty-sixth day of May, in the year one thousand eight hundred and thirty, and no longer; and the courts having cognisance of said claims shall decide upon and confirm such as would have been confirmed under the laws, usages, and customs of the Spanish government, for two years, from and after the twenty-sixth day of May, one thousand eight hundred and twenty-eight, and all the claims authorized by that act, to be heard and decided, shall be ratified and confirmed to the same extent that the same would be valid if the country in which they lie had remained under the dominion of the sovereignty in which said claims originated.

SEC. 2. *And be it further enacted,* That so much of the said act as subjects the claimants to the payment of costs in any case where the decision may be in favour of their claims, be and the same is hereby repealed, and the costs shall abide the decision of the cause as in ordinary causes before the said court; and so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed. And the confirmations had by virtue of said act, and the patents issued thereon, shall operate only as relinquishment of title on the part of the United States, and shall, in no wise, affect the right or title, either in law or equity, of adverse claimants of the same land.

SEC. 3. *And be it further enacted,* That where any claim, founded on concession, warrant, or order of survey, shall be adjudged against and rejected, the claimant or his legal representatives, by descent or purchase, being actual inhabitants and cultivators of the soil, the claim to which shall have been rejected, shall have the right of pre-emption, at the minimum price of the public lands, so soon as the land shall be surveyed and subdivided by the United States, of the quarter section on which the improvement shall be situate, and so much of every other quarter section which contains any part of the improvement, as shall be within the limits of the rejected claim.

APPROVED, May 24, 1828.

## STATUTE I.

May 24, 1828.

Legislature  
of the state of

CHAP. XCI.—*An Act to authorize the legislature of the state of Indiana to sell the lands heretofore appropriated for the use of schools in that state.*

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

(a) See notes of the act of May 26, 1824, ch. 154.



state of Indiana shall be, and is hereby, authorized to sell and convey, in fee simple, all, or any part, of the lands heretofore reserved and appropriated by Congress for the use of schools within said state, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be forever applied, under the direction of said legislature, for the use and support of schools, within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatsoever: *Provided*, said land, or any part thereof, shall, in no case, be sold without the consent of the inhabitants of such township, or district, to be obtained in such manner as the legislature of said state shall, by law, direct: *And provided, also*, That in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

SEC. 2. *And be it further enacted*, That, if the proceeds accruing to any township or district, from said fund, shall be insufficient for the support of schools therein, it shall be lawful for said legislature to invest the same, as is hereinbefore directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same.

APPROVED, May 24, 1828.

Indiana authorized to sell, &c., in fee simple, all, or any part, of the lands heretofore reserved for the use of schools within said state.  
Proviso.

Proviso.

Where proceeds are insufficient for the support of schools in any township.

STATUTE I.

May 24, 1828.

CHAP. XCIII.—*An Act supplementary to the several acts providing for the adjustment of land claims in the state of Mississippi.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the claimants of lands within that part of the limits of the land district of Jackson Courthouse, in the state of Mississippi, lying below the thirty-first degree of north latitude, whose claims have been presented to the commissioners appointed to receive and examine claims and titles to lands in said district of Jackson Courthouse, or to the register and receiver of the land office at Jackson Courthouse, acting as commissioners under the provisions of the act of third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands, and establishing land offices in the district east of the Island of New Orleans," and which have not been reported to Congress, or whose claims have not been heretofore presented to said commissioners, or to the register and receiver acting as commissioners, or whose claims have been acted upon, but additional evidence adduced, be allowed until the first day of January, one thousand eight hundred and twenty-nine, to present their titles and claims, and the evidence in support of the same, to the register and receiver of the land office at Jackson Courthouse, in the state of Mississippi, whose powers and duties in relation to the same, shall, in all respects, be governed by the provisions of the acts before recited, and of the act of the eighth of May, eighteen hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices in the district east of the island of New Orleans."

SEC. 2. *And be it further enacted*, That the said register and receiver shall have power to receive and examine such titles and claims, and for that purpose shall hold their sessions at Jackson Courthouse, and the town of Shieldsborough. They shall give immediate notice after the passage of this act of the time and place of their meeting, but may adjourn from time to time as may best suit the convenience of claimants, upon giving due notice thereof. And the said register and receiver shall have power to appoint a clerk, who shall be a person capable of

Claimants of lands within that part of the limits of the land district of Jackson Courthouse lying below the 31st degree of north lat. whose claims have been presented by the commissioners under act of March 3, 1819, ch. 100. whose claims have not been acted upon, allowed until Jan. 1st, 1829, to present their titles, &c.

Act of May 8, 1822, ch. 128.

Register and receiver to hold their sessions at Jackson Courthouse, and the town of Shieldsborough, &c.  
Register and receiver to appoint a clerk.

Their compensation each.

Payment of the whole of the aforesaid compensation to be withheld by the Secretary of the Treasury, until, &c.

STATUTE I.

May 24, 1828.

[Obsolete.]

Sums appropriated, &c.

For payment of sum by art. 6, of treaty with the Chippewas of Aug. 5, 1826.

For annuity, &c. by article 3 of treaty with the Patawatima of Oct. 16, 1826.

For supporting a blacksmith, &c.

For payment of annuity by treaty with the Miamies of Oct. 23, 1826.

For delivery of two thousand pounds of iron, &c.

For support of the poor and infirm.

For carrying into effect treaty with Creek nation of Nov. 15, 1827.

To the Thornton party of Miami Indians by treaty of Feb. 11, 1828.

For building twelve houses, &c.

For payment &c., to Peter Langlois.

For the following sums,

translating the French and Spanish languages, and who shall perform the duty of translator and such other duty as may be required by the said register and receiver; and the said register and receiver shall each be allowed, as a compensation for their services in relation to said claims, and, for the services to be performed under the provisions of the several acts to which this is a supplement, the sum of eight hundred dollars each, and the clerk the sum of eight hundred dollars: which several sums of money shall be paid out of any money in the treasury not otherwise appropriated: *Provided*, That the payment of the whole of the aforesaid compensation shall be withheld by the Secretary of the Treasury, until a report, approved by him, shall have been made to him by said register and receiver, of the performance of the services herein required.

APPROVED, May 24, 1828.

CHAP. XCIV.—*An Act making appropriations to carry into effect certain Indian treaties.*

*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, to be paid out of any money in the treasury not otherwise appropriated, for the objects following, viz:

For the payment of the sum stipulated by the sixth article of the treaty of the fifth of August, one thousand eight hundred and twenty-six, with the Chippewa tribe of Indians, one thousand dollars.

For paying the annuity and providing the means of education, stipulated by third article of the treaty with the Patawatima tribe of Indians, made the sixteenth of October, one thousand eight hundred and twenty-six, four thousand dollars.

For supporting a blacksmith and miller, and also for furnishing one hundred and sixty bushels of salt, in conformity with the aforesaid article, one thousand five hundred and twenty dollars.

For the payment of the annuity stipulated by the fourth article of the treaty with the Miami tribe of Indians, made the twenty-third day of October, one thousand eight hundred and twenty-six, for the year one thousand eight hundred and twenty-eight, thirty thousand dollars.

For the delivery of two thousand pounds of iron, one thousand pounds of steel, one thousand pounds of tobacco, and for the employment of labourers, in conformity of the said fourth article of the said treaty, one thousand one hundred dollars.

For the support of the poor and infirm, and the education of the youth of the said tribe of Indians, under the sixth article of the said treaty, two thousand dollars.

For carrying into effect the treaty with the Creek nation of Indians, concluded the fifteenth of November, one thousand eight hundred and twenty-seven, forty-seven thousand four hundred and twenty-nine dollars.

To the Thornton party of Miami Indians, by virtue of the second article of a treaty made with them on the eleventh of February, one thousand eight hundred and twenty-eight, at the Wyandot village, for goods delivered and to be delivered, as provided for by the second article of the said treaty, ten thousand dollars.

For building twelve houses, clearing and fencing forty acres of land, and furnishing wagon, oxen, labourers, provisions, horses, and saddles, and bridles, as stipulated for by same article of said treaty, five thousand four hundred and eighty-five dollars.

For payment of money and goods to Peter Langlois, as stipulated for by the third article of said treaty, four thousand dollars.

For the following sums and objects, being necessary to carry into effect the treaty concluded on the sixth day of May, one thousand eight

hundred and twenty-eight, between the United States and the Cherokee nation of Indians, west of the Mississippi:

In consideration of the inconvenience and trouble of removing, as provided for in the fifth article of said treaty, fifty thousand dollars.

For three years annuity, as provided for in the same article, six thousand dollars.

For spoiliations committed on them, as provided for in the same article, eight thousand seven hundred and sixty dollars.

For the use of Thomas Graves, same article, one thousand two hundred dollars.

For the use of George Guess, same article, five hundred dollars.

For two thousand dollars, for ten years, for the education of their children, same article, twenty thousand dollars.

Towards the purchase of a printing press, and types, same article, one thousand dollars.

For the compensation proposed to be paid to emigrating Cherokees from within the chartered limits of Georgia, for the year one thousand eight hundred and twenty-eight, upon the supposition that five hundred may emigrate within the year; that is to say:

For rifles, six thousand two hundred and fifty dollars.

For five hundred blankets, two thousand five hundred dollars.

For five hundred kettles, one thousand dollars.

For two thousand five hundred pounds of tobacco, two hundred and fifty dollars.

For property that may be abandoned, upon the estimate that, of the five hundred, one hundred may be heads of families, and have property worth twenty dollars, each, two thousand dollars.

For cost of emigration of five hundred, at ten dollars each, five thousand dollars.

For provisions for a year, fifteen thousand dollars.

For ten dollars for each emigrant, as provided for by the eighth article of the aforesaid treaty, five thousand dollars.

For Captain James Rogers, as provided for by the tenth article, five hundred dollars.

For the expense, in part, of running the boundary lines, as provided for by the third article, two thousand dollars.

APPROVED, May 24, 1828.

&c. necessary to carry into effect the treaty with the Cherokees.

Spoiliations committed on them.

Use of Thomas Graves.

Use of George Guess. Education of their children.

Printing press.

Compensation to Cherokees for 1828.

For rifles.

For blankets.

For kettles.

For tobacco.

For abandoned property.

For cost of emigration.

Provisions for a year.

Ten dollars for each emigrant.

For Captain James Rogers.

For expense of running boundary lines.

STATUTE I.

CHAP. XCV.—*An Act making appropriations for the purchase of books, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of five thousand dollars be, and the same hereby is appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the purchase of books for the library of Congress.

SEC. 2. *And be it further enacted,* That the librarian of Congress be authorized to employ an assistant, who shall receive a yearly compensation of eight hundred dollars, commencing March fourth, one thousand eight hundred and twenty-seven; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 24, 1828.

May 24, 1828.

[Obsolete.]  
5000 dollars appropriated for the purchase of books for the library of Congress.

Librarian authorized to employ an assistant.

STATUTE I.

CHAP. XCVI.—*An Act supplementary to an act, entitled "An Act providing for the correction of errors in making entries of lands at the land offices," passed March third, eighteen hundred and nineteen.*

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

May 24, 1828.

Provisions of act of March 3,

1819, ch. 98, to extend to cases where patents have issued or shall hereafter issue.

act, entitled "An act providing for the correction of errors in making entries of lands at the land offices;" approved March third, one thousand eight hundred and nineteen, are hereby declared to extend to cases where patents have issued, or shall hereafter issue: upon condition that the party concerned shall surrender his or her patent, to the commissioner of the general land office, with a relinquishment of title thereon, executed in a form to be prescribed by the Secretary of the Treasury.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

[Obsolete.]

15,000 dollars appropriated to defray the expenses of treating with the Chippewas, &c.

Commissioners appointed to negotiate said treaty.

CHAP. XCVII.—*An Act to enable the President of the United States to hold a treaty with the Chippewas, Ottawas, Pattawattimas, Winnebagoes, Fox and Sacs nations of Indians.*

*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 defray the expenses of treating with the Chippewas, Ottawas, Pattawattimas, Winnebagoes, Fox and Sacs nations of Indians, for the purpose of extinguishing their titles to lands within the state of Illinois and the territory of Michigan, situated between the Illinois river and the lead mines, on Fever river, and in the vicinity of said lead mines; and, also, certain reservations on the south-east border of Lake Michigan; and that the President of the United States, if he shall deem it expedient, may apply a part of the aforesaid appropriation, for the purpose of holding a treaty with the Choctaw nation of Indians, to extinguish their title to the tract of land, which lies in the territory of Arkansas, east of the western boundary line of said territory; the said sum to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That, for the purpose of negotiating said treaty, on the part of the United States, the President shall be, and he is hereby, authorized to appoint commissioners, by and with the advice and consent of the Senate, as soon as practicable, and to fix their compensation, so as not to exceed what has been heretofore allowed for like services.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

30,000 dollars appropriated for the suppression of the slave trade.

Act of March 3, 1819, ch. 101.

Secretary of the Navy to satisfy the claim of Taliaferro Livingston.

Proviso.

CHAP. XCVIII.—*An Act making an appropriation for the suppression of the slave trade. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of thirty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to the suppression of the slave trade, pursuant to the act of Congress of the third day of March, one thousand eight hundred and nineteen.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy be authorized to pay, out of the sum herein appropriated, the claim of the administrator of the estate of Taliaferro Livingston, late United States' marshal for the district of Alabama, for the maintenance of sundry Africans, captured in one thousand eight hundred and eighteen: *Provided,* The said administrator shall produce satisfactory evidence of the reasonableness of the charges for the said maintenance; and that the sums received by the said Livingston for the hire of the said Africans, and for the labour performed for him by said Africans, if any, be accounted for, and deducted.

APPROVED, May 24, 1828.

(a) For acts relating to the slave trade, see vol. i. 347.

STATUTE I.

CHAP. XCIX.—*An Act to authorize the Postmaster General to erect an additional building, and employ five additional clerks.*

May 24, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Postmaster General be authorized to have erected an additional building for the use of the department of the general post-office, and of the patent office; and that he be also authorized to employ five additional clerks, with a salary of one thousand dollars each.

An additional building to be erected, and five clerks to be appointed.

SEC. 2. *And be it further enacted,* That the sum of twelve thousand dollars be appropriated to defray the cost of erecting the aforesaid building, and the sum of five thousand dollars to pay the salaries of the aforesaid clerks; to be paid out of any money in the treasury not otherwise appropriated.

Appropriation for the erection of the building, &c.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. C.—*An Act allowing compensation to the members of the legislature of the territory of Arkansas, and for other purposes.*

May 24, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be paid to each member of the two branches of the legislature of the territory of Arkansas three dollars a day for each day he shall actually attend the session thereof; and, also, three dollars for every twenty-five miles' travel, in going to and returning from such session; to be computed by the actual distance from the place where such member resides to the place where the session of the legislature shall be held, which said distance shall be distinctly certified by the governor of said territory: *Provided, however,* That no member shall be entitled to, or shall receive compensation, for daily attendance, for more than thirty days in every two years; or for going to and returning from said legislature, more than once in said two years.

Compensation of the members of the legislature of the territory of Arkansas for attendance.

Proviso.

SEC. 2. *And be it further enacted,* That there shall be paid once in two years, seven hundred and twenty dollars, to the governor of said territory, to be applied towards defraying the incidental expenses of the legislature, in such manner as the said legislature shall direct.

720 dollars to be paid the governor biennially for certain purposes.

SEC. 3. *And be it further enacted,* That there be, and is hereby, appropriated out of any moneys not otherwise appropriated, the sum of four hundred and eighty dollars to the district judge of the state of Missouri, and to each of the judges of the superior court for the territory of Arkansas, for their extra services as land commissioners from the twenty-sixth day of May, eighteen hundred and twenty-eight, to the thirty-first day of December next.

480 dollars appropriated to the district judge of the state of Missouri, &c.

SEC. 4. *And be it further enacted,* That for the contingent expenses of the Senate for the year eighteen hundred and twenty-eight, in addition to the sum heretofore appropriated, the sum of fifteen thousand dollars be, and the same hereby is, appropriated, to be paid out of any unappropriated money in the treasury.

15,000 dollars appropriated for contingent expenses of the Senate for 1828.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. CI.—*An Act to provide for opening and making a military road in the state of Maine.*

May 24, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to cause a military road to be

President to cause a military road to be opened.

opened and made in the state of Maine, from the mouth of the river Matanawcook, where it enters into the Penobscot river, to Mars Hill, near the north-eastern boundary line of the state of Maine.

Troops of the United States to be employed to carry into effect the provisions of this act.

SEC. 2. *And be it further enacted*, That the President be, and he is hereby, authorized to employ such part of the troops of the United States as he may think proper, to survey and construct said road; and, for the purpose of carrying into effect the provisions of this act, the sum of fifteen thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

[Obsolete.]

Appropriation.

Vol. ii. 53, 293.

CHAP. CII.—*An Act making an appropriation for the navy hospital fund.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of forty-six thousand two hundred and seventeen dollars and fourteen cents be appropriated out of any money in the treasury not otherwise appropriated, to the navy hospital fund; and that the Secretary of the Treasury be directed to pay the same to the commissioners of the aforesaid fund upon their requisition.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CIII.—*An Act to repeal a part of the act, entitled "An act supplementary to, and to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage,'" passed the second of March, one thousand seven hundred and ninety-nine, and for other purposes.*

Act of March 2, 1799, ch. 22. 37th section of act of 1st March, 1823, ch. 21, repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, the thirty-seventh section of the act passed on the first of March, one thousand eight hundred and twenty-three, entitled "An act supplementary to, and to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage,' passed second of March, one thousand seven hundred and ninety-nine, and for other purposes," be, and the same is hereby, repealed.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

Lieutenants in the navy, after passage of this act, to receive 10 dollars per month and one ration per day, in addition, &c.

CHAP. CIV.—*An Act to increase the pay of lieutenants in the navy.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the passing of this act, all lieutenants in the navy of the United States shall, in addition to the pay and emoluments now allowed them by law, each receive ten dollars per month, and one ration per day.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

Secretary of War authorized, &c. to procure on reasonable terms, a site for an arsenal on the

CHAP. CV.—*An Act authorizing the establishment of an arsenal on the waters of Mobile or Pensacola Bays.*

*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 required to procure, as soon as it can be effected on reasonable terms, a site for an arsenal on the waters of Mobile or Pensacola bays, and to cause to be erected thereon such an arsenal as may be deemed proper, for the safe keeping of the arms and

munitions of war of the United States, for the Mexican gulf frontier ; and that for these purposes the sum of fifty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, May 24, 1828.

waters of Mobile or Pensacola bays.

STATUTE I.

May 24, 1828.

CHAP. CVII.—*An Act to authorize the legislature of the state of Illinois to sell and convey a part of the land reserved and granted to said state for the use of the Ohio Saline.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislature of the state of Illinois shall be, and is hereby, authorized and empowered to cause to be sold and conveyed in such manner, and on such terms and conditions, as said legislature shall by law direct, such part or parts of the tract of land reserved and granted to said state, for the use and support of the salt works, known by the name of the Ohio Saline, in the county of Gallatin, in the said state, and to apply the proceeds of such sale to such objects as the said legislature may by law hereafter direct: *Provided,* That the legislature shall not sell and convey more than thirty thousand acres of the land reserved and granted for the use of the Saline aforesaid.

APPROVED, May 24, 1828.

Legislature of the state of Illinois authorized, &c., to cause to be sold, &c., a part or parts of the tract of land reserved and granted to said state for the use of salt works.

Proviso.

STATUTE I.

May 24, 1828.

CHAP. CVIII.—*An Act to aid the state of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said state to aid in the construction of the canals authorized by law ; and for making donations of land to certain persons in Arkansas territory.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be, and is hereby, granted to the state of Ohio, for the purpose of aiding said state in extending the Miami canal from Dayton to Lake Erie, by the Maumee route, a quantity of land, equal to one half of five sections in width, on each side of said canal, between Dayton and the Maumee river, at the mouth of the Auglaize, so far as the same shall be located through the public land, and reserving each alternate section of the land unsold to the United States, to be selected by the commissioner of the general land office, under the direction of the President of the United States; and which land, so reserved to the United States, shall not be sold for less than two dollars and fifty cents per acre. The said land, hereby granted to the state of Ohio, to be subject to the disposal of the legislature of said state, for the purpose aforesaid, and no other: *Provided,* That said canal, when completed, shall be, and forever remain, a public highway, for the use of the government of the United States, free from any toll or other charge, whatever, for any property of the United States, or persons in their service, passing through the same: *And provided, also,* That the extension of the said Miami canal shall be commenced within five years, and completed within twenty years, or the state shall be bound to pay to the United States the amount of any lands previously sold; and that the title to purchasers, under the state, shall be valid.

SEC. 2. *And be it further enacted,* That so soon as the route of said canal shall be located, and agreed on by said state, it shall be the duty of the governor thereof, or such other person or persons as may have been, or shall hereafter be, authorized to superintend the construction of said canal, to examine and ascertain the particular lands to which the said state will be entitled under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.

Act of June 30, 1834, ch. 137.

A quantity of land to be granted to the state of Ohio, for the purpose of aiding said state in extending the Miami canal from Dayton to Lake Erie by the Maumee route.

Proviso.

Proviso.

Act of March 2, 1833, ch. 87.

Duty of the governor when the route of said canal is located.

Legislature to have power to sell, &c., after the selection be made.

State of Indiana authorized to convey, &c., to the state of Ohio, all the right, &c., granted to said state by an act of March 2, 1827, ch. 56.

Act of March 3, 1845, ch. 42.

500,000 acres of the lands owned by the United States, within said state, to be selected as hereinafter directed, for the purpose of aiding the state of Ohio in the payment of the debt, &c.

Proviso.

Proviso.

Act of March 2, 1833, ch. 87.

The selection of the land granted by 5th section of this act to be made by the governor of Ohio.

Proviso.

Proviso.

Act to take effect, provided the legislature of Ohio shall express the assent of the state to the several provisions and conditions hereof, &c.

Each head of a

SEC. 3. *And be it further enacted*, That the state of Ohio, under the authority of the legislature thereof, after the selection shall have been so made, as aforesaid, shall have power to sell and convey the whole, or any part of said land, and to give a title, in fee simple, therefor to the purchaser thereof.

SEC. 4. *And be it further enacted*, That the state of Indiana be, and hereby is, authorized to convey and relinquish to the state of Ohio, upon such terms as may be agreed upon by said states, all the right and interest granted to the state of Indiana, to any lands within the limits of the state of Ohio, by an act, 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 Wabash river with those of Lake Erie," approved on the second of March, one thousand eight hundred and twenty-seven; the state of Ohio to hold said land on the same conditions upon which it was granted to the state of Indiana, by the act aforesaid.

SEC. 5. *And be it further enacted*, That there be, and hereby is, granted to the state of Ohio, five hundred thousand acres of the lands owned by the United States, within the said state, to be selected as hereinafter directed, for the purpose of aiding the state of Ohio in the payment of the debt, or the interest thereon, which has heretofore been, or which may hereafter be, contracted by said state, in the construction of the canals within the same, undertaken under the authority of the laws of said state, now in force, or that may hereafter be enacted, for the extension of canals now making; which land, when selected, shall be disposed of by the legislature of Ohio, for that purpose, and no other: *Provided*, The said canals, when completed or used, shall be, and for ever remain, public highways, for the use of the government of the United States, free from any toll or charge whatever, for any property of the United States, or persons in their service passing along the same: *And provided further*, That the said canals, already commenced, shall be completed in seven years from the approval of this act; otherwise the state of Ohio shall stand bound to pay over to the United States the amount which any lands, sold by her, within that time, may have brought; but the validity of the titles derived from the state by such sales, shall not be affected by that failure.

SEC. 6. *And be it further enacted*, That the selection of the land granted by the fifth section of this act, may be made under the authority, and by the direction of the governor of the state of Ohio, of any lands belonging to the United States within said state, which may at the time of selection be subject to entry at private sale, and within two years from the approval of this act: *Provided*, That, in the selection of the lands hereby granted, no lands shall be comprehended which have been reserved for the use of the United States, as alternate sections, in the grants hitherto made, or which may be made during the present session of Congress, of lands within the said state, for roads and canals: *And provided*, That all lands so selected shall, by the governor of said state, be reported to the office of the register of the district in which the land lies, and no lands shall be deemed to be so selected till such report be made, and the lands so selected shall be granted by the United States to the state of Ohio.

SEC. 7. *And be it further enacted*, That this act shall take effect, *Provided*, The legislature of Ohio, at the first session thereof, hereafter to commence, shall express the assent of the state to the several provisions and conditions hereof: and unless such expression of assent be made, this act shall be wholly inoperative, except so far as to authorize the governor of Ohio to proceed in causing selections of said land to be made previous to the said next session of the legislature.

SEC. 8. *And be it further enacted*, That each head of a family, widow or single man, over the age of twenty-one years, actually settled on that



part of the territory of Arkansas, which, by the first article of the treaty between the United States and the Cherokee Indians west of the Mississippi, ratified the twenty-third day of May, one thousand eight hundred and twenty-eight, has ceased to be a part of said territory, who shall remove from such settlement according to the provisions of that treaty, shall be authorized to enter with the proper register of the land office in Arkansas, a quantity not exceeding two quarter sections of land, on any of the public lands in that territory, the sale of which is authorized by law, and in conformity with the lines of the public surveys, at any time within two years from the passage of this act; and upon presenting the certificate of such entry to the Secretary of the Treasury, a patent shall be issued to such settler, or to his, her or their heirs, for the lands so entered, as a donation from the United States, as an indemnity for the improvements and losses of such settler under the aforesaid treaty.

SEC. 9. *And be it further enacted*, That the register and receiver of the land office, to which application may be made to enter such lands, shall be authorized to take the proper testimony of such actual settlement and subsequent removal, as in cases of pre-emptions heretofore granted to actual settlers, for which a reasonable compensation shall be made to such registers and receivers, by the United States.

APPROVED, May 24, 1828.

family, &c., over the age of 21 years, actually settled, which, by 1st article of treaty between the United States and the Cherokees west of the Mississippi, ratified by treaty of May 23, 1828, authorized to enter with the proper register a quantity not exceeding two quarter sections of land.

Register, &c., to take the proper testimony of such actual settlement and subsequent removal, &c.

STATUTE I.

CHAP. CIX.—*An Act to revive and continue in force an act, entitled "An Act to provide for persons who were disabled by known wounds received in the Revolutionary war."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," passed on the tenth day of April, one thousand eight hundred and six, and limited, as in said act declared, to the term of six years, and afterwards revived and continued in force for and during the term of six years, by an act, entitled "An act to revive and continue in force 'An act to provide for persons who were disabled by known wounds received in the revolutionary war, and for other purposes,'" passed on the twenty-fifth of April, in the year one thousand eight hundred and twelve, and afterwards revived and continued in force for the term of one year, by an act, entitled "An act to revive and continue in force an act, entitled 'An act to provide for persons who were disabled by known wounds received in the revolutionary war,'" passed on the fifteenth day of May, in the year one thousand eight hundred and twenty, and further revived and continued in force for the term of six years, by an act, entitled "An act to revive and continue in force an act, entitled 'An act to provide for persons who were disabled by known wounds, received in the revolutionary war,'" passed on the fourth day of February, in the year one thousand eight hundred and twenty-two, shall be, and the said act is hereby, revived and continued in full force and effect for and during the term of six years from and after the passing of this act, and from thence unto the end of the next session of Congress: *Provided*, That any evidence which has been taken to support any claim of any person disabled in the revolutionary war, under the authority of the act of the fifteenth of May, one thousand eight hundred and twenty, reviving and continuing in force for one year "An act to provide for persons who were disabled by known wounds, received in the revolutionary war," shall be received and acted upon by the Secretary of War, in the same manner as if said act was still in force, and had not expired: *And provided, also*, That this act and any thing

May 24, 1828.

[Expired.]

Act of April 10, 1806, ch. 25, continued in force for the term of six years.

Act of April 25, 1812, ch. 69.

Act of May 15, 1820, ch. 109.

Act of Feb. 4, 1822, ch. 6.

Proviso.

Act of May 15, 1820, ch. 109.

Proviso.

Act of March  
3, 1819, ch. 99.

Right of any  
person to re-  
ceive a pension,  
in virtue of any  
law of the  
United States,  
shall be con-  
strued, &c.

Agents for  
the payment of  
pensions re-  
quired to give  
bonds.

contained in the act hereby revived and continued in force, shall not be construed to repeal or make void the fourth section of an act, entitled "An act concerning invalid pensions," passed the third of March, one thousand eight hundred and nineteen; and the said fourth section of the said last-mentioned act shall be, and the same is hereby declared to be, and to continue to be in full force and effect, any thing in the said act hereby revived and continued in force to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That the right any person now has, or hereafter may acquire, to receive a pension in virtue of any law of the United States, shall be construed to commence at the time of completing his testimony, pursuant to the act hereby revived and continued in force.

SEC. 3. *And be it further enacted*, That the agents for the payment of pensions to invalid pensioners of the United States, shall in future be required to give bonds, with two or more sureties, to be approved by the Secretary of the Department of War, in such penalty as he shall direct for the faithful discharge of the duties confided to them respectively.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CX.—*An Act declaring the assent of Congress to an act of the state of Alabama.*

Assent of  
Congress given  
to act of Ala-  
bama of Jan. 10,  
1827.

Appendix No.  
2.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the assent of Congress be, and hereby is, granted to the operation of an act of the general assembly of the state of Alabama, passed on the tenth day of January, one thousand eight hundred and twenty-seven, entitled "An act to incorporate the Cahawba Navigation Company."

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CXI.—*An Act in addition to an act, entitled "An act concerning discriminating duties of tonnage and impost," and to equalize the duties on Prussian vessels and their cargoes. (a)*

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

Where no  
discriminating  
duties of ton-  
nage or impost  
are levied in  
the ports of  
said nation,  
upon vessels,  
&c. of the U. S.,  
the President  
to issue his pro-  
clamation, de-  
claring, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any foreign country, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost, within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise imported into the United States in the same, from the said foreign nation, or from any other foreign country: the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer. (b)

Duties col-  
lected on  
vessels of Prus-  
sia, &c.

SEC. 2. *And be it further enacted*, That no other or higher rate of duties shall be imposed or collected on vessels of Prussia, or of her dominions, from whencesoever coming, nor on their cargoes, howsoever com-

(a) See notes to act of Jan. 7, 1824, ch. 4.

(b) Appendix, No. III.

posed, than are, or may be, payable on vessels of the United States, and their cargoes.

Sec. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to return all duties which have been assessed since the fifteenth day of April, one thousand eight hundred and twenty-six, on Prussian vessels, and their cargoes, beyond the amount which would have been payable on vessels of the United States, and their cargoes; and that the same allowances of drawback be made on merchandise exported in Prussian vessels as would be made on similar exportations in vessels of the United States.

All duties assessed since April 15, 1826, on Prussian vessels, &c., beyond the amount which would have been payable, &c.

Sec. 4. *And be it further enacted*, That so much of this act as relates to Prussian vessels and their cargoes, shall continue and be in force during the time that the equality for which it provides shall, in all respects, be reciprocated in the ports of Prussia, and her dominions; and if at any time hereafter, the said equality shall not be reciprocated in the ports of Prussia, and her dominions, the President may, and he is hereby, authorized to issue his proclamation, declaring that fact, and thereupon so much of this act as relates to Prussian vessels, and their cargoes, shall cease and determine.

So much of this act as relates to Prussian vessels, &c. to continue in force on certain conditions, &c.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. CXIII.—*An Act altering the duties on wines imported into the United States. (a)*

May 24, 1828,

*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 next, the duties now imposed on wines imported into the United States, shall cease, and that, in lieu thereof, the following duties shall be levied and collected on all wines so imported; that is to say:

After Jan. 1, 1829, duties now imposed on wines imported into the United States, altered.

On the wines of France, Germany, Spain and the Mediterranean, when imported in casks, unless specially enumerated, fifteen cents per gallon; except the red wines of France and Spain, when not imported in bottles, which shall pay only ten cents per gallon.

On wines of France, &c. imported in casks.

On wines of all countries, when imported in bottles or cases, unless specially enumerated; on wines of Sicily, and on all wines not enumerated, whether imported in bottles, cases or casks, thirty cents per gallon, in addition to the duty now existing on the bottles when thus imported.

On wines of all countries when imported in bottles or cases.

On Sherry and Madeira wines, whether imported in bottles, cases or casks, fifty cents per gallon, in addition to the duty on the bottles when so imported.

On Sherry and Madeira wines, &c.

Sec. 2. *And be it further enacted*, That the duties imposed by this act on wine imported, shall be levied and collected on all wines remaining in the public ware-houses after the first of January, one thousand eight hundred and twenty-nine, in lieu of the duties existing when the same may have been imported.

Duties imposed by this act, on wines imported, &c.

Sec. 3. *And be it further enacted*, That a drawback of the duties on wines, imposed by this act, shall be allowed on exportation, and that all existing laws concerning the exportation of merchandise for the benefit of drawback, the collection of duties, and the recovery, distribution and remission of all penalties and forfeitures, shall be taken and deemed to be applicable to importations under this act.

A drawback of the duties shall be allowed on exportation, &c.

APPROVED, May 24, 1828.

(a) *Discriminating duties*: Act of 1816, ch. 107, sec. 3. Act of Jan. 14, 1817, ch. 50. Act of 1818, ch. 110. Act of 1832, ch. 207. Act of 1832, ch. 227, sec. 10. Act of 1824, ch. 4. Act of 1828, ch. 111. Act of 1842, ch. 270, sec. 11.

## STATUTE I.

May 24, 1828.

[Obsolete.]

Sums appropriated.

Forts.

For repairs, &amp;c.

Sums appropriated to be paid from the treasury.

CHAP. CXIV.—*An Act making appropriations for certain fortifications of the United States for the first quarter of the year one thousand eight hundred and twenty-nine.*

*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 wit: For fortifications, to each, specifically, as follows—

For fort Adams, fifteen thousand dollars. For fort Hamilton, twenty thousand dollars. For fort Monroe, fifteen thousand dollars. For fort Calhoun, ten thousand dollars. For fort Macon, at Bogue Point, ten thousand dollars. For a fort at Oak Island, fifteen thousand dollars. For a fort at Mobile Point, twenty thousand dollars. For fort Jackson, sixteen thousand dollars. For fortifications at Pensacola, twenty thousand dollars. For fortifications at Charleston, fifteen thousand dollars. For fortifications at Savannah, fifteen thousand dollars. For repairs and contingencies of fortifications, three thousand seven hundred and fifty dollars.

SEC. 2. *And be it further enacted,* That the sums herein appropriated shall be paid out of any money in the treasury not otherwise appropriated: but that no part of the same shall be drawn from the treasury before the first of January, one thousand eight hundred and twenty-nine.

APPROVED, May 24, 1828.

## STATUTE I.

May 24, 1828.

Banks in the District of Columbia in calculating their discount to be guided, &amp;c.

CHAP. CXV.—*An Act in relation to the banks 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 it shall be, and is hereby, declared to be lawful for the several banks of the District of Columbia, in calculating their discount or interest, to charge according to the standard and rates set forth in "Rowlett's Tables," and, in computing the time which a note may have to run, to reckon the days inclusively.

APPROVED, May 24, 1828.

## STATUTE I.

May 24, 1828.

Second section of the act of April 14, 1802, ch. 23, and March 22, 1816, ch. 32, repealed.

Any alien, being a free white person, who was residing within the limits, &c., of the United States, between April 14, 1802, and June 18, 1812, to become a citizen. Proviso.

CHAP. CXVI.—*An Act to amend the acts concerning naturalization. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the second section of the act, entitled "An act to establish a uniform rule of naturalization, and to repeal the acts heretofore passed on that subject," which was passed on the fourteenth day of April, one thousand eight hundred and two, and the first section of the act, entitled "An act relative to evidence in cases of naturalization," passed on the twenty-second day of March, one thousand eight hundred and sixteen, be, and the same are hereby, repealed.

SEC. 2. *And be it further enacted,* That any alien, being a free white person, who was residing within the limits, and under the jurisdiction of the United States, between the fourteenth day of April, one thousand eight hundred and two, and the eighteenth day of June, one thousand eight hundred and twelve, and who has continued to reside within the same, may be admitted to become a citizen of the United States, without having made any previous declaration of his intention to become a citizen: *Provided,* That whenever any person, without a certificate of such

(a) See notes of the acts relating to naturalization, vol. i. 103.

declaration of intention, shall make application to be admitted a citizen of the United States, it shall be proved to the satisfaction of the court, that the applicant was residing within the limits, and under the jurisdiction of the United States, before the eighteenth day of June, one thousand eight hundred and twelve, and has continued to reside within the same, or he shall not be so admitted: and the residence of the applicant within the limits, and under the jurisdiction of the United States, for at least five years immediately preceding the time of such application, shall be proved by the oath or affirmation of citizens of the United States: which citizens shall be named in the record as witnesses; and such continued residence within the limits and under the jurisdiction of the United States, when satisfactorily proved, and the place or places where the applicant has resided for at least five years, as aforesaid, shall be stated and set forth, together with the names of such citizens, in the record of the court admitting the applicant; otherwise the same shall not entitle him to be considered and deemed a citizen of the United States.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CXVII.—*An Act making appropriations for the support of the navy of the United States, for the first quarter of the year one thousand eight hundred and twenty-nine.*

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for defraying the expenses of the navy for the first quarter of the year one thousand eight hundred and twenty-nine, the following sums be, and the same are hereby, respectively, appropriated, to wit:

For defraying the expenses of the navy for 1st quarter of 1829.

For pay and subsistence of officers, and pay of seamen employed in the navy afloat, two hundred and ninety-four thousand and seventy-eight dollars.

Pay and subsistence of officers, &c.

For pay, subsistence, and allowances of officers, and pay of seamen, at navy yards, shore stations, hospitals, and in ordinary, forty-six thousand two hundred and fifty-eight dollars.

Pay, &c. of officers and seamen.

For pay of superintendents, naval constructor, and all the civil establishment at the yards and stations, fourteen thousand seven hundred and seventy-five dollars.

Pay of superintendents, &c.

For provisions, one hundred and twenty-six thousand two hundred and fifty dollars.

Provisions.

For repairs of vessels, one hundred and eighteen thousand seven hundred and fifty dollars.

Repairs of vessels.

For medicines, surgical instruments, and hospital stores, six thousand seven hundred and fifty dollars.

Medicines.

For ordnance and ordnance stores, twelve thousand five hundred dollars.

Ordnance.

For repairing and improvements of navy yards, twenty-six thousand two hundred and fifty dollars.

Repairing, &c. of navy yards, &c.

For arrearages prior to one thousand eight hundred and twenty-nine, three thousand seven hundred and fifty dollars.

Arrearages prior to 1829.

For contingent expenses for one thousand eight hundred and twenty-nine, embracing the items enumerated for that object in the act of second of March, one thousand eight hundred and twenty-seven, sixty thousand dollars.

Contingent expenses for 1829, &c.

For contingent expenses, not enumerated, for one thousand eight hundred and twenty-nine, one thousand two hundred and fifty dollars.

Act of March 2, 1827, ch. 22.

Contingent expenses not enumerated.

For pay and subsistence of the marine corps, thirty thousand five hundred and ninety-four dollars.

Pay, &c. of marine corps.

For clothing for the same, seven thousand one hundred and ninety-one dollars and twenty-five cents.

Clothing for same.

For fuel for the same, three thousand and forty-nine dollars.

Fuel.

Contingen-  
cies for same.

Additional  
contingencies  
for same.

Military  
stores.  
Medicines, &c.

Sums appro-  
priated to be  
paid from the  
treasury.

For contingencies for the same, three thousand three hundred and seventy-five dollars.

For contingencies additional for the same, one hundred and twenty-five dollars.

For military stores for the same, seven hundred and fifty dollars.

For medicines and hospital stores for the same, five hundred and ninety-two dollars and twenty-five cents.

SEC. 2. *And be it further enacted*, That the sums herein appropriated shall be paid out of any money in the treasury not otherwise appropriated; but that no part of the same shall be drawn from the treasury before the first of January, one thousand eight hundred and twenty-nine.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

[Obsolete.]

Sums respec-  
tively appro-  
priated.

To revolu-  
tionary pension-  
ers.

Widows, &c.

Invalids, &c.

Sums appro-  
priated to be  
paid from trea-  
sury.

CHAP. CXVIII.—*An Act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the first quarter of the year one thousand eight hundred and twenty-nine.*

*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, respectively appropriated, for the objects following, to wit:

For the pensions to the revolutionary pensioners of the United States, two hundred thousand dollars.

For half-pay pensions to widows and orphans, three thousand dollars.

For the invalid and half-pay pensioners, seventy-five thousand dollars.

SEC. 2. *And be it further enacted*, That the sums herein appropriated shall be paid out of any money in the treasury not otherwise appropriated; but that no part of the same shall be drawn from the treasury before the first of January, one thousand eight hundred and twenty-nine.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

Duty of col-  
lectors after  
the passage of  
this act.

Act of Feb.  
18, 1793, ch.  
8.

Proviso.

CHAP. CXIX.—*An Act to authorize the licensing of vessels to be employed in the mackerel fishery. (a)*

*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, it shall be the duty of the collector of the district to which any vessel may belong, on an application for that purpose by the master or owner thereof, to issue a license for carrying on the mackerel fishery, to such vessel, in the form prescribed by the act, entitled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same," passed the eighteenth day of February, one thousand seven hundred and ninety-three: *Provided*, That all the provisions of said act, respecting the licensing of ships or vessels for the coasting trade and fisheries, shall be deemed and taken to be applicable to licenses and to vessels licensed for carrying on the mackerel fishery.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

[Obsolete.]

1828, ch. 117.

Sums appro-  
priated.

CHAP. CXX.—*An Act in addition to "An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and twenty-eight."*

*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, viz:

(a) See notes of the acts of Congress in relation to ships and vessels, and persons employed in the fisheries, vol. iii. 49—and notes of the decisions of the Courts of the United States on the acts relating to the fisheries, vol. iii. 49.

For pay, subsistence, and provisions, thirty-five thousand one hundred and sixty dollars.

For medicines and hospital stores, one thousand two hundred dollars.

For outfits, twenty-five thousand dollars.

For repairs, and for wear and tear, ten thousand dollars.

APPROVED, May 24, 1828.

Pay, &c.

Medicines.

Outfits.

Repairs, &c.

STATUTE I.

CHAP. CXXI.—*An Act for the better organization of the medical department of the navy of the United States. (a)*

May 24, 1828.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from and after the passing of this act, no person shall receive the appointment of assistant surgeon in the navy of the United States, unless he shall have been examined and approved by a board of naval surgeons, who shall be designated for that purpose, by the secretary of the navy department; and no person shall receive the appointment of surgeon in the navy of the United States until he shall have served as an assistant surgeon at least two years, on board a public vessel of the United States, at sea, and unless, also, he shall have been examined and approved by a board of surgeons constituted as aforesaid.

After the passing of this act, no person to receive the appointment of assistant surgeon, unless examined, &c.

SEC. 2. *And be it further enacted,* That the President of the United States may designate and appoint to every fleet or squadron an experienced and intelligent surgeon, then in the naval service of the United States, to be denominated "Surgeon of the Fleet," who shall be surgeon of the flag ship, and who, in addition to his duties as such, shall examine and approve all requisitions for medical and hospital stores for the fleet, and inspect their quality; and who shall, in difficult cases, consult with the surgeons of the several ships, and make records of the character and treatment of diseases, to be transmitted to the Navy Department; and who, in addition to the compensation allowed to surgeons at sea, shall be allowed double rations while acting as surgeon of the fleet as aforesaid.

President of the United States may designate, &c. to every fleet or squadron an intelligent surgeon, then in the naval service of the United States.

SEC. 3. *And be it further enacted,* That assistant surgeons who shall have been commissioned less than five years, shall each receive thirty dollars a month, and two rations a day; after five years' service, they shall be entitled to an examination by a board of naval surgeons, constituted as aforesaid, and having been approved and passed by such board, they shall each receive an addition of five dollars a month, and one ration a day; and, after ten years' service, a further addition of five dollars a month, and one ration a day.

Assistant surgeons who have been commissioned less than five years, to receive each 30 dollars a month, and two rations per day, &c.

SEC. 4. *And be it further enacted,* That every surgeon who shall have received his appointment, as is hereinbefore provided for, shall receive fifty dollars a month, and two rations a day; after five years' service, he shall be entitled to receive fifty-five dollars a month and an additional ration a day; and after ten years' service, he shall receive sixty dollars a month and an additional ration a day; and after twenty years' service, he shall receive seventy dollars a month and the rations as last aforesaid.

Every surgeon who shall have received his appointment as herein provided for, to receive 50 dollars per month and two rations a day, &c.

SEC. 5. *And be it further enacted,* That every assistant surgeon (after having faithfully served two years) shall, while in actual service at sea, in addition to the usual compensation allowed him by law, receive double

Every assistant surgeon, &c.

(a) *Acts relating to the medical department of the navy:*

An act to regulate the medical establishment, March 2, 1799, ch. 27.

An act further to regulate the medical department of the army, May 8, 1820, ch. 75.

An act for the better organization of the medical department of the navy of the United States, May 24, 1828, ch. 121.

An act to amend an act entitled "An act for the better organization of the medical department of the navy, approved May 24, 1828," Jan. 21, 1829, ch. 7.

An act to re-organize the navy department of the United States, Aug. 31, 1842, ch. 286, sec. 3.

to receive five dollars per month in addition to the usual compensation.

rations, and five dollars a month; and every surgeon in the navy, while in actual service at sea, shall also, in addition to his usual compensation, receive double rations, and ten dollars a month.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CXXII.—*An Act authorizing the legislative council of the territory of Michigan to take charge of school lands in said territory.*

Governor, &c. to make such laws, &c. as they may deem expedient, to protect from injury, &c., section 16, reserved in each township for the support of schools, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the governor and legislative council of the territory of Michigan be, and they are hereby, authorized to make such laws and needful regulations, as they shall deem most expedient, to protect from injury and waste section numbered sixteen, in said territory, reserved in each township, for the support of schools therein; and to provide, by law, for leasing the same, for any term not exceeding four years, in such manner as to render them productive, and most conducive to the objects for which they were designed.

APPROVED, May 24, 1828.

STATUTE I.

May 24, 1828.

CHAP. CXXIII.—*An Act making appropriations for the military service of the United States, for the first quarter of the year one thousand eight hundred and twenty-nine.*

[Obsolete.]

Sums appropriated for the military service for the 1st quarter of 1829.

*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 the military service of the United States, for the first quarter of the year one thousand eight hundred and twenty-nine, to wit:

Pay of the army, &c.

For pay of the army, and pay and subsistence of the officers, two hundred and sixty-four thousand and seventy-six dollars.

Forage.

For forage for officers, ten thousand and thirty-two dollars.

Clothing of officers' servants.

For clothing of officers' servants, four thousand nine hundred and forty-two dollars.

Recruiting service.

For the recruiting service, nine thousand dollars.

Contingent expenses.

For the contingent expenses of the recruiting service, four thousand dollars.

Subsistence department.

For the subsistence department, fifty-four thousand two hundred dollars.

Purchasing department.

For the purchasing department, forty-four thousand five hundred and ninety-four dollars and thirty-seven cents.

Medical department.

For the medical department, six thousand dollars.

Quartermaster general's department.

For the quartermaster general's department, eighty-five thousand two hundred and twenty dollars.

Military academy.

For the military academy at West Point, three thousand dollars.

Contingencies of the army.

For the contingencies of the army, two thousand five hundred dollars.

National armories.

For the national armories, ninety thousand dollars.

Ordnance department.

For the current expenses of the ordnance service, sixteen thousand two hundred and fifty dollars.

New fortifications.

For armament of new fortifications, twenty-five thousand dollars.

SEC. 2. *And be it further enacted,* That the sums herein appropriated shall be paid out of any money in the treasury not otherwise appropriated; but that no part of the same shall be drawn from the treasury before the first January, one thousand eight hundred and twenty-nine.

APPROVED, May 24, 1828.



STATUTE I.

CHAP. CXXIV.—*An Act making appropriations to enable the President of the United States to defray the expenses of delegations of the Choctaw, Creek, Cherokee, and Chickasaw, and other tribes of Indians, to explore the country west of the Mississippi.*

May 24, 1828.

[Obsolete.]

*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 enable the President of the United States to employ suitable persons to conduct delegations of the Choctaw, Creeks, Cherokees, and Chickasaw, and such other tribes of Indians as may be disposed to send delegations west of the Mississippi for the purpose of exploring the unoccupied lands of the United States without the limits of the states and territories, preparatory to the final emigration of said Indians.

Delegations of the Choctaw, Creek, &c., Indians west of the Mississippi, to explore the unoccupied lands of the United States.

SEC. 2. *And be it further enacted,* That the President of the United States is hereby authorized to defray the expenses of the delegations aforesaid, not exceeding the amount of the above appropriation; to be paid out of any money in the treasury not otherwise appropriated.

Amount of expenses not to exceed \$15,000.

APPROVED, May 24, 1828.

STATUTE I.

CHAP. CXXV.—*An Act to establish sundry post-roads and to discontinue others.*

May 24, 1828.

*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:

*In Maine.*—From Damariscotta Mills, by West Jefferson and Wind-sor, to Palermo. From Waterville, by Clinton, Albion and Freedom, to Belfast. From Rumford Point, by Dixfield, Canton, North Livermore, East Livermore, Wayne, and Winthrop, to Augusta; and that so much of the route from Readfield to Rumford Point, as interferes with this route, be discontinued. From Augusta, through South Vassalborough, South China, Palermo, North Palermo, Montville, North Searsmont, and Belmont, to Belfast. From Green to Farmington. From Standish, through East Baldwin, Sebago, Bridgetown and Denmark, to Fryeburg. From Parsonfield, through Porter, and the westerly part of Brownfield, to Fryeburg. From Augusta, through Belgrade, Rome, New Sharon, Industry, and New Vineyard, to New Portland. From New Sharon, through Industry, New Vineyard, and New Portland, to Kingfield. From the Great Falls, in the state of New Hampshire, to the Little Falls in Lebanon, Maine.

In Maine.

*In New Hampshire.*—From Milford, through Dunstable, to Derry. From Farmington to Dover. From Concord, by Chichester, Pittsfield, Barnstead, Strafford, Barrington, and Madbury, to Dover. From Wal-pole, by Drewsville, Langdon, and Alstead, to Marlow. From Lower Bartlett, through Adam's and Pinkham's Grant, to Randolph. From Haverhill, through Bath and Lyman, to Lyman Bridge, thence to the lower village, in Barnet, Vermont. From Glenville, by Bethlehem and Whitefield, to Lancaster.

New Hamp-shire.

*In Massachusetts.*—From Taunton to Providence, by Rehoboth vil-lage. From Newburyport, by Salisbury, Amesbury, Haverhill, Methuen, and Dracut, to Lowell. From Canton, by Sharon and Foxborough meeting-houses, to East Attleborough. From Greenfield, through Shel-burne, Buckland, and Hawley, to Savoy. From Ware, through Hard-wick, Petersham, Athol, and Royalston, in Massachusetts, and Richmond, and Swanzey, in New Hampshire, to Keene.

Massachu-setts.

*In Connecticut.*—From Springfield, Massachusetts, by Somers, Con-necticut, on the Burbank road, Tolland, Mansfield, Beardley's store, and Windham, to Norwich. From Sharon, through Salisbury, Great Hal-

Connecticut.

low, the valley of Housatonic, and Fall's village, to North Canaan. From Lyme, through the village of Hamburg, Comstock's Ferry, East Haddam Landing, Leesville, Middle Haddam, Glastenbury, and East Hartford, to the city of Hartford. From Farmington, by Sunbury meeting-house, to Granby. From Robin's, Inn, in Voluntown, by Griswold's meeting-house, to Jewett city. From Windham, Old Courthouse, through Mansfield, and Wellington, to Stafford Springs.

## Vermont.

*In Vermont.*—From Bellow's Falls, through Saxon's River village and Athens, to Townshend. From Arlington, through Sandgate, to Salem, New York. From Chelsea, through Vershire, by Portsmills, to Thetford meeting-house. From Guildhall, through Burke, Sutton, Barton, and Irasburg, by the Episcopal Church, in Berkshire, to St. Alban's. From Richford, by Berkshire, Franklin, and Powell's Falls, in Highgate, to the village of St. Albans. From Bakersfield, through Fairfield, to St. Albans. From Hardwick, through Greensborough, Barton, and Brownington, to Derby.

## New York.

*In New York.*—From the village of Skeneateles, via Sempronius, Lock, and the village of Groton, to Ithaca. From Hillsdale Post-office, down the valley of the Taghkanic, by the Copake and Ancram Post-offices, to the post-road from Poughkeepsie, to Salisbury. From the village of New Ark, by the most direct route, to the village of Eastridge. From Verona, via Cicero, to Cato Four Corners. From Lima, via Fowlersville and Bradley's Four Corners, to Pembroke. From Keesville, via Port Kent, to Burlington, in Vermont. From Delhi, by the most direct route, to Cooperstown. From Watertown, via Evans' Mills, Philadelphia, Antwerp, Gouverneur, De Kalb, Heuville, to Ogdensburg. From Potsdam, via Norfolk, Massena, and Hogansburg, to the Canada line at St. Regis. From Malone, via Bangor, Moira, Brasher, and Stockholm, to Potsdam. From Ithaca, on the most direct route, via the head of Seneca Lake, and Joseph Tomkin's, to Hammondsport. From South Sparta, via Liberty Corners, Prattsburgh, and Pulteney, to Wayne Hotel. From Hornby, via Mead Creek, Erwin Addison, Woodhull, and Jasper, to Independence. From Bath, via Prattsburgh, Cool's Corners, and Penyann, to Ovid. From Liberty, via Samuel Taggart's and Vanfassin's Mills, to Lima. From Geneva, via Seneca and Bethel, to Rushville. From Richmond, by Spring Water, to Dansville. From North Almond, to Dewitt's valley. From Almond, via North Almond, Allen, Hunt's Hollow and Portage, to Pike. From Northampton, to Northville Post-office, thence through the towns of Hope, Welles, and Lake Pleasant, to Seth Witmore's. From the village of Owego, [Oswego] via Speedsville, to Slaterville. From Chester Post-office, via the village of Sugar Loaf, to Warwick. From Canandaigua to Gibsonville. From Lodi Post-office, via Seelysburg, and Randolph, to Jamestown. From Chenango Point, via Rugg's Edy, Osborn's, North Hollow, and Holcomb's Settlement, to Harpersville. From Salem to Union village. From Monticello, via Fallsburgh and Neversink, to the Post-office near the old Dutch Church, in the town of Wawasing. From Poughkeepsie, via Fishkill Plains, Stormville, Patterson, Elm, Milltown, and Millplains, to Danbury, Connecticut. From Mayville, by Mina and Greenfield, to the town of Erie, in Pennsylvania. From Hammondsport, via South Pulteney, East Wheeler, West Hill, West Creek, Neal's Creek, and Pond Settlement, to Rathbone Settlement. From Geneva, via Marengo, Clyde, Melvin's Mills, and Sterling, to the village of Oswego. From Charlotteville, via South Wooster, to Davenport.

## New Jersey.

*In New Jersey.*—From Mauricetown to Port Elizabeth. From Philadelphia, by Camden, Woodbury, Mullico Hill, Woodstown, Allowaystown, and Roadstown, to Greenwich. From Hacketstown to Hope, Warren county. From Newton, by Stillwater, to the store of Smith and Bristol, on the Delaware, near the mouth of Flatbrook, thence to Dingman's

ferry, and by Balesville, to Newton. From the city of Burlington, in the county of Burlington, by Mount Holly, Pemberton, Vincentown, and Medford, to Swain's tavern, in Eversham, in the county aforesaid.

*In Pennsylvania.*—From Buckwalter's, by Charleston, to West Chester. From Butler to Freeport. From Philadelphia, by Providence meeting-house, Concord village, Chadsford, New London Cross Roads, Brick meeting-house, Port Deposit Bridge, and Belle Air, to Baltimore. From Columbus, in Luzerne county, through Jackson, Sugarloaf, by Hess's Mills, through Franklin, to Hughesburg, in Lycoming county. From Watsontown, in Northumberland county, through Sugar and Brush valleys, to Bellefonte, in Centre county. From Puttsville, in Schuylkill county, through Danville, in Columbia county, to Pennsborough, in Lycoming county. From Burlington, by way of Beriah Pratt's, John Pratt's, Scovil Bailey's, Levi Taylor's, and David Ross's, to the Post-office in Alba, Bradford county. From Cattawissa to Bloomburg, in Columbia county, thence through Jerseytown and White Hall, to Pennsborough, in Lycoming county. From Stroudsburg, in Northampton county, through Stanhope, in Pike county, Covington and Abington, in Luzerne county, to the Great Bend, in Susquehanna county. From Deerfield, in Tioga county, through Westfield, to Harrison, in Potter county. From Harvey Cornwell's, on Crooked Creek, through Close's Settlement, to Deerfield, in Tioga county. From Muncey, by Hugh Donley's, Moses Foreman's, to Jersey Shore, Lycoming county. From Jersey Shore, in Lycoming county, through Nippe Nose, Sugar and Brush valleys, to Aaronsburg, in Centre county. From Williamsport, by Johnson Bulkey's, Carpenter's Mills, John Marshall's, Wyessel's Mills, Ross valley, to Trout Run, in Lycoming county. From Lawrenceburg, in Armstrong county, to Mercer, in Mercer county. From Greenville, in Mercer county, to Hart's Cross Roads, in Crawford county. From Warren to Sugargrove, in Warren county. From Harrisville to Whites-town, in Butler county. From the mouth of Anderson's creek, in Clearfield county, along the state road, to Kittanning, in Armstrong county. From Shrewsbury, by Mechanicsburg, to Peachbottom, in York county. From Hamburg, in Berks county, through McKeansburg, in Schuylkill county, to Cattawissa, in Columbia county. From the borough of Reading, by John Clyne's, to Bowerstown, in Berks county. From Allentown, in Lehigh county, through Hellerstown and Quakerstown, to Charleston, in Bucks county. From Foglesville, in Lehigh county, through Saegersville, to Maunch Church, in Northampton county. From Coatsville, through Cochranville, McWilliamstown and Doe Run, to Clingan's Post-office, in Chester county. From Waterstreet, in Huntingdon county, by way of Huntingdon Furnace, Warrior Mark, and Bald Eagle Furnace, to Phillipsburg, in Centre county. From Franklin, through Georgetown, to Greenville, in Mercer county. From Upper Dublin, in Montgomery county, by Gwynnedd, and Towamensing, to Sumneytown. From Sumneytown, in Montgomery county, by Millers-town, and Trexlerstown, to Foglesville, in Lehigh county. From the Trapp, in Montgomery county, by Skippack, Towamensing, and Leidy's Store, to Line Lexington, in Bucks county. From Norristown, in Montgomery county, by the Bird-in-hand, Tarrence's tavern, the Buck, the General Wayne, and the Widow Grow's tavern, to Manayunk, in Philadelphia county. From the house of John Blair, on the turnpike, in Huntingdon county, to McConnellsburch, in Bedford county. From Easton, in Northampton county, by Morgan's, Best's, Stout's, and Samuel Leidy's, to Hellerstown. From Berlin, in Somerset county, through Southampton township, to Cumberland, in the state of Maryland. From Mount Pleasant, in Wayne county, by the house of Gershom Williams, and Tallman's Mills, through the towns of Ararat and Scott, to the town of Deposit, in Delaware county, in the state of New York.

From West Chester, by Goshen, Paoli, and King of Prussia, to Norristown. From Montrose, the most direct route to Binghampton, in the state of New York.

Maryland.

*In Maryland.*—From Hereford, in Baltimore county, by Slade's tavern, and Upper Cross Roads, to Belle Air, in Hartford county. From Fredericktown, to Wolfville, in Frederick county. From Prince Frederick to Benedict. From Harford, by Port Deposit Bridge, to North-east.

Virginia.

*In Virginia.*—From Millborough to Sittlington's on Bull Pasture, to intersect the route from Staunton to Beverly. From Scottsville to Little York, in Albermarle county. From Traveller's Repose to Pocahontas Courthouse. From Lexington, up Buffalo, to Ross Furnace, up Jackson's river, to Covington. From Wheeling to Mixville. From Martinsburgh to Bath. From Monroe Courthouse, via Lick creek, to the Falls of Great Kenhawa river, thence to the Post-office at Gawley's store. From Greenhill, Campbell county, via Ferrell's store, Barksdale's store, and Meadville, to Halifax Courthouse. From Middleburg, Loudoun county, to Warrenton, Fauquier county. From Giles Courthouse to Tazewell Courthouse, via mouth of East river. From New Glasgow, in the county of Amherst, via Sandidges' tavern, Pedlar's Mills, Waugh's ferry, and Wharton's Mills, to Liberty, in the county of Bedford.

North Carolina.

*In North Carolina.*—From Smithfield, by Raiford's Bridge, to Stauntonburg. From Beaufort, via Shackleford's banks, to Portsmouth, in Carterett county. From Waynesville to Sevierville, Tennessee. From Currituck Courthouse to Poplar Branch. From Pittsborough to May's; thence to Evan Bridge, to cross Deep river; thence to Buffalo Meeting-house; thence to Fayetteville—return by crossing Cape Fear, at Northington's ferry; thence to Haywood; thence to Pittsborough. From Statesville to Lincolnton, to cross the Catawba river at Thomas' ferry. From Rockingham to Cheraw, in South Carolina. From Ashville, North Carolina, by James Allen's, to Cheek's Cross Roads, in Tennessee.

South Carolina.

*In South Carolina.*—From Walterborough, by May's ferry, on Edisto, and Pine Branch Post-office, to Orangeburg. From Irvinville, North Carolina, to Spartanburg Courthouse. From Waltersborough to Orangeburg; thence to Columbia.

Georgia.

*In Georgia.*—From Macon, via Thomaston, Pike county, Talbot Courthouse and Columbus, to Montgomery, in Alabama. From Lawrenceville, Gwinnet Courthouse, via Gates' Ferry, on Chatahoochie river, Phillips' and Van's, in the Cherokee nation, to Bennet's, in the state of Alabama. From Columbus, by fort Mitchell, via fort Gaines, Early Courthouse, to Decatur Courthouse. From Madison, Morgan county, via Covington, to Monroe, Walton Courthouse. From Athens to Monroe, Walton Courthouse. From Jefferson, in Camden county, to Belleview, in said county.

Indiana.

*In Indiana.*—From fort Wayne to Carey Missionary Establishment. From Green Castle, Putnam county, by Blakesburgh, to Crawfordsville. From Fredonia to Princeton. From Rushville, by Shelbyville, to Edinburg. From Noblesville to Crawfordsville, connecting a post-route from Centreville, Wayne county, passing by New Castle, Henry county, to Noblesville entire. From Vincennes, by Petersburg, to Boonville.

Kentucky.

*In Kentucky.*—From Cynthiana, by the mouth of Raven creek, to Williamstown, in Grant county. From Greenville to Owensborough. From Greenville to Elkton. From Franklin, Simpson county, to Lebanon, Tennessee, by the way of Gallatin. From Knoxville, in the state of Tennessee, passing Jacksborough, in Campbell county, thence by the salt works of Beatty & Co. on the Big South Fork of Cumberland river, to Monticello, in Wayne county, in the state of Kentucky. From Madisonville, and Wilson's mill, to Princeton. From Bardstown, by New Haven and Hodgenville, to Munfordville, in Hart county. From the

Yellow Banks, in Kentucky, to Rockport, in Indiana. From Elizabethtown, in Hardin county, by Hodgenville, to Greensburg, in Green county. From Burlington, in Kentucky, to Aurora, in Indiana. From Morganfield, by Crooked Creek Post-office, to Salem. From Mayfield, by Prior's mill, and Winningham's mill, to Hickman, at Mill's Point, on the Mississippi, in Hickman county. From Hopkinsville, Christian county, by the Cerulean Springs, Trigg county, and Millville, Caldwell county, to Princeton. From the town of Monroe, in the county of Hart, to Bell's, at the Three Forks, in the county of Barren. From Shelbyville to the mouth of Six-mile creek, and from thence to Theobald's. From Russellville, in Logan county, to Franklin, in Simpson county, thence to Scottville, in Allen county.

*In Ohio.*—From Palmyra, by Paris, to Parkman. From Canton, in Stark county, to Deerfield, in Portage county. From New Lisbon, by Unity, to Greensburg, in the state of Pennsylvania. From New London, in Huron county, to Lafayette. From Marion, by Big Island, to Bellefontaine. From Hardin, by Wapaughkonneta and fort Brown, to Defiance. From Clarksville, by Rochester and Hopkinsville, to Twenty-mile stand. From Fairfield, in the county of Green, by Monroe, to Troy. From Wilmington, by Jamestown, to Springfield. From Newmarket, by Georgetown and Higginsport, to Augusta, in the state of Kentucky. From Hillsborough, by Petersburg, to Greenfield. From Elyria, in the county of Lorain, by Eaton, Columbia, Strongville, Royalton, Bricksville, to Boston, in the county of Portage. From Tiffin, in Seneca county, to Greenfield. From Rockport, by Lenox and Columbia, to Liverpool.

Ohio.

*In Tennessee.*—That the mail-route already established from McMinnville, in Warren county, by Davis' Mills, to Shelbyville, in Bedford county, shall pass by the way of Lumley's Stand, and Noah's Fork Post-office. From Rogersville to Tazewell. From Jackson to Mount Pinson, thence to Purdy's office, thence to Lexington, thence to Perryville, Perry county. From Springfield, in Robertson county, via Cross Plains, to Gallatin, in Sumner county. From Harpeth Post-office, in Williamson county, by the way of Gideonville, Civil Order Post-office, Fishingford, Farmington, New Hope Post-office, to Fayetteville. From Franklin, by Hightower's store, Hurt's Cross Roads, Cedar Spring Post-office, to Robertson Post-office, in Giles county. From Dyersburg to Johnsville, and Terrel's ferry, to Troy. From Chota, in Monroe county, to Franklin, in Haywood county, North Carolina. From Kingston, in Roane county, by the mouth of Paint Rock Creek, Pine Creek, and Philadelphia, to Tellico, in Monroe county. From Athens, in McMinn county, by Cowan's ferry, on the Hiwassee river, to Hamilton Courthouse. From Memphis, in Shelby county, by Summerville, in Fayette county, Bolivar, in Hardiman county, Purdy, in McNairy county, Hardinsville, in Hardin county, to Florence, in Lauderdale county, Alabama. From Morgan Courthouse, by the standing store, to Hillham, in Overton county. From Jamestown to Monroe. From Shown's Cross Roads, Tennessee, to Abington, in Virginia. From Lindon, in Marengo county, to Greenville, in Butler county, Alabama. From Canton, in Wilcox county, to Greenville, in Butler county, Alabama. From Nashville, by Charlotte, Smithville, Hornburger's, Gray's ferry, Paris, and Dresden, to Hickman, on the left bank of the Mississippi.

Tennessee.

*In Illinois.*—From McClanesborough by Carmi, to New Harmony, in the state of Indiana. From Shawneetown, by the seats of justice of Gallatin, Franklin, and Washington counties, to Bellville. From Paris to Vandalia. From Danville, in Vermillion county, to Fort Clark. From Shawneetown to Bellville.

Illinois.

*In Missouri.*—From New Madrid, in the state of Missouri, to Hickman, in Kentucky, and from thence east by Totten's Wells, to Dresden, Tennessee, and from Hickman, south, via Troy, to Dyersburg, Tennes-

Missouri.

see. From the Courthouse in the county of Lafayette, in Arkansas territory, to Long Prairie, in said county. From Boonville, in Cooper county, to Ewingsville, in the same county.

Mississippi.

*In Mississippi.*—From Winchester, by Green Courthouse and McManus's, to Mobile. From Jackson, by Westville, and Jaynesville, to Williamsburg. From Port Gibson to Gallatin. From Jackson Courthouse to Mobile. From Meadville, by Norman's, Holmesville, and Franklin, to Covington, in Louisiana. From Natchez, by the Old Courthouse, to Kingston.

Alabama.

*In Alabama.*—From Gunter's landing to Blountville. From Maren-go Courthouse to Claiborne, in Monroe county. From Daletown, by Canton, to Greenville.

Louisiana.

*In Louisiana.*—From Natchitoches, by Cantonment Jesup, to Crow's Crossings, on the Sabine river. From Franklin to Clinton. From Natchitoches to the Caddo Agency.

Florida.

*In Florida.*—From Tallahassee to St. Marks. From Pensacola, by Pike Courthouse, in Alabama, to Fort Mitchell, in Georgia. From Alachua Courthouse, via Black creek, to Jacksonville. From St. Johnstown, or Bluff, to St. Augustine.

Michigan.

*In Michigan.*—From Monroe, by way of Raisinville, Kidzie's Grove, and Adrian, to Tecumseh, in the territory of Michigan. From Detroit, through Mount Clemens, to Fort Gratiot. From Maumee, in Ohio, through Blissfield, Tecumseh, Saline, and Ann Arbor, to Pontiac. From Detroit to Ann Arbor.

Routes discontinued.

SEC. 2. *And be it further enacted,* That the following routes be, and the same are hereby, discontinued :

New Hampshire.

*In New Hampshire.*—From Walpole, by Alstead, to Acworth ; and so much of the route from Acworth, by Lempster, and Unity, to Newport, as lies between Acworth and Unity.

New York.

*In New York.*—From Charlotteville, via Jefferson, to Harpersfield. From Waterloo to Clyde.

Pennsylvania.

*In Pennsylvania.*—So much of the route from Sunbury, by Libertypole and Cattawissa, to Nescopeck, established by the act of the third March, eighteen hundred and twenty-seven, as lies between Cattawissa and Nescopeck,

APPROVED, May 24, 1828.

## RESOLUTIONS.

April 3, 1828.

I. RESOLUTION *authorizing the Speaker of the House of Representatives to frank letters and packages.*

Speaker of the house of representatives to frank letters, &c.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Speaker of the House of Representatives of the United States be, and he is hereby, authorized to frank and to receive letters and packages by mail free of postage.

APPROVED, April 3, 1828.

May 23, 1828.

III. RESOLUTION *in relation to Charles Carroll, of Carrollton.*

Charles Carroll, of Carrollton, &c.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That Charles Carroll, of Carrollton, the only surviving signer of the Declaration of Independence, be, and he is hereby, authorized to receive and transmit letters and packages by the mail free of postage.

APPROVED, May 23, 1828.

IV. RESOLUTION providing for the distribution of certain public documents, and the removal of certain books from the library. May 24, 1828.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That of the public documents, and other works, of which several copies are deposited in the library of Congress, a portion be distributed in the following manner :

Public documents in the library of Congress to be distributed.

First, Of the return of the last census, and of the Digest of Manufactures, and of Gales and Seaton's Register of Debates, and of Watterson's and Van Zandt's Statistical Tables, one copy to each member of the present Congress, and to each new member of each succeeding Congress, till all the copies shall be distributed, with the exception of twenty-five of each work, which shall be reserved in the library ; and the librarian of Congress is hereby authorized and directed to deliver to each member, as aforesaid, the copies of the said documents to which he is hereby entitled.

Census.

Secondly, Of the Journal of the Federal Convention, of the Secret Journals of the old Congress, of Pitkin's Statistics, and of Seybert's Statistical Annals, one copy to the public library of the legislature of each state in the Union, and one copy each to such universities and colleges as may not already have received them, and one copy to one incorporated Athenaeum in each state: *Provided*, There remain a sufficient number of the said works beyond what are needed for the use of the library.

Journal of the Federal Convention, &c.

Proviso.

Thirdly, To the United States' Military Academy at West Point, one set of all the works of which copies have been distributed to the universities and colleges: *Provided*, There remain any copies of the same deposited in the library of Congress, beyond the number reserved for the said library.

A set to West Point Academy.

Proviso.

Fourthly, That, of the three hundred copies of the laws now ordered to be deposited in the library of Congress, fifty copies be furnished to the library of the House of Representatives, in addition to the fifty copies already ordered for the said library ; and that the clerk of the House of Representatives be, and he hereby is, authorized to receive the same.

Copies of the laws to library of House of Representatives.

Fifthly, That of the journals, documents, and reports, heretofore ordered to be printed by the Senate, and of which copies are deposited in the library of Congress, and of the journals, documents, and reports, which may hereafter be ordered to be printed by the Senate, five sets be furnished for the library of the House of Representatives ; and that the clerk of the House of Representatives be, and he hereby is, authorized to receive the same.

Journals furnished to library of House of Representatives.

II. *And be it further resolved*, That the clerk of the House of Representatives be, and he hereby is, authorized and directed to deliver to the Department of State, properly prepared for transmission, by mail or otherwise, the copies of the books mentioned in the second and third paragraphs of the foregoing resolution.

Clerk of House of Representatives to deliver to Department of State, &c.

III. *And be it further resolved*, That, instead of the twenty-five sets of the journals, executive papers, reports of committees, and other documents of Congress, authorized by law to be placed in the library of Congress, ten sets only, well bound, shall hereafter be deposited, in the said library.

Ten sets only of the journals of Congress, well bound, shall be deposited hereafter.

IV. *And be it further resolved*, That the joint library committee be, and they hereby are, authorized to remove from the library of Congress, and dispose of in such manner as they may think expedient, any duplicate, imperfect, damaged, or other work or works, not wanted for the use of the library.

Joint committee to dispose of any duplicate or works not wanted for the use of the library.

APPROVED, May 24, 1828.

May 24, 1828.

V. RESOLUTION *in relation to the manner of executing the printing ordered by either House of Congress.*

Duty of the Secretary of the Senate and clerk of the House of Representatives after the termination of Congress, to regulate, &c. the printing of the respective houses, &c.

Also to regulate the printing of the executive documents, &c.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, after the termination of the present session of Congress, it shall be the duty of the secretary of the Senate and clerk of the House of Representatives, so to regulate and direct the printing of the respective Houses as to abolish the practice of making "title pages" to executive documents, reports of committees, memorials, or any other documents, unless the same shall be so directed by them, and that the whole matter shall follow in close order, from the first page. And they shall further direct, that the printing of the yeas and nays of the journal shall be in consecutive order, as ordinary matter. They shall also so regulate the printing of the executive documents, as to have the respective communications from the President and heads of Departments bound in distinct volumes; and they may also so change the form of the volume, by increasing its size, as to combine the greatest quantity of matter with the greatest economy in the execution of the work.

APPROVED, May 24, 1828.

May 24, 1828.

VI. RESOLUTION *in relation to the mail-route between the cities of New Orleans and Mobile.*

Postmaster General to cause to be examined the route from Mobile to Pascagoula.

*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 to cause to be examined the route from Mobile to Pascagoula; and if, in his opinion, it should be the most expedient route to the city of New Orleans, he shall be, and hereby is, vested with full power and authority to adopt that route in lieu of the present route from the city of Mobile to the city of New Orleans.

APPROVED, May 24, 1828.

May 24, 1828.

VII. RESOLUTION *to authorize the President to loan the barracks at Sackett's Harbour to the trustees of a scientific and military school to be established there.*

The Madison barracks, at Sackett's Harbour, to be loaned to the scientific school, &c. Proviso.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and is hereby, authorized to loan to the trustees of a military and scientific school, to be established in Jefferson county, state of New York, the Madison Barracks, at Sackett's Harbour: *Provided,* The said trustees do contract to keep the same in good repair, order, and preservation.

APPROVED, May 24, 1828.



# ACTS OF THE TWENTIETH 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 first day of December, 1828, and ended on the twenty-sixth day of May, 1829.*

JOHN QUINCY ADAMS, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; SAMUEL SMITH, President of the Senate, pro tempore; ANDREW STEVENSON, Speaker of the House of Representatives.

### STATUTE II.

CHAP. I.—*An Act making appropriations for the support of government, for the first quarter of the year one thousand eight hundred and twenty-nine.*

*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, respectively appropriated, for the service of the first quarter of the year one thousand eight hundred and twenty-nine; that is to say:

For compensation to the senators and members of the House of Representatives, their officers, and clerks, and for the contingent expenses of both Houses of Congress, four hundred and sixty-five thousand nine hundred and ninety-eight dollars.

For expenses of the library of Congress, including the salary of the librarian, four hundred and eighty-seven dollars and fifty cents.

For compensation to the President of the United States, six thousand two hundred and fifty dollars.

For compensation to the Vice President of the United States, one thousand two hundred and fifty dollars.

For compensation to the Secretary of State, one thousand five hundred dollars.

For compensation to the clerks in the Department of State, per act of twentieth April, one thousand eight hundred and eighteen, three thousand nine hundred and seventy-five dollars.

For compensation to clerks in said Department, per act of second of March, one thousand eight hundred and twenty-seven, one thousand one hundred dollars.

For compensation to the messengers in the Department of State, including the messenger in the patent office, in full of all allowances, three hundred and sixty-two dollars and fifty cents.

For compensation to one machinist in the patent office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one hundred and seventy-five dollars.

For the incidental and contingent expenses of the Department of State, including the expenses of printing and distributing the laws, and for extra copying of papers, six thousand seven hundred and twenty-five dollars.

Jan. 6, 1829.

[Obsolete.]

Appropriation for service of first quarter, &c.

Compensation to members of Senate, &c.

Expenses of library and Librarian, &c. President.

Vice President,

Secretary of State.

Clerks.  
1818, ch. 87.

1827, ch. 50.

Messengers.

Machinist in patent office.  
1824, ch. 157.

Contingent expenses.

- Secretary of the Treasury. For compensation to the Secretary of the Treasury, one thousand five hundred dollars.
- Clerks. For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth of April, one thousand eight hundred and eighteen, two thousand six hundred dollars.
- 1818, ch. 87.
- 1824, ch. 157. For compensation to clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, two hundred and eighty-seven dollars fifty cents.
- 1827, ch. 50. For compensation to clerk in said office, per act of second of March, one thousand eight hundred and twenty-seven, three hundred and fifty dollars.
- Messengers. For compensation to the messenger in said office, and assistant, in full of all allowances, two hundred and sixty-two dollars fifty cents.
- First comptroller. For compensation to the first comptroller of the treasury, eight hundred and seventy-five dollars.
- Clerks. For compensation to the clerks in the office of the first comptroller, per act of twentieth of April, one thousand eight hundred and eighteen, four thousand four hundred and sixty-two dollars and fifty cents.
- 1818, ch. 87.
- 1827, ch. 50. For additional compensation to one clerk, per act of second of March, one thousand eight hundred and twenty-seven, fifty dollars.
- Messengers. For compensation to messengers in said office, in full of all allowances, two hundred and sixty-two dollars and fifty cents.
- Second comptroller. For compensation to the second comptroller of the treasury, seven hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the second comptroller, per act of twentieth of April, one thousand eight hundred and eighteen, two thousand four hundred and thirty-seven dollars and fifty cents.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, one hundred and seventy-five dollars.
- First auditor. For compensation to the first auditor of the treasury, seven hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the first auditor of the treasury, per act of twentieth of April, one thousand eight hundred and eighteen, three thousand three hundred dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, one hundred and seventy-five dollars.
- Second auditor. For compensation to the second auditor of the treasury, seven hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the second auditor of the treasury, per act of twentieth of April, one thousand eight hundred and eighteen, four thousand and fifty dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, one hundred and seventy-five dollars.
- Third auditor. For compensation to the third auditor of the treasury, seven hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the third auditor of the treasury, per act of twentieth of April, one thousand eight hundred and eighteen, five thousand two hundred and twenty-five dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, and assistant, in full of all allowances, two hundred and sixty-two dollars and fifty cents.
- Fourth auditor. For compensation to the fourth auditor of the treasury, seven hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the fourth auditor, per act of twentieth of April, one thousand eight hundred and eighteen, three thousand seven hundred and sixty-two dollars and fifty cents.
- 1818, ch. 87.
- 1827, ch. 50. For compensation to clerks in said office, per act of second of March, one thousand eight hundred and twenty-seven, five hundred dollars.
- Messenger. For compensation to the messenger in said office, in full of all allowances, one hundred and seventy-five dollars.

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| For compensation to the fifth auditor of the treasury, seven hundred and fifty dollars.   | Fifth auditor.                                     |
| For compensation to the clerks in the office of the fifth auditor, per act of twentieth of April, one thousand eight hundred and eighteen, two thousand six hundred and twenty-five dollars.  | Clerks.<br>1818, ch. 87.                           |
| For compensation to the clerks in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, nine hundred and twenty-five dollars.  | 1824, ch. 157.                                     |
| For additional salary of one clerk, per act of second of March, one thousand eight hundred and twenty-seven, fifty dollars.   | 1827, ch. 50.                                      |
| For compensation to the messenger in said office, in full of all allowances, one hundred and seventy-five dollars.  | Messenger.   |
| For compensation to the treasurer of the United States, seven hundred and fifty dollars.  | Treasurer.   |
| For compensation to the clerks in the office of the treasurer of the United States, per act of twentieth of April, one thousand eight hundred and eighteen, one thousand three hundred and twelve dollars and fifty cents.  | Clerks.<br>1818, ch. 87.                           |
| For compensation to the clerks in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, three hundred dollars.   | 1824, ch. 157.                                     |
| For compensation to the messenger in said office, in full of all allowances, one hundred and seventy-five dollars.  | Messenger.   |
| For compensation to the register of the treasury, seven hundred and fifty dollars.  | Register.  |
| For compensation to the clerks in the office of the register of the treasury, per act of twentieth of April, one thousand eight hundred and eighteen, five thousand five hundred and eighty-seven dollars and fifty cents.  | Clerks.<br>1818, ch. 87.                           |
| For additional salary of four clerks, per act of second of March, one thousand eight hundred and twenty-seven, two hundred dollars.   | 1827, ch. 50.                                      |
| For compensation to messengers in said office, including the allowance for stamping ships' registers, in full of all allowances, two hundred and eighty-seven dollars and fifty cents.  | Messengers.  |
| For compensation to the commissioner of the general land office, seven hundred and fifty dollars.   | Commissioner of general land office.               |
| For compensation to the clerks in the office of the commissioner of the general land office, per act of second of March, one thousand eight hundred and twenty-seven, four thousand eight hundred and sixty-two dollars and fifty cents.  | Clerks.<br>1827, ch. 50.                           |
| For compensation to the messengers in said office, in full of all allowances, two hundred and sixty-two dollars and fifty cents.  | Messengers.  |
| For compensation to the secretary of the commissioners of the sinking fund, sixty-two dollars and fifty cents.  | Secretary to sinking fund.                         |
| For allowances to the person employed in transmitting passports and sea-letters; for expenses of translating foreign languages, in the office of the Secretary of the Treasury; for stationery, fuel, printing, books, and all other incidental and contingent expenses in the Treasury Department, and the several offices therein; including the expenses of advertising notices in relation to the reimbursement of certain portions of the public debt, seven thousand five hundred and thirty-seven dollars and fifty cents. | Incidental and contingent expenses, &c.            |
| For allowance to the superintendent and four watchmen, employed for the security of the state and treasury buildings, and for the repairs of two fire engines and buckets, four hundred and seventy-five dollars.   | Allowance to the superintendent and four watchmen. |
| For compensation to the Secretary of War, one thousand five hundred dollars.  | Secretary of War.                                  |
| For compensation to the clerks in the office of the Secretary of War, per act of twentieth of April, one thousand eight hundred and eighteen, five thousand six hundred and fifty dollars.  | Clerks.<br>1818, ch. 87.                           |

- Clerk in the bureau of Indian affairs. 1827, ch. 50. Messengers. For one clerk in the bureau of Indian affairs, per act of second March, one thousand eight hundred and twenty-seven, two hundred and fifty dollars.
- Contingent expenses. Books, &c. For compensation to the messengers in said office, in full of all allowances, two hundred and sixty-two dollars and fifty cents.
- Clerks in the office of the paymaster general. 1818, ch. 87. Messenger. For contingent expenses of the office of the Secretary of War, seven hundred and fifty dollars.
- Contingent expenses. Books, &c. For books, maps, and plans, for the War Department, two hundred and fifty dollars.
- Clerks in the office of the paymaster general. 1818, ch. 87. Messenger. For compensation to the clerks in the office of the paymaster general, per act of twentieth of April, one thousand eight hundred and eighteen, nine hundred and seventy-five dollars.
- Contingent expenses. Clerks in office of commissary general, &c. 1824, ch. 157. Messenger. For compensation to the messenger in said office, in full of all allowances, one hundred and seventy-five dollars.
- Contingent expenses. For contingent expenses of said office, seventy-five dollars.
- Adjutant general's clerks. 1818, ch. 87. 1827, ch. 50. For compensation to the clerks in the office of the commissary general of purchases, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, eight hundred and seventy-five dollars.
- Contingent expenses. For compensation to the messenger in said office, in full of all allowances, one hundred and seventy-five dollars.
- For contingent expenses of said office, two hundred and seven dollars and fifty cents.
- Adjutant general's clerks. 1818, ch. 87. 1827, ch. 50. For compensation to the clerks in the office of the adjutant general, per act of twentieth of April, one thousand eight hundred and eighteen, five hundred and thirty-seven dollars and fifty cents.
- Contingent expenses. For compensation to one clerk in said office, per act of second of March, one thousand eight hundred and twenty-seven, two hundred dollars.
- Clerks of commissary general of subsistence. 1824, ch. 157. 1827, ch. 50. For contingent expenses of said office, two hundred and fifty dollars.
- Contingent expenses. For compensation to the clerks in the office of the commissary general of subsistence, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, five hundred and thirty-seven dollars and fifty cents.
- Clerks of chief engineer. 1824, ch. 157. 1827, ch. 50. For compensation to one clerk in said office, per act of second of March, one thousand eight hundred and twenty-seven, two hundred dollars.
- Contingent expenses. For contingent expenses of said office, including printing advertisements, six hundred and fifty dollars.
- Clerks of chief engineer. 1824, ch. 157. 1827, ch. 50. For compensation to the clerks in the office of the chief engineer, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, five hundred and thirty-seven dollars and fifty cents.
- Contingent expenses. For compensation of one clerk in said office, per act of second of March, one thousand eight hundred and twenty-seven, two hundred dollars.
- Clerks in ordnance office. 1818, ch. 87. Contingent expenses. Surgeon general's clerk. 1824, ch. 157. Quartermaster general's clerks. Contingent expenses. Secretary of the Navy. For contingent expenses of said office, two hundred and fifty dollars.
- For compensation to the clerks in the ordnance office, per act of twentieth of April, one thousand eight hundred and eighteen, seven hundred and thirty-seven dollars and fifty cents.
- For compensation to the clerk in the office of the surgeon general, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, two hundred and eighty-seven dollars and fifty cents.
- For compensation to the clerks in the office of the quartermaster general, five hundred and thirty-seven dollars and fifty cents.
- For contingent expenses of said office, one hundred and fifty-seven dollars.
- For compensation to the Secretary of the Navy, one thousand five hundred dollars.

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| For compensation to the clerks in the office of the Secretary of the Navy, per act of the twentieth of April, one thousand eight hundred and eighteen, two thousand and fifty dollars.  | Clerks.<br>1818, ch. 87.         |
| For compensation to the clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, two hundred and fifty dollars.  | 1824, ch. 157.                   |
| For compensation to the clerk in said office, per act of the second of March, one thousand eight hundred and twenty-seven, two hundred and fifty dollars.   | 1827, ch. 50.                    |
| For compensation to the messengers in said office, in full of all allowances, two hundred and sixty-two dollars and fifty cents.  | Messengers.                      |
| For contingent expenses of said office, seven hundred and fifty dollars.  | Contingent expenses.             |
| For compensation to the commissioners of the navy board, two thousand six hundred and twenty-five dollars.  | Commissioners of navy board.     |
| For compensation to the secretary to the commissioners of the navy board, five hundred dollars.   | Secretary of navy board.         |
| For compensation to the clerks in the office of the commissioners of the navy board, per act of the twentieth of April, one thousand eight hundred and eighty-seven dollars and fifty cents.  | Clerks.<br>1818, ch. 87.         |
| For compensation to the clerks and draftsman in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand dollars.  | 1824, ch. 157.                   |
| For additional compensation to one clerk in said office, per act of the second of March, one thousand eight hundred and twenty-seven, fifty dollars.  | 1827, ch. 50.                    |
| For compensation to the messenger in said office, in full of all allowances, one hundred and seventy-five dollars.  | Messenger.                       |
| For contingent expenses of said office, four hundred and fifty dollars.   | Contingent expenses.             |
| For allowance to the superintendent and four watchmen, employed for the security of the war and navy buildings, and for the incidental and contingent expenses, including oil, candles, fuel, labour, &c., five hundred and thirty-seven dollars and fifty cents. | Superintendent and watchmen, &c. |
| For compensation to the Postmaster General, one thousand five hundred dollars.  | Postmaster General.              |
| For compensation to the two assistant postmasters general, one thousand two hundred and fifty dollars.  | Assistant Postmasters General.   |
| For compensation to the clerks in the office of the Postmaster General, per act of the twentieth of April, one thousand eight hundred and eighteen, five thousand six hundred and seventy-five dollars.   | Clerks.<br>1818, ch. 87.         |
| For compensation to the clerks in said office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand four hundred dollars.   | 1824, ch. 157.                   |
| For compensation to the clerks in said office, per act of the second of March, one thousand eight hundred and twenty-seven, one thousand six hundred dollars.   | 1827, ch. 50.                    |
| For compensation to the messengers in said office, in full of all allowances, two hundred and sixty-two dollars and fifty cents.  | Messengers.                      |
| For compensation to one additional assistant messenger, eighty-seven dollars and fifty cents.   |                                  |
| For contingent expenses of said office, one thousand two hundred and fifty dollars.   | Contingent expenses.             |
| For compensation to the surveyor general, in Ohio, Indiana, and Michigan, five hundred dollars.   | Surveyor general in Ohio, &c.    |
| For compensation to the clerks in the office of said surveyor, five hundred and twenty-five dollars.  | Clerks.                          |
| For compensation to the surveyor south of Tennessee, five hundred dollars.  | Surveyor south of Tennessee.     |

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| Clerks.   | For compensation to the clerks in the office of said surveyor, four hundred and twenty-five dollars.  |
| Surveyor in Illinois, &c.                                 | For compensation to the surveyor in Illinois, Missouri, and Arkansas, five hundred dollars.   |
| Clerks.   | For compensation to the clerks in the office of said surveyor, five hundred dollars.  |
| Surveyor in Alabama.                                      | For compensation to the surveyor in Alabama, five hundred dollars.  |
| Clerks.   | For compensation to the clerks in the office of said surveyor, three hundred and seventy-five dollars.  |
| Surveyor in Florida.                                      | For compensation to the surveyor in Florida, five hundred dollars.  |
| Clerks.   | For compensation to the clerks in the office of said surveyor, five hundred dollars.  |
| Commissioner public buildings.                            | For compensation to the commissioner of the public buildings in Washington city, five hundred dollars.  |
| Officers and clerk of mint.                               | For compensation to the officers and clerk of the mint, two thousand four hundred dollars.  |
| Persons employed in the mint.                             | For compensation to the persons employed in the different operations of the mint, two thousand three hundred and seventy-five dollars.  |
| Incidental and contingent expenses, &c.                   | For incidental and contingent expenses, and repairs, cost of machinery; for allowance for wastage in gold and silver coinage of the mint, two thousand three hundred and twenty-five dollars.   |
| Governor, &c. of the Michigan territory.                  | For compensation to the governor, judges and secretary of the Michigan territory, one thousand nine hundred and fifty dollars.  |
| Contingent expenses.                                      | For the contingent expenses of the Michigan territory, eighty-seven dollars fifty cents.  |
| Compensation, &c. to the legislative council, &c.         | For compensation and mileage to the members of the legislative council, and printing the laws, and the contingent and incidental expenses of said council, one thousand four hundred and fifty dollars.   |
| Governor, &c. of the Arkansas territory.                  | For compensation to the governor, judges, and secretary of the Arkansas territory, one thousand six hundred and fifty dollars.  |
| Contingent expenses.                                      | For contingent expenses of the Arkansas territory, eighty-seven dollars and fifty cents.  |
| Governor, &c. of the Florida territory.                   | For compensation to the governor, judges, and secretary of the Florida territory, two thousand one hundred and twenty-five dollars.   |
| Contingent expenses.                                      | For contingent expenses of the Florida territory, eighty-seven dollars and fifty cents.   |
| Compensation, &c. of the legislative council, &c.         | For compensation and mileage to the members of the legislative council, and printing the laws, and the contingent and incidental expenses of said council, one thousand six hundred and sixty-six dollars.  |
| Chief justice, &c. of the United States.                  | For compensation to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the district of Columbia, nineteen thousand six hundred dollars.   |
| Attorney general.   | For compensation to the Attorney General of the United States, eight hundred and seventy-five dollars.  |
| Clerk.  | For compensation to the clerk in the office of the Attorney General, two hundred dollars.   |
| Reporter of Supreme Court.                                | For compensation to the reporter of the decisions of the Supreme Court, two hundred and fifty dollars.  |
| Sundry district attorneys and marshals.                   | For compensation to sundry district attorneys and marshals, as granted by law, including those in the several territories, two thousand seven hundred and twenty-five dollars.  |
| Expenses of the Supreme, &c. Courts of the United States. | For defraying the expenses of the supreme, circuit, and district courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the first quarter of the year one thousand eight hundred and twenty-nine, and preceding years; and, likewise, for defraying the expenses of prosecutions for offences committed against the United |

States, and for the safe-keeping of prisoners, thirty-seven thousand five hundred dollars.

For the payment of sundry pensions granted by the late and present governments, five hundred and twelve dollars and fifty cents.

For the support of lighthouses, floating lights, and other objects, for the protection of navigation, forty-two thousand dollars.

For surveying the public lands of the United States, ten thousand dollars.

For stationery and books for the offices of commissioners of loans, four hundred dollars.

For the salaries of the two keepers of the public archives in Florida territory, two hundred and fifty dollars.

For the salaries of the ministers of the United States at London, Paris, Madrid, St. Petersburg, Mexico, and Colombia; for the salaries of *chargés des affaires* at Stockholm, the Netherlands, Denmark, Lisbon, Guatemala, Brazil, Buenos Ayres, Peru, and Chili; for the salaries of the secretaries of legation, and for the contingent expenses of all the missions abroad, thirty-one thousand six hundred and twenty-five dollars.

For the salaries of the agents of claims at London and Paris, one thousand dollars.

For the relief and protection of distressed American seamen in foreign countries, six thousand two hundred and fifty dollars.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, January 6, 1829.

Payment of pensions.  
Maintenance of lighthouses, &c.  
Surveying public lands.  
Stationery, &c.  
Keepers of public archives in Florida.  
Salaries of ministers, &c. abroad.  
Agents of claims, London and Paris.  
Relief, &c. of distressed American seamen.

STATUTE II.

CHAP. II.—*An Act restricting the location of certain land claims in the territory of Arkansas, and for other purposes.*

Jan. 6, 1829.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That no person entitled to a donation of land by the eighth section of an act, entitled "An act to aid the state of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said state to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas territory," shall be permitted to enter the improvement of any actual settler in the territory of Arkansas, before the same shall have been offered for sale, unless it be with the consent of such actual settler; and all entries which may be so made shall be considered null and void.

Persons entitled to a donation of land in Arkansas, by virtue of an act entitled, &c., not allowed to enter the improvement of actual settlers, &c.  
Act of May 24, 1828, ch. 108.

SEC. 2. *And be it further enacted*, That no person residing south of the Arkansas river, and west of the present territorial line, shall be entitled to the donation of land given by the eighth section aforesaid, unless said persons shall move east of said line; and, in that case, they shall be entitled to the donations specified in said eighth section of said act, under the restrictions aforesaid.

Residents south of Arkansas river, &c. west of territorial line, not entitled to donation given by said act, unless, &c.

APPROVED, January 6, 1829.

STATUTE II.

CHAP. III.—*An Act to preserve from injury and waste the school lands in the territory of Arkansas.*

Jan. 6, 1829.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the governor and general assembly of the territory of Arkansas be, and they are hereby,

Governor and general assembly of Arkansas, autho-

ized to protect the lands, &c.

Rents to be applied to the support of common schools.

authorized to make, and carry into effect, such laws and needful regulations as they shall deem most expedient to protect from injury and waste the sixteenth section in all townships of land in said territory, where surveys have been, or may hereafter be, made, which sections are reserved for the support of schools in each township, and to provide by law for leasing or renting the same, for any term not exceeding five years, in such manner as to render said school lands most valuable and productive, and shall apply the rents derived therefrom to the support of common schools, in the respective townships, according to the design of the donation, and to no other purpose whatever.

APPROVED, January 6, 1829.

STATUTE II.

Jan. 6, 1829.

CHAP. IV.—*An Act extending the term within which merchandise may be exported with the benefit of drawback.*

All merchandise now entitled to debenture, or which may be hereafter imported, to be allowed the benefit of drawback, &c.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the passage of this act, all goods, wares, and merchandise which are now entitled to debenture, or which may be hereafter imported, may be exported with the benefit of drawback, and without any deduction from the amount of the duty on the same, at any time within three years from the date when the same may have been, or shall be imported: *Provided,* That all existing laws regulating the exportation of goods, wares, and merchandise, shall have been in all other respects complied with.

Proviso.

*And provided further,* That this act shall not be so construed as to alter in any manner the terms of credit now allowed by law for the duties on goods, wares, or merchandise, imported.

APPROVED, January 6, 1829.

STATUTE II.

Jan. 6, 1829.

Salary of two hundred dollars allowed to the marshal of Connecticut.

CHAP. V.—*An Act to allow a salary to the marshal of the district of Connecticut.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of two hundred dollars be, and the same hereby is, allowed annually, as a salary to the marshal of the district of Connecticut.

APPROVED, January 6, 1829.

STATUTE II.

Jan. 21, 1829.

Exemption of certain surgeons in the navy from certain requisites to the allowance of pay and rations provided for by act of May 1828, ch. 121.

CHAP. VII.—*An Act to amend an act, entitled "An act for the better organization of the medical department of the navy," approved twenty-fourth May, eighteen hundred and twenty-eight. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That every surgeon who was in the navy, at the time of the passage of the act for the better organization of the medical department of the navy, approved twenty-fourth May, one thousand eight hundred and twenty-eight, shall be entitled to the additional pay and rations (according to length of service) provided for by the fourth section of that act, notwithstanding such surgeons may not have been examined, or received their appointments in the manner prescribed by the first section thereof.

APPROVED, January 21, 1829.

(a) See notes to act of May 24, 1828, ch. 121.



CHAP. VIII.—*An Act for altering the times for holding the sessions of the circuit court of the United States for the district of Georgia, at the places provided by law.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sixth circuit court of the United States for the district of Georgia, which is by law appointed to be holden on the fourth Monday in November, annually, at Savannah, in the said state, shall hereafter be holden on the Thursday after the first Monday in November, annually, at Milledgeville, in the said state; and that the session of the said court, which is now required by law to be holden on the sixth day of May annually, at Milledgeville, in the said state, shall hereafter be holden on the Thursday after the first Monday in May annually, at Savannah, in the said state; and that all process, which shall have been issued, and all recognisances returnable, and all suits and other proceedings, which have been continued to the said courts respectively, on the days, and at the places heretofore provided by law for their meeting, shall be returned, and held to be continued to the said courts, at the times and places herein provided for the meeting of the said courts respectively.

APPROVED, January 21, 1829.

STATUTE II.  
Jan. 21, 1829.

Circuit court of the United States, for Georgia district, to be holden at Milledgeville in November, and at Savannah in May.

CHAP. IX.—*An Act to allow a salary to the marshal of the eastern district of Virginia.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of two hundred dollars be, and the same hereby is, allowed, annually, as a salary to the marshal of the eastern district of Virginia.

APPROVED, January 21, 1829.

STATUTE II.  
Jan. 21, 1829.

Salary of 200 dollars allowed to marshal of eastern district of Virginia.

CHAP. X.—*An Act to establish a port of entry at Magnolia, in Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the ports, harbours, shores, and waters, of the main land of Florida, and of the islands opposite and nearest thereto, extending from Ocklockney bay to Charlotte harbour, be, and they are hereby, established a collection district, by the name of the St. Mark's district; and a port of entry shall be established at Magnolia for said district, and a collector shall be appointed, who shall give the same bond, perform the same duties, and be entitled to the same compensation and fees as the collectors of the other districts in Florida.

SEC. 2. *And be it further enacted,* That all that part of Florida, between the St. Mary's and St. John's river, shall be annexed to, and made a part of, the collection district of St. Augustine.

APPROVED, January 21, 1829.

STATUTE II.  
Jan. 21, 1829.

Collection district established in Florida, by name of St. Mark's, &c.

Provision for collector.

Certain portion of Florida annexed to St. Augustine district.

CHAP. XI.—*An Act allowing an additional drawback on sugar refined in the United States, and exported therefrom.*

*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, there shall be allowed a drawback on sugar refined in the

STATUTE II.  
Jan. 21, 1829.

[Obsolete.]  
A drawback on sugar refined in United States, and ex-

ported, changed  
to five cents.

Proviso.

Proviso.

United States, and exported therefrom, of five cents per pound, in lieu of the drawback at present allowed by law on sugar so refined and exported: *Provided*, That this act shall not alter or repeal any law now in force regulating the exportation of sugar refined in the United States, except to change the rate of drawback when so exported: *And provided*, That this act shall cease to be in force so soon as the exports of sugar shall be equal to the imports of the same article.

APPROVED, January 21, 1829.

STATUTE II.

Jan. 21, 1829.

CHAP. XII.—*An Act in addition to the act, entitled "An act to amend the judicial system of the United States." (a)*

Act of April  
29, 1802, ch.  
31.

Authority to  
adjourn the Su-  
preme Court  
from day to day,  
in case of non-  
attendance of  
quorum, ex-  
tended.

Court not to  
be adjourned,  
&c.

After quor-  
um once  
formed and  
subsequent  
non-attendance  
of quorum, au-  
thority given to  
adjourn, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That if, at any session of the Supreme Court, four justices thereof shall not attend on the day appointed for holding said session, such justice or justices as may attend shall have authority to adjourn said court from day to day, for twenty days after the time appointed for the commencement of said session, unless four justices shall sooner attend; and the business of said court shall not, in such case, be continued over to the next stated session thereof, until the expiration of said twenty days, instead of the ten days now limited by law.

SEC. 2. *And be it further enacted*, That if it shall so happen, during any term of the said Supreme Court, after four of the judges shall have assembled, that, on any day, less than the number of four shall assemble, the judge or judges so assembling shall have authority to adjourn said court from day to day until a quorum shall attend, and, when expedient and proper, may adjourn the same without day.

APPROVED, January 21, 1829.

STATUTE II.

Jan. 21, 1829.

CHAP. XIII.—*An Act to authorize the citizens of the territories of Arkansas and Florida, to elect their officers, and for other purposes.*

[Obsolete.]  
Qualified vo-  
ters in Arkan-  
sas, to elect  
their officers,  
except those  
appointed by  
President of  
United States,  
and certain  
others.

Term of ser-  
vice, duties,  
powers, fees,  
&c.

To take effect  
Dec. 1, 1829.

Bills to be  
presented to the

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the citizens of the territory of Arkansas, qualified to vote, shall and may, at such time and place, and under such rules and regulations as the legislature of said territory may prescribe, elect their officers, civil and military, except such as, by the laws of Congress now in force, are to be appointed by the President of the United States; and except, also, justices of the peace, auditor and treasurer for said territory, who shall be chosen by joint vote of both houses of the legislature, at such time, and for such term of service, as the said legislature shall prescribe.

SEC. 2. *And be it further enacted*, That the term of service, and the duties and powers, fees, and emoluments, of the officers, civil and military, so chosen by the citizens, shall be prescribed by the legislature, and they shall be commissioned by the governor of the territory, and subject to be removed from office in such mode and for such cause as the legislature shall declare by law. All laws now in force, inconsistent with the provisions of this act, are hereby repealed. This act shall take effect from and after the first day of December, one thousand eight hundred and twenty-nine.

SEC. 3. *And be it further enacted*, That every bill that shall have passed the House of Representatives and the legislative council of the legisla-

(a) See notes to act of March 3, 1837, ch. 34.

ture of the territory, shall, before it become a law, be presented to the governor of said territory: if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it: If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent with the objections to the other house, by which it shall likewise be re-considered, and, if approved by two thirds of that house, it shall become a law. But in all such cases, the votes of both houses of the legislature shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively: And if any bill shall not be returned by the governor within three days (Sunday excepted) after it shall have been presented, the same shall be a law, in like manner as if he had signed it, unless the legislature, by their adjournment, prevent its return, in which case it shall not be a law.

SEC. 4. *And be it further enacted*, That it shall be lawful for the qualified voters of the territory of Florida to elect their officers, civil and military, in such manner, and under such rules, regulations, restrictions, and conditions, as are prescribed in the foregoing provisions in the two first sections of this act.

SEC. 5. *And be it further enacted*, That the members of the legislative council, in the territory of Florida, shall be elected by the qualified voters in the respective counties hereinafter designated, at the time provided by law, in the following manner, to wit: From the county of Escambia, two members: from the counties of Walton and Washington, one member; from the county of Jackson, two members; from the county of Gadsden, two members; from the county of Leon, two members; from the counties of Jefferson, Madison, and Hamilton, one member; from the county of Alachua, one member; from the county of Duval, one; from the county of Nassau, one; from the counties of Saint Johns and Musquito, two; and from the county of Monroe, one member. And any act of Congress, or of the legislative council of said territory, defining the limits of election districts in the same, inconsistent with the foregoing provision, be, and they are hereby, repealed.

SEC. 6. *And be it further enacted*, That it shall be lawful for the governor and legislative council, at any time hereafter, to alter or arrange the districts in such manner as to secure, as near as may be, an equality of representation in each district.

SEC. 7. *And be it further enacted*, That the act of the governor and legislative council of the territory of Florida, fixing the seat of justice of Jackson county, in said territory, be, and the same is hereby, annulled; and the people and local authorities of said county shall have the privilege of selecting their county seat, in such manner as other counties have been authorized to do, under the laws of said territory.

APPROVED, January 21, 1829.

governor for approval.  
Proceedings in case of non-approval.

Provisions contained in two first sections, extended to voters of Florida.

Apportionment of representation in the legislative council of Florida.

Governor and legislative council authorized to alter this apportionment.

Act of governor and legislative council, fixing seat of justice in Jackson county, annulled. &c.

CHAP. XIV.—*An Act to allow further time to complete the issuing and locating of military land warrants.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act entitled "An act to allow further time to complete the issuing and locating of military land warrants," approved the twenty-sixth day of May, one thousand eight hundred and twenty-four, and, also, the operations of the act, approved the twenty-fourth day of May, one thousand eight hundred and nineteen, which by the said act of one thousand eight hundred and

STATUTE II.

Feb. 5, 1829.

[Obsolete.]

Acts extending time for issuing and locating land warrants, continued.  
1824, ch. 177.  
1819, ch. 41.

twenty-four is revived, be, and the said acts are hereby, extended and continued in force for the term of five years from and after the twenty-sixth day of May next.

APPROVED, February 5, 1829.

STATUTE II.

Feb. 5, 1829.

CHAP. XV.—*An Act authorizing the laying off a town on Bean river, in the state of Illinois, and for other purposes.*

Town to be laid off at Galena, in Illinois.

Size of town and of lots.

Lots to be offered to highest bidder.

Minimum price.

Reservation along margin of river.

Lots to be classed.

Right of pre-emption.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That a tract of land in the state of Illinois, at and including "Galena," on Bean river, shall, under the direction of the surveyor of the public lands for the states of Illinois and Missouri, and the territory of Arkansas, be laid off into town lots, streets, and avenues, and into out-lots, having regard to the lots and streets already surveyed, in such manner, and of such dimensions, as he may think proper: *Provided,* The tract so to be laid off shall not exceed the quantity contained in one entire section, nor the town lots one quarter of an acre each, nor shall the out-lots exceed the quantity of two acres each. When the survey of the lots shall be completed, a plat thereof shall be returned to the Secretary of the Treasury, and within twelve months thereafter the lots shall be offered to the highest bidder at public sale, under the direction of the President of the United States, and at such other times as he shall think proper: *Provided,* That no town lot shall be sold for a sum less than five dollars; and *provided further,* That a quantity of ground of proper width on the said river, and running therewith the whole length of the said town, shall be reserved from sale for public use, and remain forever a common highway.

SEC. 2. *Be it further enacted,* That it shall be the duty of the said surveyor to class the lots already surveyed, in the said town of Galena, into three classes, according to the relative value thereof, on account of situation and eligibility for business, without regard, however, to the improvements made thereon; and previous to the sale of the said lots as aforesaid, each and every person, or his, her, or their legal representative or representatives, who shall heretofore have obtained from the agent of the United States a permit to occupy any lot or lots in the said town of Galena, or who shall have actually occupied and improved any lot or lots in the said town, or within the tract of land hereby authorized to be laid off into lots, shall be permitted to purchase such lot or lots, by paying therefor, in cash, if the same fall within the first class, as aforesaid, at the rate of twenty-five dollars per acre; if within the second class, at the rate of fifteen dollars per acre; and if within the third class, at the rate of ten dollars per acre: *Provided,* That no one of the persons aforesaid shall be permitted to purchase by authority of this section more than one half acre of ground; unless a larger quantity shall be necessary to embrace permanent improvements already made.

APPROVED, February 5, 1829.

STATUTE II.

Feb. 24, 1829.

[Obsolete.]

500 copies to be purchased.

Price.

CHAP. XVIII.—*An Act to provide for the purchase and distribution of certain copies of the Digest of the Laws of the United States, by Thomas F. Gordon.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Department of State be, and he is hereby, authorized to purchase for the United States, five hundred copies of the Digest of the Laws of the United States, compiled by Thomas F. Gordon, at the price of six dol-

lars per copy, bound in calf-skin; and cause the same to be distributed as follows: one copy thereof to the President of the United States, one copy to the Vice President of the United States, one copy to each of the heads of departments, to the attorney general of the United States, to each of the senators and representatives, and to each delegate of territories of the twentieth Congress; fifteen copies to the secretary of the Senate, for the use of the Senate; thirty copies to the clerk of the House of Representatives, for the use of that house; one copy to each branch of the legislature of each state and territory; and one copy to each of the executives of the several states and territories; and one copy to each incorporated college in the United States; and one copy to each justice of the Supreme Court; one copy to each district judge, and one copy to each judge of the courts of the territories of the United States, and of the District of Columbia; and cause the residue to be deposited in the library of Congress.

SEC. 2. *And be it further enacted*, That there shall be appropriated, and paid out of any moneys in the treasury unappropriated, the sum of three thousand dollars, for the completion of the said purchase.

APPROVED, February 24, 1829.

Distribution.

Depository for residue.

Appropriation of 3000 dollars.

STATUTE II.

CHAP. XIX.—*An Act to alter the time for holding the sixth circuit court of the United States for the district of South Carolina.*

Feb. 24, 1829.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sixth circuit court of the United States, for the district of South Carolina, which is required by law to be holden on the second Monday in December, annually, shall hereafter be holden on the fourth Monday in November, annually; and that all process which shall have been issued, and all recognisances returnable, and all suits and other proceedings, which have been continued to the said court, on the day heretofore provided by law for the meeting of the same, shall be returned and held continued to the said court, at the time herein provided for the meeting thereof.

APPROVED, February 24, 1829.

Hereafter to be holden 4th Monday in November.

STATUTE II.

CHAP. XX.—*An Act to authorize the appointment of a surveyor for the Virginia military district, within the state of Ohio. (a)*

Feb. 24, 1829.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a surveyor for the Virginia military district within the state of Ohio, who shall keep his office at Chillicothe, in the said district, within the state of Ohio, until otherwise directed by law.

Surveyor to be appointed.

Office at Chillicothe.

SEC. 2. *And be it further enacted*, That the surveyor appointed by virtue of this act shall possess the same powers and authority, perform the same duties, receive the same emoluments, and, in all respects, be subject to, and regulated by, the same laws, rules, and regulations, which were received, exercised, and performed by, and governed the late surveyor of said district, so far as the Virginia military district in the state of Ohio is concerned.

Powers, authority, duties, emoluments, &c.

SEC. 3. *And be it further enacted*, That it shall be the duty of the surveyor to be appointed under the authority of this act to receive from the personal representatives of Colonel Richard C. Anderson, deceased,

To receive all books, records, &c. relating to lands

(a) For notes of acts which have been passed relating to the Virginia military land district, Ohio, see vol. ii. 274.

within the district.

Fair copies thereof to be made,

And used as original records, in taking copies for use in United States courts. Surveyor appointed to give bond, &c. in penal sum of 10,000 dollars.

Condition.

To give sixty days' notice of day on which he will begin to receive locations, &c.

late surveyor of said district, all the original books, records, warrants, plats and certificates of surveys, assignments, and other papers, relating exclusively to lands already entered, surveyed, or patented, or to be surveyed, entered, and patented, within the Virginia military district, in the state of Ohio; and he shall also make, or cause to be made, so far as relates to claims to land in said Virginia military district, in the state of Ohio, fair copies of such original books, records, warrants, plats and certificates of surveys, assignments, and other papers, from such original books, records, and papers, in said office, (which contain entries, certificates, surveys, plats, assignments, or other papers or evidences of title, in which is also included entries, certificates, surveys, plats, assignments, or other evidences of title, pertaining to lands lying within the Virginia military district, in the state of Kentucky,) which transcripts and copies he shall carefully preserve as a part of the records of his office, and from which he may give copies, as from the originals, to be used in all cases of controversies in the courts of the United States, about lands in the said district, in the state of Ohio.

SEC. 4. *And be it further enacted,* That it shall and may be lawful for the personal representatives of the said Richard C. Anderson, before the delivery of the books, records, papers, and copies, herein specified, to require of the surveyor appointed under the provisions of this act, bond with good and sufficient security, to be approved of by the county court of the county of Jefferson, in the state of Kentucky, if not approved of by the personal representatives of said Richard C. Anderson, in the penal sum of ten thousand dollars, conditioned that the said surveyor shall pay over to the said Anderson's personal representatives all such sums of money due, or to become due to said Anderson, or his representatives, for fees due, services performed, or business done by said Anderson, as late surveyor in said office, and which may be received by the said surveyor appointed under this act; and conditioned, also, that he will not surrender to any person or persons originals or copies of any of the records, books, warrants, plats and certificates of survey, assignments, or other papers, by him received of the personal representatives of said Richard C. Anderson, upon which fees are due, to the person or persons claiming interest in the same, or any other person whatever, until the fees due, or to become due, to said Anderson, or his legal representatives, shall have been first paid to said surveyor; and, upon the execution of said bond, the personal representatives of said Anderson are authorized and required to deliver the records, books, copies and papers, herein above specified, as is provided by this act.

SEC. 5. *And be it further enacted,* That it shall be the duty of the surveyor for said Virginia military district, before he shall receive any location or entry of military warrants to be surveyed, to give at least sixty days' notice, in those newspapers in which the laws of the United States are published in Ohio, of the day on which he will begin to receive such locations or entries, the expenses of which notice shall be audited and paid by the Treasury Department of the United States.

APPROVED, February 24, 1829.

STATUTE II.

March 2, 1829.

[Obsolete.]

Appropriations for the last three quarters of the year 1829.

1829, ch. 1.

CHAP. XXIV.—*An Act making additional appropriations for the support of government for the year one thousand eight hundred and twenty-nine.*

*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, respectively appropriated for the service of the year one thousand eight hundred and twenty-nine, in addition to the several sums appropriated for the first quarter of the year one thousand eight hundred and twenty-nine, by the act of the seventh January, one thousand eight hundred and twenty-nine, that is to say:

For the expenses of the library of Congress, including the salaries of the librarian and the assistant librarian, two thousand two hundred and sixty-two dollars and fifty cents.

For the purchase of books and maps, for the library of Congress, five thousand dollars.

For compensation to the President of the United States, eighteen thousand seven hundred and fifty dollars.

For compensation to the Vice President of the United States, three thousand seven hundred and fifty dollars.

For compensation to the Secretary of State, four thousand five hundred dollars.

For compensation to the clerks in the Department of State, per act of twentieth April, one thousand eight hundred and eighteen, eleven thousand nine hundred and twenty-five dollars.

For compensation to the clerks in said department, per act of second of March, one thousand eight hundred and twenty-seven, three thousand three hundred dollars.

For compensation to the machinist in the patent office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, five hundred and twenty-five dollars; and for one clerk, one thousand dollars.

For procuring cases and fixtures, &c., for the models in the patent office, three thousand dollars.

For compensation to the messengers in the Department of State, including the messenger in the patent office, in full of all allowances, one thousand and eighty-seven dollars and fifty cents.

For expenses of procuring statements of fines and forfeitures, under resolution of thirteenth of January, one thousand eight hundred and twenty-five, seven thousand dollars.

For the incidental and contingent expenses of the Department of State, including the expenses of printing and distributing the laws, for extra copying of papers, sixteen thousand one hundred and twenty-five dollars.

For compensation to the Secretary of the Treasury, four thousand five hundred dollars.

For compensation to the clerks in the office of the Secretary of the Treasury, per act of twentieth of April, one thousand eight hundred and eighteen, seven thousand eight hundred dollars.

For compensation to one clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four; and also for one clerk, per act of second of March, one thousand eight hundred and twenty-seven, nineteen hundred and twelve dollars and fifty cents.

For compensation to the messengers in said office, in full of all allowances, seven hundred and eighty-seven dollars and fifty cents.

For compensation to one additional clerk on revolutionary claims, employed in said office, from the seventeenth of May to the thirty-first of December, one thousand eight hundred and twenty-eight, and for the year one thousand eight hundred and twenty-nine, at the rate of fourteen hundred dollars per annum, and also for other clerical services in relation to the said claims, three thousand two hundred and seventy-three dollars.

For compensation to the first comptroller of the treasury, two thousand six hundred and twenty-five dollars.

For compensation to the clerks in the office of the first comptroller, per act of the twentieth of April, one thousand eight hundred and eighteen, thirteen thousand three hundred and eighty-seven dollars and fifty cents; and also for additional salary of one clerk, per act of second of March, one thousand eight hundred and twenty-seven, one hundred and fifty dollars.

For compensation to the messengers in said office, in full of all allowances, seven hundred and eighty-seven dollars and fifty cents.

Expense of library of Congress and salaries of librarian, &c.  
Books, &c.

Compensation to President.  
Vice President.

Secretary of State.

Clerks.  
1818, ch. 87.

1827, ch. 50.

Machinist in patent office.  
1824, ch. 157.  
Clerk.  
Cases, &c.

Messengers.

Expenses.

Contingent expenses.

Secretary of the Treasury.

Clerks.  
1818, ch. 87.

1824, ch. 157.  
1827, ch. 50.

Messengers.

Clerk on revolutionary claims.

First comptroller.

Clerks.  
1818, ch. 87.

1827, ch. 50.

Messengers.

- Second comptroller. For compensation to the second comptroller of the treasury, two thousand two hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the second comptroller, per act of twentieth of April, one thousand eight hundred and eighteen, seven thousand three hundred and twelve dollars and fifty cents.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.
- First auditor. For compensation to the first auditor of the treasury, two thousand two hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the first auditor, per act of twentieth of April, one thousand eight hundred and eighteen, nine thousand nine hundred dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.
- Second auditor. For compensation to the second auditor of the treasury, two thousand two hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the second auditor, per act of twentieth of April, one thousand eight hundred and eighteen, twelve thousand one hundred and fifty dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.
- Third auditor. For compensation to the third auditor of the treasury, two thousand two hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the third auditor, per act of twentieth of April, one thousand eight hundred and eighteen, fifteen thousand six hundred and seventy-five dollars.
- 1818, ch. 87.
- Messengers. For compensation to the messengers in said office, in full of all allowances, seven hundred and eighty-seven dollars and fifty cents.
- Fourth auditor. For compensation to the fourth auditor of the treasury, two thousand two hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the fourth auditor, per act of the twentieth of April, one thousand eight hundred and eighteen, eleven thousand two hundred and ninety-seven dollars and fifty cents.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.
- 1827, ch. 50.
- Fifth auditor. For compensation to the fifth auditor of the treasury, two thousand two hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the fifth auditor, per act of twentieth of April, one thousand eight hundred and eighteen, seven thousand eight hundred and seventy-five dollars.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.
- 1824, ch. 157.
- Messenger. For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.
- 1827, ch. 50.
- Treasurer of the United States. For compensation to the treasurer of the United States, two thousand two hundred and fifty dollars.
- Clerks. For compensation to the clerks in the office of the treasurer of the United States, per act of twentieth of April, one thousand eight hundred and eighteen, three thousand nine hundred and thirty-seven dollars and fifty cents.
- 1818, ch. 87.
- Messenger. For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.
- 1824, ch. 157.
- Clerk. For compensation to the clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, five hundred dollars.



For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.

For compensation to the register of the treasury, two thousand two hundred and fifty dollars.

For compensation to clerks in the office of the register of the treasury, per act of twentieth of April, eighteen hundred and eighteen, sixteen thousand seven hundred and sixty-two dollars and fifty cents; and also, for additional salary of four clerks, per act of second of March, eighteen hundred and twenty-seven, six hundred dollars.

For compensation to the messengers in said office, including the allowance of stamping ships' registers, in full of all allowances, eight hundred and sixty-two dollars and fifty cents.

For compensation to the commissioner of the general land office, two thousand two hundred and fifty dollars.

For compensation to the clerks in the general land office, per act of second of March, eighteen hundred and twenty-seven, fourteen thousand five hundred and eighty-seven dollars and fifty cents.

For compensation to the messengers in said office, in full of all allowances, seven hundred and eighty-seven dollars and fifty cents.

For compensation to the secretary of the commissioners of the sinking fund, one hundred and eighty-seven dollars and fifty cents.

For allowance to the person employed in transmitting passports and sea letters; for expenses of translating foreign languages in the office of the Secretary of the Treasury; for stationery, fuel, printing, books, and all other incidental and contingent expenses in the Treasury Department, and the several offices therein, including the expenses of stating and printing the public accounts for the year one thousand eight hundred and twenty-nine, and for advertising treasury notices in relation to the reimbursement of certain portions of the public debt, and in relation to revolutionary claims under the act of the fifteenth of May, one thousand eight hundred and twenty-eight, thirty-one thousand two hundred and sixty-two dollars and fifty cents.

For allowance to the superintendent and four watchmen, employed for the security of the state and treasury buildings, and for the repairs of engines and buckets, one thousand four hundred and twenty-five dollars.

For compensation to the Secretary of War, four thousand five hundred dollars.

For compensation to the clerks in the office of the Secretary of War, per act of the twentieth of April, one thousand eight hundred and eighteen, thirteen thousand three hundred and fifty dollars.

For one clerk in the bureau of Indian affairs, per act of second of March, one thousand eight hundred and twenty-seven, seven hundred and fifty dollars.

For compensation to the messengers in said office, in full of all allowances, seven hundred and eighty-seven dollars and fifty cents.

For contingent expenses of the office of the Secretary of War, two thousand two hundred and fifty dollars.

For compensation to the clerks in the office of the paymaster general, per act of the twentieth of April, one thousand eight hundred and eighteen, two thousand nine hundred and twenty-five dollars.

For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.

For contingent expenses of said office, two hundred and twenty-five dollars.

For compensation to the clerks in the office of the commissary general of purchases, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, two thousand six hundred and twenty-five dollars.

For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.

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| Messenger.   |
| Register of the treasury.                                    |
| Clerks.  |
| 1818, ch. 87.  |
| 1827, ch. 50.  |
| Messengers and stamps.                                       |
| Commissioner of general land office.                         |
| Clerks.  |
| 1827, ch. 50.  |
| Messengers.  |
| Secretary of commissioners sinking fund.                     |
| Incidental expenses, Treasury Department.                    |
| 1828, ch. 53.  |
| Superintendent and watchmen of state and treasury buildings. |
| Secretary of War.  |
| Clerks.  |
| 1818, ch. 87.  |
| Clerk in bureau of Indian affairs.                           |
| 1827, ch. 50.  |
| Messengers.  |
| Contingent expenses.   |
| Clerks in office of paymaster general.                       |
| 1818, ch. 87.  |
| Messenger.   |
| Contingent expenses.   |
| Clerks in office commissary general of purchases.            |
| 1824, ch. 157.   |
| Messenger.   |

Contingent expenses.

Clerks in office of adjutant general.

1818, ch. 87.  
1827, ch. 50.

Contingent expenses.

Clerks in office of commissary general of subsistence.

1824, ch. 157.  
1827, ch. 50.

Contingent expenses.

Clerk in office of chief engineer.

1824, ch. 157.  
1827, ch. 50.

Contingent expenses.

Clerks in ordnance office.

1818, ch. 87.

Contingent expenses.

Clerk in office of surgeon general.

1824, ch. 157.

Contingent expenses.

Quartermaster's clerks.

Contingent expenses.

Secretary of the Navy.

Clerks.

1818, ch. 87.

1824, ch. 157.

1827, ch. 50.

Messengers.

Contingent expenses.

Commissioners of navy board.

Secretary.

Clerks.

1818, ch. 87.

1827, ch. 50.

Clerks and draftsman.

For contingent expenses of said office, six hundred and twenty-two dollars and fifty cents.

For compensation to the clerks in the office of the adjutant general, per act of the twentieth of April, one thousand eight hundred and eighteen, one thousand six hundred and twelve dollars and fifty cents; and one clerk, per act of second of March, one thousand eight hundred and twenty-seven, six hundred dollars.

For contingent expenses of said office, eight hundred and ten dollars.

For compensation to the clerks in the office of the commissary general of subsistence, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand six hundred and twelve dollars and fifty cents; and one clerk, per act of second of March, one thousand eight hundred and twenty-seven, six hundred dollars.

For contingent expenses of said office, one thousand nine hundred and fifty dollars.

For compensation to the clerks in the office of the chief engineer, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, one thousand six hundred and twelve dollars and fifty cents; and one clerk, per act of second of March, one thousand eight hundred and twenty-seven, six hundred dollars.

For contingent expenses of said office, including two hundred and fifty dollars for arrearages of former years, one thousand dollars.

For compensation to the clerks in the ordnance office, per act of twentieth of April, one thousand eight hundred and eighteen, two thousand two hundred and twelve dollars and fifty cents.

For contingent expenses of said office, six hundred dollars.

For compensation to the clerk in the office of the surgeon general, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, eight hundred and sixty-two dollars and fifty cents.

For contingent expenses of said office, two hundred and forty-five dollars.

For compensation to the clerks in the office of the quartermaster general, one thousand six hundred and twelve dollars and fifty cents.

For contingent expenses of said office, four hundred and seventy dollars and fifty cents.

For compensation to the Secretary of the Navy, four thousand five hundred dollars.

For compensation to the clerks in the office of the Secretary of the Navy, per act of twentieth of April, one thousand eight hundred and eighteen, five thousand seven hundred dollars.

For compensation to the clerk in said office, per act of twenty-sixth of May, one thousand eight hundred and twenty-four, seven hundred and fifty dollars; and also, one clerk, per act of second of March, one thousand eight hundred and twenty-seven, seven hundred and fifty dollars.

For compensation to the messengers in said office, in full of all allowances, seven hundred and eighty-seven dollars and fifty cents.

For the contingent expenses of said office, two thousand two hundred and fifty dollars.

For compensation to the commissioners of the navy board, seven thousand eight hundred and seventy-five dollars.

For compensation to the secretary of the commissioners of the navy board, one thousand five hundred dollars.

For compensation to the clerks in the office of the commissioners of the navy board, per act of twentieth of April, one thousand eight hundred and eighteen, two thousand six hundred and sixty-two dollars and fifty cents; and for additional salary to one clerk, per act of second of March, one thousand eight hundred and twenty-seven, one hundred and fifty dollars.

For compensation to the clerks and a draftsman in said office, per act of

twenty-sixth of May, one thousand eight hundred and twenty-four, three thousand dollars.

1824, ch. 157.

For compensation to the messenger in said office, in full of all allowances, five hundred and twenty-five dollars.

Messenger.

For the contingent expenses of said office, one thousand three hundred and fifty dollars.

Contingent expenses.

For allowance to the superintendent and four watchmen employed for the security of the war and navy buildings, and for incidental and contingent expenses, including oil, fuel, candles, labour, repairing pumps and windows in passages, whitewashing halls and passages, for expense of lamps, and extra to watchmen for Sabbath-day, one thousand eight hundred and forty-two dollars and fifty cents.

Superintendent and watchmen of war and navy buildings.

For compensation to the Postmaster General, four thousand five hundred dollars.

Postmaster General.

For compensation to the two assistant postmasters general, three thousand seven hundred and fifty dollars.

Assistants.

For compensation to the clerks in the office of the Postmaster General, per act of twentieth of April, one thousand eight hundred and eighteen, seventeen thousand and twenty-five dollars.

Clerks.

1818, ch. 87.

For compensation to the clerks in said office, per act of the twenty-sixth of May, one thousand eight hundred and twenty-four, four thousand two hundred dollars; for clerks, per act of second of March, one thousand eight hundred and twenty-seven, four thousand eight hundred dollars; and for clerks, per act of twenty-fourth of May, one thousand eight hundred and twenty-eight, five thousand dollars.

1824, ch. 157.

1827, ch. 50.

1828, ch. 99.

For compensation to the messenger and two assistants in said office, in full of all allowances, one thousand and fifty dollars.

Messenger and assistants.

For the completion of the new building for the patent office and post-office, six thousand two hundred and twenty-two dollars and fifteen cents.

Completion of patent office and post-office.

For contingent expenses of said office, four thousand seven hundred and fifty dollars.

Contingent expenses.

For repairs of the post-office, one thousand and thirty-seven dollars and eighty cents.

Repairs of post-office.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, one thousand five hundred dollars.

Surveyor general of Ohio, &c.

For compensation to the clerks in the office of said surveyor, one thousand five hundred and seventy-five dollars.

Clerks.

For compensation to the surveyor south of Tennessee, one thousand five hundred dollars.

Surveyor south of Tennessee.

For compensation to the clerks in the office of said surveyor, one thousand two hundred and seventy-five dollars.

Clerks.

For compensation to the surveyor in Illinois, Missouri, and Arkansas, one thousand five hundred dollars.

Surveyor in Illinois, &c.

For compensation to the clerks in the office of said surveyor, one thousand five hundred dollars.

Clerks.

For compensation to the surveyor in Alabama, one thousand five hundred dollars.

Surveyor in Alabama.

For compensation to the clerks in the office of said surveyor, one thousand one hundred and twenty-five dollars.

Clerks.

For compensation to the surveyor in Florida, one thousand five hundred dollars.

Surveyor in Florida.

For compensation to the clerks in the office of said surveyor, one thousand five hundred dollars.

Clerks.

For extra clerk hire in the office of the surveyor south of Tennessee, two thousand dollars.

Extra clerk hire.

For extra clerk hire in the office of the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.

Extra clerk hire.

For copying the township plats and field notes, in the office of the

Copying in

office of commissioner of general land office.

Commissioner of public buildings.

Officers and clerk of mint.

Agents in mint.

Contingent expenses of mint.

Extension and improvement of mint establishment.

Governor, judges, &c. of Michigan territory.

Contingent expenses.

Compensation, &c. legislative council.

Governor, &c. of Arkansas territory.

1824, ch. 157.

1828, ch. 29.

Contingent expenses.

Pay, &c. of legislature.

1828, ch. 100.

Governor, &c. of Florida territory.

1828, ch. 77.

Contingent expenses.

Compensation, &c., legislative council.

Chief justice, &c. of United States.

1824, ch. 173.

commissioner of the general land office, of the surveys in the state of Alabama, the originals having been destroyed by fire in the office of the surveyor, four thousand dollars.

For compensation to the commissioner of the public buildings in Washington city, one thousand five hundred dollars.

For compensation to the officers and clerk of the mint, seven thousand two hundred dollars.

For compensation to the persons employed in the different operations of the mint, seven thousand eight hundred and twenty-five dollars.

For incidental and contingent expenses and repairs; cost of machinery; for allowance for wastage in gold and silver coinage of the mint, seven thousand six hundred and forty dollars.

For extending the mint establishment, and increasing its efficiency and security, by purchasing the necessary lot or lots of ground and erecting thereon suitable buildings, by the director thereof, according to a plan to be first approved by the President of the United States, and procuring such additional machinery as may be requisite, one hundred and twenty thousand dollars; not to exceed, in the whole, the sum hereby appropriated.

For compensation to the governor, judges, and secretary of the Michigan territory, five thousand eight hundred and fifty dollars.

For contingent expenses of the Michigan territory, two hundred and sixty-two dollars and fifty cents.

For compensation and mileage to the members of the legislative council, pay of the officers of the council, fuel, stationery, printing of the laws and journals, including the sum of sixteen hundred and thirty-five dollars for arrearages, seven thousand eight hundred and fifty dollars.

For compensation to the governor, judges, and secretary of the Arkansas territory, including additional compensation to the judges under the act of the twenty-sixth of May, one thousand eight hundred and twenty-four, and for salary of one judge appointed under the act of the seventeenth of April, one thousand eight hundred and twenty-eight, from the seventeenth of May, to the thirty-first of December, one thousand eight hundred and twenty-eight, ten thousand one hundred and seventeen dollars and twenty-five cents.

For contingent expenses of said territory, two hundred and sixty-two dollars and fifty cents.

For pay and mileage of the members of the two branches of the legislature of said territory, including the incidental expenses of the legislature, per act of twenty-fourth of May, one thousand eight hundred and twenty-eight, six thousand one hundred and thirty dollars.

For compensation to the governor, judges, and secretary of the Florida territory, including additional compensation to the judges under the act of the twenty-third of May, one thousand eight hundred and twenty-eight, eleven thousand five hundred and seventy-five dollars.

For the contingent expenses of the Florida territory, two hundred and sixty-two dollars and fifty cents.

For compensation and mileage to the members of the legislative council of said territory, for the session ending the twenty-fourth November, eighteen hundred and twenty-eight, pay of officers and servants of the council, fuel, stationery, printing and transportation of the laws, including the sum of two thousand one hundred dollars for publishing a revised code of all the laws of Florida, authorized by an act of the legislative council, seven thousand and thirty-two dollars.

For compensation to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the District of Columbia; and also, for additional compensation to the district judge for the district of Missouri, under the act of the twenty-sixth of May, one thousand eight hundred and twenty-four, fifty-nine thousand six hundred dollars.

For compensation to the attorney general of the United States, two thousand six hundred and twenty-five dollars.

Attorney general.

For compensation to the clerk in the office of the attorney general, six hundred dollars.

Clerk.

For compensation to the reporter of the decisions of the Supreme Court, seven hundred and fifty dollars.

Reporter Supreme Court.

For compensation to the district attorneys and marshals as granted by law, including those in the several territories, eight thousand five hundred and seventy-five dollars.

District attorneys and marshals.

For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia; also for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the year one thousand eight hundred and twenty-nine, and preceding years; and for defraying the expenses of prosecutions for offences committed against the United States, and for the safe keeping of prisoners, one hundred and twelve thousand five hundred dollars.

Expenses, Supreme, circuit, and district courts, &c.

For the salary of the marshal of the northern district of the state of Alabama, for the years eighteen hundred and twenty-four and eighteen hundred and twenty-five, three hundred dollars.

Marshal, northern district, Alabama.

For the payment of sundry pensions granted by the late and present governments, twelve hundred and thirty-five dollars and fifty cents.

Pensions.

For the support and maintenance of lighthouses, floating-lights, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs and improvements, and contingent expenses, one hundred and thirty-four thousand four hundred and seventy-three dollars.

Lighthouses, &c.

For buoys to be placed on proper sites on the north and south sides of New Inlet, near Federal Point, in North Carolina, one hundred and sixty dollars.

Buoys at New Inlet, North Carolina.

For placing eleven buoys on proper sites at the entrance of the Mississippi river, in Louisiana, being the balance of a former appropriation for that object, carried to the surplus fund on the thirty-first of December last, three hundred and thirty-five dollars and forty cents.

Buoys at mouth of Mississippi.

For the repair of Provincetown harbour, three thousand five hundred dollars, being a former appropriation for that object, carried to the surplus fund on the twentieth of May, one thousand eight hundred and twenty-eight.

Repair of Provincetown harbour.

For erecting a beacon near the mouth of Bass river, between the towns of Yarmouth and Dennis, one thousand dollars, being a former appropriation for that object, which will be carried to the surplus fund in March, one thousand eight hundred and twenty-nine.

Beacon at mouth of Bass river.

For surveying the public lands of the United States, in addition to the unexpended balance of forty thousand six hundred and thirty-eight dollars and forty-nine cents, seventy-five thousand dollars.

Surveying public lands of United States.

For surveying private land claims in Florida, ten thousand dollars.

Surveying land claims in Florida.

For stationery and books for the offices of commissioners of loans, twelve hundred dollars.

Stationery, &c.

For the salaries of the keepers of the public archives in Florida, seven hundred and fifty dollars.

Keepers of archives in Florida.

For the payment of balances due to officers of the old internal revenue and direct tax, being the balance of a former appropriation for that object, carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-seven, five thousand nine hundred and fifteen dollars and eighty cents.

Balance due officers of the old internal revenue and direct tax.

For the salaries of registers and receivers of land offices where there are no sales, one thousand dollars.

Registers and receivers of land offices.

For allowance to the law agent, assistant counsel, and district attorney, under the act supplementary to the several acts providing for the settlement of private land claims in Florida, dated twenty-third of May, one

Law agent, &c., land claims in Florida.

- 1828, ch. 70. thousand eight hundred and twenty-eight, including contingencies, eight thousand dollars.
- Discharge of miscellaneous claims. For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, twelve thousand dollars.
- Salaries of the ministers to London, &c., and chargé d'affaires at Stockholm, &c. For the salaries of the ministers at London, Paris, Madrid, St. Petersburg, Mexico, and Colombia; for outfit and salary of a minister, or salary of a chargé des affaires, to the king of the Netherlands; for the salaries of the chargé des affaires at Stockholm, Denmark, Lisbon, Brazil, Buenos Ayres, and Peru; for outfit of a chargé des affaires at Peru; for the salaries of the secretaries of legation; and for the contingent expenses of all the missions abroad, one hundred and five thousand eight hundred and seventy-five dollars.
- Fifth census. For discharging the expense of taking the fifth enumeration of the inhabitants of the United States, three hundred and fifty thousand dollars.
- Distressed American seamen. For the relief and protection of distressed American seamen in foreign countries, thirteen thousand seven hundred and fifty dollars.
- Intercourse with Barbary powers. For expenses of intercourse with the Barbary powers, ten thousand dollars.
- Agents of claims at London & Paris. For the salaries of the agents of claims at London and Paris, three thousand dollars.
- Agents under act April 17, 1828, ch. 30. For the compensation of two agents appointed under the act of the seventeenth of April, one thousand eight hundred and twenty-eight, from the ninth of May, one thousand eight hundred and twenty-eight, to the thirty-first of December, one thousand eight hundred and twenty-nine, including the contingent expenses incidental to the agency, twenty thousand eight hundred and ten dollars and forty-four cents.
- Marshals of Ohio, for making returns of non-freeholders. For compensation to the marshals of the states of Ohio, Indiana, Illinois, Missouri, Alabama, Mississippi and Louisiana, and of the territories of Michigan, Arkansas and Florida, the sum of eight hundred and fifty dollars, for making return to the Department of State of the number of non-freeholders in their respective states and territories, according to the resolution of the Senate, passed the twenty-fifth of April, eighteen hundred and twenty-eight.
- Certain citizens of Louisiana or Mississippi. SEC. 2. *And be it further enacted*, That the sum of three thousand one hundred and sixteen dollars and nineteen cents be appropriated to pay certain inhabitants of the late province of West Florida, now citizens of Louisiana or Mississippi, the claims that have been passed by the accounting officers of the Treasury Department, under the act of the eighteenth of April, one thousand eight hundred and fourteen.
- 1814, ch. 68. SEC. 3. *And be it further enacted*, That, in addition to the sum of four hundred and sixty-five thousand nine hundred and ninety-eight dollars, appropriated by the act of the sixth of January, eighteen hundred and twenty-nine, entitled "An act making appropriations for the support of government for the first quarter of the year eighteen hundred and twenty-nine," for compensation to senators and members of the House of Representatives, their officers and clerks, and for the contingent expenses of both houses of Congress, there be, and hereby is, appropriated for the objects aforesaid, the sum of fifty thousand dollars, and the said sums, respectively, may be applied to the said objects in any part of the year eighteen hundred and twenty-nine, as the public service shall require; any thing in said act to the contrary notwithstanding.
- Members of Senate and House of Representatives, &c. 1829, ch. 1. SEC. 4. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.
- Appropriation to be paid out of treasury.

APPROVED, March 2, 1829.

CHAP. XXV.—*An Act making appropriations for building lighthouses and beacons, and placing buoys, and for improving harbours and directing surveys.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following appropriations be, and the same are hereby, made, and directed to be paid, out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide by contract for building lighthouses, erecting beacons, and placing buoys, on the following sites and shoals, to wit:

State of Maine: Five thousand dollars for a lighthouse on the most eligible site on an island called Mount Desert Rock.

Five thousand dollars for one on Hendrick's Head, a point of land near the mouth of Sheepscot river, or some place in the vicinity thereof; and

Two thousand dollars for a tower and bell at Whitehead Point.

State of New Hampshire: Ten thousand five hundred dollars, in addition to appropriations heretofore made for building a lighthouse on a ledge of rocks called the Whale's Back, near the harbour of Portsmouth.

Three hundred dollars, for placing two buoys, one on Kitt's Rock, and one on a rock in Peperell's Cove in Portsmouth harbour.

State of Massachusetts: Two thousand dollars for the erection of a monument on the eastern point of the harbour of Gloucester.

One hundred dollars for placing two buoys at or near the same harbour; and

Four hundred dollars for a spindle to be placed on Minot's Ledge, Cohasset Rock, a beacon on Spit Sand, and a buoy on a ledge called Toddy Rock, at or near the harbour of Boston.

Twelve hundred dollars for erecting a monument on a ledge of rocks without the harbour of Swampscut, or in the vicinity of the same; and five hundred dollars for placing a spindle on Lone Rock and six spar buoys on rocks and ledges in the passage between the Vineyard Sound and Buzzard's Bay.

Five hundred dollars for placing buoys and monuments on rocks and shoals in Anisquam harbour, in Gloucester.

State of Rhode Island: Six hundred dollars for six buoys and a spindle on the following sites, to wit: one on a ledge of rocks east of Brenton's Point, in the harbour of Newport, one on Auld's Rock, south-east of Rose Island, one on the extreme north point of Rose Island, one on Dyer's Rock, northeast of Coaster's Harbour Island, one on the ledge off the Bishop Rock, and one on the ledge north end of Prudence Island, and a spindle, with a ball, on the rock south end of Rose Island.

One hundred and fifty dollars for placing a buoy at the end of the shoal making out from the lighthouse on Goat Island.

Five thousand five hundred dollars for a lighthouse at a proper site on the northwest point of Block Island.

And two thousand five hundred dollars for fixing two bells, viz: one to the lighthouse on Gull Island, and one on the Beaver Tail lighthouse.

State of Connecticut: That the appropriation of six thousand two hundred dollars, made by the act of the first session of the twentieth Congress, for the erection of a beacon light on or near Spindle Rock, at the mouth of Black Rock harbour, be, and the same is hereby, directed to be applied to the erection of a beacon instead of the said beacon light; and

Five thousand dollars for a lighthouse on Great Captain's Island, or Greenwich Point, or some other fit place in the vicinity of those mentioned in Long Island Sound.

State of New York: Four thousand dollars for a lighthouse in Hudson river, at Four Miles Point, on the west side of the river, and four miles north of the city of Hudson, or at some other site in the vicinity.

STATUTE II.

March 2, 1829.

[Obsolete.] Appropriations for building lighthouses, beacons, buoys.

Maine. Lighthouses.

Tower and bell. New Hampshire. Lighthouse.

Buoys.

Massachusetts. Monument. Buoys.

Spindle.

Monument.

Buoys and monuments.

Rhode Island. Buoys and spindles.

Buoy.

Lighthouse.

Bells to lighthouses.

Connecticut. Beacon instead of beacon light. 1828, ch. 69.

Lighthouse.

New York. Lighthouse.

- Lighthouse. Five thousand dollars for a lighthouse on or near one of the Islands called the Brothers, at the Narrows in Long Island Sound; and
- Buoys. Five hundred dollars for eight buoys to be placed at proper sites between the city of Albany and a point opposite Red Hook.
- New Jersey. State of New Jersey: Two hundred dollars for placing buoys at proper sites at New Inlet, or its vicinity, in the district of Little Egg harbour.
- Pennsylvania. State of Pennsylvania: Seven hundred and sixty-seven dollars for Buoys. placing four buoys in the channel to the eastward of the Pea Patch.
- Delaware. State of Delaware: Five thousand dollars for a lighthouse on a proper Lighthouse. site, on or near the northern extremity of Bombay Hook Island, in the Delaware bay.
- Virginia. State of Virginia: Five thousand dollars for a lighthouse, or beacon Lighthouse. light, at a point of land at or near Back River Point on the Chesapeake Bay.
- South Carolina. State of South Carolina: Six hundred dollars for the erection of a Beacon and buoys. beacon near the Charleston lighthouse, in order to mark the entrance into the channel commonly known as Lawford's channel; and three hundred dollars for placing three buoys on proper sites on the Georgetown bar.
- Georgia. State of Georgia: One thousand dollars for placing a buoy on the Buoy. outer edge of the shoal called Martin's Industry, at the entrance of Port Royal Sound, or such other place as shall be designated.
- Ohio. Buoy. State of Ohio: Three hundred and sixty dollars for six buoys to be placed on proper sites on the middle ground or bar at the entrance of Sandusky Bay.
- Lighthouse. Eight thousand dollars to build a lighthouse at Cleaveland, on Lake Erie.
- Michigan. Territory of Michigan: Instead of building the lighthouse at Otter Lighthouses. 1828, ch. 69. Creek Point, as directed by an act of the first session of the twentieth Congress, the sum of five thousand dollars, therein appropriated, is hereby directed to be applied to build one at some other point or place, to be designated, in that vicinity.
- Florida. Eight thousand dollars for a lighthouse at a suitable place near Fort Lighthouses. Gratiot, at the entrance of Lake Huron.
- Florida. Territory of Florida: Seven thousand five hundred dollars, in addition Lighthouses. to the sum heretofore appropriated, for building a lighthouse at the mouth of St. John's river; and
- Eight thousand dollars, in addition to the sum heretofore appropriated, for building a lighthouse near St. Mark's harbour.
- Mississippi. State of Mississippi: Five thousand dollars for a lighthouse at or near Lighthouse. the Pass Christian.
- Sums to be placed at the disposition of the President.
- SEC. 2. *And be it further enacted,* That the sums of money appropriated by this section be, and the same are hereby, directed to be paid out of any money in the treasury not otherwise appropriated, and placed at the disposition of the President of the United States, for the following specified purposes or objects, to wit:
- Purposes.
- Maine. Kennebunk river, &c. State of Maine: Five thousand dollars for repairing the pier on the eastern side of the channel at the entrance of Kennebunk river; and
- Penobscot. Three hundred dollars for surveying the ship channel of Penobscot river, from Whitehead to Bangor, and ascertaining the cost of improving the navigation of the same, and proper sites for spindles and buoys.
- New Hampshire. State of New Hampshire: Sixty dollars for making a survey of Cochecho branch of Piscataqua river, from Dover falls to its confluence with the Piscataqua, for the purpose of ascertaining the practicability of removing obstructions to navigation, and the cost.
- Massachusetts. State of Massachusetts: One hundred and eighty dollars for surveying North river, between Scituate and Marshfield, to ascertain the expediency of removing obstructions at the mouth of the same, and to make an estimate of the cost.



One hundred and fifty dollars for examining the piers erected at Sandy Bay, to report the condition of the same, and what works are necessary to make a good and safe harbour, at that place, together with an estimate of the cost.

Sandy Bay.

Thirty thousand dollars for removing the bar at the mouth of the harbour of Nantucket.

Nantucket.

Two thousand five hundred dollars for extending the pier on which the lighthouse is built, at the entrance of Edgartown harbour, to the shore; and

Edgartown harbour.

One hundred and fifty dollars to survey the harbour at Bass river, between Yarmouth and Dennis, to ascertain the practicability and expense of improving the said harbour.

Bass river.

State of Connecticut: Six thousand and ninety-seven dollars for improving the navigation of Mill river by removing obstructions in the said river, and constructing such works as will prevent the sand from filling up the channel of the same.

Connecticut. Mill river, &c.

One hundred and fifty dollars for making a survey of the river Thames, with a view to improve the navigation of the same, and the cost of such improvements.

Thames.

One hundred and thirty dollars for making a survey of the harbour of Westbrook, near the mouth of Connecticut river, with a view to the improvement of the said harbour, and for ascertaining the cost of such improvement.

Westbrook harbour.

Eighty dollars for making a survey of the harbour of Norwalk, with a view to its improvement.

Norwalk harbour.

One hundred dollars for making a survey of the harbour of Stamford, with a view to its improvement.

Stamford harbour.

One hundred and fifty dollars to place a buoy on a rock in Long Island Sound, opposite Lloyd's Neck.

Buoy at Lloyd's neck.

State of New York: One hundred and fifty dollars for surveying the bar at the mouth of Sag Harbour, to ascertain the best method of preventing the harbour being filled up with sand, and the cost of the same.

New York. Sag Harbour.

Thirty thousand dollars for extending the pier of Black Rock harbour, at the outlet of Lake Erie, to a point opposite Bird's Island.

Black Rock harbour.

For removing obstructions at the entrance of the harbour at Big Sodus Bay, on Lake Ontario, twelve thousand five hundred dollars.

Big Sodus Bay.

For the improvement of the navigation of the Genessee river, in the state of New York, ten thousand dollars.

Genessee river.

State of New Jersey: One hundred dollars for surveying Flatbeach, alias Tucker's Island, situated between old and new inlet, with a view to preserve the anchorage of the port, and to report an estimate of the cost of such improvements as may be necessary to effect those objects.

New Jersey. Flatbeach.

State of Pennsylvania: Five thousand dollars for repairing the piers at Marcus Hook: for filling up the sluice between the said piers, and improving the harbour of Marcus Hook, by the removal of obstructions.

Pennsylvania. Marcus Hook.

State of Virginia: Eighty dollars for making a survey of Deep creek, or branch of the south branch of Elizabeth river, for the purpose of improving the navigation of the same, and an estimate of the cost.

Virginia. Deep creek.

State of North Carolina: Eighty dollars for making a survey of Pascotank river, for removing bars, or obstructions in the same, and an estimate of the cost.

North Carolina. Pascotank river.

Twenty-one thousand dollars, being an additional appropriation, for effecting the removal of the shoals forming obstructions to navigation near Ocracock inlet; and

Ocracock inlet.

Twenty thousand dollars for improving the navigation of Cape Fear river, between the town of Wilmington and the mouth of the said river.

Cape Fear river.

Two hundred and fifty dollars for placing buoys at the new channel point, at Gales' Island point, and at the lower mouth of Wallace's Channel in Pamlico Sound.

Buoys.

Ohio.  
Conneaut  
creek.

State of Ohio: Seven thousand five hundred dollars for improving the navigation of Conneaut creek, by removing the bar at the mouth of the same.

Louisiana.  
River Teche.

State of Louisiana: Two hundred dollars for making a survey of the entrance of the river Teche, with a view to improve and shorten the navigation of the same, and an estimate of the cost of such improvements.

Mississippi  
river.

Five hundred dollars for making a survey at the passes, at the mouth of the Mississippi, with a view to improvements in the navigation, and building lighthouses and buoys.

Mississippi.  
Pass Christian.

State of Mississippi: Five hundred dollars for placing buoys at Pass Christian.

Pass Marianne.

Five hundred dollars for placing buoys at Pass Marianne.

Lake Pon-  
chartrain, &c.

Two hundred dollars for making a survey of the water tract between Lake Ponchartrain and Mobile Bay, with a view to the erection of lighthouses and placing of buoys.

Alabama.  
Mobile harbour.

State of Alabama: Twenty thousand dollars, the sum required for completing improvements in the harbour of Mobile.

Florida.  
St. Augustine  
harbour.

Territory of Florida: Three hundred dollars for making a survey of the harbour of St. Augustine, and the bar at or near the entrance of the same, with a view to remove the latter, and to render the access to the harbour safe at all times, and to make an estimate of the cost of accomplishing that object; and

St. Mark's  
harbour.

Six thousand five hundred dollars for improving the harbour of St. Mark's, by removing obstructions in the same.

APPROVED, March 2, 1829.

#### STATUTE II.

March 2, 1829.

[Obsolete.]

Additional  
appropriations  
for military ser-  
vice for the  
year 1828.

May 24, 1828,  
ch. 123.

CHAP. XXVI.—*An Act making additional appropriations for the military service of the United States, for the year one thousand eight hundred and twenty-nine.*

*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, respectively appropriated for the military service of the United States for the year one thousand eight hundred and twenty-nine; in addition to the several sums appropriated by the act of the twenty-fourth of May, one thousand eight hundred and twenty-eight, to wit:*

Pay, &c., of  
officers and the  
military acad-  
emy.

For pay of the army and subsistence of officers, including the military academy, seven hundred and ninety-three thousand nine hundred and eighty dollars.

For subsist-  
ence.

For subsistence, in addition to the unexpended balance in the treasury on the thirty-first of December last, of twenty-five thousand dollars, two hundred and eighty-two thousand four hundred and fifty-two dollars.

For forage  
for officers.

For forage for officers, thirty thousand and ninety-six dollars.

For clothing  
for servants of  
officers, &c.

For clothing for servants of officers of the army, and of the military academy, and twenty supernumerary second lieutenants, graduates of the military academy, fourteen thousand eight hundred and twenty-eight dollars.

Supernumera-  
ry lieutenants.

For the re-  
cruiting ser-  
vice.

For the contingent expenses of the recruiting service, in addition to the unexpended balance in the treasury on the thirty-first of December last, of three thousand dollars, twelve thousand and forty-seven dollars.

For the recruiting service, in addition to the unexpended balance in the treasury on the thirty-first of December last, of eleven thousand eight hundred and thirty-two dollars, seventeen thousand two hundred and sixty-two dollars.

For the pur-  
chasing depart-  
ment.

For the purchasing department, in addition to materials on hand, amounting to eighty thousand dollars, viz: For clothing for the army, camp equipage, cooking utensils, and hospital furniture, sixty-two thousand five hundred and sixty-nine dollars.

For the purchase of woollens during the year one thousand eight hundred and twenty-nine, in advance for the year one thousand eight hundred and thirty, twenty thousand dollars.

For the purchase of woollens.

For the medical and hospital department, in addition to the probable amount on hand on the thirty-first of December last, of eight thousand dollars, eleven thousand dollars.

Medical and hospital department.

For the quartermaster's department, two hundred and fifty-eight thousand seven hundred and eighty dollars.

Quartermaster's department.

For completing the military road from the mouth of Matanawcook river to Mars Hill, in the state of Maine, forty-two thousand nine hundred and thirty-two dollars.

Military road to Mars Hill.

For repairing the military road between Pensacola and Tallahassee, three thousand dollars.

Military road, Pensacola and Tallahassee.

For repairing the same road between St. Augustine and Tallahassee, three thousand dollars.

Military road, St. Augustine and Tallahassee.

For fuel, transportation, stationery, &c., repairs, and for improving buildings, procuring articles for the mathematical, drawing, chemical, and mineralogical departments, and for the library and contingencies for the military academy at West Point, twenty-two thousand two hundred and fifty-seven dollars.

Fuel, transportation, stationery, &c., for military academy at West Point.

For deficit of the appropriation of one thousand eight hundred and twenty-seven, for the expenses of the board of visitors, one thousand one hundred and sixty-eight dollars and eleven cents.

Board of visitors.

For expenses of the board of visitors in one thousand eight hundred and twenty-nine, one thousand five hundred dollars.

For the contingencies of the army, seven thousand five hundred dollars.

Contingencies of army.

For national armories, two hundred and seventy thousand dollars.

National armories.

For armament of fortifications, seventy-five thousand dollars.

Armament of fortifications. Ordnance service.

For the current expenses of the ordnance service, fifty thousand nine hundred and fifty dollars.

Arsenals. Arrearages.

For arsenals, ninety-eight thousand dollars.

For arrearages between the first of July, one thousand eight hundred and fifteen, and the first of January, one thousand eight hundred and eighteen, one thousand five hundred dollars.

The following sums, transferred to the surplus fund, on the thirty-first of December, one thousand eight hundred and twenty-eight, are hereby re-appropriated:

Transfers to surplus fund re-appropriated:

For the preservation of the point of land forming Provincetown harbour, appropriated by act of twentieth of May, one thousand eight hundred and twenty-six, three thousand five hundred dollars.

Provincetown harbour. 1826, ch. 78.

For removing obstructions in the harbour of Mobile, appropriated by act of twentieth of May, one thousand eight hundred and twenty-six, two thousand eight hundred and seventy-one dollars and twenty-two cents.

Mobile harbour. 1826, ch. 78.

For piers at Newcastle, appropriated by act of the twentieth of May, one thousand eight hundred and twenty-six, seventeen thousand eight hundred and ninety-five dollars and ninety-nine cents.

Newcastle. 1826, ch. 78.

Creek treaty, appropriated by act of the twenty-second of May, one thousand eight hundred and twenty-six, sixty thousand nine hundred and sixty-five dollars and sixty-five cents.

Creek treaty. 1826, ch. 148.

For the purchase of provisions for the Quapaws, by act of the third of March, one thousand eight hundred and twenty-five, two thousand dollars.

Quapaws. 1825, ch. 16.

And for carrying into effect certain Indian treaties, per act of twentieth of May, one thousand eight hundred and twenty-six, eleven thousand three hundred and twenty-eight dollars and twenty-five cents.

Indian treaties. 1826, ch. 110.

SEC. 2. *And be it further enacted*, That eight hundred and fifty-six dollars and fifty-five cents be appropriated to pay a company of Illinois militia, commanded by Captain Achilles Morgan, called into service on the northwestern frontier, in one thousand eight hundred and twenty-

Pay of company of Illinois militia.

1828, ch. 21.

1828, ch. 21.

Appropriations to be paid out of the treasury.

seven; to be settled by the Secretary of War, agreeably to third section of an act making appropriations for the military service of the United States for the year one thousand eight hundred and twenty-eight; approved twenty-first of March, one thousand eight hundred and twenty-eight.

SEC. 3. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1829.

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STATUTE II.

March 2, 1829.

[Obsolete.]  
Secretary of Treasury to subscribe for 750 shares Chesapeake and Delaware canal.

For 200 shares Dismal Swamp canal.

Secretary to vote for president and directors.

To receive dividends.

CHAP. XXVII.—*An Act authorizing the subscription of stock in the Chesapeake and Delaware Canal Company, and in the Dismal Swamp Canal Company.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to subscribe, in the name and for the use of the United States, for seven hundred and fifty shares of the capital stock of the Chesapeake and Delaware Canal Company; and, also, for two hundred shares of the capital stock in the Dismal Swamp Canal Company, and pay for the same, at such times, and in such proportions, as may be required by the said companies respectively; to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall vote for president and directors of the said companies respectively, according to such number of shares, and shall receive upon the said stock the proportion of the tolls which shall, from time to time, be due to the United States for the shares expended.

APPROVED, March 2, 1829.

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STATUTE II.

March 2, 1829.

[Obsolete.]  
Entitles representatives of deceased invalid pensioner to arrears of pension.

Act of March 3, 1819, ch. 81.

Arrears due to deceased revolutionary pensioner, to be paid to his widow, &c.

Testimony regarding wounds received in revolutionary war.

CHAP. XXVIII.—*An Act making provision for the payment of pensions to the widow or children of pensioners, in certain cases, 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 case of the death of any invalid pensioner, before the certificate of the continuance of his disability, required by the act, entitled "An act regulating the payments to invalid pensioners," passed March third, one thousand eight hundred and nineteen, was obtained, it shall be lawful for the Secretary of War, and he is hereby directed, to pay to the legal representatives of such deceased invalid, the arrears of pensions due at the time of his death, at the rate at which it was fixed at his last examination: *Provided*, Such last examination was within two years from the time of his death.

SEC. 2. *And be it further enacted*, That whenever any revolutionary pensioner shall die, the Secretary of War shall cause to be paid the arrears of pension due to the said pensioner at the time of his death; and all payments, under this act, shall be made to the widow of the deceased pensioner, or to her attorney, or if he left no widow, or she be dead, to the children of the pensioner, or to their guardian, or his attorney; and if no child or children, then to the legal representatives of the deceased.

SEC. 3. *And be it further enacted*, That in all cases of applications for pensions, for wounds received in the revolutionary war, the testimony to establish the facts may be authenticated in the same manner with those who apply for pensions for wounds received in the late war with Great Britain.

APPROVED, March 2, 1829.

STATUTE II.

CHAP. XXIX.—*An Act making appropriations for completing certain roads, and for making examinations and surveys.*

March 2, 1829.

*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 wit: For continuing the road from Detroit to Chicago as far as the boundary line of the state of Indiana, eight thousand dollars. For defraying the expenses incidental to making examinations and surveys under the act of thirtieth of April, one thousand eight hundred and twenty-four, thirty thousand dollars. For completing the road from Detroit to Saganaw, ten thousand dollars. For completing the road from Detroit to fort Gratiot, fifteen thousand dollars. For the completion and improvement of the military road recommended by the quartermaster general, between Pensacola and Blakeley and Mobile Point, three thousand dollars.

Road from Detroit to Chicago.

Surveys, &c. under act of April 30, 1824, ch. 46.

Road from Detroit to Saganaw and fort Gratiot; and between Pensacola and Mobile Point.

SEC. 2. *And be it further enacted,* That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1829.

STATUTE II.

CHAP. XXX.—*An Act for the construction of the Cumberland road, westwardly of Zanesville. (a)*

March 2, 1829.

*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 thousand dollars, of any money not otherwise appropriated, be, and the same is hereby appropriated, for the purpose of opening and making the Cumberland road, westwardly from Zanesville, in the state of Ohio; which said sum of one hundred thousand dollars shall be replaced out of the fund reserved for laying out and making roads, under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, Illinois, and Missouri, into the union on an equal footing with the original states.

Opening and making Cumberland road, west of Zanesville.

Appropriation to be replaced from road fund, &c.

SEC. 2. *And be it further enacted,* That, for the immediate accomplishment of this object, the second and third sections of the act, entitled "An act for the continuation of the Cumberland road," that passed the third of March, eighteen hundred and twenty-five, which authorize the appointment, prescribe the duties, and fix the compensation of a superintendent of said road, shall be in force, and apply to the construction of the road authorized by this act.

Appointment of superintendent.

1825, ch. 98.

His duties and compensation.

APPROVED, March 2, 1829.

STATUTE II.

CHAP. XXXI.—*An Act for the continuation of the Cumberland road. (a)*

March 2, 1829.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the road located through the state of Indiana, as declared by the act of Congress, entitled "An act to authorize the appointment of commissioners to lay out the road therein mentioned," approved fifteenth May, eighteen hundred and twenty, and the act, entitled "An act for the continuation of the Cumberland road," approved third of March, eighteen hundred and twenty-five, the President of the United States shall cause the said road to be opened eighty feet wide, by cutting off the timber, removing it from the road, and digging down the banks preparatory to making a turnpike

Cumberland road through Indiana, to be opened from Indianapolis to the east and west boundary of the state. 1820, ch. 123. 1825, ch. 98.

(a) See notes of the acts which have been passed relative to the Cumberland road, vol. ii. p. 357.

road, commencing at Indianapolis, cutting and digging as aforesaid, to the eastern and western boundary of the said state.

Appropriation.

SEC. 2. *And be it further enacted*, That the sum of fifty thousand dollars, of moneys not otherwise appropriated, be, and the same is hereby, appropriated, for the purpose of opening and making the road, as mentioned in the first section of this act; which said sum of fifty thousand dollars shall be replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, Illinois, and Missouri, into the union, on an equal footing with the original states.

To be replaced from road fund, &c.

Two superintendents to be appointed.  
Duties.

SEC. 3. *And be it further enacted*, That, for the accomplishment of this object, the President shall appoint two fit persons, as the superintendents of said road, whose duty it shall be, under the direction of the President, to divide the same into sections, of not more than ten miles each; to contract for, and personally superintend the opening and making the said road, as before mentioned, as well as to receive, disburse, and faithfully account with the treasury, for all sums of moneys by them received in virtue of this act; that the superintendents, before they enter upon the discharge of the duties enjoined by this act, shall execute a bond to the United States, with security, to be approved of by the Secretary of the Treasury, conditioned for the faithful discharge of their duties, prescribed by this act; that they shall hold their office during the pleasure of the President, and shall receive at the rate of eight hundred dollars each, per annum, for their services, during the time they may be employed in the discharge of the duties required by this act.

To give bond.

Salary.

APPROVED, March 2, 1829.

#### STATUTE II.

March 2, 1829.

[Obsolete.]

CHAP. XXXII.—*An Act making appropriations for the Indian department, for the year one thousand eight hundred and twenty-nine.*

*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 wit:

Superintendent of Indian affairs at St. Louis, &c.  
Sub-agents.

For pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as authorized by law, thirty-one thousand dollars.

For pay of sub-agents, as allowed by law, fifteen thousand one hundred dollars.

Presents. 1802, ch. 13.  
Interpreters.

For presents to Indians, as authorized by the act of one thousand eight hundred and two, fifteen thousand dollars.

For pay of Indian interpreters and translators, employed at the several superintendencies and agencies, eighteen thousand five hundred and fifty dollars.

Gun and blacksmiths.

For pay of gun and blacksmiths, and their assistants, employed within the several superintendencies and agencies for the benefit of the Indians, under treaty provisions and orders of the Department of War, nineteen thousand four hundred dollars.

Iron, steel, &c.

For iron, steel, coal, and other expenses attending the gun and blacksmith shops, five thousand dollars.

Transportation and distribution of annuities.

For expense of transportation and distribution of Indian annuities, nine thousand five hundred dollars.

Support of Indians on certain occasions.

For expense of provisions for the Indians at the distribution of annuities, while on visits of business with the different superintendents and agents, and when specially assembled on public business, ten thousand dollars.

Expense of Indian deputations, &c.

For expense attending the visits of such Indian deputations to the seat of government as it may be deemed necessary to authorize, five thousand dollars.

For expenses incurred by the marshal of the Michigan territory, and authorized by the War Department, in conducting the prosecution against the Winnebago Indians at Prairie du Chien, in one thousand eight hundred and twenty-eight, one thousand eight hundred dollars.

For contingencies of Indian department, twenty-two thousand five hundred and fifty dollars.

For expenses incurred by the exploring party of Indians under the control of Captain Kennerly, in the year eighteen hundred and twenty-eight, in addition to the sum of fifteen thousand dollars, heretofore appropriated, the sum of seven thousand one hundred sixty-eight dollars and thirteen cents.

For the purpose of purchasing such reservations of land as are yet claimed by Indians, or Indian countrymen, within the limits of the state of North Carolina, by virtue of treaties made by the United States with the Cherokee Indians, the sum of twenty thousand dollars, which sum, or such part thereof as may be found necessary, shall be applied, under the directions of the President of the United States, to the purpose aforesaid, and to no other purpose whatever.

To enable the President of the United States to extinguish the title of the Delaware Indians to their reservations in Ohio, and to aid them in their removal west of the Mississippi, under the provisions of the treaty of St. Mary's in eighteen hundred and eighteen, six thousand dollars.

For compensation to the Indians in Ohio, for depredations committed upon their property by white citizens, under the intercourse law, one thousand five hundred and thirty-nine dollars and twenty-five cents.

APPROVED, March 2, 1829.

Expenses prosecuting Winnebagoes, at Prairie du Chien.

Contingencies, Indian Department.

Kennerly's exploring party. 1828, ch. 124.

Purchase of Indian reservations in North Carolina.

To extinguish title of Delawares in Ohio, &c.

Compensation for depredations committed on Indians in Ohio.

STATUTE II.

CHAP. XXXIII.—*An Act to authorize a subscription for stock on the part of the United States, in the Louisville and Portland Canal Company.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he hereby is, authorized and directed to subscribe for or purchase, in the name and for the use of the United States, any stock which may have been forfeited to the company, and which shall be undisposed of on the fourth day of March next, not exceeding thirteen hundred and fifty shares of the capital stock of the Louisville and Portland Canal Company; and to pay for the same, when called upon by said company, out of any money in the treasury not otherwise appropriated: *Provided,* Said shares can be had for a sum not exceeding one hundred dollars each.

SEC. 2. *And be it further enacted,* That the said Secretary of the Treasury shall vote for president and directors of said company, according to such number of shares, and shall receive upon the said stock, the proportion of the tolls which shall, from time to time, be due to the United States for the stock aforesaid.

APPROVED, March 2, 1829.

March 2, 1829.

[Obsolete.]

Forfeited stock in Louisville and Portland canal, to be purchased by United States.

Secretary of the Treasury to vote, &c.

STATUTE II.

CHAP. XXXIV.—*An Act making additional appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twenty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for defraying the expenses of the navy for the year one thousand eight hundred and twenty-nine, the following sums be, and the same are hereby, respectively appro-

March 2, 1829.

[Obsolete.]

Additional appropriation for support of navy.

- 1828, ch. 117.
- Pay and subsistence of officers.
- Superintendents, naval constructors, &c.
- Provisions.
- Repairs of vessels, &c.
- Medicines, &c.
- Ordnance, &c.
- Repairs, &c., at navy yards.
- Miscellaneous expenditures.
- Other contingent expenses.
- Reimbursement of marshal of Florida, expenses of certain Africans.
- Gradual increase of navy.
- priated, in addition to the several sums appropriated by the act of the twenty-fourth of May, one thousand eight hundred and twenty-eight, to wit :
- For the pay and subsistence of the officers, and pay of the seamen, other than those at navy yards, shore stations, and in ordinary, nine hundred and eighteen thousand five hundred and fourteen dollars.
- For pay, subsistence, and allowances of officers, and pay of the seamen at navy yards, shore stations, hospitals and in ordinary, one hundred and sixty-two thousand nine hundred and thirty-three dollars.
- For pay of superintendents, naval constructors, and all the civil establishment, at the several yards and stations, forty-four thousand seven hundred and seventy-seven dollars.
- For provisions, three hundred and twenty-four thousand three hundred dollars.
- For repairs of vessels in ordinary, and for wear and tear of vessels in commission, three hundred and fifty-six thousand two hundred and fifty dollars.
- For medicines, surgical instruments, and hospital stores, twenty thousand two hundred and fifty dollars.
- For ordnance and ordnance stores, thirty-seven thousand five hundred dollars.
- For repairs and improvements at navy yards, one hundred and seventy-eight thousand seven hundred and fifty dollars.
- For defraying the expenses that may accrue during the year one thousand eight hundred and twenty-nine, to wit: for freight and transportation of materials and stores of every description; for wharfage and dockage, storage and rent, travelling expenses of officers, and transportation of seamen, house rent, chamber money, and fuel, and candles to officers, other than those attached to the navy yards and stations, and for officers in sick quarters, where there is no hospital, and 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 for persons attending courts martial and courts of inquiry, and to officers engaged on extra service beyond the limits of their stations; for printing and for stationery of every description, and for books, maps, and charts, nautical and mathematical instruments, chronometers, models and drawings; for purchase and repair of steam and fire engines, and for machinery; for purchase and maintenance of oxen and horses, and for carts, wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage; for cabin furniture of vessels in commission, and furniture for officers' houses at navy yards; for taxes on navy yards and public property; for assistance rendered to vessels in distress; for incidental labour at navy yards not applicable to any other appropriation; for coal and other fuel for forges, foundries, and steam engines; for candles, oil, and fuel for vessels in commission and in ordinary; for repairs of magazines and powder houses; for preparing moulds for ships to be built; and for no other object or purpose whatever, one hundred and ninety-five thousand dollars.
- For contingent expenses for objects arising during the year one thousand eight hundred and twenty-nine, and not hereinbefore enumerated, three thousand seven hundred and fifty dollars.
- For the reimbursement of the marshal of Florida, for expenses incurred in the case of certain Africans who were wrecked on the coast of the United States, and for the expense of exporting them to Africa, sixteen thousand dollars.
- The following sums transferred to the surplus fund :
- For the gradual increase of the navy, forty-seven thousand six hundred and nineteen dollars, eighty-eight cents.



For survey of Savannah, by act of fourteenth March, eighteen hundred and twenty-six, three thousand four hundred and sixty-seven dollars and twenty-seven cents.

Survey of Savannah.  
1826, ch. 12.

For captors of Algerine vessels, by acts of twenty-seventh April, one thousand eight hundred and sixteen, and eighteenth of May, one thousand eight hundred and twenty-six, fourteen thousand six hundred and ninety dollars, seventy-five cents.

Captors of Algerine vessels.  
1816, ch. 119.  
1826, ch. 67.

For pay and subsistence of the marine corps, ninety-one thousand seven hundred and eighty-two dollars.

Pay and subsistence marine corps.  
Clothing.

For clothing for the same, twenty-five thousand one hundred and twenty-three dollars.

For fuel for the same, six thousand seven hundred and thirty-nine dollars.

Fuel.

For contingencies for the same, twelve thousand two hundred and fifteen dollars.

Contingencies.

For military stores for the same, two thousand two hundred and fifty dollars.

Military stores.

For medicines for the same, one thousand seven hundred and seventy-seven dollars.

Medicines.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

Appropriations to be paid out of treasury.

APPROVED, March 2, 1829.

STATUTE II.

CHAP. XXXV.—*An Act making additional appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and twenty-nine.*

March 2, 1829.

[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 they are hereby, respectively appropriated towards the military service of the year one thousand eight hundred and twenty-nine, in addition to the several sums appropriated by the act of the twenty-fourth of May, one thousand eight hundred and twenty-eight, to wit :

Appropriations.

Act of May 24, 1828, ch. 118.

For invalid and half-pay pensioners, exclusive of a balance on hand of one hundred and eighty-one thousand nine hundred and eighty dollars and nine cents, forty-two thousand one hundred and thirteen dollars.

Invalid and half-pay pensioners.

For revolutionary pensioners, exclusive of a balance on hand of one hundred and ten thousand six hundred and fifteen dollars and seventy cents, four hundred and eighty-nine thousand three hundred and eighty-four dollars.

Revolutionary pensioners.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1829.

STATUTE II.

CHAP. XXXVI.—*An Act making appropriations for the erection and completion of certain barracks and quarters, and for other purposes.*

March 2, 1829.

[Obsolete.]

Appropriations.

*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 wit :

For the erection of a tower at Bayou Dupre, Louisiana, sixteen thousand six hundred and seventy-seven dollars and forty-one cents.

Tower at Bayou Dupre, La.

For the erection of barracks for one company at fort Sullivan, Eastport, Maine, two thousand five hundred dollars.

Maine.

- Connecticut. For the erection of new barracks and quarters at fort Trumbull, New London, Connecticut, ten thousand dollars.
- Maryland. For the erection of new barracks for one company at fort Severn, Annapolis, Maryland, five thousand dollars.
- Fort Winnebago. For the erection of new barracks for two companies at fort Winnebago, at the portage of the Fox and Ouisconsin rivers, ten thousand dollars.
- Prairie du Chien. To complete the barracks, quartermaster and store-houses at fort Crawford, Prairie du Chien, ten thousand dollars.
- Washington. For the repair of the marine barracks at the navy yard, in Washington, three thousand five hundred dollars.
- Wharf, fort McHenry. For the construction of a new wharf at fort McHenry, Baltimore, Maryland, one thousand five hundred dollars.
- Wharf, fort Constitution. For the construction of a new wharf at fort Constitution, Portsmouth, New Hampshire, six hundred dollars.
- Wharf, Delaware bay. For the construction of a new wharf at fort Delaware, Delaware, two thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, March 2, 1829.

STATUTE II.

March 2, 1829.

[Obsolete.]

CHAP. XXXVII.—*An Act making additional appropriations for certain fortifications of the United States, for the year one thousand eight hundred and twenty-nine.*

- Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, in addition to the several sums appropriated by the act of the twenty-fourth of May, one thousand eight hundred and twenty-eight, for certain fortifications of the United States, for the first quarter of the year one thousand eight hundred and twenty-nine, to wit: for fortifications, to each specifically, as follows:
- Newport, R.I. For fort Adams, at Newport, Rhode Island, eighty-five thousand dollars.
- New York. For fort Hamilton, New York, eighty thousand dollars.  
For fort Monroe, eighty-five thousand dollars.  
For fort Calhoun, ninety thousand dollars.
- N. Carolina. For fort Macon, North Carolina, fifty thousand dollars.  
For fort at Oak island, North Carolina, forty-seven thousand eight hundred and thirty-four dollars.
- Charleston, S. C. For fortifications at Charleston, South Carolina, sixty thousand dollars.
- Savannah, Ga. For fortifications at Savannah, Georgia, sixty thousand dollars.
- Pensacola, W. F. For fortifications at Pensacola, West Florida, fifty-five thousand dollars.
- Mobile Point, Ala. For fort at Mobile Point, Alabama, eighty thousand dollars.
- Bayou Bienvenu, La. For completion of the battery at Bayou Bienvenu, six thousand four hundred and forty-seven dollars and eighty cents.
- Boston harbour. For completion of the sea wall for the preservation of George's Island, in Boston harbour, seven thousand three hundred and ten dollars and fifty-four cents.
- Fort La Fayette. For repair of the pier upon which is constructed fort La Fayette, and such other repairs as are absolutely necessary for the preservation of that fort, thirty-three thousand three hundred and eighty-six dollars and seventy cents.
- Fort Delaware. For repairs at fort Delaware, fifteen thousand dollars.

For repairs and contingencies of fortifications, eleven thousand two hundred and fifty dollars.

Repairs and contingencies.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1829.

CHAP. XXXVIII.—*An Act providing for the printing and binding sixty thousand copies of the Abstract of Infantry Tactics, including manœuvres of light infantry and riflemen, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of War be, and he is hereby, authorized and directed to contract with Hilliard, Gray and Company, of Boston, or some other person or persons, for printing, binding, and delivering, sixty thousand copies of the Abstract of Infantry Tactics, including exercises and manœuvres of light infantry and riflemen, for the use of the militia of the United States. Also, five thousand copies of a system of exercise and instruction of field artillery, including manœuvres for light or horse artillery, as reported by the Secretary of War, on the eighth of January, eighteen hundred and twenty-seven, agreeably to the proposals of said Hilliard, Gray and Company, made to the Secretary of War, dated on the twenty-seventh October, eighteen hundred and twenty-seven, in their specimen marked B; and when so printed, bound and delivered, the Secretary of War is hereby directed to apportion the same among the several states and territories, and in the District of Columbia, for the use of the militia thereof, according to the number of the militia in each state and territory and the District of Columbia; and to forward to the chief magistrate of each state and territory the number allowed to such state and territory as aforesaid, to be by said chief magistrate distributed among the officers of the militia of such state or territory, for their use, and the use of their successors in office, under such rules and regulations as they may direct. And the Secretary of War will cause the number of copies apportioned to the District of Columbia to be distributed among the officers of the militia in the District, under such rules and regulations as may be prescribed by the President of the United States.

STATUTE II.

March 2, 1829.

[Obsolete.]

Secretary of War to contract for 60,000 copies of Infantry Tactics, &c.

Also, 3000 copies exercise of field artillery.

To be distributed among the states, territories and District of Columbia, through their chief magistrates, &c.

SEC. 2. *And be it further enacted*, That the sum of fourteen thousand seven hundred and ninety dollars, is hereby appropriated out of any money in the treasury not otherwise appropriated, to defray the expense of printing, binding and distributing the same.

Appropriation.

APPROVED, March 2, 1829.

CHAP. XXXIX.—*An Act to authorize the establishment of a town, on land reserved for the use of schools, and to direct the manner of disposing of certain reserved quarter sections of land for the seat of government in Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That it shall and may be lawful for the qualified voters in township five, range eleven, north and west, in the county of Jackson, in the territory of Florida, to elect, in such manner as may be directed by the county court of said county, three fit and discreet commissioners, who shall be, and they are hereby, authorized, by and with the consent of the voters of said township, to be obtained in such manner as the said county court shall direct, to lay off and establish a town on one quarter or two adjoining eighths of the sixteenth section

STATUTE II.

March 2, 1829.

[Obsolete.]

Certain voters in Jackson county, Florida, to elect commissioners to lay off a town on school lands, &c.

To sell half the lots, &c.

For benefit of schools.

Commissioners to give bond and security.

Certain reserved lands granted to Florida.

Governor and council to select two quarter sections, &c.

Act of Feb. 8, 1827, ch. 9.

Residue to be sold, &c.

Proceeds applied to public buildings in Tallahassee.

of the township and range aforesaid, reserved by law for the use of schools, and to make sale of one half the lots at public auction; and the money arising from said sales shall be paid into the territorial treasury, for the sole use and benefit of common schools in said township, which said sum shall be subject to such laws as may hereafter be passed, for forming a permanent fund from the said reserved lands, for the support of common schools; and the said commissioners shall give bond and security, to the satisfaction of the county court, for the performance of the duties under this act, and the payment of the money arising from the sales of the lots as aforesaid.

SEC. 2. *And be it further enacted*, That the following quarter sections of land which have been heretofore reserved from sale, to wit: the north-east and north-west quarters of section thirty-six, in township one, of range one, north and west; the north-east, south-west, and south-east quarters of section one, in township one, of range one, south and west; and the south-west quarter of section six, in township one, of range one, south and east, shall be granted to the territory of Florida.

SEC. 3. *And be it further enacted*, That the governor and legislative council of Florida, or a majority of them, be, and hereby are, authorized to select any two of the aforesaid quarter sections of land, to be reserved for, and vested in, the state, should the territory of Florida ever be erected into one, in conformity to the provisions of the fourteenth section of the act passed on the eighth of February, one thousand eight hundred and twenty-seven; and the residue of the above described quarter sections of land, or any part thereof, including so much of the north-east quarter of section one, in township one, of range one, south and west, contiguous to the creek and water-fall, as shall not be reserved, agreeably to the provisions of the act above mentioned, for the town of Tallahassee, shall be sold in such manner, and at such time, as the governor and legislative council of Florida may deem proper, and the proceeds applied to the erection of public buildings in Tallahassee; any act or acts to the contrary notwithstanding.

APPROVED, March 2, 1829.

## STATUTE II.

March 2, 1829.

CHAP. XL.—*An Act confirming the reports of the register and receiver of the land office for the district of St. Stephens, in the state of Alabama, and for other purposes.*

Certain land claims in Alabama confirmed.

Act of March 3, 1827, ch. 78.

Others confirmed.

Certain claims to be filed with register and receiver at St. Stephens.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the claims to lands and town lots contained in the abstracts denominated A, number one, D, number one, E, number one, F, number one, reported to the Treasury Department by the register and receiver of the land office for the district of Saint Stephens, in the state of Alabama, under the provisions of the act of Congress of the third of March, one thousand eight hundred and twenty-seven, be, and the same are hereby, confirmed to the extent therein recommended for confirmation.

SEC. 2. *And be it further enacted*, That all the claims contained in special reports, numbered one to four, inclusive, and in a supplementary report of the said register and receiver, made as aforesaid, be, and the same are hereby, confirmed.

SEC. 3. *And be it further enacted*, That every person or persons, or the legal representatives of such person or persons, who, on the fifteenth day of April, one thousand eight hundred and thirteen, had, for ten consecutive years prior to that day, been in possession of a tract of land, not claimed by any other person, and not exceeding the quantity contained in one league square; and who were, on that day, resident in that part of Louisiana situated east of Pearl river, and west of the Perdido, and

below the thirty-first degree of north latitude, and had still possession of such tract of land, shall be authorized to file their claim in the manner required in other cases, before the said register and receiver, at Saint Stephens, for their decision thereon. And it shall be the duty of the said register and receiver to hear and record the evidence offered to support such claim; and if the same shall be established by sufficient proof, agreeably to the provisions of this section, the said officers shall, in their report, recommend the confirmation of the right to such claim, as in other cases: *Provided*, That no more land shall be reported for confirmation, by virtue of this section, than is actually claimed by the party, or than is contained within the acknowledged and ascertained boundaries of the tract claimed; nor shall the provision of this section authorize the confirmation of any land heretofore sold by the United States.

SEC. 4. *And be it further enacted*, That the confirmation of all the claims provided for by this act shall amount only to a relinquishment for ever, on the part of the United States, of any claim whatever, to the tracts of land and town lots so confirmed, and that nothing herein contained shall be construed to affect the claim or claims of any individual or body politic or corporate, if any such there be.

SEC. 5. *And be it further enacted*, That the register and receiver of the land office at Saint Stephens be, and they are hereby, invested with power to direct the manner in which all claims to lands and town lots, which have been confirmed by this and former acts of Congress, in their district, shall be located and surveyed, having regard to the laws, usages, and customs of the Spanish government on that subject, and also the mode adopted by the government of the United States, in surveying the claims confirmed by virtue of the second and third sections of an act of Congress, entitled "An act regulating the grants of lands, and providing for the disposal of the lands of the United States, south of the state of Tennessee," approved the third of March, one thousand eight hundred and three; and that so much of the fourth section of the "Act supplementary to the several acts for adjusting the claims to land and establishing land offices in the district east of the island of New Orleans," approved the eighth of May, one thousand eight hundred and twenty-two, as interferes with the power granted to the register and receiver of the land office at Saint Stephens, be, and the same is hereby, repealed.

SEC. 6. *And be it further enacted*, That certificates of confirmation and patents shall be granted for all lands and town lots confirmed by virtue of the provisions of this act, in the same manner as patents are granted for lands and town lots confirmed under former acts of Congress.

SEC. 7. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and empowered to make such compensation, not exceeding two hundred and fifty dollars, in addition to the sum already paid, to the present receiver of the land office at Saint Stephens, as to him may seem a just and proper equivalent for the services rendered by him in the discharge of the duties under the provisions of an act of Congress passed on the third day of March, one thousand eight hundred and twenty-seven.

APPROVED, March 2, 1829.

Register and receiver to record evidence in support of claims.

If sufficient evidence, claims to be recommended for confirmation.

Proviso.

Operation of confirmation.

Register and receiver to direct mode of locating and surveying confirmed claims.

Act of March 3, 1803, ch. 27.

Act of May 8, 1822, ch. 128.

Certificates and patents to be granted.

Compensation to receiver at St. Stephens, for certain services.

Act of March 3, 1827, ch. 78.

STATUTE II.

March 2, 1829.

CHAP. XLI.—*An Act to provide for the apprehension and delivery of deserters from certain foreign vessels in the ports of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That on application of a consul or vice-consul of any foreign government, having a treaty with the United States, stipulating for the restoration of seamen deserting, made

On application of consul or vice-consul of nation entitled to the privilege,

seamen deserting to be arrested and delivered up.

Or detained.

Proviso: detention not to be longer than two months.

Proviso: this act not to release seaman from custody as an offender against laws of United States.

in writing, stating that the person therein named has deserted from a vessel of any such government while in any port of the United States, and on proof by the exhibition of the register of the vessel, ship's roll, or other official document, that the person named belonged, at the time of desertion, to the crew of said vessel, it shall be the duty of any court, judge, justice, or other magistrate, having competent power, to issue warrants to cause the said person to be arrested for examination; and if, on examination, the facts stated are found to be true, the person arrested, not being a citizen of the United States, shall be delivered up to the said consul or vice-consul, to be sent back to the dominions of any such government, or, on the request, and at the expense, of the said consul or vice-consul, shall be detained until the consul or vice-consul finds an opportunity to send him back to the dominions of any such government: *Provided nevertheless*, That no person shall be detained more than two months after his arrest; but at the end of that time shall be set at liberty, and shall not be again molested for the same cause: *And provided, further*, That if any such deserter shall be found to have committed any crime or offence, his surrender may be delayed until the tribunal before which the case shall be depending, or may be cognisable, shall have pronounced its sentence, and such sentence shall have been carried into effect.

APPROVED, March 2, 1829.

#### STATUTE II.

March 2, 1829.

CHAP. XLII.—*An Act to continue the present mode of supplying the army of the United States.*

Sections 6, 7, 8, 9, and 10, of act of April 14, 1818, ch. 61, and section 8, of March 2, 1821, ch. 13, continued for five years.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sixth, seventh, eighth, ninth, and tenth sections of the act, entitled "An act regulating the staff of the army of the United States," passed April the fourteenth, eighteen hundred and eighteen, and the eighth section of the act, entitled "An act to reduce and fix the military peace establishment of the United States," passed March the second, eighteen hundred and twenty-one, are hereby continued in force for five years from the passing of this act, and thence to the end of the next session of Congress thereafter, and no longer.

Two commissaries created.

SEC. 2. *And be it further enacted*, That the better to enable the commissary general of subsistence to carry into effect the provisions of the above specified acts, there be appointed two commissaries, to be taken from the line of the army, one of whom shall have the same rank, pay, and emoluments, as quartermaster; and the other with the rank, pay, and emoluments, of assistant quartermaster.

APPROVED, March 2, 1829.

#### STATUTE II.

March 2, 1829.

CHAP. XLIII.—*An Act for the relief of the navy hospital fund.*

[Obsolete.]  
Appropriation to navy hospital fund.

*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 twenty-five thousand dollars be, and the same hereby is, appropriated to the navy hospital fund; and that the same be paid by the Secretary of the Treasury, on the requisition of the commissioners of the said fund, out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1829.

STATUTE II.

March 2, 1829.

[Obsolete.]

CHAP. I.—*An Act making appropriations for carrying into effect certain treaties with the Indian tribes, and for holding a treaty with the Pattawatimas.*

*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, viz :

For the annual support of a school for the education of Indian youth, under the treaty of the fifth August, one thousand eight hundred and twenty-six, with the Chippewas, one thousand dollars.

For the payment of the annuity to the Pattawatimas, under the treaty of the sixteenth October, one thousand eight hundred and twenty-six, two thousand dollars.

For fulfilling the stipulations of the same treaty in regard to education, two thousand dollars.

For the annual support of a blacksmith and miller, and for furnishing one hundred and sixty bushels of salt, under the same treaty, one thousand five hundred and twenty dollars.

For the payment of the permanent annuity under the fourth article of the treaty with the Miamies, of the twenty-third October, one thousand eight hundred and twenty-six, twenty-five thousand dollars.

For the delivery of iron, steel, and tobacco, under the same treaty, and for the employment of labourers, one thousand one hundred dollars.

For the annual support of the poor and infirm Miamies, and the education of their youth, under the sixth article of said treaty, two thousand dollars.

For making good a deficiency in the appropriation to carry into effect the fourth article of the treaty of the second and third of June, one thousand eight hundred and twenty-five, with the Osage and Kansas Indians, sixteen thousand eight hundred and ninety-five dollars and forty cents.

For the payment of the sum stipulated in the second article of the agreement entered into with the Winnebago Indians on the twenty-fifth of August, one thousand eight hundred and twenty-eight, twenty thousand dollars.

For the payment of the permanent annuity stipulated in the second article of the treaty with the Pattawatima Indians of the twentieth of September, one thousand eight hundred and twenty-eight, two thousand dollars.

For the payment of the limited annuity stipulated in the same article, one thousand dollars.

For the purchase of goods and the payment in specie stipulated in said article, including transportation, forty-five thousand five hundred dollars.

For the expense of farming, and for utensils, specified in said article, seven thousand five hundred dollars.

For tobacco, iron, steel, education, annuity to principal chief, employment of labourers, and purchase of land granted to Nancy Burnett, two thousand nine hundred and sixty dollars.

For the payment of claims against the Pattawatimas, stipulated in the third article of said treaty, ten thousand eight hundred and ninety-five dollars.

For expenses of ascertaining the value of property belonging to the missionary establishment, the removal of which is provided for in the fifth article of the said treaty, three hundred dollars.

For compensation to Cherokee Indians emigrating from within the chartered limits of the state of Georgia, in pursuance of the provisions of the treaty of the sixth of May, one thousand eight hundred and twenty-eight, with the Cherokees of Arkansas, upon the supposition that five hundred may emigrate within the year, that is to say: For rifles, including a balance due on rifles purchased last year, for blankets, for

Education under treaty, Aug. 1826.

Annuity to Pattawatimas, under treaty, Oct. 1826.

Education under same.

Blacksmith, miller, and salt.

Permanent annuity, under treaty with Miamies, Oct. 1826.

Iron, steel, &c. under same.

Poor and infirm Miamies, and education, under same.

Appropriation for treaty, June, 1825, with Osages and Kansas.

Treaty, Aug. 1828, with Winnebagoes.

Permanent annuity to Pattawatimas, under treaty, September, 1828.

Annuity, under same.

Goods, &c. under same.

Farming, &c. under same.

Tobacco, &c., education, annuity, &c.

Claims against Pattawatimas, under same.

Appraising property of missionary establishment.

Compensation to Cherokees emigrating from Georgia, under treaty, May, 1828.

brass kettles, and for tobacco, ten thousand seven hundred and twenty-four dollars and seventy-five cents.

- Transportation. For expense of transportation of those articles, two thousand dollars.
- Property of emigrants. For payment for property which may be abandoned by Cherokees emigrating from Georgia, five thousand dollars.
- Expense of emigration. For expense of emigration, being ten dollars per head, five thousand dollars.
- Provisions for emigrants. For one year's provisions for emigrants, fifteen thousand dollars.
- Gratuity to emigrants. For gratuity of ten dollars to each emigrant, as per eighth article of the treaty, five thousand dollars.
- Appraisers of property abandoned. For compensation of appraisers of property abandoned by emigrants, as provided in eighth article of said treaty, and of such other persons as it may be necessary to employ in executing the provisions of said article, six thousand five hundred dollars.
- Improvements abandoned by Cherokees of Arkansas. For compensation for improvements which may be abandoned by the Cherokees of Arkansas, as is provided in the fourth article of said treaty, estimating for one thousand heads of families, thirty-seven thousand dollars.
- Appraisers of property, and expenses of removal of aged, infirm Indians. For compensation of appraisers of property so abandoned, in pursuance of same article, and for expenses of removal of aged and infirm Indians, five thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1829.

## STATUTE II.

March 3, 1829. CHAP. LI.—*An Act making appropriations for the public buildings, and other purposes.*

[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 appropriated and paid out of any money in the treasury not otherwise appropriated, for the following purposes, respectively, to wit:

- Repairs, &c. of capitol. For repairs and other work necessary to be done on and about the capitol and its enclosures, eighteen thousand seven hundred and sixty-two dollars and sixty-three cents.
- Lamps, capitol square. For erecting fourteen additional lamps in or around capitol square, two hundred and ten dollars.
- Maintaining lamps. For keeping lighted twenty-four lamps in or around said square, six hundred and five dollars.
- Fence and gate. For erecting an iron rail fence, and central gate, on that part of the public ground west of the capitol which adjoins the circular walk, twenty-eight hundred dollars.
- Portico to President's house. To complete the north front of the President's house, according to the original plan, by erecting a portico, twenty-four thousand seven hundred and sixty-nine dollars and twenty-five cents.
- Work on and about President's house. For work to be done on and about the President's house and enclosures, six thousand three hundred and sixty-one dollars and eighty-six cents.
- Furnishing President's house. For furnishing the President's house under the direction of the President of the United States, fourteen thousand dollars.
- Purchase of square 249. For the purchase and enclosure of the square numbered two hundred and forty-nine, on the plan of the city, eight thousand dollars.
- Engine companies. For repairs and expenses of the fire apparatus of the Columbia and Franklin Engine Companies, six hundred and forty dollars.
- Statuses, front of capitol. To enable the President of the United States to contract with Luigi Persico, to execute two statues in front of the capitol, four thousand dollars.
- Sculpture in capitol. For balance of compensation to N. Gevelot for sculpture in the capitol, seven hundred and fifty dollars.



SEC. 2. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized to continue in office the architect of the capitol, as long as may be necessary for the execution of the work to be done upon the capitol under the first section of this act, at his present rate of compensation.

Architect of capitol continued, &c.

SEC. 3. *And be it further enacted*, That the commissioner of public buildings annually make to Congress, at the commencement of the session, a report of the manner in which all appropriations for the public buildings and grounds have been applied—of the number of public lots sold or remaining unsold each year—of the condition of the public buildings and public grounds, and of the measures necessary to be taken for the preservation and care of the public property.

Commissioner public buildings to make annual report, &c.

APPROVED, March 3, 1829.

STATUTE II.

CHAP. LII.—*An Act making additional appropriations for completing and repairing piers, for the improvement of certain harbours, and of the navigation of certain rivers.*

March 3, 1829.

[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 wit :

For repairing the damages sustained by the piers under construction at the mouth of Oswego river, from a severe gale in October last, seven thousand four hundred and seventy-two dollars.

Piers at Oswego river.

For closing the breach made in the peninsula at Presque Isle bay, Pennsylvania, seven thousand three hundred and ninety dollars and twenty-five cents.

Repairs at Presque Isle bay.

For completing the erection of piers at the mouth of Dunkirk harbour, in the state of New York, nine thousand eight hundred and twelve dollars and seventy-five cents.

Dunkirk harbour.

For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, six thousand nine hundred and forty dollars and twenty-five cents.

Ashtabula creek.

For completing the removal of obstructions at the mouth of Cunningham creek, Ohio, two thousand nine hundred and fifty-six dollars.

Cunningham creek.

For improving Cleveland harbour, Ohio, twelve thousand one hundred and seventy-nine dollars.

Cleveland harbour.

For completing the removal of obstructions at the mouth of Huron river, Ohio, five thousand nine hundred and thirty-five dollars.

Huron river.

For completing a pier at La Plaisance bay, Michigan territory, two thousand three hundred and eighteen dollars.

La Plaisance bay.

For continuing to improve the navigation of the Ohio and Mississippi rivers, fifty thousand dollars.

Ohio and Mississippi rivers.

For removing obstructions in the Savannah river, below the city of Savannah, in Georgia, being a balance of appropriations carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-eight, twenty-four thousand four hundred and ninety dollars.

Savannah river.

SEC. 2. *And be it further enacted*, That the several sums, hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1829.

STATUTE II.

CHAP. LIII.—*An Act for the preservation and repair of the Cumberland road. (a)*

March 3, 1829.

*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

Cumberland road, east of

(a) Acts passed relating to the Cumberland road, vol. ii. p. 357.

Wheeling, to be repaired.

Appointment and compensation of superintendent.

thousand dollars be, and the same is hereby granted, to be paid out of any moneys in the treasury not otherwise appropriated, to the purpose of repairing bridges, walls, and other works, on the Cumberland road, east of Wheeling, where the same may be necessary, in the judgment of the superintendent, for the purpose of putting the said road in repair; and the said superintendent shall be appointed by the President of the United States, and shall receive the same compensation as the superintendent of the said road west of Wheeling.

APPROVED, March 3, 1829.

STATUTE II.

March 3, 1829.

President of United States authorized to sell salt springs.

CHAP. LIV.—*An Act to authorize the President of the United States to cause the reserved salt springs, in the state of Missouri, to be exposed to public sale.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President be, and he hereby is, authorized, at any time that he shall think proper, to cause the reserved salt springs and contiguous lands, in the state of Missouri, belonging to the United States, and unclaimed by individuals, to be exposed to sale, in the same manner that other public lands are authorized, by law, to be sold.

APPROVED, March 3, 1829.

STATUTE II.

March 3, 1829.

Act of June 26, 1834, ch. 76. President U. S. authorized to sell lead mines.

CHAP. LV.—*An Act to authorize the President of the United States to cause the reserved lead mines, in the state of Missouri, to be exposed to public sale, 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 the President be, and he hereby is, authorized, at any time that he shall think proper, to cause the reserved lead mines, and contiguous lands, in the state of Missouri, belonging to the United States, and unclaimed by individuals, to be exposed to sale, in the same manner that other public lands are authorized, by law, to be sold, except as hereinafter provided.

Six months' notice to be given, &c.

SEC. 2. *And be it further enacted,* That six months' notice, at least, of the times and places of the said sales, shall be given in such newspapers of general circulation in such of the states as the President may think expedient, with a brief description of the mineral region in Missouri, and of the lands to be offered for sale, showing the number and the localities of the different mines now known, the probability of discovering others, the quality of the ore, the facilities for working it, the further facilities, if any, for manufactories of shot, sheet lead, and paints, and the means and expense of transporting the whole to the principal markets in the United States.

Confirmations or sales of lead mines to be the same as of other lands.

SEC. 3. *And be it further enacted,* That in all cases of confirmation or sales of lands in Missouri, reported to contain lead ore, the patent shall be issued to the person in whose favour the confirmation has been made, or to the purchaser from the United States, or their heirs or assignees, as in ordinary cases of confirmation or sales.

APPROVED, March 3, 1829.

STATUTE II.

March 3, 1829.

United States commissioner to

CHAP. LVII.—*An Act providing for ceding to the state of South Carolina the jurisdiction over, and the title to, a certain tract of land, called Mount Dearborn, in the said state.*

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

(a) See notes to act of June 26, 1834, ch. 76.

be, and he is hereby, authorized and required to appoint a commissioner, to meet such commissioner as may be appointed on the part of the state of South Carolina, to assess the value of a tract of land on the Catawba river, at or near Rocky Mount, (and commonly known as Mount Dearborn,) or so much thereof as in the opinion of the superintendent of public works in South Carolina may be important or necessary for the completion or preservation of the public works of said state: And if said commissioners shall disagree as to the value of said land, they are hereby authorized to choose, jointly, a third commissioner, the assessment and valuation of any two of whom, when certified under their hands and seals, shall be conclusive.

be appointed to assess, with S. Carolina commissioner, the value of Mount Dearborn, &c.

SEC. 2. *And be it further enacted,* That so soon as the state of South Carolina shall pay into the treasury of the United States the amount of such valuation, the Secretary of War be, and he is hereby, directed to convey to the state of South Carolina, all the right and title of the United States in or to said land so assessed: and from and after the execution of said conveyance, the jurisdiction of the United States over the soil so conveyed, be, and the same is hereby, retroceded to the state of South Carolina.

South Carolina to pay the valuation, and the land to be retroceded to her.

APPROVED, March 3, 1829.

STATUTE II.

March 3, 1829.

CHAP. LXV.—*An Act concerning the government and discipline of the penitentiary in the District of Columbia.*

Appropriation for the penitentiary. Act of May 20, 1826, ch. 81.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the penitentiary erected in the city of Washington, in pursuance of "An act to provide for erecting a penitentiary in the District of Columbia, and for other purposes," passed twentieth May, eighteen hundred and twenty-six, shall be designated and known as the penitentiary for the District of Columbia, and shall be exclusively appropriated to the confining such persons as may be convicted of offences, which now are, or may hereafter be, punishable with imprisonment and labour, under the laws of the United States, or of the District of Columbia.

SEC. 2. *And be it further enacted,* That it shall be the duty of the President of the United States to appoint, annually, five respectable inhabitants of the District of Columbia to be inspectors of the said penitentiary, who shall severally hold their offices for one year, from the date of their appointment.

Annual inspectors to be appointed.

SEC. 3. *And be it further enacted,* That the President shall also appoint one warden of the said penitentiary, who shall hold his office during the pleasure of the President.

Warden.

SEC. 4. *And be it further enacted,* That said inspectors shall hold their first meeting within ten days after their appointment; they shall appoint one of their number to be their secretary, who shall keep regular records of their proceedings; a majority shall be a quorum for the transaction of all business, and all questions shall be decided by a majority of those present; they shall hold regular meetings of the board, at least once in every month, and oftener, if they shall find it necessary; they shall singly, in turns, visit and inspect the penitentiary, at least once in each week, upon some stated day, to be fixed by their by-laws; they shall direct in what labour the convicts shall be employed; it shall be their duty to prepare a system of rules and regulations, minutely providing for the discipline, health and cleanliness of the penitentiary, the hours of labour, meals and confinement, the government and behaviour of the officers and convicts, so as best to carry into effect the several directions and requisitions of this act; they shall take care that these rules and regulations be made known to the officers of the prison, and the convicts,

First meeting of inspectors.

Secretary. Quorum.

Regular meetings.

Inspections.

Labour of convicts.

System of rules for discipline, &c.

Promulgation thereof, &c.

Maintenance of cleanliness.

Appointment and removal of keepers, &c.

Inspection of accounts.

Annual report to Congress.

Economy enjoined.

Convicts to labour for United States.

Excess of expenditure to be explained.

Salary of warden and other officers.

Warden's functions:

Keep accounts;

Make contracts;

Let out labour of convicts;

General superintendence and responsibility;

Monthly account to inspectors;

Quarterly account to the Secretary of the Treasury.

Warden to give bond.

Limitation of action thereon.

and that the strictest obedience be paid thereto; they shall provide that the strictest attention be paid to preserve cleanliness, throughout the buildings, kitchens, cells, bedding, and as far as may be, in the persons and clothing of the convicts; they shall appoint, and at their pleasure remove such keepers, and other inferior officers and servants, as may be required for the service and government of the penitentiary; they shall, from time to time, inspect the accounts of the penitentiary, and shall see that the affairs thereof are conducted with economy and integrity; they shall, in the month of January, in every year, report to Congress a detailed account of the expenses and income of the penitentiary, the number of convicts received, discharged, or deceased, during the year, the rules and by-laws passed, altered, or repealed, within such year, and such other matters relating to the discipline and management of the prison, as may be proper to make known its state and condition; and it shall be their duty so to manage the affairs of the penitentiary, if it be possible, that the proceeds of the labour of the said convicts shall pay all the expenses of the said penitentiary and more: But nothing herein contained shall prevent the said inspectors from employing the said convicts in labour for the United States. And, if the said penitentiary shall fail to support itself, it shall be the duty of the said inspectors to state, in their annual report to Congress, what they suppose to be the reason of such failure.

SEC. 5. *And be it further enacted*, That the warden shall receive a salary of twelve hundred dollars a year. The other officers and servants of the penitentiary shall receive such annual or monthly pay as the inspectors shall direct.

SEC. 6. *And be it further enacted*, That it shall be the duty of the warden to keep accurate accounts of all materials bought or furnished for the use or labour of the convicts, and also, of the proceeds of their labour; he shall make all contracts and purchases for the supplies necessary for the penitentiary: he shall have power to let out the labour of the convicts by contract, subject, always, however, to the rules and discipline of the penitentiary; he shall, under the superintendence and inspection of the inspectors, oversee and manage all the affairs of the penitentiary, and shall be responsible for the due enforcement of its rules, by-laws, and discipline; he shall make out and deliver to the inspectors, at each of their monthly meetings, an account of all moneys received and expended by him on account of the penitentiary, during the preceding month, specifying from whom received, and to whom paid, and for what; which account shall be sworn to by the warden, and carefully filed and preserved among the papers of the board of inspectors. He shall, also, on the first Monday of January, April, July, and October, in each year, make out and exhibit to the proper accounting officer of the Treasury Department, an account of all moneys received and paid on account of the penitentiary, for the last three months, specifying from whom received, to whom paid, and for what, and shall settle the same with the said department.

SEC. 7. *And be it further enacted*, That the warden, before he enters upon the duties of his office, shall give bond to the United States, with sufficient security, to be approved by the inspectors of the penitentiary, in such sum as they shall direct, conditioned that he will faithfully perform the duties of his office, and truly account for all goods, money, or other articles belonging to the United States, or to individuals, which may, in the discharge of the duties and trusts of his office, come into his custody, and pay or deliver the same over to the United States, or such persons as may be legally entitled thereto, whenever he shall be lawfully required; which bond may be sued in the name of the United States, for the use of the United States, or any individual, who may have a claim thereon, as often as the said condition may be broken; provided such suit shall be brought against the security within six years of the time when the cause of action accrued.

SEC. 8. *And be it further enacted,* That if the warden of the said penitentiary shall have any interest himself in any contract made by him touching the affairs of the penitentiary, with a view of gaining for himself, either directly or indirectly, any profit or advantage thereby, he shall be deemed guilty of a misdemeanor, and he shall, on conviction thereof, be punished by fine, not exceeding two thousand dollars, and be dismissed from office, and every such contract may be declared void by the said inspectors.

SEC. 9. *And be it further enacted,* That the said inspectors shall not be concerned in any contract touching the affairs of the said penitentiary; but, if any such contract shall be at any time made, in which the said inspectors, or any of them, have, directly or indirectly, any interest, the same, so far as relates to that interest, shall be wholly null and void.

SEC. 10. *And be it further enacted,* That all suits that may be necessary to be brought for any matter or thing relating to the affairs of the said prison, shall be brought in the name of the United States, whether the contract on which such suit is founded be made in their name or not.

SEC. 11. *And be it further enacted,* That the male and female convicts confined in the said penitentiary shall be kept, and shall labour, wholly separate and apart from each other. Every convict shall be confined singly in a separate cell at night, and at such times of the day as he or she may be unemployed in labour, except at such hours and places as may be specially assigned, by the rules of the penitentiary, for religious or other instruction, or for meals, or when transferred to the infirmary on account of sickness, upon the recommendation of the physician. Each convict, immediately upon being received into the penitentiary, shall be thoroughly cleansed with warm water and soap, and shall have the hair cut close; and the warden and other officers shall take the strictest precautions to guard against the introduction of any infectious or contagious disease, from the persons or clothing of such convicts; which precautions it shall be the duty of the inspectors to regulate, and prescribe in their by-laws. A descriptive list of the names, ages, persons, crimes and sentences of the convict, shall be kept by the warden, and such description shall be entered immediately upon the reception of each convict. The convicts shall be clothed at the public expense during the whole term of their confinement, in habits of coarse and cheap materials, uniform in colour and make, and so striped, or otherwise conspicuously marked, as may clearly distinguish them from the ordinary dress of other persons. Their bedding, and other personal accommodations, shall be of the cheapest and coarsest kind, consistent with use and durability. The convicts shall be fed on the cheapest food which will support health and strength, with as little change or variety in the said diet, as may be consistent with the health of the convicts, and the economy of the penitentiary. They shall be kept, as far as may be consistent with their age, health, sex, and ability, to labour of the hardest and most servile kind, and as far as may be, uniform in its nature, and of a kind where the work is least liable to be spoiled by ignorance, neglect, or obstinacy, or the materials to be injured, stolen, or destroyed. They shall not, at any time, be permitted to converse with one another, or with strangers, except by the special permission, and in presence of some officer of the prison, as may be regulated by the by-laws; they shall be made to labour diligently, in silence, and with strict obedience.

SEC. 12. *And be it further enacted,* That the warden of the said penitentiary shall have power to punish any convict in the penitentiary, who shall wilfully violate, or refuse to obey, the rules of the penitentiary, or to perform the work assigned him, or who shall resist by violence any of the officers of the penitentiary in the exercise of their lawful authority, or shall wilfully destroy any property, tools, or materials; and it shall be the duty of the said warden to inflict such punishment, either by confine-

Warden prohibited from interest in any contract, &c.

Penalty.

Same prohibition to inspectors.

Consequence of infraction.

Suits to be brought in name of United States.

Males and females to be kept separate. Solitary confinement.

Infirmary. Purification and shaving.

Precautions against introduction of disease.

Descriptive list of convicts.

Clothing.

Bedding, &c. Food.

Labour.

Conversation prohibited, &c.

Warden's power of punishment.

Solitary confinement, diet, irons, stocks.

Cases of punishment to be reported.

Inspectors to regulate punishments, &c.

Physician and surgeon to be appointed.  
Duties.

Infirmary.  
Removal to infirmary.

Return.

Inspectors to make rules for governing the infirmary.

Discretionary power in favour of the sick.

Separation and instruction of convicts under fourteen.

Religious worship, and religious and moral instruction.

Admission of visitors.

Privileged visitors.

Acts prohibited to the keeper, assistant, &c.

Penalty.

Inspectors to prescribe rules for protection of convicts, &c.

ment in solitary cells, by diet on bread and water, by putting such convict in irons, or in the stocks; but all such punishments shall be regularly reported to the visiting inspectors at the next weekly visitation, and to the board of inspectors at their monthly meeting; and it shall be the duty of the inspectors to adopt and enforce special rules and by-laws regulating the times, measure, extent and mode of such punishments, in relation to the several offences against the discipline of the penitentiary, and to report the same in their annual report to Congress, whenever they shall be adopted, altered or repealed.

SEC. 13. *And be it further enacted*, That the inspectors shall appoint one regularly practising physician, to be the physician and surgeon of the penitentiary, whose duty it shall be to visit the penitentiary at such times as may be prescribed by the inspectors, and to render all medical and surgical aid which may be necessary. One apartment, or more, as may be needed, shall be fitted up as an infirmary; and, in case of sickness of any convict, he, or she, upon examination of the physician, shall, upon his order, be removed to the infirmary, and the name of such convict shall be entered in a hospital book, to be kept for that purpose; and whenever the physician shall report to the warden, that such convict is in a proper state to return to the ordinary employment of the prison, such report shall be duly entered in the same book, and the convict shall return to the ordinary discipline of the penitentiary, so far as may be consistent with his or her health and strength. Special rules for the order and government of the infirmary, shall be made and enforced by the inspectors, and nothing in this act contained, shall be construed to forbid any such relaxation of the general discipline of the penitentiary, as may be required for the sick.

SEC. 14. *And be it further enacted*, That the inspectors shall have power, and it is hereby made their duty, to provide for the separate labour and instruction of any convict under the age of fourteen years, and to make and enforce such rules and regulations therefor, as may, in their judgment, most conduce to the reformation and instruction of such youthful convicts; any thing in this act to the contrary notwithstanding. They shall also have power, and it shall be their duty, to provide for all the convicts the means of religious worship, and religious and moral instruction, subject, however, to general rules, not inconsistent with the discipline heretofore prescribed.

SEC. 15. *And be it further enacted*, That no person shall be permitted to visit the said penitentiary, without a written order from one or more of the said inspectors, except the President of the United States, the secretaries of the several departments of the government, members of Congress and the judges of the courts of the United States.

SEC. 16. *And be it further enacted*, That, if any keeper, assistant keeper, or other officer, or servant, employed in, or about, the said penitentiary, shall convey out of, or bring into, the penitentiary, to, or from, any convict confined there, any letter or writing, or shall bring into the said penitentiary, to sell or give away, any spirituous or vinous liquors, or any other thing whatsoever, without the consent, in writing, previously obtained, of the said inspectors, every such person, so offending, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by fine, not exceeding five hundred dollars, and imprisonment in the jail of the county, for any time not exceeding one year.

SEC. 17. *And be it further enacted*, That the inspectors shall prescribe, and it shall be the duty of the warden rigidly to enforce such rules for the government of the subordinate officers of the penitentiary, as may prevent all tyrannical or violent behaviour to the convicts, or all conversation between them and the convicts, or with each other, within their hearing, except for necessary purposes, and may best preserve order, silence, sobriety, and gravity of deportment throughout the establishment.

SEC. 15. *And be it further enacted*, That, in case of the death of the warden, or the temporary vacancy of his office, or his absence, sickness, or other disability, such keeper, or other officer, as may be especially designated by the inspectors, shall have power to exercise the authority and discharge the several duties of the warden, as prescribed by this act, and the rules of the penitentiary.

Death, &c. of warden.

SEC. 19. *And be it further enacted*, That the sum of twenty-seven thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purpose of carrying this act into effect, and for completing the said penitentiary, and preparing it for the reception of convicts.

Appropriation, 27,000 dollars.

APPROVED, March 3, 1829.

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RESOLUTIONS.

I. RESOLUTION *amendatory of a joint resolution passed third March, one thousand eight hundred and nineteen.*

Feb. 5, 1829.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, within thirty days before the adjournment of every Congress, each house shall proceed to vote for a printer to execute its work for and during the succeeding Congress, and the person having the majority of all the votes given shall be considered duly elected; and that so much of the resolution, approved the third day of March, one thousand eight hundred and nineteen, entitled "A resolution directing the manner in which the printing of Congress shall be executed, fixing the prices thereof, and providing for the appointment of a printer or printers," as is altered by this resolution, be, and the same is hereby, rescinded.

Election of printer to each house to commence within 30 days before adjournment of Congress.

Portion of resolution of 1819 rescinded.

APPROVED, February 5, 1829.

II. RESOLUTION *in relation to the survey and laying out a military road, in the state of Maine.*

March 2, 1829.

*Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he hereby is, authorized, if it shall seem to him necessary for maintaining the rights, and not inconsistent with the engagements of the United States, to cause to be surveyed and laid out, a military road, to be continued from Mars hill, or such other point on the military road already laid out in the state of Maine, as he may think proper, to the mouth of the river Madawaska, in the state of Maine.

President authorized, under certain restrictions, to cause a military road to be laid out in Maine.

APPROVED, March 2, 1829.

# ACTS OF THE TWENTY-FIRST CONGRESS

OF THE

## UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the seventh day of December, one thousand eight hundred and twenty-nine, and ended on the thirty-first day of May, 1830.*

ANDREW JACKSON, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives.

### STATUTE I.

Dec. 29, 1829.

[Obsolete.]

Appropriation for repairing and fitting out the frigate Brandywine.

Repairs.

Wear and tear.

Pay and subsistence, &c.

Provisions.

Medicines.

Contingent expenses.

CHAP. I.—*An Act making an appropriation for repairing and fitting out the frigate Brandywine.*

*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 repairing and fitting out the frigate Brandywine, viz:

For repairing the said frigate, twenty thousand dollars.

For wear and tear whilst in commission, eight thousand dollars.

For pay and subsistence of officers, and pay of seamen, thirty-six thousand three hundred and seventy-eight dollars.

For provisions, twenty-one thousand nine hundred and ninety-one dollars.

For medicines, hospital stores, and surgical instruments, one thousand dollars.

For contingent expenses of every description, five thousand dollars.

APPROVED, Dec. 29, 1829.

### STATUTE I.

Jan. 13, 1830.

Trustees of the university of Michigan authorized to exchange with Martin Baum certain land, for certain other land.

Act of May 20, 1826, ch. 90.

CHAP. II.—*An Act to authorize the exchange of certain lots of land between the university of Michigan territory and Martin Baum and others.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the trustees of the university of Michigan be, and they are hereby, authorized to exchange with Martin Baum and others, the tracts of land designated as river lots, numbered one and two, in the United States' reserve of twelve miles square, on the Miami of Lake Erie, heretofore purchased from the United States, and which, having been relinquished by the said Martin Baum under the provisions of the act of the second of March, one thousand eight hundred and twenty-one, for the relief of the purchasers of the public lands, were afterwards selected by the Secretary of the Treasury, for the said university, under the provisions of the act of the twentieth of May, one thousand eight hundred and twenty-six, entitled "An act concerning a seminary of learning in the territory of Michigan," for such other



lands as may be agreed upon by them; and the President of the United States, upon being advised by the said trustees that such exchange has been made, is hereby authorized and required to issue patents in such manner as may be necessary to carry this act into full effect.

President of United States to issue requisite patents.

APPROVED, January 13, 1830.

STATUTE I.

CHAP. III.—*An Act to extend the time for locating certain donations in Arkansas.*

Jan. 13, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so much of an act of Congress, approved twenty-fourth of May, eighteen hundred and twenty-eight, entitled "An act to aid the state of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said state to aid in the construction of canals, authorized by law, and for making donations of land to certain persons in Arkansas territory;" and, also, so much of an act approved 6th January, eighteen hundred and twenty-nine, entitled "An act restricting the location of certain land claims, in the territory of Arkansas, and for other purposes," as limits the time of locating those donations, be, and the same is hereby continued in force, for the further term of one year, from the twenty-fourth day of May next: *Provided,* That no locations shall be made within the further time allowed by this act, which shall not include the actual settlement made by the claimant prior to the twenty-fourth day of May next.

[Expired.]  
Time limited by act of May 24, 1828, ch. 108.

And by act of Jan. 6, 1829, ch. 2, for locating certain donations, extended one year from May 24, 1830.

Proviso: locations restricted to actual settlements prior to May 24, 1830.

APPROVED, January 13, 1830.

STATUTE I.

CHAP. V.—*An Act making appropriations for certain arrearages in the naval service for the year one thousand eight hundred and twenty-nine.*

Jan. 30, 1830.

*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, to be paid out of any unappropriated money in the treasury, for certain arrearages in the naval service, for the year one thousand eight hundred and twenty-nine, viz :

[Obsolete.]  
Appropriations for arrearages in naval service, for 1829.

For pay and subsistence of officers, and pay of seamen, other than those at navy yards, shore stations, and in ordinary, one hundred and thirty-six thousand nine hundred and twenty-two dollars and sixty-one cents.

Pay and subsistence, &c.

For repair of vessels in ordinary, and for wear and tear of vessels in commission, eighty-two thousand eight hundred and forty dollars and eighty-eight cents.

Repairs, and wear and tear.

For contingent expenses in the naval service, thirty thousand three hundred and ninety-one dollars and sixty-nine cents.

Contingent expenses.

For pay of superintendents, naval constructor, and all the civil establishments at the yards and stations, three hundred and ninety-two dollars and seven cents.

Superintendents, naval constructors, &c.

For medicines, surgical instruments, and hospital stores, two thousand two hundred and six dollars and fifty cents.

Medicines, &c.

For pay and subsistence of the marine corps, sixteen thousand seven hundred and fifty-seven dollars and ten cents.

Marine corps.

APPROVED, January 30, 1830.

STATUTE I.

CHAP. X.—*An Act making appropriations for the payment of revolutionary and invalid pensioners.*

Feb. 3, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be,

[Obsolete.]  
Appropriations for revolu-

tionary and invalid pensioners.

Arrearages.

Revolutionary pensioners.

Invalid pensioners.

and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for paying the revolutionary and invalid pensioners, viz:

For arrearages due to revolutionary pensioners, for the year one thousand eight hundred and twenty-nine, one hundred and one thousand seven hundred dollars.

For paying the revolutionary pensioners, for the year one thousand eight hundred and thirty, nine hundred and sixty-six thousand four hundred and eighty dollars.

For paying the invalid pensioners, for the year one thousand eight hundred and thirty, one hundred and ninety-one thousand four hundred and eighty-one dollars, in addition to a balance in the treasury, of one hundred and seven thousand eight hundred and forty-nine dollars and ninety-six cents.

APPROVED, February 3, 1830.

STATUTE I.

Feb. 11, 1830.

CHAP. XI.—*An Act to alter the time of holding the circuit court of the United States for the district of Maryland.*

Terms United States circuit court, in Maryland district, to be held April 8, and Nov. 1.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the terms of the circuit court of the United States for the district of Maryland, which are now directed by law to be held on the eighth day of May, and the eighth day of December, in each year, shall hereafter be held on the eighth day of April, and the first day of November, in each year, except such days shall occur on Sunday, when the terms of the said court shall commence and be held on the next succeeding day.

Process, &c. made returnable to the terms as fixed by this act.

SEC. 2. *And be it further enacted,* That all process which may have issued, or which shall hereafter issue, returnable to the next succeeding terms of the said circuit court as heretofore established, shall be held returnable, and be returned to those terms to which they are severally changed by this act.

APPROVED, February 11, 1830.

STATUTE I.

Feb. 11, 1830.

[Obsolete.]

Secretary of the Treasury to pay to state of Penn. \$13,795, 54 cents, due for militia services in the year 1794.

CHAP. XII.—*An act authorizing the accounting officers of the Treasury Department to pay to the state of Pennsylvania, a debt due that state by 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 Treasury be directed to cause to be paid to the proper officers of the commonwealth of Pennsylvania, the sum of thirteen thousand seven hundred and ninety-five dollars and fifty-four cents, which amount now stands on the books of the Treasury Department to the credit of the agent of Pennsylvania, for paying the militia of that state, in the year one thousand seven hundred and ninety-four; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, February 11, 1830.

STATUTE I.

Feb. 11, 1830.

CHAP. XIV.—*An Act to authorize surveyors, under the direction of the Secretary of the Treasury, to enrol and license ships or vessels to be employed in the coasting trade and fisheries. (a)*

Secretary of the Treasury

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, after the passage of this

act, the Secretary of the Treasury be, and he is hereby, invested with powers to authorize the surveyor of any port of delivery, under such regulations as he shall deem necessary, to enrol and license ships or vessels to be employed in the coasting trade and fisheries, in like manner as collectors of ports of entry are now authorized to do, under existing laws.

SEC. 2. *And be it further enacted*, That any surveyor who shall perform the duties directed to be performed by the first section of this act, shall be entitled to receive the same commissions and fees, as are now allowed by law to collectors for performing the same duties, and no more.

APPROVED, February 11, 1830.

authorized to empower surveyors of ports of delivery to enrol and license coasting and fishing vessels, &c.

Surveyors thus empowered, entitled to same fees, &c. as collectors.

STATUTE I.

Feb. 27, 1830.

CHAP. XXV.—*An Act to continue in force an act authorizing the importation and allowance of drawback on brandy in casks of a capacity not less than fifteen gallons.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act entitled "An act to authorize the importation of brandy in casks of a capacity not less than fifteen gallons, and the exportation of the same for the benefit of a drawback of the duties," approved second March, one thousand eight hundred and twenty-seven, be, and the same is hereby, continued in force.

APPROVED, February 27, 1830.

Act of March 2, 1827, ch. 55.

Act authorizing importation of brandy in casks of 15 gallons, &c. continued in force.

STATUTE I.

Feb. 27, 1830.

CHAP. XXVI.—*An Act making appropriations for the Indian department, for the year 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 following sums be appropriated, to be paid out of any unappropriated money in the treasury, for the Indian department, for the year one thousand eight hundred and thirty, viz :

For pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as authorized by law, twenty-nine thousand five hundred dollars.

For pay of sub-agents, as authorized by law, nineteen thousand and fifty dollars.

For presents to Indians, as authorized by the act of one thousand eight hundred and two, fifteen thousand dollars.

For pay of Indian interpreters and translators employed at the several superintendencies and agencies, twenty-one thousand five hundred and twenty-five dollars.

For pay of gun and blacksmiths and their assistants, employed within the superintendencies and agencies, under treaty provisions and the orders of the Secretary of War, eighteen thousand three hundred and forty dollars.

For iron, steel, coal, and other expenses attending the gun and blacksmith's shop, five thousand four hundred and twenty-six dollars.

For expense of transportation and distribution of Indian annuities, nine thousand nine hundred and fifty-nine dollars.

For expense of provisions for Indians at the distribution of annuities while on visits of business with the different superintendents, and agents, and when assembled on business, eleven thousand eight hundred and ninety dollars.

For contingencies of the Indian department, twenty thousand dollars.

APPROVED, February 27, 1830.

[Obsolete.]

Appropriation for Indian department.

Pay of superintendent at St. Louis, and Indian agents.

Pay of sub-agents.

Presents to Indians.

1802, ch. 13. Pay of interpreters and translators.

Pay of gun and blacksmiths and assistants.

Iron, steel, coal, &c.

Transportation and distribution of annuities.

Provisions for Indians at distribution of annuities, &c.

Contingencies.

## STATUTE I.

Feb. 27, 1830.

[Obsolete.]

Appropriations for fortifications.

Fort Adams.  
 Ft. Hamilton.  
 Fort Monroe.  
 Fort Calhoun.  
 Fort Macon.  
 Fort at Oak Island.  
 Fortifications at Charleston.  
 Fort at Mobile Point.  
 Fort Jackson.  
 Fortifications at Pensacola.  
 Contingencies.  
 Site for fort at Cockspar Island.

CHAP. XXVII.—*An Act making appropriations for certain fortifications for the year 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 following sums be, and the same are hereby appropriated, to be paid out of any unappropriated money in the treasury, for certain fortifications, viz:

For fort Adams, one hundred thousand dollars.  
 For fort Hamilton, eighty-six thousand dollars.  
 For fort Monroe, one hundred thousand dollars.  
 For fort Calhoun, one hundred thousand dollars.  
 For fort Macon, in North Carolina, sixty thousand dollars.  
 For fort at Oak Island, North Carolina, sixty thousand dollars.  
 For fortifications at Charleston, South Carolina, twenty-five thousand dollars.  
 For fort at Mobile Point, Alabama, ninety thousand dollars.  
 For fort Jackson, Louisiana, eighty-five thousand dollars.  
 For fortifications at Pensacola, in Florida, one hundred and thirty thousand dollars.  
 For contingencies of fortifications, ten thousand dollars.  
 For purchase of a site for a fort at Cockspar Island, Georgia, five thousand dollars.

APPROVED, February 27, 1830.

## STATUTE I.

March 11, 1830.

[Obsolete.]

Sums appropriated for the military service of 1830.

Pay of the army, &c.  
 Forage.

Clothing for servants.  
 Subsistence.

Clothing army, camp equipage, &c.

Medical department.

Quartermaster department.

Military academy.

Repairs, &c. of hospital.

Expenses board visitors.

Clerks and assistants.

CHAP. XXXI.—*An Act making appropriations for the military service for the year 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 following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, for the service of the military establishment, for the year one thousand eight hundred and thirty, viz:

For pay of the army and subsistence of the officers, one million and sixty-three thousand nine hundred and nine dollars.  
 For forage for officers, forty-six thousand two hundred and nineteen dollars.  
 For clothing for the servants of officers, twenty thousand four hundred and thirty dollars.  
 For subsistence, in addition to an unexpended balance of forty-five thousand dollars, two hundred and ninety-five thousand five hundred dollars.  
 For clothing for the army, camp equipage, cooking utensils, and hospital furniture, in addition to materials and clothing on hand, amounting to eighty thousand dollars, one hundred and thirty-six thousand three hundred and forty-four dollars.  
 For the medical and hospital department, twenty-eight thousand dollars.  
 For the quartermaster's department, four hundred and seven thousand dollars.  
 For fuel, stationery, transportation, printing, postage, and forage for the military academy, nine thousand six hundred and sixty dollars.  
 For repairs and improvements of the buildings and grounds about the hospital at West Point, four thousand three hundred and ten dollars.  
 For defraying the expenses of the board of visitors at West Point, fifteen hundred dollars.  
 For hire of quartermasters and adjutant's clerks, and assistants to librarian and professors of chemistry, one thousand and ninety-two dollars.

For the increase of the library, subscription to military and scientific journals, and binding books, one thousand five hundred dollars.

Purchase of books.

For philosophical apparatus, one thousand nine hundred and fifty-six dollars.

Philosophical apparatus.

For models and modeller, and books on architecture, for department of engineering, one thousand dollars.

Models, &c.

For repairing mathematical instruments, and for models for drawing department, two hundred and fifty dollars.

Repairing mathematical instruments, &c.

For apparatus pertaining to the chemical and mineralogical department, materia chemica and contingencies, eight hundred and sixty-eight dollars and sixty-four cents.

Chemical apparatus, &c.

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

Miscellaneous items.

For incidental expenses, four hundred dollars.

Incidental expenses.

For arrearages of clerk hire for one thousand eight hundred and twenty-eight, two hundred and seventy dollars.

Arrearages.

For contingencies of the army, ten thousand dollars.

Contingencies.

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

Armories.

For the armament of the fortifications, one hundred thousand dollars.

Armament.

For the current expenses of the ordnance service, fifty-six thousand dollars.

Ordnance service.

For arsenals, ninety thousand two hundred dollars.

Arsenals.

For the recruiting service, five thousand two hundred and ninety-two dollars, in addition to an unexpended balance of seventeen thousand and ninety-three dollars.

Recruiting service.

For contingent expenses of the recruiting service, nine thousand seven hundred and six dollars, in addition to an unexpended balance of three thousand and eighty-five dollars.

Contingent expenses of recruiting service.

For arrearages prior to the first day of July, one thousand eight hundred and fifteen, five thousand dollars.

Arrearages, &c.

For arrearages between the first of July, one thousand eight hundred and fifteen, and the thirty-first of December, one thousand eight hundred and sixteen, one thousand dollars.

Arrearages, &c.

APPROVED, March 11, 1830.

STATUTE I.

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

March 11, 1830.

*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, to be paid out of any moneys in the treasury not otherwise appropriated:

[Obsolete.] Appropriations for naval service.

For pay and subsistence of the officers of the navy, and pay of seamen, one million four hundred and sixty-three thousand four hundred and forty-nine dollars.

Pay of officers, &c.

For pay of superintendents, naval constructors, and all the civil establishment of the several navy yards and stations, fifty-seven thousand six hundred and eighty dollars.

Pay of Supts., naval constructors, &c.

For provisions, four hundred and fifty-seven thousand five hundred and thirty-seven dollars.

Provisions.

For repairs of vessels in ordinary, and the wear and tear of vessels in commission, five hundred and ninety thousand dollars.

Repairs, and wear and tear.

For medicines, surgical instruments, hospital stores, and other expenses on account of the sick, thirty thousand five hundred dollars.

Medicines, &c.

For ordnance and ordnance stores, thirty thousand dollars.

Ordnance, &c.

For timber sheds, viz: one at Portsmouth, two at Boston, two at New York, one at Washington, and three at Norfolk, at nine thousand five hundred dollars each, eighty-five thousand five hundred dollars.

Timber sheds.

- Timber docks. For making and repairing timber docks at Norfolk, Washington, and Boston, eighteen thousand dollars.
- Wharves. For repairing and enlarging wharves at Washington and Norfolk, nineteen thousand dollars.
- Repairs store-houses, &c. For repairs of storehouses at Washington, and for two building ways at Norfolk, eighteen thousand dollars.
- Covering, &c. For covering and preserving ships in ordinary, forty thousand dollars.
- For replacing same sum taken from fund for increase of navy. For the gradual increase of the navy, to supply a sum taken from that fund, and applied to the purchase of iron water tanks, one hundred and fifty-two thousand three hundred and eighty dollars.
- Miscellaneous items. For defraying expenses that may accrue during the year one thousand eight hundred and thirty, for the following purposes, viz:  
 For freight and transportation of materials and stores of every description; for wharfage and dockage, storage and rent, travelling expenses of officers, and transportation of seamen, house rent, chamber money, and fuel and candles to officers, other than those attached to navy yards and stations, and for officers in sick quarters, where there is no hospital, and for funeral expenses; for commissions, clerk hire, and 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 allowances for persons attending courts martial and courts of inquiry, and for officers engaged in extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts, and mathematical and nautical instruments, chronometers, models, and drawings; for purchase and repair of steam and fire engines, and for machinery; for 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; for cabin furniture of vessels in commission, and for furniture of officers' houses at navy yards; for taxes on navy yards and public property; for assistance rendered to vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, foundries, and steam engines; for candles, oil, and fuel; for vessels in commission and in ordinary; for repairs of magazines and powder houses; for preparing moulds for ships to be built; and for no other object or purpose whatever, two hundred and fifty thousand dollars.
- Contingent expenses. For contingent expenses for objects arising during the year one thousand eight hundred and thirty, and not hereinbefore enumerated, five thousand dollars.
- Pay, &c. marine corps. For pay of the officers, non-commissioned officers, and privates, and for subsistence of officers of the marine corps, one hundred and seven thousand seven hundred and thirteen dollars.
- Subsistence, &c. For subsistence for four hundred non-commissioned officers, musicians, and privates, and washer-women serving on shore, seventeen thousand five hundred and twenty dollars.
- Arrearages. For deficiency of the appropriation for pay and subsistence during the last year, eleven thousand nine hundred and seventy-three dollars.
- Clothing. For clothing, twenty-eight thousand seven hundred and sixty-five dollars.
- Fuel. For fuel, nine thousand and ninety-eight dollars.
- Contingent expenses. For contingent expenses, fourteen thousand dollars.
- Military stores. For military stores, six thousand dollars.
- Medicines. For medicines, two thousand three hundred and sixty-nine dollars.
- Officers' quarters. For completing the officers' quarters at the marine barracks in Washington, three thousand dollars.

APPROVED, March 11, 1830.

STATUTE I.

CHAP. XXXIII.—*An Act making appropriations for the support of government for the year one thousand eight hundred and thirty.*

March 18, 1830.

*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 :

[Obsolete.]

Appropriations for support of government in 1830.

For pay and mileage of the members of Congress and delegates, and pay of the officers and clerks of both houses, five hundred and twenty-six thousand seven hundred dollars.

Pay, &c. Congress.

For contingent expenses of both houses of Congress, one hundred and thirty-five thousand six hundred dollars; to be applied to the payment of the ordinary expenditures of the contingent funds of the Senate and House of Representatives: *Provided,* That no part of this appropriation shall be applied to any printing, other than of such documents or papers as are connected with the ordinary proceedings of either of the said houses, during its session, and executed by the public printers agreeably to their contracts, unless authorized by an act or a joint resolution.

Contingent expenses of Congress.

Proviso.  
Printing for Congress.

For the library of Congress, five thousand dollars.

Library of Congress.  
Librarians.

For salary of the principal and assistant librarians, two thousand three hundred dollars.

Contingent expenses.

For contingent expenses of the library, four hundred and fifty dollars.

Compensation to President, Vice President, &c.

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars.

For clerks and messengers in the office of the Secretary of State, nineteen thousand and fifty dollars.

Clerks, &c. Dept. of State.

For clerks, machinist, and messenger, in the patent office, five thousand four hundred dollars.

Clerks, &c. patent office.

For incidental and contingent expenses of the Department of State, including the printing and distributing the laws, and extra copying of papers, twenty-seven thousand one hundred dollars.

Contingent expenses of Dept. State.

For contingent expenses of the patent office, including books and binding, copper-plate, and other printing, parchment, stationery, and fuel, one thousand one hundred dollars.

Contingent expenses, of patent office.

For compensation to the marshals of certain states and territories, for making returns of free taxable non-freeholders, per resolution of twenty-fifth April, one thousand eight hundred and twenty-eight, in addition to eight hundred and fifty dollars, appropriated by act of second March, one thousand eight hundred and twenty-nine, one thousand six hundred and fifty dollars.

Compensation to certain marshals.  
1829, ch. 24.

To repay the state of Maine for expenses paid in collecting evidence in relation to aggressions by inhabitants of New Brunswick, seven hundred and fifty dollars.

Collecting evidence, &c.

For publishing the laws of the second session of the nineteenth Congress, in the newspaper *Halcyon*, published in Alabama, one hundred and twenty dollars.

Publishing laws.

For publishing the laws of the second session of the twentieth Congress, in the *Eastern Argus*, published in Maine, sixty-five dollars.

Publishing laws.

For completing the sets of the laws of the United States on hand in the Department of State, seven hundred and twenty-four dollars.

Completing sets of laws.

For completing the fixtures in the patent office, four thousand six hundred dollars.

Fixtures in patent office.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, fifteen thousand four hundred dollars.

Clerks, &c. Secretary of the Treasury.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

First comptroller.

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| Clerks, &c.                               | For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand one hundred dollars.  |
| Second comptroller.                       | For compensation to the second comptroller of the treasury, three thousand dollars.   |
| Clerks, &c.                               | For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.  |
| First auditor.                            | For compensation to the first auditor of the treasury, three thousand dollars.  |
| Clerks, &c.                               | For compensation to the clerks and messenger in the office of the first auditor, thirteen thousand nine hundred dollars.  |
| Second auditor.                           | For compensation to the second auditor of the treasury, three thousand dollars.   |
| Clerks, &c.                               | For compensation to the clerks and messenger in the office of the second auditor, sixteen thousand nine hundred dollars.  |
| Third auditor.                            | For compensation to the third auditor of the treasury, three thousand dollars.  |
| Clerks, &c.                               | For compensation to the clerks and messengers in the office of the third auditor, twenty-one thousand nine hundred and fifty dollars.   |
| Fourth auditor.                           | For compensation to the fourth auditor of the treasury, three thousand dollars.   |
| Clerks, &c.                               | For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.   |
| Fifth auditor.                            | For compensation to the fifth auditor of the treasury, three thousand dollars.  |
| Clerks, &c.                               | For compensation to the clerks and messenger in the office of the fifth auditor, fifteen thousand one hundred dollars.  |
| Treasurer.                                | For compensation to the treasurer of the United States, three thousand dollars.   |
| Clerks, &c.                               | For compensation to the clerks and messenger in the office of the treasurer of the United States, six thousand seven hundred and fifty dollars.                                       |
| Register.                                 | For compensation to the register of the treasury, three thousand dollars.   |
| Clerks, &c.                               | For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.  |
| Commissioner of general land office.      | For compensation to the commissioner of the general land office, three thousand dollars.  |
| Clerks, &c.                               | For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars.                                     |
| Secretary to sinking fund.                | For compensation to the secretary to the commissioners of the sinking fund, two hundred and fifty dollars.  |
| Contingent expenses, &c.                  | For expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the Treasury Department, thirty-seven thousand five hundred dollars. |
| Buildings for State, &c. Depts.           | For erecting a building for the use of the state and treasury buildings, including stone steps at the south front of the treasury, and pavements, two thousand eight hundred dollars. |
| Superintendents.                          | For compensation of superintendents and watchmen, and repairs of fire engines and buckets, for the security of the state and treasury buildings, one thousand nine hundred dollars.   |
| Clerks, &c. Sec. of War.                  | For compensation to the clerks and messengers in the office of the Secretary of War, twenty-one thousand six hundred and fifty dollars.   |
| Contingent expenses.                      | For contingent expenses of the office of the Secretary of War, three thousand dollars.  |
| Maps, &c.                                 | For books, maps, and plans, for the War Department, one thousand dollars.   |
| Clerks in the paymaster general's office. | For compensation to the clerks and messenger in the office of the paymaster general, four thousand and six hundred dollars.   |



For compensation to the clerks and messenger in the office of the commissary general of purchases, four thousand two hundred dollars.

For compensation to the clerks in the office of the adjutant general, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, including arrearages of six hundred dollars, in eighteen hundred and twenty-nine, one thousand six hundred dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, two thousand six hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general, eleven hundred and fifty dollars.

For contingent expenses of said office, two hundred and twenty dollars.

For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, five hundred and ninety-seven dollars and fifty cents.

For compensation to the clerks and messengers in the office of the Secretary of the Navy, eleven thousand two hundred and fifty dollars.

For deficiency in the appropriations of one thousand eight hundred and twenty-nine, for salaries of clerks in the office of the Secretary of the Navy, four hundred and nineteen dollars.

For contingent expenses of said office, three thousand dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary of the commissioners of the navy board, two thousand dollars.

For compensation to the clerks, draftsman and messenger, in the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.

For contingent expenses of the office of the commissioners of the navy board, one thousand eight hundred dollars.

For allowance to the superintendents and four watchmen, employed for the security of the records and buildings of the War and Navy Departments, and for incidental and contingent expenses, two thousand one hundred and fifty dollars.

For erecting a building for the use of the War and Navy Departments, and for pavements connected therewith, one thousand five hundred dollars.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks and messengers in the office of the Postmaster General, forty-one thousand one hundred and fifty dollars.

For contingent expenses of said office, seven thousand five hundred dollars.

For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.

Clerks, &c., in com. gen. office.

Adjutant general's clerks.

Contingent expenses.

Clerks of com. gen. sub.

Contingent expenses.

Clerks of chief engineer.

Contingent expenses.

Clerks in ordnance office.

Contingent expenses.

Surgeon general's clerk.

Contingent expenses.

Q. M. Gen. clerks.

Contingent expenses.

Clerks, &c. Secretary Navy.

Arrearages, clerks' salaries.

Contingent expenses.

Navy board.

Secretary.

Clerks, &c.

Contingent expenses.

Superintendents, &c. War and Navy Departments.

Building, &c.

Assistant P. General.

Clerks, &c.

Contingent expenses.

Superintendents, &c.

Surveyor general in Ohio, &c. Clerks.

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| Surveyor south of Tennessee.             | For compensation to the surveyor south of Tennessee, two thousand dollars.  |
| Clerks.                                  | For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.  |
| Surveyor in Illinois, &c.                | For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.   |
| Clerks.                                  | For compensation to clerks in the office of said surveyor, two thousand dollars.  |
| Surveyor in Alabama.                     | For compensation to the surveyor in Alabama, two thousand dollars.  |
| Clerks.                                  | For compensation to clerks in the office of said surveyor, one thousand five hundred dollars.   |
| Surveyor in Florida.                     | For compensation to the surveyor in Florida, two thousand dollars.  |
| Clerks.                                  | For compensation to the clerks in the office of said surveyor, two thousand dollars.  |
| Commissioner public buildings.           | For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.  |
| Officers and clerk of mint.              | For compensation to the officers and clerk of the mint, nine thousand six hundred dollars.  |
| Assistants.                              | For compensation to assistants in the several departments of the mint, including extra clerk hire and labourers, twelve thousand dollars.   |
| Contingent expenses.                     | For incidental and contingent expenses and repairs; cost of machinery; for allowance for wastage in gold and silver coinage of the mint, seven thousand and eighty dollars.   |
| Governor, &c. of the Michigan territory. | For compensation to the governor, judges, and secretary of the Michigan territory, seven thousand eight hundred dollars.  |
| Contingent expenses.                     | For contingent expenses of the Michigan territory, three hundred and fifty dollars.   |
| Legislative council, &c.                 | For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, including arrearages, eight thousand dollars.   |
| Governor, &c. of the Arkansas territory. | For compensation to the governor, judges, and secretary of the Arkansas territory, including an additional compensation to each judge, of eight hundred dollars, to twenty-sixth May, one thousand eight hundred and thirty, nine thousand and ninety-two dollars and thirty cents.   |
| Contingent expenses.                     | For contingent expenses of the Arkansas territory, three hundred and fifty dollars.   |
| Governor, &c. of Florida.                | For compensation to the governor, judges, and secretary of the Florida territory, ten thousand five hundred dollars.  |
| Contingent expenses.                     | For contingent expenses, and arrearages of such expenses, of the Florida territory, eight hundred and sixty-one dollars and eighty-eight cents.   |
| Legislative council.                     | For compensation and mileage of the members of the legislative council, pay of officers and servants of the council, fuel, stationery, printing, and distribution of the laws, seven thousand seven hundred and sixteen dollars.  |
| Legislative council.                     | For the payment of the session of the legislative council of Florida, ending the twenty-fourth of November, one thousand eight hundred and twenty-nine, and for arrearages from deficiencies of appropriation for the legislative council of Florida, in the years one thousand eight hundred and twenty-eight, and one thousand eight hundred and twenty-nine, eleven hundred and fifty dollars. |
| Judiciary.                               | For compensation to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the District of Columbia, including additional compensation of judge of Missouri, to twenty-sixth May, one thousand eight hundred and thirty, seventy-eight thousand seven hundred and twenty-three dollars.                           |
| Att'y Gen.                               | For compensation to the attorney general of the United States, three thousand five hundred dollars.   |
| Clerk.                                   | For compensation to the clerk in the office of the attorney general, eight hundred dollars.   |

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.

Reporter of Supreme Court.

For compensation to the district attorneys and marshals, as granted by law, including those in the several territories, eleven thousand three hundred dollars.

District attorneys and marshals.

For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia; also, for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the year eighteen hundred and thirty, and preceding years; and, likewise, for defraying the expenses of suits in which the United States are concerned, and of prosecution, for offences committed against the United States, and for the safe keeping of prisoners, one hundred and fifty thousand dollars.

Expenses of the Supreme, &c. Courts of the United States.

For the payment of sundry pensions granted by the late and present governments, one thousand seven hundred and fifty dollars.

Pensions.

For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs and improvements, and contingent expenses, one hundred and eighty-six thousand and three dollars and thirteen cents.

Support of lighthouses.

For building a lighthouse on a ledge of rocks called the Whale's Back, in the harbour of Portsmouth, being the amount of an appropriation for that object, which was carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-nine, one thousand five hundred dollars.

Lighthouse on Whale's Back.

For building a lighthouse at Cat Island, in the Gulf of Mexico, being the amount of an appropriation for that object, which was carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-nine, five thousand dollars.

Lighthouse on Cat Island.

For erecting a beacon in the harbour at the mouth of Bass river, between the towns of Dennis and Yarmouth, in Massachusetts, being the amount of an appropriation for that object, which was carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-nine, one thousand dollars.

Beacon on Bass river.

For erecting a pier adjacent to the pier at Buffalo, in New York, and placing thereon the lighthouse authorized to be built at the east end of Lake Erie, by act of the eighteenth of May, one thousand eight hundred and twenty-six, being the balance of an appropriation for that object, which was carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-nine, two thousand five hundred dollars.

Pier at Buffalo, &c.

Act of May 18, 1826, ch. 73.

For building a lighthouse at the south entrance of Roanoke Marshes, in North Carolina, in addition to the appropriation of five thousand dollars, made March second, one thousand eight hundred and twenty-eight [twenty-seven], five thousand dollars.

Lighthouse, Roanoke Marshes.

Act of March 2, 1827, ch. 47.

For rebuilding the lighthouse at West Passamaquoddy Head, in Maine, eight thousand dollars.

L. H. Passamaquoddy.

For building a light-vessel, to be placed on Carysfort reef, in the territory of Florida, the one heretofore stationed there having become so decayed as to be irreparable, twenty thousand dollars.

Light-vessel, Carysfort reef.

For surveying private land claims in East Florida, eight thousand dollars.

Surveying East Florida.

For the salaries of registers and receivers of land offices, where there are no sales, two thousand dollars.

Registers and receivers.

For the salaries of two keepers of the public archives in Florida, one thousand dollars.

Keepers archives, Florida.

For stationery and books for the offices of commissioners of loans, five hundred dollars.

Stationery.

For allowance to the law agent, assistant counsel, and district attorney, under the act supplementary to the several acts providing for the settle-

Law agent, &c.

- Act of May 23, 1828, ch. 70.      ment of private land claims in Florida, dated twenty-third of May, one thousand eight hundred and twenty-eight, including contingencies, two thousand five hundred dollars.
- Luigi Persico.      For the second payment to Luigi Persico, for statues for the capitol, four thousand dollars.
- Custom-house, &c. Portland.      For finishing the custom-house and warehouse at Portland, Maine, and for repairing the wharf and clearing out the dock belonging to the same, two thousand one hundred dollars.
- Miscellaneous claims.      For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, twelve thousand dollars.
- Diplomatic salaries and outfits;      For the salaries of the ministers of the United States to Great Britain, France, Spain, Russia, the Netherlands, and Colombia; for outfits of ministers of the United [States] to Great Britain, France, Spain, and Colombia, and a chargé d'affaires to Mexico; for outfits for chargé d'affaires to Sweden, Peru, and Guatemala; for the salaries of the chargé des affaires of the United States to Portugal, Denmark, Sweden, Brazil, Buenos Ayres, Peru, Chili, Mexico, and Guatemala; for the salaries of the secretaries of legation; and for the contingent expenses of all the missions abroad, one hundred and eighty-four thousand five hundred dollars.
- and contingent expenses.      For the salaries of the agents for claims at London and Paris, four thousand dollars.
- Agents for claims.      For the expenses of intercourse with the Barbary powers, thirty thousand dollars.
- Barbary intercourse.      For the relief and protection of American seamen in foreign countries, fifteen thousand dollars.
- Relief, &c., Amer. seamen.      For the contingent expenses of foreign intercourse, thirty thousand dollars.
- Contingent expenses.      For surveying, printing, clerk hire, and other expenses, in relation to the north-eastern boundary agency, five thousand four hundred dollars.
- Surveying, &c. N. E. boundary.      For discharging the expense of taking the fifth enumeration of the inhabitants of the United States, two hundred and fifty thousand dollars, in addition to the sum of three hundred and fifty thousand dollars, appropriated for that purpose by the act of March second, one thousand eight hundred and twenty-nine.
- Fifth census.      For enabling the Secretary of State to execute a contract with Jared Sparks, of Boston, made by Henry Clay, late Secretary of State, for printing and publishing the foreign correspondence of the Congress of the United States, from the first meeting thereof to the ratification of the definitive treaty of peace, in one thousand seven hundred and eighty-three, thirty-one thousand three hundred dollars.
- 1829, ch. 24.      For enabling the Secretary of State to execute a contract with Jared Sparks, of Boston, made by Henry Clay, late Secretary of State, for printing and publishing the foreign correspondence of the Congress of the United States, from the first meeting thereof to the ratification of the definitive treaty of peace, in one thousand seven hundred and eighty-three, thirty-one thousand three hundred dollars.
- Publishing foreign correspondence of old Congress.

APPROVED, March 18, 1830.

#### STATUTE I.

March 23, 1830.      CHAP. XXXV. — *An Act for the further regulation of vessels bound up James river, in the state of Virginia.*

Vessels bound up James river exempted from stopping in Hampton Roads.      *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, it shall not be necessary for any vessel bound up James river, in the state of Virginia, to stop in Hampton Roads, to deposit a manifest with the collector at Norfolk.

Master revenue cutter to board all such vessels, &c.      SEC. 2. *And be it further enacted,* That it shall be the duty of the master of the revenue cutter on that station, under the orders of the Secretary of the Treasury, to board all such vessels, to endorse their manifests, and to place an officer on board of each vessel bound up James river, having a cargo from a foreign port.

SEC. 3. *And be it further enacted,* That whenever there shall be no

revenue cutter on that station for the purpose of boarding vessels, or when the state of the weather may be such as to render it impracticable to send an officer on board any vessel bound up James river, having a cargo from a foreign port, the captain is hereby authorized and directed to deposit, with the surveyor at Hampton, a copy of the manifest of the cargo on board said vessel.

APPROVED, March 23, 1830.

In certain cases, captain of vessel may deposit copy of manifest with surveyor at Hampton.

STATUTE I.

March 23, 1830.

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

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

APPROVED, March 23, 1830.

Act of May 22, 1826, ch. 147, authorizing, &c. continued for 5 years, and its provisions extended to, &c.

STATUTE I.

March 23, 1830.

CHAP. XL. — *An Act to provide for taking the fifth census or enumeration of the inhabitants 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 marshals of the several districts of the United States, and of the District of Columbia, and of the territories of Michigan, Arkansas, and of Florida, respectively, shall be, and are hereby, required, under the direction of the Secretary of the Department of State, and according to such instructions as he shall give, pursuant to this act, to cause the number of the inhabitants within their respective districts and territories, (omitting, in such enumeration, Indians not taxed,) to be taken according to the directions of this act. The said enumeration shall distinguish the sexes of all free white persons, and ages of the free white males and females, respectively, under five years of age; those of five and under ten years of age; those of ten years and under fifteen; those of fifteen and under twenty; those of twenty and under thirty; those of thirty and under forty; those of forty and under fifty; those of fifty and under sixty; those of sixty and under seventy; those of seventy and under eighty; those of eighty and under ninety; those of ninety and under one hundred; those of one hundred and upwards; and shall further distinguish the number of those free white persons included in such enumeration, who are deaf and dumb, under the age of fourteen years; and those of the age of fourteen years and under twenty-five, and of the age of twenty-five years and upwards; and shall further distinguish the number of those free white persons included in such enumeration, who are blind. The said enumeration shall distinguish the sexes of all free coloured persons, and of all other coloured persons bound to service for life, or for a term of years, and the ages of such free and other coloured persons, respectively, of each sex, under ten years of age; those of ten and under twenty-four; those of twenty-four and under thirty-six; those of thirty-six and under fifty-five; those of fifty-five and under one hundred; and those of one

Marshals of United States to cause inhabitants to be enumerated, &c.

Act of Feb. 3, 1831, ch. 17.

Act of May 5, 1832, ch. 74, sec. 2.

Act of May 22, 1832, ch. 91.

All free white persons enumerated to be classed according to sex and age.

Enumeration to state number of deaf and dumb between certain ages.

Also, number of blind.

All coloured persons enumerated to be classed according to sex and age.

(a) See notes of the acts providing for the enumeration of the inhabitants of the United States, vol. i. p. 101.

Enumeration to state number of deaf and dumb, and of blind.

Marshals to appoint assistants, &c.

Assistants to be residents, &c.

Portion of territory assigned to each not to exceed, &c.; to be distinctly defined.

Enumeration to be made by actual inquiry, &c.

Marshals, &c., to take oath, &c.

Oath or affirmation of marshal;

hundred and upwards; and shall further distinguish the number of those free coloured and other coloured persons, included in the foregoing, who are deaf and dumb, without regard to age, and those who are blind. For effecting which, the marshals aforesaid shall have power, and are hereby required, to appoint one or more assistants in each city and county in their respective districts and territories, residents of such city or county for which they shall be appointed, and shall assign to each of the said assistants a certain division of territory, which division shall not consist, in any case, of more than one county, but may include one or more towns, townships, wards, hundreds, precincts, or parishes, and shall be plainly and distinctly bounded; the said enumeration shall be made by an actual inquiry by such marshals or assistants, at every dwelling-house, or by personal inquiry of the head of every family. The marshals and their assistants shall respectively, before entering on the performance of their duty under this act, take and subscribe an oath or affirmation, before some judge or justice of the peace, resident within their respective districts or territories, for the faithful performance of their duties. The oath or affirmation of the marshal shall be as follows: "I, A. B., marshal of the district (or territory) of \_\_\_\_\_, do solemnly swear, (or affirm,) that I will truly and faithfully cause to be made, a full and perfect enumeration and description of all persons resident within my district, (or territory,) and return the same to the Secretary of State, agreeably to the directions of an act of Congress, entitled 'An act to provide for taking the fifth census, or enumeration of the inhabitants of the United States,' according to the best of my ability." The oath or affirmation of an assistant shall be as follows: "I, A. B., appointed an assistant to the marshal of the district (or territory) of \_\_\_\_\_, do solemnly swear, (or affirm,) that I will make a just, faithful, and perfect enumeration and description of all persons, resident within the division assigned to me for that purpose, by the marshal of the district, (or territory,) of \_\_\_\_\_, and make due return thereof to the said marshal, agreeably to the directions of an act of Congress, entitled 'An act to provide for the taking the fifth census or enumeration of the inhabitants of the United States,' according to the best of my ability, and that I will take the said enumeration and description, by actual inquiry at every dwelling-house within said division, or personal inquiry of the head of every family, and not otherwise." The enumeration shall commence on the first day in June, in the year one thousand eight hundred and thirty, and shall be completed and closed within six calendar months thereafter; the several assistants shall, within the said six months, and on or before the first day of December, one thousand eight hundred and thirty, deliver to the marshals, by whom they shall be appointed, respectively, two copies of the accurate returns of all persons, except Indians not taxed, to be enumerated, as aforesaid, within their respective divisions; which returns shall be made in a schedule, the form of which is annexed to this act, and which shall distinguish, in each county, city, town, township, ward, precinct, hundred, district, or parish, according to the civil divisions of the states or territories, respectively, the several families, by the name of their master, mistress, steward, overseer, or other principal persons therein.

Of assistants.

Enumeration to commence June 1st, 1830.

Closed within six months.

Assistants on or before Dec. 1, 1830, to deliver two copies of returns, &c.

Returns to be made in certain form, &c.

Penalty on assistants, for failing, &c.

Marshals to file one copy of returns, &c. with the clerks of district or superior courts.

SEC. 2. *And be it further enacted*, That every assistant failing or neglecting to make a proper return, or making a false return, of the enumeration, to the marshal, within the time limited by this act, shall forfeit the sum of two hundred dollars, recoverable in the manner pointed out in the next section of this act.

SEC. 3. *And be it further enacted*, That the marshal shall file one copy of each of the several returns aforesaid, and, also, an attested copy of the aggregate amount hereinafter directed, to be transmitted by them respectively, to the Secretary of State, with the clerks of their respective district or superior courts, as the case may be, who are hereby directed

to receive, and carefully to preserve, the same: and the marshals, respectively, shall, on or before the first day of February, in the year one thousand eight hundred and thirty-one, transmit to the Secretary of State, one copy of the several returns received from each assistant, and, also, the aggregate amount of each description of persons within their respective districts or territories; and every marshal failing to file the returns of his assistants, or the returns of any of them, with the clerks of the respective courts, as aforesaid, or failing to return one copy of the several returns received from each assistant, and, also, the aggregate amount of each description of persons, in their respective districts or territories, as required by this act, and as the same shall appear from said returns, to the Secretary of State, within the time limited by this act, shall, for every such offence, forfeit the sum of one thousand dollars; which forfeiture shall be recoverable in the courts of the districts or territories where the said offences shall be committed, or within the circuit courts held within the same, by action of debt, information, or indictment; the one half thereof to the use of the United States, and the other half to the informer; but, where the prosecution shall be first instituted on behalf of the United States, the whole shall accrue to their use; and, for the more effectual discovery of such offences, the judges of the several district courts, in the several districts, and of the Supreme Courts in the territories of the United States, as aforesaid, at their next session, to be held after the expiration of the time allowed for making the returns of the enumeration, hereby directed, to the Secretary of State, shall give this act in charge to the grand juries, in their respective courts, and shall cause the returns of the several assistants, and the said attested copy of the aggregate amount, to be laid before them for their inspection. And the respective clerks of the said courts shall, within thirty days after the said original returns shall have been laid before the grand juries aforesaid, transmit and deliver all such original returns, so filed, to the Department of State.

Marshals on or before Feb. 1, 1831, to transmit to Secretary of State, one copy of each return from every assistant, and also, &c.

Penalty on marshals for neglecting to perform the requirements of this act.

United States judges to give this act in charge to grand juries, &c.

Clerks of courts to transmit to Dept. of State, the returns, &c.

Compensation of assistants.

Extraordinary compensation of assistants.

Proviso.

Proviso: Oath to be taken by assistants, before receiving compensation.

SEC. 4. *And be it further enacted*, That every assistant shall receive at the rate of one dollar and twenty-five cents for every hundred persons by him returned, where such persons reside in the country; and, where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the same rate for three thousand, and at the rate of one dollar and twenty-five cents for every three hundred persons over three thousand, residing in such city or town; but where, from the dispersed situation of the inhabitants, in some divisions, one dollar and twenty-five cents will not be sufficient for one hundred persons, the marshals, with the approbation of the judges of their respective districts or territories, may make such further allowance to the assistants, in such divisions, as shall be deemed an adequate compensation; *Provided*, The same does not exceed one dollar and seventy-five cents for every fifty persons by them returned: *Provided, further*, That, before any assistant, as aforesaid, shall, in any case, be entitled to receive said compensation, he shall take and subscribe the following oath or affirmation, before some judge or justice of the peace, authorized to administer the same, to wit: "I, A. B., do solemnly swear (or affirm) that the number of persons set forth in the return made by me, agreeably to the provisions of the act, entitled 'An act to provide for taking the fifth census or enumeration of the inhabitants of the United States,' have been ascertained by an actual inquiry at every dwelling-house, or a personal inquiry of the head of every family, in exact conformity with the provisions of said act; and that I have, in every respect, fulfilled the duties required of me by said act, to the best of my abilities; and that the return aforesaid is correct and true, according to the best of my knowledge and belief." The compensation of the several marshals shall be as follows:

Compensation  
of marshals.

The marshal of the district of Maine, three hundred dollars.  
 The marshal of the district of New Hampshire, three hundred dollars.  
 The marshal of the district of Massachusetts, three hundred and fifty dollars.  
 The marshal of the district of Rhode Island, two hundred dollars.  
 The marshal of the district of Vermont, three hundred dollars.  
 The marshal of the district of Connecticut, two hundred and fifty dollars.  
 The marshal of the southern district of New York, three hundred dollars.  
 The marshal of the northern district of New York, three hundred dollars.  
 The marshal of the district of New Jersey, two hundred and fifty dollars.  
 The marshal of the eastern district of Pennsylvania, three hundred dollars.  
 The marshal of the western district of Pennsylvania, three hundred dollars.  
 The marshal of the district of Delaware, one hundred and fifty dollars.  
 The marshal of the district of Maryland, three hundred and fifty dollars.  
 The marshal of the eastern district of Virginia, three hundred dollars.  
 The marshal of the western district of Virginia, three hundred dollars.  
 The marshal of the district of Kentucky, three hundred and fifty dollars.  
 The marshal of the district of North Carolina, three hundred and fifty dollars.  
 The marshal of the district of South Carolina, three hundred and fifty dollars.  
 The marshal of the district of Georgia, three hundred and fifty dollars.  
 The marshal of the district of east Tennessee, two hundred dollars.  
 The marshal of the district of west Tennessee, two hundred dollars.  
 The marshal of the district of Ohio, four hundred dollars.  
 The marshal of the district of Indiana, two hundred and fifty dollars.  
 The marshal of the district of Illinois, two hundred dollars.  
 The marshal of the district of Mississippi, two hundred dollars.  
 The marshals of the districts of Louisiana, one hundred and twenty-five dollars each.  
 The marshal of the district of Alabama, two hundred and fifty dollars.  
 The marshal of the district of Missouri, two hundred dollars.  
 The marshal of the district of Columbia, one hundred dollars.  
 The marshal of the Michigan Territory, one hundred and fifty dollars.  
 The marshal of the Arkansas Territory, one hundred and fifty dollars.  
 The marshals of the territory of Florida, respectively, one hundred dollars.

Mode of re-  
turning certain  
descriptions of  
persons.

SEC. 5. *And be it further enacted*, That every person whose usual place of abode shall be in any family, on the said first day in June, one thousand eight hundred and thirty, shall be returned as of such family; and the name of every person who shall be an inhabitant of any district or territory, without a settled place of residence, shall be inserted in the column of the schedule which is allotted for the heads of families, in the division where he or she shall be, on the said first day in June; and every person occasionally absent at the time of enumeration, as belonging to the place in which he or she usually resides in the United States.

Every free per-  
son over six-  
teen to render  
to assistant a  
true statement  
of, &c.

SEC. 6. *And be it further enacted*, That each and every free person, more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district or territory, made or established within the United States, shall be, and hereby is, obliged to render to the assistant of the division, if required, a true account, to the



best of his or her knowledge, of every person belonging to such family, respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered, in any action of debt, by such assistant: the one half to his own use, and the other half to the use of the United States.

SEC. 7. *And be it further enacted*, That each and every assistant, previous to making his return to the marshal, shall cause a correct copy, signed by himself, of the schedule containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies, the said assistant shall be entitled to receive five dollars: *Provided*, proof of the schedule having been set up, shall be transmitted to the marshal, with the return of the number of persons; and, in case any assistant shall fail to make such proof to the marshal, with the return of the number of persons, as aforesaid, he shall forfeit the compensation allowed him by this act.

SEC. 8. *And be it further enacted*, That the Secretary of State shall be, and hereby is, authorized and required to transmit, to the marshals of the several districts and territories, regulations and instructions, pursuant to this act, for carrying the same into effect; and, also, the forms contained therein, of the schedule to be returned, and such other forms as may be necessary in carrying this act into execution, and proper interrogatories, to be administered by the several persons to be employed in taking the enumeration.

SEC. 9. *And be it further enacted*, That those states composing two districts, and where a part of a county may be in each district, such county shall be considered as belonging to that district in which the courthouse of said county may be situate.

SEC. 10. *And be it further enacted*, That, in all cases where the superficial content of any county, or parish, shall exceed twenty miles square, and the number of inhabitants in said parish or county shall not exceed three thousand, the marshals or assistants shall be allowed, with the approbation of the judges of the respective districts or territories, such further compensation as shall be deemed reasonable: *Provided*, The same does not exceed four dollars for every fifty persons by them returned; and when any such county or parish shall exceed forty miles square, and the number of inhabitants in the same shall not exceed three thousand, a like allowance shall be made, not to exceed six dollars for every fifty persons so returned.

SEC. 11. *And be it further enacted*, That, when the aforesaid enumeration shall be completed, and returned to the office of the Secretary of State, by the marshals of the states and territories, he shall direct the printers to Congress to print, for the use of Congress, three thousand copies of the aggregate returns received from the marshals: *And provided*, That if any marshal, in any district within the United States or territories, shall, directly or indirectly, ask, demand or receive, or contract to receive, of any assistants to be appointed by him under this act, any fee, reward or compensation, for the appointment of such assistant to discharge the duties required of such assistant under this act, or shall retain from such assistant any portion of the compensation allowed to the assistant by this act, the said marshal shall be deemed guilty of a misdemeanor in office, and shall forfeit and pay the amount of five hundred dollars, for each offence, to be recovered by suit or indictment in any circuit or district court of the United States, or the territories thereof, one half to the use of the government, and the other half to the informer; and all contracts which may be made in violation of this law, shall be void, and all sums of money, or property, paid, may be recovered back by the party paying the same, in any court having jurisdiction of the same.

Penalty.

Assistants to set up copies of schedule, &c.

Compensation. Proviso: Setting up of schedule to be proved, &c. Penalty.

Secretary of State to transmit instructions, &c.

Provision regarding states composing two districts.

Compensation of marshal and assistants, in certain cases.

Proviso: Compensation not to exceed, &c.

3000 copies of the aggregate returns to be printed for use of Congress.

Proviso: Marshals shall not receive any consideration for appointment of assistant, &c.

Penalty.

Remuneration to marshals for postage.

Former statements of population to be revised.

Abstract of the aggregate in each state, &c. to be printed, and distributed as Congress shall direct.

2,000 dollars appropriated for this work.

SEC. 12. *And be it further enacted,* That there shall be allowed and paid to the marshals of the several states, territories, and the District of Columbia, the amount of postage by them respectively paid on letters relating to their duties under this act.

SEC. 13. *And be it further enacted,* That the President of the United States is hereby authorized to cause to be made a careful revision of the statements heretofore transmitted to Congress, of all former enumerations of the population of the United States and their territories, and to cause an abstract of the aggregate amount of population in each state and territory, to be printed by the printer to Congress, (designating the number of inhabitants of each description, by counties or parishes,) to the number of two thousand copies, which said copies shall be distributed as Congress shall hereafter direct, and for that purpose, the sum of two thousand dollars is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, March 23, 1830.

*SCHEDULE of the whole number of persons within the division allotted to A. B. by the marshal of the district (or territory) of*

|   |   |                                      |
|---|---|--------------------------------------|
| Slaves and coloured persons included in foregoing.                                  | Who are blind.  |                                      |
|   | Who are deaf and dumb of the age of twenty-five years and upwards.  |                                      |
|   | Who are deaf and dumb of the age of fourteen and under twenty-five. |                                      |
|   | Who are deaf and dumb under fourteen years of age.                  |                                      |
| White persons included in the foregoing.  | ALIENS—Foreigners not naturalized.                                  |                                      |
|   | Who are blind.  |                                      |
|   | Who are deaf and dumb of twenty-five years and upwards.             |                                      |
|   | Who are deaf and dumb of the age of fourteen and under twenty-five. |                                      |
| Who are deaf and dumb under fourteen years of age.                                  |   |                                      |
| TOTAL.  |   |                                      |
| FREE COLOURED PERSONS.  | FEMALES.  | Of one hundred and upwards.          |
|   |   | Of fifty-five and under one hundred. |
|   |   | Of thirty-six and under fifty-five.  |
|   |   | Of twenty-four and under thirty-six. |
|   |   | Of ten and under twenty-four.        |
|   | MALES.  | Under ten years of age.              |
|   |   | Of one hundred and upwards.          |
|   |   | Of fifty-five and under one hundred. |
|   |   | Of thirty-six and under fifty-five.  |
|   |   | Of twenty-four and under thirty-six. |
| Of ten and under twenty-four.   |   |                                      |
| Under ten years of age.   |   |                                      |
| SLAVES.   | FEMALES.  | Of one hundred and upwards.          |
|   |   | Of fifty-five and under one hundred. |
|   |   | Of thirty-six and under fifty-five.  |
|   |   | Of twenty-four and under thirty-six. |
|   |   | Of ten and under twenty-four.        |
|   | MALES.  | Under ten years of age.              |
|   |   | Of one hundred and upwards.          |
|   |   | Of fifty-five and under one hundred. |
|   |   | Of thirty-six and under fifty-five.  |
|   |   | Of twenty-four and under thirty-six. |
| Of ten and under twenty-four.   |   |                                      |
| Under ten years of age.   |   |                                      |
| FREE WHITE PERSONS,<br>(INCLUDING HEADS OF FAMILIES.)                               | FEMALES.  | Of one hundred and upwards.          |
|   |   | Of ninety and under one hundred.     |
|   |   | Of eighty and under ninety.          |
|   |   | Of seventy and under eighty.         |
|   |   | Of sixty and under seventy.          |
|   |   | Of fifty and under sixty.            |
|   |   | Of forty and under fifty.            |
|   |   | Of thirty and under forty.           |
|   |   | Of twenty and under thirty.          |
|   |   | Of fifteen and under twenty.         |
|   |   | Of ten and under fifteen.            |
|   | Of five and under ten.  |                                      |
|   | Under five years of age.  |                                      |
|   | MALES.  | Of one hundred and upwards.          |
|   |   | Of ninety and under one hundred.     |
|   |   | Of eighty and under ninety.          |
|   |   | Of seventy and under eighty.         |
|   |   | Of sixty and under seventy.          |
|   |   | Of fifty and under sixty.            |
|   |   | Of forty and under fifty.            |
|   |   | Of thirty and under forty.           |
|   |   | Of twenty and under thirty.          |
| Of fifteen and under twenty.  |   |                                      |
| Of ten and under fifteen.   |   |                                      |
| Of five and under ten.  |   |                                      |
| Under five years of age.  |   |                                      |
| Names of Heads of Families.   |   |                                      |
| Name of County, City, Ward, Town, Township, Parish, Precinct, Hundred, or District. |   |                                      |

## STATUTE I.

March 25, 1830.

CHAP. XLI.—*An Act making appropriations to carry into effect certain Indian treaties.*

[Obsolete.]

Appropriations.

*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 :

|   |  |
|---|--|
| Permanent annuity under treaty of July, 1829. | For payment, for the year one thousand eight hundred and thirty, of the permanent annuity provided for by the second article of the treaty concluded at Prairie du Chien, the twenty-ninth July, one thousand eight hundred and twenty-nine, with the Chippewa, Ottawa, and Pattawattamie Indians, sixteen thousand dollars. |
| Goods.  | For the purchase of goods, stipulated by the said article to be delivered to the said Indians, twelve thousand dollars.  |
| Salt.   | For the purchase of fifty barrels of salt, for one thousand eight hundred and thirty, stipulated by the said article, one hundred and twenty-five dollars.   |
| Transportation.                               | For transportation of the said annuity and salt, and expense of provisions at the delivery of the same, one thousand dollars.  |
| Claims.                                       | For the payment of claims provided for by the fifth article of the said treaty, eleven thousand six hundred and one dollars.   |
| Surveying boundaries.                         | For the expense of surveying the boundaries of the cession made by the said treaty, two thousand dollars.  |
| Limited annuity under treaty August, 1829.    | For the payment, for the year one thousand eight hundred and thirty, of the limited annuity provided by the second article of the treaty made at Prairie du Chien, the second August, one thousand eight hundred and twenty-nine, with the Winnebago Indians, eighteen thousand dollars.                                     |
| Goods.  | For purchasing goods to be delivered at the treaty, as stipulated by the said second article, thirty thousand dollars.   |
| Tobacco.                                      | For purchasing three thousand pounds of tobacco, per same article, for one thousand eight hundred and thirty, three hundred dollars.   |
| Transportation.                               | For transportation of the same, sixty dollars.   |
| Salt.   | For purchasing fifty barrels of salt, per said second article, one hundred and twenty-five dollars.  |
| Transportation.                               | For transportation of the same, one hundred dollars.   |
| Blacksmith shops.                             | For support of three blacksmiths' shops, including pay of smiths, and assistants, also tools, iron, steel, &c. for the year one thousand eight hundred and thirty, as per third article of said treaty, three thousand dollars.  |
| Oxen and cart, &c.                            | For the purchase of two yoke of oxen, and a cart, and for the services of a man at the portage of Wisconsin and Fox rivers, for one thousand eight hundred and thirty, as per same article, five hundred and thirty-five dollars.  |
| Claims against Winnebagoes.                   | For the payment of sundry claims against the Winnebagoes, as provided for by the fourth article of said treaty, twenty-three thousand five hundred and thirty-two dollars.   |
| Survey of boundaries.                         | For expense of surveying the boundaries of the territory ceded by the said treaty, one thousand seven hundred and forty dollars.   |

APPROVED, March 25, 1830.

## STATUTE I.

March 31, 1830.

CHAP. XLVIII.—*An Act for the relief of the purchasers of public lands, and for the suppression of fraudulent practices at the public sales of the lands of the United States.* (a)

Lands which have reverted to U. S. under relief laws,

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all purchasers, their heirs or assignees, of such of the public lands of the United States as

(a) See notes to act of May 23, 1828, ch. 71.

were sold on a credit, and on which a further credit has been taken, under any of the laws passed for the relief of purchasers of public lands, and which lands have reverted to the United States, on account of the balance due thereon not having been paid or discharged agreeably to said relief laws, such persons may avail themselves of any one of the three following provisions contained in this section, to wit: First, They shall have a right of pre-emption of the same lands, until the fourth day of July, one thousand eight hundred and thirty-one, upon their paying into the proper office the sum per acre therefor, which shall, at the time of payment, be the minimum price per acre of the public lands of the United States, in addition to the amount heretofore paid thereon, and forfeited: *Provided*, That the price, including what has already been paid, and the amount to be paid, shall not, in any case, exceed three dollars and fifty cents per acre: Second, they shall have the right of completing the payment of said lands, by paying the balance of the principal debt due thereon, in cash, subject to a deduction of thirty-seven and a half per cent. as heretofore, at any time previous to the fourth day of July, one thousand eight hundred and thirty-one: Third, They shall have the right, within nine months from the passage of this act, in all cases where the price for which said lands were sold did not exceed two dollars and fifty cents per acre, to draw scrip for the amount paid thereon, in the manner prescribed in the act, approved the twenty-third day of May, one thousand eight hundred and twenty-eight, entitled "An act for the relief of purchasers of public lands that have reverted for non-payment of the purchase money;" and which scrip shall be receivable in the same manner as directed by said act, except only that it shall not be taken in payment for lands hereafter bought at public sale.

SEC. 2. *And be it further enacted*, That all purchasers, their heirs, or assignees, of such of the public lands of the United States as were sold on credit, and which lands have, by such persons, been relinquished under any of the laws passed for the relief of purchasers of public lands, and the amount paid thereon applied in payment of other lands retained by them, and which relinquished lands, or any part thereof, may now be in possession of such persons; or in case the certificate of purchase, and part payment of said lands, has been transferred by the persons now in possession of said lands, or part thereof, or the persons under whom the present occupants may hold such possession, to some other person not in possession thereof, and the payment made thereon applied by such other person, or his assignee, in payment for land held in his own name: in either case, the persons so in possession, shall have the right of pre-emption of the same lands, according to the legal sub-divisions of sections, not exceeding the quantity of two quarter sections, in contiguous tracts, until the fourth day of July, one thousand eight hundred and thirty-one, upon their paying into the proper office, the sum per acre therefor, which shall, at the time of payment, be the minimum price per acre of the United States' public lands; and in addition thereto, the same amount per acre heretofore paid thereon, and applied to other lands, subject to a deduction of thirty-seven and a half per cent. on the last mentioned sum: *Provided*, That the sum to be paid shall not, in any case, exceed three dollars and fifty cents per acre: *Provided also*, That such persons only shall be entitled to the benefits of this section, who shall apply for the same, and prove their possession, to the satisfaction of the register and receiver of the district in which the land may lie, in the manner to be prescribed by the commissioner of the general land office, within nine months from the passage of this act; for which, such register and receiver shall each be entitled to receive from such applicants, the sum of fifty cents each; *And provided further*, That the provisions of this section shall not extend to any lands that have, in any manner, been disposed of by the United States.

may be redeemed in either of the three following ways:

1. Pre-emption until July 30, 1831, at minimum price of public lands, in addition to amount already paid.

Proviso: entire price not to exceed 2 dolls. and 50 c.

2. Payment before July 4, 1831, of 62½ per cent. on the balance due.

3. Where the price did not exceed 2 dolls. and 50 c. purchasers may, within nine months, draw scrip for the amount paid, in manner prescribed in act of May 23, 1828, ch. 71.

Where lands relinquished under relief laws (the sum paid having been applied in payment of other lands) remain in possession of the relinquishers; or where such relinquished lands remain in possession of persons (or of persons holding under these) who transferred the certificate of purchase and part payment of those lands, to another person by whom said part payment was applied in payment of land held in his own name: in either case, the persons so in possession shall have a right of pre-emption, &c.

Provisoes.

On failure to comply with provisions of this act, lands to be offered for sale.

All agreements or acts having for object to prevent any one from bidding upon or purchasing public lands, prohibited.

Penalty.

All agreements to the effect that one person shall pay to another, a premium of any kind upon the price at which lands of the U. S. may be bid off by the latter, to be null and void.

Any premium paid in consequence of such agreement may be recovered.

Discovery may be enforced by bill in equity.

Proviso: suit to be commenced within six years.

SEC. 3. *And be it further enacted*, That, on failure to apply for, and show a right of pre-emption, under the second section of this act, within the time allowed therefor; and also on failure to complete the payment on any of the lands, agreeably to the provisions of this act, within the period allowed for that purpose, in either case, the whole of such lands shall be forthwith offered for sale without delay.

SEC. 4. *And be it further enacted*, That if any person or persons shall, before or at the time of the public sale of any of the lands of the United States, bargain, contract or agree, or shall attempt to bargain, contract, or agree with any other person or persons, that the last named person or persons, shall not bid upon, or purchase the land so offered for sale, or any parcel thereof, or shall by intimidation, combination, or unfair management, hinder or prevent, or attempt to hinder or prevent any person or persons from bidding upon or purchasing any tract or tracts of land so offered for sale, every such offender, his, her, or their aiders and abettors, being thereof duly convicted, shall, for every such offence, be fined not exceeding one thousand dollars, or imprisoned not exceeding two years, or both in the discretion of the court.

SEC. 5. *And be it further enacted*, That if any person or persons, shall, before, or at the time of the public sale of any of the lands of the United States, enter into any contract, bargain, agreement, or secret understanding with any other person or persons, proposing to purchase such land, to pay or give to such purchasers for such land, a sum of money, or other article of property, over and above the price at which the land may or shall be bid off by such purchasers, every such contract, bargain, agreement, or secret understanding, and every bond, obligation, or writing of any kind whatsoever founded upon, or growing out of the same, shall be utterly null and void. And any person or persons being a party to such contract, bargain, agreement, or secret understanding, who shall or may pay to such purchasers, any sum of money or other article of property, as aforesaid, over and above the purchase money of such land, may sue for, and recover such excess from such purchasers in any court having jurisdiction of the same. And if the party aggrieved, have no legal evidence of such contract, bargain, agreement, or secret understanding, or of the payment of the excess aforesaid, he may, by bill in equity, compel such purchasers to make discovery thereof; and if in such case, the complainant shall ask for relief, the court in which the bill is pending, may proceed to final decree between the parties to the same; *Provided*, every such suit either in law or equity shall be commenced within six years next, after the sale of said land by the United States.

APPROVED, March 31, 1830.

#### STATUTE I.

March 31, 1830.

Port of entry changed from Nova Iberia to Franklin.

CHAP. XLIX.—*An Act to change the port of entry from Nova Iberia to Franklin, in the state of Louisiana.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That hereafter, the port of entry in the district of Teche, in the state of Louisiana, shall be at Franklin, instead of Nova Iberia, in said district; and the collector thereof shall hereafter reside at said Franklin.

APPROVED, March 31, 1830.

#### STATUTE I.

March 31, 1830.

Collector of Burlington.

CHAP. L.—*An Act changing the residence of the collector in the district of Burlington, in the state of New Jersey.*

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

the district of Burlington, in the state of New Jersey, shall reside at Lambertton instead of Burlington, in said district.

APPROVED, March 31, 1830.

CHAP. LII.—*An Act to change the time and place of holding the court for the county of Crawford, in the territory of Michigan.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the term of the court appointed to be held, annually, on the second Monday in May, at the village of Prairie du Chien, by the additional judge of the United States for the territory of Michigan, shall be held on the first Monday in October, annually, at Mineral Point, in the county of Iowa, in the said territory; and the cases which shall be pending in the said court on the second Monday in May next, shall be tried and determined at the time and place above designated, in the county of Iowa; and the clerk and sheriff of said county shall be the clerk and sheriff of this court; and its jurisdiction shall be and continue the same as if said county of Crawford had not been divided.

APPROVED, April 2, 1830.

STATUTE I.

April 2, 1830.

Time and place of holding a court in Michigan changed from 2d Monday in May, at Prairie du Chien, to 1st Monday in October, at Mineral Point.

CHAP. LIX.—*An Act amending and supplementary to the act to aid the state of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said state, to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas territory.*

*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, approved May twenty-fourth, one thousand eight hundred and twenty-eight, entitled "An act to aid the state of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said state, to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas territory," as provides that the extension of the Miami canal shall be completed within twenty years, or that the state shall be bound to pay to the United States the amount of any land previously sold, be, and the same is hereby, repealed: *Provided,* That if the state of Ohio shall apply the said lands, or the proceeds of the sales, or any part thereof, to any other use whatever, than in the extension of the Miami canal, before the same shall have been completed, the said grant, for all lands unsold, shall thereby become null and void, and the said state of Ohio shall become liable and bound to pay to the United States, the amount for which said land, or any part thereof, may have been sold, deducting the expenses incurred in selling the same: *And provided also,* That it shall be lawful for the legislature of said state to appropriate the proceeds of the land so granted, either in extending the said Miami canal from Dayton to Lake Erie, or in the construction of a rail-road, from the termination of the said canal, at Dayton, towards the said lake.

SEC. 2. *And be it further enacted,* That, whenever the line of the said canal, to be extended as aforesaid, from Dayton to the Maumee river, at the mouth of Auglaize, shall pass over land sold by the United States, it shall be lawful for the governor of the state of Ohio to locate other lands in lieu of the land so sold: *Provided,* such locations shall not exceed the number of acres necessary to complete an aggregate quantity, equal to one half of five sections in width, on each side of said extended canal.

APPROVED, April 2, 1830.

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STATUTE I.

April 2, 1830.

Provision of Act of May 24, 1828, ch. 108, repealed.

Proviso: State of Ohio not to apply the land to, &c.

Penalty.

Proviso.

When line of said canal passes over land sold by the U. States, governor of Ohio may locate other lands.

Proviso.

## STATUTE I.

April 7, 1830.

[Obsolete.]

Appropriations for holding Indian treaties.

Expenses of commissioners.

Reimbursement of compensation to commissioners.

Compensation to commissioners.

Compensation to secretary.

Presents.

Services of, &amp;c.

CHAP. LX.—*An Act making appropriations to pay the expenses incurred in holding certain Indian treaties.*

*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, to be paid out of any money in the treasury, not otherwise appropriated, for the objects herein specified, viz :

For payment of the expenses incurred by the commissioners in preparing for and holding treaties with the Winnebago Indians, and also, with the Chippewas, Ottowas, and Pattawatamies, and the council held with the Sacs and Foxes, at Prairie du Chien, in July and August, one thousand eight hundred and twenty-nine, eight thousand nine hundred and ninety-four dollars and fourteen cents.

For reimbursing the "contingencies of the Indian department," this amount paid from said contingencies to General McNeil and Mr. Atwater, on account of their compensation, two thousand three hundred and ninety-four dollars and sixty cents.

For payment of compensation yet due to one of the commissioners, seven hundred and fifty-three dollars and forty-three cents.

For payment of the compensation and all other services of the secretary of the commission, four hundred and thirty dollars.

For payment of a draft drawn by the commissioners on the Secretary of War, on account of presents to the Sacs and Foxes, eight hundred and fifty dollars.

For paying Doctor Alexander Walcott, General H. Dodge, John H. Kenzie, and Henry Gratiot, for services rendered by them in negotiating the said treaties, six hundred dollars.

APPROVED, April 7, 1830.

## STATUTE I.

April 15, 1830.

President of United States authorized to appoint brigadier general in Arkansas.

CHAP. LXVIII.—*An Act authorizing the appointment of an additional brigadier general for the territory of Arkansas.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States, by and with the advice and consent of the Senate, be, and he is hereby authorized to appoint a brigadier general for the second brigade of the Arkansas militia.

APPROVED, April 15, 1830.

## STATUTE I.

April 23, 1830.

[Obsolete.]

Appropriations for continuance of certain works.

Huron river.

Grand river.

Cleveland harbour.

Black river.

CHAP. LXXII.—*An Act making additional appropriations for the improvement of certain harbours, and for removing obstructions at the mouths of certain rivers, for the year 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 following sums of money be, and the same are hereby, appropriated for carrying on and completing certain works heretofore commenced, to be paid out of any money in the treasury, not otherwise appropriated, viz :

For removing obstructions at the mouth of Huron river, Ohio, one thousand eight hundred and eighty dollars and thirty-six cents.

For completing the removal of obstructions at the mouth of Grand river, Ohio, five thousand five hundred and sixty-three dollars and eighteen cents.

For completing the improvements of Cleveland harbour, Ohio, one thousand seven hundred and eighty-six dollars and fifty-six cents.

For removing sand bar at or near the mouth of Black river, Ohio, eight thousand five hundred and fifty-nine dollars and seventy-seven cents.



For improving the navigation of Conneaut creek, Ohio, six thousand one hundred and thirty-five dollars and sixty-five cents.

Conneaut creek.

For completing piers at the mouth of Dunkirk harbour, New York, one thousand three hundred and forty-two dollars and seventy-five cents.

Dunkirk harbour.

For completing piers at Buffalo harbour, New York, fifteen thousand four hundred and eighty-eight dollars.

Buffalo harbour.

For extending the pier at Black Rock, three thousand one hundred and ninety-eight dollars.

Black Rock.

For improving the navigation of Genesee river, New York, thirteen thousand three hundred and thirty-five dollars.

Genesee river.

For removing obstructions at the mouth of Big Sodus bay, New York, fifteen thousand two hundred and eighty dollars.

Big Sodus bay.

For completing the removal of the sand bar at or near the mouth of Merrimack river, Massachusetts, three thousand five hundred and six dollars and seventy-two cents.

Merrimack river.

For the preservation of Plymouth beach, Massachusetts, one thousand eight hundred and fifty dollars.

Plymouth beach.

For erecting piers or other works at or near Stonington harbour, Connecticut, sixteen thousand four hundred and ninety-one dollars and sixty-seven cents.

Stonington harbour.

For deepening an inland passage between St. John's and St. Mary's rivers, fifteen hundred dollars.

St. John's, &c.

For improving the navigation of the Mississippi and Ohio rivers, fifty thousand dollars.

Mississippi and Ohio rivers.

For removing obstructions to the navigation of the Kennebec river, at Lovejoy's narrows, Maine, five thousand dollars.

Kennebec river.

For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, in the Delaware river, ten thousand dollars.

Harbour of N. Castle, &c.

For improving the Cape Fear river, below Wilmington, North Carolina, twenty-five thousand six hundred and eighty-eight dollars.

Cape Fear river.

For completing the removal of obstructions in the Appalachianola river, in Florida, two thousand dollars.

Appalachicola river.

For completing the removal of obstructions in the river and harbour of St. Marks in Florida, ten thousand dollars.

St. Mark's river.

For completing the breakwater at Hyannis harbour, in Massachusetts, six thousand five hundred and seventeen dollars and eighty-two cents.

Breakwater at Hyannis.

For carrying on the works of the Delaware breakwater, for the year one thousand eight hundred and thirty, one hundred thousand dollars; and for carrying on the same works during the first quarter of one thousand eight hundred and thirty-one, sixty-two thousand dollars.

Delaware breakwater.

APPROVED, April 23, 1830.

STATUTE I.

CHAP. LXXIII.—*An Act to amend an act, entitled "An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the general land office," approved the twentieth day of May, one thousand eight hundred and twenty-six.*

April 23, 1830.

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the officers and soldiers of the Virginia line, on the continental establishment, their heirs or assigns, entitled to bounty land within the tract of country reserved by the state of Virginia, between the Little Miami and Sciota rivers, shall be allowed until the first day of January, one thousand eight hundred and thirty-two, to obtain warrants, subject, however, to the conditions, restrictions, and limitations, relating to locations, surveys, and patents contained in the act of which this is an amendment.

Act of May 20, 1826, ch. 138.

Officers and soldiers of the Virginia line, &c., allowed, &c.

SEC. 2. *And be it further enacted,* That no location shall be made by virtue of any warrant obtained after the said first day of January, one

No location to be made, &c.

Certain provi-  
so in part re-  
pealed.

thousand eight hundred and thirty-two; and no patent shall issue in consequence of any warrant obtained after that time. And that the second proviso, inserted in the first section of the above recited act, except only that part thereof which requires "a certificate of the register of the land office of Virginia, that no warrant has issued from the said land office for the same services," be, and the same is hereby, repealed.

APPROVED, April 23, 1830.

STATUTE I.

April 23, 1830.

CHAP. LXXIV.—*An Act to regulate and fix the compensation of the clerks in the Department of State.*

Secretary of  
State authorized  
to employ cer-  
tain clerks, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of State be, and he is hereby, authorized to employ one chief clerk; whose compensation shall not exceed two thousand dollars per annum; one clerk, whose compensation shall not exceed one thousand six hundred dollars per annum; one clerk, whose compensation shall not exceed one thousand five hundred dollars per annum; six clerks, whose compensation shall not exceed one thousand four hundred dollars, each, per annum; one clerk, whose salary shall not exceed one thousand one hundred and fifty dollars per annum; one clerk, whose salary shall not exceed one thousand dollars, to be charged with the duty of translating foreign languages, in addition to other duties; one clerk, whose salary shall not exceed one thousand dollars per annum, one clerk, whose salary shall not exceed nine hundred dollars per annum; one clerk whose compensation shall not exceed eight hundred dollars per annum; one superintendent in the patent office, whose salary shall not exceed one thousand five hundred dollars per annum; two clerks in the patent office, whose compensation shall not exceed one thousand dollars, each, per annum; one clerk, whose compensation shall not exceed eight hundred dollars per annum.

All former  
acts, inconsis-  
ent, &c. repeal-  
ed.

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

APPROVED, April 23, 1830.

STATUTE I.

April 24, 1830.

CHAP. LXXVIII.—*An Act to authorize the commissioners of the sinking fund to redeem the public debt of the United States. (a)*

Secretary of  
Treasury au-  
thorized, under  
certain circum-  
stances, to  
appropriate  
more than  
\$10,000,000,  
annually, to the  
sinking fund.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That whenever in the opinion of the Secretary of the Treasury, the state of the treasury will admit of the application of a greater sum than ten millions of dollars in any one year, to the payment of interest and charges, and to the reimbursement or purchase of the principal of the public debt, it shall be lawful for him, with the approbation of the President of the United States, to cause such surplus to be placed at the disposal of the commissioners of the sinking fund, and the same shall be applied by them to the reimbursement or purchase of the principal of the public debt, at such times as the state of the treasury will best admit.

Comm'rs sink-  
ing fund autho-  
rized to apply  
any surplus of  
that fund to the  
extinguishment  
of the public  
debt.

SEC. 2. *And be it further enacted,* That, whenever, in any year, there shall be a surplus in the sinking fund beyond the amount of interest and principal of the debt which may be actually due and payable by the United States in such year, in conformity with their engagements, it shall be lawful for the commissioners of the sinking fund to apply such surplus to the purchase of any portion of the public debt, at such rates as, in

(a) See notes of acts relating to the redemption of the public debt, vol. ii. p. 415.

their opinion, may be advantageous to the United States; any thing in any act of Congress to the contrary notwithstanding.

SEC. 3. *And be it further enacted*, That the fourth and fifth sections of the act, entitled "An act to provide for the redemption of the public debt," approved on the third of March, one thousand eight hundred and seventeen, are hereby repealed.

SEC. 4. *And be it further enacted*, That the sum of two hundred thousand dollars, being the balance of the sums heretofore appropriated for the expenses of taking the next census, and which will not be required for that purpose, be, and the same is hereby, directed to be passed to the surplus fund upon the last day of the year one thousand eight hundred and thirty, any law to the contrary notwithstanding.

APPROVED, April 24, 1830.

Secs. 4 & 5, of act of March 3, 1817, ch. 87, repealed.

\$200,000, of sums appropriated for taking census, to be passed to surplus fund.

STATUTE I.

CHAP. LXXIX.—*An Act to extend the time for commencing the improvement of the navigation of the Tennessee river.*

April 24, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the time for commencing the improvement of the navigation of the Tennessee river, under an act of Congress "to grant certain relinquished and unappropriated lands to the state of Alabama, for the purpose of improving the navigation of the Tennessee, Cahawba, and Black Warrior rivers," approved the twenty-third day of May, one thousand eight hundred and twenty-eight, be, and the same is hereby, extended to the first day of December next.

APPROVED, April 24, 1830.

[Expired.]

Time for commencing, &c. extended to 1st Dec. 1830.

Act of May 23, 1828, ch. 75.

STATUTE I.

CHAP. LXXXIV.—*An Act for the re-appropriation of certain unexpended balances of former appropriations.*

April 30, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums, being unexpended balances of former appropriations for sundry objects of the service of the War Department, and in relation to Indian affairs, which remained in the treasury on the last day of the year one thousand eight hundred and twenty-nine, and are now subject to the provisions of the law directing such balances to be carried to the account of the surplus fund, be, and the same are hereby re-appropriated to the several objects, respectively, of their original appropriation.

[Obsolete.]

Certain balances of 1829, re-appropriated.

For the materials for a fort on the right bank of the Mississippi, one hundred and ninety-two dollars.

Fort on Mississippi.

For the Georgia militia claims for one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four, appropriated by act of March second, one thousand eight hundred and twenty-seven, forty-one thousand and five dollars and forty-four cents.

Georgia militia claims, for 1792, &c.

1827, ch. 29.

For the expenses of the militia of Georgia and Florida, for the suppression of Indian aggressions on their frontiers, by act of March second, one thousand eight hundred and twenty-seven, five thousand dollars.

Georgia and Florida militia expenses.

1827, ch. 29.

For the remaining purchase money of a house and lot at Eastport, in Maine, five dollars and thirty-two cents.

House, &c. at Eastport.

For the removing obstructions in the Saugatuck river, twenty-eight dollars.

Saugatuck river.

For the building of piers at the entrance of La Plaisance bay, eighty-nine dollars and eleven cents.

La Plaisance bay.

For the road from fort Towson to fort Smith, three hundred and ninety dollars and eighty-five cents.

Road from fort Towson.

Road from Pensacola, &c.

For the road from Pensacola to St. Augustine, five thousand three hundred and sixty-nine dollars and seventy-two cents.

Road in Florida.

For the road, called the King's road, in Florida, two thousand dollars.

The Choctaw treaty, Oct. 11, 1820.

For carrying into effect a treaty with the Choctaw Indians, dated eleventh of October, one thousand eight hundred and twenty, the balance of the sum appropriated by the act of March third, one thousand eight hundred and twenty-one, re-appropriated by the act of May twenty-sixth, one thousand eight hundred and twenty-four, and again by an act of March the second, one thousand eight hundred and twenty-seven, being twenty-one thousand seven hundred and thirty-seven dollars.

1821, ch. 35.

1824, ch. 155.

1827, ch. 29.

Cherokee treaty.

For carrying into effect the treaty with the Cherokee Indians, and extinguishing their claim to lands within the state of North Carolina, two thousand four hundred and fifty-nine dollars nineteen cents.

Choctaw and Chickasaw treaty.

For defraying the expenses of treating with the Choctaw and Chickasaw Indians, for extinguishing their title to lands within the limits of the state of Mississippi, one thousand two hundred and fifty-three dollars seventy-nine cents.

Purchase land in Georgia.

For purchasing certain tracts of land within the state of Georgia, reserved by treaties in fee to the Creeks, and to the Cherokee Indians, the balance of the appropriation of fifty thousand dollars, made for those objects by an act of March the third, one thousand eight hundred and twenty-three, being nine thousand one hundred and eighty-three dollars.

1823, ch. 27.

Gratuity to disbanded officers.

For gratuitous pay for disbanded officers and soldiers, including travelling allowances for the same, five hundred and forty dollars and ten cents, being the unexpended balance of appropriations for those objects carried to the surplus fund on the last day of the year one thousand eight hundred and twenty-six.

Custom and warehouse, Mobile.

For the purpose hereinafter stated, to wit: the sum of eight thousand dollars, appropriated for the erection of a custom and warehouse at Mobile, by act of May twenty-fourth, one thousand eight hundred and twenty-eight, be, and the same is hereby, re-appropriated, and an additional appropriation of eight thousand dollars to complete the same on an enlarged plan, be, and the same is hereby, made, to be paid out of any unappropriated money in the treasury.

1828, ch. 89.

APPROVED, April 30, 1830.

#### STATUTE I.

May 5, 1830.

[Obsolete.]

CHAP. LXXXVI.—*An Act to authorize the registers of the several land offices in Louisiana, to receive entries of lands in certain cases, and give to the purchasers thereof certificates for the same.*

Certain purchasers of land in Louisiana authorized to enter them.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases where persons have purchased lands of the United States within the state of Louisiana, and have paid in full therefor, and who have failed or omitted to enter the same, the register of the land office of the district in which the land was purchased shall, on presentation of the original receipt of the receiver of said district by the original purchaser or purchasers of the land, his, her, or their heirs, cause an entry thereof to be made, and give to him, her, or them a certificate for the same, specifying the time when the land was purchased, upon which a patent shall be issued as in other cases: *Provided, however,* That if, in the intermediate time between the purchase and presentation of the said receipt, any of the said lands shall have been paid for and entered by any other person or persons, ignorant of the former purchase, the said register shall not enter the same lands, but may permit the party to enter other lands in lieu thereof, of equal quantity, within the same district, which may be subject to entry, and shall give him, her, or them a certificate therefor, upon which a patent shall issue as in other cases.*

Proviso: This privilege restricted to lands which have not been paid for and entered by any other persons, &c.

APPROVED, May 5, 1830.

STATUTE I.

May 5, 1830.

CHAP. LXXXVII.—*An Act to authorize the appointment of a marshal for the northern district of the state of Alabama.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That a marshal shall be appointed for the northern district of the state of Alabama, whose duties shall be the same, in every respect, within said district, as those required by law to be performed by the present marshal.

Marshal created for North Alabama.

SEC. 2. *And be it further enacted,* That when a marshal shall be appointed for said northern district, he shall be entitled to a salary of two hundred dollars per annum, besides the fees of office fixed by law. And the salary of the present marshal be two hundred dollars per annum, instead of the sum heretofore allowed. The sum allowed, by law, to the marshal of Alabama, for taking the fifth census, shall be divided between the marshals of south and north Alabama, according to the number of souls enumerated in each district; and so soon as the marshal for the northern district shall be appointed under this act, the duties of the present marshal shall cease and determine in said district.

Salary, fees.

APPROVED, May 5, 1830.

STATUTE I.

May 5, 1830.

CHAP. LXXXIX.—*An Act to change the time of holding the court of the United States for the district of Mississippi, and the circuit court of the United States 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 instead of the times now prescribed by law for holding the court of the United States for the district of Mississippi, the said court shall commence its sessions on the fourth Monday in January, and the fourth Monday in June, in each and every year.

Sessions of district court to begin 4th Monday in Jan. and 4th Monday in June.

Vol. iii. 611.

SEC. 2. *And be it further enacted,* That all process which may have issued from said court, at the passage of this act, and which may issue previous to the fourth Monday of June next, shall, by virtue of this act, be returnable before the said court on that day; and all causes pending in the said court, and which may have been continued by order thereof, to the term heretofore directed to be held on the first Monday in October next, shall, by virtue of this act, stand continued to and be triable at the term hereby directed to be held on the fourth Monday in June next.

Process returnable, &c.

Causes continued, &c.

SEC. 3. *And be it further enacted,* That the circuit court of the United States, within and for the district of Ohio, instead of the time now fixed by law, shall hereafter be held on the second Monday of July, and the third Monday of December, in each year; and the district court of the United States, in and for said district, shall hereafter be held on the Mondays next succeeding the times herein fixed for holding the circuit court. And the circuit court for the district of west Tennessee, shall hereafter be held on the first Monday in September in each year, instead of the time now fixed by law. And all suits and matters of every kind returnable to, or pending in, either of said courts, shall be held to be returnable, and continued, to the terms of said courts herein provided for.

Circuit court in Ohio to be held 2d Monday in July and 3d Monday in Dec.

District court to be held, &c. Vol. ii. 568.

Process, &c.

APPROVED, May 5, 1830.

STATUTE I.

May 8, 1830.

CHAP. XC.—*An Act for further extending the powers of the judges of the superior court of the territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, 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 the act, approved on the

[Obsolete.]

Act of May 26, 1824, ch. 173, continued.

(a) See notes to the act of May 26, 1824, ch. 173.

Court in Arkansas authorized to revise certain decrees, &c. and to reverse them.

Mode of proceeding.

No entries of land to be made until, &c.

Requisites to the issuing of patents under decrees of said court: 1st. Original warrant, &c. to be produced, &c.

2d. Genuineness of this warrant, &c. to be established to satisfaction of commissioner of general land office, or of said court upon review.

Entries, patents, &c. not to be made, except, &c.

In case of reversal, &c. lands to be subject to sale, &c.

President of U. S. authorized to employ additional counsel.

twenty-sixth day of May, one thousand eight hundred and twenty-four, entitled "An act to enable 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," shall be, and hereby is, continued in force, so far as the said act relates to the claims within the territory of Arkansas, until the first day of July, one thousand eight hundred and thirty-one, for the purpose of enabling the court in Arkansas, having cognisance of claims under the said act, to proceed by bills of review, filed, or to be filed, in the said court, on the part of the United States, for the purpose of revising all or any of the decrees of the said court in cases wherein it shall appear to the said court, or be alleged in such bills of review, that the jurisdiction of the same was assumed, in any case, on any forged warrant, concession, grant, order of survey, or other evidence of title; and, in every case wherein it shall appear to the said court, on the prosecution of any such bill of review, that such warrant, concession, grant, order of survey, or other evidence of title, is a forgery, it shall be lawful, and the said court is hereby authorized to proceed, by further order and decree, to reverse and annul any prior decree or adjudication upon such claim; and thereupon such prior decree or adjudication shall be deemed, and held in all places whatever, to be null and void to all intents and purposes. And the said court shall proceed on such bills of review, by such rules of practice and regulations as they may adopt, for the execution of the powers vested or confirmed in them by this act.

SEC. 2. *And be it further enacted,* That no entries of land in any of the land offices in Arkansas, under any of the provisions of the said act, shall be made, until the further direction of Congress.

SEC. 3. *And be it further enacted,* That no patent shall be issued for lands under any decree of the said court, in any case in which the original warrant, concession, grant, or order of survey, has been withdrawn from the files of the said court, unless the person or persons claiming such patent shall first produce and deposit, in the office of the commissioner of the general land office, the original warrant, concession, grant, or order of survey, on which such decree was founded, and on which the said court took jurisdiction under the said act; and no patent shall be issued until the further order of Congress, in any case, under the said act, until it shall satisfactorily appear to the commissioner of the general land office that the warrant, concession, grant, or order of survey, on which any lands are claimed, under any decree of the said court, was, in fact, made or issued by or under the authority of the person or persons purporting to have made or issued the same, or unless the said warrant, concession, grant, or order of survey shall have been determined by the said court, on the hearing of a bill of review, to be genuine.

SEC. 4. *And be it further [enacted,]* That no entry, survey, or patent, shall, at any time hereafter, be made or issued under the said act, except in the name of the original party to any such decree, and on proof to the satisfaction of the officers, respectively, that the party applying is such original party, or is duly authorized by such original party, or his heirs, to make, receive, or require such entry, patent, or survey.

SEC. 5. *And be it further enacted,* That in all cases in which the said court shall, by decree or adjudication, under this act, review and annul any prior decree or adjudication therein, any lands which may have been heretofore entered, under any such prior decree or adjudication, shall, thereafter, be subject to sale or entry as other public lands of the United States may be.

SEC. 6. *And be it further enacted,* That the President of the United States is hereby authorized to employ, on behalf of the United States, such counsel on their part, in the territory of Arkansas, or elsewhere, to be associated for that purpose with the district attorney of the same

territory, as he may deem the interests of the United States may require, in the prosecution of such bills of review before the said court.

SEC. 7. *And be it further enacted*, That, in all cases, the party against whom the judgment or decree of the said court may be finally given, shall be entitled to an appeal, within one year from the time of its rendition, to the Supreme Court of the United States, which court shall have power to review the decision of the court below, both on the law and the facts; and the court in Arkansas be, and the same is hereby required to spread upon the record the whole testimony, together with the reasons for their decision in each case, and to transmit to the Supreme Court of the United States the same, together with the original warrant, concession, grant, order of survey, or other evidence of title.

SEC. 8. *And be it further enacted*, That each of the judges of the supreme court of the territory of Arkansas shall, while in the discharge of their duties imposed by this act, be allowed at the rate of eight hundred dollars per annum, in addition to their salary as judges of the superior court for the territory of Arkansas, which shall be in full for their services, to be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, May 8, 1830.

Appeal to the Supreme Court United States.

Grounds of appeal.

Extra compensation to judges, \$800 dollars per annum.

Appropriation.

STATUTE I.

CHAP. XCI.—*An Act supplementary to the act, entitled "An act to authorize the citizens of the territories of Arkansas and Florida to elect their officers, 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 case any vacancy has occurred, or shall occur in any office to which any person has been, or shall be elected by the citizens of Arkansas, under the provisions of the act to which this is a supplement, either by a refusal to accept the same, or by death, resignation, or otherwise, the governor of the said territory is hereby authorized and required to supply such vacancy, until the next general election; and in case any vacancy shall occur, in the offices of justice of the peace, auditor, or treasurer for the said territory, either by a refusal to accept the same, or by death, resignation, or otherwise, the governor thereof is hereby authorized and required to supply such vacancy until the next meeting of the legislature.

APPROVED, May 8, 1830.

May 8, 1830.

[Obsolete.]

Certain vacancies to be filled by governor till next general election.  
Act of Jan. 21, 1829, ch. 13.

Others till meeting of legislature.

STATUTE I.

CHAP. XCII.—*An Act to authorize the re-conveyance of a lot of land to the mayor and corporation of the city of New York.*

WHEREAS the mayor and corporation of the city of New York, on the sixth May, one thousand eight hundred and eight, did convey to the United States, a lot of land at the foot of Hubert-street, in the city of New York, called the North Battery, "so long as the same should be used and applied to the defence and safety of the port of New York, and no longer."

*Be it therefore enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, whenever the President of the United States shall determine that the said lot is no longer useful for the purposes aforesaid, he be, and he hereby is, authorized to cause the same to be re-conveyed to the mayor and corporation of New York, the works thereon to be dismantled, and the materials thereof to be disposed of, in such manner as, in his judgment, the public interest may require.

APPROVED, May 10, 1830.

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May 10, 1830.

President of United States authorized to re-convey North Battery to the city of New York, &c.

## STATUTE I.

May 14, 1830.

CHAP. XCV.—*An Act to alter the bridge and draws across the Potomac, from Washington city to Alexandria.*

Draw to be made, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the corporation of Georgetown, in the District of Columbia, be, and they are hereby, authorized, within six months from the passing of this act, to form a draw in the bridge leading from Washington city to Alexandria, across the Potomac river, not less than sixty-six feet in length, nor less than twelve feet wide; and for defraying the expense of making said draw, the sum of six thousand dollars be, and the same is hereby, appropriated, out of any unappropriated money in the treasury.

\$6000 appropriated.

Lamps to be kept, &c.

SEC. 2. *And be it further enacted,* That the Washington Bridge Company shall hereafter be required to keep eight reflecting lamps, to be lighted during the night, of which four shall be at the principal draw, two at the smaller draw, and one at each end of the bridge; and in repairing said bridge, the company may, and hereby are, permitted to reduce the width of the bridge to twenty-four feet, leaving four feet on one side of said bridge for foot-passengers, which shall, by a strong and sufficient railing, be separated from the carriage-way.

Width may be reduced to 24 feet, &c.

Form of warps.

SEC. 3. *And be it further enacted,* That, in making said draw, the opposite side of the warps, above and below the bridge, shall be curved off in circular form; and the sides of the spaces covered by said draw, shall be sufficiently and strongly planked up on each side; and said bridge company shall remove from the passage through it, all obstructions to safe navigation.

Sec. of War to be the inspector of this work.

SEC. 4. *And be it further enacted,* That so soon as the Secretary of War shall be fully satisfied that the work contemplated by this act to be done, under the superintendence and authority of the corporation of Georgetown, is properly and sufficiently well done, and is entirely safe for the passing of wagons, then, and not before, shall the appropriation herein be paid, or so much of the same as shall be sufficient to meet the expenses of making said draw.

Appropriation made conditionally.

Passage over bridge not to be interrupted for more than sixty days.

SEC. 5. *And be it further enacted,* That said corporation of Georgetown shall not interrupt the passage across said bridge for a longer period than sixty days, under the penalty of paying to the bridge company, an amount equal to ten dollars, for each and every day over sixty days, that the passing of said bridge may be interrupted.

Penalty.  
Consequences of refusal of Corporation to, &c.

SEC. 6. *And be it further enacted,* That if said company shall refuse to the corporation of Georgetown the right to execute the provisions of this act, then the rights and provisions in favour of said company, secured by the second section of this act, shall be null and void, and of no effect.

SEC. 7. *And be it further enacted,* That if the said company shall refuse to permit the alteration in the draw herein provided for, and shall, within thirty days after the passage of this act, notify the corporation of Georgetown of such refusal, then this act, and every thing therein contained, shall cease to have effect.

Another draw to be made.

\$2,000 appropriated, under same stipulations, &c.

SEC. 8. *And be it further enacted,* That the corporation of Washington, in the said District of Columbia, be authorized to form a draw in said bridge, over the eastern channel of said river, thirty-five feet wide; for which purpose the sum of two thousand dollars is hereby appropriated, and is to be applied in the same manner, by the corporation of Washington, to the construction of the said last-mentioned draw, as the appropriation in the first section of this act is to be made and applied by the corporation of Georgetown, to the construction of the first-mentioned draw; and, further, that all the provisions of this act, relating to the first-mentioned draw and the corporation of Georgetown, shall apply to the draw last mentioned and the corporation of Washington.



SEC. 9. *And be it further enacted*, That nothing contained in this act shall be considered as giving a construction to so much of the tenth and eleventh sections of the original charter of said bridge company, as relates to the construction of draws in said bridge.

This act not to be considered as construing, &c.

APPROVED, May 14, 1830.

STATUTE I.

CHAP. XCVI.—*An Act to alter the time of holding the sessions of the legislative council of the territory of Florida.*

May 14, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the legislative council of the territory of Florida shall commence its session on the first Monday in January in each year, instead of the second Monday in October, as now directed by law.

Times for sessions to commence.  
Vol. iii. 654.

SEC. 2. *And be it further enacted*, That the first and third sections of an act "to amend an act for the apprehension of criminals and the punishment of crimes and misdemeanors," passed by said legislative council the fifteenth day of November, eighteen hundred and twenty-nine, be, and the same are hereby annulled.

Certain enactments of the legislative council annulled.

APPROVED, May 14, 1830.

STATUTE I.

CHAP. XCVIII.—*An Act to establish a port of delivery at Delaware City.*

May 20, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That Delaware City, in the district of Philadelphia, shall be a port of delivery; and a surveyor shall be appointed, who shall reside at said city.

Port of Delivery established.

APPROVED, May 20, 1830.

STATUTE I.

CHAP. XCXIX.—*An Act making appropriations to carry into effect the treaty of Buñte des Mortes.*

May 20, 1830.

*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, to be paid out of any unappropriated money in the treasury, to carry into effect a treaty with the Chippewa, Menomonie, and Winnebago Indians, ratified the twenty-third February, one thousand eight hundred and twenty-nine, viz:

[Obsolete.]  
Appropriations for treaty with Chippewas, &c.

For the expense of distributing goods among the Indians at said treaty, as stipulated in the fourth article, fifteen thousand six hundred and eighty-two dollars.

Distributing goods.

For purposes of education, as provided by the fifth article, for three years, three thousand dollars.

Education.

For compensation of commissioners, and other expenses attending the adjustment of boundaries, and other objects referred to in the first, second, and third articles, five thousand dollars.

Boundary commissioners, &c.

APPROVED, May 20, 1830.

STATUTE I.

CHAP. CI.—*An Act to reduce the duties on coffee, tea, and cocoa.*

May 20, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the thirty-first day of December, one thousand eight hundred and thirty, the duty on coffee shall be two cents per pound, and from and after the thirty-

Duty on coffee.

first day of December, one thousand eight hundred and thirty-one, the duty on coffee shall be one cent per pound, and no more; and from and after the thirty-first day of December, one thousand eight hundred and thirty, the duty on cocoa shall be one cent per pound, and no more. And that from and after the thirty-first December, one thousand eight hundred and thirty-one, the following rates of duty and no other, shall be levied and collected on teas imported from China, or other place east of the Cape of Good Hope, and in vessels of the United States, to wit: Imperial, Gunpowder, and Gomee, twenty-five cents per pound; Hyson and Young Hyson, eighteen cents per pound; Hyson Skin, and other green teas, twelve cents per pound; Souchong and other black teas, except Bohea, ten cents per pound, and Bohea four cents per pound; and on teas imported from any other place, or in vessels other than those of the United States, the following rates, to wit: Imperial, Gunpowder, and Gomee, thirty-seven cents; Hyson, and Young Hyson, twenty-seven cents; Hyson Skin, and other green teas, twenty cents; Souchong, and other black teas, except Bohea, eighteen cents; and Bohea, six cents per pound.

Cocoa.

Teas imported from China, &c.

Teas imported from any other place, or in foreign bottoms, &c.

These duties applied to tea, &c., remaining in custom-house stores, &c.

Proviso.

SEC. 2. *And be it further enacted*, That tea, cocoa, and coffee, which have been, or which shall be hereafter, put into the custom-house stores, under the bond of the importer, and which shall remain under the control of the proper officer of the customs, on the thirty-first of December, one thousand eight hundred and thirty, and the thirty-first day of December, one thousand eight hundred and thirty-one, respectively, shall be subject to no higher duty than if the same were imported, respectively, after the said thirty-first day of December, one thousand eight hundred and thirty, and the thirty-first day of December, one thousand eight hundred and thirty-one: *Provided*, That nothing herein contained shall be construed to alter or postpone the time when the duty on the said tea, cocoa, and coffee shall be payable.

APPROVED, May 20, 1830.

STATUTE I.

May 20, 1830.

CHAP. CII.—*An Act to amend an act, entitled "An act to regulate the practice in the courts of the United States, for the district of Louisiana. (a)*

Act of May 26, 1824, ch. 181.  
Mode of drawing and empanneling juries to conform to that of the state courts.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the mode of proceeding in drawing and empanneling juries in the courts of the United States for the Louisiana districts, shall be the same as is now provided by law in the district courts of the state of Louisiana; and that the judge of the United States' courts in said district be, and he is hereby authorized, by rule, to adopt any amendment that may hereafter be made to the laws of the said state, prescribing the qualification of jurors, and providing for drawing and empanneling juries.

Duties of marshal and judge, &c., to conform to those of the state sheriff and judges.

SEC. 2. *And be it further enacted*, That all the duties prescribed by the laws of the state of Louisiana, to be performed by the sheriff, in relation to the drawing and summoning of jurors, shall be performed by the marshals, and those so prescribed for the parish judge, or the district judge of the state, shall be performed by the district judge of the United States. And that the duties so prescribed by the said state laws, imposed on any other state officer, shall be performed by such householders as shall be designated by the said judge of the district court of the United States.

APPROVED, May 20, 1830.

(a) See notes to the act of May 26, 1824, ch. 181.

STATUTE I.

CHAP. CV.—*An Act to quiet the titles of certain purchasers of lands, between the lines of Ludlow and Roberts, in the state of Ohio.*

May 26, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to pay, out of any money in the treasury, not otherwise appropriated, to the Virginia military claimants of lands situated between the two lines in the state of Ohio, commonly called Ludlow's and Roberts' lines, and south of the Greenville treaty line, located prior to the twenty-sixth day of June, in the year of our Lord one thousand eight hundred and twelve, the sum of sixty-two thousand five hundred and fifteen dollars and twenty-five cents, with interest thereon from the fourth March, eighteen hundred and twenty-five, at six per cent. per annum, until paid; being the amount at which said lands were valued, exclusive of improvements, under the act of Congress, entitled "An act to authorize the President of the United States to enter into certain negotiations relative to the lands located under Virginia military land warrants, lying between Ludlow's and Roberts' lines, in the state of Ohio;" *Provided however,* That before the payment of said sum, the said claimant or claimants shall relinquish, by deed or deeds, to the United States, in such manner as the President shall direct, their title or titles to the said lands.

Appropriation of \$62,515 25, to pay Virginia military claimants.

Act of May 26, 1824, ch. 188.

Proviso: Titles to be relinquished.

Payment to be made according to valuation.

SEC. 2. *And be it further enacted,* That the payments aforesaid shall be made as directed to the said claimants, according to the valuation of their respective tracts of land, made under the above-recited act of Congress.

APPROVED, May 26, 1830.

STATUTE I.

CHAP. CVI.—*An Act to provide for the final settlement of land claims in Florida. (a)*

May 26, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the claims and titles to land filed before the register and receiver of the land office, acting as commissioners, in the district of East Florida, under the quantity contained in one league square, which have been decided and recommended for confirmation, contained in the reports, abstracts and opinions, of said register and receiver, transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the fourteenth day of January, one thousand eight hundred and thirty, be, and the same are hereby confirmed, with the exception of such claims as were confirmed by the Spanish government, subsequent to the twenty-fourth of January, one thousand eight hundred and eighteen, which shall be re-examined and reported, with the evidence by the register and receiver, before the next session of Congress, to the Secretary of the Treasury, to be laid before Congress.

Certain claims confirmed, except, &c.

Report to be laid before Congress.

(a) See notes of the decisions of the Supreme Court, as to Florida land claims, vol. iii. p. 709.

Where the Supreme Court has affirmed the title to lands in Florida, and referred in its decree to a particular survey, it would not be proper in the court below to open the case for a rehearing, for the purpose of adopting another survey. *Chaires v. The United States*, 3 Howard, 611.

The court below can only execute the mandate of the Supreme Court; it has no authority to disturb the decree, and can only settle what remains to be done. *Ib.*

The act of 26th May, 1830, ch. 106, providing for the final settlement of land claims in Florida, must be construed to contain the same limitation of time, within which claims were to be presented, as that provided by the act of May 23, 1828, ch. 70. *United States v. Marvin*, 3 Howard, 620.

The limitation was one year. The courts of Florida, therefore, had no right to receive a petition for the confirmation of an incomplete concession, after the 26th May, 1831. *Ib.*

Under the Florida treaty, the United States did not succeed to those rights which the king of Spain had held by virtue of his royal prerogative, but possessed the territory, subject to the institutions and laws of its own government. *Pollard's Lessee v. Hagan*, 3 Howard, 212.

Conflicting Spanish claims confirmed as to United States.

Act of May 8, 1822, ch. 122, sec. 4.

Certain other claims confirmed.

Remaining claims to be settled.

Act of May 23, 1828, ch. 70.

Disposition of papers relative to claims.

Operation of confirmation.

Act of May 23, 1828, ch. 70, explained.

Time for relinquishment extended.

Title-deeds.

SEC. 2. *And be it further enacted*, That all the conflicting Spanish claims, reported in obedience to the fourth section of the act of Congress, approved May the eighth, one thousand eight hundred and twenty-two, and recommended for confirmation as valid titles, be, and the same are hereby, confirmed, so far as the United States have any title to the same.

SEC. 3. *And be it further enacted*, That all claims derived from the former British government, contained in the reports of the commissioners of East Florida, or the register and receiver, acting as such, who did not avail themselves of the provisions of the treaty between Spain and England, signed at Versailles on the twentieth of January, one thousand seven hundred and eighty-three, by leaving said province, but who remained in the same, and became Spanish subjects, and whose titles were approved by the Spanish authorities, and have been recommended for confirmation by said commissioners, or register and receiver, acting as such, be, and the same are hereby, confirmed.

SEC. 4. *And be it further enacted*, That all the remaining claims which have been presented according to law, and not finally acted upon, shall be adjudicated and finally settled upon the same conditions, restrictions, and limitations, in every respect, as are prescribed by the act of Congress, approved twenty-third May, one thousand eight hundred and twenty-eight, entitled "An act supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida."

SEC. 5. *And be it further enacted*, That it shall be the duty of the register and receiver to deliver over all papers relative to private land claims in East Florida to the keeper of the public archives.

SEC. 6. *And be it further enacted*, That all confirmations of land titles, under this act, shall only operate as a relinquishment of the right of the United States to the said lands respectively, and shall not be construed either as a guarantee of any such titles, or in any manner affecting the rights of other persons to the same lands.

SEC. 7. *And be it further enacted*, That so much of the act of twenty-third of May, one thousand eight hundred and twenty-eight, as directed that the selection of claimants who availed themselves of the first section of said act by accepting a quantity equal to one league square within their respective grants, which confined the selection to sectional lines, shall not be held to extend to the selection by the claimants of a greater quantity than a section, but the said claimants who have, or may hereafter select, under the provisions of said law, any quantity equal to the amount granted in bodies larger than a section in the form of any Spanish survey, or plat of survey, or where the sections are broken by any river, the said land so selected, or which may be so selected, is hereby confirmed to said claimants; and it shall be the duty of the surveyor general to make a survey and certificate of all such claims, to return the same to the commissioner of the general land office, and thereupon a patent shall issue to the original grantee, or to his assignee, if the land has been sold or transferred to any other person, or to the legal owner by purchase or descent.

SEC. 8. *And be it further enacted*, That the claimants, who are entitled to the provisions of that act, or who may avail themselves of the foregoing provisions of this act, by taking a quantity equal to a league square in lieu of the whole grant, shall be, and they are hereby, allowed the further time of one year, from the passage of this act, to execute their relinquishments, and to file their acceptance of the provisions of said law.

SEC. 9. *And be it further enacted*, That it shall be the duty of the registers and receivers to restore to the claimants the title-deeds on which they may have finally rejected the claims.

APPROVED, May 26, 1830.

STATUTE I.

May 26, 1830.

CHAP. CVII.—*An Act for the distribution of certain books therein mentioned.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the copies of the diplomatic correspondence of the American revolution, published in pursuance of a resolution of Congress of twenty-seventh March, one thousand eight hundred and eighteen, which have been or may hereafter be received at the Department of State, be distributed and disposed of in manner following, to wit:

Distribution of diplomatic correspondence.  
Resolution of March 27, 1818.

To the President and Vice President of the United States, one copy each; to the heads of department, five copies each; to the Postmaster General, the commissioner of the general land office, and the superintendent of the patent office, one copy each; to each member and delegate of the present Congress, one copy; to the library of the Senate, five copies; to the library of the House of Representatives, ten copies; to the attorney general, the judges of the Supreme Court, and of the other courts of the United States, each one copy; to each governor of a state or territory, for the public library of the state or territory, one copy; to the military academy at West Point, and to each incorporated university, college, historical or antiquarian society and athenæum, one copy; to the Secretary of State, one copy for each American legation in foreign countries; to the Secretary of the Navy, five copies for the naval commanders on different stations; and to each person who has been President of the United States, one copy.

SEC. 2. *And be it further enacted,* That of the edition of the journals of the House, ordered to be printed by a resolution of this House, of eighteenth May, one thousand eight hundred and twenty-six, the copies be distributed in manner following, to wit:

Distribution of the journals of the House.

To the President and Vice President of the United States, one copy each; to the heads of department, five copies each; to each member and delegate of the present Congress, one copy; to the library of the Senate, five copies; to the library of the House of Representatives, ten copies; to the Attorney and Postmaster General, one copy each; to each governor of a state or territory, for the public library of the state or territory, one copy; to the military academy at West Point, and to each incorporated university, college, historical, or antiquarian society, and athenæum, one copy; and to each person who has been President of the United States, one copy; and that the residue remain in the custody of the clerk of the House of Representatives, till otherwise ordered by the House.

SEC. 3. *And be it further enacted,* That the books hereby directed to be distributed, be properly prepared for transmission, under the direction of the clerk of the House of Representatives; and that they be forwarded free of postage, by mail, to the persons hereby authorized to receive them; or delivered to the order of said persons in the city of Washington.

To be made by clerk of House of Representatives.

SEC. 4. *And be it further enacted,* That, of the copies of the diplomatic correspondence of the revolution, which shall remain after the distribution aforesaid, one copy shall be distributed to each new member of each Congress succeeding the present, until all the copies shall have been distributed, with the exception of twenty-five, which shall be retained for the library of Congress.

Further distribution of diplomatic correspondence.

APPROVED, May 26, 1830.

## STATUTE L

May 28, 1830.

CHAP. CXLVI.—*An Act to confirm certain claims to lands in the district of Jackson courthouse, in the state of Mississippi.*

Certain claims confirmed.  
Act of May 24, 1828, ch. 93.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the claims to lands reported by the register and receiver of the land office for the district of Jackson courthouse, in the state of Mississippi, under the provisions of the act of Congress, approved on the twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act supplementary to the several acts providing for the adjustment of land claims in the state of Mississippi," as founded on any order of survey, requette, permission to settle, or other written evidence of claim derived from the Spanish authorities, which ought, in the opinion of the said register and receiver, to be confirmed, and which, by the said reports, appear to be derived from the Spanish government prior to the twentieth of December, one thousand eight hundred and three, and the land claimed to have been cultivated and inhabited on or before that day, shall be confirmed in the same manner as if the title had been completed: *Provided*, That, in all such claims, where the plat and certificate of survey, made prior to the fifteenth day of April, one thousand eight hundred and thirteen, under the authority of the Spanish government, in pursuance of such claim, has not been filed with the said register and receiver, such claim shall not be confirmed to any one person for more than twelve hundred and eighty acres; and that for all the other claims comprised in the reports as aforesaid, and which ought, in the opinion of the register and receiver, to be confirmed, the claimant to such land shall be entitled to a grant therefor, as a donation not to exceed twelve hundred and eighty acres to any one person: *And provided also*, That the claim of the representatives of Louis Boisdore, numbered four, in report numbered three, shall not be confirmed to more than twelve hundred and eighty acres; and all the confirmations of the said incomplete titles and grants of donations, hereby provided to be made, shall amount only to a relinquishment for ever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted without prejudice to the interests of third persons.

Proviso.

Proviso.

Lands inhabited before April 15, 1813.

Proviso.

Pre-emption granted to certain persons.

SEC. 2. *And be it further enacted*, That every person, or his or her legal representatives, whose claim is embraced by the said register and receiver in their reports numbers five, six, and seven, of actual settlers, or their legal representatives, not having any written evidence of claim, shall, where it appears by the said reports that the land claimed or settled on had been actually inhabited and cultivated by such person or persons, in whose right the same is claimed, on or before the fifteenth day of April, one thousand eight hundred and thirteen, be entitled to a grant for the land so claimed or settled on, as a donation: *Provided*, That not more than one tract shall be granted to any one person, and the same shall not exceed six hundred and forty acres, to include his or her improvements, and to be bounded by sectional or divisional lines; and that no lands shall be thus granted which are claimed or recognised by the preceding section.

SEC. 3. *And be it further enacted*, That every person, or his or her legal representatives, comprised in the aforesaid reports of actual settlers, not having any written evidence of claim, who, on the third day of March, one thousand eight hundred and nineteen, did, as appears by those reports, actually inhabit and cultivate a tract of land in the said district, not claimed under any written evidence of title legally derived from the French, British, or Spanish, governments, or granted as a donation, shall be entitled to become the purchaser of the quarter section, or two eighths of any section, on which the improvements may be, and including the same, at the same price for which other public lands are sold at private

sale: *Provided*, That the same shall be entered with the register of the land office, within the term of two years, or before, if the same shall be offered at public sale: *And provided also*, That, where any such person is settled on, and has improved any school lands in said district, such person shall be governed by the provisions of the fourth section of the act approved on the twenty-second day of April, one thousand eight hundred and twenty-six, entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the states of Alabama, Mississippi, and territory of Florida."

Proviso.

Proviso.

Act of April 22, 1826, ch. 28.

SEC. 4. *And be it further enacted*, That the register and receiver of the said district shall possess the same powers, and perform the same duties, in relation to the claims confirmed by this act, as are given to, and required of them by the act of Congress of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims and titles to lands, and establishing land offices, in the district east of the island of New Orleans.

Powers, &c. of register and receiver.

Act of May 8, 1822, ch. 128.

APPROVED, May 28, 1830.

STATUTE I.

May 28, 1830.

CHAP. CXLVII.—*An Act for the more effectual collection of the impost duties.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States, by and with the advice and consent of the Senate, is hereby authorized to appoint an additional appraiser of merchandise for the port of New York, who shall take a similar oath, and have like power and compensation, and perform the same duties, with the appraisers now authorized by law to be appointed at that place.

Act of 1799, ch. 22.

Additional appraiser to be appointed.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury may appoint, not exceeding four assistant appraisers in New York, two in Philadelphia, and two in Boston, who shall be practically acquainted with the quality and value of some one or more of the chief articles of importation, subject to appraisement, to be employed in appraising goods in such manner as shall be directed by the Secretary of the Treasury, and who shall take and subscribe an oath diligently and faithfully to examine and inspect such goods, wares, or merchandise, as the principal appraisers may direct, and truly to report to them, to the best of their knowledge and belief, the true value thereof, according to law; whereupon the principal appraisers shall revise and correct the same as they may judge proper, and report to the collector their decision thereon: but, if the collector shall deem any appraisement of goods too low, he shall have power to order a re-appraisement, either by the principal appraisers, or by three merchants designated by him for that purpose, who shall be citizens of the United States, and cause the duties to be charged accordingly.

Eight assistant appraisers.

Oath and duties of assistants.

Of principals.

Collector to order re-appraisement.

Rules as to average value.

Appeal.

SEC. 3. *And be it further enacted*, That, from and after the thirtieth day of September next, whenever goods of which wool or cotton is a component part, of similar kind, but different quality, are found in the same package, if not imported from beyond the Cape of Good Hope, it shall be the duty of the appraisers to adopt the value of the best article contained in such package, as the average value of the whole; and if the owner, importer, consignee, or agent, for any goods appraised, shall consider any appraisement, made by the appraisers, or other persons designated by the collector, too high, he may apply to the collector in writing, stating the reasons for his opinion, and having made oath that the said appraisement is higher than the actual cost and proper charges on which duty is to be charged, and also, that he verily believes it is higher than the cur-

rent value of the said goods, including said charges, at the place of exportation, the collector shall designate one merchant, skilled in the value of such goods, and the owner, importer, consignee, or agent, may designate another, both of whom shall be citizens of the United States, who, if they cannot agree in an appraisement, may designate an umpire who shall also be a citizen of the United States, and when they, or a majority of them, shall have agreed, they shall report the result to the collector, and if their appraisements shall not agree with that of the United States' appraisers, the collector shall decide between them.

Number of packages to be examined.

Consequences of discrepancy.

1799, ch. 22.

1823, ch. 21.

Goods, when to be delivered.

Proviso.

Goods for re-exportation.

SEC. 4. *And be it further enacted,* That the collectors of the customs shall cause at least one package out of every invoice, and one package at least out of every twenty packages of each invoice, and a greater number, should he deem it necessary, of goods imported into the respective districts, which package or packages he shall have first designated on the invoice to be opened and examined, and if the same be found not to correspond with the invoice, or to be falsely charged in such invoice, the collector shall order, forthwith, all the goods contained in the same entry to be inspected; and if such goods be subject to ad valorem duty, the same shall be appraised, and if any package shall be found to contain any article not described in the invoice, or if such package or invoice be made up with intent, by a false valuation, or extension or otherwise, to evade or defraud the revenue; the same shall be forfeited, and the fifteenth section of the "Act supplementary to an act to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage, passed second March, one thousand seven hundred and ninety-nine, and for other purposes,'" passed first March, one thousand eight hundred and twenty-three; and also so much of any act of Congress as imposes an additional duty or penalty of fifty per centum on duties upon any goods which may be appraised at twenty five per centum, or ten per centum above their invoice price, is hereby repealed; and no goods liable to be inspected or appraised as aforesaid, shall be delivered from the custody of the officers of the customs, until the same shall have been inspected or appraised, or until the packages sent to be inspected or appraised, shall be found correctly and fairly invoiced and put up, and so reported to the collector: *Provided,* That the collector may, at the request of the owner, importer, consignee, or agent, take bonds, with approved security, in double the estimated value of such goods, conditioned that they shall be delivered to the order of the collector, at any time within ten days after the package or packages sent to the public stores shall have been appraised and reported to the collector. And if, in the mean time, any of the said packages shall be opened, without the consent of the collector or surveyor given in writing, and then in the presence of one of the inspectors of the customs, or if the said package or packages shall not be delivered to the order of the collector, according to the condition of the said bond, the bond shall, in either case, be forfeited.

SEC. 5. *And be it further enacted,* That it shall be the duty of the collector to cause all goods entered for re-exportation, with the right of drawback, to be inspected, and the articles thereof compared with their respective invoices, before a permit shall be given for lading the same; and where the goods so entered shall be found not to agree with the entry, they shall be forfeited: and every importer, owner, consignee, agent, or exporter, who shall enter goods for importation, or for exportation, or transportation from one port or place to another, with the right of drawback, shall deposit with the collector the original invoice of such goods, if not before deposited with the collector, and in that case an authenticated invoice thereof to be filed and preserved by him in the archives of the custom-house, which shall be signed by such importer,



owner, consignee, agent, or exporter, and the oath to be made on the entry of such goods shall be annexed thereto.

SEC. 6. *And be it further enacted*, That the assistant appraisers at New York shall receive a compensation of fifteen hundred dollars per annum; and those at Boston and Philadelphia, a compensation of twelve hundred dollars per annum; to be paid out of the proceeds of the customs; and the clerks, and all other persons employed in the appraisers' office, shall be appointed by the principal appraisers, and their number and compensation limited and fixed by the Secretary of the Treasury.

Compensation of assistant appraiser, &c.

SEC. 7. *And be it further enacted*, That all forfeitures incurred under this act, shall be sued for, recovered, and distributed, according to the provisions of the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed the second day of March, one thousand seven hundred and ninety-nine: *Provided*, That the appraisers and assistant appraisers shall, in no case, receive any proportion of such forfeiture: *And provided also*, That the Secretary of the Treasury shall be, and he is hereby, authorized to remit any such forfeiture whenever he is of opinion that no fraud on the revenue was intended.

Forfeitures.

Act of March 2, 1799, ch. 22.

Proviso.

SEC. 8. *And be it further enacted*, That whenever, in the opinion of the Secretary of the Treasury, it may be necessary in order to carry into full effect the laws for the collection of the revenue, he may authorize the collector of any district into which goods, wares, or merchandise, subject to duty, may be imported, to require the owner, importer, or consignee of such goods, wares, or merchandise, to give bond, in addition to the bond now required by law, in a sum not exceeding the value of such merchandise, that he will produce or cause to be produced, within a reasonable time, to be fixed by the said Secretary, such proof as the said Secretary may deem necessary, and as may be in the power of the said owner, importer, or consignee, to obtain, to enable the collector to ascertain the class or description of manufacture, or rate of duty, to which such goods, wares, or merchandise, may be justly liable.

Additional bond.

SEC. 9. *And be it further enacted*, That, from and after the thirtieth day of September next, all iron manufactured for railroads, shall be liable to the same rate of duty which is now imposed on bar or bolt iron of similar manufacture; and that all scrap iron shall be liable to the same duty that is charged on iron in pigs: *Provided, however*, That when it shall be satisfactorily proved to the Secretary of the Treasury, that any of the said iron imported for the purpose of being applied in the construction of any railroad or inclined plane by any state or incorporated company, has been actually and permanently laid on any such railroad or inclined plane, that then and in that case he may allow to such state or company, a drawback of the duty on such railroad iron so laid, or, if the duty upon the same shall have been actually paid, he may refund the same: *Provided*, such drawback or repayment shall not reduce the duty to be paid on such iron below twenty-five per cent. ad valorem, nor upon any less quantity than twenty tons.

Iron—duty.

Proviso.

Proviso.

APPROVED, May 28, 1830.

STATUTE I.

CHAP. CXLVIII.—*An Act to provide for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the river Mississippi.*

May 28, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That it shall and may be lawful for the President of the United States to cause so much of any territory belonging to the United States, west of the river Mississippi, not included in any state or organized territory, and to which the Indian title has been extinguished, as he may judge necessary, to be divided

Districts to be laid off.

into a suitable number of districts, for the reception of such tribes or nations of Indians as may choose to exchange the lands where they now reside, and remove there; and to cause each of said districts to be so described by natural or artificial marks, as to be easily distinguished from every other.

President to  
exchange, &c.

SEC. 2. *And be it further enacted*, That it shall and may be lawful for the President to exchange any or all of such districts, so to be laid off and described, with any tribe or nation of Indians now residing within the limits of any of the states or territories, and with which the United States have existing treaties, for the whole or any part or portion of the territory claimed and occupied by such tribe or nation, within the bounds of any one or more of the states or territories, where the land claimed and occupied by the Indians, is owned by the United States, or the United States are bound to the state within which it lies to extinguish the Indian claim thereto.

Title secured  
to Indians.

SEC. 3. *And be it further enacted*, That in the making of any such exchange or exchanges, it shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made, that the United States will forever secure and guaranty to them, and their heirs or successors, the country so exchanged with them; and if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: *Provided always*, That such lands shall revert to the United States, if the Indians become extinct, or abandon the same.

Proviso.

Improvements  
to be appraised,  
and paid for.

SEC. 4. *And be it further enacted*, That if, upon any of the lands now occupied by the Indians, and to be exchanged for, there should be such improvements as add value to the land claimed by any individual or individuals of such tribes or nations, it shall and may be lawful for the President to cause such value to be ascertained by appraisement or otherwise, and to cause such ascertained value to be paid to the person or persons rightfully claiming such improvements. And upon the payment of such valuation, the improvements so valued and paid for, shall pass to the United States, and possession shall not afterwards be permitted to any of the same tribe.

Aid in moving,  
&c.

SEC. 5. *And be it further enacted*, That upon the making of any such exchange as is contemplated by this act, it shall and may be lawful for the President to cause such aid and assistance to be furnished to the emigrants as may be necessary and proper to enable them to remove to, and settle in, the country for which they may have exchanged; and also, to give them such aid and assistance as may be necessary for their support and subsistence for the first year after their removal.

Protection.

SEC. 6. *And be it further enacted*, That it shall and may be lawful for the President to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever.

SEC. 7. *And be it further enacted*, That it shall and may be lawful for the President to have the same superintendence and care over any tribe or nation in the country to which they may remove, as contemplated by this act, that he is now authorized to have over them at their present places of residence: *Provided*, That nothing in this act contained shall be construed as authorizing or directing the violation of any existing treaty between the United States and any of the Indian tribes.

500,000 dol-  
lars appropri-  
ated.

SEC. 8. *And be it further enacted*, That for the purpose of giving effect to the provisions of this act, the sum of five hundred thousand dollars is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, May 28, 1830.

STATUTE I.

May 28, 1830.

CHAP. CXLIX.—*An Act to authorize the register and receiver of the St. Helena land district, in Louisiana, to receive evidence, and report upon certain claims to land mentioned therein.*

Certain claims to be examined.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the register and receiver of the St. Helena land district, in the state of Louisiana, are hereby authorized and required to receive evidence in support of the claim of John McDonogh to a tract of land on the Mississippi river, bounded above by the land of John de Bellevire, and below by lands of Madame A. Duplantier, and said to contain about fourteen arpens in front: also, one other tract of land, situated on the river Amite, alleged to have been originally granted to Domingo Assaretto by Governor Miro, on the eighteenth February, one thousand seven hundred and eighty-eight, containing thirty arpens in front, by forty in depth, under whom the said McDonogh claims title.

SEC. 2. *And be it further enacted,* That the said register and receiver shall have the same powers, and perform the same duties, in relation to the said two claims, as was authorized and required of them by the act of the third of March, one thousand eight hundred and nineteen; and shall report to the commissioner of the general land office an abstract of the evidence furnished in each case, together with their opinion thereon, that the same may be laid before Congress at the commencement of their next session.

March 3, 1819, ch. 92.

APPROVED, May 28, 1830.

STATUTE I.

May 28, 1830.

CHAP. CL.—*An Act to repeal a part of an act, passed the twenty-sixth day of March, one thousand eight hundred and four, entitled "An act making provisions for the disposal of the public lands in the Indiana territory, and for other purposes."*

Act of March 26, 1804, ch. 35. Examination of land-office books discontinued.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so much of an act, approved the twenty-sixth day of March, in the year one thousand eight hundred and four, entitled "An act making provisions for the disposal of the public lands in the Indiana territory, and for other purposes," as makes it the duty of the Secretary of the Treasury to cause, at least once every year, the books of the offices to be examined, and the balance of public moneys in the hands of the several receivers of public moneys of the said offices to be ascertained, be, and the same is hereby, repealed.

APPROVED, May 28, 1830.

STATUTE I.

May 28, 1830.

CHAP. CLI.—*An Act relative to the plan of Detroit, in Michigan territory.*

Report to be made.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the governor and judges of the territory of Michigan, or any three of them, are hereby required to make a report of the plan of laying out the town of Detroit, under and by virtue of an act, entitled "An act to provide for the adjustment of titles of land in the town of Detroit, and territory of Michigan, and for other purposes," passed the twenty-first April, one thousand eight hundred and six; one copy of which shall, on or before the first day of January next, be deposited and recorded in the office of the Secretary of the territory of Michigan, and another copy transmitted to the Secretary of State of the United States, to be by him laid before Congress.

Act of April 21, 1806, ch. 43.

APPROVED, May 28, 1830.

## STATUTE I.

May 28, 1830.

Proviso of act  
of May 26, 1824,  
ch. 161, repeal-  
ed.

CHAP. CLII.—*An Act to repeal the proviso in "An act to authorize masters of vessels in certain cases to clear out either at the custom-house of Petersburg, or that of Richmond."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the proviso of an act, passed May twenty-sixth, one thousand eight hundred and twenty-four, entitled "An act to authorize masters of vessels in certain cases to clear out either at the custom-house of Petersburg, or that of Richmond," be, and the same is hereby, repealed.

APPROVED, May 28, 1830.

## STATUTE I.

May 29, 1830.

Solicitor of  
treasury.

Powers and  
duties.

Charge of  
lands, &c.

Release of  
lands, &c.

Papers of treas-  
ury agent to be  
transferred.

Direct taxes,  
&c.

Returns and  
reports.

Statements by  
collectors of  
bonds delivered  
for suit.

CHAP. CLIII.—*An Act to provide for the appointment of a solicitor of the treasury.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be appointed, by the President of the United States, by and with the advice and consent of the Senate, some suitable person, learned in the law, to be solicitor of the treasury; and that all and singular the powers and duties which are by law vested in, and required from, the agent of the treasury of the United States, shall be transferred to, vested in, and required from, the said solicitor of the treasury; and the said solicitor of the treasury shall also perform and discharge so much of the duties heretofore belonging to the office of commissioner, or acting commissioner of the revenue, as relates to the superintendence of the collection of outstanding direct and internal duties. And the said solicitor shall have charge of all lands and other property which have been or shall be assigned, set off, or conveyed to the United States, in payment of debts, and of all trusts created for the use of the United States, in payment of debts due them; and to sell and dispose of lands assigned, or set off to the United States, in payment of debts, or being vested in them by mortgage, or other security for the payment of debts; and in cases where real estate hath already become the property of the United States by conveyance, extent, or otherwise, in payment of a debt, and such debt hath been fully paid, in money, and the same hath been received by the United States, it shall and may be lawful for the solicitor of the treasury to release by deed, or otherwise convey the same real estate to the debtor from whom it was taken, if he shall be living, or if such debtor be dead, to his heirs or devisees, or such person as they shall appoint.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury shall cause to be transferred to the solicitor of the treasury, all books, papers, and records, belonging or appertaining to the office of agent of the treasury, or belonging and appertaining to the superintendence of the collection of outstanding direct taxes and internal duties; and the comptroller of the treasury, and all other officers, who have heretofore been required to cause accounts to be stated and certified, or to make out or forward lists, returns, reports, or statements, to the agent of the treasury, are hereby required to cause such accounts to be stated and certified, and such lists, returns, reports, and statements, to be made and forwarded to the solicitor of the treasury; and all lists, returns, reports, and statements, respecting outstanding direct taxes, and internal duties, heretofore required to be made to the commissioner or acting commissioner of the revenue, shall hereafter be made to the said solicitor of the treasury.

SEC. 3. *And be it further enacted,* That whenever any bond for duties shall be delivered to a district attorney for suit, the collector so delivering the same shall immediately give information thereof to the solicitor

of the treasury, with a full and exact description of the date of such bond, the amount due thereon, and the names of all the obligors thereto; and the solicitor of the treasury shall thereupon make such entry thereof as that the said attorney may duly appear chargeable therewith, until the amount thereof shall have been paid to the United States, or he shall have obtained judgment thereon, and delivered execution to the marshal, or shall otherwise have been duly discharged therefrom: and the several district attorneys of the United States shall, immediately after the end of every term of the circuit and district courts of the United States, in their respective districts, forward to the solicitor of the treasury a full and particular statement, as well of all cases in which the United States are party, which are pending in said courts, as of those which may have been decided during such term, accompanied by a certificate of the clerk of such court; and it shall be the duty of the solicitor of the treasury to make constant and strict comparisons and examinations of the said returns of the district attorneys, and of the reports made by the collectors of bonds delivered to the attorneys for suit; and if it shall appear that any collector shall make return of any bond as in suit, or delivered for suit, which is not, at the time, in suit, or delivered for suit, or shall return any bond as in suit, for the whole amount thereof, when part thereof has been paid to him, or as in suit for more than is actually due thereon, the solicitor of the treasury shall, immediately upon discovery thereof, communicate the same to the President of the United States; and it shall further be the duty of each collector to accompany his return for the last quarter of every year with a particular account of bonds in suit, stating the amount actually unpaid on each; and to the truth of such account he shall certify on oath.

Statements by district attorneys, of suits pending and decided.

Comparison of statements, and of reports thereon.

Collector to send accounts of bonds in suit.

SEC. 4. *And be it further enacted*, That when any suit or action for the recovery of any fine, penalty, or forfeiture, shall be instituted or commenced, a statement of such suit or action shall be immediately transmitted to the solicitor of the treasury, by the attorney instituting the same; and whenever any seizure shall be made for the purpose of enforcing any forfeiture, the collector or other person causing such seizure to be made, shall, in like manner, immediately give information thereof to the solicitor of the treasury.

Statements of suits for fines, seizure, &c.

SEC. 5. *And be it further enacted*, That the said solicitor shall have power to instruct the district attorneys, marshals, and clerks of the circuit and district courts of the United States, in all matters and proceedings, appertaining to suits in which the United States is a party, or interested, and cause them or either of them, to report to him from time to time, any information he may require in relation to the same.

Instructions of attorneys, marshals, and clerks.

SEC. 6. *And be it further enacted*, That all moneys recovered or collected by the solicitor of the treasury, or under his direction, shall be reported by him to the officer from whom the bond or other evidence of debt was received, and proper credit be given therefor; and he shall report in like manner all credits allowed by due course of law, on any suits under his direction.

Report of moneys recovered.

SEC. 7. *And be it further enacted*, That it shall be the duty of the solicitor of the treasury, with the approbation of the Secretary of the Treasury, to establish such rules and regulations, not inconsistent with law, for the observance of collectors, district attorneys, and marshals respecting suits in which the United States are parties, as may be deemed necessary for the just responsibility of those officers, and the prompt collection of all revenues and debts due and accruing to the United States.

Rules for the government of collectors, &c.

SEC. 8. *And be it further enacted*, That it shall be the duty of the solicitor of the treasury to obtain from the several district attorneys of the United States, full and accurate accounts of all causes and actions pending in the courts of the United States, in which the United States shall be plaintiffs, on the fourth day of July next; and shall cause an

Accounts of suits.

Abstract of the same.

intelligible abstract thereof, showing the names of the parties in each suit, the cause of action, the time of its commencement, and such other matters as may be necessary to full information respecting the same, to be prepared and laid before Congress at the commencement of the next session.

Clerk to be transferred.

SEC. 9. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized to transfer one of the clerks now employed in the office of the fifth auditor, to the office of solicitor of the treasury; and the said clerk shall continue to receive the same salary as at present.

Attorney general to advise, &c.

SEC. 10. *And be it further enacted*, That it shall be the duty of the attorney general of the United States, at the request of said solicitor, to advise with and direct the said solicitor as to the manner of conducting the suits, proceedings, and prosecutions aforesaid; and the attorney general shall receive, in addition to his present salary, the sum of five hundred dollars per annum.

Additional salary, 500 dolls.

Salary of solicitor, \$3500.

SEC. 11. *And be it further enacted*, That the solicitor of the treasury shall receive an annual salary of three thousand five hundred dollars, and be authorized to employ, with the approbation of the Secretary of the Treasury, one clerk, who shall receive a salary of eleven hundred and fifty dollars per annum; and one messenger, with a salary of five hundred dollars per annum. All letters to and from the solicitor of the treasury, relating to the duties and business of his office, shall be transmitted by mail free of postage.

Clerk, \$1150.

Messenger, 500 dollars.

Postage free.

3500 dollars appropriated.

SEC. 12. *And be it further enacted*, That the sum of three thousand five hundred dollars be, and the same hereby is, appropriated for the payment of the said salaries for the present year; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 29, 1830.

#### STATUTE I.

May 29, 1830.

CHAP. CLXI.—*An Act to vest in the state of Indiana certain lands within the limits of the canal grant. (a)*

Certain lands vested, &c.

Act of Feb. 27, 1841, ch. 12.

Act of March 2, 1827, ch. 66.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be vested in the state of Indiana twenty-nine thousand five hundred and twenty-eight acres and seventy-eight hundredths of the public lands, to be selected by the canal commissioners of said state, from the alternate sections reserved to the United States in the division made under "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," approved March second, one thousand eight hundred and twenty-seven, which shall be in lieu of the aforesaid quantity heretofore sold by the United States, permanently reserved by treaty to individuals, and located by individual grants before the division aforesaid, and which would otherwise have become the property of the said state in virtue of the act above referred to; the selections aforesaid to be made and reported by the commissioners to the proper land offices, before the reserved sections aforesaid shall be offered for sale.

APPROVED, May 29, 1830.

#### STATUTE I.

May 29, 1830.

CHAP. CLXII.—*An Act relating to the orphans' courts in the District of Columbia.*

Judge's salary, 800 dollars.

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

(a) An act to grant certain lands to the state of Indiana, the better to enable the said state to extend and complete the Wabash and Erie canal, from Terre Haute to the Ohio river, March 3, 1845, ch. 42.

sage of this act, the Secretary of the Treasury pay to the judge of the orphans' court of Alexandria county, in the District of Columbia, in quarterly payments, out of any unappropriated money in the treasury, the sum of eight hundred dollars per annum, in lieu of all other compensation for his services as judge of said court.

SEC. 2. *And be it further enacted*, That, from and after the passage of this act, the Secretary of the Treasury pay to the judge of the orphans' court of Washington county, in the District of Columbia, in quarterly payments, out of any unappropriated money in the treasury, the sum of one thousand dollars per annum, in lieu of all other compensation for his services as judge of said court.

1,000 dollars.  
appropriated.

APPROVED, May 29, 1830.

STATUTE I.

May 29, 1830.

CHAP. CLXIII.—*An Act to protect the surveyors of the public lands of the United States, and to punish persons guilty of interrupting and hindering, by force, surveyors in the discharge of their duty.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That any person who shall hereafter, in any manner, by threats or force, interrupt, hinder, or prevent, the surveying of the public lands, of the United States, or of any private land claim, which has, or may be confirmed by the United States, or the authority thereof, by the persons authorized to survey the same, in conformity with the instructions of the commissioner of the general land office, or the principal surveyors in any of the districts, in any state or territory, shall be considered and adjudged to be guilty of a misdemeanor, and upon conviction in any district or circuit court of the United States, in any state or territory having jurisdiction of the same, shall be fined a sum not less than fifty dollars, nor more than three thousand dollars, and be imprisoned for a period of time, not less than one nor more than three years.

A misdemeanor  
to interrupt sur-  
veys, &c.

Punishment.

SEC. 2. *And be it further enacted*, That, whenever the President of the United States shall be satisfied that forcible opposition has been offered, or will likely be offered, to any surveyor or deputy surveyor, or assistant surveyor, in the discharge of his or their duties, in surveying the public lands of the United States, it shall and may be lawful for the President to order the marshal of the state or district, by himself or deputy, to attend such surveyor, deputy, or assistant surveyor, with sufficient force to protect such officer in the execution of his duty as surveyor, and to remove force should any be offered.

Force to be  
repelled.

APPROVED, May 29, 1830.

STATUTE I.

May 29, 1830.

CHAP. CLXXIX.—*An Act to alter and amend the sixty-fifth article of the first section of an act, entitled "An act for establishing rules and articles for the government of the armies of the United States," passed the tenth of April, one thousand eight hundred and six.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, whenever a general officer commanding an army, or a colonel commanding a separate department, shall be the accuser or prosecutor of any officer in the army of the United States, under his command; the general court-martial for the trial of such officer shall be appointed by the President of the United States.

Act of April  
10, 1806, ch. 20.  
Courts martial  
in certain  
cases to be ap-  
pointed by Pre-  
sident of United  
States.

SEC. 2. *And be it further enacted*, That the proceedings and sentence of the said court shall be sent directly to the Secretary of War, to be by him laid before the President for his confirmation, or approval, or orders in the case.

Repeal of part of the 65th article of the first section of the act of April 10, 1808, ch. 20.

SEC. 3. *And be it further enacted*, That so much of the sixty-fifth article of the first section of "An act for establishing rules and articles for the government of the armies of the United States," passed on the tenth of April, eighteen hundred and six, as is repugnant hereto, be, and the same is hereby, repealed.

APPROVED, May 29, 1830.

STATUTE I.

May 29, 1830.

CHAP. CLXXX.—*An Act to authorize the selection of certain school lands in the territory of Arkansas.*

In certain case, other lands than the 16th sections may be selected.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, wherever the sixteenth sections in said territory, either in whole, or in part, are now, or may hereafter be, included in private claims held by titles confirmed, or legally decided to be valid and sufficient, other lands equivalent thereto and most convenient to the same, may be selected in lieu thereof, under the direction of the Secretary of the Treasury; and the lands so selected shall be entered in the office of the register of the land district in which they may lie, and be, by such register, reported to the commissioner of the general land office, as school lands selected under this act: *Provided*, That, before making any entry of such other lands, the case shall be made out to the satisfaction of the register and receiver of said district, agreeably to rules to be prescribed by the commissioner of the general land office, for that purpose, showing that the sixteenth section, or a part thereof, has been included in the manner above mentioned.

APPROVED, May 29, 1830.

STATUTE I.

May 29, 1830.

CHAP. CLXXXII.—*An Act to provide for surveying certain lands in the territory of Arkansas.*

Allowance of four dollars per mile for certain surveys.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the surveyor general of the states of Illinois, Missouri, and territory of Arkansas, be, and he is hereby, authorized to contract for, and pay, at the rate of four dollars per mile, for the surveying of such of the public lands in the territory of Arkansas, which lie on the rivers, and are so thickly covered with cane, that contracts for executing the surveys thereof, by suitable persons, cannot be made at the existing price: *Provided*, That said surveyor general shall certify to the commissioner of the general land office, from time to time, the quantity of land, for the surveying of which, the additional compensation allowed by this act shall be contracted for, and the reasons, in his opinion requiring the increased allowance.

APPROVED, May 29, 1830.

STATUTE I.

May 29, 1830.

CHAP. CLXXXIII.—*An Act to exempt deserters, in time of peace, from the punishment of death.*

Desertion in time of peace not to be punished with death.

*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, no officer or soldier in the army of the United States, shall be subject to the punishment of death, for desertion in time of peace.

APPROVED, May 29, 1830.



STATUTE I.

CHAP. CLXXXV.—*An Act to reduce the duty on molasses, and to allow a drawback on spirits distilled from foreign materials.*

May 29, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the thirtieth day of September, one thousand eight hundred and thirty, the duty on molasses shall be five cents for each gallon, and no more; and, from and after that time, there shall be allowed a drawback of four cents upon every gallon of spirits distilled in the United States or the territories thereof, from foreign molasses, on the exportation thereof to any foreign port or place other than the dominions of any foreign state immediately adjoining the United States, in the same manner and on the same conditions as before the tariff of May the nineteenth, one thousand eight hundred and twenty-eight.

Duty on molasses five cents.

Drawback on distilled spirits four cents.

APPROVED, May 29, 1830.

STATUTE I.

CHAP. CLXXXIX.—*An Act to reduce the duty on salt.*

May 29, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, the duty on salt be fifteen cents per bushel of fifty-six pounds, from the thirty-first of December next, until the thirty-first of December, one thousand eight hundred and thirty-one; and, after that time, ten cents per bushel, and no more.

Duty on salt reduced.

APPROVED, May 29, 1830.

STATUTE I.

CHAP. CCVII.—*An Act to amend the acts regulating the commercial intercourse between the United States and certain colonies of Great Britain. (a)*

May 29, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That whenever the President of the United States shall receive satisfactory evidence that the government of Great Britain will open the ports in its colonial possessions in the West Indies, on the continent of South America, the Bahama Islands, the Caicos, and the Bermuda or Somer Islands, to the vessels of the United States, for an indefinite or for a limited term; that the vessels of the United States and their cargoes, on entering the colonial ports aforesaid, shall not be subject to other or higher duties of tonnage or impost, or charges of any other description, than would be imposed on British vessels or their cargoes, arriving in said colonial possessions from the United States; that the vessels of the United States may import into the said colonial possessions from the United States any article or articles which could be imported in a British vessel into the said possessions from the United States; and that the vessels of the United States may export from the British colonies aforesaid, to any country whatever, other than the dominions or possessions of Great Britain, any article or articles that can be exported therefrom in a British vessel, to any country other than the British dominions or possessions as aforesaid; leaving the commercial intercourse of the United States, with all other parts of the British dominions or possessions, on a footing not less favourable to the United States, than it now is, and that then, and in such case, the President of the United States shall be, and he is hereby authorized at any time before the next session of Congress, to issue his proclamation, declaring that he has received such evidence; and, thereupon, from the date of such proclamation, the ports of the United States shall be opened, indefinitely or for a term fixed, as the case may be, to British vessels coming from the

President of United States, on the adoption of certain measures by the British Government, authorized to open ports of United States on reciprocal terms.

(a) See Appendix, No. 3, for the proclamation issued by the President of the United States, under the provisions of this act, October 5, 1830.

said British colonial possessions, and their cargoes, subject to no other or higher duty of tonnage or impost, or charge of any description whatever, than would be levied on the vessels of the United States, or their cargoes, arriving from the said British possessions; and it shall be lawful for the said British vessels to import into the United States, and to export therefrom, any article or articles which may be imported or exported in vessels of the United States: and the act, entitled "An act concerning navigation," passed on the eighteenth day of April, one thousand eight hundred and eighteen; an act supplementary thereto, passed the fifteenth day of May, one thousand eight hundred and twenty; and an act, entitled "An act to regulate the commercial intercourse between the United States, and certain British ports," passed on the first day of March, one thousand eight hundred and twenty-three, are, in such case, hereby declared to be suspended, or absolutely repealed, as the case may require.

SEC. 2. *And be it further enacted*, That, whenever the ports of the United States shall have been opened, under the authority given in the first section of this act, British vessels and their cargoes shall be admitted to an entry in the ports of the United States from the islands, provinces, or colonies, of Great Britain, on or near the North American continent, and north or east of the United States.

APPROVED, May 29, 1830.

STATUTE I.

May 29, 1830. CHAP. CCVIII.—*An Act to grant pre-emption rights to settlers on the public lands.* (a)

Act of June 22, 1838, ch. 119. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That every settler or occupant of the public lands, prior to the passage of this act, who is now in pos-

(a) *Pre-emption of Public Lands.*

Purchasers under John Clevés Symmes. Act of March 2, 1799, ch. 34. Act of March 3, 1801, ch. 23. Act of May 1, 1802, ch. 44. Act of March 3, 1803, ch. 21, sec. 4, 5.

Pre-emption of lands granted to persons erecting grist or saw-mills. Act of May 10, 1800, ch. 55, sec. 16.

Mississippi. Act of March 3, 1803, ch. 27, sec. 3. Act of April 21, 1806, ch. 39, sec. 2, 7. Act of March 3, 1807, ch. 36, sec. 8. Act of April 22, 1826, ch. 28, sec. 5. Act of May 28, 1830, ch. 146, sec. 3.

Tennessee. Act of April 18, 1806, ch. 31.

Ohio. Act of April 21, 1806, ch. 39. Act of May 15, 1820, ch. 135.

Michigan. Act of April 25, 1808, ch. 67, sec. 3.

Louisiana. Act of February 15, 1811, ch. 14, sec. 5. Act of April 29, 1816, ch. 162. Act of March 3, 1819, ch. 86, sec. 4. Act of June 15, 1832, ch. 140. Act of June 28, 1834, ch. 125. Act of February 24, 1835, ch. 24.

Illinois. Act of February 5, 1813, ch. 20. Act of April 26, 1816, ch. 101, sec. 6. Act of April 16, 1814, ch. 61, sec. 4. Act of February 27, 1815, ch. 63, sec. 3, 4.

Missouri. Act of April 12, 1814, ch. 52, sec. 5. Act of March 3, 1819, ch. 86, sec. 2, 3. Act of April 29, 1816, ch. 162. Act of July 9, 1832, ch. 180, sec. 3.

Arkansas. Act of May 26, 1824, ch. 154.

Further time given for filing of claims to pre-emption rights. Act of July 14, 1832, ch. 246.

Alabama. Act of April 22, 1826, ch. 28.

Florida. Act of April 22, 1826, ch. 28.

Settlers on public land. Act of May 29, 1830, ch. 208. Act of July 14, 1832, ch. 246. Act of March 2, 1833, ch. 92. June 22, 1838, ch. 119.

Settlers in the Salt Lick reservation in Tennessee. Act of March 3, 1839, ch. 178.

Supplement to the act of June 22, 1838, ch. 119, to grant pre-emption rights to settlers on public lands. June 1, 1840, ch. 32.

An act to appropriate the proceeds of the sales of public lands, and to grant pre-emption rights. September 4, 1841, ch. 16.

An act to perfect the titles to lands south of the Arkansas river, held under New Madrid locations, and pre-emption rights, under the act of one thousand eight hundred and fourteen. March 1, 1843, ch. 50.

An act to authorize the investigation of alleged frauds under the pre-emption laws, and for other purposes. March 3, 1843, ch. 86.

An act granting a section of land for the improvement of Grant river, at the town of Potosi, in Wisconsin territory. June 15, 1844, ch. 50.

An act to confirm certain entries of land in the St. Augustine land district, in the territory of Florida, made under the pre-emption law of 22d June, 1838. June 15, 1844, ch. 74.

An act for the relief of the citizens of towns upon the lands of the United States, under certain circumstances. May 23, 1844, ch. 17.

session, and cultivated any part thereof in the year one thousand eight hundred and twenty-nine, shall be, and he is hereby, authorized to enter, with the register of the land office, for the district in which such lands may lie, by legal subdivisions, any number of acres, not more than one hundred and sixty or a quarter section, to include his improvement, upon paying to the United States the then minimum price of said land: *Provided, however,* That no entry or sale of any land shall be made, under the provisions of this act, which shall have been reserved for the use of the United States, or either of the several states, in which any of the public lands may be situated.

Certain settlers may enter quarter section.

Proviso.

Where two or more settlers.

SEC. 2. *And be it further enacted,* That if two or more persons be settled upon the same quarter section, the same may be divided between the two first actual settlers, if, by a north and south, or east and west line, the settlement or improvement of each can be included in a half quarter section; and in such case the said settlers shall each be entitled to a pre-emption of eighty acres of land elsewhere in said land district, so as not to interfere with other settlers having a right of preference.

Proof of settlement.

SEC. 3. *And be it further enacted,* That prior to any entries being made under the privileges given by this act, proof of settlement or improvement shall be made to the satisfaction of the register and receiver of the land district in which such lands may lie, agreeably to the rules to be prescribed by the commissioner of the general land office for that purpose, which register and receiver shall each be entitled to receive fifty cents for his services therein. And that all assignments and transfers of the right of pre-emption given by this act, prior to the issuance of patents, shall be null and void.

SEC. 4. *And be it further enacted,* That this act shall not delay the sale of any of the public lands of the United States, beyond the time which has been, or may be, appointed, for that purpose, by the President's proclamation; nor shall any of the provisions of this act be available to any person, or persons, who shall fail to make the proof and payment required before the day appointed for the commencement of the sales of lands including the tract, or tracts, on which the right of pre-emption is claimed; nor shall the right of pre-emption, contemplated by this act, extend to any land, which is reserved from sale by act of Congress, or by order of the President, or which may have been appropriated, for any purpose whatsoever.

SEC. 5. *And be it further enacted,* That this act shall be and remain in force, for one year from and after its passage.

APPROVED, May 29, 1830.

STATUTE I.

May 29, 1830.

CHAP. CCXI.—*An Act to revive and continue in force "An act fixing the compensations of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian."*

Act of April 18, 1818, ch. 69, revived.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act passed the eighteenth day of April, one thousand eight hundred and eighteen, entitled "An act fixing the compensation of the secretary of the Senate and clerk of the House of Representatives, of the clerks employed in their offices, and of the librarian," be, and the same is hereby revived and continued in force.

APPROVED, May 29, 1830.

STATUTE I.

May 29, 1830.

CHAP. CCXIII.—*An act increasing the terms of the judicial courts of the United States for the southern district of New York, and adding to the compensation of several district judges of the United States.*

Monthly sessions of district court.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, hereafter, there shall be held, monthly, in the city of New York, a session of the district court of the United States for the southern district of New York, to commence on the first Tuesday of each month, and be held in the manner now provided by law for holding the stated terms of the said court.*

Vol. iii. 120, 774.

Two additional sessions of circuit court.

SEC. 2. *And be it further enacted, That, hereafter, there shall be held, annually, in the city of New York, two additional sessions of the circuit court of the United States, for the said district, for the trial of criminal causes, and suits in equity, to commence on the last Monday of February, and the last Monday of July: And further, That the said court may, at its discretion, direct special sessions thereof to be held in the said city, for the trial of criminal causes or suits in equity; which said additional and special sessions may be held by the said district judge alone.*

Special sessions.

Salaries.

SEC. 3. *And be it further enacted, That, hereafter, the district judge for the southern district of New York, shall reside in the city of New York; and there shall be allowed the said judge, the yearly compensation of thirty-five hundred dollars, to be paid at the treasury of the United States, in quarterly payments; to the judge of the northern district of New York, the sum of two thousand dollars, and to the judge for the district of Connecticut, one thousand five hundred dollars.*

District judges of New York. District judge of Connecticut.

Massachusetts. South Carolina. Georgia. Alabama. Eastern district of Penn. North Carolina. Maine. Rhode Island. Delaware. Maryland. New Jersey. Vermont. Western district of Penn.

SEC. 4. *And be it further enacted, That, hereafter, there shall be allowed the district judges of the United States for the districts of Massachusetts, South Carolina, Georgia, Alabama, and the eastern district of Pennsylvania, each, the yearly compensation of two thousand five hundred dollars; and to the district judges of the following districts, respectively, the yearly compensation following—to the district judge of North Carolina, two thousand dollars; of Maine, one thousand eight hundred dollars; of Rhode Island, one thousand five hundred dollars; of Delaware, one thousand five hundred dollars; of Maryland, two thousand dollars; of New Jersey, one thousand five hundred dollars; of Vermont, one thousand two hundred dollars, and of the western district of Pennsylvania, one thousand eight hundred dollars, to be paid at the treasury of the United States, in quarterly payments.*

APPROVED, May 29, 1830.

STATUTE I.

May 30, 1830.

CHAP. CCXV.—*An Act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war. (a)*

Certain troops of Virginia authorized to draw scrip, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the officers and soldiers, sailors and marines, who were in the service of Virginia on her own state establishment during the revolutionary war, and who were entitled to military land bounties, by the laws and resolutions of that state, their heirs, and assigns, shall be, and they are hereby, authorized to surrender, to the Secretary of the Treasury of the United States, such of their warrants for the said land bounties as shall remain unsatisfied, in whole or in part, and to receive certificates or scrip for the same, at any time before the first day of January, in the year one thousand eight hundred and thirty-five, which certificates or scrip shall be issued by the said Secretary, and signed by him, and countersigned by the commissioner of the general land office, in the following manner, that is to say: There*

(a) Notes of the acts which have been passed relating to Virginia military bounty land, vol. ii. p. 274.

shall be a separate certificate or scrip, for such sum as shall, at the time of issuing the same, be equal to the then minimum price of each quantity of eighty acres of land due by such warrant, and remaining unsatisfied at the time of such surrender, and a like certificate or scrip for such sum as, at the time, shall be equal to the minimum price of the quantity that shall so remain unsatisfied, of any such warrant after such subdivisions of the amount into quantities of eighty acres. And where any such warrant shall have been lost or mislaid, by time and accident, it shall and may be lawful for the party desiring to surrender the same, to surrender an official copy thereof, certified under the seal of the land office of Virginia, with the affidavit of the party endorsed upon, or accompanying the same, stating that such warrant has been lost or mislaid, and that the original hath not been sold or transferred, to the knowledge or belief of the party so surrendering, or his or her guardian.

SEC. 2. *And be it further enacted*, That it shall be the duty of the commissioner of the general land office, to request the executive of Virginia to furnish him with a statement of all such warrants, within the purview of this act, as have already issued, showing the number and date of each warrant, and the quantity of acres granted by each, and also a monthly statement of the same description, showing the number, date, and quantity, of such warrants as shall hereafter be granted. And no warrant shall be taken to be within the provisions of this act, which shall hereafter be granted, unless the executive of Virginia shall cause a certificate to be endorsed thereon, signed by some proper officer, stating that the party to whom such warrant shall be so granted, his, her, or their ancestor or devisor, was entitled thereto by some law or resolution of the said state, in force at the time of the deed of cession, by the state of Virginia, to the United States.

Statement to be obtained from executive of Virginia.

SEC. 3. *And be it further enacted*, That before the Secretary of the Treasury shall issue the scrip required by the provisions of this bill, the applicants shall produce to him the certificate of the register of the land office in Kentucky, and the certificate of the surveyor of the military lands of the Virginia line, that the warrants (when the original is presented, or the copy, when the original has been lost or destroyed,) has not been located, surveyed, or patented, in Kentucky, attested by the seal of his office.

Certificate of non-location.

SEC. 4. *And be it further enacted*, That the certificates or scrip to be issued by virtue of this act, shall be receivable in payment for any lands hereafter to be purchased, at private sale, after the same shall have been offered at public sale, and shall remain unsold at any of the land offices of the United States, established, or to be established, in the states of Ohio, Indiana, and Illinois. And all such certificates or scrip, as shall be issued by virtue of this act shall be assignable, by endorsement thereon, attested by two witnesses: *Provided*, That all certificates or scrip to be issued, in virtue of any warrant hereafter to be granted, shall be issued to the party originally entitled thereto, or his heir or heirs, devisee or devisees, as the case may be.

Scrip receivable, &c.

Proviso.

SEC. 5. *And be it further enacted*, That the provisions of this act shall be deemed and taken to extend to all such officers, soldiers, sailors, marines, chaplains, musicians, surgeons, and surgeons' mates, in the land or sea service of the state of Virginia during the revolutionary war, and generally, to every person to whom the state had engaged to pay a land bounty for services in that war, of any description, by any law or resolution passed before, and in force at the date of the said deed of cession; except only such persons as are mentioned in, and provided for by the reservation contained in the said deed of cession in favour of the officers and soldiers of the said state on continental establishment: *Provided*, That no scrip issued under the provisions of this act, shall entitle the holder to enter or purchase any settled or occupied lands, without the written con-

Persons contemplated by this act.

Proviso.

Proviso. sent of such settlers or occupants, as may be actually residing on said lands at the time the same shall be entered or applied for: *And provided, also,* That the amount of land thus located, shall not exceed two hundred and sixty thousand acres.

Owners of United States military warrants. SEC. 6. *And be it further enacted,* That the provisions of the first and fourth sections of this act, shall extend to and embrace owners of military land warrants, issued, by the United States, in satisfaction of claims for bounty land for services during the revolutionary war; and that the laws, heretofore enacted, providing for the issuing said warrants, are hereby revived and continued in force for two years.

Virginia troops on continental establishment. SEC. 7. *And be it further enacted,* That the provisions of this act shall also be deemed and taken to extend to all the unsatisfied warrants of the Virginia army on continental establishment: *Provided,* That the quantity thereof shall not exceed fifty thousand acres, in addition to the two hundred and sixty thousand acres heretofore authorized to be located by their state line.

APPROVED, May 30, 1830.

STATUTE I.

May 31, 1830.

[Obsolete.]

CHAP. CCXVII.—*An Act making appropriations for certain expenditures on account of the engineer, ordnance, and quartermaster's department.*

*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 wit:

- Barracks. For the erection of barracks and the purchase of land at Fort Crawford, Prairie du Chien, twelve thousand dollars.
- Barracks. For the payment of the land upon which the barracks are erected at Houlton, in the state of Maine, six hundred and twenty-nine dollars and twenty-one cents.
- Barracks. For the completion of the barracks at New London, and for a portico to the officers' quarters, two thousand five hundred dollars.
- Barracks. For barracks, quarters, hospital, and storehouses at Green bay, fifteen thousand dollars.
- Barracks. For the completion of Jefferson barracks, in the state of Missouri, eight thousand seven hundred and thirty-five dollars.
- Storehouse. For the erection of a storehouse for the subsistence and quartermaster's departments at Baton Rouge, three thousand five hundred dollars.
- Barracks. For the erection of barracks at Key West, and for ditching, draining, and clearing, the ground required to be used for military purposes, fifteen thousand dollars.
- Road. For opening a road from Green bay to Winnebago lake, and thence to Fort Winnebago, two thousand dollars.
- Road. For the completion of the military road in the state of Maine, forty-seven thousand four hundred and fifty-one dollars and seventy-two cents.
- Barracks. For the erection of wooden barracks for the troops at Fortress Monroe, ten thousand two hundred dollars.
- National armory. For the purchase of five and a half acres of land for the use of the national armory at Springfield, in Massachusetts, two thousand two hundred dollars.
- Arsenal. For the erection of a new fire-proof arsenal at the national armory at Springfield, in Massachusetts, sixteen thousand dollars.
- Arsenal, &c. For the national armory at Harper's Ferry, Virginia, viz: For extending the walls and embankments which convey the water from the Potomac river to the works, nine thousand three hundred dollars; for erecting a forging-shop, tilt hammer, and new work-shop, six thousand five hundred dollars; for the erection of ten additional dwelling-houses for the workmen, ten thousand dollars; for slating the roofs of the present work-shops, three thousand two hundred dollars.

For the purchase of five acres of land adjoining the arsenal at Water- Arsenal, &c.  
town, Massachusetts, five hundred dollars.

For the erection of a military laboratory and workshop at West Point, West Point.  
two thousand five hundred dollars.

For the purchase of a lithographic press, of paper and ink, and for the Lithography.  
employment of a suitable lithographer for the War Department, six hundred dollars.

For barracks at Fort Gratiot, five thousand dollars. Barracks.

For the security of the Pea Patch island; for the construction of a Fort Delaware.  
new water-tank; and for gravelling the parade at fort Delaware, forty-one thousand three hundred and twenty-one dollars and fourteen cents.

APPROVED, May 31, 1830.

STATUTE I.

CHAP. CCXVIII.—*An Act making a re-appropriation of a sum heretofore* May 31, 1830.  
*appropriated for the suppression of the slave trade.*

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the unexpended balance of the sum of thirty thousand dollars, appropriated by the act, entitled "An act making an appropriation for the suppression of the slave trade," approved May twenty-fourth, one thousand eight hundred and twenty-eight, be re-appropriated to the same object, pursuant to the act of Congress of the third of March, one thousand eight hundred and nine-* Act of May 24, 1828, ch. 98.  
*teen.*

APPROVED, May 31, 1830.

STATUTE I.

CHAP. CCXIX.—*An Act to repeal the tonnage duties upon ships and vessels of the United States, and upon certain foreign vessels. (a)* May 31, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the first day of April next, no duties upon the tonnage of the ships and vessels of the United States, of which the officers and two thirds of the crew shall be citizens of the United States, shall be levied or collected; and all acts and parts of acts imposing duties upon the tonnage of ships and vessels of the United States officered and manned as aforesaid, so far as the same relate to the imposition of such duties, shall, from and after said first day of April next, be repealed.* Tonnage duties abolished as to American vessels:

SEC. 2. *And be it further enacted, That, from and after the said first day of April next, all acts and parts of acts imposing duties upon the tonnage of the ships and vessels of any foreign nation, so far as the same relate to the imposition of such duties, shall be repealed: Provided, That the President of the United States shall be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished.* And as to foreign vessels on certain conditions.

APPROVED, May 31, 1830.

STATUTE I.

CHAP. CCXX.—*An Act to authorize the President of the United States to cause the present site of the national mint to be sold, and making an appropriation for completing the new buildings now erecting.* May 31, 1830.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be authorized, and he is hereby authorized, to cause* Sales, &c.

(a) Acts relating to discriminating duties, vol. iv. p. 2.

to be sold, at such time, and on such terms as he may deem most conducive to the public interest, the site now occupied by the mint establishment, in Philadelphia, with the buildings and improvements thereon, and also to cause the proceeds of the said sale to be paid into the treasury of the United States.

Appropriation,  
50,000 dollars.

SEC. 2. *And be it further enacted*, That the sum of fifty thousand dollars be, and is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be applied to the completion of the mint establishment at the new location, and for furnishing the same with the requisite machinery for conducting the operations thereof.

APPROVED, May 31, 1830.

STATUTE I.

May 31, 1830.

Act of May  
15, 1828, ch. 53.  
Invalid pen-  
sioners not to be  
subject to cer-  
tain deductions.

CHAP. CCXXVIII.—*An Act to amend the act, entitled "An act for the relief of certain surviving officers and soldiers of the army of the revolution."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the second section of the act, entitled "An act for the relief of certain surviving officers and soldiers of the army of the revolution," approved the fifteenth of May, one thousand eight hundred and twenty-eight, shall not be construed to embrace invalid pensioners, and that the pension of invalid soldiers, shall not be deducted from the amount receivable by them under the said act.

APPROVED, May 31, 1830.

STATUTE I.

May 31, 1830.

Mode of ad-  
vertising pro-  
perty for taxes.

Act of May  
26, 1824, ch.  
195, sec. 7.

Election of  
Mayor.

CHAP. CCXXIX.—*An Act to amend the charter of Georgetown.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That public notice of the time and place of sale of any real property chargeable with taxes in Georgetown, in all cases hereafter, shall be given once in each week, for twelve successive weeks, in some one newspaper in the county of Washington, in which shall be stated the number of the lot or lots, or parts thereof, intended to be sold, and the value of the assessment, and the amount of the taxes due and owing thereon; and that so much of the seventh section of an act of Congress, approved May twenty-sixth, one thousand eight hundred and twenty-four, as requires said notice to be given in the National Intelligencer, and in a newspaper in Alexandria, be, and the same is hereby repealed: *Provided*, That nothing in this act shall change the manner of giving notice of the sales of property owned by persons not residing in the District of Columbia.

SEC. 2. *And be it further enacted*, That on the fourth Monday of February next, and on the same day biennially thereafter, the citizens of Georgetown, qualified to vote for members of the two boards of the corporation of said town, shall, by ballot, elect some fit and proper person having the qualifications now required by law to be mayor of the corporation of Georgetown, to continue in office two years, and until a successor is duly elected, and the person having, at said election, which shall be conducted by judges of election appointed by the corporation, the greatest number of legal votes, shall be declared duly elected, and in the event of an equal number of votes being given to two or more candidates, the two boards in joint meeting, by ballot, shall elect the mayor from the persons having such equal number of votes.

Mayor pro  
tem.

SEC. 3. *And be it further enacted*, That in the event of the death or resignation of the mayor, or of his inability to discharge the duties of his office, the two boards of the corporation, in joint meeting, by ballot shall elect some fit person to fill the office until the next regular election.



SEC. 4. *And be it further enacted*, That the present mayor of Georgetown shall continue to fill the office of mayor until the fourth Monday of February next.

SEC. 5. *And be it further enacted*, That so much of the present charter of Georgetown, as is inconsistent with the provisions of this act, be, and the same is hereby repealed.

APPROVED, May 31, 1830.

STATUTE I.

May 31, 1830.

[Obsolete.]

CHAP. CCXXXII.—*An Act making appropriations for examinations and surveys, and also, for certain works of internal improvement.*

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

For defraying the expenses incidental to making examinations and surveys for national works, under the act of thirtieth April, one thousand eight hundred and twenty-four, including five thousand one hundred and four dollars and twenty-seven cents, for arrearages on account of surveys and office rent, in the years one thousand eight hundred and twenty-six, one thousand eight hundred and twenty-seven, and one thousand eight hundred and twenty-eight, thirty thousand dollars.

Examinations and surveys. April 30, 1824, ch. 46.

For continuing the road from Detroit to fort Gratiot, seven thousand dollars.

For road from Detroit.

For continuing the road from Detroit to Saginaw bay, seven thousand dollars.

For road from Detroit.

For continuing the road from Detroit to Chicago, eight thousand dollars.

For road to Chicago.

For completing repairs on the road between Alachua courthouse, and Jacksonville, in Florida, two thousand dollars.

For road in Florida.

For completing the road from Alagua to Mariana, two thousand dollars.

For road in Florida.

For completing the survey and estimate of a canal to connect the waters of the Atlantic with the Gulf of Mexico, ten thousand four hundred dollars. And it shall be the duty of the Secretary of War to cause a detailed report to be made out, showing the practicability or impracticability of making a ship or other canal, and the reasons for either, with an estimate of the probable expense and advantages of such canal as may be considered practicable.

Canal between the waters of the Atlantic and the Gulf of Mexico.

SEC. 2. *And be it further enacted*, That the sum of one hundred thousand dollars be, and the same is hereby appropriated for the purpose of opening, grading, and making the Cumberland road, westwardly of Zanesville, in the state of Ohio; and that the sum of sixty thousand dollars be, and the same is hereby, appropriated for the purpose of opening, grading, and bridging the Cumberland road, in the state of Indiana, commencing at Indianapolis, and progressing with the work to the eastern and western boundaries of said state; and that the sum of forty thousand dollars be, and the same is hereby, appropriated for the purpose of opening, grading, and bridging the Cumberland road, in the state of Illinois; which said sums shall be paid out of any money not otherwise appropriated, and replaced out of the fund reserved for laying out and making roads, under the direction of Congress, by the several acts passed for the admission of states of Ohio, Indiana, Illinois, and Missouri, into the Union, on an equal footing with the original states.

Cumberland road, westward of Zanesville.

SEC. 3. *And be it further enacted*, That for the immediate accomplishment of these objects, the superintendents heretofore appointed, or hereafter to be appointed in the states of Ohio, Indiana, Illinois, shall, under the direction of the President of the United States, faithfully execute the

Cumberland road.

work, and disburse the money, giving bond and security as he shall direct, and receiving such compensation as in his opinion shall be equitable and just, not exceeding to each that heretofore allowed by law to the superintendent of the Cumberland road in the state of Ohio.

Cumberland  
road.  
Appropriation.

SEC. 4. *And be it further enacted*, That the sum of fifteen thousand dollars be, and the same is hereby, granted, for claims due and remaining unpaid at the treasury, on account of the Cumberland road, east of Wheeling, to be paid out of any money in the treasury not otherwise appropriated.

I approve this bill, and ask a reference to my communication to Congress of this date, in relation thereto.

ANDREW JACKSON.

APPROVED, May 31, 1830.

STATUTE I.

May 31, 1830.

CHAP. CCXXXIII.—*An Act making additional appropriations for pay of the marine corps. (a)*

Marine corps.  
Appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there is hereby appropriated, out of any money in the treasury, not otherwise appropriated, a sum sufficient to pay the extra emoluments directed to be paid to the officers of the marine corps by a joint resolution, approved the twenty-ninth day of May, one thousand eight hundred and thirty.

Resolution of  
May 29, 1830.

APPROVED, May 31, 1830.

STATUTE I.

May 31, 1830.

CHAP. CCXXXIV.—*An Act to authorize the payment of the claim of the state of Massachusetts, for certain services of her militia during the late war.*

Claims to be  
settled.

*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, under the superintendence of the Secretary of War, be, and they are hereby, authorized and directed to audit and settle the claims of the state of Massachusetts against the United States for the services of her militia during the late war, in the following cases: First, where the militia of the said state were called out to repel actual invasion, or under a well-founded apprehension of invasion: *Provided*, their numbers were not in undue proportion to the exigency: Second, where they were called out by the authority of the state, and afterwards recognised by the federal government; and Thirdly, where they were called out by, and served under, the requisition of the President of the United States, or of any officer thereof.

Proviso.

Appropriation.

SEC. 2. *And be it further enacted*, That the sum of four hundred and thirty thousand seven hundred and forty-eight dollars and twenty-six cents, if so much be necessary, be applied to the foregoing purposes, out of any moneys in the treasury not otherwise appropriated.

APPROVED, May 31, 1830.

STATUTE I.

May 31, 1830.

CHAP. CCXXXV.—*An Act for the relief of sundry citizens of the United States, who have lost property by the depredations of certain Indian tribes.*

Certain claims  
to be settled,  
&c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the claims of certain citizens of the United States, named in the Senate document at the first session of the nineteenth Congress, number fifty-five, for depredations committed on their property by the Indian tribes therein mentioned, and the claim of James and Jesse Morrison, and the claim of Burd and

(a) See notes of acts passed relating to the marine corps, vol. i. p. 594.

Abram Smith, for Indian depredations, be, and the same are hereby, submitted to the third auditor of the treasury, for examination and adjustment; who is hereby directed to be governed in his decisions, by the provisions of the fourteenth section of the act of March thirtieth, one thousand eight hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," and by treaty stipulations with any of the tribes mentioned, applicable to any of the cases: *Provided*, That no limitation of time for presenting claims under that act shall bar any of the claims herein mentioned. And the amount of each claim, when so established and ascertained, shall be paid to the claimant or claimants, out of any money in the treasury not otherwise appropriated, and the amount of each claim, when so ascertained and established, shall be reported to Congress, with the evidence in its support, for final decision and allowance.

APPROVED, May 31, 1830.

Act of March 30, 1802, ch. 13.

Proviso.

### RESOLUTIONS.

I. RESOLUTION *authorizing the purchase of fifty copies of the sixth volume of the Laws of the United States.*

Dec. 29, 1829.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the clerk of the House of Representatives be directed to purchase fifty copies of the sixth volume of the Laws of the United States, to complete the sets in the library of Congress wanting that volume, at the rate paid for former purchases of the Laws, being four dollars a volume.

APPROVED, December 29, 1829.

Clerk of House of Representatives to purchase 50 copies 6th vol. Laws of United States.

II. RESOLUTION *granting the use of the books in the library of Congress, to the Heads of Departments, to certain officers of Congress, and to Ex-Presidents of the United States.*

Jan. 13, 1830.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the president of the Senate and speaker of the House of Representatives, for the time being, be, and they are hereby authorized to grant the use of the books in the library of Congress, to the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Postmaster General, the secretary of the Senate, and clerk of the House of Representatives, the chaplains of Congress, and any individual, when in the District of Columbia, who may have been President of the United States; at the times, and on the same terms, conditions, and restrictions, as members of Congress are allowed to use said books.

APPROVED, January 13, 1830.

President of the Senate and speaker of the House of Representatives to grant the use of library to Secretaries of State, Treasury, War, Navy, Postmaster General, clerk of the House of Representatives, chaplains, and Ex-Presidents.

III. A RESOLUTION *authorizing the transmission of papers, by mail, relating to the fifth census.*

April 30, 1830.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That so much of the thirteenth section of the act of the third of March, one thousand eight hundred and twenty-five, as restricts the weight of packages by mail, shall not apply to the transmission of papers relating to the fifth census, or enumeration of the inhabitants of the United States.

APPROVED, April 30, 1830.

Papers relating to 5th census.

Act of March 3, 1825, ch. 64.

May 28, 1830.

IV. RESOLUTION for obtaining the aggregate returns of former enumerations of the population of the United States.

Returns to be transmitted to Department of State.

Act of March 1, 1790, ch. 2.  
Act of Feb. 28, 1800, ch. 12.  
Act of March 26, 1810, ch. 17.  
Act of March 14, 1820, ch. 24.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the clerks of the several district and superior courts of the United States be, and they are hereby, directed to transmit to the Secretary of State, the several returns of the enumeration of the inhabitants of the United States, filed in their respective offices by direction of the several acts of Congress, passed the first of March, one thousand seven hundred and ninety; the twenty-eighth of February, one thousand eight hundred; the twenty-sixth of March, one thousand eight hundred and ten; and the fourteenth of March, one thousand eight hundred and twenty.

APPROVED, May 28, 1830.

May 29, 1830.

V. RESOLUTION to suspend proceedings against the corporation of the house of refuge in New York.

Proceedings to be suspended, &c.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and is hereby, directed to suspend all proceedings for the collection of a debt due to the United States from the society or corporation of the house of refuge in the state of New York, until the end of the next session of Congress.

APPROVED, May 29, 1830.

May 29, 1830.

VI. RESOLUTION in relation to the compensation of officers of the marine corps. (a)

Compensation of the officers of marine corps.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the pay, subsistence, emoluments and allowances received by the officers of the marine corps, previous to the first of April, eighteen hundred and twenty-nine, be, and the same is hereby directed to be continued to them from that date up to the twenty-eighth of February, one thousand eight hundred and thirty-one.

APPROVED, May 29, 1830.

May 29, 1830.

VII. RESOLUTION requiring annual reports to be made to Congress, in relation to applications for pensions.

Returns of applicants, for pensions to be made to Congress, &c.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the heads of department, who may severally [be] charged with the administration of the pension laws of the United States of America, be, and they hereby are, respectively, directed and required, as soon as may be after the opening of each session of Congress, to present to the Senate and House of Representatives, a several list of such persons, whether revolutionary, invalid, or otherwise, as shall have made application for a pension, or an increase of pension, and as, in their opinion, respectively, ought to be placed upon the pension roll, or otherwise provided for, and for doing which they have no sufficient power or authority, with the names and residence of such persons, the capacity in which they served, the degree of relief proposed, and a brief statement of the grounds thereof, to the end that Congress may consider the same.

APPROVED, May 29, 1830.

(a) See notes of acts passed by Congress in relation to the marine corps, vol. i. 594.

# ACTS OF THE TWENTY-FIRST 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 sixth day of December, 1830, and ended March third, 1831.*

ANDREW JACKSON, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives.

### STATUTE II.

CHAP. I.—*An Act to change the time of holding the rule term of the circuit court of the district of West Tennessee. (a)*

Jan. 13, 1831.

*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 district judge of Tennessee, to hold a term of the circuit court at Nashville, for the district of West Tennessee, on the first Monday in March, in each year, who shall have power to make all necessary rules and orders touching any suit, action, appeal, writ of error, process, pleadings, or proceedings, that may be pending in said circuit court, or that may have issued returnable to the circuit court to be holden on the first Monday in September next, preparatory to the hearing, trial, or decision of such action, suit, appeal, writ of error, process, pleadings or proceedings; and all writs and process may hereafter be returnable to the said courts to be holden on the first Monday in March, in the same manner as to the sessions of the circuit courts directed by law to be held at Nashville on the first Monday in September of each year: and the writs and other process returnable to the said circuit court on the first Monday in September, may bear teste on the first Monday in March.

District judge of Tennessee to hold term of circuit court at Nashville, first Monday in March.  
Powers.

SEC. 2. *And be it further enacted,* That the said district judge shall have power to adjourn from day to day, or to any other period of time, more than three months before the September term of said court: *Provided,* That no final judgment be rendered at said term to be held by the district judge, except by the consent of both parties.

Proviso: No final judgment except by consent.

APPROVED, January 13, 1831.

### STATUTE II.

CHAP. II.—*An Act to amend an act, entitled "An act to provide for paying to the state of Illinois three per centum of the net proceeds arising from the sale of the public lands within the same."*

Jan. 13, 1831.

[Obsolete.]

*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 provide for paying to the state of Illinois three per centum

Act of Dec. 12, 1820, ch. 2.  
State of Illi-

(a) Acts relating to the circuit court of Tennessee, vol. ii. pp. 420, 477, 516, 693; vol. iii. p. 661. Act of May 5, 1830, ch. 89. Act of July 7, 1838, ch. 193. Act of January 18, 1839, ch. 3. Act of July 4, 1840, ch. 42. Act of May 18, 1842, ch. 30. Act of March 3, 1843, ch. 74. Act of June 17, 1844, ch. 96.

nois exonerated from obligation to render an annual account of the application of the three per cent.

of the net proceeds arising from the sale of the public lands within the same," approved the twelfth of December, eighteen hundred and twenty, as requires an annual account of the application, by the said state, of the said three per centum, to be transmitted to the Secretary of the Treasury, be, and the same is hereby, repealed.

APPROVED, January 13, 1831.

STATUTE II.

Jan. 13, 1831.

[Obsolete.]

CHAP. III.—*An Act making appropriations for carrying into effect certain Indian treaties.*

*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 the service of the year one thousand eight hundred and thirty :

Chippewa school.

For the annual support of a school for the education of Indian youth, as stipulated for by the sixth article of the treaty of the fifth of August, one thousand eight hundred and twenty-six, with the Chippewa tribe of Indians, one thousand dollars.

Pattawatamie annuity and education.

For the payment of the annuity of two thousand dollars, and also the sum of two thousand dollars for education, as stipulated for by the third article of the treaty of the sixteenth October, one thousand eight hundred and twenty-six, with the Pattawatamies, the annual sum of four thousand dollars.

Blacksmith, &c.

For the annual support of a blacksmith and miller, and for furnishing annually one hundred and sixty bushels of salt, under the same treaty, one thousand five hundred and twenty dollars.

Pattawatamie annuities.

For the payment of the permanent and limited annuities provided for by the second article of the treaty with the Pattawatamies, of the twentieth of September, one thousand eight hundred and twenty-eight, annually the sum of three thousand dollars.

Tobacco, &c.

For tobacco, iron, steel, education, annuity to the principal chief, and employment of labourers, by same article, one thousand nine hundred and sixty dollars.

Miamie annuity.

For payment of permanent annuity under the fourth article of the treaty with the Miamies, of the twenty-third of October, one thousand eight hundred and twenty-six, twenty-five thousand dollars.

Iron, &c.

For iron, steel, tobacco, and labourers, by same article, one thousand one hundred dollars.

Support of poor.

For support of the poor and infirm, and for education, under the sixth article of said treaty, two thousand dollars.

APPROVED, January 13, 1831.

STATUTE II.

Jan. 19, 1831.

[Obsolete.]

CHAP. VI.—*An Act to amend an act, entitled "An act to provide for paying to the states of Missouri, Mississippi, and Alabama, three per centum of the net proceeds arising from the sale of the public lands within the same."*

Act of May 3, 1822, c. 46.  
States of Missouri, Mississippi and Alabama exonerated from obligation to render annual account of, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so much of an act, entitled "An act to provide for paying to the states of Missouri, Mississippi, and Alabama, three per centum of the net proceeds arising from the sale of the public lands within the same," approved the third of May, eighteen hundred and twenty-two, as requires an annual account of the application of the said three per centum, to be transmitted to the Secretary of the Treasury, be, and the same is hereby repealed.

APPROVED, January 19, 1831.

STATUTE II.

CHAP. VIII.—*An Act for closing certain accounts, and making appropriations for arrearages in the Indian department.*

Jan. 27, 1831.

[Obsolete.]  
Arrearagos.

*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 dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated, for arrearages in the Indian department, the same to be applied to the payment of balances on accounts presented and settled by the proper accounting officer, and now actually due, which accrued previous to the first day of January, one thousand eight hundred and twenty-nine, and to no other purpose.

Transfers of  
balances.

SEC. 2. *And be it further enacted,* That for the purpose of settling and closing the accounts in the office of the second auditor, relating to Indian affairs, prior to the date of January, one thousand eight hundred and twenty-nine, the President of the United States is hereby authorized to direct transfers to be made from such balances of moneys heretofore appropriated to carry into effect certain Indian treaties as are no longer required for their several objects, to the credit of certain other heads of Indian expenditure, under which balances accruing previously to the above date, remain due to certain individuals, and appear upon the books of the second auditor; also, to direct similar transfers to be made to and from the several specific heads of contingencies of the Indian department, pay of agents, sub-agents, and presents to Indians; and, also, of the sum of five thousand and fourteen dollars and fifteen cents from the head of subsistence of the army, to the head of Indian expenditure, under which that amount was actually applied and expended: *Provided,* always, That no such transfer shall be made unless it satisfactorily appear that the specific expenditure was actually made for the service of Indian affairs, in good faith, by an authorized agent of the government, and before the date aforesaid, and that the balances from which such transfers are authorized to be made are not necessary for the specific purpose of their original appropriation.

Other trans-  
fers.

Proviso.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and is hereby, authorized to pay to Mark and R. H. Bean, of Arkansas, out of any money in the treasury, not otherwise appropriated, eight thousand seven hundred and forty-eight dollars and twenty-five cents, for supplies furnished to the emigrant Creek Indians by direction of former Indian agents: *Provided,* That the said Beans shall first present sufficient evidence to the proper accounting officer, that credit was originally given by them to the government of the United States, and that no part of the amount has been received by them, or satisfied, directly or indirectly, from the agents through whom, they sold or contracted.

To Mark and  
R. H. Bean.

Proviso.

APPROVED, January 27, 1831.

STATUTE II.

CHAP. IX.—*An Act making appropriations for the payment of revolutionary and invalid pensioners.*

Jan. 27, 1831.

[Obsolete.]  
Appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for paying revolutionary and invalid pensioners, viz:

For payment of revolutionary pensioners, for the year one thousand eight hundred and thirty-one, one million eleven thousand one hundred dollars.

Revolutionary  
pensions.

For paying the invalid pensioners, in the year one thousand eight hundred and thirty-one, two hundred and seventy-six thousand seven hun-

Invalid pen-  
sions.

dred and twenty dollars, in addition to an unexpended balance of appropriation for invalid pensioners of twenty-nine thousand two hundred and forty-six dollars ninety-five cents.

Widows and orphans.

For pensions to widows and orphans, five thousand dollars.  
APPROVED, January 27, 1831.

STATUTE II.

Jan. 27, 1831.

CHAP. X.—*An Act to alter the times of holding the district courts of the United States for the districts of Maine and Illinois, and northern district of Alabama.*(a)

District court of Alabama.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the terms of the district court of the United States for the northern district of Alabama, which are now directed by law to be held on the first Mondays of March and October in each year, shall hereafter be held on the second Mondays of April and October in each year; and that the term of the district court of the United States for the district of Maine, which is now directed by law to be held on the second Tuesday of September in each year, shall hereafter be held on the first Tuesday of September in each year: and all processes which may have issued, or which shall hereafter issue, returnable to the next succeeding terms of the said district courts as heretofore established, shall be held returnable, and be returned, to those terms to which they are severally changed by this act.

District court of Maine.

District court of Illinois.

SEC. 2. *And be it further enacted,* That the terms of the district court of the United States for the district of Illinois, which are now directed by law to be held on the third Mondays of June and November in each year, shall hereafter be held on the first Mondays of May and December in each year; and all process which may have issued, or which shall hereafter issue, returnable to the next succeeding terms of the said district court as heretofore established, shall be held returnable, and be returned, to those terms to which they are severally changed by this act.

APPROVED, January 27, 1831.

STATUTE II.

Jan. 27, 1831.

CHAP. XI.—*An Act to extend the time for entering certain donation claims to land in the territory of Arkansas.*

[Expired.]

Certain provisions continued in force for two years from May 24, 1831.

Act of May 24, 1828, ch. 108.

Act of Jan. 6, 1829, ch. 2.

Act of Jan. 13, 1830, ch. 3.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the provisions of the eighth and ninth sections of the act of Congress, approved twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act to aid the state of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said state to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas territory;" and the provisions of the act entitled "An act restricting the location of certain land claims in the territory of Arkansas, and for other purposes," approved sixth January, one thousand eight hundred and twenty-nine; and, also, the provisions of the act, entitled "An act to extend the time for locating certain donations in Arkansas," approved thirteenth January, one thousand eight hundred and thirty, be, and the same are hereby, continued in force for the period of two years, from the twenty-fourth May, one thousand eight hundred and thirty-one: *Provided,* That nothing in this act,

(a) District court of Maine, vol. ii. pp. 667, 829; vol. iii. p. 413. Act of February 15, 1843, ch. 32.

District court of Illinois, vol. iii. p. 237. Act of April 22, 1824, ch. 38. Act of February 19, 1831, ch. 28. Act of July 9, 1832, ch. 182. Act of March 10, 1838, ch. 33.

District court of Alabama, vol. iii. p. 662. Act of April 17, 1822, ch. 23. Act of March 10, 1824, ch. 28. Act of May 22, 1826, ch. 149. Act of March 2, 1827, ch. 41. Act of March 31, 1832, ch. 58. An act to re-organize the district courts of the United States in Alabama, February 6, 1839, ch. 20. Act of August 4, 1842, ch. 123.



or the foregoing acts, shall be so construed as to prevent the President of the United States from bringing the said lands in Arkansas into market under the existing laws; and all claims to donations under the before-recited act, which shall not have been presented and allowed by the proper authorities on or before the day which shall be fixed on by the President for the sale of said land, are hereby declared forfeited to the United States.

APPROVED, January 27, 1831.

STATUTE II.

Jan. 27, 1831.

CHAP. XII.—*An Act further supplemental to the act entitled “An act making further provision for settling the claims to land, in the territory of Missouri,” passed the thirteenth day of June, one thousand eight hundred and twelve. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the United States do hereby relinquish to the inhabitants of the several towns or villages of Portage des Sioux, Saint Charles, Saint Louis, Saint Ferdinand, Villa a Robert, Carondelet, Saint Genevieve, New Madrid, New Bourbon, and Little Prairie, in the state of Missouri, all the right, title, and interest of the United States in and to the town or village lots, out lots, common-field lots, and commons in, adjoining and belonging to, the said towns or villages, confirmed to them respectively, by the first section of the act of Congress, entitled “An act making further provision for settling the claims to land in the territory of Missouri,” passed the thirteenth day of June, one thousand eight hundred and twelve, to be held by the inhabitants of the said towns and villages, in full property, according to their several rights therein, to be regulated or disposed of for the use of the inhabitants, according to the laws of the state of Missouri.

SEC. 2. *And be it further enacted,* That the United States do hereby relinquish all their right, title, and interest, in and to the town and village lots, out lots, and common field lots, in the state of Missouri, reserved for the support of schools, in the respective towns and villages aforesaid, by the second section of the above-recited act of Congress; and that the same shall be sold or disposed of, or regulated for the said purposes, in such manner, as may be directed by the legislature of said state.

APPROVED, January 27, 1831.

Act of June 13, 1812, ch. 99.  
The United States to relinquish certain rights.

United States to relinquish all right, &c. in Missouri.

STATUTE II.

Feb. 3, 1831.

CHAP. XIV.—*An Act making provision for the compensation of witnesses, and payment of other expenses attending the trial of the impeachment of James H. Peck.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That to every witness summoned to attend the trial of the impeachment of James H. Peck, there shall be allowed and paid, for every day's attendance upon the said trial, the sum of four dollars; and also for mileage, at the rate of twenty cents for every mile distance coming to the city of Washington, and returning to the usual place of residence of the witnesses respectively, computing the said distance by the usual route of travel by land.

SEC. 2. *And be it further enacted,* That it shall be the duty of the secretary of the Senate to ascertain and certify the amount due to each witness for attendance and mileage; which certificate shall be a sufficient voucher to entitle the witness to receive from the treasury of the United States, the amount certified to be due, unless otherwise ordered by the Senate.

Witnesses, four dollars per diem, and twenty cents per mile.

Secretary of the Senate to certify.

(a) See notes of decisions of the Supreme Court on land titles in Missouri, vol. ii. pp. 748, 812. Notes of acts passed relative to lands in Missouri, vol. ii. p. 812.

Marshal of the District of Columbia, five dollars *per diem*.

SEC. 3. *And be it further enacted*, That to the marshal of the District of Columbia there shall be allowed and paid, for every day's attendance upon the court of impeachment, during the said trial, the sum of five dollars, the amount to be ascertained and certified by the secretary of the Senate; which certificate shall be a sufficient voucher to entitle the said marshal to receive from the treasury of the United States, the amount certified to be due, unless otherwise ordered by the Senate.

Marshal of Missouri, fifty dollars.

Marshal of Arkansas, five dollars.

13,500 dollars appropriated.

SEC. 4. *And be it further enacted*, That there shall be paid to the marshal of the state of Missouri, the sum of fifty dollars; and to the marshal of the territory of Arkansas, the sum of five dollars, for serving and returning subpoenas for witnesses, issued by order of the said court.

SEC. 5. *And be it further enacted*, That the sum of thirteen thousand five hundred dollars be, and the same is hereby, appropriated to defray the expenses incurred under the provisions of this act, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, February 3, 1831.

#### STATUTE II.

Feb. 3, 1831.

CHAP. XV.—*An Act to authorize the construction of three schooners for the naval service of the United States.*

87,360 dollars appropriated.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be built, equipped, and employed in the naval service of the United States, three schooners, not exceeding twelve guns each; and that the sum of eighty-seven thousand three hundred and sixty dollars be, and the same is hereby, appropriated, out of any moneys in the treasury not otherwise appropriated, for the purpose of carrying the foregoing provisions into effect.

APPROVED, February 3, 1831.

#### STATUTE II.

Feb. 3, 1831.

CHAP. XVI.—*An Act to amend the several acts respecting copy rights. (a)*

Authors of books, &c. and their executors, &c. to have sole right for twenty-eight years.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passing of this act, any person or persons, being a citizen or citizens of the United States, or resident therein, who shall be the author or authors of any book or books, map, chart, or musical composition, which may be now made or composed, and not printed and published, or shall hereafter be made or composed, or who shall invent, design, etch, engrave, work, or cause to be engraved, etched, or worked from his own design, any print or engraving, and the executors, administrators, or legal assigns of such person or persons, shall have the sole right and liberty of printing, reprinting, publishing, and vending such book or books, map, chart, musical composition, print, cut, or engraving, in whole or in part, for the term of twenty-eight years from the time of recording the title thereof, in the manner hereinafter directed.

Renewal of privilege for fourteen years.

SEC. 2. *And be it further enacted*, That if, at the expiration of the aforesaid term of years, such author, inventor, designer, engraver, or any of them, where the work had been originally composed and made by more than one person, be still living, and a citizen or citizens of the United States, or resident therein, or being dead, shall have left a widow, or child, or children, either or all then living, the same exclusive right shall be continued to such author, designer, or engraver, or, if dead, then to such widow and child, or children, for the further term of fourteen years: *Provided*, That the title of the work so secured shall be a second

Conditions.

(a) See notes of the acts which have been passed relating to copyrights, vol. ii. p. 171.

Notes of the decisions of the courts of the United States on the law of copyrights, vol. i. p. 124.

time recorded, and all such other regulations as are herein required in regard to original copyrights, be complied with in respect to such renewed copyright, and that within six months before the expiration of the first term.

SEC. 3. *And be it further enacted,* That in all cases of renewal of copyright under this act, such author or proprietor shall, within two months from the date of said renewal, cause a copy of the record thereof to be published in one or more of the newspapers printed in the United States, for the space of four weeks.

Publication of renewal.

SEC. 4. *And be it further enacted,* That no person shall be entitled to the benefit of this act, unless he shall, before publication, deposit a printed copy of the title of such book, or books, map, chart, musical composition, print, cut, or engraving, in the clerk's office of the district court of the district wherein the author or proprietor shall reside, and the clerk of such court is hereby directed and required to record the same thereof forthwith, in a book to be kept for that purpose, in the words following (giving a copy of the title, under the seal of the court, to the said author or proprietor, whenever he shall require the same:) " District of \_\_\_\_\_ to wit: Be it remembered, that on the \_\_\_\_\_ day of \_\_\_\_\_ anno domini,

Copy of title to be deposited.

To be recorded.

Form of record.

A. B., of the said district, hath deposited in this office the title of a book, (map, chart, or otherwise, as the case may be,) the title of which is in the words following, to wit: (here insert the title;) the right whereof he claims as author (or proprietor as the case may be;) in conformity with an act of Congress, entitled 'An act to amend the several acts respecting copyrights.' C. D. clerk of the district." For which record, the clerk shall be entitled to receive, from the person claiming such right as aforesaid, fifty cents; and the like sum for every copy, under seal, actually given to such person or his assigns. And the author or proprietor of any such book, map, chart, musical composition, print, cut, or engraving, shall, within three months from the publication of said book, map, chart, musical composition, print, cut, or engraving, deliver or cause to be delivered a copy of the same to the clerk of said district. And it shall be the duty of the clerk of each district court, at least once in every year, to transmit a certified list of all such records of copyright, including the titles so recorded, and the dates of record, and also all the several copies of books or other works deposited in his office according to this act, to the Secretary of State, to be preserved in his office.

Fee.

Copy of work to be deposited.

List of works and copies to be transmitted to the Secretary of State.

SEC. 5. *And be it further enacted,* That no person shall be entitled to the benefit of this act, unless he shall give information of copyright being secured, by causing to be inserted, in the several copies of each and every edition published during the term secured on the title-page, or the page immediately following, if it be a book, or, if a map, chart, musical composition, print, cut, or engraving, by causing to be impressed on the face thereof, or if a volume of maps, charts, music, or engravings, upon the title or frontispiece thereof, the following words, viz: " Entered according to act of Congress, in the year \_\_\_\_\_, by A. B., in the clerk's office of the district court of \_\_\_\_\_," (as the case may be.)

Notice of copyright to be printed, &c.

SEC. 6. *And be it further enacted,* That if any other person or persons, from and after the recording the title of any book or books, according to this act, shall, within the term or terms herein limited, print, publish, or import, or cause to be printed, published, or imported, any copy of such book, or books, without the consent of the person legally entitled to the copyright thereof, first had and obtained in writing, signed in presence of two or more credible witnesses, or shall, knowing the same to be so printed or imported, publish, sell, or expose to sale, or cause to be published, sold, or exposed to sale, any copy of such book without such consent in writing; then such offender shall forfeit every copy of such book to the person legally, at the time, entitled to the copyright thereof; and shall also forfeit and pay fifty cents for every such sheet which may be found in his possession, either printed, or printing, pub-

Infringement of copyright to books.

Penalty.

lished, imported, or exposed to sale, contrary to the intent of this act, the one moiety thereof to such legal owner of the copyright as aforesaid, and the other to the use of the United States, to be recovered by action of debt in any court having competent jurisdiction thereof.

Infringement  
of copyright to  
prints, maps,  
&c.

SEC. 7. *And be it further enacted*, That, if any person or persons, after the recording the title of any print, cut, or engraving, map, chart or musical composition, according to the provisions of this act, shall, within the term or terms limited by this act, engrave, etch, or work, sell, or copy, or cause to be engraved, etched, worked, or sold, or copied, either on the whole, or by varying, adding to, or diminishing the main design with intent to evade the law; or shall print or import for sale, or cause to be printed, or imported for sale, any such map, chart, musical composition, print, cut, or engraving, or any parts thereof, without the consent of the proprietor or proprietors of the copyright thereof, first obtained in writing, signed in the presence of two credible witnesses; or, knowing the same to be so printed or imported without such consent, shall publish, sell, or expose to sale, or in any manner dispose of any such map, chart, musical composition, engraving, cut, or print, without such consent, as aforesaid; then such offender or offenders shall forfeit the plate or plates on which such map, chart, musical composition, engraving, cut, or print, shall be copied, and also all and every sheet thereof so copied or printed as aforesaid, to the proprietor or proprietors of the copyright thereof; and shall further forfeit one dollar for every sheet of such map, chart, musical composition, print, cut, or engraving, which may be found in his or their possession, printed or published, or exposed to sale, contrary to the true intent and meaning of this act; the one moiety thereof to the proprietor or proprietors, and the other moiety to the use of the United States, to be recovered in any court having competent jurisdiction thereof.

Penalty.

Privilege re-  
stricted to citi-  
zens or resi-  
dents.

SEC. 8. *And be it further enacted*, That nothing in this act shall be construed to extend to prohibit the importation or vending, printing, or publishing, of any map, chart, book, musical composition, print or engraving, written, composed, or made, by any person not being a citizen of the United States, nor resident within the jurisdiction thereof.

Publication of  
manuscripts  
without con-  
sent, &c.

SEC. 9. *And be it further enacted*, That any person or persons who shall print or publish any manuscript whatever without the consent of the author or legal proprietor first obtained as aforesaid, (if such author or proprietor be a citizen of the United States, or resident therein,) shall be liable to suffer and pay to the author or proprietor, all damages occasioned by such injury, to be recovered by a special action on the case founded upon this act, in any court having cognisance thereof; and the several courts of the United States empowered to grant injunctions to prevent the violation of the rights of authors and inventors, are hereby empowered to grant injunctions, in like manner, according to the principles of equity, to restrain such publication of any manuscript as aforesaid.

Remedy.

Injunction to  
prevent.

General issue,  
&c.

SEC. 10. *And be it further enacted*, That, if any person or persons shall be sued or prosecuted, for any matter, act, or thing done under or by virtue of this act, he or they may plead the general issue and give the special matter in evidence.

False entry of  
copyright.

SEC. 11. *And be it further enacted*, That, if any person or persons, from and after the passing of this act, shall print or publish any book, map, chart, musical composition, print, cut, or engraving, not having legally acquired the copyright thereof, and shall insert or impress that the same hath been entered according to act of Congress, or words purporting the same, every person so offending shall forfeit and pay one hundred dollars; one moiety thereof to the person who shall sue for the same, and the other to the use of the United States, to be recovered by action of debt, in any court of record having cognisance thereof.

Penalty.

Costs.

SEC. 12. *And be it further enacted*, That, in all recoveries under this

act, either for damages, forfeitures, or penalties, full costs shall be allowed thereon, any thing in any former act to the contrary notwithstanding.

Sec. 13. *And be it further enacted*, That no action or prosecution shall be maintained, in any case of forfeiture or penalty under this act, unless the same shall have been commenced within two years after the cause of action shall have arisen.

Limitation of action.

Sec. 14. *And be it further enacted*, That the "Act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies during the times therein mentioned," passed May thirty-first, one thousand seven hundred and ninety, and the act supplementary thereto, passed April twenty-ninth, one thousand eight hundred and two, shall be, and the same are hereby, repealed: saving, always, such rights as may have been obtained in conformity to their provisions.

Repeal of act of May 31, 1790, ch. 15.

Act of April 29, 1802, ch. 36.

Sec. 15. *And be it further enacted*, That all and several the provisions of this act, intended for the protection and security of copyrights, and providing remedies, penalties, and forfeitures, in case of violation thereof, shall be held and construed to extend to the benefit of the legal proprietor or proprietors of each and every copyright heretofore obtained, according to law, during the term thereof, in the same manner as if such copyright had been entered and secured according to the directions of this act.

Provisions of this act for security of copyrights, &c. to extend to existing copyrights.

Sec. 16. *And be it further enacted*, That, whenever a copyright has been heretofore obtained by an author or authors, inventor, designer, or engraver, of any book, map, chart, print, cut, or engraving, or by a proprietor of the same: if such author or authors, or either of them, such inventor, designer, or engraver, be living at the passage of this act, then such author or authors, or the survivor of them, such inventor, engraver, or designer, shall continue to have the same exclusive right to his book, chart, map, print, cut, or engraving, with the benefit of each and all the provisions of this act, for the security thereof, for such additional period of time as will, together with the time which shall have elapsed from the first entry of such copyright, make up the term of twenty-eight years, with the same right to his widow, child, or children, to renew the copyright, at the expiration thereof, as is above provided in relation to copyrights originally secured under this act. And if such author or authors, inventor, designer, or engraver, shall not be living at the passage of this act, then, his or their heirs, executors and administrators, shall be entitled to the like exclusive enjoyment of said copyright, with the benefit of each and all the provisions of this act for the security thereof, for the period of twenty-eight years from the first entry of said copyright, with the like privilege of renewal to the widow, child, or children, of author or authors, designer, inventor, or engraver, as is provided in relation to copyrights originally secured under this act: *Provided*, That this act shall not extend to any copyright heretofore secured, the term of which has already expired.

Extension of existing copyrights.

Proviso.

APPROVED, February 3, 1831.

STATUTE II.

Feb. 3, 1831.

CHAP. XVII.—*An Act to amend the act for taking the fifth census. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That it shall and may be lawful for such of the assistants to the marshals in the respective states and territories, who have not, before the passage of this act, made their re-

Act of March 23, 1830, ch. 40.

(a) An act for the apportionment of representatives among the several states, according to the fifth census, May 23, 1832, ch. 91.

Resolution for the distribution of the returns of the fifth census, July 3, 1832.

Time extended for assistant marshal's returns, &c.

Marshals returns.

Proviso.

Proviso.

Certain copies to be retained by clerks of courts.

Errors to be noted and printed.

spective returns to such marshals, under the act hereby amended, to complete their enumerations and make their returns under the said act, at any time before the first day of June, and for the marshals of such states and territories to make their returns to the Secretary of State at any time before the first day of August, one thousand eight hundred and thirty-one: *Provided*, That nothing herein contained shall be deemed to release such marshals and assistants from the penalties contained in the act aforesaid, unless their returns shall be made within the time prescribed in this act: *And provided further*, That no persons be included in the returns made under the present act, unless such persons shall have been inhabitants of the districts for which such returns shall be made, on the first day of June, one thousand eight hundred and thirty.

SEC. 2. *And be it further enacted*, That the copies of returns and aggregate amounts directed to be filed by the marshals with the clerks of the several district courts, and supreme courts of the territories of the United States, shall be preserved by said clerks, and remain in their offices respectively; and so much of the act to which this is an amendment as requires that they shall be transmitted by said clerks to the Department of State, is hereby repealed.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of State to note all the clerical errors in the returns of the marshals and assistants, whether in the additions, classification of inhabitants, or otherwise, and cause said notes to be printed with the aggregate returns of the marshals, for the use of Congress.

APPROVED, February 3, 1831.

## STATUTE II.

Feb. 12, 1831.

CHAP. XIX.—*An Act to amend the act entitled "An act to quiet the title of certain purchasers of lands between the lines of Ludlow and Roberts, in the state of Ohio," approved the twenty-sixth of May, in the year eighteen hundred and thirty.* (a)

Act of May 26, 1824, ch. 188.

Act of May 26, 1830, ch. 105.

President of United States to pay the claim of Philip Doddridge.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in addition to the sum appropriated by the act, entitled "An act to quiet the titles of certain purchasers of lands between the lines of Ludlow and Roberts, in the state of Ohio," approved the twenty-sixth of May, in the year eighteen hundred and thirty, the President of the United States be, and he is hereby, authorized to pay, out of any money in the treasury not otherwise appropriated, to Philip Doddridge, the claimant of the Virginia military survey, numbered six thousand nine hundred and twenty-eight, for seven hundred acres, being one of the Virginia military surveys, in the said act mentioned, lying between the lines of Ludlow and Roberts, in the state of Ohio, the sum of one thousand seven hundred and sixty-five dollars and sixty-eight cents, with interest at the rate of six per centum per annum, from the fifth day of March, eighteen hundred and twenty-five, until paid; the said Philip having already conveyed to the United States, the title to the said seven hundred acres of land, in the manner directed by the President of the United States, pursuant to the provisions of the act of Congress before recited. This act shall commence and be in force from the passing thereof.

APPROVED, February 12, 1831.

(a) The lands north-west of the river Ohio, between the rivers Scioto and Little Miami, lying west of Ludlow's line, east of Roberts' line, and south of the Indian boundary, reserved by Virginia, in her deed of cession to the United States, of March, 1784, for the satisfaction of the military bounties Virginia had promised, were not, prior to 1810, by any legislative acts of the government of the United States, withdrawn from appropriation under and by virtue of Virginia military land warrants. A patent issued on the 12th October, 1812, founded upon a military warrant, for land within the reserved lands, is valid against a claimant of the same land holding under a sale made by the United States. Reynolds, tenant, &c., v. McArthur, 2 Pet. 417.

STATUTE II.

Feb. 12, 1831.

Act of June 1, 1796, ch. 45.

CHAP. XX.—*An Act to repeal the charges imposed on passports and clearances.*

*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 of the first of June, one thousand seven hundred and ninety-six, entitled "An act providing passports for the ships and vessels of the United States," as imposes a charge of ten dollars for passports, and of four dollars for a clearance, to any ship or vessel bound on a voyage to any foreign country, be, and the same is hereby repealed, to take effect from and after the thirty-first day of March of the present year.*

APPROVED, February 12, 1831.

STATUTE II.

Feb. 12, 1831.

CHAP. XXII.—*An Act authorizing the sale of a tract of land therein named.*

*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 President of the United States to offer at public sale, as soon as may be, the south-west, north-west, and north-east quarters of section number twenty-five, of township number six, in range number one west, in the Cincinnati district, under the same rules and regulations that govern the sale of other public lands of the United States.*

APPROVED, February 12, 1831.

STATUTE II.

Feb. 12, 1831.

CHAP. XXIII.—*An Act to amend the act granting "certain relinquished and unappropriated lands to the state of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Blackwarrior rivers," approved the twenty-third day of May, one thousand eight hundred and twenty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall and may be lawful for the state of Alabama, by the board of canal commissioners appointed by her for that purpose, to contract for and construct that part of the canal round the Muscle shoals, beginning at Campbell's ferry, and running up the river to Lamb's ferry, before they contract for, or complete that part of the said contemplated canal between Campbell's ferry and Florence; any thing in the act to which this is an amendment to the contrary notwithstanding.*

Act of May 23, 1828, ch. 76.  
State of Alabama authorized to contract, &c.

SEC. 2. *And be it further enacted, That it shall be the duty of the engineers of the United States who have this matter in charge, to furnish to said board of commissioners, as soon as practicable, a plan of that section of the canal above contemplated first to be executed, connecting it with the river at or near to Campbell's ferry, and at the most eligible point at, or immediately below Lamb's ferry, on the cheapest practicable plan, in conformity with said original act, to be approved by the President of the United States.*

United States engineers to furnish plan.

SEC. 3. *And be it further enacted, That the section of said canal above Lamb's ferry, shall, by said engineers, be so planned as to connect it with the deep water in the river at or above Lamb's ferry; and the section below Campbell's ferry, shall, in like manner, be connected with the deep water at or below said last-mentioned ferry.*

Plan prescribed

APPROVED, February 12, 1831.

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## STATUTE II.

Feb. 12, 1831.

CHAP. XXIV.—*An Act to authorize the transportation of merchandise by land or by water with the benefit of debenture.*

The benefit of drawback extended to merchandise which has passed into two districts besides the first.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the passage of this act, all goods, wares, or merchandise imported into the United States, the duties on which have been paid, or secured to be paid, may be transported by land, or partly by land, and partly by water, from the district into which they were imported to two other districts, and exported from either of them with the benefit of drawback: *Provided,* That all regulations and formalities now in force, relating to the transportation of goods, wares, or merchandise, by land or by water, from the district into which they were imported to another district, for the benefit of drawback, and such other regulations as are prescribed under and by virtue of the act to which this is an addition, for the further transportation of such goods, wares, or merchandise, to other districts, shall be complied with: *And provided also,* That all the regulations and formalities now in force, respecting the exportation of goods, wares, and merchandise, for the benefit of drawback, shall be complied with, so far as may be consistent with other provisions of the act to which this is in addition; and the Secretary of the Treasury shall be, and he is hereby, authorized to prescribe the form of the certificate to be used, and the oaths to be taken, on the transportation of such goods, wares, or merchandise, from the second district into which they may be so brought, to the third district.

Proviso.

APPROVED, February 12, 1831.

## STATUTE II.

Feb. 19, 1831.

CHAP. XXVI.—*An Act to provide hereafter for the payment of six thousand dollars annually to the Seneca Indians, and for other purposes.*

Secretary of War authorized to pay 6,000 dollars annually, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the proceeds of the sum of one hundred thousand dollars, being the amount placed in the hands of the President of the United States, in trust, for the Seneca tribe of Indians, situated in the state of New York, be hereafter passed to the credit of the Indian appropriation fund; and that the Secretary of War be authorized to receive and pay over to the Seneca tribe of Indians, the sum of six thousand dollars, annually, in the way and manner as heretofore practised, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That the Secretary of War be authorized to receive and pay over to the Seneca tribe of Indians, the sum of two thousand six hundred and fourteen dollars and forty cents, out of any money in the treasury, not otherwise appropriated, on account of the deficiency, by that amount, in the sum paid over to said Indians the last year.

APPROVED, February 19, 1831.

## STATUTE II.

Feb. 19, 1831.

CHAP. XXVII.—*An Act to establish a land office in the territory of Michigan, and for other purposes.*

Land district established in Michigan.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the public lands to which the Indian title has been extinguished, lying west of the meridian line, in the territory of Michigan, shall constitute a new land district; and, for the sale of the public lands within the said district there shall



be a land office established at such place within the district, as the President of the United States may designate, who is hereby authorized to change the location of such office, whenever, in his opinion, the public interest may require it.

President to locate the office.

SEC. 2. *And be it further enacted*, That the land office now established at Monroe, shall be removed to the place designated for the location of this office, and the register and receiver of the Monroe land office, shall superintend the sales of public lands within said district, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are or may be by law provided, in relation to the registers and receivers of public moneys in the several offices established for the sale of public lands.

Monroe land office removed.

SEC. 3. *And be it further enacted*, That all the public lands lying east of the meridian line in the territory aforesaid, which are not now embraced in the district of Detroit, be, and they are hereby, attached thereto; and it shall be the duty of the register and receiver of the land office in said district to deposit in the land office at Detroit all the records, books, and papers, surveys, &c. which pertain to said land office at Monroe, which shall be kept by the register and receiver of the land office at Detroit, as a part of the records of said office.

Detroit district extended.

SEC. 4. *And be it further enacted*, That all such public lands as shall have been offered for sale to the highest bidder at Monroe or Detroit, pursuant to any proclamation of the President of the United States, and which are embraced within the provisions of this act, 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 registers of the land offices to which they are hereby attached; and all provisions of law applicable to the public lands, to which this act applies, shall continue in full force and effect.

Lands to be entered and sold at their appropriate offices.

SEC. 5. *And be it further enacted*, That so much of the state of Illinois as lies between the Illinois and Mississippi rivers, bounded on the south by the base line, on the north by the northern boundary of that state, and on the extreme east by the third principal meridian, be formed into a separate land district, the offices for which to be located where it will best accommodate purchasers and others, by the President; and a register and receiver shall be appointed at such time as the President of the United States shall deem proper.

Land district established in Illinois.

Offices.

SEC. 6. *And be it further enacted*, That another district be also formed in that state, on the north of the dividing line between townships sixteen and seventeen north of the base line, and east of the third principal meridian, including all that part of the state to its northern boundary, the offices for which to be located by the President, where the public interest and the convenience of purchasers may require; and a register and receiver shall be appointed at such time as the President of the United States shall deem proper.

Another district established.

Offices.

SEC. 7. *And be it further enacted*, That the registers and receivers shall reside, respectively, at the places where the land offices are located, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States north-west of the river Ohio.

Residence, security, &c. of registers and receivers.

SEC. 8. *And be it further enacted*, That the said lands shall be disposed of in the same manner, and on the same terms and conditions, as are or may be provided by law for the sale of other lands of the United States: *Provided*, That no tracts of land excepted from sales by virtue of any former acts, shall be sold by virtue of this act.

Sale of lands.

Fort Wayne district, in Indiana, extended.

SEC. 9. *And be it further enacted*, That all the lands to which the Indian title is extinguished, lying in that part of the state of Indiana which is east of the Lake Michigan, bordering upon the northern line of said state, and not attached to any land district, shall be, and the same are hereby, attached to the Fort Wayne district.

APPROVED, February 19, 1831.

STATUTE II.

Feb. 19, 1831.

Jurisdiction of district courts in New York, Pennsylvania, Indiana, Illinois, Missouri, Mississippi, Louisiana and Alabama, extended.

CHAP. XXVIII.—*An Act respecting the jurisdiction of certain district courts.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the district courts of the United States for the northern district of New York, the western district of Pennsylvania, the district of Indiana, the district of Illinois, the district of Missouri, the district of Mississippi, the western district of Louisiana, the eastern district of Louisiana, the northern district of Alabama, and the southern district of Alabama, in addition to the ordinary jurisdiction and powers of a district court, shall, within the limits of their respective districts, have jurisdiction of all causes, except appeals and writs of error, which now are, or hereafter may by law be made, cognisable in a circuit court, and shall proceed therein in the same manner as a circuit court.

APPROVED, February 19, 1831.

STATUTE II.

Feb. 19, 1831.

Persons entitled to lands under, &c.

CHAP. XXX.—*An Act to alter and amend "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all persons entitled to lands, under a contract entered into, on the eighth of January, eighteen hundred and nineteen, by the Secretary of the Treasury on the part of the United States, and Charles Villar, agent of the Tombechee association, in pursuance of "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive," approved on the third of March, eighteen hundred and seventeen, their heirs, devisees or assigns, who appear by the report of William L. Adams, special agent of the treasury, appointed in compliance with a resolution of the senate, passed the twentieth of May, eighteen hundred and twenty-six, to have complied with the conditions of settlement and cultivation, as stipulated for in said contract, or who shall hereafter make it appear to the satisfaction of the Secretary of the Treasury, that they have so complied, shall, on paying into the treasury one dollar and twenty-five cents the acre previous to the third of March, eighteen hundred and thirty-three, receive a patent for the same.

Act of March 3, 1817, ch. 61.

Who appear, &c. to have empty right.

SEC. 2. *And be it further enacted*, That all persons who became entitled to an allotment of land under said contract, their heirs, devisees or assigns, who have failed to comply with the conditions of settlement and cultivation within the period required thereby, who at the time of the passage of this act shall be in the actual occupancy and cultivation of the same, shall, on paying into the treasury one dollar and twenty-five [cents] the acre, previous to the third of March, eighteen hundred and thirty-three, receive a patent for the same.

Other persons to have same right.

Widows and children.

SEC. 3. *And be it further enacted*, That the widow and children of any person who became entitled to an allotment of land under said contract, and died without performing the conditions required, shall, on paying into the treasury one dollar and twenty-five cents per acre, previous to the third of March, eighteen hundred and thirty-three, receive a patent for the same.

APPROVED, February 19, 1831.

STATUTE II.

Feb. 25, 1831.

[Obsolete.]  
Additional appropriation of 36,360 dollars.

CHAP. XXXI.—*An Act making appropriations for the completion and support of the penitentiary in the District of Columbia, 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 addition to the unexpended balance of the appropriation of eighteen hundred and twenty-nine, now subject to the order of the inspectors, there shall be, and hereby is, appropriated for the support of the said penitentiary, for the pay of its officers, the erection of additional buildings and improvements; for a wharf and sea wall; the purchase of materials, tools, and implements of trade; the purchase of additional ground for the institution; the draining of the marsh east of the penitentiary, and other contingent expenses, the sum of thirty-six thousand three hundred and sixty dollars, to be paid out of any money in the treasury, not otherwise appropriated, and to be expended under the direction of the board of inspectors: *Provided,* That no more than two thousand dollars shall be drawn from the treasury at any one time; and that no subsequent draft shall be made, until the amount previously drawn shall be duly accounted for by proper vouchers, regularly numbered, and an abstract of which shall accompany the same.

Proviso.

SEC. 2. *And be it further enacted,* That a majority of the inspectors shall certify upon said abstract, that the amount of moneys, as stated therein, have been actually and necessarily expended; and further, the affidavits of the warden and clerk, taken before a judge or justice of the peace, shall be endorsed on said abstract, stating that the moneys mentioned therein, and vouchers accompanying the same, have been actually paid to the persons, and for the purposes stated in said abstracts and vouchers.

Inspectors to certify, &c.

SEC. 3. *And be it further enacted,* That the warden of the said penitentiary shall be appointed by the President, by and with the advice and consent of the Senate; and said warden shall appoint, and may remove, at his pleasure, all its subordinate officers, excepting the clerk, who shall be appointed and removed by the inspectors, or a majority of them.

Warden.

Sub-officers.

SEC. 4. *And be it further enacted,* That the number of inspectors shall hereafter be reduced to three, a majority of whom shall constitute a board for the transaction of business, and shall receive an annual salary, payable quarter-yearly, of two hundred and fifty dollars each.

Inspectors.

SEC. 5. *And be it further enacted,* That, from and after the passage of this act, the salary of the warden of the said penitentiary shall be fifteen hundred dollars per annum.

Salary of warden.

APPROVED, February 25, 1831.

STATUTE II.

Feb. 25, 1831.

CHAP. XXXII.—*An Act to authorize the appointment of a sub-agent to the Winnebago Indians, on Rock river.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That an additional sub-agent be allowed to the Winnebago tribe of Indians, to reside on the waters of Rock river; and that the said agent shall be appointed as like officers are appointed, and receive the same amount of compensation.

Sub-agent to be allowed to the Winnebago Indians.

APPROVED, February 25, 1831.

STATUTE II.

Feb. 25, 1831.

CHAP. XXXIV.—*An Act supplemental to an act, passed on the thirty-first March, one thousand eight hundred and thirty, entitled "An act for the relief of purchasers of public lands, and for the suppression of fraudulent practices at the public sales of lands of the United States."*

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

Act of March 31, 1830, ch. 48.

Certain purchasers entitled, in certain cases, to patents.

In other cases to pre-emption.

Certain occupants to have pre-emption until July 4, 1831.

Prices.

Proof of possession.

Proviso.

Town property.

or assignees of such of the public lands as were sold on a credit for a less price than fourteen dollars per acre, and on which a further credit has been taken under any of the laws passed for the relief of purchasers of public lands, and which lands have reverted to the United States on account of the balance due thereon not having been paid or discharged, agreeably to said relief laws, shall be entitled to patents, without further payment, in all instances where one dollar and twenty-five cents, or a greater sum, per acre, shall have been paid; or where payment to that amount shall not have been heretofore made, such purchasers, their heirs or assignees, shall have the right of pre-emption until the fourth day of July, one thousand eight hundred and thirty-one, by paying into the proper land office such sum in addition to the amount heretofore paid, as will, together, amount to the minimum price of the lands of the United States at the time of such payment.

SEC. 2. *And be it further enacted*, That all such occupants of relinquished land as are contemplated and described in the second section of the above recited act, to which this is a supplement, as are in possession of land which was sold on credit for a less sum than fourteen dollars per acre, shall have the right of pre-emption of the same lands, according to the legal subdivisions of sections, not exceeding the quantity of two quarter sections, in contiguous tracts or contiguous to other lands held by such occupants respectively, until the fourth day of July, one thousand eight hundred and thirty-one, upon their paying into a proper office for all land originally sold for a price not exceeding five dollars per acre, one dollar and twenty-five cents per acre; and for all lands which originally sold for more than five dollars, and not exceeding fourteen dollars per acre, the amount of the first instalment heretofore paid; such occupants first proving their possession, respectively in conformity to the provisions of the said act, to which this is a supplement, in the manner which has been prescribed by the commissioner of the general land office, pursuant to the provisions thereof: *Provided, however*, That in all cases where proof of possession has been already made under said recited act, proof shall not again be required, unless the applicant choose to take other land than that to which such proof applies.

SEC. 3. *And be it further enacted*, That the provisions of this act shall extend to all town property of which the government has been proprietors, and not subsequently sold, when full payment has not been made: *Provided*, The original purchasers, or their assignees, pay into the proper land office, on or before the fourth of July, one thousand eight hundred and thirty-two, one half of the original purchase money without interest.

APPROVED, February 25, 1831.

## STATUTE II.

Feb. 25, 1831.

CHAP. XXXVI.—*An Act to provide for the adjustment of claims of persons entitled to indemnification under the convention between the United States and his majesty the King of Denmark, of the twenty-eighth March, eighteen hundred and thirty, and for the distribution among such claimants of the sums to be paid by the Danish government to that of the United States according to the stipulation of the said convention.*

Commissioners to meet, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the commissioners who are or may be appointed by the President of the United States, by and with the advice and consent of the Senate, in pursuance of the third article of the convention between the United States of America and his majesty the King of Denmark, signed at Copenhagen the twenty-eighth day of March, one thousand eight hundred and thirty, shall meet at Washington city, in the District of Columbia, and, within the space of two years from the time of their first meeting, shall receive, examine, and

Claims to be decided on within two years.

decide upon the amount and validity of all such claims as may be presented to them, and are provided for by the convention referred to, according to the merits of the several cases, and to justice, equity, and the law of nations, and according to the provisions of said convention.

SEC. 2. *And be it further enacted*, That all records, documents, or other papers, which now are in, or hereafter, during the continuance of this commission, may come into the possession of the Department of State, in relation to such claims, shall be delivered to the commission aforesaid.

Documents.

SEC. 3. *And be it further enacted*, That the said commissioners, or a majority of them, with their secretary, whose appointment is hereinafter provided for, shall convene in this city on the first Monday of April next, and shall proceed to execute the duties of their commission; and the Secretary of State shall be, and he is hereby, authorized and required forthwith, after the passing of this act, to give notice of the said intended meeting, to be published in one or more public gazettes in the city of Washington, and in such other public papers, published elsewhere in the United States, as he may designate.

Day of first meeting.

Notice thereof.

SEC. 4. *And be it further enacted*, That the said commissioners shall proceed immediately after their meeting in the city of Washington, with all convenient despatch, to arrange and docket the several claims, and to consider the evidence which shall have been, or which may be offered by the respective claimants, allowing such further time for the production of such further evidence as may be required, and as they shall think reasonable and just; and they shall thereupon proceed to determine the said claims, and to award distribution of the sums to be received by the United States from the King of Denmark under the stipulations of the convention aforesaid, among the several claimants according to their respective rights.

Claims to be examined, &c.

Time for producing evidence.

SEC. 5. *And be it further enacted*, That the said commissioners shall be, and they are hereby, authorized and empowered to make all needful rules and regulations, not contravening the laws of the land, the provisions of this act, or the provisions of the said convention, for carrying their said commission into full and complete effect.

Powers to make rules.

SEC. 6. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint a secretary to the said commission.

Secretary.

SEC. 7. *And be it further enacted*, That the said commissioners and secretary shall severally take an oath for the faithful performance of the duties of their respective offices.

Oath.

SEC. 8. *And be it further enacted*, That the compensation of the respective officers for whose appointment provision is made by this act shall not exceed the following sums: to each of the said commissioners at the rate of three thousand dollars per annum, and to the secretary of the board at the rate of two thousand dollars per annum; and the President of the United States shall be, and he is hereby, authorized to make such provision for the contingent expenses of the said commission as shall appear to him reasonable and proper; and the said salaries and expenses shall be paid out of any money in the treasury not otherwise appropriated.

Compensation.

Contingent expenses.

SEC. 9. *And be it further enacted*, That all moneys to be received from the Danish government under the convention aforesaid, shall be paid into the treasury of the United States, and shall constitute a fund for satisfying the awards of the commission provided for by this act.

Money received from the Danish government.

SEC. 10. *And be it further enacted*, That all communications to or from the secretary of the board of commissioners on the business of the commission, shall pass by mail free of postage.

Postage.

SEC. 11. *And be it further enacted*, That as soon as the said commission shall be executed and completed, the records, documents, and all other papers in the possession of the commission or its officers, shall be deposited in the office of the Secretary of State.

APPROVED, February 25, 1831.

## STATUTE II.

March 2, 1831.

CHAP. XXXVII.—*An Act for the punishment of crimes in the District of Columbia.* (a)

## Offences.

*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, every person who shall be convicted, in any court in the District of Columbia, of any of the following offences, to wit: manslaughter, assault and battery with intent to kill, arson, rape, assault and battery with intent to commit a rape, burglary, robbery, horse stealing, mayhem, bigamy, perjury, or subornation of perjury, larceny, if the property stolen is of the value of five dollars or upwards, forgery, obtaining by false pretences any goods or chattels, money, bank note, promissory note, or any other instrument in writing for the payment or delivery of money or other valuable thing, or of keeping a faro bank or other common gaming-table, petty larceny upon a second conviction, committed after the passage of this act, shall be sentenced to suffer punishment by imprisonment and labour, for the time and times hereinafter prescribed, in the penitentiary for the District of Columbia.

## Punishment.

Manslaughter,  
&c.

SEC. 2. *And be it further enacted,* That every person duly convicted of manslaughter, or of any assault and battery with intent to kill, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than two nor more than eight years, for the second offence for a period not less than six nor more than fifteen years.

Arson.

SEC. 3. *And be it further enacted,* That every person duly convicted of the crime of maliciously, wilfully, or fraudulently burning any dwelling-house, or any other house, barn, or stable, adjoining thereto, or any store, barn, or out-house, having goods, tobacco, hay or grain therein, although the same shall not be adjoining to any dwelling-house; or of maliciously and wilfully burning any of the public buildings in the cities, towns, or counties, of the District of Columbia, belonging to the United States, or the said cities, towns or counties; or any church, meeting-house or other building for public worship, belonging to any voluntary society, or body corporate; or any college, academy, school-house, or library; or any ship or vessel, afloat or building; or as being accessory thereto; shall be sentenced to suffer imprisonment and labour, for a period of not less than one, nor more than ten years for the first offence, and not less than five nor more than twenty years for the second offence.

SEC. 4. *And be it further enacted,* That every free person, duly convicted of rape, or as being accessory thereto before the fact, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than ten nor more than thirty years, and for the second offence for and during the period of his natural life.

Assault and  
battery to com-  
mit rape.

SEC. 5. *And be it further enacted,* That every free person duly convicted of an assault and battery with intent to commit a rape, shall be punished for the first offence by undergoing confinement in the penitentiary for a period not less than one nor more than five years, and for the second for a period not less than five nor more than fifteen years.

Burglary.

SEC. 6. *And be it further enacted,* That every person duly convicted of burglary, or as accessory thereto before the fact, or of robbery, or as accessory thereto before the fact, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than three nor more than seven years, and for the second offence for a period not less than five nor more than fifteen years.

Horse theft,  
mayhem, biga-  
my.

SEC. 7. *And be it further enacted,* That every person convicted of horse stealing, mayhem, bigamy, or as being accessory to any of said crimes before the fact, shall be sentenced to suffer imprisonment and

(a) See an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes, March 3, 1825, ch. 65, and the notes.

labour, for the first offence for a period not less than two nor more than seven years, and for the second offence for a period not less than five nor more than twelve years.

SEC. 8. *And be it further enacted*, That every person convicted of perjury, or subornation of perjury, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than two nor more than ten years, and for the second offence for a period not less than five nor more than fifteen years. Perjury, subornation of perjury.

SEC. 9. *And be it further enacted*, That every person convicted of feloniously stealing, taking, and carrying away, any goods or chattels, or other personal property, of the value of five dollars or upwards, or any bank note, promissory note, or any other instrument of writing, for the payment or delivery of money or other valuable thing, to the amount of five dollars or upwards, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than one nor more than three years, and for the second offence for a period not less than three nor more than ten years. Theft.

SEC. 10. *And be it further enacted*, That every person convicted of receiving stolen goods, or any article, the stealing of which is made punishable by this act, to the value of five dollars or upwards, knowing them to have been stolen, or of being an accessory after the fact in any felony, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than one nor more than five years, and for the second offence for a period not less than two nor more than ten years. Receiving stolen goods.

SEC. 11. *And be it further enacted*, That every person duly convicted of having falsely forged and counterfeited any gold or silver coin, which now is, or shall hereafter be, passing or in circulation within the District of Columbia; or of having falsely uttered, paid, or tendered in payment, any such counterfeit or forged coin, knowing the same to be forged and counterfeit; or of having aided, abetted or commanded the perpetration of either of the said offences; or of having falsely made, altered, forged, or counterfeited, or caused or procured to be falsely made, altered, forged, or counterfeited, or having willingly aided or assisted in falsely making, altering, forging, or counterfeiting, any paper, writing, or printed paper, to the prejudice of the right of any other person, body politic or corporate, or voluntary association, with intent to defraud such person, body politic or corporate, or voluntary association, or of having passed, uttered or published, or attempted to pass, utter, or publish, as true, any such falsely made, altered, forged, or counterfeited paper, writing or printed paper, to the prejudice of the right of any other person, body politic or corporate, or voluntary association, knowing the same to be falsely made, altered, forged, or counterfeited, with intent to defraud such person, body politic or corporate, or voluntary association, shall be sentenced to suffer imprisonment and labour, for the first offence for a period not less than one year nor more than seven years, for the second offence for a period not less than three nor more than ten years. Forgery.

SEC. 12. *And be it further enacted*, That every person duly convicted of obtaining by false pretences any goods or chattels, money, bank note, promissory note, or any other instrument in writing, for the payment or delivery of money or other valuable thing, or of keeping a faro bank or gaming table, shall be sentenced to suffer imprisonment and labour for a period not less than one year, nor more than five years; and every person, so offending, shall be a competent witness against every other person offending in the same transaction, and may be compelled to appear and give evidence in the same manner as other persons: but the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying. Obtaining by false pretences.

SEC. 13. *And be it further enacted*, That every person, upon a second Keeping gaming table.

conviction of larceny, where the property stolen is under the value of five dollars, or upon a second conviction of receiving stolen goods, knowing them to be stolen, where the property stolen is under the value of five dollars, shall be sentenced to suffer imprisonment and labour for a period not less than one year nor more than three years.

Capital crimes  
not specially  
provided for.

SEC. 14. *And be it further enacted*, That all capital felonies and crimes in the District of Columbia, not herein specially provided for, except murder, treason, and piracy, shall hereafter be punished by imprisonment and labour in the penitentiary of said district, for a period not less than seven nor more than twenty years.

Other offences.

SEC. 15. *And be it further enacted*, That every other felony, misdemeanor, or offence not provided for by this act, may and shall be punished as heretofore, except that, in all cases where whipping is part or the whole of the punishment, except, in the cases of slaves, the court shall substitute therefor imprisonment in the county jail, for a period not exceeding six months.

Former provisions,  
&c. to remain  
in force.

SEC. 16. *And be it further enacted*, That all definitions and descriptions of crimes: all fines, forfeitures, and incapacities, the restitution of property, or the payment of the value thereof; and every other matter not provided for in this act, be and the same shall remain, as heretofore.

Abduction of  
free negroes,  
&c.

SEC. 17. *And be it further enacted*, That if any free person shall, in the said district, unlawfully, by force and violence, take and carry away, or cause to be taken and carried away, or shall, by fraud, unlawfully seduce, or cause to be seduced, any free negro or mulatto, from any part of the said district to any other part of the said district, or to any other place, with design, or intention to sell or dispose of such negro or mulatto, or to cause him or her to be kept and detained as a slave for life, or servant for years, every such person so offending, his or her counselors, aiders, and abettors, shall, on conviction thereof, be punished by fine, not exceeding five thousand dollars, and imprisonment and confinement to hard labour, in the penitentiary, for any time not exceeding twelve years, according to the enormity of the offence.

This law not  
applicable to  
slaves.

SEC. 18. *And be it further enacted*, That nothing herein contained shall be construed to apply to slaves not residents of the District of Columbia; but such slaves shall, for all offences committed in said district, be punished agreeably to the laws as they now exist: *Provided*, That this act shall not be construed to extend to slaves.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

[Obsolete.]

CHAP. XXXVIII.—*An Act making appropriations for certain fortifications during the year one thousand eight hundred and thirty-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 be paid out of any unappropriated money in the treasury, for certain fortifications, viz:

George's Island.

For the preservation of George's island, Boston harbour, five thousand dollars.

Fort Adams.

For fort Adams, Rhode Island, one hundred thousand dollars.

Ft. Hamilton.

For the completion of fort Hamilton, New York, ten thousand dollars.

Ft. Columbus.

For repairing fort Columbus and Castle Williams, New York, twenty-five thousand dollars.

Fort Monroe.

For fort Monroe, Virginia, eighty thousand dollars.

Fort Calhoun.

For fort Calhoun, Virginia, eighty thousand dollars.

Fort Macon.

For the completion of fort Macon, seventy thousand dollars.

Oak Island.

For the completion of the fort on Oak island, North Carolina, ninety-five thousand dollars.



|   |                |
|---|----------------|
| For fortifications at Charleston, South Carolina, forty-five thousand dollars.  | Charleston.    |
| For fortifications at Pensacola, Florida, one hundred thousand dollars.         | Pensacola.     |
| For a fort at Mobile point, ninety thousand dollars.                            | Mobile point.  |
| For repairs of the battery at Bienvenu, Louisiana, three thousand four dollars. | Bienvenu.      |
| For repairs of fort Wood, Louisiana, three thousand six hundred dollars.        | Fort Wood.     |
| For contingencies of fortifications, ten thousand dollars.                      | Contingencies. |
| APPROVED, March 2, 1831.  |                |

STATUTE II.

CHAP. XXXIX.—*An Act for the relief of certain importers of foreign merchandise.* March 2, 1831.

*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 shall be, and he is hereby, authorized to extend relief to any importer of foreign merchandise who may have been charged, under the provisions of the third section of the act, entitled "An act for the more effectual collection of the duties on imports," passed the twenty-eighth day of May, one thousand eight hundred and thirty, with any duty in addition to the duties existing on such merchandise previous to the passage of said act, to the amount of such additional duty: *Provided,* Said merchandise shall have been imported previous to the first day of January last: *Provided, also,* That no person shall be entitled to the relief authorized to be given by this act, who, by the exercise of reasonable diligence, by himself, or his agents, factors, or correspondents, could have complied with the provisions of the said third section of said act; and the Secretary of the Treasury shall require and receive satisfactory evidence, from every person claiming the benefits of this act, that such diligence has been used, and that he has acted bona fide, and without any intent to violate or evade the provisions of said third section, before he shall grant the relief herein provided.

APPROVED, March 2, 1831.

The Secretary of the Treasury authorized to refund certain duties.

Act of May 28, 1830, ch. 147, sec. 3.

Proviso.

Proviso.

STATUTE II.

CHAP. XL.—*An Act for the sale of the lands in the state of Illinois reserved for the use of the salt springs on the Vermillion river, in that state.* March 2, 1831.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the state of Illinois shall be, and is hereby, authorized and empowered to cause to be sold and conveyed, in such manner and on such terms and conditions as the legislature of said state has or may direct, the whole or any part of the lands reserved and set apart by the President of the United States, on the twenty-ninth day of March, eighteen hundred and twenty-five, for the use of the salt works on the Vermillion river, in said state, and to apply the proceeds of such sale to such objects as the legislature of said state has or may direct: *Provided,* Said land shall not be sold for less than one dollar and twenty-five cents per acre.

APPROVED, March 2, 1831.

State of Illinois authorized to sell certain lands.

Proviso.

STATUTE II.

March 2, 1831.

CHAP. XLI.—*An Act for the relief of the citizens of Shawneetown. (a)*  
*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it shall and may be lawful for any purchaser, the assignee or legal representative of any purchaser,

[Obsolete.]

(a) An act concerning Shawneetown, vol. iii. p. 113. Instalments due on certain lots in Shawneetown remitted, vol. iii. p. 778.

Certain purchasers entitled to re-enter certain lots.

Conditions.

Grant to trustees, of all vacant grounds, &c.

of any in or out-lot or lots in the town of Shawneetown in the state of Illinois, which lot or lots may have reverted for the non-payment of the purchase money, to re-enter the same lot or lots which may have so reverted, with the register and receiver of the district of Shawneetown, at any time within six months after the passage of this act, upon the following terms and conditions, to wit: by paying, in addition to what has heretofore been paid upon each in-lot, five dollars, and upon each out-lot, one dollar and twenty-five cents per acre.

SEC. 2. *And be it further enacted,* That there be, and hereby is, granted to the trustees of the town of Shawneetown, and their successors in office, for ever, in trust, to sell, or otherwise dispose of, for the purpose of graduating and paving the river bank within the limits of said town, all the vacant ground not necessary for streets, all the in or out-lots within the bounds of said town, which remain unsold, and all such as may remain unsold under the provisions of the first section of this act; this act to be carried into effect under the direction of the commissioner of the general land office.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

CHAP. XLII.—*An Act to authorize the Secretary of War to purchase an additional quantity of land for the fortifications at fort Washington, upon the river Potomac.*

Purchase of land authorized.

*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 to purchase, in fee-simple, from the executrix or trustees of William Dudley Digges, deceased, a certain piece of land required for the complete defence of the works at fort Washington, on the Potomac, according to a survey of the same, deposited in the topographical bureau, at Washington: *Provided,* The said purchase can be effected for the release of the amount of a judgment against William Dudley Digges, deceased, for thirteen thousand three hundred and sixty-nine dollars and eighty-seven cents, with interest from ninth June, one thousand eight hundred and nineteen, until paid, and costs, which the sureties of the late Robert Brent have assigned to the United States: *And provided, further,* That those who are legally authorized to convey the said land shall make and execute a good title thereto, in fee-simple, with an acquittance of all claims against the United States, for the previous use or occupation of all or any portion of the premises, or for any alleged injury to an adjacent fishery, the right and title to which is to be released to the United States.

Proviso.

Proviso.

Release of judgment.

SEC. 2. *And be it further enacted,* That, upon the completion of the above purchase, on the terms and conditions specified, the proper officer of the United States shall be, and he hereby is, authorized to enter up satisfaction upon the judgment aforesaid.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831:

[Obsolete.]

CHAP. LV.—*An Act making appropriations for the support of government for the year one thousand eight hundred and thirty-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 be paid out of any unappropriated money in the treasury, viz:

Congress.

For pay and mileage of the members of Congress and delegates, three hundred and seven thousand nine hundred and sixty-eight dollars.

Clerks and officers of Congress.

For pay of the officers and clerks of both Houses, thirty-four thousand three hundred dollars.

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

Fuel, &c.

For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, one hundred thousand dollars. The said two sums last named to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose.

Stationery and printing.

For salary of the principal and assistant librarians, two thousand three hundred dollars.

Librarians.

For contingent expenses of the library, and pay of messenger, eight hundred dollars.

Library.

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

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars.

President and Vice President, and heads of departments.

For clerks and messengers in the office of the Secretary of State, nine thousand four hundred dollars.

State Department.

For clerks, machinist, and messenger, in the patent office, five thousand four hundred dollars.

Patent office.

For incidental and contingent expenses of the Department of State, including the printing and packing the laws, twenty thousand dollars.

Contingent expenses.

For compiling, printing, and binding the biennial register, to the thirtieth September, one thousand eight hundred and thirty-one, in pursuance of the resolution of Congress of twenty-seventh April, one thousand eight hundred and sixteen, one thousand dollars.

Biennial register.

For storage of laws and documents, three hundred and forty dollars.

Storage.

For contingent expenses of the patent office, to wit: books, parchment, stationery, and fuel, and including extra clerk hire, one thousand five hundred and thirty dollars.

Expenses of patent office.

For repairs and improvements of grounds and buildings of the patent office, three hundred and sixty dollars.

Improvement of grounds.

For the compensation of the superintendent and watchmen of the north-east executive building, eight hundred and fifty dollars.

N. E. executive building.

For satisfying the claim of John Marshall, late superintendent of the War and Navy buildings, one hundred and thirty-seven dollars.

John Marshall.

For contingent expenses of said building, including fuel, labour, oil, repairs of building, engines and buckets, and improvement of ground, three thousand three hundred and fifty dollars.

N. E. executive building.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, fifteen thousand four hundred dollars.

Treasury Department.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

First comptroller.

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand one hundred dollars.

Clerks, &c.

For compensation to the second comptroller of the treasury, three thousand dollars.

Second comptroller.

For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.

Clerks, &c.

For compensation to the first auditor of the treasury, three thousand dollars.

First auditor.

For compensation to the clerks and messenger in the office of the first auditor, thirteen thousand nine hundred dollars.

Clerks, &c.

For compensation to the second auditor of the treasury, three thousand dollars.

Second auditor.

|                                      |   |
|--------------------------------------|---|
| Clerks, &c.                          | For compensation to the clerks and messenger in the office of the second auditor, sixteen thousand nine hundred dollars.  |
| Third auditor.                       | For compensation to the third auditor of the treasury, three thousand dollars.  |
| Clerks, &c.                          | For compensation to the clerks and messengers in the office of the third auditor, twenty-one thousand nine hundred and fifty dollars.   |
| Fourth auditor.                      | For compensation to the fourth auditor of the treasury, three thousand dollars.   |
| Clerks, &c.                          | For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.   |
| Fifth auditor.                       | For compensation to the fifth auditor of the treasury, three thousand dollars.  |
| Clerks, &c.                          | For compensation to the clerks and messenger in the office of the fifth auditor, twelve thousand eight hundred dollars.   |
| Treasurer.                           | For compensation to the treasurer of the United States, three thousand dollars.   |
| Clerks, &c.                          | For compensation to the clerks and messenger in the office of the treasurer of the United States, six thousand seven hundred and fifty dollars.   |
| Register.                            | For compensation to the register of the treasury, three thousand dollars.   |
| Clerks, &c.                          | For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.  |
| Commissioner of general land office. | For compensation to the commissioner of the general land office, three thousand dollars.  |
| Clerks, &c.                          | For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars; and for temporary clerks, to enable the commissioner to bring up the business of his office, five thousand dollars. |
| M. Bailey.                           | For the commutation of five years' full pay to Mountjoy Bailey; two thousand four hundred dollars.  |
| Solicitor of the treasury.           | For compensation to the solicitor of the treasury, three thousand five hundred dollars.   |
| Clerks, &c.                          | For compensation to the clerks and messenger in the office of the solicitor of the treasury, three thousand nine hundred and fifty dollars.   |
| Secretary to sinking fund.           | For compensation to the secretary to the commissioners of the sinking fund, two hundred and fifty dollars.  |
| Contingent expenses, &c.             | For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the treasury department, the following several sums, viz :   |
| Office of Treasury.                  | For the office of the treasury, including advertising and extra copying, five thousand dollars.   |
| 1st compt'r.                         | For the office of the first comptroller, one thousand dollars.  |
| 2d compt'r.                          | For the office of the second comptroller, one thousand dollars.   |
| 1st auditor.                         | For the office of the first auditor, eight hundred dollars.   |
| 2d auditor.                          | For the office of the second auditor, eight hundred dollars.  |
| 3d auditor.                          | For the office of the third auditor, one thousand dollars.  |
| 4th auditor.                         | For the office of the fourth auditor, one thousand five hundred dollars.  |
| 5th auditor.                         | For the office of the fifth auditor, one thousand dollars.  |
| Treasurer.                           | For the office of the treasurer of the United States, seven hundred dollars.  |
| Register.                            | For the office of the register of the treasury, three thousand dollars.   |
| Commissioner of general land office. | For the office of the commissioner of the general land office, including compensation for maps required by resolution of the Senate of twenty-third of February, one thousand eight hundred and twenty-three, nine thousand dollars.                                  |
| Military land scrip.                 | For compensation for extra aid, during one thousand eight hundred and thirty, in the issuing military land scrip, patents founded on Virginia   |

military surveys, and writing and recording patents for lands sold, four thousand dollars.

For the office of the solicitor of the treasury, including purchase of law books for that office, two thousand dollars.

Solicitor of the treasury.

For translations, and for transmitting passports and sea letters, three hundred dollars.

Translating.

For stating and printing the public accounts for the year one thousand eight hundred and thirty-one, one thousand four hundred dollars.

Printing public accounts.

For compensation of superintendent and watchmen of the south-east executive building, eight hundred and fifty dollars.

S.E. executive building.

For contingent expenses of said building, including fuel, labour, oil, repairs of building, engines and buckets, and improvement of adjoining ground, three thousand three hundred and fifty dollars.

For compensation to the clerks and messengers in the office of the Secretary of War, twenty-one thousand six hundred and fifty dollars.

War Department.

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

For books, maps, and plans for the War Department, one thousand dollars.

For compensation to the clerks and messenger in the office of the paymaster general, four thousand six hundred dollars.

Paymaster general.

For contingent expenses of said office, two hundred dollars.

For compensation to the clerks and messenger in the office of the commissary general of purchases, four thousand two hundred dollars.

Commissary general's office.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks in the office of the adjutant general, two thousand nine hundred and fifty dollars.

Adjutant general's office.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

Commissary general's office.

For contingent expenses of said office, including expenses of advertising, two thousand six hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

Chief engineer.

For contingent expenses of said office, one thousand two hundred and seventy dollars.

For drawing instruments, repairing instruments, purchase and repair of books and maps, one thousand one hundred and ninety dollars.

For the service of a lithographer, and for materials and repairs for the lithographic press, six hundred and thirty-six dollars.

For arrears of the same, one hundred and twenty dollars.

For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.

Ordnance office.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general, eleven hundred and fifty dollars.

Surgeon general's office.

For contingent expenses of said office, two hundred and twenty dollars.

For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

Quartermaster general's office.

For contingent expenses of said office, six hundred dollars.

For the salary of the superintendent and watchmen of the north-west executive building, eight hundred and fifty dollars.

N. W. executive building.

For contingent expenses of said building, including fuel, labour, oil, repairs of building, and engines, and improvement of adjoining ground, three thousand three hundred and fifty dollars.

For compensation to the clerks and messengers in the office of the Secretary of the Navy, eleven thousand two hundred and fifty dollars.

Navy Department.

For contingent expenses of said office, three thousand dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary of the commissioners of the navy board, two thousand dollars.

For compensation to the clerks, draughtsman, and messenger, in the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.

For contingent expenses of the office of the commissioners of the navy board, one thousand eight hundred dollars.

S. W. executive building.

For the salary of the superintendent of the south-west executive building, and the watchmen, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, repairs of building, engines, and improvement of ground, three thousand three hundred and fifty dollars.

Post-office Department.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks and messengers in the office of the postmaster general, forty-one thousand one hundred dollars.

For contingent expenses of said office, seven thousand five hundred dollars.

For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.

For compensation to the extra clerks employed in the Post-office Department, by the late postmaster general, from the first of January, one thousand eight hundred and twenty-eight, to the first of April, one thousand eight hundred and twenty-nine, four thousand one hundred and seventy-five dollars, twenty-seven cents.

For compensation to the temporary and extra clerks employed in the Post-office Department, since the first day of April, one thousand eight hundred and twenty-nine, to the thirty-first December, one thousand eight hundred and thirty, fifteen thousand eight hundred and sixty-nine dollars, eight cents.

For completing the new post-office building, four hundred and eighty-four dollars, three cents.

Surveyors.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.

For compensation to the surveyor south of Tennessee, two thousand dollars.

For compensation to the clerks in the office of said surveyor, including two hundred dollars of arrears, one thousand nine hundred dollars.

For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.

For compensation to clerks in the office of said surveyor, two thousand dollars.

For compensation to the surveyor in Alabama, two thousand dollars.

For compensation to clerks in the office of said surveyor, one thousand five hundred dollars.

For compensation to the surveyor in Florida, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand dollars.

Commissioner of public buildings.

For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.

Mint.

For compensation to the officers and clerk of the mint, nine thousand six hundred dollars.

For compensation to assistants in the several departments of the mint,

including extra clerk hire and labourers, fourteen thousand six hundred dollars.

For incidental and contingent expenses and repairs, cost of machinery, for allowance for wastage in gold and silver coinage, of the mint, thirteen thousand five hundred and ninety dollars.

For compensation to the governor, judges, and secretary of the Michigan territory, seven thousand eight hundred dollars.

Territories.

For contingent expenses of the Michigan territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, and repairs of the legislative hall, including arrearages, eight thousand two hundred and ninety dollars.

For compensation to the governor, judges, and secretary of the Arkansas territory, including additional compensation to each judge, to thirtieth June, one thousand eight hundred and thirty-one, nine thousand four hundred dollars.

For pay and mileage of the legislative council of said territory, five thousand four hundred and ten dollars.

For contingent expenses of the Arkansas territory, three hundred and fifty dollars.

For incidental expenses of the legislature of Arkansas, by act of twenty-fourth May, one thousand eight hundred and twenty-eight, seven hundred and twenty dollars.

1828, ch. 100.

For compensation to the governor, judges, and secretary of the Florida territory, including additional compensation for the judges for extra duty under the act of twenty-third May, one thousand eight hundred and twenty-eight, fifteen thousand three hundred and forty-nine dollars.

1828, ch. 70.

For contingent expenses of the Florida territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and distribution of the laws, including two hundred and forty-eight dollars for arrears, seven thousand six hundred and forty dollars.

For compensation to the chief justice, the associate judges, and district judges of the United States, including arrearages arising from increased salaries of certain district judges under the act of May twenty-ninth, one thousand eight hundred and thirty, eighty-seven thousand seven hundred and twenty dollars, eighteen cents.

Judiciary.

1830, ch. 213.

For the salaries of chief justice and associate judges of the District of Columbia, and of the judges of the orphans' courts of the said district, nine thousand five hundred dollars.

For compensation to William Cranch, chief justice of the circuit court for the District of Columbia, for preparing a code of civil and criminal jurisprudence, in compliance with an act of Congress, approved twenty-ninth April, one thousand eight hundred and sixteen, one thousand dollars.

William Cranch,  
for code of juris-  
prudence.  
1816, ch. 143.

For compensation to the attorney general of the United States, four thousand dollars.

Attorney  
general.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

For contingencies to the office of the attorney general, five hundred dollars.

For a messenger in said office, five hundred dollars.

For purchase of books for office of attorney general, five hundred dollars.

For defraying the expenses already incurred in fitting up the office of the attorney general, seven hundred and thirty-three dollars.

- Reporter Supreme Court. For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.
- District attorneys and marshals. For compensation to the district attorneys and marshals, as granted by law, including those in the several territories, eleven thousand three hundred dollars.
- Expenses of United States courts, &c. 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 thirty-one, 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, one hundred and ninety thousand dollars.
- Pensions. For the payment of sundry pensions granted by the late and present governments, one thousand seven hundred and fifty dollars.
- Lighthouses, &c. For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs and improvements, and contingent expenses, one hundred and ninety-three thousand one hundred and fifty-six dollars.
- Lighthouses. For building lighthouses on little Watt's island, Maryland; on Clay island, Maryland; at the entrance of Roanoke Sound, in North Carolina; at or near Choctaw Point, in Alabama; and near St. Mark's harbour, in Florida, twenty-nine thousand eight hundred dollars, being the amount of balances of moneys heretofore appropriated to the said objects; which said several balances are hereby re-appropriated to the several objects specifically.
- Registers and receivers. For the salaries of registers and receivers of land offices, where there are no sales, two thousand dollars.
- Keepers of archives. For the salaries of two keepers of the public archives in Florida, one thousand dollars.
- Commissioners of loans. For stationery and books for the offices of commissioners of loans, five hundred dollars.
- Assistant counsel, &c. for Florida land claims. 1828, ch. 70. For allowance to assistant counsel and district attorney, under the act supplementary to the several acts providing for the settlement of private land claims in Florida, dated twenty-third of May, one thousand eight hundred and twenty-eight, including contingencies, eight thousand dollars, including the unexpended balance of the last year's appropriation for the same objects.
- Luigi Persico. For the third payment to Luigi Persico, for statues for the Capitol, four thousand dollars.
- Executive buildings. For alterations and improvements in the executive buildings, and painting the same, six thousand five hundred dollars.
- Surveying of public lands. For surveying the public lands, including the amount of arrearages due for the last year, one hundred and thirty thousand dollars.
- Diplomatic expenses. For the salaries of the ministers of the United States to Great Britain, France, Spain, Russia, the Netherlands, and Colombia, fifty-four thousand dollars.
- For the salaries of the secretaries of legation to the same places, twelve thousand dollars.
- For the salaries of the chargé des affaires to Portugal, Denmark, Sweden, Brazil, Buenos Ayres, Chili, Peru, Mexico, and Guatemala, forty thousand five hundred dollars.
- For outfit of the present minister to Russia, nine thousand dollars.
- For outfits of the chargé des affaires at Peru, Chili, Brazil, and Guatemala, eighteen thousand dollars.
- For the outfit and salary of a chargé d'affaires, for the salary of a drogoman at Constantinople; and for the contingent expenses of the legation, thirty-six thousand five hundred dollars, to wit: For the outfit of a chargé d'affaires, four thousand five hundred dollars; for salary of



a charge d'affaires, four thousand five hundred dollars; for salary of a drogoman, two thousand five hundred dollars; for the contingent expenses of the legation, twenty-five thousand dollars.

For the contingent expenses of foreign intercourse, in addition to the sum of twenty-five thousand dollars hereinafter appropriated, the sum of fifteen thousand dollars.

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

For the salaries of the agents for claims at London and Paris, four thousand dollars.

For the expenses of intercourse with the Barbary powers, thirty thousand dollars.

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

For the contingent expenses of foreign intercourse, twenty-five thousand dollars.

For carrying into effect the act of May twenty-ninth, one thousand eight hundred and thirty, for the settlement of the accounts of certain diplomatic functionaries, ten thousand five hundred dollars.

1830, ch. 154.

For the payment of claims for property lost, captured or destroyed by the enemy, the balance of the appropriation made by the act of third March, one thousand eight hundred and twenty-five, heretofore carried to the surplus fund, thirty-two thousand seventy-three dollars and eighty cents.

Property lost, &c.  
1825, ch. 66.

For the compensation due to James Parker for investigating the accounts of Robert Arnold, late collector of Amboy, two hundred [and] nine dollars and sixty-four cents.

James Parker.

For the designating and marking the boundary line between the state of Louisiana and the district of Arkansas, three thousand dollars; the same to be expended under the direction of the Secretary of State.

Boundary of Louisiana and Arkansas.

For preparing a revision of the former estimates of the population of the United States, one thousand dollars.

Revision of estimates.

APPROVED, March 2, 1831.

STATUTE II.

CHAP. LVI.—*An Act making additional appropriations for the improvement of certain harbours, and removing obstructions in the mouths of certain rivers.*

March 2, 1831.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums of money be, and the same are hereby, appropriated, for carrying on and completing certain works heretofore commenced, to be paid out of any money in the treasury not otherwise appropriated, viz :

For removing obstructions at the mouth of Huron river, Ohio, three thousand four hundred and eighty dollars.

Huron river.

For removing sand bar at or near the mouth of Black river, Ohio, nine thousand two hundred and seventy-five dollars.

Black river.

For completing the improvement of Cleaveland harbour, Ohio, three thousand six hundred and seventy dollars.

Cleaveland harbour.

For completing the removal of obstructions at the mouth of Grand river, Ohio, five thousand six hundred and eighty dollars.

Grand river.

For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, seven thousand and fifteen dollars.

Ashtabula creek.

For improving the navigation of Conneaut creek, Ohio, six thousand three hundred and seventy dollars.

Conneaut creek.

For completing the improvement of the harbour of Presque isle, Pennsylvania, one thousand seven hundred dollars.

Presque isle.

For improving the navigation of Genesee river, New York, sixteen thousand six hundred and seventy dollars.

Genesee river

- Sodus bay. For removing obstructions at the mouth of Big Sodus bay, New York, seventeen thousand four hundred and fifty dollars.
- Oswego. For completing piers at Oswego, New York, two thousand eight hundred and twelve dollars and ninety-two cents.
- Contractors. For claim of contractors for losses by storms in eighteen hundred and twenty-nine, five hundred and nineteen dollars.
- Oswego. For securing the works of Oswego harbour, New York, by a stone pier-head and mole, eighteen thousand six hundred dollars.
- Buffalo. For completing the pier, at the mouth of Buffalo harbour, New York, twelve thousand nine hundred dollars.
- Dunkirk. For securing and completing the works at the harbour of Dunkirk, New York, six thousand four hundred dollars.
- Provincetown. For further protection and preservation of the beach of Provincetown, Massachusetts, two thousand and fifty dollars.
- Merrimack breakwater. For the repair and completion of the breakwater at the mouth of Merrimack river, Massachusetts, sixteen thousand dollars.
- Kennebunk. For completing repairs to piers at the entrance of Kennebunk river, Maine, one thousand one hundred and seventy-five dollars.
- Deer island. For completing the sea wall for the preservation of Deer island, Boston harbour, Massachusetts, twelve thousand three hundred and ninety dollars.
- Plymouth beach. For repairing Plymouth beach, Massachusetts, two thousand eight hundred and twenty dollars.
- Hyannis breakwater. For completing the breakwater at Hyannis harbour, Massachusetts, eight thousand four hundred dollars.
- Nantucket. For removing the bar at the mouth of Nantucket harbour, Massachusetts, eight thousand two hundred and sixty-five dollars.
- New Castle. For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, in the Delaware river, four thousand dollars.
- Cape Fear river. For improving Cape Fear river, below Wilmington, North Carolina, twenty-five thousand seven hundred and five dollars.
- Ocracock. For carrying on the works for the improvements of Ocracock inlet, in North Carolina, seventeen thousand dollars.
- St. Mark's. For completing the removal of obstructions in the river and harbour of St. Mark's, Florida, seven thousand four hundred and thirty dollars.
- Appalachicola. For completing the removal of obstructions in the Appalachicola river, Florida, eight thousand dollars.
- Red river. For arrearage due Major Birch for survey of the raft of Red river, Louisiana, one hundred and eighty-seven dollars and fifty cents.
- Black Rock. For arrearage due the superintendent of the works at Black Rock harbour, New York, one thousand eight hundred dollars.
- Dunkirk. For arrearage due for materials delivered to the works at Dunkirk harbour, New York, seven hundred and two dollars, fifty cents.
- Delaware breakwater. For carrying on the work of the Delaware breakwater, two hundred and eight thousand dollars.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

[Obsolete.]

CHAP. LVII.—*An Act making appropriations for the naval service for the year one thousand eight hundred and thirty-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 they are hereby, appropriated, to be paid out of any moneys in the treasury not otherwise appropriated:*

Officers, &c. For pay and subsistence of the officers of the navy, and pay of sea-

men, one million two hundred and seventy-eight thousand six hundred and ninety-four dollars.

For pay of superintendents, naval constructors, and all the civil establishment of the several navy yards and stations, fifty-seven thousand six hundred and eighty dollars.

For provisions, one hundred seventy-three thousand four hundred and sixty-three dollars.

For repairs of vessels in ordinary, and the wear and tear of vessels in commission, six hundred and fifteen thousand four hundred dollars.

For medicines, surgical instruments, hospital stores, and other expenses on account of the sick, twenty-five thousand five hundred dollars.

For repairs and improvements of navy yards, two hundred and forty-four thousand dollars.

For the erection of a wharf at the navy yard at Pensacola, twenty-eight thousand two hundred and fifty dollars.

For defraying expenses that may accrue during the year one thousand eight hundred and thirty-one, for the following purposes, viz :

For freight and transportation of materials and stores of every description ; for wharfage and dockage, storage and rent, travelling expenses of officers, and transportation of seamen, house rent, chamber money, and fuel and candles to officers, other than those attached to navy yards and stations, and for officers in sick quarters, where there is no hospital, and for funeral expenses ; for commissions, clerk hire, and 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 allowances for persons attending courts martial and courts of inquiry, and for officers engaged in extra service beyond the limits of their stations ; for printing and stationery of every description, and for books, maps, charts, and mathematical and nautical instruments, chronometers, models and drawings ; for purchase and repair of steam and fire engines, and for machinery ; for 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 ; for cabin furniture of vessels in commission ; and for furniture of officers' houses at navy yards ; for taxes on navy yards and public property ; for assistance rendered to vessels in distress ; for incidental labour at navy yards, not applicable to any other appropriation ; for coal and other fuel for forges, foundries, and steam engines ; for candles, oil, and fuel for vessels in commission and in ordinary ; for repairs of magazines and powder houses ; for preparing moulds for ships to be built ; and for no other object or purpose whatever, two hundred and fifty thousand dollars.

For contingent expenses for objects arising during the year one thousand eight hundred and thirty-one, and not herein before enumerated, five thousand dollars.

For pay of the officers, non-commissioned officers, and privates, and for subsistence of officers of the marine corps, one hundred and nine thousand three hundred and seventy-three dollars ; the pay, subsistence, emoluments, and allowances of the said officers, non-commissioned officers and privates, to be the same as they were previously to the first of April, one thousand eight hundred and twenty-nine.

For subsistence for four hundred and sixty-one non-commissioned officers, musicians, and privates, and washer-women, serving on shore, twenty thousand one hundred and ninety-one dollars.

For clothing, twenty-eight thousand seven hundred and sixty-five dollars.

For fuel, nine thousand and ninety-eight dollars.

For contingent expenses, fourteen thousand dollars.

For military stores, two thousand dollars.

For medicines, two thousand three hundred and sixty-nine dollars.

Superintendents.

Provisions.

Repairs, &c.

Medicines, &c.

Navy yards.

Miscellaneous.

Contingencies.

Marine corps.

Subsistence.

Clothing.

Fuel.

Contingencies.

Stores.

Medicines.

Suppress slave trade.

For carrying into effect the acts for the suppression of the slave trade, including the support in the United States, and for a term not exceeding six months after their arrival in Africa, of all persons removed from the United States under the said acts, ten thousand dollars.

Balances.

The said several sums to be respectively applied to the several objects of appropriation above mentioned, in addition to the unexpended balances of appropriation for similar objects in the year one thousand eight hundred and thirty.

Support of Africans.

For the support of certain Africans brought into the port of New Orleans in the Spanish schooner Fenix, and now in the charge of the marshal of the eastern district of Louisiana, six thousand dollars, to be applied to their support under the direction of the Secretary of the Navy, at a rate not exceeding twenty cents per day.

Captain William B. Finch.

To enable the President of the United States to allow compensation to Captain William B. Finch, for extra services and expenses in command of the sloop of war Vincennes, in the years one thousand eight hundred and twenty-nine and one thousand eight hundred and thirty, five thousand dollars; the accounts for such services and expenses to be settled under the direction of the President.

Benjamin Pendleton.

For compensation to Captain Benjamin Pendleton for moneys paid by him for cancelling the charter-party, and outfit and demurrage of the brig Seraph, of Stonington, for his pay as a lieutenant of the navy, and for moneys paid by him to the ship keeper of the said vessel, four thousand seven hundred and sixty-three dollars.

Monument at navy yard.

For re-building and removing the monument erected in the navy yard at Washington, by the officers of the American navy, to the memory of those who fell in battle in the Tripolitan war, a sum not exceeding twenty-one hundred dollars, to be expended under the orders of the Secretary of the Navy.

Marine barracks.

SEC. 2. *And be it further enacted*, That the sum heretofore appropriated for the erection of marine barracks at Philadelphia, and which has passed to the surplus fund, be, and the same is hereby, re-appropriated to the said object.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.  
[Obsolete.]

CHAP. LVIII.—*An Act making appropriations for carrying on certain roads and works of internal improvement, and for providing for surveys.*

*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 the several objects respectively herein named, to be applied during the year one thousand eight hundred and thirty-one, the same to be paid out of any money in the treasury not otherwise appropriated, viz :

Detroit, &c.

For continuing the road from Detroit towards Chicago, Michigan, ten thousand dollars.

For continuing the road from Detroit to fort Gratiot, Michigan, eight thousand dollars.

For continuing the road from Detroit to Saganaw bay, eight thousand dollars.

T. S. Knapp.

For arrearage due to T. S. Knapp, fourteen dollars and seventy-five cents.

Surveys, &c.  
1824, ch. 46.

For defraying the expenses incidental to making examinations and surveys under the act of the thirtieth day of April, one thousand eight hundred and twenty-four, twenty-five thousand dollars.

Navigation of Ohio and Mississippi rivers.

For improving the navigation of the Ohio and Mississippi rivers, to be expended under the existing laws, fifty thousand dollars.

That the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated to the improvement of the navigation of the

Ohio and Mississippi rivers from Pittsburg to New Orleans, in removing the obstructions in the channels at the shoal places and ripples, and by such other means as may be deemed best for the deepening of the channels of the Ohio river, which said sum shall be expended under the direction of the President of the United States, by the superintendent appointed to execute said works of improvement; and the President is hereby authorized and required to take bond with approved security in fifty thousand dollars conditioned for the faithful performance of the duties required of him under such instructions as may be given him for the improvement of the navigation of said rivers, and that an officer of engineers be associated with said superintendent, with authority to suspend the operation of any work, or payment of any account, until the order of the President is received.

Sum expended under direction of the President of United States.

To open a road from Washington, in Arkansas territory, to Jackson, in said territory, fifteen thousand dollars.

Road in Arkansas.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

[Obsolete.]

CHAP. LIX.—*An Act making appropriation for carrying into effect certain Indian treaties.*

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 the service of the year one thousand eight hundred and thirty-one:

For the annual support of a school for the education of Indian youth, as stipulated for by the sixth article of the treaty of the fifth August, one thousand eight hundred and twenty-six, with the Chippewa tribe of Indians, one thousand dollars.

School.

For the payment of the annuity of two thousand dollars, and also the sum of two thousand dollars for education, as stipulated for by the third article of the treaty of the sixteenth October, one thousand eight hundred and twenty-six, with the Pattawatamies, the annual sum of four thousand dollars.

Annuity of Pattawatamies.

For the annual support of a blacksmith and miller, and for furnishing, annually, one hundred and sixty bushels of salt, under the same treaty, one thousand five hundred and twenty dollars.

A blacksmith, &c.

For the payment of the permanent and limited annuities provided for by the second article of the treaty with the Pattawatamies of the twentieth of September, one thousand eight hundred and twenty-eight, annually the sum of three thousand dollars.

Annuity.

For tobacco, iron, steel, education, annuity to the principal chief, and employment of labourers, by same article, one thousand nine hundred and sixty dollars.

Tobacco, &c.

For payment of permanent annuity under the fourth article of the treaty with the Miamies of the twenty-third of October, one thousand eight hundred and twenty-six, twenty-five thousand dollars.

Annuity.

For iron, steel, tobacco and labourers, by same article, one thousand one hundred dollars.

Iron, &c.

For support of the poor and infirm, and for education, under the sixth article of said treaty, two thousand dollars.

Poor, &c.

For payment of the expenses incurred in the erection of buildings and improvements at the Dwight mission establishment, by the society engaged in instructing Cherokee children, according to the fifth article of the treaty with the Cherokee Indians, west of the Mississippi, of the sixth of May, one thousand eight hundred and twenty-eight, eleven thousand six hundred and fifteen dollars, the said society agreeing and stipulating to expend the amount so paid in the erection of other buildings

Dwight mission, &c.

Cherokee im-  
provements.

and improvements for like purposes, in the country ceded to the Cherokees by the same treaty. For the payment in full of the value of improvements abandoned by the Cherokees of Arkansas who have emigrated from the country ceded by them by the treaty aforesaid, as assessed according to the provisions thereof, in addition to the balance which may remain of the sum of thirty-seven thousand dollars, appropriated by an act of March the second, one thousand eight hundred and twenty-nine, forty-five thousand eight hundred and nine dollars and thirty-nine cents. For payment for five hundred rifles delivered in one thousand eight hundred and twenty-nine for the emigrating Cherokees, including the cost of transportation, seven thousand dollars.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

CHAP. LX.—*An Act to carry into effect certain Indian treaties.*

[Obsolete.]  
Prairie du  
Chien treaty.

*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 pay the expenses incurred in negotiating and for carrying into effect the treaty of peace and friendship, and the treaty of cession, entered into at Prairie du Chien on the fifteenth day of July, eighteen hundred and thirty, with the Mississippi and Missouri bands of Sioux, the Sacs and Foxes, Winnebagoes and Menomones, Otoes, Omahas, Missouries, and Ioways tribes of Indians, viz :

Presents, &c.

For presents, provisions, pay of commissioners and secretary, transportation, and all other expenses attending the negotiation of said treaties, twenty-four thousand two hundred and fourteen dollars and seventy-two cents.

Annuities.

For annuities stipulated for by the fourth article of the treaty of cession, annually, for ten years, viz : to the Sacs, three thousand dollars; Foxes, three thousand dollars; Sioux of Mississippi, two thousand dollars; Yancton and Santie bands, three thousand dollars; Omahas, two thousand five hundred dollars; Otoes and Missouries, two thousand five hundred dollars; Ioways, two thousand five hundred dollars; Sacs of Missouri river, five hundred dollars.

Blacksmiths,  
&c.

For support of a blacksmith, and for tools, as stipulated by the same article, annually, for ten years, viz : for the Sioux of Mississippi, one thousand dollars; Yancton and Santie bands, one thousand dollars; Omahas, one thousand dollars; Otoes and Missouries, one thousand dollars; Ioways, three hundred dollars; Sacs of Missouri river, seven hundred dollars.

Agricultural im-  
plements.

For agricultural implements, as stipulated by same article, annually, for ten years, viz : for the Sioux of Mississippi, seven hundred dollars; Yancton and Santie bands, four hundred dollars; Omahas, five hundred dollars; Otoes and Missouries, five hundred dollars; Ioways, six hundred dollars; Sacs of Missouri river, two hundred dollars.

Transportation.

For transportation of annuities, tools, and agricultural implements, three thousand two hundred dollars.

Education.

For expenses of education, as stipulated by the fifth article, for ten years, to be applied in the discretion of the President of the United States, annually, three thousand dollars.

Running lines.

For expenses of running the lines as agreed by the seventh article of said treaty, nine thousand dollars.

Treaty with  
the Delawares.

SEC. 2. *And be it further enacted,* That the following sums be, and the same are hereby, appropriated to carry into effect the supplementary article, concluded at Council Camp, on James's fork of White river, Missouri, the twenty-fourth of September, eighteen hundred and twenty-

nine, to the treaty with the Delawares of the third day of October, eighteen hundred and eighteen, viz :

For furnishing forty horses for the Delawares, one thousand six hundred dollars.

For expense of six wagons and ox teams to assist them in removing, one thousand six hundred and twenty dollars.

For expense of farming utensils, and tools for building houses, four thousand dollars.

For provisions on their journey, and one year after their removal to their new country, forty-five thousand dollars.

For building a grist and saw mill, three thousand dollars.

For the payment of the permanent annuity to the Delawares, one thousand dollars.

For expenses of surveying the lines of the land assigned to the Delawares by said article, four thousand one hundred and nine dollars and eighty-one cents.

SEC. 3. *And be it further enacted*, That the aforesaid sums of money be paid out of any money in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That, for carrying into effect the treaty with the Choctaw tribe of Indians, concluded at Dancing Rabbit on the fifteenth day of September, one thousand eight hundred and thirty, the sum of eighty thousand two hundred and forty-eight dollars are hereby appropriated, to wit:

Choctaw treaty.

For salaries to chiefs and others, and suits of clothes and broadswords for ninety-nine captains, as stipulated by fifteenth article, nine thousand five hundred and ninety-three dollars.

For expenses of fulfilling the sixteenth article in relation to cattle, twelve thousand five hundred dollars.

For education, as stipulated by the twentieth article, ten thousand dollars.

For building council houses, houses for chiefs, and churches, as stipulated by the same article, ten thousand dollars.

For expenses of teachers, blacksmiths and shops, and a mill-wright, by the same article, five thousand five hundred dollars.

For blankets, rifles, ammunition, axes, hoes, ploughs, spinning wheels, cards, looms, iron and steel, twenty-seven thousand six hundred and fifty-five dollars.

For transportation and contingencies, five thousand dollars: which said appropriation, to carry into effect the said treaty with the Choctaw tribe of Indians, shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1831.

STATUTE II.

CHAP. LXI.—*An Act making appropriations for the military service for the year one thousand eight hundred and thirty-one.*

March 2, 1831.

[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, for the service of the military establishment for the year one thousand eight hundred and thirty-one, viz :

For pay of the army and subsistence of the officers, one million one hundred eight thousand six hundred and twelve dollars.

Pay, &c.

For forage for officers, forty-eight thousand six hundred and nineteen dollars.

Forage.

For clothing for the servants of officers, twenty-two thousand two hundred and ninety dollars.

Clothing.

For subsistence, exclusive of that of officers, in addition to an unex-

Subsistence.

pendent balance of seventy-five thousand dollars, two hundred and sixty-six thousand three hundred dollars.

- Clothing, &c. For clothing of the army, camp equipage, cooking utensils, and hospital furniture, in addition to materials and clothing on hand, amounting to eighty-five thousand dollars, one hundred and thirteen thousand seven hundred and forty-seven dollars.
- Medical department. For the medical and hospital department, thirty thousand dollars.
- Quartermaster's department. For various expenses in the quartermaster's department, viz: For fuel, forage, straw, stationery, blanks, repairing officers' quarters, barracks, store-houses, and hospitals: for erecting temporary cantonments and gun-houses; for rent of quarters, store-houses, and land; for postage of letters on public service; for expenses of courts martial, including compensation of judge advocates, members, and witnesses; for extra pay to soldiers employed on extra labour, under the act of March second, one thousand eight hundred and nineteen; for expenses of expresses, escorts to paymasters, and other contingencies of the quartermaster's department, two hundred and twenty-six thousand eight hundred dollars.
- 1819, ch. 45.
- Transportation. For transportation of officers' baggage, and allowance for travel, in lieu of transportation, and for per diem allowance to officers on topographical duty, fifty-seven thousand dollars.
- For transportation of clothing, subsistence, ordnance, and of lead from the mines, and for transportation of the army, and funds for pay of the army, including the several contingencies and items of expenditure at the several stations and garrisons, usually estimated under the head of transportation of the army, one hundred and ten thousand dollars.
- Barracks. For the completion of the barracks at fort Winnebago, five thousand dollars, being the balance of an appropriation heretofore made for the erection of barracks at Green bay, and not needed for that service, which balance is hereby transferred and appropriated to the purpose above named.
- 1830, ch. 217.
- Arkansas volunteers. For the payment of certain mounted volunteers of the territory of Arkansas, whilst in the service of the United States, in the year one thousand eight hundred and twenty-eight, the sum of five hundred and eighty dollars and eighty-three cents.
- Missouri militia. For the payment of the claim of the state of Missouri against the United States, for the services of her militia against the Indians, in the year one thousand eight hundred and twenty-nine, the sum of nine thousand and eighty-five dollars and fifty-four cents; *Provided*, That the Secretary of War shall, upon a full investigation, be satisfied that the United States are liable for the payment of the said militia, under the second paragraph of the tenth section of the first article of the constitution of the United States.
- Proviso. For defraying the expenses of the board of visitors at West Point, fifteen hundred dollars.
- Constitution of United States, sec. 10, art. 1. For fuel, forage, stationery, printing, transportation, and postage for the military academy, eight thousand four hundred dollars.
- West Point. For repairs and improvements of buildings and grounds at West Point, three thousand four hundred dollars.
- For pay of adjutant's clerk and quartermaster's clerk, nine hundred dollars.
- For increase and expenses of the library, fourteen hundred dollars.
- For philosophical apparatus, two thousand dollars.
- For models for fortifications, one thousand eight hundred dollars.
- For models for drawing, for repairing instruments, for chemical and mineralogical apparatus, seven hundred and fifty dollars.
- For miscellaneous items and incidental expenses of the academy, one thousand six hundred dollars.
- For fuel for the first quarter of the year one thousand eight hundred and thirty-two, two thousand three hundred dollars.



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| For contingencies of the army, ten thousand dollars.   | Contingencies.      |
| For the national armories, three hundred and sixty thousand dollars.   | Armories.           |
| For the armament of the fortifications, one hundred thousand dollars.  | Fortifications.     |
| For the current expenses of the ordnance service, sixty-eight thousand dollars.  | Ordnance service.   |
| For arsenals, ninety-four thousand four hundred dollars.   | Arsenals.           |
| For the recruiting service, thirty-five thousand six hundred and ninety-six dollars, in addition to an unexpended balance of four thousand dollars.                                  | Recruiting service. |
| For contingent expenses of the recruiting service, fifteen thousand nine hundred and fifty-two dollars, in addition to an unexpended balance of five thousand dollars.               |                     |
| To Thomas Fitzgerald, an invalid pensioner, two hundred and eighty-four dollars, twenty-two cents, being arrearages of pension due him by law.                                       | Thomas Fitzgerald.  |
| For arrearages prior to the first day of July, one thousand eight hundred and fifteen, five thousand dollars.  | Arrearages.         |
| To enable the Secretary of War to pay for medals to be distributed amongst the Indian chiefs, three thousand dollars.  | Medals.             |
| For completing the Mars hill road in Maine, and making bridges on the same, five thousand dollars.   | Road in Maine.      |
| For the further extension, and the completion of the walls and embankments for conveying water to the works at Harper's Ferry armory, Virginia, seven thousand five hundred dollars. | Harper's Ferry.     |
| APPROVED, March 2, 1831.   |                     |

STATUTE II.

CHAP. LXII.—*An Act for the relief of certain insolvent debtors of the United States. (a)* March 2, 1831.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any person who was an insolvent debtor on or before the first day of January last, and who is indebted to the United States for any sum of money then due, which he is unable to pay, unless such person be indebted as the principal in an official bond, or for public money received by him, and not paid over or accounted for according to law, or for any fine, forfeiture, or penalty, incurred by the violation of any law of the United States, may make application in writing, under oath or affirmation, to the Secretary of the Treasury, for the purpose of obtaining a release or discharge of the said debt; which application shall state, as near as may be, the time when the applicant became insolvent, how soon thereafter he made known his insolvency to his creditors, the cause or causes, and the amount of such insolvency; and, also, all the estate, real and personal, which the said applicant owned at the time of his insolvency, and the manner in which such estate has been disposed of; and what estate, if any, he has since owned, and still owns. [Expired.]  
Certain insolvents to apply for discharge.

*Sec. 2. And be it further enacted,* That the Secretary of the Treasury is hereby directed to transmit to the district attorney of the United States for the district or territory within which the said applicant shall reside, a Nature of application.

*Sec. 2. And be it further enacted,* That the Secretary of the Treasury is hereby directed to transmit to the district attorney of the United States for the district or territory within which the said applicant shall reside, a Proceedings thereon.

(a) An act in addition to an act, entitled "An act for the relief of certain insolvent debtors of the United States," July 14, 1832, ch. 230.  
An act to revive and amend "An act for the relief of certain insolvent debtors of the United States," passed on the 2d day of March, 1831, and an act in addition thereto, passed on the 14th of July, 1832. June 7, 1834, ch. 45.  
An act to extend for a longer period the several acts now in force for the relief of certain insolvent debtors of the United States, March 2, 1837, ch. 23.  
An act to extend for a longer period the several acts now in force for the relief of insolvent debtors of the United States, May 27, 1840, ch. 26.  
An act to re-enact and continue in operation the several acts now in force for the relief of insolvent debtors of the United States, January 28, 1843, ch. 20.

certificate copy of the said application, with such instructions as he may think proper; and it shall be the duty of the said district attorney to lay the said copy of such application before the commissioner or commissioners of insolvency to be appointed by virtue of this act, and to appear and act before them as counsel in behalf of the United States.

Commission-  
ers to be ap-  
pointed.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized and directed to appoint any number of commissioners of insolvency he may think proper, not exceeding three in each judicial district or territory of the United States, who, before they enter upon the duties of their appointment, shall severally take an oath or affirmation before one of the justices of the Supreme Court, or before any judge of a district court of the United States, that they will faithfully execute the trust committed to them: and it shall be the duty of the said commissioner or commissioners to proceed publicly to examine the books, papers, and vouchers of each of the said applicants; and they, or either of them, shall also be authorized to examine each of the said applicants, or any other person or persons, upon oath or affirmation, touching the said application: and it shall be the duty of the said commissioner or commissioners to make a report, in writing, to the said Secretary, of the result of their examination in each case, therein particularly stating, as near as may be, the time when the applicant became insolvent, how soon thereafter he made known his insolvency to his creditors, the cause or causes, and the amount of such insolvency; and, also, all the estate, real and personal, which the said applicant owned at the time of his insolvency, and the manner in which such estate has been disposed of; and what estate, if any, he has since owned, and still owns.

Duties.

Proceedings  
on report of  
commissioners.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury, after he shall have received the report of the said commissioner or commissioners, shall proceed to examine the circumstances of each case; and if it shall have been proved to his satisfaction that the said debtor is unable to pay the said debt or debts which he owes to the United States; that he hath done no act fraudulently to deprive the United States of their legal priority; that he has not been guilty of any fraud, nor made any conveyance of his estate, real or personal, in trust for himself, or with an intent to defraud the United States, or whereby to expect any benefit or advantage to himself or family; then and in that case, the said Secretary may compromise with the said debtor, upon such terms and conditions as he may think reasonable and proper under all the circumstances of the case, and may execute a release to him or her for the amount of the said debt or debts which he or she may owe to the United States; which said release shall contain a recital that the foregoing particulars have been satisfactorily proved to the said Secretary: *Provided, however*, That the said release shall be rendered null and void, if it shall at any time be ascertained that the said insolvent debtor hath obtained the same upon false suggestions.

Proviso.

False oath  
made perjury.

SEC. 5. *And be it further enacted*, That if the said insolvent debtor, or any other person, shall falsely take an oath or affirmation under this act, he or she shall be deemed guilty of perjury, and shall suffer the pains and penalties in that case provided.

Compensation  
of commission-  
ers.

SEC. 6. *And be it further enacted*, That each of the said commissioners of insolvency shall receive five dollars per day for each day they shall be actually employed in the performance of their duty under this act; which sum, together with the actual expense incurred for office rent and all other contingencies, provided the same shall not, in the whole, exceed two dollars per day, shall be apportioned among the several applicants by the said commissioner or commissioners, under the direction of the Secretary of the Treasury, according to the time occupied in the investigation of each case; and each of the said applicants, immediately after the investigation of his or her case shall be completed, by the com-

missioner or commissioners, and before the report shall be transmitted to the said Secretary, shall pay his or her respective proportions of the same: and it shall be the duty of the said commissioner or commissioners to transmit, with his or their report, in each case, a statement, under oath or affirmation, to the said Secretary, of the time actually occupied in the investigation thereof, and the amount which they shall have received from the said applicant.

SEC. 7. *And be it further enacted*, That the compensation to be paid to the district attorney of each district and territory shall be five dollars for each day he shall be actually employed under the provisions of this act.

Compensation of district attorneys.

SEC. 8. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to report annually to Congress the names of the applicants under this act, and the nature and amount of the debt or debts due from each to the United States; and, also, the names of those who shall have obtained releases, together with the terms of compromise in each case.

Annual report of Secretary of Treasury.

SEC. 9. *And be it further enacted*, That the sum of five thousand dollars be, and the same is hereby, appropriated, to be paid out of any money not otherwise appropriated, for the purpose of carrying into effect the provisions of this act.

5,000 dollars appropriated.

SEC. 10. *And be it further enacted*, That this act shall continue in force for three years and no longer.

Act limited.

APPROVED, March 2, 1831.

STATUTE II.

CHAP. LXIII.—*An Act for the continuation of the Cumberland road in the states of Ohio, Indiana, and Illinois. (a)*

March 2, 1831.

*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 thousand dollars be, and the same is hereby, appropriated, for the purpose of opening, grading, and making the Cumberland road, westwardly of Zanesville, in the state of Ohio; and that the sum of nine hundred and fifty dollars be, and the same is hereby, appropriated for repairs on the said road during the year one thousand eight hundred and thirty; and also the further sum of two thousand seven hundred dollars to be expended under the directions of the Secretary of War, in completing the payments to individuals for work heretofore done on the Cumberland road, east of Zanesville, in the state of Ohio, under the directions of the superintendent of said road, or so much of said sum as may be found necessary for that purpose; also for the payment of arrearages for the survey of the said road from Zanesville to the capital of Missouri, two hundred and sixty-five dollars and eighty-five cents; and that the sum of seventy-five thousand dollars be, and the same is hereby appropriated, for the purpose of opening, grading and bridging the Cumberland road, in the state of Indiana, including a bridge over White river, near Indianapolis, and progressing with the work to the eastern and western boundaries of said state; and that the sum of sixty-six thousand dollars be, and the same is hereby appropriated, for the purpose of opening, grading, and bridging the Cumberland road, in the state of Illinois; which sums shall be paid out of any money not otherwise appropriated, and replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, and Illinois into the Union, on an equal footing with the original states.

Cumberland road.

Repairs.

Arrearages.

Sum to be replaced, &c.

SEC. 2. *And be it further enacted*, That, for the immediate accomplish-

To be disbursed by, &c.

(a) See notes of acts which have been passed relating to the Cumberland road, vol. ii. p. 357.

ment of these objects, the superintendents heretofore appointed, or hereafter to be appointed, in the states of Ohio, Indiana, and Illinois, shall, under the direction of the President of the United States, separately superintend, in a faithful manner, such parts of said road as may be designated to each, and disburse the money, each giving bond and security as he shall direct, and shall receive such compensation as, in his opinion, shall be equitable and just, not exceeding to each, that heretofore allowed by law to the superintendent of the Cumberland road, in the state of Ohio.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

[Obsolete.]

CHAP. LXIV.—*An Act making appropriations for the Indian department for the year one thousand eight hundred and thirty-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 appropriated, to be paid out of any unappropriated money in the treasury, for the Indian department, for the year one thousand eight hundred and thirty-one, viz :

Superintendent of Indian affairs.

For pay of the superintendent of Indian affairs at St. Louis and the several Indian agents, as authorized by law, twenty-nine thousand five hundred dollars.

For pay of sub-agents, as authorized by law, nineteen thousand five hundred dollars.

For presents to Indians, as authorized by the act of one thousand eight hundred and twelve, [two] fifteen thousand dollars.

1802, ch. 13.  
Interpreters,  
&c.

For pay of Indian interpreters and translators employed at the several superintendencies and agencies, twenty-one thousand five hundred and twenty-five dollars.

Gun-smiths, &c.

For pay of gun and blacksmiths, and their assistants, employed within the superintendencies and agencies, under the treaty provisions and the orders of the Secretary of War, eighteen thousand three hundred and forty dollars.

Iron, &c.

For iron, steel, coal, and other expenses attending the gun and blacksmith's shops, five thousand four hundred and twenty-six dollars.

Transportation,  
&c.

For expense of transportation and distribution of Indian annuities, nine thousand nine hundred and fifty-nine dollars.

Provisions.

For expense of provisions for Indians at the distribution of annuities, while on visits of business, with the different superintendents and agents, and when assembled on business, eleven thousand eight hundred and ninety dollars.

Contingencies.

For contingencies of the Indian department, twenty thousand dollars.

Boundary lines.

For expenses incurred in surveying the north-western boundary lines of the Miami and Pattawatamic cessions by treaties of sixteenth October, one thousand eight hundred and twenty-six, and twenty-third October, one thousand eight hundred and twenty-six, two hundred and twenty-seven dollars.

For surveying and dividing the reservation granted to the half-breed Sacs and Foxes by the treaty of fourth August, one thousand eight hundred and twenty-four, two thousand dollars.

Depredations.

For the payment of sundry claims for Indian depredations, heretofore allowed at the Department of War, one thousand three hundred dollars.

Emigration,  
&c.

For payments made for provisions and necessary assistance to Indians emigrating to the west, and to those tribes now settled on or near the Kansas river, west of the Missouri, in addition to the appropriation heretofore made for that object by act of ninth May, one thousand eight hundred and twenty eight, three thousand five hundred and sixty-two dollars, eighty-six cents.

Act of May 9,  
1828, ch. 47.

For provisions and other assistance to Indians removing to the west from Ohio, Indiana, Illinois and Missouri, required in one thousand eight hundred and thirty-one, five thousand dollars.

For building houses for Indian agents, sub-agents, blacksmith's shops in all the several agencies, seven thousand dollars.

Houses, &c.

SEC. 2. *And be it further enacted*, That the following sums, carried to the surplus fund, at the commencement of the present year, be, and the same are hereby appropriated, viz :

For additional expense at the Red river agency, per act of ninth May, one thousand eight hundred and twenty-eight, thirteen hundred dollars.

Red river agency.  
1828, ch. 47.  
Creek title.  
1824, ch. 151.  
1828, ch. 21.

For extinguishment of the title of the Creeks to land in Georgia, per act twenty-sixth May, one thousand eight hundred and twenty-four, balance re-appropriated twenty-first March, eighteen hundred and twenty-eight, four thousand nine hundred and eighty-nine dollars and fifty-seven cents.

For claims against the Osages, by citizens of the United States, per act third March, eighteen hundred and nineteen, balance re-appropriated twenty-first March, eighteen hundred and twenty-eight, eight hundred and thirty-four dollars and fifty cents.

Osage claims.  
1828, ch. 21.

For extinguishment of the claims of the Cherokees to their lands in Georgia, per act ninth May, one thousand eight hundred and twenty-eight, forty-six thousand one hundred and four dollars and fifty cents.

Cherokee title.  
1828, ch. 47.

For carrying into effect the treaty concluded with the Creeks, fifteenth November, eighteen hundred and twenty-seven, per act twenty-fourth May, eighteen hundred and twenty-eight, four thousand eight hundred and fifty-seven dollars.

Creek treaty.  
1828, ch. 94.  
1819, ch. 87.

For carrying into effect the treaty of sixth May, eighteen hundred and twenty-eight, with the Cherokee Indians, for their removal, &c., from Georgia, per act twenty-fourth May, one thousand eight hundred and twenty-eight, fifty-nine thousand one hundred and thirty-four dollars and nineteen cents.

Cherokee treaty.  
1828, ch. 94.

For expense of Indian delegations to explore the country west of the Mississippi, per act twenty-fourth May, eighteen hundred and twenty-eight, one hundred and fifty-nine dollars.

Exploration.  
1828, ch. 94.

For running the Indian boundary line in Florida, per act twenty-sixth May, eighteen hundred and twenty-four, one hundred and thirty-five dollars and forty-nine cents.

Boundary line.  
1824, ch. 151.

For purchase of Creek and Cherokee reservations, per act second [third] March, eighteen hundred and twenty-three, twenty-one hundred dollars.

Creek and Cherokee reservations.  
1823, ch. 26.

For expense of treating with the Choctaws and Chickasaws, for extinguishment of their title to lands within the limits of Mississippi, per act twentieth May, eighteen hundred and twenty-six, six hundred and fifty-eight dollars.

Treating with Choc. and Chic.  
1826, ch. 110.

APPROVED, March 2, 1831.

STATUTE II.

CHAP. LXV.—*An Act making provision for a subscription to a compilation of Congressional documents.*

March 2, 1831.

[Obsolete.]

Subscription to congressional documents.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the clerk of the House of Representatives be, and he hereby is, authorized and directed to subscribe for seven hundred and fifty copies of the compilation of Congressional documents proposed to be published by Gales and Seaton: *Provided*, That the documents shall be selected under the direction of the secretary of the Senate and the clerk of the House of Representatives: *And provided, also*, That the price paid for the printing of the said copies shall be at a rate not exceeding that of the price paid to the printer of Congress for printing the documents of the two Houses.

Proviso.

Proviso.

APPROVED, March 2, 1831.

## STATUTE II.

March 2, 1831.

CHAP. LXVI.—*An Act to provide for the punishment of offences committed in cutting, destroying, or removing live oak and other timber or trees reserved for naval purposes.*

Act of Feb. 23, 1822, ch. 9.  
Act of Mar. 2, 1831, ch. 66.

Act of Mar. 2, 1833, ch. 67, sec. 3.(a)

Any person cutting, &c. live oak, or, &c.

Any person removing, &c.

Any person cutting or, &c. to pay a fine, &c.

Vessels employed in taking away, &c. to be forfeited.

Captain to be fined.

Penalties, how to be sued for, &c.

Mitigation of penalty.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That if any person or persons shall cut, or cause or procure to be cut, or aid, assist, or be employed in cutting, or shall wantonly destroy, or cause or procure to be wantonly destroyed, or aid, assist, or be employed in wantonly destroying any live oak or red cedar tree or trees, or other timber standing, growing, or being on any lands of the United States, which, in pursuance of any law passed, or hereafter to be passed, shall have been reserved or purchased for the use of the United States, for supplying or furnishing therefrom, timber for the navy of the United States; or if any person or persons shall remove, or cause or procure to be removed, or aid, or assist or be employed in removing from any such lands which shall have been reserved or purchased as aforesaid, any live oak or red cedar tree or trees, or other timber, unless duly authorized so to do, by order, in writing, of a competent officer, and for the use of the navy of the United States; or if any person or persons shall cut, or cause or procure to be cut, or aid, or assist, or be employed in cutting any live oak or red cedar tree or trees, or other timber on, or shall remove, or cause or procure to be removed, or aid, or assist, or be employed in removing any live oak or red cedar trees, or other timber, from any other lands of the United States, acquired, or hereafter to be acquired, with intent to export, dispose of, use, or employ the same in any manner whatsoever, other than for the use of the navy of the United States; every such person or persons so offending, on conviction thereof before any court having competent jurisdiction, shall, for every such offence, pay a fine not less than triple the value of the tree or trees, or timber so cut, destroyed, or removed, and shall be imprisoned not exceeding twelve months.

SEC. 2. *And be it further enacted,* That if the master, owner, or consignee of any ship or vessel shall, knowingly, take on board any timber cut on lands, which shall have been reserved or purchased as aforesaid, without proper authority, and for the use of the navy of the United States; or shall take on board any live oak or red cedar timber cut on any other lands of the United States, with intent to transport the same to any port or place within the United States, or to export the same to any foreign country, the ship or vessel on board of which the same shall be taken, transported, or seized, shall, with her tackle, apparel, and furniture, be wholly forfeited to the United States, and the captain or master of such ship or vessel wherein the same shall have been exported to any foreign country against the provisions of this act, shall forfeit and pay to the United States a sum not exceeding one thousand dollars.

SEC. 3. *And be it further enacted,* That all penalties and forfeitures incurred under the provisions of this act shall be sued for, recovered and distributed, and accounted for, under the directions of the Secretary of the Navy, and shall be paid over, one half to the informer or informers, if any, or captors, where seized, and the other half to the commissioners of the navy pension fund, for the use of the said fund; and the commissioners of the said fund are hereby authorized to mitigate, in whole or in part, and on such terms and conditions as they shall deem proper, and order, in writing, any fine, penalty, or forfeiture incurred under this act.

APPROVED, March 2, 1831.

(a) The provisions of the act of March 2, 1833, ch. 67, sec. 3, were repealed by "An act to set aside certain reservations of land on account of live oak in the south-eastern district of Louisiana." March 3, 1843, ch. 77.

STATUTE II.

March 2, 1831.

[Obsolete.]

Ten sections granted.

CHAP. LXVII.—*An Act granting a quantity of land to the territory of Arkansas for the erection of a public building at the seat of government of said territory.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislature of the territory of Arkansas be, and they are hereby authorized to select, or cause to be selected, a quantity of the unappropriated public lands in the territory of Arkansas, not exceeding ten sections, and in portions not less than one quarter section, which is hereby granted to said territory, for the purpose of raising a fund for the erection of a public building at Little Rock, the seat of government of said territory.

SEC. 2. *And be it further enacted,* That the legislature of said territory be, and they are hereby authorized to adopt such measures for the sale of said tract of land, or any part thereof, at such times and manner, and convey the same by such deeds, as they shall deem expedient; and upon the presentation of such deeds of conveyance, as shall be adopted by said legislature and given to the purchasers, to the commissioner of the general land office, it shall be the duty of the President to issue patents to the purchasers, as in other cases.

Authority to sell.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

[Obsolete.]

Certain locations confirmed.

CHAP. LXVIII.—*An Act confirming the selections heretofore made of lands for the construction of the Michigan road, in the state of Indiana.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the selections and locations heretofore made by the state of Indiana, of the Michigan road lands, so far as they may remain unsold, be, and the same are hereby, sanctioned and confirmed; and that other public lands in Indiana, in lieu of those already sold, shall be selected under the same authority that the original selections and locations were made: *Provided,* That no selections or locations shall hereafter be made for the purpose aforesaid, until the authority of the state of Indiana shall cause to be made to the general land office an accurate survey and plat of the said road throughout its entire line.

SEC. 2. *And be it further enacted,* That the land offices at Crawfordsville and Fort Wayne shall be duly notified, by the state authority, of the selections made in virtue of this act; after which, no sales thereof shall be made.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

[Expired.]

CHAP. LXIX.—*An Act to extend the act, entitled "An act for the further extending the powers of the judges of the superior court of the territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, and for other purposes."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act, entitled "An act for the further extending the powers of the judges of the superior court of the territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, and for other purposes," approved on the eighth day of May, one thousand eight hundred and thirty, be, and the same is hereby, extended and continued in force until the eighth day of May, one thousand eight hundred and thirty-two.

Act of May 26, 1824, ch. 173.

Act of May 8, 1830, ch. 90, extended.

SEC. 2. *And be it further enacted,* That each of the judges of the superior court of the territory of Arkansas shall, whilst in the discharge of the duties imposed by this act, be allowed at the rate of eight hundred

Compensation to judges.

dollars per annum, in addition to their salary as judges of the superior court for the said territory, which shall be in full for their services, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

CHAP. LXX.—*An Act making appropriations for the public buildings, and for other purposes.*

[Obsolete.]

Appropriations.

*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, respectively, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes, that is to say:

Capitol.

For completing the painting of the Capitol, three thousand seven hundred and sixty dollars.

For planting and improving the ground within the enclosure of the Capitol square, including the gardener's salary for one thousand eight hundred and thirty, and one thousand eight hundred and thirty-one, and pay of labourers, three thousand dollars.

To make good the deficiency in the estimates of the year one thousand eight hundred and twenty-nine, for finishing gates and fences, five thousand nine hundred and eighty-four dollars.

For lighting lamps in and round the square, and erecting twenty-four new lamps, one thousand five hundred dollars.

For alterations and repairs, five hundred dollars.

For new stoves for warming and ventilating the hall of the House of Representatives, eight hundred dollars.

For purchasing Seneca stone flagging for the terrace and walks adjoining the Capitol, three thousand dollars.

Bust of John Jay.

For employing John Frazee to execute a bust of John Jay for the Supreme Court room, four hundred dollars.

President's house.

For painting the President's house, inside and out, three thousand four hundred and eighty-two dollars.

For planting and improving the grounds about the President's house, including the gardener's salary, four thousand dollars.

For alterations and repairs of the President's house, five hundred dollars.

For furniture, and repairs of furniture, five thousand dollars.

Charles Bulfinch.

For compensation to Charles Bulfinch, late architect of the Capitol, for his extra services in planning and superintending the building of the penitentiary at Washington, the jail in Alexandria, the additional buildings for the post-office and patent office, and for allowance for returning with his family to Boston, eleven hundred dollars.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

CHAP. LXXXIII.—*An Act to authorize the territory of Florida to open a canal through the public lands between Chipola river and Saint Andrew's bay, in West Florida.*

Canal route granted.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the territory of Florida be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of a canal, by which to connect the navigation of the river Chipola and Saint Andrew's bay, in West Florida, and to cut the same through the public lands; and ninety feet of land on each side of said canal shall be reserved from sale on the part of the United States, and the use thereof be for ever vested in the territory, or



such company as shall be organized by them, for a canal, and for no other purpose whatever.

SEC. 2. *And be it further enacted*, That if the said territory shall not survey, and direct by law, said canal to be opened, and furnish the commissioner of the general land office a map thereof, within two years from and after the date of this act, or if the said canal be not completed suitably for navigation within five years thereafter, or if said land hereby granted shall ever cease to be used and occupied for the purpose of constructing and keeping in repair a canal suitable for navigation, the reservation and grant aforesaid shall be void and of no effect: *Provided*, That nothing in this act contained, or that shall be done in pursuance thereof, shall be deemed to imply any obligation, on the part of the United States, to appropriate money to defray the expense of surveying or opening said canal: *And provided likewise*, That the said canal when completed by said territory, or by an incorporated company under the authority of the same, shall be, and for ever remain, a public highway for the use of the government of the United States, free from any toll or charge whatever, for any property of the United States, or persons in their service on public business passing through the same.

Condition.

Proviso.

Proviso.

SEC. 3. *And be it further enacted*, That every section of land through which said canal route may pass, shall be, and the same is hereby, reserved from sale under the direction of the government of the United States, until hereafter specially directed by law; and the said territory, or company incorporated by them, are hereby authorized, without waste, to use any materials on the public lands adjacent to said canal that may be necessary to its construction.

Adjacent lands.

SEC. 4. *And be it further enacted*, That the said territory, or any incorporated company under their authority, be, and they are hereby, authorized to open through the public lands of the United States, a canal from Matanzas to Halifax river, in East Florida, upon the same conditions, restrictions and limitations, in every respect, as are prescribed in the foregoing provisions of this act; and the same lands shall be reserved, in like manner, for the objects specified, and for no other.

Other canal route granted.

APPROVED, March 2, 1831.

STATUTE II.

CHAP. LXXXV.—*An Act to authorize the state of Illinois to surrender a township of land granted to said state for a seminary of learning, and to locate other lands in lieu thereof.*

March 2, 1831.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the state of Illinois be, and is hereby, authorized, to relinquish to the United States, township number five, north of range number one west, situate in the county of Fayette, in said state, heretofore granted to the said state for the use of a seminary of learning, and to locate upon the public lands within said state, the sale of which is authorized by law, one entire township of land or a quantity of land equal thereto, in tracts of not less than the quarter of a section.

Land granted may be relinquished and other land located.

APPROVED, March 2, 1831.

STATUTE II.

CHAP. LXXXVI.—*An Act to establish ports of delivery at port Pontchartrain and Delaware city, and for other purposes.*

March 2, 1831.

*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 established at port Pontchartrain, on lake Pontchartrain, a port of delivery; that a surveyor shall be appointed to reside at said port: that all ships and

Port Pontchartrain.

vessels bound to said port shall, after proceeding thereto, and making report and entry at the port of New Orleans, within the time limited by law, be permitted to unlade their cargoes at the said port under the rules and regulations prescribed by law.

SEC. 2. *And be it further enacted*, That all vessels about to depart from the said port for foreign ports and places shall be permitted to clear out with their cargoes at the custom-house in the city of New Orleans, and depart under the same rules, regulations and restrictions, and in every respect in the same manner, as vessels clearing out and departing for foreign ports and places from the said city of New Orleans by the way of the Mississippi river; and goods imported into the United States and exported from said port, shall be entitled to the benefit of a drawback of the duties upon exportation to any foreign port or place, under the same provisions, regulations, restrictions and limitations, as if the said goods, wares, and merchandise had been exported directly from New Orleans by way of the Mississippi river.

Delaware city.

SEC. 3. *And be it further enacted*, That Delaware city, in the district of Delaware, shall be a port of delivery; and a surveyor shall be appointed, who shall reside at said city.

St. John's.

SEC. 4. *And be it further enacted*, That a collection district be, and is hereby established in the territory of Florida, which shall include all the ports, harbours, shores and waters of the main land in Florida, and of the islands opposite and nearest thereto, from Saint Mary's to the south side of Saint John's, to be called the Saint John's district, and a port of entry shall be established at such point on the Saint John's river, as the President may direct, and a collector shall be appointed, who shall give the same bond, perform the same duties, and be entitled to the same compensation and fees, as the collectors, in other districts, in Florida.

Prospect.

SEC. 5. *And be it further enacted*, That Prospect, in the district of Belfast, in the state of Maine, shall be a port of delivery: and that a surveyor shall be appointed, who shall reside at that place.

Kennebunk and  
Middletown.

SEC. 6. *And be it further enacted*, That the ports of Kennebunk, in the state of Maine, and Middletown, in the state of Connecticut, be, and they are hereby made ports of entry for vessels arriving from the Cape of Good Hope, and from places beyond the same.

APPROVED, March 2, 1831.

## STATUTE II.

March 2, 1831.

CHAP. LXXXV.—*An Act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio railroad, into and within the District of Columbia.*

WHEREAS it is represented to this present Congress that the Baltimore and Ohio Railroad Company, incorporated by an act of the General Assembly of Maryland, entitled "An act to incorporate the Baltimore and Ohio Railroad Company," passed the twenty-eighth day of February, eighteen hundred and twenty-seven, are desirous, under the powers which they claim to be vested in them by the provisions of the before-recited act, to construct a lateral branch from the said Baltimore and Ohio railroad to the District of Columbia. Therefore,

Authority for  
lateral road.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Baltimore and Ohio Railroad Company, incorporated by the said act of the General Assembly of Maryland, shall be, and they are hereby, authorized to extend into and within the District of Columbia a lateral railroad, such as the said company shall construct, or cause to be constructed, in a direction towards the said district, in connection with the railroad which they have located, and are constructing, from the city of Baltimore to the Ohio river, in pursuance of their said act of incorporation: And the said Baltimore

Powers, rights,  
&c.

and Ohio Railroad Company are hereby authorized to exercise the same powers, rights, and privileges, and shall be subject to the same restrictions, in the extension and construction of the said lateral railroad into and within the said district, as they may exercise, or are subject to, under and by virtue of their said charter or act of incorporation, in the extension and construction of any railroad within the state of Maryland, and shall be entitled to the same rights, compensation, benefits, and immunities in the use of the said road, and in regard thereto, as are provided in their said charter, except the right to construct any lateral road or roads within the said district from the said lateral branch or road hereby authorized, it being expressly understood that the said Baltimore and Ohio Railroad Company shall have power only to construct from the said Baltimore and Ohio railroad one lateral road within the said district, to some point or terminus within the city and county of Washington, to be determined in the manner hereinafter mentioned: *Provided, always, and be it enacted*, That before the Baltimore and Ohio Railroad Company aforesaid shall proceed to construct any railroad which they may lay out or locate, on, through, or over any land or improvements, or to use, take for use any earth, stone, or other materials, on any land within the said district, they shall first obtain the assent of the owner of such land, improvements or materials, or, if such owner shall be absent from said district, or shall refuse to give such assent on such terms as the said company shall approve, or, because of infancy, coverture, insanity, or any other cause, shall be legally incapable of giving such assent, then it shall be lawful for the said company to apply to a justice of the peace of the county of Washington, who shall thereupon issue his warrant, under his hand and seal, directed to the marshal of the said district, requiring him to summon a jury of twenty inhabitants of the said district, none of whom shall be interested, or related to any person interested in the land or materials required for the construction of the said railroad, or a stockholder, or related to any stockholder, in the said company, to meet on the land, or near to the other property or materials so required, on a day named in such warrant, not less than three nor more than fifteen days after issuing the same, to proceed to value the damages which the owner or owners of any such land or other property will sustain by the use or occupation of the same, required by the said company; and the proceedings, duty, and authority of the said marshal, in regard to such warrant and jury, and the oath or affirmation to be administered, and inquisition to be made and returned, shall be the same as are directed and authorized in regard to the sheriff, by the fifteenth section of the said act of the General Assembly of the state of Maryland, incorporating the said Baltimore and Ohio Railroad Company; and all the other proceedings in regard to such jury, and the estimating and valuation of damages, and the payment or tender of payment of any damages ascertained by such valuation and effect thereof, and of the view of any lands, or other property, or materials, as to giving the said company a right to use the same for the use or construction of any railroad within the said district, as hereby authorized, shall in every case, and in every respect, be the same as is provided in and by the above-mentioned act of incorporation in regard to the railroads thereby authorized to be constructed by the said company: *Provided, also, and be it enacted*, That whenever the said company, in the construction of a railroad into or within the said district, as authorized by this act, shall find it necessary to cross or intersect any established road, street, or other way, it shall be the duty of the said company so to construct the said railroad across such established road, street, or other way, as not to impede the passage or transportation of persons or property along the same; and, where it shall be necessary to pass the said railroad through the land of any individual within the said district, it shall also be the duty of the said company to provide for such

Restriction.

Proviso: proceedings for appropriation of lands, &c.

Proviso: other roads not to be obstructed.

Wagon ways to be provided.

- individual, proper wagon ways across the said railroad, from one part of his land to the other; but nothing herein contained shall be so construed as to authorize the entry by the said company upon any lot or square, or upon any part of any lot or square, owned by the United States, or by any other body or bodies politic or corporate, or by any individual or individuals, within the limits of the city of Washington, for the purposes aforesaid, of locating or constructing the said road, or of excavating the same, or for the purpose of taking therefrom any material, or for any other purpose or uses whatsoever; but the said company, in passing into the district aforesaid, and constructing the said road within the same, shall enter the city of Washington at such place, and shall pass along such public street or alley, to such point or terminus within the said city, as the said company shall find best calculated to promote the objects of said road: *Provided*, That the level of said road within the said city shall conform to the present graduation of the streets, unless the said corporation shall agree to a different level: *And provided also*, That the said company shall not be permitted to take or terminate the said road west of the west side of seventh street west: *And provided also*, That the said road shall not cross, or interfere with, or infringe on the existing Washington City Canal or the Chesapeake and Ohio Canal, their waters or basins, or any other canal which may hereafter be projected and executed to connect the said Chesapeake and Ohio Canal with the aforesaid Washington City Canal in its whole extent to the eastern branch of the Potomac: *Provided also*, The rate actually charged and received on all that part of said road within the district shall not exceed three cents a ton per mile for toll, and three cents a ton per mile for transportation, except as hereinafter specified, and shall be the same each way: *Provided also*, That the privileges granted by this bill to the aforesaid railroad company shall be upon the condition that the said company shall charge the same rate of toll upon the same articles going east and west between Baltimore and Washington.
- City lots, &c.**
- Proviso: level.**
- Proviso: limit.**
- Proviso: Canals protected.**
- Proviso: Rate of toll, &c.**
- Proviso.**
- Contracts for use of cars.**
- Proviso: the charges to be restricted.**
- Conveyance of mail, &c.**
- SEC. 2.** *And be it further enacted*, That in addition to the charges authorized by said act of incorporation to be made by the Baltimore and Ohio Railroad Company aforesaid, the said company shall be authorized, within the said district, to make any special contract with any corporation, company or individual, for the exclusive use of any car, or of any part of, or place in, any car, or other carriage, on any railroad constructed by the said company, for a specified time or distance, or both, or for the receipt and delivery, or the transportation of merchandise or other valuable articles, in boxes, parcels, or packages weighing less than one-tenth of a ton, on such terms as may be mutually agreed on between the parties: *Provided*, That the charge for the transportation of merchandise or other valuable articles shall not exceed one cent per mile for any single box, parcel, or package weighing less than fifty pounds, and measuring in size not more than two cubic feet; and for any heavier or larger box, parcel, or package, weighing less than one-tenth of a ton; not more than two cents per mile. And the said company, in all cases where the whole of the merchandise, produce, or other property, transported on their railroad within the said district, at any one time, belonging to the same person, copartnership, or corporation, shall weigh less than a ton, and more than half a ton, shall be entitled to charge and receive, for the transportation thereof, at the same rate per mile as if it weighed a full ton; and if the same shall weigh less than half a ton, the charge per mile may be the same as for half a ton; always estimating a ton weight to be two thousand pounds.
- SEC. 3.** *And be it further enacted*, That the said company are, also, hereby empowered to make such special contract with any duly authorized officer or agent of the United States, for the conveyance of the mail, or the transportation of persons or property for the use of the United States, on any railroad which has been or shall be constructed by the

said Baltimore and Ohio Railroad Company, on such terms as shall be approved of by the competent officer or authority; and in all such instances, to receive the compensation so agreed for, according to the terms of each contract.

SEC. 4. *And be it further enacted*, That the said railroad company may charge and receive, for taking up and setting down any passenger or traveller within the district, conveyed a shorter distance than four miles, a sum not exceeding twelve and a half cents.

Passengers.

SEC. 5. *And be it further enacted*, That unless the said company shall commence the said lateral railroad within one year, and complete the same with, at least, one set of tracks, within four years from the passage of this act, then this act, and all the rights and privileges thereby granted, shall cease and determine.

Condition.

SEC. 6. *And be it further enacted*, That nothing herein contained shall be so construed as to prevent the Congress of the United States from granting the same or similar privileges to those hereby granted to any other company or companies, incorporated or to be incorporated by the state of Maryland or Virginia, or by Congress, or from authorizing, by any future law, such additional railroads or roads, in connection with said road, so as to extend the same road, or to construct others connected therewith, to such parts of the district as from time to time may be required by the convenience of those parts of the district into which the said company are now restrained from carrying said road, or from enacting such rules and regulations, prescribing the speed of cars or carriages passing over said road, and other matters relating thereto, necessary for the security of the persons and property of the inhabitants of the district, in such manner as to the present or any future Congress shall seem expedient: *And provided, nevertheless*, That nothing herein contained shall be construed to give any rights or privileges to the said company, beyond the limits of the District of Columbia.

Saving of right to authorize other roads, &c.

Proviso.

SEC. 7. *And be it further enacted*, That if the state of Maryland shall determine to construct a railway between the city of Baltimore and the District of Columbia, or shall incorporate a company for the same purpose, then similar rights, privileges, immunities, and powers, conferred by this act on the Baltimore and Ohio Railroad, be, and the same are hereby, conferred on the state of Maryland, or any company which may be incorporated by it for the same purpose, within one year after the passage of this act.

Same rights, &c. to state of Maryland.

APPROVED, March 2, 1831.

STATUTE II.

CHAP. LXXXVI.—*An Act to ascertain and mark the line between the state of Alabama and the territory of Florida, and the northern boundary of the state of Illinois, and for other purposes.*

March 2, 1831.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be run and marked the boundary line between the state of Alabama and the territory of Florida, by the surveyors general of Alabama and Florida, on the thirty-first degree of north latitude; and it shall be the duty of the surveyor general of Florida to connect the public surveys on both sides with the line so run and marked.

Boundary.

SEC. 2. *And be it further enacted*, That patents shall be issued for such tracts of land as were sold and paid for at the land office at Tallahassee, in the territory of Florida, as are found to be situate within the limits of the district of lands subject to sale at Sparta, in Alabama, agreeably to the terms of the act organizing that district; and the said

Certain patents to issue.

entries and sales shall be as valid, in every respect, as if they had been made in the land district of Alabama.

Commissioners of northern boundary of Illinois.

SEC. 3. *And be it further enacted*, That the President of the United States is hereby authorized to cause the surveyor general of the United States for the states of Illinois and Missouri, and the territory of Arkansas, to act as a commissioner on the part of the United States, whenever he shall be duly informed that the government of the state of Illinois shall have appointed a commissioner on its part, the two to form a board, to ascertain, survey and mark the northern line of the state of Illinois, as defined in the act of Congress, entitled "An act to enable the people of the Illinois territory to form a constitution and state government, &c.," passed the eighteenth of April, one thousand eight hundred and eighteen; and, in case of vacancy in said office of commissioner, or of his being unable to act from any cause, the President is authorized to fill such vacancy by the appointment of some other qualified person, whenever it may be necessary, until the object of the commission shall be attained.

Act of April 18, 1818, ch. 67.

Surveyors, &c.

SEC. 4. *And be it further enacted*, That the said board of commissioners shall have power to employ the necessary surveyors and labourers, and shall meet at such time and place as may be agreed upon by the President of the United States and the government of the state of Illinois, and proceed to ascertain, survey and mark the said northern line of the state of Illinois, and report their proceedings to the President of the United States, and the governor of the state of Illinois.

Compensation.

SEC. 5. *And be it further enacted*, That the President may allow to the said commissioner of the United States, such compensation for his services as shall seem to him reasonable: *Provided*, it does not exceed the allowance made by the state of Illinois to the commissioner on its part; and the said allowance, together with one-half of the necessary expenses of said board, and the surveyors and labourers, and the allowance to be made to the surveyors general of the state of Alabama and the territory of Florida, and the necessary expenses incurred by them in running and marking said line between said state and territory, shall be paid from the treasury of the United States, out of any money not otherwise appropriated; and, to enable the President to carry this act into effect, there is hereby appropriated the sum of two thousand dollars.

Proviso.

Expenses of Florida and Alabama line.

APPROVED, March 2, 1831.

## STATUTE II.

March 2, 1831.

CHAP. LXXXVII.—*An Act allowing the duties on foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, St. Louis, Nashville, and Natchez, to be secured and paid at those places.*

Proceedings at the several places.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That when any goods, wares, or merchandise, are to be imported from any foreign country, into Pittsburg, in the state of Pennsylvania, Wheeling, in the state of Virginia, Cincinnati, in the state of Ohio, Louisville, in the state of Kentucky, St. Louis, in the state of Missouri, Nashville in the state of Tennessee, or into Natchez, in the state of Mississippi; the importer thereof shall deposit in the custody of the surveyor of the place a schedule of the goods so intended to be imported, with an estimate of their cost at the place of exportation, whereupon the said surveyor shall make an estimate of the amount of duties accruing on the same, and the importer or consignee shall give bond, with sufficient sureties, to be approved by the surveyor, in double the amount of the duties so estimated, conditioned for the payment of the duties on such merchandise, ascertained as hereinafter directed; and the surveyor shall forthwith notify the collector at New Orleans of the same, by forwarding to him a copy of said bond and schedule.

SEC. 2. *And be it further enacted*, That the importer, or his agent, is hereby authorized to enter any merchandise, imported, as aforesaid, by the way of New Orleans, at that port, in the manner now prescribed by law; and the collector shall grant a permit for the landing thereof, and cause the duties to be ascertained as in other cases, the said goods remaining in the custody of the collector until re-shipped for the place of destination; and the collector shall certify to the surveyor at such place the amount of such duties, which the said surveyor shall enter on the margin of the bond, as aforesaid given to secure the same, which goods shall be delivered by the collector to the agent of the importer or consignee, duly authorized to receive the same, for shipment to the place of importation, and the master or commander of every steamboat, or other vessel, in which such merchandise shall be transported, shall, previously to her departure from New Orleans, deliver to the collector duplicate manifests of such merchandise, specifying the marks and numbers of every case, bag, box, chest, or package, containing the same, with the name and place of residence of every importer or consignee of such merchandise, and the quantity shipped to each, to be by him subscribed, and to the truth of which he shall swear or affirm, and that the said goods have been received on board his vessel; stating the name of the agent, who shipped the same; and the said collector shall certify the facts, as aforesaid, on the manifests, one of which he shall return to the master, with a permit thereto annexed, authorizing him to proceed to the place of his destination.

Proceedings  
at New Orleans.

SEC. 3. *And be it further enacted*, That, if any steamboat or other vessel, having merchandise on board, imported as aforesaid, shall depart from New Orleans without having complied with the provisions of this act, the master thereof shall forfeit five hundred dollars; and the master of any such boat or vessel, arriving at either of the ports above named, on board of which merchandise, as aforesaid, shall have been shipped at New Orleans, shall, within eighteen hours next after the arrival, and previously to unloading any part of said merchandise, deliver to the surveyor of such port the manifest of the same, certified, as aforesaid, by the collector of New Orleans, and shall make oath or affirmation before the said surveyor that there was not, when he departed from New Orleans, any more or other goods on board such boat or vessel, imported as aforesaid, than is therein mentioned; whereupon the surveyor shall cause the said casks, bags, boxes, chests, or packages, to be inspected, and compared with the manifests, and the same being identified, he shall grant a permit for unloading the same, or such part thereof as the master shall request, and, when a part only of such merchandise is intended to be landed, the surveyor shall make an endorsement on the back of the manifests, designating such part, specifying the articles to be landed, and shall return the manifests to the master, endorsing thereon his permission to such boat or vessel to proceed to the place of its destination; and, if the master of such steamboat or vessel shall neglect or refuse to deliver the manifests within the time herein directed, he shall forfeit one hundred dollars.

Infractions and  
penalties.

Proceedings at  
second port.

SEC. 4. *And be it further enacted*, That the collector of the port of New Orleans shall permit no entry to be made of goods, wares, or merchandise, where the duty on the same shall exceed the amount of the bond deposited with the surveyor, as aforesaid, nor shall the said surveyor receive the bond of any person not entitled to a credit at the custom-house, nor for a sum less than fifty dollars, and that, when the said bond shall have been completed, and the actual amount of duty ascertained and certified on the margin, as aforesaid, it shall be the duty of the surveyor of the port where the bond is taken, to deposit the same for collection in such bank as may be directed by the Secretary of the Treasury.

Condition of  
entry at New  
Orleans.

SEC. 5. *And be it further enacted*, That where surveyors are not already

Surveyors to  
be appointed.

appointed in any of the places mentioned in the first section of this act, a suitable person shall be appointed for such places, and on all such surveyors, whether appointed or to be appointed, shall devolve the duties prescribed by this act, in addition to the customary duties performed by that officer in other places; and the surveyor at each of said places shall, before taking the oath of office, give security to the United States for the faithful performance of all his duties, in the sum of ten thousand dollars, and shall receive, in addition to his customary fees, an annual salary of three hundred and fifty dollars; *Provided*, That no salary arising under this act, shall commence until its provisions shall take effect, and merchandise may be imported under its authority.

Proviso.

Suits, &c. for penalties.

Act of March 2, 1799, ch. 22.

1797, ch. 13.

SEC. 6. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act shall be sued for, recovered, distributed and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," passed on the second day of March, one thousand seven hundred and ninety-nine, and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," passed on the third day of March, one thousand seven hundred and ninety-seven.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

Repeal of act of April 17, 1822, ch. 27.

CHAP. LXXXVIII.—*An Act to repeal the act to establish the district of Blakely.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act entitled "An act to establish the district of Blakely," approved the seventeenth day of April, eighteen hundred and twenty-two, be, and the same is hereby, repealed.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

Additional compensation.

CHAP. XCI.—*An Act to provide for the further compensation of the marshal of the district of Rhode Island.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the marshal of the district of Rhode Island shall be entitled to receive, in addition to the compensation now allowed by law, an annual salary of two hundred dollars payable quarterly, out of any money in the treasury, not otherwise appropriated.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

Owners of, &c. authorized.

Barry v. Gamble, 3 Howard, 32.

CHAP. XCII.—*An Act for the relief of certain holders of certificates issued in lieu of lands injured by earthquakes in Missouri.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the legal owners of any certificates of new location issued under the act of seventeenth February, one thousand eight hundred and fifteen, for the relief of persons whose lands were injured by earthquakes in Missouri, which may have been located upon lands, any part of which has been adjudged to any person or persons as a right of pre-emption, shall be authorized to locate such warrants, upon such lands as are liable to entry at private sale, *Provided*, That previous to making such new location, the legal owners aforesaid shall relinquish to the United States all claim to the previous

Proviso.



location, *And provided further*, That such locations shall be made and patents issued therefor, under the same regulations and restrictions, as if the locations had been made under the provisions of the second section of the act of the twenty-sixth April, one thousand eight hundred and twenty-two, entitled "An act to perfect certain locations and sales of the public lands in Missouri."

Proviso.

Act of April 26, 1822, ch. 40.

SEC. 2. *And be it further enacted*, That this act shall remain in force for the term of eighteen months from the passage thereof.

APPROVED, March 2, 1831.

STATUTE II.

March 2, 1831.

CHAP. XCVII.—*An Act declaring the assent of Congress to an act of the general assembly of the state of Ohio, hereinafter recited. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the consent of the United States shall be, and is hereby, given to an act of the General Assembly of the state of Ohio, entitled "An act for the preservation and repair of the United States' road," passed the fourth day of February, in the year of our Lord one thousand eight hundred and thirty-one, which act is in the words and figures following, to wit:

Cumberland road.

*"Be it enacted by the General Assembly of the state of Ohio*, That whenever the consent of the Congress of the United States to this act shall be obtained, the governor of this state shall be, and he is hereby, authorized to take under his care, on behalf of this state, so much of the road commonly called the National Road, within the limits of this state, as shall then be finished, and also, such other sections or parts thereof as may thereafter be progressively finished within the limits aforesaid, whenever the same shall be completed; and he shall be, and is hereby authorized to cause gates and toll-houses to be erected on said road, at such finished parts thereof as he shall think proper, for the purpose of collecting tolls, as provided by the fourth section of this act: *Provided*, The number of gates aforesaid shall not exceed one on any space or distance of twenty miles.

Toll gates.

"SEC. 2. That a superintendent shall be appointed by the governor, whose duty shall be to exercise all reasonable vigilance and diligence in the care of the road committed to his charge; to contract for, and direct the application of the labour, materials, and other things necessary for the preservation, repair, and improvement thereof; he shall pay for the same out of such sums as the governor shall furnish him for that purpose, subject to such responsibility and accountability as the said governor shall dictate; and shall conform to such instructions as the governor shall prescribe for his conduct, in all particulars relative to his said trust: he may be empowered to suspend the functions of any toll-gatherer for alleged misconduct, till the pleasure of the governor shall be known, and to fill the vacancy thereby occasioned during such interval; and it shall be his duty to give information of the facts in such case to the governor, without any unnecessary delay; the said superintendent shall hold his office during the pleasure of the governor, who shall allow him a reasonable compensation for his services.

Superintendent.

"SEC. 3. That the governor be, and he is hereby, authorized to appoint Toll-collectors.

(a) Under the acts of Congress, and of the state of Ohio, relating to the surrender and acceptance of the Cumberland road, a toll charged upon passengers travelling in mail carriages, without being charged, also, on passengers travelling in other carriages, is against the contract, and void. Neil, Moore & Co. v. The State of Ohio, 3 Howard, 720.

It rests altogether in the discretion of the Postmaster General, to determine at what hours the mail shall leave particular places, and arrive at others, and to determine whether it shall leave the same place only once a day, or more frequently. *Ibid.*

It is not, therefore, the mere frequency of the departure of the carriages, carrying the mail, that constitutes an abuse of the privilege of the United States, but the unnecessary division of the mail-bags among a number of carriages, to evade the payment of tolls. *Ibid.*

the necessary collectors of tolls, and to remove any of them at his pleasure; and also, to allow them, respectively, such stipulated compensation as he may deem reasonable, it shall be the duty of each and every toll-collector to demand and receive, at the gate or station assigned to him by the governor, the tolls prescribed and directed by the fourth section of this act; and to pay monthly into the treasury, according to the directions they may receive from the treasurer of the state, all the moneys so collected by said collectors, that shall remain, after deducting their compensation aforesaid; the said collectors shall be governed in all respects relative to their office, by such regulations as the governor shall ordain, in order to insure a due responsibility, and faithful discharge of their duties.

Toll rates.

“SEC. 4. That, as soon as the said gates and toll-houses shall be erected, it shall be the duty of the said toll-collectors, and they are hereby required, to demand and receive for passing the said gates the tolls and rates hereafter mentioned; and they may stop any person riding, leading, or driving any horses, cattle, sulky, chair, phaeton, cart, chaise, wagon, sleigh, sled, or other carriage of burden or pleasure, from passing through the said gates, until they shall respectively have paid for passing the same, that is to say: For every space of twenty miles in length on said road, the following sums of money, and so in proportion for every greater or lesser distance, to wit: For every score of sheep or hogs, ten cents; for every score of cattle, twenty cents; for every led or drove horse, three cents; for every mule or ass, led or driven, three cents; for every horse and rider, six and one fourth cents; for every sled or sleigh drawn by one horse or ox, twelve and one half cents; for every horse or ox in addition, six and one fourth cents; for every dearborn, sulky, chair, or chaise, with one horse, twelve and one half cents; for every horse in addition, six and one fourth cents; for every chariot, coach, coachee, stage, or phaeton, with two horses, eighteen and three fourth cents; for every horse in addition, six and one fourth cents; for every other carriage of pleasure, under whatever name it may go, the like sum, according to the number of wheels and horses drawing the same; for every cart or wagon whose wheels do not exceed the breadth of two and one half inches, twelve and one half cents; for each horse or ox drawing the same, six and one fourth cents; for every cart or wagon whose wheels shall exceed two and one half inches in breadth, and not exceeding four inches, six and one fourth cents; for every horse or ox drawing the same, three cents; and for every other cart or wagon whose wheels shall exceed four inches, and not exceeding five inches in breadth, four cents; for every horse or ox drawing the same two cents; and all other wagons or carts whose wheels shall exceed six inches in breadth, shall pass the said gates free and clear of all tolls: *Provided*, That nothing in this act shall be construed so as to authorize any tolls to be received or collected from any person passing to or from public worship, or to or from any musters, or to or from his common business on his farm or wood land, or to or from a funeral, or to or from a mill, or to or from his common place of trading or marketing, within the county in which he resides, including their wagons, carriages, and horses or oxen drawing the same; *Provided, also*, That no toll shall be received or collected for the passage of any stage or coach conveying the United States' mail, or horses bearing the same, or any wagon or carriage laden with the property of the United States, or any cavalry or other troops, arms or military stores belonging to the same, or to any of the states comprising this Union, or any person or persons on duty in the military service of the United States, or of the militia of any of the states.

Proviso.

Proviso.

Proceeds of  
tolls, how dis-  
posed of.

“SEC. 5. That the moneys so collected shall constitute a fund, to be denominated the United States' road fund; and so much thereof as may be paid into the treasury agreeably to the provisions above recited, shall

be subject to the order of the governor, who shall pay out of said fund the salary of the superintendent, and the expenses incident to the superintendence and collection, other than those particularly provided for in this act, and shall cause the remaining net proceeds of the revenue collected as above mentioned to be applied solely and exclusively to the preservation, repair, and improvement of said road, and to no other purpose whatever.

“SEC. 6. That directors shall be set up at proper and convenient situations, to caution all conductors or drivers of carriages on the road aforesaid, that they shall at all times pass on the left of each other, under the penalty of five dollars for every offence; and there shall also be set up at some conspicuous place at each gate, a board, on which shall be legibly painted the rates of toll, as is provided for in this act.

Caution boards, &c.

“SEC. 7. That, if any of the toll-collectors shall unreasonably delay or hinder any passenger or traveller at any of the gates, or shall demand or receive more toll than is by this act established, he shall, for each and every such offence, forfeit and pay to the party aggrieved the sum of ten dollars.

Unreasonable delay, &c.

“SEC. 8. That if any person shall purposely and maliciously deface, or otherwise injure any of the mile-stones, parapet walls, culverts, or bridges, or any of the masonry whatsoever, or any of the gates or toll-houses of and belonging to the said national road in this state, as the same is now constructed, or may hereafter be constructed, every person so offending shall, upon conviction thereof, be fined in a sum not more than five hundred dollars, or be imprisoned in the dungeon of the jail of the county, and be fed on bread and water only, not exceeding twenty days, or both, at the discretion of the court.

Injuries to road.

“SEC. 9. That, if any person shall purposely fill, choke, or otherwise obstruct any of the side drains, valleys, gutters, or culverts of said road, now made or hereafter to be made, or shall connect any private road or cartway with the said national road, without making at the point of connection a stone culvert, or paved valley, or other good and sufficient fixture, so as to secure a free passage for the water along such side drain, where such private road or cartway connects with the said national road, or if any person shall purposely and wilfully travel upon such parts of said national road as are or may be in an unfinished state, against the consent of the superintendent appointed by the United States, or by this state, or shall remove any of the beacons placed upon the said road so in an unfinished state as aforesaid, for the diverting of the travel on and from said road, every person so offending shall, upon conviction thereof, be, for every such offence, fined in a sum not less than one nor more than ten dollars.

Obstruction of drains, &c.

“SEC. 10. That if any person shall stand his wagon and team, or either of them, over night, upon the pavement of said road, now made, or which may hereafter be made, or shall at any other time stand a wagon and team, or either of them, upon the said pavement, for the purpose of feeding, or if he shall in any other manner purposely and wilfully obstruct the travel upon said road, every person so offending shall, upon conviction thereof, for every such offence, be fined in a sum not less than one nor more than five dollars.

Stopping on road.

“SEC. 11. That if any person shall fast lock or rough lock either of the wheels of any wagon, coach, chaise, gig, sulky, carriage, or other two or four-wheeled vehicle, while travelling upon the pavement of said road, as now made, or which may hereafter be made, (excepting however, such parts of said road as may be, at the time of such locking, covered with ice,) every person so offending shall, upon conviction thereof, be fined in any sum not less than one nor more than five dollars.

Locking of wheels.

“SEC. 12. The supervisors of roads and highways through whose districts the said national road does now or may hereafter pass, are hereby severally

Culverts, &c. at cross roads.

authorized and required at the connection with, or intersection of, any state, county or township road, which now is or hereafter may be established under the laws of this state within their respective districts, to build and keep in repair a good and sufficient stone culvert or paved valley, or other good and sufficient fixture, in such manner as to admit of a free passage for the water along the side drain or drains of said national road, at the connection or intersection aforesaid, and according to the grade thereof, as established by the United States' superintendent of said national road.

Appropriation.

"SEC. 13. That, for the purpose of carrying into effect the provisions of this act, the governor is hereby authorized to draw on the state treasury for any sum of money not exceeding two thousand dollars, to be paid out of any money in the treasury not otherwise appropriated: *Provided*, said sum shall be refunded to the state treasury out of the proceeds of the road fund created by the provisions of this act, so soon as the same shall be collected.

Fines, &c. how to be recovered.

"SEC. 14. That all fines, penalties and forfeitures incurred under the provisions of this act, shall be recovered by indictment in the court of common pleas of the county where the offence was committed, or by action of debt, in the name of the state of Ohio, for the use of the road fund established by this act, which action of debt may be brought before any justice of the peace or other court having jurisdiction thereof in the county where the offence was committed, or such fine, penalty or forfeiture was incurred; and it shall be the duty of the superintendent, toll-gatherers, and of any other person who will complain of the same, to prosecute all offences against the provisions of this act.

Alteration of this law.

Proviso.

"SEC. 15. That it shall be lawful for the General Assembly, at any future session thereof, without the consent of Congress, to change, alter, or amend this act: *Provided*, That the same shall not be so changed, altered or amended, as to reduce or increase the rates of toll hereby established, below or above a sum necessary to defray the expenses incident to the preservation and repair of said road, to the erection of gates and toll-houses thereon, and for the payment of the fees or salaries of the superintendent, the collectors of tolls, and of such other agents as may be necessarily employed in the preservation and repair of the same, according to the true intent and meaning of this act.

Mode of paying tolls.

"SEC. 16. That any person or persons shall have the privilege of paying at either of the said gates, at the rates specified in this act, the amount of toll for any distance which such person or persons may desire to travel on said road, and receive a certificate thereof from the collector of tolls at such gate, which certificate shall be a sufficient voucher to procure the passage of such person or persons through any other gate or gates named in said certificate: *Provided*, That printed forms of such certificates shall be furnished by the superintendent to be appointed under the provisions of this act to each collector of tolls, and shall be countersigned by such superintendent, and otherwise so devised as to prevent fraud or imposition; and no certificate shall be considered as valid under this section unless such certificate shall be authenticated as aforesaid.

Proviso.

"SEC. 17. That the act, entitled 'An act for the prevention of injuries to the national road in Ohio,' passed February eleventh, eighteen hundred and twenty-eight, be, and the same is hereby, repealed: *Provided however*, That all actions and prosecutions which may now be pending shall be prosecuted to final judgment and execution, and all offences committed before the taking effect of this act shall be prosecuted and punished in the same manner as if the above-mentioned act was not repealed."

APPROVED, March 2, 1831.

STATUTE II.

CHAP. XCVIII.—*An Act to regulate the foreign and coasting trade on the northern, north-eastern, and north-western frontiers of the United States, and for other purposes. (a)*

March 2, 1831.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, from, and after the first day of April next, no custom-house fees shall be levied or collected on any raft, flat, boat, or vessel, of the United States, entering otherwise than by sea, at any port of the United States on the rivers and lakes on our northern, north-eastern, and north-western frontiers.

Custom-house fees on United States vessels.

SEC. 2. *And be it further enacted,* That, from and after the first day of April next, the same and no higher tonnage duties and custom-house charges of any kind shall be levied and collected on any British colonial raft, flat, boat, or vessel, entering otherwise than by sea at any port of the United States on the rivers and lakes on our northern, north-eastern and north-western frontiers, than may be levied and collected on any raft, flat, boat, or vessel, entering otherwise than by sea at any of the ports of the British possessions on our northern, north-eastern and north-western frontiers: and that, from and after the first day of April next, no higher discriminating duty shall be levied or collected on merchandise imported into the United States in the ports aforesaid, and otherwise than by sea, than may be levied and collected on merchandise when imported in like manner otherwise than by sea, into the British possessions on our northern, north-eastern and north-western frontiers from the United States.

Tonnage duties, &c. on British vessels.

SEC. 3. *And be it further enacted,* That, from and after the passage of this act, any boat, sloop, or other vessel, of the United States, navigating the waters on our northern, north-eastern and north-western frontiers, otherwise than by sea, shall be enrolled and licensed in such form as may be prescribed by the Secretary of the Treasury; which enrolment and license shall authorize any such boat, sloop, or other vessel, to be employed either in the coasting or foreign trade; and no certificate of registry shall be required for vessels so employed on said frontiers; *Provided,* That such boat, sloop, or vessel, shall be in every other respect liable to the rules, regulations, and penalties, now in force, relating to registered vessels on our northern, north-eastern and north-western frontiers.

License, &c. to United States vessels.

Proviso.

SEC. 4. *And be it further enacted,* That in lieu of the fees, emoluments, salary, and commissions, now allowed by law to any collector or surveyor of any district on our northern, north-eastern and north-western lakes and rivers, each collector or surveyor, as aforesaid, shall receive, annually, in full compensation for these services, an amount equal to the entire compensation received by such officer during the past year.

Compensation to collector.

APPROVED, March 2, 1831.

STATUTE II.

CHAP. XCIX.—*An Act declaratory of the law concerning contempts of court. (b)*

March 2, 1831.

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

(a) See notes of the acts relating to the coasting trade, vol. iii. p. 492.

(b) The decisions of the courts of the United States on the law applicable to contempts of courts are,

The courts of the United States have no common law jurisdiction of crimes against the United States. But, independent of statutes, the courts of the United States have power to fine for contempts, and imprisonment for contumacy, and to enforce obedience to their orders, &c. The United States v. Hudson et al., 7 Cranch, 32; 2 Cond. Rep. 405.

The Supreme Court will not grant a habeas corpus, to bring before it the body of a person confined for a contempt of a circuit court of the United States. Nor, in such a case, will the court inquire into the cause of the commitment of such person. Ex parte Kearney, 7 Wheat. 38; 5 Cond. Rep. 225.

Where a court commits a person for a contempt, their adjudication is a conviction; and their commitment, in consequence, is execution. *Ibid.*

Cases for summary proceedings.

courts of the United States to issue attachments and inflict summary punishments for contempts of court, shall not be construed to extend to any cases except the misbehaviour of any person or persons in the presence of the said courts, or so near thereto as to obstruct the administration of justice, the misbehaviour of any of the officers of the said courts in their official transactions, and the disobedience or resistance by any officer of the said courts, party, juror, witness, or any other person or persons, to any lawful writ, process, order, rule, decree, or command of the said courts.

Cases for indictment.

SEC. 2. *And be it further enacted*, That if any person or persons shall, corruptly, or by threats or force, endeavour to influence, intimidate, or impede any juror, witness, or officer, in any court of the United States, in the discharge of his duty, or shall, corruptly, or by threats or force, obstruct, or impede, or endeavour to obstruct or impede, the due administration of justice therein, every person or persons, so offending, shall be liable to prosecution therefor, by indictment, and shall, on conviction thereof, be punished, by fine not exceeding five hundred dollars, or by imprisonment, not exceeding three months, or both, according to the nature and aggravation of the offence.

APPROVED, March 2, 1831.

STATUTE II.

March 3, 1831.

[Obsolete.]

CHAP. CIII.—*An Act making appropriations for building lighthouses, lightboats, beacons, and monuments, and placing buoys.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following appropriations be, and the same are hereby, made, and directed to be paid out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide, by contract, for building lighthouses, lightboats, beacons, and monuments, and placing buoys, to wit :

One who was not a Quaker, who refused to be sworn as a witness, on the ground of conscientious scruples, arising from a declaration formerly made, was committed, by the circuit court of Massachusetts for a contempt of the court; the liberty to affirm being strictly confined to Quakers, by the law and practice of Massachusetts. The United States v. Coolidge, 2 Gallis. C. C. R. 364.

That a counsellor, practising in the highest court of the state of New York, in which he resides, had been struck off from the roll of counsellors of the district court of the United States for the northern district of New York, by the order of the judge of that court for a contempt, does not authorize the Supreme Court to refuse his admission as a counsellor of the Supreme Court. *Ex parte Tillinghast*, 4 Peters, 108.

The Supreme Court does not consider the circumstances upon which the order of the district judge was given within its cognisance; or, that it is authorized to punish for a contempt, which may have been committed in the district court of the northern district of New York. *Ibid.*

If, from any collateral evidence, it should appear that there is reason to believe the respondent has perjured himself, the circuit court will recognise him to answer at the next term of the court, to such matters as may be found against him. United States v. Dodge, 2 Gallis. C. C. R. 313.

Unfair practices towards a witness who is to give testimony in court, or oppression under colour of its process, although those practices and that oppression were acted out of the district in which the court is sitting, may be punished by attachment, provided the person who has thus demeaned himself comes within the jurisdiction of the court. But, it is also believed that this mode of punishment ought not to be adopted, unless the deviation from law could be clearly attached to the person against whom the motion was made; and unless the deviation were intentional; or unless the course of judicial proceeding were or might be so affected by it as to make a punishment in this mode obviously conducive to a fair administration of justice. 1 Burr's Trial, 355.

Any publication, pending a suit, reflecting upon the court, the jury, the parties, the officers of the court, the counsel, &c., in reference to the suit, or tending to influence the decision of the controversy, is a contempt of the court, and punishable by attachment. Hollingsworth v. Duane, Wallace's C. C. R. 77.

For contempts to inferior jurisdictions, not of record, nor having a general power to fine and imprison, unless committed in presence of the officer, and punished instantly, there is no other mode of punishment than by indictment. *Ibid.*

It is not a contempt to serve a party, while attending at the court as a party in the cause, or as a witness, with a summons. The privilege extends to exemption from arrest, but no further. *Blight's Ex'rs v. Fisher et al.*, Peters' C. C. R. 41.

It is a contempt of court to serve process, either of summons or capias, in the actual or constructive presence of the court. *Ibid.*

*State of Maine.*—Four thousand dollars for a lighthouse at the western entrance of Fox island thoroughfare. Maine.

Six thousand dollars for a lighthouse at or near Cape Porpoise.

Four thousand dollars for increasing the height of the lighthouse on Boon island.

Four thousand dollars for a lighthouse at or near Marshal's Point, in the town of St. George.

Six thousand dollars for re-building the lighthouse at Whitehead.

Six thousand dollars for re-building the lighthouse on Franklin island.

Five hundred and ten dollars for spindles and buoys in Penobscot river.

*State of Massachusetts.*—Five thousand dollars for building a lighthouse on the monument at Gloucester Point. Massachusetts.

One thousand dollars for erecting a monument on or near Cohasset Rocks.

Two hundred and fifty dollars in addition to an unexpended balance of a former appropriation, for erecting a spindle-beacon on Minot's Ledge, and placing a buoy on Hospital Island Ledge near George's island.

Twelve hundred dollars for erecting a monument upon a ledge of rocks situated at the outer part of the harbour of Swampscut.

One thousand dollars for two monuments, one on Sunken island, and the other on Pig Rocks, in Braintree bay.

Five hundred dollars for placing ten buoys in the northern channel through the Vineyard Sound, at the following places: one on Point Rips; one on the Shovel Shoals, near Monomoy Point; three on the Handkerchief, north-east, south-east, and south-west parts; one on a rock near Hyannis harbour, in the channel; and two on the Broad Shoal to the eastward of Falmouth, east and west parts.

Five thousand dollars for re-building a lighthouse on Cape Cod, should it be deemed expedient by the Secretary of the Treasury.

Four hundred dollars for placing six buoys on ledges and rocks at a place called Wood's Hole, near Falmouth; and a spindle on Lone Rock, near that place.

*State of Rhode Island.*—For a beacon-light at or near the entrance of the harbour of Wickford, in the town of North Kingston, three thousand dollars. Rhode Island.

Fifty dollars for a spindle on the Halfway Rock between the islands of Rhode Island and Connecticut.

*State of Connecticut.*—Five thousand dollars for building a lighthouse at or near Morgan's Point, on the north side of Fisher's Island Sound, in the township of Groton. Connecticut.

Four hundred dollars for a spindle to be erected on the Whale Rock, at the entrance of Mystic river, and for one on Turner's Reef, situated about one-third of the distance from the main land to Fisher's island.

Three thousand dollars for erecting a beacon on the beach near the west side of New Haven harbour; and two hundred and fifty dollars for buoys on Pardee's bar, Black Rock Bar, and the Shag Banks in said harbour.

Six thousand and two hundred dollars for erecting a monument or beacon on Bradford Reef, in Long Island Sound.

Two hundred and fifty dollars for placing buoys, viz: one on the north end of Hatchet's Reef, in the Sound; one on the south end of said reef; one on the south-east tail of Saybrook Bar, at the mouth of Connecticut river; and one on the south end of Crane Reef, west of Saybrook.

*State of New York.*—Three thousand one hundred and ninety dollars to rebuild the beacon in Black Rock harbour, should it be deemed expedient by the Secretary of the Treasury. New York.

Four thousand dollars for erecting a beacon-light on a proper site near Sackett's Harbour, in Lake Ontario.

Three thousand dollars for erecting a beacon-light at the junction of Rondout creek and Hudson river, or on or near the Esopus Meadows, as may be deemed most expedient by the Secretary of the Treasury.

One thousand dollars for erecting a beacon on the middle ground between Stratford and Crane Neck, in Long Island Sound.

Twelve thousand five hundred and twelve dollars, in addition to the unexpended balance of former appropriations for erecting a lighthouse, and forming the foundation for the same, in the harbour of Buffalo.

Pennsylvania. *State of Pennsylvania.*—Two thousand five hundred dollars for erecting a beacon-light at the end of the pier which forms the entrance into the harbour of Erie, on Lake Erie.

Delaware. *State of Delaware.*—Fifteen hundred dollars for erecting a beacon-light near the mouth of Mispillion creek.

1828, ch. 69. Ten thousand dollars for building a lighthouse at Mahon's ditch, in addition to what remains unexpended of an appropriation to build a lighthouse at Duck creek, and which last-named appropriation is hereby transferred to the first-mentioned object.

Maryland. *State of Maryland.*—Five thousand dollars for building a lighthouse on or near Turkey Point, at the mouth of Elk river.

For erecting a beacon-light on Lazaretto Point, at the entrance of the harbour of Baltimore, or on the point of land upon which fort McHenry is situated, in the discretion of the Secretary of the Treasury, two thousand five hundred dollars.

For a floating-light at the Wolf Trap, in the Chesapeake bay, twelve thousand dollars.

Four hundred dollars for placing buoys at the entrance of the harbour of Annapolis.

Virginia. *State of Virginia.*—Seven thousand and five hundred dollars for building a lighthouse on one of the Chingoteague islands.

Five hundred dollars for placing in the Potomac river three buoys on the Kettle Bottoms, one on Port Tobacco shoals, one in Nanjemoy Reach, one on Ragged Point bar, and one on Parsimmon bar.

North Carolina. *State of North Carolina.*—Eleven thousand dollars for building a lightboat, to be stationed at or near Brant Island Shoal, in Pamptico Sound.

For a buoy to be placed on the bar near Harbour island, two hundred dollars.

For three buoys to be placed in the river and inlets of Cape Fear, twelve hundred dollars.

South Carolina. *State of South Carolina.*—Fifteen hundred dollars for constructing three hollow buoys, and placing the same on the bar at or near the entrance of the harbour of Georgetown, in addition to any unexpended appropriation for placing buoys at or near that harbour.

A sum not exceeding one thousand dollars for purchasing land and removing a wind-mill on Cape Roman.

Georgia. *State of Georgia.*—For a beacon on the White Oyster Beds, near the mouth of Savannah river, three thousand dollars.

Ohio. *State of Ohio.*—Five thousand dollars for building a lighthouse on Turtle island, at the mouth of Maumee bay, Lake Erie.

One thousand dollars for erecting a beacon-light on the pier at Grand river.

Louisiana. *State of Louisiana.*—Forty thousand dollars for building two light-houses, one at the mouth of the south-west pass of the river Mississippi, and the other on the south point, between the south-west pass and the Balize.

Seven thousand dollars for a lighthouse at the Rigolets.

Mississippi. *State of Mississippi.*—Seven thousand dollars for building a lighthouse on St. Joseph's island, or some other suitable place off the Pascagoula bay.



Seven thousand dollars for a lighthouse at Pass Christian near the bay of St. Louis.

For buoys to be placed at the south pass, and the pass at Dauphin island, four hundred dollars.

*State of Alabama.*—Five hundred dollars for placing buoys in Mobile bay. Alabama.

*State of Illinois.*—Five thousand dollars for building a lighthouse at the mouth of Chicago river, Lake Michigan. Illinois.

*Michigan Territory.*—Five thousand dollars for building a lighthouse at the confluence of the St. Joseph's river with Lake Michigan. Michigan.

Five thousand dollars for a lighthouse on the Outerthunder bay island in Lake Huron.

A sum not exceeding ten thousand dollars for building a light-boat to be stationed in the strait connecting Lakes Huron and Michigan; and three hundred and fifty dollars for buoys and placing the same on the flats at the head of Lake St. Clair.

*Florida Territory.*—Eleven thousand four hundred dollars for building a lighthouse on the west end of St. George's island, near the entrance of Appalachicola bay. Florida.

Four hundred dollars for placing buoys in the said bay between St. George's island, and the entrance of the Appalachicola river.

Two hundred dollars for placing buoys in the bay and river of St. Mark's.

One hundred and sixty dollars for placing buoys at St. Augustine, and in St. John's river.

Five thousand dollars for building a lighthouse on a suitable site at or near Port Clinton.

APPROVED, March 3, 1831.

STATUTE II.

CHAP. CIV.—*An Act for the benefit of Percis Lovely, and for other purposes.*

March 3, 1831.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the tract of land not exceeding one half section, including the present residence of Mrs. Percis Lovely, in Pope county, in the territory of Arkansas, shall be reserved by the President of the United States from public sale, during the lifetime of said Percis, and that she shall have the entire use and privilege of, and possession of the said half section of land, for and during her life: *Provided,* That the said Percis Lovely shall not commit, or permit any other person to commit, on said land, any voluntary waste.

Certain lands secured to her.

Proviso.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury pay unto the said Percis Lovely, or her legal representative, out of any money in the treasury of the United States not otherwise appropriated, a sum equal to that for which her improvements upon the land secured to her by the treaty at Hiawasee, in one thousand eight hundred and seventeen, for life, were valued, and which improvements and land were taken from her by the treaty at Washington, of one thousand eight hundred and twenty-eight, with the Cherokee Indians. *Provided,* That before the money shall be paid the said Percis Lovely, she shall produce to the Treasury Department satisfactory evidence that the said sum of money has not been heretofore paid her by the government of the United States, through the Indian Department: and *Provided, also,* That the half section granted by this act, shall not interfere with, or include any lands lying within the limits of any reservation made by the last-named treaty, made at Washington as aforesaid, in the year eighteen hundred and twenty-eight.

Value of certain improvements, &c.

Proviso.

Proviso.

SEC. 3. *And be it further enacted,* That, for carrying into effect the treaty concluded with the Seneca tribe of Indians at Washington, the

Seneca treaty.

twenty-eighth day of February, one thousand eight hundred and thirty-one, the sum of eleven thousand one hundred and seventy-five dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1831.

STATUTE II.

March 3, 1831. CHAP. CXIV.—*An Act for the relief of John Culbertson, and to provide an interpreter for the district court of the United States for the eastern district of Louisiana.*

Payment to  
John Culbert-  
son.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of three hundred and thirty-three dollars and thirty-three and one-third cents be paid by the marshal of the United States for the eastern district of Louisiana to John Culbertson, for his services rendered as interpreter to the United States' court for said district, under the provisional appointment of the judge, for each regular term of said court, from the December term of one thousand eight hundred and twenty-five, inclusively, up to the time of the passage of this act.

Interpreter  
created.

SEC. 2. *And be it further enacted,* That the judge of the district court of the United States for the eastern district of Louisiana be, and is hereby, authorized to appoint an interpreter to said court, and to allow him a compensation not exceeding three hundred and thirty-three dollars and thirty-three and one third cents, for his services at each regular term of said court, to be holden subsequently to the passage of this act; and the marshal is authorized to pay the same upon the order of the judge: *Provided, always,* That it shall be the duty of the said interpreter, during his continuance in office, to attend all and every of the called or irregular sessions of the said court, without any additional compensation therefor; *Provided, also,* That the said interpreter shall not receive, under this act, more than one thousand dollars for each year.

Proviso.

Proviso.

APPROVED, March 3, 1831.

STATUTE II.

March 3, 1831. CHAP. CXV.—*An Act concerning vessels employed in the whale fishery.*

Act of March  
3, 1825, ch. 99.  
Vessels em-  
ployed in the  
whale fishery.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the provisions of the act, entitled "An act to authorize the register or enrollment, and license, to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel," passed the third day of March, one thousand eight hundred and twenty-five, shall extend and be applicable to every ship or vessel owned by any incorporated company, and employed wholly in the whale fishery, so long as such ship or vessel shall be wholly employed in the whale fishery.

APPROVED, March 3, 1831.

STATUTE II.

March 3, 1831. CHAP. CXVI.—*An Act to create the office of surveyor of the public lands for the state of Louisiana.*

Surveyor ge-  
neral created.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That a surveyor general for the state of Louisiana shall be appointed, who shall have the same authority, and perform the same duties, respecting the public lands and private land claims in the state of Louisiana, as are now vested in, and required of the surveyor of the lands of the United States, south of the state of

Tennessee, or the principal deputy surveyors in the said state; and that from and after the first day of May next, the office of principal deputy surveyors, as created by the ninth section of the act of Congress of the twenty-first day of April, eighteen hundred and six, entitled "An act supplementary to an act, entitled 'An act for ascertaining and adjusting the titles and claims to lands within the territory of Orleans and district of Louisiana,'" be, and the same are hereby, abolished; and it shall be the duty of said principal deputy surveyors to surrender to the surveyor general of Louisiana, or to such person or persons as he may appoint to receive the same, all the maps, books, records, field notes, documents and articles of every description, appertaining or in anywise belonging to their offices respectively.

April 21, 1806,  
ch. 39.

Sec. 2. *And be it further enacted*, That the principal deputy surveyor for the district east of the island of New Orleans be, and he hereby is, required to separate and arrange the papers in his office; and all the maps, records, papers and documents of every description which refer to lands in the state of Louisiana, shall be delivered to the order of the surveyor general for that state; and such of them as refer to lands in the state of Alabama shall be delivered to the surveyor for the state of Alabama; and such of them as refer to lands in the state of Mississippi, together with such maps, papers, records and documents in the office of said principal deputy surveyor, as are not hereby required to be delivered to the surveyor general of the state of Louisiana, or to the surveyor for the state of Alabama, shall be delivered to the order of the surveyor of the lands of the United States south of the state of Tennessee; and the office of said principal deputy shall be, and the same is hereby, abolished from and after the first day of May next; and the powers and duties now exercised and performed by the said principal deputy surveyor shall be vested in and performed by the aforesaid surveyors, within their respective states.

Disposition of  
certain docu-  
ments.

Sec. 3. *And be it further enacted*, That it shall be the duty of the surveyor south of the state of Tennessee to deliver to the surveyor general of the state of Louisiana all the maps, papers, records, and documents relating to the public lands, and private claims in Louisiana, which may be in his office; and in every case where it shall be impracticable to make a separation of such maps, papers, records and documents, without injury to the portion of them relating to lands in Mississippi, it shall be his duty to cause copies thereof certified by him to be furnished to the surveyor general of Louisiana, and which copies shall be of the same validity as the originals.

Other docu-  
ments.

Sec. 4. *And be it further enacted*, That the surveyor general of Louisiana shall appoint a sufficient number of skilful and experienced surveyors as his deputies, who, with one or more good and sufficient sureties to be approved by said surveyor general, shall enter into bond for the faithful performance of all surveying contracts confided to them in the penalty of double the amount of money accruing under the said contracts at the rate per mile stipulated to be paid therein, and who, before entering on the performance of their duties, shall take an oath, or make affirmation, truly, faithfully, and impartially, to the utmost of their skill and ability, to execute the trust confided to them; and in the event of the failure of a deputy to comply with the terms of his contract, unless such failure shall be satisfactorily shown by him to have arisen from causes beyond his control, he shall forfeit the penalty of his bond on due process of law, and ever afterwards be debarred from receiving a contract for surveying public lands in Louisiana or elsewhere.

Deputy sur-  
veyors to be ap-  
pointed.

Sec. 5. *And be it further enacted*, That the surveyor general to be appointed in pursuance of this act shall establish his office at such place as the President of the United States may deem most expedient for the public service; and that he shall be allowed an annual salary of two thousand dollars, and that he be authorized to employ one skilful draughts-

Location of  
office of sur-  
veyor general.

Salary, &c.

man and recording clerk whose aggregate compensation shall not exceed one thousand five hundred dollars per annum; and that the fees heretofore authorized by law for examining and recording surveys be, and the same are hereby, abolished; and any copy of a plat of survey, or transcript from the records of the office of the said surveyor general, shall be admitted as evidence in any of the courts of the United States or territories thereof; and for every copy of a plat of survey, there shall be paid twenty-five cents, and for any transcript from the records of said office, there shall be paid at the rate of twenty-five cents for every hundred words by the individuals requiring the same.

Settlement of  
conflicting  
claims.

SEC. 6. *And be it further enacted,* That in relation to all such conflicting claims as may conflict, or in any manner interfere with each other, the register of the land office and receiver of public moneys for the proper land district, are hereby authorized to decide between the parties, and shall in their decision be governed by such conditional lines or boundaries as have been or may be agreed upon between the parties interested, either verbally or in writing; and in case no lines or boundaries be agreed upon between the parties interested, then the said register and receiver are hereby authorized to decide between the parties in such manner as may be consistent with the principles of justice; and it shall be the duty of the surveyor general of the said state to have those claims surveyed and platted in accordance with the decisions of the register and receiver: *Provided,* That the said decisions and surveys, and the patents which may be issued in conformity thereto, shall not in any wise be considered as precluding a legal investigation and decision by the proper judicial tribunal between the parties to any such interfering claims, but shall only operate as a relinquishment on the part of the United States of all title to the land in question.

Proviso.

Survey of cer-  
tain lands.

SEC. 7. *And be it further enacted,* That all the lands to which the Indian title has been extinguished lying north of the northern boundary of the state of Illinois, west of Lake Michigan, and east of the Mississippi river, shall be surveyed in the same manner and under the same regulations, provisions, restrictions and reservations as the other public lands are surveyed.

School lands  
in Missouri.

SEC. 8. *And be it further enacted,* That the legislature of the state of Missouri be, and is hereby authorized to sell and convey in fee simple all or any part of the lands heretofore reserved and appropriated by Congress for the use of a seminary of learning in said state, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be for ever applied by the legislature of said state, solely to the use of such seminary, and for no other use or purpose whatsoever. And that the legislature of said state of Missouri shall be, and is hereby authorized to sell and convey in fee simple all or any part of the salt springs not exceeding twelve in number, and six sections of land adjoining to each, granted to said state by the United States for the use thereof, and selected by the legislature of said state, on or before the first day of January, one thousand eight hundred and twenty-five, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be for ever applied under the direction of said legislature, for the purpose of education in said state, and for no other use or purpose whatsoever.

Salt springs.

APPROVED, March 3, 1831.

RESOLUTIONS.

I. RESOLUTION *in relation to the transmission of public documents printed by order of either House of Congress.*

Jan. 13, 1831.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That nothing contained in the act to reduce into one the several acts establishing and regulating the Post-office Department, approved March third, one thousand eight hundred and twenty-five, shall be construed to repeal or limit the operation of the act authorizing the transmission of certain documents free of postage, approved December nineteenth, one thousand eight hundred and twenty-one.

Transmission of public documents.

1825, ch. 64.

APPROVED, January 13, 1831.

II. A RESOLUTION *directing the Secretary of State to subscribe for seventy copies of Peters' Condensed Reports of decisions of the Supreme Court.*

March 2, 1831.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Department of State be, and he is hereby, authorized and directed to subscribe for and receive seventy copies of the Condensed Reports of cases in the Supreme Court of the United States, edited by Richard Peters, and cause to be distributed one copy thereof to the President of the United States, each of the justices of the Supreme Court, each of the judges of the district courts, the attorney general of the United States, each of the heads of departments, each of the judges of the several territories of the United States, five copies thereof for the use of each House of Congress; and the residue of the copies shall be deposited in the library of Congress: *Provided, however,* That the cost of each volume shall not exceed five dollars.

Peters' Condensed Reports.

APPROVED, March 2, 1831.

# ACTS OF THE TWENTY-SECOND CONGRESS

OF THE

## UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the fifth day of December, 1831, and ended July sixteenth, 1832.*

ANDREW JACKSON, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives.

### STATUTE I.

STATUTE I.  
Jan. 19, 1832.  
State authorized to sell.

CHAP. I.—*An Act to authorize the state of Illinois, to sell twenty thousand acres of the saline lands in said state.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the state of Illinois be, and is authorized and empowered to sell and dispose of, twenty thousand acres (in addition to the thirty thousand acres heretofore authorized to be sold) of the lands granted to said state for the use and support of the salt works, known by the name of the "Ohio Saline," in the county of Gallatin, in said state; the said twenty thousand acres of land to be selected and sold, and the proceeds thereof applied in such manner as the general assembly of Illinois have directed, or hereafter may direct.

Proceeds, how to be applied.

APPROVED, January 19, 1832.

### STATUTE I.

Jan. 23, 1832.

CHAP. IX.—*An Act supplementary to an act to grant pre-emption rights to settlers on public lands. (a)*

Act of May 29, 1830, ch. 208.

Purchasers under the act may assign their certificates of purchase, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the passage of this act, all persons who have purchased under an act, entitled "An act to grant pre-emption rights to settlers on the public lands," approved the twenty-ninth of May, one thousand eight hundred and thirty, may assign and transfer their certificates of purchase, or final receipts, and patents may issue in the name of such assignee, any thing in the act aforesaid to the contrary notwithstanding.

APPROVED, January 23, 1832.

### STATUTE I.

Jan. 23, 1832.

CHAP. X.—*An Act to direct the manner of issuing patents on confirmed land claims in the territory of Florida.*

Patents may be issued to the present owner.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all patents that are, or

(a) Notes of the acts which have been passed relating to pre-emption of public lands. Act of May 29, 1830, ch. 208.

may be, by law, directed to be issued on private land claims confirmed by the commissioners of private land claims, and by the several acts of Congress approving their reports and confirming the titles to lands in the territory of Florida, shall be, and they are hereby, required to be issued to the confirmees, or to the assignee, or present owner, where the land has been sold or transferred since the confirmation of the title; and it shall be the duty of the commissioner of the general land office, upon the production of satisfactory proof of the death of the confirmee, or upon the production of a regular chain of title from the confirmee, to cause the patent to be issued to the heirs, and legal representatives, or to the assignees of the confirmee, as the case may be.

APPROVED, January 23, 1832.

STATUTE I.  
Feb. 10, 1832.

CHAP. XV.—*An Act to alter the time of holding the spring term of the Circuit Court of the United States for the Southern District of New York.*

*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 March next, a term of the Circuit Court of the United States for the Southern District of New York, shall commence and be held at the place fixed by law for holding said Court, on the first Monday of April in each and every year; and that, from and after said first day of March, the term of said Court, now required by law to be held on the last Monday in May in each year, shall be abolished.

APPROVED, February 10, 1832.

Term to be held on the 1st Monday of April. 1839, ch. 81.

STATUTE I.  
Feb. 24, 1832.

CHAP. XXV.—*An Act to provide for the payment of arrearages in the naval service, chargeable to the enumerated contingent prior to the first day of January, one thousand eight hundred and thirty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of eighty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be applied, under the direction of the Secretary of the Navy, in the payment of arrearages connected with the naval service, and chargeable to the contingent enumerated prior to January the first, one thousand eight hundred and thirty-two, and which have been or may be approved and passed by the proper accounting officers.

APPROVED, February 24, 1832.

\$80,000 appropriated.

[Obsolete.]

STATUTE I.  
Feb. 24, 1832.

CHAP. XXVI.—*An Act making appropriations for the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be appropriated for the pensioners of the United States, for the year one thousand eight hundred and thirty-two:

For the revolutionary pensioners, nine hundred and eighty-seven thousand, five hundred and four dollars.

For the invalid pensioners, in addition to the sum of one hundred and forty thousand five hundred and thirty-two dollars in the treasury, one hundred and sixty-five thousand and thirty-nine dollars.

For pensions to widows and orphans, three thousand dollars.

APPROVED, February 24, 1832.

Revolutionary pensioners.

Invalid pensioners.

Widows and orphans.

STATUTE I.  
Feb. 24, 1832.

CHAP. XXVII.—*An Act making appropriations for fortifications for the year one thousand eight hundred and thirty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and they are hereby, appropriated, for fortifications for the year one thousand eight hundred and thirty-two, viz:

[Obsolete.]

## Forts.

For the preservation of Castle island, and repair of fort Independence, twenty thousand dollars. For the preservation of George's island, nine thousand dollars. For fort Adams, Newport harbour, one hundred thousand dollars. For the completion of fort Hamilton, New York, ten thousand dollars. For repairing fort Columbus and Castle Williams, New York, fifty thousand dollars. For arrearages incurred in the preservation of the Pea Patch island, two thousand dollars. For fort Monroe, Virginia, seventy-two thousand dollars. For fort Calhoun, Virginia, eighty thousand dollars. For the completion of fort Macon, North Carolina, thirty thousand dollars. For the completion of the fort on Oak island, North Carolina, seven thousand dollars. For the fort on Cockspur island, Georgia, forty-six thousand dollars. For fortifications at Charleston, thirty thousand dollars. For fortifications at Pensacola, one hundred thousand dollars. For fort at Mobile Point, eighty-seven thousand two hundred dollars. For contingencies of fortifications, ten thousand dollars.

APPROVED, February 24, 1832.

## STATUTE I.

Feb. 24, 1832.

[Obsolete.]

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

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-two, viz :

Pay and subsistence, &c.

For pay and subsistence of the officers of the navy, and the pay of seamen, one million four hundred and nine thousand nine hundred and twenty-seven dollars. For pay of superintendents, naval constructors, and all the civil establishments at the several yards, fifty-eight thousand five hundred and thirty dollars.

Pay at navy yards.

For provisions, four hundred and twenty-nine thousand one hundred and seventy-five dollars.

Provisions.

Repairs.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, five hundred and thirty thousand six hundred and eighty-two dollars.

Medicines, &c.

For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, twenty-five thousand dollars.

Repairs, &c. at navy yards.

For improvements and necessary repairs of navy yards, viz : For the navy yard at Portsmouth, forty-one thousand one hundred and thirty-four dollars. For the navy yard at Boston, eighty-five thousand dollars. For the navy yard at New York, seventy-two thousand dollars. For the navy yard at Philadelphia, ten thousand six hundred and eighty-eight dollars. For the navy yard at Washington, forty-two thousand dollars. For the navy yard at Norfolk, one hundred and twenty thousand nine hundred and twenty-three dollars. For the navy yard at Pensacola, twenty-five thousand eight hundred and fifty dollars.

Portsmouth.

Boston.

New York.

Philadelphia.

Washington.

Norfolk.

Pensacola.

Ordnance, &c.

For ordnance and ordnance stores, ten thousand dollars.

Miscellaneous.

For defraying 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, travelling expenses of officers, and transportation of seamen, house rent, chamber money, and fuel and candles to officers other than those attached to navy yards and stations, and for officers in sick quarters, where there is no hospital, and for funeral expenses ; for commissions, clerk hire, and 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 allowances for persons attending courts martial and courts of inquiry, and for officers engaged in extra service beyond the limits of their stations ; for printing and stationery of every description, and for books, maps, charts, and mathematical and nautical instru-



ments, chronometers, models, and drawings; for purchase and repair of steam and fire engines, and for machinery; for 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; for cabin furniture of vessels in commission, and for furniture of officers' houses at navy yards; for taxes on navy yards and public property; for assistance rendered to vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, founderies, and steam engines; for candles, oil, and fuel; for vessels in commission and in ordinary; for repairs and building of magazines and powder houses; for preparing moulds for ships to be built, and for no other object or purpose whatsoever, two hundred and fifty thousand dollars.

For contingent expenses for objects not hereinbefore enumerated, five thousand dollars.

Contingencies.

For the pay of the officers and non-commissioned officers and privates, and for subsistence of the officers of the marine corps, one hundred and eleven thousand five hundred and sixty-three dollars.

Marine corps.

For subsistence for non-commissioned officers, musicians, and privates, and washerwomen serving on shore, eighteen thousand four hundred and thirty-nine dollars.

Subsistence.

For clothing, twenty-eight thousand seven hundred and sixty-five dollars.

Clothing.

For fuel, nine thousand and ninety-eight dollars.

Fuel.

For contingent expenses, fourteen thousand dollars.

Contingencies.

For military stores, two thousand dollars.

Stores.

For medicines, hospital stores, and surgical instruments, two thousand three hundred and sixty-nine dollars.

Medicines, &c.

APPROVED, February 24, 1832.

STATUTE I.

CHAP. LI.—*An Act for the adjustment and settlement of the claims of the state of South Carolina against the United States.*

March 22, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to liquidate and settle the claim of the state of South Carolina against the United States for interest upon money actually expended by her for military stores for the use and benefit of the United States, and on account of her militia, whilst in the service of the United States, during the late war with Great Britain; the money so expended having been drawn by the state from a fund upon which she was then receiving interest.

Claim for interest to be settled.

SEC. 2. *And be it further enacted,* That, in ascertaining the amount of interest to be paid, as aforesaid, to the state of South Carolina, interest shall be computed upon sums expended by the state for the use and benefit of the United States, as aforesaid, and which have been, or shall be, repaid to South Carolina by the United States.

Upon what sums.

SEC. 3. *And be it further enacted,* That the following claims of the state of South Carolina against the United States, which have been heretofore disallowed, in consequence of their not coming within the regulations of the government, shall be adjusted and settled, that is to say:

Other claims, to be allowed.

First. The cost of certain cannon-balls purchased or procured by the said state for her military defence during the late war, and rejected by the inspecting officers of the United States, in consequence of their not being conformable to the standard fixed by the Department of War: *Provided,* That the balls so rejected shall belong to the United States.

For cannon-balls.

Transportation.

Second. The amount paid by the state of South Carolina for the transportation of military stores, and of her troops, in the service of the United States, as aforesaid; or recognised by them as having been called out for that purpose, over and above the number of wagons allowed to each regiment in the army of the United States.

Pay to certain staff officers.

Third. The pay or compensation allowed by the said state to the paymaster and commissary general, and other staff officers, whilst they were, respectively, employed in making or superintending disbursements for the militia in the service of the United States as aforesaid.

Blankets.

Fourth. The sum of seven thousand five hundred dollars, for blankets purchased by the state for the use of a portion of her militia whilst in the service of the United States.

Muskets.

Fifth. The value of the present contract price of the muskets purchased, or procured, by the state of South Carolina, for her militia, during the late war, when in the service of the United States: *Provided*, That the said muskets shall become the property of the United States; *And provided, also*, That any part of the said amount may be received in arms at the present contract price.

SEC. 4. *And be it further enacted*, That the several items hereby allowed, and the amount of interest, as aforesaid, shall, when ascertained, be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, March 22, 1832.

#### STATUTE I.

March 22, 1832.

CHAP. LIII.—*An Act to amend the several acts establishing a territorial government in Florida.* (a)

Additional members of the legislative council.

Act of March 30, 1822, ch. 13.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there shall be elected one member of the legislative council in the territory of Florida, from the counties of Madison and Hamilton, and one from the county of Walton, in said territory.

APPROVED, March 22, 1832.

#### STATUTE I.

March 31, 1832.

[Expired.]

Act of May 30, ch. 1830, 215.

The provisions of the act limited.

CHAP. LVII.—*An Act explanatory of the act entitled "An act for the relief of officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war," approved thirtieth of May, 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 provisions of the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war," approved thirtieth of May, one thousand eight hundred and thirty, shall not be construed to extend to any land warrants heretofore issued, which have been located, surveyed, or patented on the lands reserved and set apart for the satisfaction of the military bounty lands due to the officers and soldiers of the Virginia line upon continental establishment, or for the satisfaction of the officers and soldiers of the continental army.

SEC. 2. *And be it further enacted*, That the provisions of the third section of the act, entitled "An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the land office," approved twentieth May, one thousand eight hundred and twenty-six, be, and the same is hereby, continued in force for seven years, from

The act of May 20, 1826, ch. 138, continued in force to June 1, 1832.

(a) For notes of the acts relating to the territory of Florida, see vol. iii. p. 523.

and after the first day of June, one thousand eight hundred and thirty-two; and the proprietors of any location, survey, or patent, contemplated by the aforesaid section, may avail themselves of the provisions of the said section, in the cases therein enumerated.

APPROVED, March 31, 1832.

STATUTE I.

CHAP. LVIII.—*An Act to add a part of the southern to the northern district of Alabama.* (a)

March 31, 1832.

*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 country lying within the limits of Alabama, and now in the occupancy of the Cherokee and Chicasaw tribes of Indians, shall be added to, and constitute a part of, the northern judicial district of Alabama, instead of the southern district of said state as now arranged.

The country in the limits of Alabama occupied by the Cherokees and Chicasaws, a part of the northern judicial district.

APPROVED, March 31, 1832.

STATUTE I.

CHAP. LXIV.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-two.*

April 5, 1832.

*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 the support of the army for the year one thousand eight hundred and thirty-two, viz :

[Obsolete.]  
Appropriations for the army.

For pay of the army and subsistence of officers, one million one hundred and twenty-two thousand one hundred and forty-six dollars.

Pay of army, &c.

For arrearages in the pay department, fifteen thousand dollars.

Arrearages.  
Forage of officers.

For forage of officers, forty-eight thousand four hundred and twenty-seven dollars.

Clothing for servants.

For clothing for servants of officers, twenty-two thousand eight hundred and sixty dollars.

Subsistence.

For subsistence, exclusive of that of officers, in addition to an unexpended balance of one hundred thousand dollars, two hundred and forty-five thousand dollars.

Clothing of army, &c.

For clothing of the army, camp equipage, cooking utensils, and hospital furniture, in addition to material and clothing on hand, amounting to thirty-five thousand dollars, one hundred and seventy-nine thousand six hundred and thirty-two dollars.

Medical department.

For medical and hospital department, twenty thousand dollars, in addition to an unexpended balance of eight thousand dollars.

Expenses of quartermaster's department.

For various expenses of the quartermaster's department, viz : For fuel, forage, straw, stationery, blanks, repairing officers' quarters, barracks, store-houses, and hospitals; for erecting temporary cantonments and gun-houses; for rent of quarters, store-houses, and land; for postage of letters on public service; for expenses of courts martial, including compensation of judge advocates, members, and witnesses: for extra pay to soldiers employed on extra labour, under the act of March second, one thousand eight hundred and nineteen; and for expenses of expresses, escorts to paymasters, and other contingencies to quartermaster's department, two hundred and twenty-five thousand dollars.

1819, ch. 45.

For transportation of officers' baggage, and allowance for travel in lieu of transportation, and for per diem allowance to officers on topographical duty, fifty-five thousand dollars.

Transportation of baggage, &c.

For transportation of clothing, subsistence, ordnance, and of lead from the mines, and for transportation of the army, and funds for pay of the

Transportation of clothing, &c.

(a) Notes of the acts relating to the district court of Alabama, vol. iii. p. 564.

army, including the several contingencies and items of expenditure at the several stations and garrisons, usually estimated under the head of transportation of the army, one hundred and fourteen thousand dollars.

Expenses of visitors at West Point.

For defraying the expenses of the board of visitors at West Point, and their travelling expenses, two thousand dollars.

Fuel, &c.

For fuel, forage, stationery, printing, transportation, and postage for the military academy, eight thousand seven hundred and sixty-two dollars.

Out-buildings at West Point.

For re-constructing the out-buildings attached to West Point academy, and for improvements connected therewith, one thousand five hundred dollars.

Repairs of barracks, &c.

For general repairs of barracks, academies, mess-house, officers and professors' quarters, store-houses, wharf, carts, boats, fences, roads, paints, and other objects, four thousand eight hundred and twenty-five dollars.

Fire-grates.

For renewal and repairs of fire-grates, one hundred and fifty dollars.

Pay of clerk.

For pay of adjutants and quartermasters' clerk, nine hundred dollars.

Library.

For increase and expenses of the library, fourteen hundred dollars.

Apparatus.

For philosophical apparatus, seven hundred and ninety dollars.

Models for engineering dep't.

For models for department of engineering, six hundred dollars.

Models for the drawing department, &c.

For models for the drawing department, repairs of instruments for the mathematical department, apparatus and contingencies for the department of chemistry, eight hundred and eighty-seven dollars.

Expenses, &c., of academy.

Miscellaneous items and incidental expenses of the academy, one thousand six hundred and twenty-five dollars.

Contingencies.

For contingencies of the army, ten thousand dollars.

Armories.

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

Fortifications.

For the armament of fortifications, one hundred thousand dollars.

Ordnance service.

For the current expenses of the ordnance service, seventy thousand dollars.

Arsenals.

For arsenals, sixty thousand seven hundred dollars.

Arsenals in Florida.

For an arsenal in Florida, twenty thousand dollars.

Recruiting service.

For the recruiting service, twenty-four thousand nine hundred dollars, in addition to an unexpended balance of fifteen thousand [thousand] dollars.

Contingencies.

For the contingent expenses of the recruiting service, thirteen thousand eight hundred dollars, in addition to an unexpended balance of nine thousand dollars.

Arrearages.

For arrearages prior to the first day of July, one thousand eight hundred and fifteen, payable through the third auditor's office, five thousand dollars.

Close of accounts.

To enable the second auditor to close the accounts, under the act of third of March, one thousand eight hundred and twenty-one, allowing three months' gratuitous pay to disbanded officers and soldiers, five hundred dollars.

1821, ch. 35.

Claims of the militia called out in 1831.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized and required to settle, adjust, and pay the claims of the militia called out by competent authority, or received into the service of the United States by a general officer of the United States' army, in the year one thousand eight hundred and thirty-one, and all charges and expenses incident to the service of said troops, agreeably to the provisions of the third section of an act making appropriations for the military service of the United States, approved twenty-first of March, one thousand eight hundred and twenty-eight, which provides for the payment of like expenses, and troops called out in one thousand eight hundred and twenty-seven; and that the sum of fifty-five thousand two hundred and thirty-two dollars be appropriated for the said object, to be paid out of any money in the treasury.

Act of March 21, 1828, ch. 21, sec. 3.

APPROVED, April 5, 1832.

STATUTE I.

April 5, 1832.

CHAP. LXV.—*An Act supplementary to the several laws for the sale of public lands. (a)*

All public lands offered at private sale may be purchased in fractions of sections, &c.

Act of Feb. 11, 1805, ch. 14.

Proviso.  
Proviso.

Proviso.

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 May next, all the public lands of the United States, when offered at private sale, may be purchased at the option of the purchaser, either in entire sections, half sections, quarter sections, half-quarter sections, or quarter-quarter sections; and in every case of a division of a half-quarter section, the line for the division thereof shall run east and west, and the corners and contents of quarter-quarter sections, which may thereafter be sold, shall be ascertained as nearly as may be, in the manner, and on the principles, directed and prescribed by the second section of an act, entitled "An act concerning the mode of surveying the public lands of the United States," passed on the eleventh day of February, eighteen hundred and five; and fractional sections, containing fewer or more than one hundred and sixty acres, shall in like manner, as nearly as may be practicable, be subdivided into quarter-quarter sections, under such rules and regulations as may be prescribed by the Secretary of the Treasury: *Provided*, That this act shall not be construed to alter any special provision made by law for the sale of land in town lots: *And, provided also*, That no person shall be permitted to enter more than one half-quarter section of land under this act, in quarter-quarter sections, in his own name, or in the name of any other person, and in no case, unless he intends it for cultivation, or for the use of his improvement. And the person making application to make an entry under this act shall file his and her affidavit, under such regulations as the Secretary of the Treasury may prescribe, that he or she makes the entry in his or her own name, for his or her own benefit, and not in trust for another: *Provided, further*, That all actual settlers, being house-keepers upon the public lands, shall have the right of pre-emption to enter, within six months after the passage of this act, not exceeding the quantity of one half-quarter section, under the provisions of this act, to include his or their improvements, under such regulations as have been, or may be prescribed by the Secretary of the Treasury; and in cases where two persons shall live upon the same quarter section, subject to be entered under the provisions of this act, each shall have the right to enter that quarter-quarter section which includes his improvements.

APPROVED, April 5, 1832.

STATUTE I.

April 5, 1832.

CHAP. LXVI.—*An Act to authorize the judges of the courts of the United States to take bail of the claimants of property seized, and perform other acts in vacation.*

Judge authorized, &c. to deliver vessel, &c. to claimant.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in any cause of admiralty and maritime jurisdiction, or other case of seizure, depending in any court of the United States, any judge of the said court, in vacation, shall have the same power and authority to order any vessel, or cargo, or other property, to be delivered to the claimants, upon bail or bond, under the statute, as the case may be, or to be sold when necessary, as the said court now has in term time, and to appoint appraisers, and exercise every other incidental power necessary to the complete execution of the authority herein granted; and the said recognisance of bail or bond, under such order, may be executed before the clerk upon the party's producing the certificate of the collector of the district, of the sufficiency of the security offered; and the same proceedings shall be had in case

Bond to be executed before clerk, &c.

(a) Notes of the acts relative to the sale of the public lands, vol. ii. p. 73.

Proviso.

of said order of delivery, or of sale, as are now had in like cases when ordered in term time: *Provided*, That upon every such application, either for an order of delivery or of sale, the collector and the attorney of the district shall have reasonable notice in cases of the United States, and the party or counsel in all other cases.

APPROVED, April 5, 1832.

STATUTE I.

April 5, 1832.

CHAP. LXVII.—*An Act providing for the organization of the ordnance department.* (a)

Ordnance department to consist of, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passage of this act, the ordnance department shall consist of one colonel, one lieutenant colonel, two majors, and ten captains, and as many enlisted men as the public service may require, not exceeding two hundred and fifty.

Ordnance sergeants.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized to select from the sergeants of the line of the army, who shall have faithfully served eight years in the service, four years of which in the grade of non-commissioned officer, as many ordnance sergeants as the service may require, not to exceed one for each military post; whose duty it shall be to receive and preserve the ordnance, arms, ammunition, and other military stores, at the post under the direction of the commanding officer of the same, and under such regulations as shall be prescribed by the Secretary of War, and who shall receive for their services five dollars per month, in addition to their pay in the line.

Act of Feb. 8, 1815, ch. 38.

SEC. 3. *And be it further enacted*, That the first section of the act passed on the eighth of February, one thousand eight hundred and fifteen, entitled "An act for the better regulation of the ordnance department," and so much of the second section of the act, entitled "An act to reduce and fix the military peace establishment of the United States," passed the second of March, one thousand eight hundred and twenty-one, as provides for one supernumerary captain to each regiment of artillery, to perform ordnance duty, and so much of the fourth section of the same act as merges the ordnance department in the artillery, and reduces the number of enlisted men, be, and the same are hereby repealed: *Provided*, That nothing contained in this act shall be so construed as to divest the President of the United States of authority to select from the regiments of artillery such number of lieutenants as may be necessary for the performance of the duties of the ordnance department.

Act of March 2, 1821, ch. 13.

Proviso.

SEC. 4. *And be it further enacted*, That all officers and enlisted men authorized by this act, shall be subject to the rules and articles of war, and that the officers shall receive the pay and emoluments now allowed, or which may hereafter be allowed, to artillery officers.

Government and pay.

APPROVED, April 5, 1832.

STATUTE I.

April 20, 1832.

CHAP. LXIX.—*An Act to change the time of holding the United States district court, at Staunton, in the western district of Virginia.* (b)

Time of holding the district court for the western district of Virginia, altered.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passing of this act, the United States district court, in the western district of Virginia, heretofore held at Staunton, on Wednesday after the fourth Monday in April and September, in each year, be hereafter held at Staunton, on the first day of May, and the first day of October, in each year; and when those days, or either of them, fall on Sunday, the court to be held on the next succeeding day.

APPROVED, April 20, 1832.

(a) For notes of the acts relating to the ordnance department, see vol. ii. p. 732.

(b) For notes of the acts relating to the district courts of Virginia, see vol. iii. p. 478.

STATUTE I.

CHAP. LXX.—*An Act authorizing the governor of the territory of Arkansas to lease the salt springs, in said territory, and for other purposes.*

April 20, 1832.

[Obsolete.]

Salt springs, &c. reserved from sale.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the salt springs lying on the Washita river, on Little river, and on Saline creek, in said territory of Arkansas, together with as many contiguous sections to each of said springs as shall be equal to one township, and every other salt spring which may be discovered in said territory, with the section of one mile square which includes it, shall be reserved for the future disposal of the United States, and shall not be liable to be entered, located, or appropriated, for any other purpose whatever.

Governor authorized to lease.

SEC. 2. *And be it further enacted,* That the governor of said territory shall be, and is hereby, authorized to let out or lease said springs, for a term not exceeding five years; and the rents and profits arising from said springs shall be applied, by the legislature of said territory, to the opening and improving such roads in said territory, as said legislature may direct, and to no other purpose whatever.

Hot springs reserved.

SEC. 3. *And be it further enacted,* That the hot springs in said territory, together with four sections of land including said springs, as near the centre thereof as may be, shall be reserved for the future disposal of the United States, and shall not be entered, located, or appropriated, for any other purpose whatever.

APPROVED, April 20, 1832.

STATUTE I.

April 20, 1832.

[Obsolete.]

Appropriations for payment of annuities, &c., to certain Indian tribes.

CHAP. LXXI.—*An Act making appropriations in conformity with the stipulations of certain Indian treaties.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of thirty-nine thousand and seventy-five dollars be appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be applied for the service of the year one thousand eight hundred and thirty-one, to the several following objects specifically, namely:

For payment of the permanent annuity to the Chippewa, Ottawa, and Pattawatamie Indians, for the year one thousand eight hundred and thirty-one, sixteen thousand dollars.

For the expense of salt for the same tribes, according to the treaty with them, one hundred and twenty-five dollars.

For payment of the annuity to the Winnebago Indians, eighteen thousand dollars.

For tobacco and salt for the same tribe, four hundred and twenty-five dollars.

For the support of blacksmiths' shops, iron, and steel, three thousand dollars.

For the purchase of oxen, cart, and services of a man, at the portage of Ouisconson and Fox river, according to treaty, three hundred and sixty-five dollars.

For the transportation and other expenses of the annuities aforesaid, one thousand one hundred and sixty dollars.

SEC. 2. *And be it further enacted,* That there be further appropriated, to be paid out of any money not otherwise appropriated, the following sums, namely:

For the payment of the missionary property, held by the Baptist denomination, at the St. Joseph's of Lake Michigan, as valued by agents appointed for that purpose in pursuance of the fifth article of the treaty of St. Joseph's, of twentieth September, one thousand eight hundred and twenty-eight, five thousand seven hundred and twenty-one dollars and fifty cents.

Payment of missionary property.

Payment of the claims of the Cherokees for improvements.

For payment of the claims of the Cherokees, for improvements abandoned under the treaty of eighth July, one thousand eight hundred and seventeen, and the convention of twenty-seventh February, one thousand eight hundred and nineteen, four thousand five hundred and sixty-eight dollars.

APPROVED, April 20, 1832.

STATUTE I.

April 20, 1832.

CHAP. LXXII.—*An Act providing for the postponement of the trial of certain cases now pending in the superior courts of Arkansas territory, and for withholding from sale or entry certain lands in said territory. (a)*

District attorney authorized to suspend proceedings, &c.

*Be it enacted 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 territory of Arkansas be, and he is hereby, authorized and required to postpone until after the expiration of the next session of the Supreme Court of the United States, all further proceedings in any case which has been tried, or now is pending for trial, in the superior court of the territory of Arkansas, upon which bills of review have been filed in said superior court on the part of the United States, under the provisions of an act, passed May the eighth, one thousand eight hundred and thirty, entitled "An act for further extending the powers of the judges of the superior court of the territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, and for other purposes." *Provided, however,* that nothing in this act shall be applicable to any of the aforesaid cases now pending for trial on appeals in the Supreme Court of the United States: *And provided also,* That nothing herein contained shall prejudice the rights of any of the parties: *Provided, also,* That no extra compensation shall be allowed said judges until after the termination of the next term of the Supreme Court of the United States, after which the judges shall proceed to dispose of said cases under the provisions of said acts, and then be allowed the additional compensation from said time, until the cases are disposed of, or tried, by the said courts of Arkansas.

Act of May 26, 1824, ch. 173.  
Act of May 8, 1830, ch. 90.

Proviso.

Proviso.

Proviso.

Lands to be withheld from sale.

SEC. 2. *And be it further enacted,* That the President of the United States shall cause all the lands, the titles to which are involved in, or dependent upon, the trial of said bills of review, which are claimed by purchasers after the rendition of the original judgment, to be withheld from sale until the further order of Congress.

APPROVED, April 20, 1832.

STATUTE I.

May 5, 1832.

CHAP. LXXIV.—*An Act making appropriations for the support of government for the year one thousand eight hundred and thirty-two.*

[Obsolete.]

Appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be,

(a) Under the provisions of the act of Congress, passed 26th May, 1824, ch. 173, proceedings were instituted in the superior court of the territory of Arkansas, by which a confirmation was claimed of a grant of land alleged to have been made to the petitioner, Sampeyreac, by the Spanish government prior to their cession of Louisiana to the United States, by the treaty of April 3, 1803. This claim was opposed by the district attorney of the United States, and the court, after hearing the evidence, decreed that the petitioner recover the land from the United States. Afterwards the district attorney of the United States, proceeding on the authority of the act of Congress, May 8, 1830, filed a bill of review, founded on the allegation that the original decree was obtained by fraud and surprise; that the documents produced in support of the claim of Sampeyreac were forged, and that the witnesses who had been examined to sustain the same were perjured. At a subsequent term Stewart was allowed to become a defendant to the bill of review, and filed an answer, in which the fraud and perjury are denied, and in which he asserts that if the same were committed he is ignorant thereof; and asserts that he is a bona fide purchaser of the land, for a valuable consideration, from John J. Bowie, who conveyed to him the claim of Sampeyreac, by deed, dated the 22d October, 1828. On a final hearing the superior court of the territory of Arkansas, being satisfied of the forgery, perjury, and fraud, reversed the original decree. Held, by the Supreme Court of the United States, that those proceedings were legal, and were authorized by the act of May 5, 1830, ch. 90. *Sampeyreac v. The United States*, 7 Peters, 222.



and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, viz :

For pay and mileage of the members of Congress and delegates, four hundred and ninety-three thousand eight hundred dollars. Congress.

For pay of the officers and clerks of both Houses, thirty-four thousand four hundred dollars.

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

For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, one hundred thousand dollars. The said two sums last named to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose.

For the library of Congress, five thousand dollars : and also for repairs and furniture for the library of Congress, three thousand dollars, to be applied under the direction of the library committee. Library.

For salary of the principal and assistant librarians, two thousand three hundred dollars.

For contingent expenses of the library, and pay of messenger, eight hundred dollars.

For alterations and repairs of the Capitol, five hundred dollars. Capitol.

For improving the grounds, including the gardener's salary, two thousand dollars. Public grounds.

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars. President, &c.

For clerks and messengers in the office of the Secretary of State, nineteen thousand four hundred dollars. Department of State.

For clerks, machinist, and messenger, in the patent office, five thousand four hundred dollars.

For incidental and contingent expenses of the Department of State, including the expense of publishing and distributing the laws, twenty-five thousand dollars. Contingent expenses.

For contingent and incidental expenses of the patent office, fifteen hundred dollars.

For the superintendent and watchmen of the north-east executive building, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of the building, three thousand three hundred and fifty dollars.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, fifteen thousand four hundred dollars. Treasury Department.

For a clerk employed on revolutionary bounty-land scrip, eleven hundred and fifty dollars.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars. Comptrollers.

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand one hundred dollars.

For compensation to the second comptroller of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.

For compensation to the first auditor of the treasury, three thousand dollars. Auditors.

For compensation to the clerks and messenger in the office of the first auditor, thirteen thousand nine hundred dollars.

For compensation to the second auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second auditor, sixteen thousand nine hundred dollars.

For compensation to the third auditor of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the third auditor, twenty-one thousand nine hundred and fifty dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.

For compensation to the fifth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fifth auditor, twelve thousand eight hundred dollars.

Treasurer.

For compensation to the Treasurer of the United States, three thousand dollars.

Clerks, &c.

For compensation to the clerks and messenger in the office of the treasurer of the United States, six thousand seven hundred and fifty dollars.

Register.

For compensation to the register of the treasury, three thousand dollars.

Clerks, &c.

For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.

Commissioner  
of general land  
office.

For compensation to the commissioner of the general land office, three thousand dollars.

Clerks, &c.

For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars.

Solicitor of  
the treasury.

For compensation to the solicitor of the treasury, three thousand five hundred dollars.

Clerks, &c.

For compensation to the clerks and messenger in the office of the solicitor of the treasury, three thousand nine hundred and fifty dollars.

Secretary to  
sinking fund.

For compensation to the secretary to the commissioners of the sinking fund, two hundred and fifty dollars.

Expenses, con-  
tingent, &c., of  
the Treasury De-  
partment.

For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the treasury department, the following several sums, viz :

For the office of the Secretary of the Treasury, including advertising and extra copying, and the sum of one thousand five hundred dollars applied from this fund for clerk hire and other expenses incident to the issuing of revolutionary bounty land scrip, six thousand five hundred dollars.

For the office of the first comptroller, one thousand dollars.

For the office of the second comptroller, one thousand dollars.

For the office of the first auditor, eight hundred dollars.

For the office of the second auditor, eight hundred dollars.

For the office of the third auditor, one thousand dollars.

For the office of the fourth auditor, one thousand two hundred dollars.

For the office of the fifth auditor, one thousand dollars.

For the office of the treasurer of the United States, seven hundred dol-  
lars.

For the office of the register of the treasury, three thousand dollars.

For the office of the commissioner of the general land office, nine thousand dollars.

For compensation for extra aid, during one thousand eight hundred and thirty-two, in the issuing military land scrip, and patents founded on Virginia military surveys, and on private claims, making indexes, and writing and recording patents for lands sold, six thousand six hundred dollars.

For the office of the solicitor of the treasury, twelve hundred dollars.

For translations, and for expenses of passports and sea letters, three hundred dollars.

For stating and printing the public accounts for the year one thousand eight hundred and thirty-two, one thousand four hundred dollars.

For compensation of superintendent and watchmen of the south-east executive building, eight hundred and fifty dollars.

For contingent expenses of said building, including two thousand dollars for repairs of building, and also the sum of one thousand three hundred dollars, applied out of the appropriation for the contingent expenses of the Treasury Department, for clerk hire in the general land office, in relation to revolutionary land scrip, six thousand six hundred and fifty dollars.

For defraying the expenses of enclosing the grounds attached to the Treasury Department, one thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the Secretary of War, twenty-two thousand six hundred and fifty dollars.

War Department.

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

For books, maps, and plans for the War Department, one thousand dollars.

For compensation to the clerks and messenger in the office of the paymaster general, four thousand and six hundred dollars.

Paymaster general's office.

For compensation to the clerks and messenger in the office of the commissary general of purchases, four thousand two hundred dollars.

Commissary general's office.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks in the office of the adjutant general, two thousand nine hundred and fifty dollars.

Adjutant general's office.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

Commissary general's office.

For contingent expenses of said office, two thousand five hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

Chief engineer's office.

For contingencies of the topographical bureau, including the purchase of books and maps, and the repairs of instruments, one thousand one hundred and twenty-five dollars.

Topographical bureau.

For contingent expenses of said office, one thousand dollars.

For the services of a lithographer, and the expenses of the lithographic press, of the War Department, seven hundred and fifty dollars.

Lithographer.

For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.

Ordnance office.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general, eleven hundred and fifty dollars.

Surgeon general's office.

For contingent expenses of said office, four hundred and twenty dollars.

For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

Quartermaster general's office.

For contingent expenses of said office, six hundred dollars.

For the salary of the superintendent and watchmen of the north-west executive building, eight hundred and fifty dollars.

N. W. executive building.

For contingent expenses of said building, including fuel, labour, oil, furniture, repairs of building, and improvement of adjoining ground, three thousand six hundred dollars.

For compensation to the clerks and messengers in the office of the Secretary of the Navy, eleven thousand two hundred and fifty dollars.

Navy Department.

For contingent expenses of said office, three thousand dollars.

- Navy board. For compensation to the commissioners of the navy board, ten thousand five hundred dollars.
- For compensation to the secretary of the commissioners of the navy board, two thousand dollars.
- For compensation to the clerks, draughtsman, and messenger, in the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.
- For contingent expenses in the office of the commissioners of the navy board, one thousand eight hundred dollars.
- S. W. executive building. For the salary of the superintendent of the south-west executive building, and the watchmen, eight hundred and fifty dollars.
- For contingent expenses of said building, including fuel, labour, oil, repairs of building, engines, and improvement of the grounds, three thousand three hundred and fifty dollars.
- Post-office Department. For compensation to the two assistant postmasters general, five thousand dollars.
- For compensation to the clerks and messengers in the office of the Postmaster General, forty-one thousand one hundred dollars.
- For contingent expenses of said office, seven thousand five hundred dollars.
- For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.
- Surveyors. For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.
- For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.
- For compensation to the surveyor south of Tennessee, two thousand dollars.
- For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.
- For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.
- For compensation to clerks in the office of said surveyor, two thousand dollars.
- For compensation to the surveyor in Alabama, two thousand dollars.
- For compensation to clerks in the office of said surveyor, one thousand five hundred dollars.
- For compensation to the surveyor in Louisiana, including one thousand dollars, from first July to thirty-first December, one thousand eight hundred and thirty-one, per act of third March, one thousand eight hundred and thirty-one, three thousand dollars.
- 1831, ch. 116. For compensation to the clerks in the office of said surveyor, per act of third March, one thousand eight hundred and thirty-one, fifteen hundred dollars.
- 1831, ch. 116. For an additional clerk for the year one thousand eight hundred and thirty-two, to bring up arrearages of recording, and including compensation to clerks in one thousand eight hundred and thirty-one, for which no appropriation was made by the act of third of March, one thousand eight hundred and thirty-one, three thousand five hundred dollars.
- 1831, ch. 116. For compensation to the surveyor in Florida, two thousand dollars.
- For compensation to the clerks in the office of said surveyor, two thousand dollars.
- Commissioner of public buildings. For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.
- Mint. For compensation to the officers and clerks of the mint, ten thousand six hundred dollars.
- For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, nineteen thousand eight hundred and seventy dollars.

For incidental and contingent expenses and repairs, cost of machinery, for allowance for wastage in gold and silver coinage of the mint, twenty-one thousand eight hundred dollars.

For compensation to the governor, judges, and secretary of the Michigan territory, seven thousand eight hundred dollars.

For contingent expenses of the Michigan territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, seven thousand three hundred and ninety-two dollars.

For compensation to the governor, judges, and secretary of the Arkansas territory, seven thousand eight hundred dollars.

For pay and mileage of the legislative council of said territory, five thousand four hundred and fifty dollars.

For contingent expenses of the Arkansas territory, three hundred and fifty dollars.

To pay deficiency in appropriation of last year for pay and mileage to the members of the legislature of Arkansas, one thousand dollars.

For compensation to the governor, judges, and secretary of the Florida territory, including additional compensation to the judges, under the act of twenty-sixth May, one thousand eight hundred and thirty, at eight hundred dollars, each, and arrearages of one thousand eight hundred and thirty-one, thirteen thousand four hundred and ninety-five dollars and nine cents.

For contingent expenses of the Florida territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and distribution of the laws, including two thousand dollars to defray the expenses of the publication of the statutes of the territory, as directed by a law of the territory, and a deficiency in the appropriation for one thousand eight hundred and thirty-one, of two hundred and twenty-eight dollars and ninety-one cents, nine thousand seven hundred and twenty-eight dollars and ninety-one cents.

For compensation to the chief justice, the associate judges, and district judges of the United States, eighty-one thousand four hundred dollars.

For the salaries of the chief justice and judges of the District of Columbia, and of the judges of the orphans' courts of the said district, nine thousand five hundred dollars.

For compensation to the attorney general of the United States, four thousand dollars.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.

For compensation to the district attorneys and marshals, as granted by law, including those in the several territories, eleven thousand three hundred dollars.

For compensation to assistant counsel and district attorneys under the act of the twenty-third of May, one thousand eight hundred and twenty-eight, supplementary to the several acts providing for the settlement of private land claims in Florida, including contingencies, seven thousand five hundred dollars: *Provided*, That nothing herein contained shall be so construed as to authorize the payment of a salary to the law agent in Florida.

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,

Territories.

1830, ch. 106.

Judges of the United States.

Judges of the District of Columbia.

Attorney-general.

Attorney-general's office.

Reporter Supreme Court.

District attorneys and marshals.

1828, ch. 70.

Expenses of United States courts, &c.

and forfeitures, incurred in the year eighteen hundred and thirty-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, one hundred and ninety thousand dollars.

**Pensions.**

For the payment of sundry pensions granted by the late and present governments, one thousand five hundred and fifty dollars.

**Lighting public grounds, &c.**

For expense of lighting the lamps in the Capitol square, seven hundred and fifty dollars.

For improving the grounds round the President's house, including the gardener's salary, three thousand dollars.

For alterations and repairs in the President's house, three hundred dollars.

**Lighthouses, &c.**

For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs and improvements, and contingent expenses, two hundred and five thousand seven hundred and seventy-eight dollars.

For building a lighthouse on or near one of the islands called The Brothers at the Narrows, in Long Island Sound, New York, being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first of December, eighteen hundred and thirty-one, five thousand dollars.

1829, ch. 25.

For placing eight buoys at proper sites between the city of Albany and a point opposite Red Hook, New York, being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first of December, eighteen hundred and thirty-one, five hundred dollars.

1829, ch. 25.

For erecting a beacon near the Charleston lighthouse, in order to mark the entrance into the channel commonly known as Lawford's channel, South Carolina, being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-one, six hundred dollars.

1829, ch. 25.

**Registers and receivers.**

For the salaries of registers and receivers of land offices, where there are no sales, two thousand dollars.

**Survey of public lands.**

For surveying the public lands, one hundred and sixty thousand dollars, viz: For the survey of the Choctaw cession in Mississippi, eighty thousand dollars; and for the survey of other public lands, eighty thousand dollars; and a further sum for the survey of the lands ceded by the Creeks to the United States, fifty thousand dollars.

**Keepers of archives.**

For the salaries of two keepers of the public archives in Florida, one thousand dollars.

**Census.**

For the revision of all former statements of the enumeration of the inhabitants of the United States and their territories, being a balance due D. Green, for printing the abstract of said revision, two hundred and twenty-nine dollars.

**Miscellaneous claims.**

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, twelve thousand dollars.

**Commissioners of loans.**

For stationery and books for the offices of commissioners of loans, five hundred dollars.

**Ships' registers.**

For registers for ships and vessels, and lists of crews, four thousand dollars.

**Luigi Persico.**

For the fourth payment to Luigi Persico, for two colossal statues for the Capitol, four thousand dollars.

**Ministers.**

For the salaries of the ministers of the United States to Great Britain, France, Spain, Russia, and Colombia, forty-five thousand dollars.

**Secretaries of legation.**

For the salaries of the secretaries of legation to the same places, ten thousand dollars.

**Chargés.**

For the salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Buenos Ayres, Chili, Peru,

Mexico, Central America, and Naples, fifty-eight thousand five hundred dollars.

For salary of the drogoman, and for contingencies of the legation of the United States to Turkey, thirty-seven thousand five hundred dollars.

Legation to Turkey.

For outfits of the ministers of the United States to Great Britain, France, and Russia, thirty-six thousand dollars.

Outfits.

For outfits of the *chargés des affaires* of the United States to Holland, Belgium, Central America, Buenos Ayres, and Naples, twenty-two thousand five hundred dollars.

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

Contingent expenses.

For the salaries of the agents for claims at London and Paris, four thousand dollars.

Agents of claims.

For the expenses of intercourse with the Mediterranean powers, twenty-four thousand four hundred dollars.

Mediterranean powers.

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

Relief of American seamen.

For the contingent expenses of foreign intercourse, thirty thousand dollars.

Contingent expenses.

To enable the President of the United States to procure copies of documents relative to the history of the United States, from the public offices in Great Britain, two thousand dollars.

Historical documents.

For the purchase of the bust of Thomas Jefferson, executed by Ceracci, now in the possession of Mr. Jefferson's executor, four thousand dollars, if so much should be deemed necessary by the committee on the library.

Bust of Thomas Jefferson.

For the purpose of enabling the Secretary of State to discharge a balance due to the marshal of the territory of Michigan, beyond the existing appropriation, for his services in taking a census of the persons in the said territory, who are not freeholders, one hundred and twenty dollars and forty-four cents.

Marshal of Michigan.

For account of printing and binding, and for selecting, editing, and preparing indexes, for the compilation of documents, for which a subscription was authorized by the act of the second of March, one thousand eight hundred and thirty-one, fifty-five thousand dollars; the printing to be paid for by the secretary of the Senate and the clerk of the House, according to the terms of the subscription; and the selecting, editing and making indexes, to be paid for in like manner, and at such rate of compensation as shall be judged reasonable and proper by the committees of accounts of the two Houses.

Compilation of documents.  
1831, ch. 65.

To enable the Secretary of State to cause to be printed, under his direction, a selection from the diplomatic correspondence of the United States, between the peace of one thousand seven hundred and eighty-three, and the fourth of March, one thousand seven hundred and eighty-nine, remaining unpublished in the Department of State, twelve thousand dollars.

Diplomatic correspondence.

To enable the Secretary of State to carry into effect the resolution of Congress of the seventh of March, one thousand eight hundred and thirty-two, in relation to recording patents, fourteen thousand six hundred and twelve dollars.

Recording patents.

To enable the Secretary of State to pay for seventy copies of Peters' Condensed Reports of Decisions of the Supreme Court, subscribed for under the resolution of Congress of the second of March, one thousand eight hundred and thirty-one, two thousand one hundred dollars.

Peters' Condensed Reports.

For the payment of a balance due to Walter Smith, on the books of the fourth auditor, to be applied, first, to the discharge of any balance standing against said Smith on the books of the treasury, and the residue to be paid to the legal representatives of Walter Smith, the sum of three thousand three hundred and thirty dollars and sixty-one cents.

Walter Smith.

Marine hospital. 1830, ch. 100.

To enable the Secretary of the Treasury to employ a suitable person to complete the marine hospital at Charleston, South Carolina, authorized by the act of twentieth May, one thousand eight hundred and thirty, four thousand three hundred and sixty dollars: *Provided*, nothing herein contained shall be construed to enlarge the said contract, or to release the contractor from his liability thereunder.

Marine barracks.

For the erection of marine barracks and officers' quarters at the navy yard, Philadelphia, nine thousand dollars.

Surveyor of Narragansett bay.

For the purpose of defraying the expenses of a survey of the waters of Narragansett bay, to be made under the direction of the Secretary of the Navy, with a view to ascertain the practicability and expediency of establishing a naval depot therein, five thousand dollars.

Norfolk bridge.

For enabling the President of the United States to obtain from the Norfolk Bridge Company a release and conveyance to the United States of the bridge over the southern branch of the Elizabeth river, between the navy yard and the dry dock, and of the road leading from the same to the south-western side of said yard, the sum of sixteen thousand dollars: *Provided*, the Secretary of the Navy shall be satisfied that the said sum does not exceed the value of the same: *And provided*, That the Attorney General of the United States shall be satisfied of the validity of the title, and that the right thus acquired will authorize the United States to remove the bridge, and to enclose the road within the navy yard.

Assistant marshals to be paid out of census appropriation.

SEC. 2. *And be it further enacted*, That the Secretary of State be authorized, out of the sums appropriated to defray the expenses of taking the late census, to pay those assistant marshals, for their services, who have failed to receive compensation, from the delinquency of the principal marshals.

APPROVED, May 5, 1832.

STATUTE I.

May 5, 1832.

CHAP. LXXV.—*An Act to provide the means of extending the benefits of vaccination, as a preventive of the small-pox, to the Indian tribes, and thereby, as far as possible, to save them from the destructive ravages of that disease.*

Tribes to be convened for vaccination.

*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 several Indian agents and sub-agents, under the direction of the Secretary of War, to take such measures as he shall deem most efficient, to convene the Indian tribes in their respective towns, or in such other places and numbers, and at such seasons as shall be most convenient to the Indian population, for the purpose of arresting the progress of small-pox among the several tribes by vaccination.

Physicians or surgeons to be employed, &c.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he hereby is, empowered to employ as many physicians or surgeons, from the army or resident on the frontier near the point where their services shall be required, as he may find necessary for the execution of this act; and, if necessary, two competent persons to conduct the physicians to the remote Indians who are infected, or may be in immediate danger of being infected, with the small-pox, whose compensation shall be six dollars per day, and six men, whose compensation shall be twenty-five dollars per month.

Supply of vaccine matter.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of War, to cause all Indian agents to be supplied with genuine vaccine matter; and all agents and sub-agents shall use all proper means to persuade the Indian population to submit to vaccination.

Monthly returns and general report.

SEC. 4. *And be it further enacted*, That all agents, sub-agents, physicians and surgeons, employed in the execution of this act, shall make monthly returns or reports of their proceedings to the War Department



And the Secretary thereof shall submit to Congress, on or before the first of February next, a general report of all proceedings in the premises.

SEC. 5. *And be it further enacted*, That, to carry this act into effect, the sum of twelve thousand dollars be appropriated out of any moneys in the treasury not otherwise appropriated.

APPROVED, May 5, 1832.

STATUTE I.

CHAP. LXXVII.—*An Act for altering the time of holding the district court of the United States for the district of Indiana.* (a)

May 19, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the district court of the United States for the district of Indiana shall be hereafter holden on the last Mondays of May and November, in each year, instead of the first Mondays of said months, as is now required by law.

Court to be held on last Monday in May and November.

SEC. 2. *And be it further enacted*, That all proceedings of a civil or criminal nature, now pending in, or returnable to, said court, shall be proceeded in by said court in the same manner as if no alteration of the times for holding said court had taken place.

APPROVED, May 19, 1832.

STATUTE I.

CHAP. LXXIX.—*An Act for giving effect to a commercial arrangement between the United States and the Republic of Colombia.* (b)

May 19, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That vessels of the Republic of Colombia, and their cargoes, whether of foreign or domestic produce or manufacture, which shall come direct from the ports of that nation to the United States, shall pay no greater duties on importation, anchorage, tonnage, or any other kind, than are now, or hereafter may be, levied on the vessels of the United States.

Colombian vessels coming direct, &c. to pay same duties, &c. as American vessels.

SEC. 2. *And be it further enacted*, That the restriction of coming direct from a port in Colombia, contained in the preceding section, shall be taken off, as soon as the President shall receive satisfactory evidence, that a like restriction is taken off, from vessels of the United States in the ports of the Republic of Colombia, and shall make known the same by his proclamation declaring the fact.

President to remove restriction, &c.

SEC. 3. *And be it further enacted*, That if the President of the United States shall at any time receive satisfactory information that the privileges allowed or which may be allowed to American vessels and their cargoes in the ports of Colombia, corresponding with those extended, or to be extended by this act, to Colombian vessels and their cargoes in the ports of the United States, have been revoked or annulled, he is hereby au-

President authorized to suspend operation of this act.

(a) Acts relating to the courts of the United States in the territory and state of Indiana.

An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers. March 30, 1802, ch. 13, sec. 15.

An act for the regulation of the courts of justice of Indiana. February 24, 1815, ch. 54.

An act supplementary to an act, entitled "An act regulating and defining the duties of the judges of the territory of Illinois, and for vesting in the courts of Indiana a jurisdiction in chancery cases arising in the said territory," April 29, 1816, ch. 154.

An act to provide for the due execution of the laws of the United States within the state of Indiana, March 3, 1817, ch. 100.

An act respecting the jurisdiction of certain district courts; February 19, 1831, ch. 28.

An act for altering the time of holding the district court of the United States for the district of Indiana, May 19, 1832, ch. 77.

An act supplementary to an act, entitled, "An act to amend the judicial system of the United States," March 3, 1837, ch. 34, sec. 3, 4.

An act to change the time of holding the circuit and district courts in the seventh circuit, March 10, 1838, ch. 33.

(b) Acts relating to discriminating duties, vol. iv. p. 2.

thorized, by proclamation, to suspend the operation of either or both of the provisions of this act, as the case may be, and to withhold any or all the privileges allowed, or to be allowed, to Colombian vessels or their cargoes.

APPROVED, May 19, 1832.

STATUTE I.

May 19, 1832.

CHAP. LXXX.—*An Act authorizing the revision and extension of the rules and regulations of the naval service.*

Board to be constituted, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to constitute a board of naval officers to be composed of the naval commissioners and two post captains to meet at the seat of government, whose duty it shall be, with the aid and assistance of the attorney general, carefully to revise and enlarge the rules and regulations governing the naval service, with the view to adapt them to the present and future exigencies of this important arm of national defence, which rules and regulations, when approved by him and sanctioned by Congress, shall have the force of law, and stand in lieu of all others heretofore enacted.

APPROVED, May 19, 1832.

STATUTE I.

May 22, 1832.

CHAP. XCI.—*An Act for the apportionment of representatives among the several states, according to the fifth census.*

|              |    |
|--------------|----|
| Maine,       | 8  |
| NewHamp.     | 5  |
| Mass.        | 12 |
| R. Island,   | 2  |
| Conn.        | 6  |
| Vermont,     | 5  |
| NewYork,     | 40 |
| NewJersey,   | 6  |
| Penn'a.      | 28 |
| Delaware,    | 1  |
| Maryland,    | 8  |
| Virginia,    | 21 |
| N.Carolina,  | 13 |
| S.Carolina,  | 9  |
| Georgia,     | 9  |
| Kentucky,    | 13 |
| Tennessee,   | 13 |
| Ohio,        | 19 |
| Indiana,     | 7  |
| Mississippi, | 2  |
| Illinois,    | 3  |
| Louisiana,   | 3  |
| Missouri,    | 2  |
| Alabama,     | 5  |

*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 thirty-three, the House of Representatives shall be composed of members, elected agreeably to a ratio of one representative for every forty-seven thousand and seven hundred persons in each state, computed according to the rule prescribed by the constitution of the United States, that is to say, within the state of Maine, eight; within the state of New Hampshire, five; within the state of Massachusetts, twelve; within the state of Rhode Island, two; within the state of Connecticut, six; within the state of Vermont, five; within the state of New York, forty; within the state of New Jersey, six; within the state of Pennsylvania, twenty-eight; within the state of Delaware, one; within the state of Maryland, eight; within the state of Virginia, twenty-one; within the state of North Carolina, thirteen; within the state of South Carolina, nine; within the state of Georgia, nine; within the state of Kentucky, thirteen; within the state of Tennessee, thirteen; within the state of Ohio, nineteen; within the state of Indiana, seven; within the state of Mississippi, two; within the state of Illinois, three; within the state of Louisiana, three; within the state of Missouri, two; and within the state of Alabama, five.

APPROVED, May 22, 1832.

STATUTE I.

May 22, 1832.

CHAP. XCII.—*An act to alter the time of holding the district court of the United States for the western district of Louisiana. (a)*

Court to be held 2d Monday in June.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district court of the United States for the western district of Louisiana, shall be hereafter holden on the second Monday of June, in each year, instead of the third Monday of August, as is now required by law.

(a) See notes to the acts relating to the district court in Louisiana, vol. iii. p. 774.

SEC. 2. *And be it further enacted,* That all proceedings of a civil or criminal nature now pending in, or returnable to, said court, shall be proceeded in by the said court, in the same manner as if no alteration of the time for holding said court had taken place.

APPROVED, May 22, 1832.

STATUTE I.

CHAP. XCIII.—*An Act to authorize the removal of the land office from Mount Salus, in the state of Mississippi, and to remove the land office from Franklin to Fayette, in the state of Missouri.*

May 22, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the land office at Mount Salus, in the Choctaw district, in the state of Mississippi, shall be removed to, and located at, such place in the said land district as the President of the United States may direct, if in his opinion any removal be necessary; and that the land office at Franklin, in the county of Howard, state of Missouri, shall be removed to, and located in, the town of Fayette in said county; and it shall be the duty of the registers, and the receivers of public money for said land offices, within sixty days from and after the passage of this act, to remove the books, records, and whatever else belongs to said offices, to their respective places of location as herein provided for.

Land offices to be removed.

APPROVED, May 22, 1832.

STATUTE I.

CHAP. CIV.—*An Act to exempt the vessels of Portugal from the payment of duties on tonnage. (a)*

May 25, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That no duties upon tonnage shall be hereafter levied or collected of the vessels of the kingdom of Portugal: *Provided, always,* That whenever the President of the United States shall be satisfied that the vessels of the United States are subjected in the ports of the kingdom of Portugal, to payment of any duties of tonnage, he shall, by proclamation, declare the fact, and the duties now payable by the vessels of that kingdom shall be levied and paid, as if this act had not been passed.

No tonnage duties to be levied.

Proviso.

APPROVED, May 25, 1832.

STATUTE I.

CHAP. CV.—*An Act to extend the limits of Georgetown, in the District of Columbia.*

May 25, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the limits of Georgetown, in the district of Columbia, be, and they are hereby, extended, so as to include the part of a tract of land called "Pretty Prospect," recently purchased by the corporation of the said town, as a site for their poor's-house; beginning, for the said piece of ground, at a stone marked number four, extending at the end of four hundred and seventy-six poles on the first line of a tract of land, called the "Rock of Dunbarton;" said stone also standing on the western boundary line of lot numbered two hundred and sixty, of Beatty and Hawkins' addition to said town; and running thence, north, seventy-eight degrees, east thirty-eight poles; south eighty degrees, east three poles; south, eighteen poles, south twelve degrees, east nine poles; south eleven degrees, west twelve poles; south seventy-two

Limits extended.

(a) Notes of the acts relating to discriminating duties, vol. iv. 2.

degrees, west twenty-three poles, to the said first line of the "Rock of Dunbarton," thence, with said line, to the beginning.

Powers of corporation extended.

SEC. 2. *And be it further enacted*, That all the rights, powers, and privileges, heretofore granted by law to the said corporation, and which are at this time claimed and exercised by them, may and shall be exercised and enjoyed by them, within the bounds and limits set forth and described in the first section of this act.

APPROVED, May 25, 1832.

STATUTE I.

May 25, 1832.

CHAP. CVI.—*An Act for improving Pennsylvania Avenue, supplying the public buildings with water, and for paving the walk from the western gate to the Capitol with flagging.*

Contract to be made.

*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 directed to contract, after giving due notice by public advertisement, for improving the avenue, in the city of Washington, leading from the Capitol to the executive offices, by paving the centre way thereof forty-five feet in width, with cobble or pebble stones, or with pounded stone upon the McAdam plan, or in any other permanent manner, as the President of the United States may direct; and also, for the graduation, and covering with the best gravel to be obtained, the sideways of said avenue, and for proper gutters and drains to carry off the water, for which purpose, the sum of sixty-two thousand dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

President to determine mode of improvement.

Appropriations.

SEC. 2. *And be it further enacted*, That, under the same direction as prescribed in the first section, the following sums be, and the same are hereby, respectively, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes, that is to say.

For supply of water.

For conducting water in pipes from the fountain, on square number two hundred and forty-nine, to the President's house and public offices, and the construction of reservoirs and hydrants, five thousand seven hundred dollars.

For bringing water in pipes to the Capitol, and the construction of reservoirs and hydrants, and the purchase of the rights of individuals to the water, forty thousand dollars.

Flagging.

SEC. 3. *And be it further enacted*, That the commissioner of the public buildings is hereby authorized and directed to contract for the purchase, delivery, and laying of Seneca flagging on the walk from the western gate to the Capitol; and for this purpose, the sum of seven thousand one hundred and two dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 25, 1832.

STATUTE I.

May 26, 1832.

CHAP. CVII.—*An Act to amend an act, entitled "An act to enlarge the powers of the several corporations of the District of Columbia."*

Act of May 26, 1828, ch. 87.

Power to collect tax of one and thirteen hundredths of one per cent.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the corporation of Washington be, and it is hereby, empowered to collect, annually, the tax at the rate of one per centum and thirteen hundredths of one per centum, on the assessed value of the real and personal estates within the city of Washington, assessed and laid by the fifth section of said act, or any part thereof, for the purposes and objects designated in said act, by the same officers, process, and means by which said corporation is now, or may here-

after be, empowered to collect any other taxes; and to pay over said money, when so collected as aforesaid, to the treasury of the United States, in the manner, and within the times, prescribed by the acts to which this act is a supplement: and that, in default made by the said corporation, either in collecting or paying over as aforesaid, that then, and in such case, the President of the United States may proceed to exercise the powers reposed in, and conferred on, him, in and by the said fifth section.

In default of corporation, President may exercise powers reposed in, &c.

SEC. 2. *And be it further enacted*, That the common council of Alexandria shall have power to appoint one or more inspectors of tobacco for the town of Alexandria; and the said inspectors shall take an oath before a justice of the peace of the county of Alexandria, or the mayor of the corporation, for the faithful discharge of the duties of office of inspector, a certificate of which he shall return to the clerk of the common council: And the said common council shall have power to pass all needful laws for the due and proper inspection of tobacco, and for regulating the conduct of the said inspectors; and the said common council shall have power to remove, for just cause, any inspector, and appoint another in his place.

Inspectors of tobacco in Alexandria.

SEC. 3. *And be it further enacted*, That this act shall commence and be in force from the passage thereof.

APPROVED, May 25, 1832.

STATUTE I.

CHAP. CIX.—*An Act making appropriations for the Indian department for the year one thousand eight hundred and thirty-two.*

May 31, 1832.

[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 they are hereby, appropriated for the Indian department for the year one thousand eight hundred and thirty-two, viz :

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as established by law, including an agent for the Kansas, agreeably to a treaty with that tribe of June third, eighteen hundred and twenty-five, thirty-two thousand dollars.

Superintendent and agents.

For the pay of sub-agents, as established by law, nineteen thousand dollars.

Sub-agents.

For presents to Indians, as authorized by the act of one thousand eight hundred and two, fifteen thousand dollars.

Presents.

For the pay of Indian interpreters and translators, employed in the several superintendencies and agencies, twenty-one thousand five hundred and twenty-five dollars.

Interpreters.

For the pay of gunsmiths and blacksmiths, and their assistants, employed within the several superintendencies and agencies, under treaty provisions and the orders of the War Department, eighteen thousand three hundred and forty dollars.

Gunsmiths, &c.

For iron, steel, coal, and other expenses attending the gunsmiths and blacksmiths' shops, five thousand four hundred and twenty-six dollars.

Iron, &c.

For expense of transportation and distribution of Indian annuities, nine thousand nine hundred and fifty-nine dollars.

Transportation.

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

Provisions, &c.

For expense of building houses for Indian agents, blacksmiths' shops, and for repairs of the same, when required, in the several agencies, seven thousand dollars.

Houses, &c.

For contingencies of the Indian department, twenty thousand dollars: *Provided*, in no case shall any money hereby appropriated be used for the purpose of rewarding Indians for settling disputes among themselves.

Contingencies. Proviso.

Expenses of  
Indian deputa-  
tion.

SEC. 2. *And be it further enacted*, That there be appropriated, out of any money in the treasury not otherwise appropriated, the sum of five thousand seven hundred and fifty dollars, for defraying the expenses of conducting a deputation of Indians from the head waters of the Missouri to Washington city, and from thence to their own country: *Provided*, That no compensation beyond their actual expenses for extra services, shall be allowed any Indian agent or sub-agent for services when doing duty under the order of their government, detached from their agency and boundary of the tribe to which they are agents.

Proviso.

Corn, &c. for  
Seminoles.

SEC. 3. *And be it further enacted*, That there shall be, and hereby is, appropriated, out of any money in the treasury not otherwise appropriated, the sum of five thousand dollars, to be expended under the direction of the Secretary of War, in the purchase and delivery of corn, or other provisions, for the use of the Seminole Indians, who are likely to suffer on account of the failure of their crops from a severe drought the last year.

APPROVED, May 31, 1832.

STATUTE I.

May 31, 1832.

CHAP. CX.—*An Act to aid the vestry of Washington parish in the erection of a keeper's house, and the improvement and security of the ground allotted for the interment of members of Congress, and other public officers.*

Appropriations  
for burial  
ground.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of one thousand five hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be expended under the direction of the commissioner of the public buildings, for the purpose of aiding the vestry of Washington parish, in the erection of a keeper's house, for planting trees, boundary stones, and otherwise improving the burial ground, allotted to the interment of members of Congress, and other officers of the general government.

APPROVED, May 31, 1832.

STATUTE I.

May 31, 1832.

CHAP. CXI.—*An Act in relation to the penitentiary for the District of Columbia.*

[Obsolete.]  
Appropriations  
for penitentiary.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of thirty-eight thousand five hundred dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the purpose of completing the penitentiary and buildings connected with it, for the erection of railing on the exterior walls, and for the support of the convicts, and pay of the officers for the present year, to be expended under the superintendence and direction of the inspectors of the penitentiary.

APPROVED, May 31, 1832.

STATUTE I.

May 31, 1832.

CHAP. CXII.—*An Act for quieting possessions, enrolling conveyances, and securing the estates of purchasers within the District of Columbia. (a)*

Deeds, &c.  
of land in the  
District of Co-  
lumbia.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That if any person or persons, seised or possessed of, or holding any estate or interest in any lands, tenements, or hereditaments, lying and being within the District of Columbia, shall execute and acknowledge a deed for the conveyance of such

(a) An act to amend an act for quieting the possessions, enrolling conveyances, and securing the estates of purchasers within the District of Columbia, passed the 31st May, 1832. April 20, 1838, ch. 67.

estate or interest, or for declaring or limiting any use or trust in and of the same, before any judge of a court of record and of law of the state and county in which such person or persons may be, or before any chancellor of any such state, or before any judge of the Supreme, circuit, district or territorial courts of the United States, or before any two justices of the peace of the state, district or territory and county in which such person or persons may be; and such judge, chancellor or justices shall annex to such a deed, a certificate, under his or their hands, of the execution and acknowledgment thereof, and that the grantor or grantors was or were known to him or them, or that his, her or their identity had been satisfactorily proved, and the register, clerk or prothonotary of such court or county, shall also certify under his hand and the seal of his office, that the judge, chancellor, or justices, is or are, was or were such at the time of the execution and acknowledgment thereof; or if any such person or persons, seised or possessed as aforesaid, shall be in some foreign country, and shall execute and acknowledge any such deed before any judge or chancellor of any court, master or master extraordinary in chancery, or notary public, in such foreign country; and such execution and acknowledgment, and also the identity of the grantor or grantors shall be certified upon, or annexed to, such deed, under the hand and seal of any such judge, chancellor, master or master extraordinary, or notary public, and such deed, so executed, acknowledged and certified in the several and respective modes aforesaid, shall be recorded amongst the land records of the county of Washington, or the county of Alexandria in the District of Columbia, within six calendar months from the day of its date, if executed and acknowledged within the United States or the territories thereof, or within twelve calendar months from the day of its date, if executed and acknowledged in some foreign country; such deed shall be good and effectual for the purpose or purposes therein mentioned.

Before whom to be acknowledged.

Certificate.

Deeds by persons in foreign countries.

Where and when to be recorded.

SEC. 2. *And be it further enacted*, That if any feme covert in whom such estate or interest may be, shall be a party with her husband, executing such deed, or shall only be relinquishing her right of dower, in or to such estate or interest, and the judge, chancellor, justices, master or master extraordinary in chancery, or notary public, aforesaid, before whom the same may be executed and acknowledged, shall make the contents thereof known to her, and shall examine her, out of the presence and hearing of her husband, whether she doth make her acknowledgment of the same voluntarily, and without being induced to do so by fear or threats of, or ill usage by her husband, or fear of his displeasure; and such examination and acknowledgment, and also the identity of the party shall be certified in the mode prescribed in the first section of this act, according to the place or country where such feme covert shall be at the time of such examination and acknowledgment, and such deed shall be recorded within the several and respective periods herein before mentioned; the same shall be good and available for the purposes therein mentioned, and thereby intended.

Deeds to which feme covert is a party.

Examination of feme.

Certificate.

Record.

SEC. 3. *And be it further enacted*, That the clerks of the circuit court of the District of Columbia for the counties of Washington and Alexandria, respectively, are hereby authorized to record any deed or conveyance, executed and authenticated agreeably to the provisions of this act.

Clerks authorized to record.

APPROVED, May 31, 1832.

STATUTE I.

May 31, 1832.

CHAP. CXIII.—*An Act vesting in the corporation of the city of Washington, all the rights of the Washington Canal Company; and for other purposes.*

WHEREAS, it is represented that the mayor, board of aldermen and board of common council of the city of Washington, have purchased,

and are now exclusive owners of all the stock of the Washington Canal Company, and are desirous that the entire property, rights, privileges, and immunities of the said company, be vested in them for the use and benefit of the said city: Therefore

Right vested  
in mayor, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the right, title, interest, property, and estate, either in law or equity, of the Washington Canal Company be, and the same are hereby, vested in the said mayor, aldermen, and common council, for the use aforesaid; and that the said mayor, aldermen, and common councilmen, shall have full power and authority to take possession of the canal and works of the said company, and to hold, use, occupy, and repair the same, from time to time, as occasion may require, and as to them shall seem expedient: *Provided,* That the said canal shall be finished and completed, of the breadth and depth, and in the manner, and within the time hereinafter prescribed, and not otherwise.

Proviso.

Dimensions  
of canal: width,  
depth.

SEC. 2. *And be it further enacted,* That the said canal shall be finished in such manner that the width thereof, from Seventeenth street west to Sixth street west, at the water line, shall be one hundred and fifty feet; from Sixth street west to B street south, eighty feet, at the water line; from B street south to the basin at the Virginia avenue, sixty feet, at the water line; from said basin to L street south, forty-five feet, at the water line; from L street south to N street south, forty feet, at the water line; and from L street south to the channel of the eastern branch, one hundred and twenty feet, at the water line; and the said canal, throughout its whole length and breadth aforesaid, shall have a depth of at least four feet water at all times. There shall also be made by the said mayor, aldermen, and common councilmen, three basins attached to the said canal, which shall be by them kept in repair, of the following dimensions, that is to say: one at the western termination of the said canal, at least one hundred and fifty feet wide, and five thousand five hundred and forty-five feet long; one at the Eastern branch, at the eastern termination of the said canal, of at least one hundred and twenty feet in width and six hundred and ninety feet in length; and one at the Virginia avenue, of at least eighty feet in width, and one hundred feet in length; each of which basins shall, at all times, have, throughout its length and width, a depth of water equal to that hereby required in the said canal.

Basins:

At west end.

At eastern  
branch.

At Virginia  
avenue.

Sides of canal to  
be walled, &c.

Time for com-  
pletion.

And the sides of the said canal and basins shall be secured by walls of stone or other materials, where necessary, of sufficient strength and height to allow the use of steam vessels therein; all which work hereby required to be done to complete the said canal and basins, shall be done and finished in the manner aforesaid by the first day of March, in the year one thousand eight hundred and thirty-three, or in default thereof, this act, and all the rights and privileges thereby granted, shall cease and determine.

Draining of  
grounds along  
canal.

SEC. 3. *And be it further enacted,* That all such provisions in any former law, as required the Washington Canal Company to raise, drain, or improve the low or wet grounds along or near the said canal, shall remain in full force, and be obligatory on the said mayor, aldermen, and common council: *Provided,* That no funds for that purpose shall be raised by lottery.

Mayor, &c.  
authorized to  
collect wharf-  
age.

SEC. 4. *And be it further enacted,* That for and in consideration of the expenses which have been, and will be, incurred in finishing the said canal and basins, and of securing the sides thereof, and of the expenses of erecting and maintaining locks, and of completing the whole work according to the provisions of this act, and of keeping the same in repair, including the expense of draining, or otherwise improving or drying the low and wet grounds along and near the said canal, the said mayor, aldermen, and common council, are hereby authorized to collect, on all articles and materials landed on each side of the canal and basins,



from on board any boat, scow, or other vessel, or water craft, or placed on either side of the said canal or basins for the purpose of being taken therefrom by any boat, scow, or other vessel, or water craft, wharfage, according to such rates as they, by any by-laws or regulations, may, from time to time, ordain and establish: *Provided*, That the said rates shall, at no time hereafter, and in no particular, exceed those charged on the same articles by the owners of private wharves in the said city. And it shall and may be lawful for the said mayor, aldermen, and common council, to demand and receive at the most convenient place, or places, for all articles carried along the said canal, tolls not exceeding the following rates, that is to say: for each unloaded boat, scow, or other vessel or water craft, twenty-five cents; for each barrel of flour, beef, or pork, two cents; for each barrel of whisky, brandy, or spirituous liquors, of any description, three cents; for each hogshead or pipe, six cents; and upon all other articles, packages, or commodities, not exceeding six cents for each ton; and after that rate for any article or quantity weighing less than one ton. And said mayor, aldermen, and common council, shall also have the exclusive right to establish a packet boat or boats on the said canal for the conveyance of passengers; and no other boat or boats for that purpose, except such as are established or permitted by them, shall be allowed to convey passengers on the said canal for hire. The tolls hereby granted shall be demandable on any boat, scow, vessel, or other water-craft, on any of the articles aforesaid for a passage through either of the locks, or along any part of the said canal, but the public property of the United States shall be landed, and pass free of wharfage and tolls.

Proviso.

Tolls.

Wharfage.

Exclusive right to establish packet boats.

United States property, toll free.

Bridges.

SEC. 5. *And be it further enacted*, That the said mayor, aldermen, and common council, shall, from time to time, erect and keep in repair, all such bridge or bridges over the said canal, in each and every street crossing the same, as the convenience of the inhabitants of the city may require; which bridges shall be erected at least eight feet above high water, and of not less width than twenty-four feet, and be safe for the passage of footmen, horses, cattle, carriages, and loaded wagons.

SEC. 6. *And be it further enacted*, That the said mayor, aldermen, and common council, shall, annually, in the month of January, lay before Congress a true statement of the capital invested by them in the purchase, completion, and improvement, of the said canal and works, with the amount of their annual expenditures and receipts, so as to show the clear net profit by them so received on such investment; and if at any time the net profit shall happen to fall short of six per centum on the said capital so invested, it shall be lawful for them to increase the said rates of toll and wharfage in such manner as they may judge sufficient to produce six per centum per annum on the said investment; and should it so happen at any time that the net proceeds aforesaid shall exceed a rate of ten per centum per annum, they shall so reduce the said rates as not to produce a greater net profit than of the said rates of ten per centum. In estimating the amount of capital invested, the proceeds of sale of the real estate hereby granted to the said mayor, aldermen, and common council, to aid them in the execution of the works hereby required, shall not be included, but the amount of sales of the said property, showing what part thereof shall have been sold, and at what price each part of the said property shall have been sold, shall form part of the said annual report.

Annual statement of costs and profits.

SEC. 7. *And be it further enacted*, That the said mayor, aldermen, and common council, shall not begin to collect wharfage or tolls, until the said canal and works shall have been wholly completed according to the provisions of this act, in the opinion of the Secretary of the Treasury of the United States for the time being, who is hereby authorized and required to give his certificate thereof, whenever, in his opinion, the same

No tolls or wharfage to be collected, till completion of canal.

shall have been so completed; and upon obtaining such certificate, and depositing the same with the clerk of the circuit court for the District of Columbia, in the county of Washington, to be by him recorded, it shall and may be lawful, to and for the said mayor, aldermen, and common council, to commence the collection of the said wharfage and tolls.

Collection to cease, &c.

And such right to collect the said rates of toll and wharfage shall cease, whenever the said canal shall be so out of repair as to impede the free and convenient use thereof by vessels or craft drawing four feet water, so long as the same shall so remain out of repair or obstructed.

Title of the United States in Mall vested in the mayor, &c.

SEC. 8. And in order to aid the said mayor, aldermen, and common council, in fulfilling the objects and requirements of this act, *Be it further enacted*, That all the right, title, property, interest, and estate, in law or equity, of the United States, of, in, and to, that part of the public reservation in the city of Washington, known and designated as the Mall, which is bounded as follows; lying between Sixth and Fifteenth streets west, and extending from Canal street two hundred and fifteen feet south to the continuation of A street north, and all that part of the said reservation on the south side of the said Mall extending from B street south, three hundred and sixty-six feet, to A street south, and lying between Sixth and Fifteenth streets west, and all the right, title, interest, and estate, which is now, or ought to be, vested in any trustees, commissioners, or other person, for, and on behalf, and in trust, for the benefit of the United States, be, and the same are hereby, vested in the said mayor, aldermen, and common council, in fee, for the purpose, and to be by them sold and applied for the purposes aforesaid, or so much thereof as they shall deem it advisable to sell for the said purposes, and the said residue to hold and use for the benefit and convenience of the said city.

Width of landing.

SEC. 9. *And be it further enacted*, That the said mayor, aldermen, and common council, shall not be authorized to occupy, nor permit others to occupy, more than forty feet for the purpose of landing on either side of the said canal, extending from the Eastern branch to Seventeenth street west upon the plan of the city.

Street on south side of canal.

SEC. 10. *And be it further enacted*, That a street be laid out along the entire length of said canal, on the south side thereof, of the width of eighty feet, between said Sixth and Fifteenth streets west, which shall be kept open for ever as a public street, and subjected to the same rules, regulations, and ordinances, as shall and may affect the other streets and avenues in said city; and that all the streets of said city running north and south, and all the avenues which, by continuing the same, shall extend through said Mall, and such as running westwardly and eastwardly would in like manner intersect the same, shall, in like manner, be opened and kept open, and subject as aforesaid.

Map of De Kraft.

SEC. 11. *And be it further enacted*, That a map or plat of the said land, squares, streets, and avenues, made and prepared by F. C. De Kraft, United States' surveyor of the city of Washington, dated December twenty-seventh, one thousand eight hundred and thirty-one, marked A, be, and the same is hereby, ordered and directed to be recorded in the office of the commissioner of public buildings, and also in the office of said surveyor of the said city of Washington, and shall be held and deemed as indicating correctly the said lands and squares, streets and avenues, and be of full authority as designating and exhibiting the same.

Owners of lots on B. street, entitled to exchange them, &c.

SEC. 12. *And be it further enacted*, That if any proprietor or proprietors of any lots now fronting north on B street south, between said Sixth and Fifteenth streets, shall signify his, her, or their desire and intention to exchange said lots for an equal quantity of the lands herein and hereby conveyed to the said mayor, board of aldermen, and board of common council, situated on the south side of A street south, and immediately north of his, her, or their, said lots, it shall be the duty of the said mayor, board of aldermen, and board of common council, on such intention and

desire being made known to them, to and upon a conveyance in due form of law, clear of all encumbrances, being made to them for the said lands so held by such proprietor or proprietors, to convey and assign to the said proprietor, or proprietors, a corresponding quantity on the square immediately north and fronting on A street south. And in case such proprietor or proprietors shall have made any substantial improvements on the said land so held by him or them as aforesaid, to make a fair and equitable allowance on said surrender or conveyance, either in land or money, as may be agreed on between the parties: *Provided*, Said proprietor or proprietors shall make known such intention to the said mayor, board of aldermen, and board of common council, on or before the first day of August next.

Proviso.

SEC. 13. *And be it further enacted*, That the said mayor, board of aldermen, and board of common council, be, and they are hereby, authorized and required to lay out and divide the said lands, so conveyed and vested by virtue of this act, into lots with alleys, as to them shall seem meet and proper, and to dispose of and sell the same, or so much thereof as shall remain unexchanged as aforesaid, and also all such lots as they shall receive in exchange as aforesaid, at such times and upon such terms as to the said mayor, board of aldermen, and board of common council, shall seem meet; and to execute, or cause to be executed, good and sufficient deeds of conveyance to the purchasers thereof.

Mall to be laid out in lots, and sold.

SEC. 14. *And be it further enacted*, That the proceeds arising from said sales shall be and constitute a fund, which shall be applied by the said mayor, board of aldermen, and board of common council, to pay and extinguish any debt which has been, or may be, contracted, either in the purchase of the Washington City Canal, or the shares of stockholders in said canal, or in the completion of the same, and in the expenses attending said purchase and completion, and shall not be applicable to any other object or purpose until said debts be extinguished.

Proceeds, how to be applied.

SEC. 15. *And be it further enacted*, That nothing in this act contained shall be held or deemed, in any manner or way, to impair or injure any private rights or interests, or in any manner to affect the same beyond the mere transfer of the rights of the United States to said mayor, board of aldermen, and board of common council.

All other rights saved.

SEC. 16. *And be it further enacted*, That the several acts passed on the first day of May, one thousand eight hundred and two; the sixteenth day of February, one thousand eight hundred and nine; the sixth day of May, one thousand eight hundred and twelve; and the twentieth day of May, one thousand eight hundred and twenty-six, in relation to the Washington Canal Company, shall be, and the same are hereby, repealed, except as herein before provided.

Former acts repealed.

APPROVED, May 31, 1832.

STATUTE I.

CHAP. CXIV.—*An Act changing the times of holding the courts in the District of Columbia.*

May 31, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the circuit court of the District of Columbia, for the county of Washington, shall hereafter be held on the fourth Monday in March, and on the fourth Monday in November, in every year, instead of the times now designated by law; and the court for the county of Alexandria shall be held on the first Monday in May, and on the first Monday in October, in every year, instead of the times now designated by law; and that all process shall be made returnable to the said terms as herein directed. This act shall take effect from and after the first day of June next.

Court to be held on fourth Monday in March and November and first Monday in May and October.

APPROVED, May 31, 1832.

## STATUTE I.

May 31, 1832.

CHAP. CXV.—*An Act defining the qualifications of voters in the territory of Arkansas.* (a)

Qualification of voters.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That every free white male citizen of the United States of the age of twenty-one years, who shall have resided in the territory of Arkansas for the term of six months next preceding any general or special election, shall have the privilege of voting in the election district where he shall reside, and not elsewhere, for all elective officers of said territory.

APPROVED, May 31, 1832.

## STATUTE I.

June 4, 1832.

[Obsolete.]

Appropriations for payment of annuities due to Indians and Indian tribes.

CHAP. CXXIII.—*An Act making appropriations for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of three hundred and thirty-six thousand four hundred and five dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the payment of the annuities due to the various Indians and Indian tribes hereinafter mentioned, including the sum of twenty-four thousand five hundred dollars, stipulated for education of Indian youths; twenty-five thousand four hundred and seventy dollars, stipulated for the expenses of blacksmiths, gunsmiths, millers, millwrights, agriculturists, and labourers employed on Indian service, and for furnishing salt, tobacco, iron, and steel, et cætera; and four thousand three hundred and sixty dollars for expenses of transportation and distribution of certain annuities and agricultural implements, not otherwise provided for, for the service of the year one thousand eight hundred and thirty-two, that is to say:

To the Wyandot tribe, five thousand nine hundred dollars.

To the Wyandot, Munsee, and Delaware tribes, one thousand dollars.

To the Shawanee tribe, three thousand dollars, and sixty dollars for furnishing salt.

To the Shawanee and Seneca tribes, of Lewistown, one thousand dollars.

To the Delaware tribe, six thousand five hundred dollars, and one hundred dollars for furnishing salt.

To the Wea tribe, three thousand dollars.

To the Piankeshaw tribe, eight hundred dollars.

To the Kaskaskias tribe, one thousand dollars.

To the Ottawa tribe, five thousand three hundred dollars.

To the Ottawa and Missouri tribes, two thousand five hundred dollars, and fifteen hundred dollars for the expenses of blacksmiths' tools and agricultural implements.

To the Chippewa tribe, three thousand eight hundred dollars; also, one thousand dollars for purposes of education, and two thousand dollars for the purchase of farming utensils and cattle, and the employment of persons to aid them in agriculture.

To the Chippewa, Ottawa, and Pattawatamie tribes, sixteen thousand dollars, and one hundred and twenty-five dollars for furnishing salt.

To the Pattawatamie tribe, sixteen thousand three hundred dollars, and one hundred dollars to Topenibe, principal chief; also, three thousand dollars for purposes of education, and two thousand five hundred and twenty dollars, for expenses of blacksmiths, millers, and agriculturists, and for furnishing salt, tobacco, iron, and steel.

(a) Notes of the acts relating to the territory, afterwards the state of Arkansas, vol. iii. p. 493.

To the Pattawatamie tribe of Huron, four hundred dollars.

To the Choctaw tribe, fifty thousand nine hundred and twenty-five dollars; to Mushulatubbe, a chief, one hundred and fifty dollars, and to Robert Cole, a chief, one hundred and fifty dollars; also, twelve thousand five hundred dollars for purposes of education, and two thousand nine hundred and fifty-five dollars for expenses of blacksmiths and millwrights, and for furnishing iron and steel.

To the Eel river tribe, one thousand one hundred dollars.

To the Six Nations, New York, four thousand five hundred dollars, and two hundred dollars to the Young King, a chief of the Seneca nation.

To the Seneca tribe, New York, six thousand dollars.

To the Creek tribe, thirty-four thousand five hundred dollars.

To the Cherokee tribe, ten thousand dollars, also two thousand dollars for purposes of education.

To the Chickasaw tribe, twenty-three thousand dollars.

To the Sac tribe, three thousand dollars.

To the Sac and Fox tribes, two thousand dollars.

To the Sac, Fox, and Ioway tribes, three thousand dollars, for expenses of blacksmiths and agriculturists, and furnishing farming utensils and cattle.

To the Fox tribe, three thousand dollars.

To the Ioway tribe, three thousand dollars; also nine hundred dollars for expenses of blacksmiths, and furnishing agricultural tools.

To the Osage tribe, eight thousand five hundred dollars.

To the Seneca tribe, of Lewistown, one thousand dollars.

To the Quapaw tribe, two thousand dollars.

To the Kickapoo tribe, of Illinois, two thousand dollars.

To the Florida Indians, five thousand dollars; also one thousand dollars for purposes of education, and one thousand dollars for the expenses of a gun and blacksmith.

To the Miami tribe, twenty-five thousand dollars; also two thousand dollars for the support of the poor and infirm, and education of youth; and two thousand and twenty dollars for expenses of blacksmith, and for furnishing salt, iron, and steel and tobacco.

To the Winnebago tribe, eighteen thousand dollars; also three thousand seven hundred and ninety dollars for expenses of blacksmiths and agriculturists, and for furnishing salt and tobacco.

To the Kanza tribe, three thousand five hundred dollars.

To the Christian Indians, four hundred dollars.

To the Sioux tribe, of Mississippi, two thousand dollars; also, one thousand seven hundred dollars for expenses of blacksmith, and furnishing agricultural tools.

To the Yancton and Santie bands, three thousand dollars; also one thousand four hundred dollars for expenses of blacksmith and furnishing agricultural tools.

To the Omaha tribe, two thousand five hundred dollars; also, one thousand five hundred dollars for expenses of blacksmith, and furnishing agricultural tools.

To the Sac tribe of Missouri river, five hundred dollars; also, nine hundred dollars for expenses of blacksmith, and furnishing agricultural tools.

For purposes of education of Sacs, Foxes, and others, as stipulated for by the treaty of fifteenth July, one thousand eight hundred and thirty, three thousand dollars; and to Little Billy of the Seneca tribe, of New York, for the term of his natural life, an annuity of fifty dollars.

To Anderson, three hundred and sixty dollars, and to Lapahnilhe, one hundred and forty dollars, chiefs of the Delaware nation, agreeably to an understanding of the commissioners who negotiated the treaty of one thousand eight hundred and eighteen.

For expenses of transportation and distribution of annuities to the Winnebagoes, Chippewas, Ottowas, and Pattawatamies, Sacs, Foxes, and others, and of salt, tobacco, agricultural implements, and tools, not otherwise provided for, the sum of four thousand three hundred and sixty dollars.

Other acts repealed.

SEC. 2. *And be it further enacted*, That so much of any act as provides for the payment of any of the annuities and stipulations herein mentioned, shall be, and the same is hereby, repealed.

APPROVED, June 4, 1832.

STATUTE I.

June 4, 1832.

CHAP. CXXIV.—*An Act making appropriations in conformity with the stipulations of certain treaties with the Creeks, Shawnees, Ottoways, Senecas, Wyandots, Cherokees, and Choctaws.*

Appropriations.

*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 severally appropriated to the several objects hereinafter specifically enumerated, according to the stipulations of certain Indian treaties, to be paid out of any money in the treasury not otherwise appropriated, namely :

Creek treaty. Debts.

For the payment of debts due by the Creeks, and their relief, according to the ninth article of the treaty concluded with the Creek Indians, twenty-fourth March, one thousand eight hundred and thirty-two, one hundred thousand dollars.

Delegation.

For compensation to the delegation to the city of Washington, the payment of the expenses, and of claims against them, according to the tenth article of the same treaty, sixteen thousand dollars.

Payment of claims for ferries, &c.

For the payment of certain claims for ferries, bridges, and causeways, for judgments against chiefs, for losses, for improvements, for annuities, for the expenses of Creeks who have emigrated without expense to the United States, at fifteen dollars for each, and for compensation to those who suffered in consequence of being prevented from emigrating, as severally provided for and stipulated in the eleventh article of the same treaty, twenty-five thousand and eighty dollars.

Rifles, &c.

For the cost of rifles, ammunition, and blankets, according to the thirteenth article of the same treaty, thirteen hundred and twenty dollars.

Census, &c.

For the expenses of taking the census, and making the selection of reservations according to the second article of the same treaty, three thousand five hundred dollars.

Persons to certify, &c.

For the service of a person to be selected to certify the contracts for the sale of lands, according to the third article of the same treaty, one thousand dollars.

Removal of intruders.

For the expense of removing and keeping off intruders from the Creek lands, according to the fifth article of the same treaty, two thousand dollars.

Education.

For one year's allowance for the purposes of education, according to the thirteenth article of the same treaty, three thousand dollars.

Shawnee treaty.

For carrying into effect the treaty with the Shawnee Indians of Ohio, according to the treaty concluded with them, eighth August, one thousand eight hundred and thirty-one, the following sums, namely :

Houses, &c.

For enabling them to erect houses and open farms at their intended residence, according to the fifth article of the said treaty, thirteen thousand dollars.

Presents.

For the payment for sundry articles, as presents, enumerated in the ninth, twelfth, and fourteenth articles of the same treaty, two thousand four hundred and four dollars.

Selling property.

For expenses of selling the property of Indians, according to the sixth article of the said treaty, three hundred dollars.

For carrying into effect the treaty with the Ottoways, of Ohio, concluded the thirtieth August, one thousand eight hundred and thirty-one, the following sums, namely: Ottoway treaty.

For the payment of certain articles as stipulated for in the tenth article of the said treaty, twelve hundred and fifty-four dollars.

For expenses attending the sale of Indian property, according to the sixth article, three hundred dollars.

For carrying into effect the treaty with the mixed bands of the Senecas and Shawnees, of Lewiston, Ohio, concluded the twentieth July, one thousand eight hundred and thirty-one, the following sums, namely: Seneca and Shawnee treaty.

For an advance to said Indians, in lieu of compensation for improvements, according to the fifth article of the said treaty, six thousand dollars.

For the payment for sundry articles stipulated for as presents in the tenth article of said treaty, thirteen hundred and fifteen dollars.

For the expense of selling the property of said Indians, according to the sixth article of the said treaty, three hundred dollars.

For carrying into effect the treaty with the Wyandots, of Ohio, concluded nineteenth January, one thousand eight hundred and thirty-two, the following sums, namely: Wyandot treaty.

For payment for the reservation of sixteen thousand acres, as stipulated for in the second article of the treaty, twenty thousand dollars.

For payment for improvements on the ceded reservations, and expense of appraising the same, according to the third article of said treaty, four thousand dollars.

For transportation and contingencies under the provisions of the several treaties above mentioned, two thousand five hundred dollars.

For the payment of improvements within the limits of Georgia and Arkansas, abandoned by Cherokee emigrants under the treaty of sixth May, one thousand eight hundred and twenty-eight, as valued by appraisers, seventy thousand dollars. Improvements in Georgia and Arkansas.

For gratuities of fifty dollars for every five emigrants from within the chartered limits of Georgia, ten thousand dollars. Gratuities.

For carrying into effect the treaty with the Choctaws, of fifteenth September, one thousand eight hundred and thirty, the following sums, namely: Choctaw treaty.

For the blankets, rifles, axes, ploughs, hoes, wheels, cards, looms, iron, and steel, stipulated for in the twentieth article of the said treaty, thirty-five thousand six hundred and twenty dollars.

For fulfilling the stipulation of the sixteenth article in relation to cattle, in addition to former appropriations, ten thousand dollars.

For the payment of Choctaw Indians who have relinquished lands, according to the provisions of the nineteenth article of said treaty, the sum of thirty thousand seven hundred and forty dollars.

For expenses of transportation, and other incidental expenses, in relation to the treaties above named, three thousand five hundred dollars.

APPROVED, June 4, 1832.

STATUTE I.

CHAP. CXXXVI.—*An Act supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution."*

June 4, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That each of the surviving officers, non-commissioned officers, musicians, soldiers and Indian spies, who shall have served in the continental line, or state troops, volunteers or militia, at one or more terms, a period of two years, during the war of the revolution, and who are not entitled to any benefit under the act for the relief of certain surviving officers and soldiers of the revolution, passed the fifteenth day of May, eighteen hundred and twenty-eight, be Act of May 15, 1828, ch. 53.  
All who have served two years, to receive full pay according to their rank, not to exceed captain's pay.

Post, p. 608.  
Post, p. 612.

All who have served not less than six months, to receive an annuity proportioned to term of service.

No one already a pensioner to receive benefits of this act, until he relinquishes former pension.

Where to be paid.  
Post, p. 605.

No foreign officer entitled, &c.

Evidence of title.

Pay not transferable, &c.

Payments when to be made.

In case of death to widow or children.

Service in navy to entitle to benefits of this act.

authorized to receive, out of any money in the treasury not otherwise appropriated, the amount of his full pay in the said line, according to his rank, but not exceeding, in any case, the pay of a captain in the said line; such pay to commence from the fourth day of March, one thousand eight hundred and thirty-one, and shall continue during his natural life; and that any such officer, non-commissioned officer, musician, or private, as aforesaid, who shall have served in the continental line, state troops, volunteers or militia, a term or terms in the whole less than the above period, but not less than six months, shall be authorized to receive out of any unappropriated money in the treasury, during his natural life, each according to his term of service, an amount bearing such proportion to the annuity granted to the same rank for the service of two years, as his term of service did to the term aforesaid; to commence from the fourth day of March, one thousand eight hundred and thirty-one.

SEC. 2. *And be it further enacted*, That no person, receiving any annuity or pension under any law of the United States providing for revolutionary officers and soldiers, shall be entitled to the benefits of this act, unless he shall first relinquish his further claim to such pension; and in all payments under this act, the amount which may have been received under any other act as aforesaid, since the date at which the payments under this act shall commence, shall first be deducted from such payment.

SEC. 3. *And be it further enacted*, That the pay allowed by this act shall, under the direction of the Secretary of the Treasury, be paid to the officer, non-commissioned officer, musician or private, entitled thereto, or his or their authorized attorney, at such places and times as the Secretary of the Treasury may direct, and that no foreign officer shall be entitled to said pay, nor shall any officer, non-commissioned officer, musician or private, receive the same until he furnish the said Secretary satisfactory evidence that he is entitled to the same, in conformity to the provisions of this act; and the pay hereby allowed shall not be in any way transferable or liable to attachment, levy, or seizure, by any legal process whatever, but shall inure wholly to the personal benefit of the officer, non-commissioned officer, musician, or soldier, entitled to the same.

SEC. 4. *And be it further enacted*, That so much of the said pay as accrued before the approval of this act, shall be paid to the person entitled to the same as soon as may be, in the manner and under the provisions above mentioned; and the pay which shall accrue thereafter shall be paid semi-annually, in the manner above directed; and, in case of the death of any person embraced by the provisions of this act, or of the act to which it is supplementary, during the period intervening between the semi-annual payments directed to be made by said acts, the proportionate amount of pay which shall accrue between the last preceding semi-annual payment, and the death of such person, shall be paid to his widow, or, if he leave no widow, to his children.

SEC. 5. *And be it further enacted*, That the officers, non-commissioned officers, mariners, or marines, who served for a like term in the naval service during the revolutionary war, shall be entitled to the benefits of this act, in the same manner as is provided for the officers and soldiers of the army of the revolution.

APPROVED, June 7, 1832.

STATUTE I.

June 15, 1832.

CHAP. CXXVII.—*An Act authorizing the Secretary of the Treasury to permit a wharf to be built near the site of the lighthouse on Stratford point, in the state of Connecticut.*

*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 hereby authorized to permit a wharf to be built near the site of the lighthouse, on Stratford point, in the state of Connecticut, and to grant the use of such land belonging to the United States as may be required for that purpose: *Provided*, The use of such wharf shall continue only so long as, in the opinion of the Secretary of the Treasury, it does not interfere with the interests of the United States.

A wharf may be built.

APPROVED, June 15, 1832.

STATUTE I.

CHAP. CXXVIII.—*An Act to create the office of surveyor of public lands for the territory of Arkansas. (a)*

June 15, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That a surveyor for the territory of Arkansas shall be appointed, who shall have the same authority, and perform the same duties respecting the public lands and private land claims in the territory of Arkansas as are now vested in, and required of, the surveyor of the lands of the United States in Missouri and Illinois.

Duties.

SEC. 2. *And be it further enacted*, That it shall be the duty of the surveyor for Missouri and Illinois to deliver to the surveyor for the territory of Arkansas, all the maps, papers, records, and documents relating to the public lands and private land claims in Arkansas, which may be in his office; and in every case where it shall be impracticable to make a separation of such maps, papers, records, and documents, without injury, it shall be his duty to cause copies thereof, certified by him, to be furnished to the surveyor of Arkansas, which copies shall be of the same validity as the originals.

Maps, papers, &c. relating to lands in Arkansas to be delivered.

SEC. 3. *And be it further enacted*, That the surveyor of Arkansas, to be appointed in pursuance of this act, shall establish his office at such place as the President of the United States may deem most expedient for the public service, and that he shall be allowed an annual salary of fifteen hundred dollars, and that he be authorized to employ one skillful draughtsman and two clerks, whose aggregate compensation shall not exceed eighteen hundred dollars per annum.

Location of office.

Salary of draughtsman and clerks.

APPROVED, June 15, 1832.

STATUTE I.

CHAP. CXXIX.—*An Act granting to the territory of Arkansas one thousand acres of land, for the erection of a courthouse and jail at Little Rock.*

June 15, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be granted to the territory of Arkansas, a quantity of land not exceeding one thousand acres, contiguous to, and adjoining the town of, Little Rock, for the erection of a courthouse and jail in said town; which lands shall be selected by the governor of the territory by legal sub-divisions, and disposed of in such manner as the legislature may by law direct; and the proceeds of the lands so disposed of, shall be applied towards building a courthouse and jail in said town of Little Rock; and the surplus, if any, may be applied to such other objects as the legislature of said territory may deem proper.

Land to be selected by governor.

APPROVED, June 15, 1832.

(a) Notes of acts relating to the territory, afterwards the state of Arkansas, vol. iii. 493.

## STATUTE I.

June 15, 1832.

[Obsolete.]  
Certain unex-  
pended balances  
re-appropriated.

CHAP. CXXX.—*An Act for the re-appropriation of certain unexpended balances of former appropriations; and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums, being unexpended balances of former appropriations, be, and the same are hereby, re-appropriated to the original objects of their appropriation, specifically, namely :

For the expense of visits of Indian deputations to the seat of government, three hundred and ninety-four dollars and forty-two cents.

For expenses incurred by the marshal of Michigan territory, in prosecuting Winnebago prisoners, one hundred and twenty-nine dollars and fifty-eight cents.

1824, ch. 151. For carrying into effect the treaty with the Florida Indians, according to the act of twenty-sixth May, one thousand eight hundred and twenty-four, one hundred and ninety-five dollars.

1826, ch. 148. For carrying into effect the Creek treaty, according to the appropriation to that effect in the act of twenty-second May, one thousand eight hundred and twenty-six, and the re-appropriation of the balance thereof, by the act of March second, one thousand eight hundred and twenty-nine, ten thousand seven hundred and forty-five dollars and ten cents.

1829, ch. 50. For compensation to Cherokee emigrants from Georgia, according to the act of second March, one thousand eight hundred and twenty-nine, ten thousand five hundred and fifty-one dollars and thirty cents.

1829, ch. 50. For carrying into effect the treaty with the Pattawatamies, by act of second March, one thousand eight hundred and twenty-nine, eight hundred and sixty-five dollars and ninety-two cents.

1829, ch. 50. For compensation for improvements abandoned by the Cherokees of Arkansas, by act of second March, one thousand eight hundred and twenty-nine, seventeen thousand five hundred and forty-one dollars and thirty-three cents.

1829, ch. 50. For provisions for the Quapaws, by act of second March, one thousand eight hundred and twenty-nine, one thousand dollars.

1828, ch. 47. For aiding certain Creeks in their removal, by act of ninth May, one thousand eight hundred and twenty-eight, six hundred and four dollars and three cents.

1829, ch. 50. For extinguishment of the title of the Delaware Indians to their reservation in Ohio, by act of second March, one thousand eight hundred and twenty-nine, one thousand four hundred and eighty-seven dollars and sixty-seven cents.

SEC. 2. *And be it further enacted,* That the sum of one thousand dollars, heretofore appropriated for contingent expenses of the topographical bureau by the act making appropriations for the support of government for the year one thousand eight hundred and thirty-two, be, and the same is hereby, transferred and appropriated to the contingent expenses of the office of the chief engineer for the same year.

Ante, p. 506.

That the following sum be, and the same is hereby appropriated :

For defraying the expenses of the Wyandott delegation to the city of Washington, in January, one thousand eight hundred and thirty-two, four hundred dollars; and for defraying the expenses of the Cherokee delegation, west of the Mississippi, now in the city of Washington, seven hundred and seventy-two dollars.

Illinois militia,  
&c.

SEC. 3. *And be it further enacted,* That for the purpose of paying the militia of the state of Illinois called into the service of the United States by competent authority, and for paying the expenses incurred in defending the frontier from a recent invasion by several bands of hostile Indians, and including the pay of the militia legally called out for the same purpose from the neighbouring states and territories, three hundred thousand dollars, if so much be necessary, be, and the same is hereby, appro-

riated, to be paid under the authority of the Secretary of War, agreeably to the second section of an act making appropriations for the support of the army for the year one thousand eight hundred and thirty-two.

SEC. 4. *And be it further enacted*, That the sum of twenty thousand dollars be, and the same is hereby, appropriated, to be expended under the direction of the President of the United States, for the relief of such friendly Indians as may seek protection within the Indian agencies on the north-western frontier.

Relief of friendly Indians.

APPROVED, June 15, 1832.

STATUTE I.

CHAP. CXXXI.—*An Act to authorize the President to raise mounted volunteers for the defence of the frontier.*

June 15, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to raise, either by the acceptance of volunteers, or enlistment for one year, unless sooner discharged, six hundred mounted rangers, to be armed, equipt, mounted, and organized in such manner, and to be under such regulations and restrictions as the nature of the service may, in his opinion, make necessary.

How armed, &c.

SEC. 2. *And be it further enacted*, That each of the said companies of rangers shall consist of one captain, one first, one second, and one third lieutenant; five sergeants, five corporals, and one hundred privates; the whole to form a battalion, and be commanded by a major.

Organization.

SEC. 3. *And be it further enacted*, That the said non-commissioned officers and privates shall arm and equip themselves, unless otherwise ordered by the President, and provide their own horses, and shall be allowed each one dollar per day as a full compensation for their services and the use of their arms and horses. The commissioned officers shall receive the same pay and emoluments as officers of the same grade in the army of the United States, and the officers shall be allowed forage for their horses, and be entitled to the same rations as those of the same grade in the army of the United States, respectively.

Privates, &c. to arm and equip themselves.

Officers' pay and emoluments.

SEC. 4. *And be it further enacted*, That the officers, non-commissioned officers, and privates raised pursuant to this act, shall be entitled to the like compensation, in case of disability by wounds or otherwise, incurred in the service, as has heretofore been allowed to officers, non-commissioned officers, and privates in the military establishment of the United States; and shall be subject to the rules and articles of war, and such regulations as have been or shall be established according to law for the government of the army of the United States, as far as the same may be applicable to the said rangers within the intent and meaning of this act, for the protection and defence of the north-western frontier of the United States.

Provision in case of disability.

Corps subject to rules and articles of war.

SEC. 5. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, is hereby authorized to appoint all the officers proper to be appointed under this act; which appointments may be made during the recess of the Senate, but shall be submitted to the Senate at their next session, for their advice and consent; and that the sum of fifty thousand dollars be, and the same is hereby, appropriated for the purpose of carrying this act into effect.

Officers, how to be appointed.

APPROVED, June 15, 1832.

## STATUTE I.

June 15, 1832.

CHAP. CXL.—*An Act to authorize the inhabitants of the state of Louisiana to enter the back lands.*

Owners of tracts on a river, &c. not exceeding 40 arpens in depth, entitled to pre-emption of back tract, &c.

Surveys of such back tracts and division in certain cases.

Proviso: pre-emption not to embrace, &c. Time for using pre-emption right.

Time extended by act of Feb. 24, 1835, ch. 24.

Re-surveys, at whose expense.

On the failure of notice, &c. pre-emption right to be void.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That every person, who, either by virtue of a French or Spanish grant, recognised by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the state of Louisiana, or by virtue of any title derived from the United States, owns a tract of land bordering on any river, creek, bayou or water-course, in the said territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of, his own tract, not exceeding forty arpens, French measure in depth, nor in quantity of land, that which is contained in his own tract; at the same price and on the same terms and conditions, as are, or may be, provided by law for the other public lands in the said state. And the surveyor general for the state of Louisiana shall be, and he is hereby, authorized to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the river, lake, creek, bayou, or water-course, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him will appear most equitable: *Provided, however,* That the right of pre-emption granted by this section, shall not extend so far in depth as to include lands fit for cultivation, bordering on another river, creek, bayou or water-course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land office, a notice, in writing, stating the situation and extent of the tract of land he wishes to purchase; and shall also make the payment and payments for the same at the time and times which are or may be prescribed by law for the disposal of the other public lands in the said state, the time of his delivering the notice aforesaid being considered as the date of the purchase: *Provided, also,* That all notices of claims shall be entered, and the money paid thereon, at least three weeks before such period as may be designated by the President of the United States, for the public sale of the lands in the township in which such claims may be situated, and all claims not so entered shall be liable to be sold as other public lands. Whenever it shall be necessary to re-survey the public lands, in order to enable persons entitled to avail themselves of the provisions of this act, the expenses of such re-survey shall be paid by the person or persons, who shall enter the lands so re-surveyed under this act, at the time he or they shall pay the price of such land to the receiver of public money. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease, and become void; and the land may, thereafter, be purchased by any other person, in the same manner, and on the same terms, as are, or may be provided by law for the sale of other public lands in the said state.

APPROVED, June 15, 1832.

## STATUTE I.

June 15, 1832.

CHAP. CXLI.—*An Act to establish certain post-roads, and to alter and discontinue others; and for other purposes.*

Post-roads to be established.

*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:

*In Maine.*—From East Machias, by Whiting, to Little River harbour, in the county of Washington. From Dennysville, in Washington county, by Charlotte, Cooper, and Alexander, to Baring. From East Machias to Cutler. From Bangor, in Penobscot county, by Brewer, Plantation number eight, to Ellsworth, in the county of Hancock; thence by Mariaville, to Plantation number twenty-six, in said county of Hancock. From Waterville, in Kennebeck county, by Winslow, Clinton, Milburn, Cornville, Athens, Brighton, Fordstown, Fosstown, and Blanchard, to Monson; and from Brighton to Wellington, in the county of Somerset. From Thomastown, in the county of Lincoln, by Tenant's harbour and Moscheto harbour, to St. George. From Waldoborough, in Lincoln county, by Washington and Liberty, to Montville, in Waldo county. From Fryeburg, in the county of Oxford, to Chatham, New Hampshire. From Brunswick, in Cumberland county, by Topsham and Lisbon, to Greene, in the county of Kennebeck. From Westbrook, in Cumberland county, up the west side of Presumpscut river, to intersect the road from Standish to Gray, at the carrying place on Sebago pond. From Anson, by Bingham, in Somerset county, by the forks of Kennebeck river, thence on the Canada road, to the Canada line. From West Jefferson, in Lincoln county, by Trask's mills and Sheepscot bridge, to Wiscasset. From Brownville, by Kilmarnock, to the easterly part of Milo. From Saco, by Biddeford, the northerly part of Kennebunk port, and the centre of Lyman, to Alfred. From Exeter, by Corrina and St. Albans, to the intersection of the mail-route from Pittsfield to St. Albans. From Factory village, by Sebattus village, in Lisbon, to Greene. From Passadumkeag post-office, in the county of Penobscot, in the state of Maine, by Treat's mills, through number one, to Page's mills, so called; and through number two, Herd's ridge, to number four, Mullitt's mills, in said county. From Gray, in the county of Cumberland, by Standish, to Alfred in the county of York. From Camden, through Hope and Appleton, to Montville, in the county of Waldo. From Prospect West village, to James Black's, in Prospect, in the county of Waldo. From Bangor, by Hermon, Levant, Stetson, North Newport, and Corrina, to St. Albans. From the town of Portland, through Westbrook, Scarborough, Buxton, Hollis, a part of Waterborough, Limerick, and Newfield, to Plymouth, in New Hampshire, by way of Ossipee corner, Tuf-tonborough corner, and Moultonborough, passing on the south side of Ossipee mountain. From Phillips, through Berlin, to Weld, in the county of Oxford. From Bangor, in the county of Penobscot, by Dutton west post-office, Levant, Corinth west post-office, Garland, Dover, Foxcroft, Sangerville, Guilford, Abbot, Monson, to the post-office in Fullerstown, in the county of Somerset. From the upper village in Farmington, by Keith's mills, Sewall's mills, in Chesterville, north-easterly corner of Fayette, Taylor's mills, and Dunn's tavern, in Mount Vernon, Hoyt's tavern, in Readfield, and Augusta, to Hallowell. From the post-office in Mount Desert, in the county of Hancock, to the Seal Cove, in the same township. From Winslow, by Clinton, Pittsfield, Palmyra, south-east corner of Saint Albans, Corinna, and Dexter to Dover. From Alfred, through Waterborough, Limerick and Cornish, to Hiram Bridge. From the North-west harbour to the South-east harbour in Deer Island.

Post-roads established.  
Maine.

*In New Hampshire.*—From Derry, Chester, and Candia, to South Deerfield. From Wakefield, in the county of Strafford, over Fogg's hill, to Effingham. From Sanbornton bridge, by the centre of Franklin, Salisbury post-office, and the westerly part of Boscawen, to Hopkinton village. From Dunstable, by Milford, Wilton, Hancock, Stoddard, Alstead east parish, Paper mill village in Alstead, Langdon, to Charlestown. From Dover, by Madbury, Barrington, Strafford, Barnstead, Gilmanton, and Guilford, to Meredith bridge. From Northumberland, through Piercy, Winslow's location, Dummer, Berlin, to Milan. From Great Falls, by

N. Hampshire.

Post-roads es-  
tablished.

Lebanon, Sanford, Emery's mills, in Shapleigh, Acton corner, and Newfield, by the post-offices called by those names, and through the west part of Parsonsfield, to the post-office in Effingham. From Concord, by Loudon, Lower Gilmanton iron works, Alton bay, Plainfield corner, Union Village, Farmington, Middleton corner, and Brookfield corner, to Smith's bridge, in Wolfborough, and return by the North meeting-house, in Alton, to Alton bay. From Meredith bridge, by Gilford centre, to Alton bay. From Concord, by Loudon mills, and Loudon, to Gilmanton Courthouse. From Concord by Epsom, North Deerfield, Nottingham centre, Wadleigh's falls in Lee, to Lamprey River village, in Newmarket. From Concord, by Pembroke, Allenstown, West Deerfield, South Deerfield, Raymond, Epping, Exeter, Stratham, and Greenland, to Portsmouth. From Concord, by Hooksett, Candia, Raymond, Poplin, and Brentwood, to Exeter. From Concord, by Dunbarton, Goffstown, New Boston, Amherst, Milford, Wilton, Mason harbour, New Ipswich, Ashby, and Ashburnham, to Fitchburgh, in Massachusetts. From Newport, by Wendell North Village, New London, and Wilmot, to Andover. From Newport, by Wendell, Fishersfield, Bradford, Heniker, Weare and New Boston, to Amherst. From Bath to Landaff. From Lisbon to Lyman village. From Hooksett, by Westchester, Chester, Sandown, and Hawke, to Kingston.

Vermont.

*In Vermont.*—From Brattleborough, in Windham county, by Guilford Centre, to Halifax. From Brandon, in Rutland county, to Shoreham, in Addison county. From Hancock, by Goshen, to Brandon, in the county of Rutland. From Swanton, in Franklin county, by Alburg, to Champlain, in the county of Clinton, and state of New York. From Randolph to Chelsea, in Orange county. From Elmore to Walcott. From Lynden, in Caledonia county, by Burke, Newark, Randon, Charleston, East village and West village, and Salem, to Child's mills, in Derby, in the county of Orleans. From Sunderland, by Stratton, to Wardsborough. From Waterford Lower Bridge, in Caledonia county, by Concord and St. Johnsbury East village, to Lyndon. From Windsor in Windsor county, by Downer's inn, in Weathersfield, the North village in Springfield, the North and South villages in Chester, Cambridge Port, to Athens. From Wells River village, in Newbury, by Groton, to Topsham and West Topsham, in Orange county. From Middlebury, by Weybridge Lower Falls, to Addison. From Keene, through Westmoreland, in the state of New Hampshire; thence through Putney, Brookline, Newfane, Wardsboro', and Stratton, to Sunderland. From Corinth, by Corinth East village, Topsham Town-house, Groton village, near Groton mills, to Peacham. From Randolph, by Randolph west village, the east part of Braintree, west part of Brookfield, east part of Roxbury, to the Centre village of Northfield.

Massachusetts.

*In Massachusetts.*—From Florida, by Monroe, in Franklin county, and by Readsborough and Whitingham, to Halifax, in the county of Windham in Vermont. From Colerain, in the county of Franklin, through North Heath to Whitingham, in Vermont. From Westfield through Otis and Tyringham, to Great Barrington. From Fitchburg, in Worcester county, by Lunenburg, Townsend harbour, Pepperell, Dunstable, Tyngsborough and North Chelmsford, to Lowell, in the county of Middlesex. From New Bedford, in Bristol county, to the village of Padanaram, in Dartmouth. From Enfield, by Greenwich, Dana, Petersham, Templeton, Westminster, Fitchburg, Lunenburg, Shirley, Groton, Westford and Chelmsford, to Lowell. From the centre of Annisquam parish, in Gloucester, to the post-office in said Gloucester. From Greenfield, by Deerfield, to the centre of Whately. From North Adams, in the state of Massachusetts, through Clarksburg, thence through Stamford and Readsborough, in the state of Vermont, to intersect the mail route from Brattleboro' to Bennington. From South Plympton to Middle-

borough Four Corners. From Keene, New Hampshire, through Troy, Fitzwilliam, Winchendon, Ashburnham, Fitchburg, Leominster, Lancaster, Bolton, Stow, Waltham, Watertown and Cambridge, to Boston, Massachusetts. From Danvers to Salem. From Norfolk to New Marlborough, North.

Post-roads established.

*In Rhode Island.*—From Newport to Block Island. From Providence, by Cranston Bank, Lippitt, Phoenix, Harris's and Arkwright's factories, in the county of Providence, to the village of Fiskville, in said county of Providence.

Rhode Island.

*In Connecticut.*—From Tolland to Bolton, in the county of Tolland. From Wolcottsville, by Winstead, Hitchcocksville, and West Hartland, to West Granville, in Hampden county, Massachusetts. From Hartford, in Hartford county, by Wintonbury, Simsbury, West Granby, Hartland, Granville, in Massachusetts, Tolland and New Boston, to Standisfield in the county of Berkshire. From Middletown, by Meriden, Cheshire, Waterbury, Middlebury, Southbury, Newton, to Danbury. From the post-office in Greenwich to the village of Stanwich. From New London to Sag Harbour, in New York. From Tolland, through the northerly parts of Willington, Ashford, and Woodstock, in Connecticut, south part of Dudley, South Oxford, Sutton, Northbridge, Upton, Hopkinton, Sherburne, Natick, and Needham, to Boston; said route is on Central turnpike. From Essex, in the town of Saybrook, through the towns of Lyme, Salem and Montville, to the city of Norwich. From Waterbury, in New Haven county, to Colebrook, in Litchfield county; said route to follow the Waterbury river turnpike road in the valley of the Waterbury river, to Colebrook, intersecting at Colebrook the mail-route which now runs from Winsted to Stockbridge, in Massachusetts. From East Hadam Landing by Westchester, to the borough of Colchester. From Kent, in the county of Litchfield, to the town of Cornwall, in said county, on the direct road from the post-office in said Kent, to the post-office at Cornwall Bridge in said Cornwall. From Stafford's Springs post-office, by the Old Furnace on what is called the Somers and Woodstock turnpike road, by Bartlett's mills, to Somer's street. From Norwalk, through Weston and Redding, to Newtown. From the borough of Bridgeport in Fairfield county, through Nicholl's farms, on the Wells Hollow Turnpike road, by Derby and Humphreysville, to Salem bridge in New Haven county. From Wilton to Ridgefield. From Norwalk to New Canaan. From Norwich city through Preston, Griswold, and Voluntown, on the Shetucket turnpike, to Scituate in Rhode Island.

Connecticut.

*In New York.*—From Madison, in Madison county, by Augusta, Vernon Centre, Vernon, Verona, to Rome. From Mount Morris, in Livingston county, by Tuscarora, Ossian, Burrell's mills, to Dewitt's valley in the county of Alleghany. From Nunda, in Alleghany county, to Ossian. From Portageville, in Alleghany county, by Oakland and Tuscarora, to Danville, in the county of Livingston. From Italy, in the county of Yates, by Pultneyville post-office, Pultney, in Steuben county, to Hammondsport. From Horse Head, by Erin, to Cayuta, in Tioga county. From Maccumber's, in Susquehannah county, Pennsylvania, by Silver lake, and Eilerslie, to Owego, in Tioga county. From Otego, by Gilbertsville, to Unadilla. From Romulus, by Waterloo, to Phelps. From the town of Somers, in the county of West Chester, to Lundington's store, in the town of Kent, in the county of Putnam. From the town of Flatbush to the town of New Utrecht, in the county of Kings. From Greene, in Chenango county, by Spee's Spa, to McDonough. From Marbletown, in Ulster county, by Craig's store, in Olive, to the nearest post-office in Shandaken, on the route from Kingston, in said county, to Delhi, in Delaware county. From Sangerfield, in Oneida county, by Brookfield, in Madison county, to Sherburne. From Scotland, in Rockland county, by Hempstead, English Church, and Haver-

New York.

Post-roads established.

straw, to Monroe ironworks in the county of Orange. From Deposit, in Delaware county, by Stanville and Jackson, to Gibson, in Susquehanna county, Pennsylvania. From Tyrone, in Steuben county, to Rock Stream. From Jordan, in Onondago county, to Ira. From South Bainbridge, in Chenango county, by Coventryville, to Oxford. From Glenn's Falls, in Warren county, by Northville, to Patton's mills, in the county of Washington. From Batavia, on the line between Bethany and Alexander, in the county of Genesee, by Attica and Middlebury, through the east part of Orangeville, to Wethersfield. From Watertown, in Jefferson county, by Brownville, La Fargeville, to Cornelia, at the mouth of French creek, on the river St. Lawrence; thence by De Pauville to Brownville. From Cuba village, in Alleghany county, by Dodge's creek, to Mill Grove, in Cattaragus county. From Hueville, by Depeyster and Washband settlements, to Oxbow, in Jefferson county. From Buffalo, in Erie county, by Aurora, Wales, Holland, Sardinia, China, Freedom, Caneadea, and Belfast, to Angelica, in Alleghany county. From Daggett's mills to Lawrenceville, in Tioga county, Pennsylvania. From New Berlin, by Pittsfield, and Edmeston, to Morse's store, in Otsego county. From Port Kent, on Lake Champlain, by the way of the Au Sable Forks, to Eastville post-office, in the town of Lawrence, St. Lawrence county. From Duanesburg to Schoharie courthouse. From New York city, by Williamsburg, to Flushing, on Long Island. From Addison, in the county of Steuben, by way of Cameron and Canisteo, to Homellsville. From Caughnawaga to Fultonville. From Painted Post to Number One settlement. From South Sparta, to Livonia, passing through the east part of the towns of Sparta, Groveland, and Conesus. The route from Goff's mills to South Danville shall pass by the way of the Loon Lake settlement. From Angelica, by Short Tract, Oakland, River Road, to Moscow. From Sawpit in the county of West Chester, by the way of the White Plains, to Tarrytown. From the house of Alanson Burr, in the town of Caneadea, in the county of Alleghany, by the way of Rushford, to Farmersville, in the county of Cattaragus. From the house of Captain William Bennett, in the town of Canisteo, in the county of Steuben, by the way of Purdy Creek settlement, and Alfred, to Scio, in the county of Alleghany. From Fort Miller to Craigsborough. From West Bloomfield, in the county of Ontario, by North Bloomfield, and Norton's mills, to Webster's mills, in the town of Rush, in the county of Monroe. From the forks of the Great au Sable river to Hopkington. From Utica to New York mills. From Colosse, in the county of Oswego, through the towns of Parish and Amboy, to Camden post-office, in Oneida county. From Corydon, by Pleasant Grove and Sociality, to Persia, (formerly West Lodi,) in the county of Cattaragus. From Auburn to Montezuma, passing through Posterville, and from Montezuma to Wolcott, passing through Savannah and Butler. From Spraker's Basin, in Montgomery county, through the towns of Sharon, Cobleskill, Summit, and Jefferson, to Harpersfield, in the county of Delaware. Extend route number two hundred and eighty-eight commencing at Elmira in the county of Tioga, New York and running from thence to McConnelltown, Sing Sing, Townsend, and Wardsburgh, to Harpending's corners, in the county of Yates; and the continuance of said route to Geneva, in Ontario county, via Himrod's corners, West Dresden, and from thence to Geneva, by the Lake road. On the east side of the Susquehanna river, from the town of Bainbridge, in the county of Chenango, through the towns of Colesville and Windsor, to the Windsor bridge. From Stephen King's, South Pembroke, south by the post-office in the town of Bennington, to the post-office in the centre of Sheldan, in Genesee county. From Medina, in the county of Orleans, to the village of Akron, and thence across to the New Stead post-office in the county of Erie. From New Woodstock, through De



Post-roads established.

Ruyter, Pitcher, Cincinnatus, and Lisle, to Binghampton. From the village of Owego, to the village of Nichols; thence, through the south-west part of the town of Windham, near the dwelling-house of the late Joseph Webster, to the town of Orwell, near the dwelling-house of Daniel Russell, and from thence through the towns of Rome, and Wysox, to the village or borough of Towanda, in the state of Pennsylvania. From Painted Post, up the Conisteeo, to the village of Honellsville. From Ly-sander, in the county of Onondaga, to Fulton, in the county of Oswego, by the way of Dunhamsville, in the county of Onondaga, and Granby, in the county of Oswego. From Cambria to Youngstown. From Lockport to Kempville, by way of Newfane post-office, on the east side of the eighteen mile creek in the county of Niagara. From Lodi to Silver creek, by way of Smith's mills, and Rugg's settlement, in the county of Chautauque. From Chester, in an easterly direction through the settlement at Briant Lake mills, Briant Lake settlement, and Haynsburgh, to the town of Bolton in the county of Warren. From Coldenham, in Orange county, by the way of St. Andrew's, to Walden. From Searsville, in Sullivan county, passing through the villages of Hopewell, and Searsburgh, and Montgomery, in Orange county, to Crawford, in Ulster county. From Bedford courthouse, in the county of West Chester, by Golden's bridge, to South East, in the county of Putnam. From Burlington, in the county of Otsego, through New Berlin, to the village of Norwich, in the county of Chenango. From Comstock Landing, on the Northern canal, in the town of Fort Ann, county of Washington, to the courthouse in Rutland, in the county of Rutland, in the state of Vermont; through west and middle Granville, west and east Poultney, Middletown, Ira, and west Rutland. From Lockport, to Niagara Falls, by the direct road through Judd's settlement. From Scottsville, by the way of Chili and Ogden, to Parma, in the county of Monroe. From Belfast, by King's Mills, and Rushford, to Farmersville, in Cataaugus county. From South Worcester, to Worcester, in Otsego county. From Walton, in Delaware county, to Unadilla, in Otsego county. From Mooresville, in Delaware county, by Roxbury, Halcottsville, Middletown, Shavertown, Pepacton, Colchester, East Branch Patridge Island, and Hancock, to Deposit. From Deposit, in Delaware county, by Masonville, to Sidney Plains. From Troy through the villages of Albia, Wynants Hill, Sandlake, and Schermerhorn, to the village of New-Lebanon Springs.

*In New Jersey.*—From Salem, in Salem county, by Craven's ferry, to Pedrickstown. From Salem, in Salem county, by Pittsgrove, to Centreville. From Hackensack to Paterson. From Columbia to Schooley's mountain, passing by Hope, Danville, Hackettstown, and Nimrod's Springs.

New Jersey.

*In Pennsylvania.*—From York, in York county, by Brillinger's mills, to New Holland. From Cochranville, in Chester county, by Cooper's cross roads, Smoker's tavern, and Steel's mills, to Williamstown, in Lancaster county. From Montrose, Susquehannah county, by Brooklyn, Harford, to Gibson. From L. Catlins, in Blakely, in Luzerne county, Pennsylvania, by Carbondale, to Canaan four corners, Wayne county. From Indiana, in Indiana county, by Mitchell's mills, and Cherry Tree, to Curwinstown, in Clearfield county. From Easton, by Howertown, Kirnsville, and Grimsville, to Hamburg, in Berks county. From Gettysburgh, in Adam's county, to Newville, in Cumberland county. From Milesburgh, in Centre county, by Glen's mills, Hannah furnace, up the Bald Eagle valley, to Warrior's Marktown, in Huntingdon county. From New Castle, by Mount Jackson, and Greensburg, to Georgetown, in Beaver county. From Carpenter's point, in Orange county, New York, along the canal, to Honesdale, and Bethany, in Wayne county, Pennsylvania. From Mifflintown, in Mifflin county, by Run gap, and Ickesburgh, to Landisburgh, in Perry county. From Harrisburgh, by Worm-

Pennsylvania.

Post-roads established.

leysburg, Fairview, Jacob's mills, Bowman's mills, Clark's ferry, and Bovard's, to Sterrett's gap, in Cumberland county. From Waynesburg, in Green county, to Union Town, in Fayette county. From Meadville, in Crawford county, by Sagerstown, Stebbins, and Crainsville, to Fairview, in Erie county. From the Springhouse, by Dresher's town, to Jenkentown, in Montgomery county. From the borough of York, through the borough of Marietta, to the city of Lancaster. From Stoystown, in Somerset county, by Johnstown, Bolivar, India, and Abnerville, to Blairsville, in the county of Indiana. From Pottsville to Pine grove. From Norristown, by Worcester, and Skippackville, to Sumneytown, in Montgomery county. From Halifax, in Dauphin county, to Buchanan's forge. From Kutztown to Hamburg, in Berks county. From Chestnut hill, in Philadelphia county, by Hickorytown, to Perkiomen bridge, in Montgomery county. From Washington, in Washington county, by Taylorstown, to West Liberty, in Virginia. From Pittsburg, by Noblestown, Cross-creek village, Patterson's mills, to Independence, in Washington county. From McVeytown, in Mifflin county, along the north side of the Juniata river, by Newton, Hamilton, crossing at Hugh Doyle's ford, or at the mill of Samuel H. Bell, to Shirleysburgh; returning by Bell's mill, on the south side of the river, by Charles Bratton's, to McVeytown. From Gettysburg, by Hunterstown, New Chester, Hampton, to Berlin, in the county of Adams. From the house of John C. Riley, in Wayne county, through Bethany, to Clarkstown. From McConnellsburgh, Bedford county, in Pennsylvania, by Warfordsburgh, to Hancock, in Maryland. From Erie, through Wattsburgh, in Erie county, and Columbus, in Warren county, to the town of Warren. From West Greenville, via Clarksville, in Mercer county, Sharon, and Doctor John Mitcheltree's, to New Bedford. From Mauch Chunk to Pottsville, in Schuylkill county, by way of Tamaqua, on the west side of Little Schuylkill, Tuscarora, Middleport, and Port Carbon. From Leipersville to Tinicum. From Liberty, Tioga county, by A. Morris', by William Babb's, to Wellsborough. From Meadville, by Guy's settlement, Kingsley's settlement, Centreville, Oil creek, to Perry post-office, in Venango county. That the post-route, number eleven hundred and sixty-six, from Franklin, in Venango county, to Waterford, shall be so altered in its course as to include Cooperstown. From the borough of Muncey, in Lycoming county, past Smith's mills, to Millville post-office, in Columbia county. From the village of Harrisville, in the county of Butler, to Cochranon, in the county of Crawford, by way of Williamsburg. From Oxford village to Mount Vernon. From Brownsburg to Taylor's ferry, Dollington, and Newton, all in Bucks county. From Westfield to Brookfield, in Tioga county. From Reading, in the county of Berks, via Bernville and Rehrersburg, to Pine grove, in Schuylkill county. That the post-route from Meadville, Crawford county, to Warren, Warren county, shall be so altered as to embrace Centreville, and Sparta in Crawford county, in its course from Taylor's stand to east Bloomfield. From the borough of Beaver, via Fallston, Brighton, and the valley of Beaver and Shenango, to the borough of Newcastle, and thence, by the way of New Wilmington, to the borough of Mercer. From Sumneytown, by Schwenck's store, to the Trap, in Montgomery county. From Windgap post-office, in Northampton county, by Gross' tavern, Greenweig's tavern, and David Heimback's forge, to Lehigh Gap. From Newcastle, in Mercer county, to Harmony, in Butler county. From Mifflinville, in Columbia county, through Nescopee valley, by Martin Rittenhouse's mills, to Conyngham town, in Luzerne county, Pennsylvania. From Washington, by Hickory, Burgetstown, Briceland's cross roads, in Washington county, Pennsylvania, Manchester, in Brook county, Virginia, to Wellsville, in Ohio. From Montrose, in Susquehannah county, by Auburn, to Black Walnut bottom, or Braintrem, in Luzerne county. From Lennox, in Susquehannah county, by the

Post-roads established.

Kentucky settlement, Gibson, Vermont settlement, and Harmony, to Great Bend. To extend route number eleven hundred and ninety-nine, (from Blairsville to Ligonier,) to Conemaugh, in Cambria county. From Venango furnace, in Venango county, to Agnew's mills, in said county. From Yocumtown, through Newberrytown, to York haven, in said county of York. From Harrison valley, in Potter county, to Sweden, via Cashingsville. From Martingsburgh, in Bedford county, to Coffee run, in Huntingdon county. From or near the William Penn tavern, in Willistown; thence, by the way of West-town boarding-school, Darlington's, Parkersville, New Red Lion, London Grove; thence, by Stephen's mill and to New London cross roads, in the county of Chester. From Pottstown, in the county of Montgomery, passing through Boyersville, by way of Colebrook dale, Dale forge, and Reuben Trexter's store, in Berks county, through Millerstown, and thence the nearest route to the borough of Northampton, in Lehigh county. From Allentown, in Lehigh county, by way of Siegersville, to Saegersville, in said county. From Greensburgh, by Robbstown in Westmoreland county, and thence by way of Cookstown, to Brownville, in Fayette county. From Hamburg, via Union iron works, in Berks county, to Lynville, in Lehigh county. From Lawrenceburgh, in Armstrong county, by Foxburgh, Emlenton, Lyon's ferry, and Venango village, to McQuiston's, on the Waterford and Anderson's creek turnpike. From Minorsville by Boleck's tavern and Waynesburg, to Clingerstown, in Schuylkill county. From Jersey shore, Lycoming county, up the valleys of Pine creek, via Jacob Tomb's and Babb's creek, to Wellsboro, Tioga county; thence, through Stonyfork settlement, to Big Meadows; thence up Pine creek again to Benjamin B. Chamberlain's; and from thence through Mix settlement, to Knoxville, on the Cownesque; also across from Jacob Tomb's to William Herod's. From Warren, in the county of Warren, to Montmorency, in Jefferson county. From New Bedford, in Mercer county, in the state of Pennsylvania, to Youngstown, in the state of Ohio. That the post-route leading from Mifflintown, Juniata (late Mifflin) county, to East Waterford, be so altered as to embrace Port Royal in its course between Mifflintown and Tuscarora valley post-office. From Selin's Grove, via New Berlin, to Hartleton, Union county. From Tamaqua to Wilkesbarre, via Conynghamtown. From Coudersport to Bingham, in Potter county. From Watson's-town in Northumberland county, by the house of Solomon Mengas, to the post-office at Road Hall in Lycoming county. From fort Littleton, to Bloodyrun, in Bedford county. From the crossings of Juniata on the turnpike, by Warfordsburg, to Hancock, in Maryland. That the route from New York by Margaretta furnace to Wrightsville be so altered as to run only from Wrightsville to Margaretta furnace.

*In Delaware.*—From Milford, by Bridgeville, to Seaford. From Millsborough in the state of Delaware, by Dagsborough, Truitt's, Hall's, Tunnell's, and Eurus' store, and Robbins' mills, to Saint Martins.

Delaware.

*In Maryland.*—From Wiseburgh, in Baltimore county, to Dixon Stanbury's store at Whitehall, Morrison's academy, Watkins' tavern, Fork meeting-house, to Kingsville. From Summerfield, in Somerset county, Pennsylvania, by Selby's port and Youghiogeny iron works, to Yough Glades, in Alleghany county. From Mechanicstown, through Sabillesville, to Waynesburgh, in Pennsylvania. From Salisbury, by Derickson's cross roads, Cathell's mills, and Whaley's store, to Berlin, in Worcester county. From Kingston, in Somerset county, by Newtown, to Snow Hill, in Worcester county. From New Market in Frederick county, by New London, Liberty's, and Johnsville, to Middleburgh, in the same county. From Unity, Montgomery county, by Hood's mills, Baltimore county, to Westminster. From Annapolis, by Haddaway's ferry, to St. Michaels, in Talbot county. From Georgetown, in the District of Colum-

Maryland.

Post-roads established.

Virginia.

bia, with the line of the Chesapeake and Ohio canal, to Kettocton in Frederick county, Maryland, thence to Harper's Ferry in Virginia.

*In Virginia.*—From Richmond, by Amelia courthouse, Nottoway courthouse, Lunenburg courthouse, and Mecklenburgh courthouse, to Oxford, in North Carolina. From Rocky Mount, in Franklin county, by Josiah Dickerson's, George Turner's, Jacob Prelliman's, on Smith river, and Gobblingtown iron works, to Patrick courthouse. From Abingdon, by Saltville, in Washington county, and Broadford, to intersect the route from Wythe courthouse, to Tazewell courthouse, at the house of John Shannon, on the north side of Walker's mountain, in Wythe county. From Tease's valley to Herford's ferry. From Clarksburgh, in Harrison county, by Elk creek, to Buckhanontown, in the county of Lewis. From Webb's mills, by Harrisville, to Pensboro, Wood county. From the town of Eastville, to Capeville, in the county of Northampton. From Summerville, in Nicholas county, by Stroud's Glades, to Frankfort, in Greenbrier county. From Cabel courthouse, by the falls of Twelve Pole, to the forks of Big Sandy, on the Kentucky line. From Hoffsville, in Harrison county, to Lorentz's store, in the county of Lewis. From Gholsonville, Brunswick county, by Mount Airy, Greenville county, to Dancy's store, North Carolina. From Duckland, in Prince William county, by Haymarket, Thoroughfare, to the Plains, to Salem, in Fauquier county. From Princess Ann courthouse, via Creed's bridge, to Black Water bridge; thence, via Mount Pleasant, to the Great bridge, Norfolk city. From Point Pleasant to Wright's mills, in Jackson county. From Burlington, in the county of Hampshire, by Kelly's, to Smith's farm, in the county of Alleghany, Maryland. From Orange courthouse, in the county of Orange, to Madison courthouse in the county of Madison. From Taylorsville, in Hanover county, via Pottersville, in Louisa county, to Mansfield, the residence of William Mansfield, in Louisa county. From Picketown, in Pike county, Kentucky, to Logan courthouse in Virginia. From the Smith's creek post-office in Rockingham county, by Keazletown, to Mount Sidney, in Augusta county. From Millers' iron works, in Augusta county, to Staunton. From Harrisonburg to Keazletown. From Madison courthouse to the Robinson meeting-house, in the county of Madison, and from thence to the State mills, in Culpepper county. From Harrisonburgh, by Rifessville, Bridgeport, Miller's iron works, and head of Mossy creek, to James A. Frazier's, in Augusta county. From Dickinsonville, in Russell county, by Osborne's ford, in Scott county, and Pendleton, (Wilbourne's store,) to Estillville. From Danville directly to Henry courthouse; from thence, to Christianburg, passing through the county of Patrick, on the north side of Bull Mountain. From Berrysville or Battletown, in Frederick county, by Wickliff's, and Kabletown, to Charlestown, in Jefferson county. From Front Royal to Millwood, in Frederick county, by Berryville, to Charlestown, in Jefferson county. From Miller's iron works, in Augusta county, Virginia, to Staunton. From Abingdon, in Virginia, by way of the Reedy creek road to Estillville, in Scott county. From Clarkton in King and Queen county, by Walkerton, Stephensville, King and Queen courthouse, Little Plymouth, to Matthew's courthouse. From King William courthouse, by Lanesville, and Smith's ferry, to New Kent courthouse. From Fincastle, up the Valley of Catawba, and down that of the North fork Roanoke, by the most direct route to Blacksburg, in the county of Montgomery. That the mail-route from Cabin Point, Virginia, by Blount's bridge to South Quay, be so changed as to run from Petersburg, by Blount's bridge, to South Quay.

North Carolina.

*In North Carolina.*—From Salem, in Stokes county, by Germantown, Frost's iron works, Clement's iron works, Boyle's store, to Patrick courthouse, in Virginia. From Rutherfordton, in Rutherford county, across the Blue Ridge at the Hickory-nut gap, to Ashville, in Buncombe

county. From Columbia to Springfield, in Tyrrel county. From Kingston to Trenton. From Rockford, by Juddsville, in Surry county, to Bower's store, in Ashe county. From Pittsborough, Chatham county, by Hackney's cross roads, to Chapel Hill, in Orange county. From Rocksborough by Hugh Wood's, to Black Walnut, in Halifax county, Virginia. From Concord to Mill grove, thence to Dewees' Hickory grove post-office, Mecklenburg county, and to Beatty's ford. From Nashville to Warrenton, by Belford post-office, and Shocco Springs. From Oxford to Hillsborough, in the state of North Carolina, passing by Potter's bridge, Richard Bullocks, Hester's store, Thomas Benchan's and Pickett's oil mill. From Greenville to Stauntonburg. From Lawrenceville, Montgomery county, to Wadesboro', Anson county. From Leesburgh, by Hightowers, to Caswell courthouse. From Poplar Branch to Powell's point, in Currituck county. From Gravelly-hill, in Bladen county, by Lisburn, Taylor's bridge, to Clinton, in Sampson county.

Post-roads established.

*In South Carolina.*—From Unionville to Cowpen furnace, in South Carolina. From Edgefield, by Laurens courthouse and Spartanburg, to Rutherfordton, in North Carolina. From Brownsville, in the district of Marlborough, to Darlington courthouse, and thence to Kingtree, in Williamsburg district. From Spartansburg, by Rowland's hill, Jacksonville, Earlsville, to Dodd's store. From Columbia, in Richland district, by Union courthouse, and Spartanburg courthouse, to Ashville in Buncombe county, North Carolina. From Edgefield courthouse to Abbeville courthouse. From Unionville, via Hancockville, to Rutherfordton. From Clarksville, in Georgia, by the Currahee mountain and Wiley's ferry, in said state, and Pickens courthouse, to Greenville, in South Carolina. From Laurence courthouse, by Nash's mills and Cripple creek, to Greenville courthouse. From Abbeville courthouse, by Church hill post-office, and Elberton, to Danielsville, in Georgia. From Hamburg to Coker's spring. From Lauren's courthouse, by Anderson courthouse, to Andersonville.

South Carolina.

*In Georgia.*—From Sparta, in Hancock county, by Bennett's store, Sandersville, Fish's store, Fuqua's store, Dublin, and Hampton's, to Hartford, in the county of Pulaski. From Macon, in Bibb county, by Perry, in Houston county, to Hawkinsville, in Pulaski county. From Marion, Twiggs county, to Perry, in Houston county. From Vernon, in Troup county, by Lagrange, Franklin, West Point, Columbus, Fort Mitchell, Randolph courthouse, and fort Gaines, to Early courthouse. From Warrenton, in Warren county, to White Oak, in Columbia county. From fort Gaines, in Early county, by Smithville academy, and Spring creek, to Bainbridge, in Decatur county. From Hillsborough, in Jasper county, by McGehee's store, in Jones county, and Dover, to Forsyth, in Monroe county. From Covington, in Newton county, by Lattimer's store, Decatur, Sandtown, Campbellton, and Pumpkintown, to Carrollton, in Carroll county. From Carrollton, in Carroll county, by Robinson's and Lavender's stores, to the head of Coosa river. From Gainesville, in Hall county, by Gailley's, to Clarksville. From Forsyth, by Zebulon, Greenville, to Lagrange, in Georgia. From Wrightsborough, Columbia county, by Crawfordville, to Greenborough, Green county. From Augusta in Richmond county, by Richmond, Bath, Dye's store and Hudson's store, to Louisville, in Jefferson county. From Thomasville, in Georgia, to Monticello, in Florida. From Burke courthouse to Robinson's store. From Centreville, in Talbot county, to Talbotton. From Monticello, by McDonough, Fayetteville, and Campbellton, to Villa Rica, in Carroll county. From Watson's post-office in Columbia county, to Cook's law office, in Elbert county, via Raysville, Willborn's, Gatril's, Jackson's, Danburgh, William's and Muckle's ferry. From Monticello, Jasper county, to the town of Zebulon, in Pike county, via Cargill's ferry and the town of Jackson. From Perry, in Houston county, by way of the Traveller's Rest, on Flint river, to Pondtown, in Lee county; thence, to Lannahassee town, in Stewart county; thence,

Georgia.

Post-roads established.

to Lumpkin, in Stewart county; thence, to King's Bluff, on Chattahochee river, in said county. From Lagrange, in Troup county, Georgia, by the way of Wood's store, to Franklin, in Heard county. From the town of Columbus, in the state of Georgia, to Appalachian bay, in the territory of Florida. From McDonough, Henry county, by Latimer's store and Rock Bridge, to Lawrenceville, Gwynett county. From Rives's, Hall county, by Leathersford, Loudsville, Mount Yonah, and Nocoche, to Clayton, Rabun county. From Bainbridge, in Decatur county, by Cairo, to Duncanville. From Decatur, Dekalb county, by Hornsby's, Blackstock's, and Johnson's store, to Newnan, Coweta county. From Lawrenceville, Gwynett county, by Waters and Winn's ferry, on the Chattahochee river, and Downing's ferry, on Hightower river, to Echota, in Cherokee county. From Columbus, in Georgia, via Hubbard's and Watkins' post-office, to Franklin, in Troup county. From Blakely to Bainbridge.

Ohio.

*In Ohio.*—From Bucyrus, in Crawford county, to New Haven in Huron county. From Kinsman, in Trumbull county, to Cleveland, in Cuyahoga county. From Gallipolis, in Gallia county, to Portsmouth, in Scioto county. From Washington, in Fayette county, by the Willow spring, to London, in Madison county. From Canton, in Stark county, to Bolivar, to Dover, and to New Philadelphia, Tuscarawas county. From Newark, in Licking county, by Martinsburg, to Danville, in Knox county. From Bellefontaine, in Logan county, by Newell's mills, and Christiansburgh, to New Carlisle. From Wapughkonetta to Lima, the seat of justice in the county of Allen, by the seat of justice in the county of Putnam, to Perrysburgh, in the county of Wood. From the post-office, in Fearing township, Washington county; thence, by Chamber's mills, and Flint's mills, to Proctor's store, in Grandview. From Grafton, in Lorain county, by Lagrange, and Wakeman, to Norwalk, in the county of Huron. From Mansfield, in Richland county, to Marion, in the county of Marion. From Russelville to Ripley, in the county of Brown. From the mouth of Vermilion river, in Huron county, by Florence, Wakeman, Clarkesfield, New London and Ruggles, to Ashland, in the county of Richland. From Knoxville, Jefferson county, by Cope's salt works, to New Lisbon, Columbiana county. From Bucyrus to fort Findlay. From Springfield, in Clarke county, by New Carlisle, to Troy, in Miami county. From Gallipolis to Wilkesville. From Elyria, Lorain county, passing through Carlisle, Lagrange, Penfield, Spencer, Harrisville, Waynesburgh, to Wooster. From Wellsville, in Columbiana county, by McKaigs' mill, Augusta, Pekin, and Waynesburgh, to Sandyville in the county of Tuscarawas. From Fairview on the national road, in Belmont county, by Smyrna, and Freeport, in Harrison county, to Tuscarawas town, on the Ohio Canal. From Cadiz, through Hanover and New Rumley, in the county of Harrison, New Hagers-town, and New Cumberland, to Zoar, in the county of Tuscarawas. From Wheeling, in the state of Virginia, to Cleveland, in the state of Ohio, passing through the town of Cadiz, in Harrison county, the towns of New Philadelphia and Dover, in Tuscarawas county, the town of Massillon in Stark county, and the town of Akron, in Portage county. From Cleveland; thence to Newburgh, Independence, Brickville, Richfield, Bath, Copley and Norton; thence to Clinton, in Stark county, Fulton, and Massillon. From West Union, to David C. Vance's, on the Ohio river, thence to Sandy Spring, Vanceburgh, Portsmouth, Cole's forge, Brush creek furnace, and thence back to West Union. From Greenville, Dark county, by fort Recovery and Saint Marys, to Wiltshire. From Sandusky city, by Bloomingville, Monroeville, and Peru township, to New Haven, in Huron county. From Gallipolis to the French grant in the county of Scioto. From Georgetown, by New Hope, Liley's, to Fayetteville, Brown county. From Deerfield, in Portage county, to Ellsworth, in

Trumbull county. From Unionville to Chardon, in Geauga county. From Millersburgh, in the county of Holmes, by Mount Eaton, Wayne county, to Massillon, in the county of Stark. From Wellsville, by East Liverpool, Little Beaver bridge, and Ohioville, to Achartown. From Wooster, by Armstrong, to Harrisville, in Wayne county. From Harrisburgh, in the county of Stark, to Damascus, in the county of Columbiana. From Jacobsburgh, by Wallace's and Frazer's mill, to Saint Clairsville, in Belmont county. From New Rumley, in the county of Harrison, to Centreville in the county of Columbiana.

Post-roads established.

*In Indiana.*—From Martinsville, Spencer, Fairplay, and Bruceville, to Vincennes. From Montezuma, in Indiana, by Clinton, to Paris, in Illinois. From Indianapolis, by Logansport, at the mouth of Eel river, to Niles' village, on the river St. Joseph, in the Michigan territory. From Richmond, in Wayne county, by Washington, Munseytown, and Grant courthouse, to Miamisport. From Lawrenceburgh, by Cambridge, Yorkridge, Hughes' store, German village, Sunmon's mill and George's, on Salt creek, to Rushville. From Indianapolis to New Pennsylvania, Thorntown, Jefferson, Lafayette, and Laporte courthouse, to Michigan city on Lake Michigan. From Milton to New Castle. From Richmond to Greenville, in Ohio. From Milton by Jacksonburgh, Washington, Economy, and Smith's, to Winchester. From Connersville, by Danville, in Fayette county, and Perkin's, to Greensburgh. From fort Wayne by Seley's, in Lagrange county, Goshen, Pulaski, South Bend, and Laporte courthouse, to Chicago, in Illinois. From fort Wayne, by Seleys, in Mongaquinong prairie, to the seat of justice of St. Joseph's county, in the territory of Michigan. From Bloomington, by Tabor and Gosport, to Greencastle. From Edinburgh to Martinsville. From Crawfordsville, to Covington. From Petersburg to Princeton. From Madison, by Paris, to Brownstown. From Michigan, by Frankfort, to Delphi. From Lafayette by Lagrange, Gregory's settlement, Williamsport, Baltimore, to Perrysville. From the Falls of Ohio, by Salem, and Brownstown, to Columbus. From Oxford, by Billingsville, Dunlapville, Connersville, Philpot's mill, to Raystown. From Somerset by Chrisler's mills, and Connersville, to Milton. From Crawfordsville, by Roy Roy, to Williamsburgh. From Andersonville, by Richland, Little Flat Rock, and Moscow, to Shelbyville.

Indiana.

*In Illinois.*—From Salem, in Marion county, near the old Vincennes trace, to Kaskaskias, in the county of Randolph. From Springfield, in Sangamon county, by Rushville, to Quincy, in Adams county. From Quincy, in Adams county, to Rock Island courthouse. From Peoria, in Peoria county, to the mouth of Fox river. From Canton, in Fulton county, by Knox courthouse, and Warren courthouse, to the Yellow Banks, on the Mississippi river. From Jacksonville, by Pleasant Point, Winchester, Williamsport, Muckam's ferry, Pitt's Cross Roads, to Atlas. From St. Louis, Missouri, by Alton, and Carrolton, to Jacksonville, in Illinois. From Jacksonville, in Morgan county, by Quincy, in Adams county, to Palmyra, in Missouri. From Hillsborough to Carlinville. From Shelbyville, by way of Decatur and the mouth of Fox river, to Chicago. From Paris, by way of Decatur, to Springfield. From Chicago, by Danville, Illinois, to Newport, in Indiana. From Henderson's to Jacksonville. From Beardstown, by Rushville and McComb, to Monmouth. From Alton, by the way of Eminence Daggettville, to Gilliard. From Venus, in Hancock county, to Monmouth, in Warren county. From Rushville, by Lewistown and Canton, to Peoria. From Rock Island to Galina. From Lewistown, by McComb, to Venus, the county seat of Hancock county. From Jacksonville to Atlas. From Carlisle, by Edwardsville, Alton and Lower Alton in Illinois, to Saint Charles in Missouri. From McLean's borough in Hamilton county, to Frankfort in Franklin county. From Springfield to Gellena.

Illinois.

Post-roads es-  
tablished.  
Missouri.

*In Missouri.*—From Chariton, in Chariton county, on the north side of the Missouri river, to Kytesville. From Kaskaskias, in Randolph county, Illinois, by St. Mary's Landing in St. Genevieve county, to Perryville, in Perry county. From Caledonia to Potosi. From Palmyra, in Marion county, by Canton, to the mouth of Des Moines river. From Louisiana, by Bowling green, to Fulton. From St. Louis, by Bowles' ferry, the Big spring, and Wideman's mills, to the Rich woods. From Keytesville, by Huntsville, in Randolph county, to Fayette, in Howard county. From Herculaneum, by St. Genevieve, to Perrysville. From Independence, in the county of Jackson, to the Shawnee agency. From Pinckney, in Montgomery county, by Pendleton's, to Troy, in Lincoln county. From Wellsburg, in St. Charles county, by Monroe, Edwin Allen's, William McQueen's, and Clarkville, to Louisiana. From Massey's iron works to the Kickapoo Prairie, in the county of Crawford.

Kentucky.

*In Kentucky.*—From Paris, by Centreville and Newtown, to Georgetown. From Pike courthouse to Perry courthouse. From Columbia to Liberty, by Casey's creek salt-works. From Hopkinsville, Kentucky, by Williams, to Madisonville. From Smithland, in Livingston county, by Story's ferry, to Waidborough. From Burkeville, in Cumberland county, by way of Crocus creek, to Creelsburg, Russell county. From Midway, (formerly Centreville,) in Livingston county, by Ford's ferry, to Equality, in Gallatin county, Illinois. From Hardinsburg, by the way of Cloverport and Hawesville, to the Yellow Banks in the state of Kentucky. From Harrodsburgh, in Mercer county, by Maxwell, to Springfield, in Washington county. From Manchester, in Clay county, to London, in Laurel county. From Jackborough, in Tennessee, to Laurel courthouse, in Kentucky. From Carlisle, by Moorefield, to Owensville. From Munfordsville, in Hart county, to Glasgow, in Barron county. From David C. Vance's, Ohio, by the way of Concord, to Everett's post-office, in Lewis county, Kentucky. From Lebanon courthouse, Russell county, Virginia, to Perry courthouse, in Kentucky. From Feliciana, Kentucky, to Dresden, in Tennessee.

Tennessee.

*In Tennessee.*—From Jonesborough, by the Walnut mountains, to Ashville, North Carolina. From Newmarket, in Jefferson county, by Blain's cross roads, Lea's springs, Powder Spring gap, and Joseph Beelor's, to Tazewell, in Claibourne county. From Newport, Lillard's mill, on Cosby's creek, Jones' cove, Sevierville, in Sevier county, by Wear's cove, Tuckaleechee cove, Miller's cove, Caid's cove, and Carson's iron works, to Chillhowee, in Monroe county. From Clinton, in Anderson county, by Campbell's station and Unitia, to Morgantown, in Blount county. From Clinton, in Anderson county, through the Big valley, to Tazewell, in Claibourne county. From Gallatin, in Sumner county, up Bledsoe's creek, to Scottsville, in Allen county, Kentucky. From Knoxville, in Knox county, by Armstrong's ferry, Newmarket, Mossy creek, Panther springs, Morristown, Cheek's cross roads, Russellville, and James' store, to Bluntville. From Jonesborough, via Broyles, and Camp creek iron works, to Newport, Cocke county. From Salem, in Tennessee, to Bellefont, in Alabama. From Fayetteville, in Lincoln county, by Dyer's store, Cold Water, and Hightower's store, to Upper Elkton, in Giles county. From Dyersburg, in Dyer county, by Rutherford's mills, and Bairfield's point, on the Mississippi, in Arkansas territory, and return by Rutherford's mills, Nash's Bluff, Eaton, to Trenton, in Gibson county. From Blane's cross roads to Jacksborough. From Centreville to Perryville. From Vernon to Reynoldsburgh. From Reynoldsburgh, by Chalk Level, to Pleasant Exchange, in Henderson county. From Morgantown, North Carolina, to Elizabeth, in Tennessee, on Avery's turnpike road. From Murfreesborough, by Anthony's store and Hardeman's cross roads, to Franklin. From Tomkinsville, in Kentucky, by way of Benjamin Greer's, Samuel Jones', Witchers', and Archibald Sloan's, to Carthage, in



Tennessee. From Memphis, by White's, Hally's, Glenn's, Jones', &c., &c., to Lagrange. From Pikeville, by way of Tollett's mill; thence to the stand formerly occupied by John F. Greer, Esq., on the main stage road; from thence to Lavender's, on the Marchbank's road; from thence direct to Jamestown. From Brabson's store, by Huffaker's ferry, and Mecklenburg, to Knoxville. From Mills Point in Kentucky, on the Mississippi, to Paris, in Henry county, in Tennessee. From Columbia, by Perryville and Lexington, to Jackson. From Winchester, Tennessee, to Bellefonte, Alabama; by way of Pleasant grove, Alabama. From Liberty, Smith county, via Slatesville, Cainsville, George A. Huddleston's ship A. Puckett's, Stewart's ferry, (Stones river,) to Nashville. From Huntingdon to Dresden, by way of Hico, Christmasville, and Fleming's. From Columbia, by Bigbyville, Pleasant grove, Mooresville, and Cornersville, to Fayetteville. From Lebanon, by Banton's ferry, to Franklin. From Covington to Somerville. From Winchester to Fayetteville. From Gainsborough, in Jackson county, via Mount Carmel, Bagdad, and Pleasant Hill, to Dickson's spring in Smith county. From Springfield, Robertson county, Tennessee, to Haydonsville, in Kentucky, by Clark's mills and Cross mills. From Salem, Franklin county, Tennessee, by way of Larkins' fork of Paint Rock river, to Bellefonte, Alabama; and the present route from Winchester, Tennessee, to the same place discontinued.

Post-roads established.

*In Alabama.*—From Bellefonte, in Jackson county, by Larkinsville, and Larkin's fork of Paint Rock river, Newmarket, Hazle Green, to the cross roads, in Madison county, and Athens, in Limestone county, Alabama, to Elkton, in Giles county. From Montgomery, in Montgomery county, by Monticello, Williamstown, Franklin, on the Chattahoochie, Lemon's store, Columbia, and Woodville, to Webbville, in Florida. From Burnt Corn, in Monroe county, by Belleville, Sparta, and Brooklyn, to Covington courthouse in Conecuh county. From Mobile, in Alabama, to New Orleans, in Louisiana; and the route from Pascagoula, to New Orleans, is hereby discontinued. From Ashville, by Allen's mills, Thomason's and the Big Spring, to Elyton. From Tuscaloosa to Springfield. From Greenville to Montezuma, in the county of Covington, by Pearman's ferry, on Pee river, Dale courthouse, the Blockhouse, Joel T. McLindon's, to Franklin, in Henry county. From Montgomery to Hayneville, in Lowndes county; thence to Cahawba. From Womack's post-office, in Wilcox county, to Robison's store, in Lowndes' county, and from thence to Hayneville. From Montgomery, via Montevallo, to Elyton. From Florence, by way of Lexington, in Lauderdale county, to Pulaski, Tennessee. From Daletown, in Perry county, to Greensboro'. From Burnt Corn in Alabama, by Claiborne, Clarkesville, Coffeerville, Washington courthouse, Winchester, Ellisville, Williamsburgh, Monticello, Meadville, to Natchez, in Mississippi. From Monticello to Port Gibson. From Newnan, Georgia, to Harpersville. From Mooresville, via Fulton, Athens, Redus' mills, (cross Elk river at Jones' ferry,) Prather's store, Smithville, in Limestone county, and to Pulaski, in Tennessee. From Gaines' post-office, in Pike county, to Greenville, Butler county, through Wrightsborough. From Montgomery, by William Townsend's in the fork, and Chesnut creek settlement, to Ashville. From Larkinsville to Woodville, Jackson county. From Lowndes to Vernon, in Autauga county. From Demopolis, by Arcola, to Greensborough. From Cahawba, by Woodville, to Lynden. From Monticello in Pike county, by Gainer's store, to Montezuma in Covington county.

Alabama.

*In Michigan territory.*—From Tecumseh, in the territory of Michigan, by Niles' village, to Chicago, in the state of Illinois. From Chicago to Greenbay. From Greenbay to Prairie du Chien, by way of fort Winnebago. From fort Winnebago to Galena, in the state of Illinois. From Galena to Prairie du Chien. From Detroit to Tecumseh, by Ypsi-

Michigan territory.

Post-roads es-  
tablished.

lanti, Saïne, and Clinton. From Monguagon to Ypsilanti, through Brownstown, at Smooth Rock. From Pontiac to Sagana. From Ypsilanti to the mouth of the river St. Joseph, on the Territorial road, by way of Ann harbour, and Jacksonburgh. From Niles' to Newberryport, or Saranac. From the mouth of the river St. Joseph, via Berrien, Pokagon Prairie, Lagrange, Young's Prairie and Prairie Ronde, to White Pigeon Prairie. From Bloomfield, in Oakland, through Southfield, to South Pekin, in Wayne county. From Monroe to Ypsilanti.

Louisiana.

*In Louisiana.*—From Vicksburgh, in Warren county, Mississippi, to Lake Providence, in Washita parish, Louisiana. From Springfield, in the parish of St. Helena, to the courthouse in said parish. From Port Hudson, on the river Mississippi, in the parish of East Feliciana, passing Mount Willing and Stuart's mill, to the town of Clinton, from thence passing Richland Hill to Kelerstown to meet the Woodville route. From Warrenton, in Warren county, Mississippi, by the lower end of Palmyra island, to New Carthage, in Concordia parish, Louisiana. From Vermillionville to Perry's Bridge, on the Vermillion river. From Thibedeauville to Caseaux, in the parish of Terrebonne, with an intermediate post-office at the courthouse of Terrebonne. From the town of Opelousas, in Louisiana, to the settlement on the Calcasieu, and from Thibedeauville, by Williamsburgh, to Newport. From St. Helena to Baton Rouge. From Point Coupee courthouse, down the west side of the river, passing West Baton Rouge courthouse, and Iberville courthouse, to Donaldson. From Port Hudson down the river to Port Hickey, and crossing the river there and uniting with the route from Point Coupee courthouse, to West Baton Rouge courthouse, on the west bank of the river. From Mount Pleasant to Baton Rouge.

Florida terri-  
tory.

*In Florida territory.*—From Monticello, in Jefferson county, to Magnolia, in Leon county. From St. Augustine, in St. John's county, to Tampa bay. From Monticello, by Roscitur's ferry, to the seat of justice of the county of Hamilton, and by Alligator, to Alachua courthouse.

Mississippi.

*In Mississippi.*—From Natchez, in Adams county, by the upper road across the Homochitto, to Woodville, in Wilkinson county. From Westville, by way of Georgetown, and Gallatin, to Port Gibson. From Columbus, by way of Cohay bridge, and Williamsburgh, to Columbia, and from Garland's to Winchester. From Kingston to Liberty. From Port Gibson to Rodney. From Jackson, by Mount Olympus, Beattie's Bluff, Vernon, and Urbanna, to Benton. From Doak's stand, by way of Georgeville, Franklin, Rankin, Benton, Manchester, Liverpool and Satartia, to Vicksburgh. From Pearlinton, in Mississippi, by way of Pearl river, the Lagoon and the Rigoletts, to fort Pike, in Louisiana. From Vicksburgh to New Mexico, in Mississippi; thence to Villemont in Arkansas.

Arkansas.

*In Arkansas.*—From Helena to St. Francis courthouse. From IZARD courthouse to Fayetteville, by Washington courthouse. From Villemont, Chicot county, by Cabean's, in Pennington's settlement, on the Bayou Saline, in Union county, by Pine Bluffs, the seat of justice in Jefferson county, to Little Rock. From Post of Arkansas to Pine Bluffs, in Jefferson county. From St. Francis courthouse to Jackson, in Lawrence county.

Post-roads dis-  
continued.

SEC. 2. *And be it further enacted,* That the following post-roads be, and they hereby are, discontinued.

New Hamp-  
shire.

*In New Hampshire.*—From Bedford to Amherst. From Pembroke to Candia. From Nottingham to Epping.

New York.

*In New York.*—From Ithaca to Burdett, near the head of Seneca Lake. From Howard, by Rathbone's settlement and Loon Lake settlement, to Conhocton. From Bath, by Mount Washington, to Catharine's, and returning by Mead's creek, and the mouth of Mud creek: *Provided, however,* That this route be continued until the thirty-first day of December, one thousand eight hundred and thirty-two.

*In Kentucky.*—From Williams to Madisonville. From Smithport to Warren. Post-roads discontinued. Kentucky. Tennessee.

*In Tennessee.*—That part of the route from Hopkinsville, Kentucky, to Dougherty's, Tennessee, between Paris and Dougherty's; and from Kingsport to Jonesborough.

*In Ohio.*—From Cadiz; by New Rumley, to New Hagerstown. From West Union, Ohio, to Vanceburgh, Kentucky. Ohio.

*In Mississippi.*—From Gallatin to Port Gibson. From Greenville to Petit Gulf. From Natchez, by the old courthouse, to Kingston. From Yazoo courthouse, by Smith's ferry and Braggsville, to Hannon's Bluff. Mississippi.

APPROVED, June 15, 1832.

STATUTE I.  
 CHAP. CXLIV.—*An Act establishing land districts in the territory of Arkansas.*(a) June 25, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be four land districts in the territory of Arkansas, to be called as follows, viz: the Arkansas land district, the White river land district, the Red river land district, and the Fayetteville land district; and each of the aforesaid land districts shall be bounded as follows, to wit: the Arkansas land district shall include all the country embraced within the following boundaries: beginning on the west bank of the Mississippi river, at the mouth of the St. Francis river, and running thence due west with the base line to the north-east corner of range six, township one north and south of said base line; thence, due north with the dividing line between ranges five and six, to the north-east corner of township seven, north of said base line; thence, due west with the dividing line between townships seven and eight, to the north-west corner of range seventeen; and thence, due south with the dividing line between ranges seventeen and eighteen, to the Mississippi river. The White river district shall include all the country south of Missouri, which is not included in the Arkansas land district above described, and east of the dividing line between ranges seventeen and eighteen, as extended from the northwest corner of the said Arkansas land district, to the state of Missouri. The Red river land district shall include all the country in Arkansas lying west of the Arkansas land district, and south of the base line. The Fayetteville land district shall include the residue of the territory of Arkansas, being all the country lying north of the Red river district, and west of the Arkansas and White river districts.* Four land districts established in the territory of Arkansas.

Name and boundaries.

SEC. 2. *And be it further enacted, That the land office for the Arkansas land district shall be at Little Rock; the land office for the White river district shall be at Batesville; the land office for the Red river district shall be at the town of Washington; and the land office for the Fayetteville district shall be at Fayetteville.* Land-offices for the respective districts.

SEC. 3. *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 proper plats of the surveys to be deposited in the proper land offices.* Plats of surveys to be deposited, &c.

SEC. 4. *And be it further enacted, That for each of the said districts created by this act, a register and receiver of public moneys shall be appointed, who shall give security in the same manner, and whose duties and authorities shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.* Registers and receivers to be appointed.

APPROVED, June 25, 1832.

(a) For notes of acts relating to the territory, afterwards the state of Arkansas, vol. iii. p. 493.

## STATUTE I.

June 28, 1832.

CHAP. CL.—*An Act to increase the number of surgeons and assistant surgeons in the army of the United States.*

Four surgeons  
and ten sur-  
geon's mates.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint four additional surgeons and ten additional surgeon's mates, in the army of the United States.

APPROVED, June 28, 1832.

## STATUTE I.

June 28, 1832.

CHAP. CLI.—*An Act further to extend the pension heretofore granted to the widows of persons killed or who died in the naval service.*

[Expired.]

Pensions here-  
fore granted to  
be continued to  
the widows of  
certain persons  
for an addition-  
al term of five  
years.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in all cases where provision has been made by law, for the five years' half-pay to widows and children of officers, seamen, and marines, who were killed in battle, or who died in the naval service of the United States; and, also, in all cases where provision has been made for extending the term for five years, in addition to any term of five years, the said provision shall be, and is hereby, further extended for an additional term of five years, so far as respects widows only, to commence at the end of the current or last expired term of five years in each case, respectively; which pension shall be paid out of the fund heretofore provided by law. And the pension herein continued shall cease for the causes mentioned in the laws granting the same, respectively.

To commence,  
&c.

Shall cease for  
the causes, &c.

Provisions of  
this act to be  
extended to,  
&c.

SEC. 2. *And be it further enacted,* That the provisions of this act shall be extended to the widows of all those who may have died by reason of wounds received during the war.

APPROVED, June 28, 1832.

## STATUTE I.

June 28, 1832.

CHAP. CLII.—*An Act making provision for the sale and disposition of the public grounds in the cities of St. Augustine and Pensacola, and to reserve certain lots and buildings for public purposes, and to provide for their repair and preservation.*

Lots and build-  
ings to be se-  
lected for the  
use of the  
United States.

Public and  
private lots, &c.

Copies of sur-  
vey.

Sale of certain  
lots, buildings,  
and commons  
authorized.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, required to cause to be selected such of the lots and buildings in the city of St. Augustine and of Pensacola, as may, in his opinion, be needed for public purposes; which, when so selected, shall be kept for the use of the United States; and when the selection shall have been made of such lots or buildings, it shall be the duty of the Secretary of the Treasury to cause to be surveyed all the public and private lots and commons in and about the said cities; one copy of which survey shall be lodged in the land offices in which the respective places are situated, and the other copy delivered to the city authorities, to be there kept and preserved as other records pertaining to the corporations of said cities.

SEC. 2. *And be it further enacted,* That the lots, buildings, and commons, not so set apart or needed for public purposes, shall at such time, and in such proportions or sizes as may be deemed most advisable and conducive to the interest of the United States and the said cities, be sold at public auction as other public lands, and the money arising from the sales paid into the Treasury of the United States: *Provided,* That nothing herein shall be so construed as to authorize the sale of any lot or parts of lots, or other grounds which have been by the laws of Spain

or the United States vested in the corporations of said towns, or which have been set apart for churches or burying grounds by the laws aforesaid, or by any ordinance of the corporate authorities of the said cities.

SEC. 3. *And be it further enacted*, That the title to the lot of ground in St. Augustine, known as the Old or Burnt Hospital lot, with all its appurtenances, be, and the same is hereby, vested in the mayor of St. Augustine, and his successor for ever, in trust, for the purpose of erecting thereon, by the local authorities of St. Augustine, buildings necessary for the education of free white children of both sexes.

Grant of lot whereon to erect buildings for the purposes of education.

SEC. 4. *And be it further enacted*, That the President shall cause the buildings which may be selected for public purposes under this act, to be refitted and repaired fit for use, and the better to preserve them from ruin and dilapidation, for which purpose, the sum of five thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated.

Buildings selected for public purposes to be repaired, &c. Appropriation.

SEC. 5. *And be it further enacted*, That the President of the United States is hereby authorized to dispose of such part of the military reservations in the city of Detroit, and upon the river Rouge, in the territory of Michigan, as in his opinion may not be wanted for the public service, and to vest the proceeds in the purchase or erection of a store-house and wharf in the said city of Detroit, and in the erection of an arsenal in the vicinity thereof, either upon the public lands or upon a site to be procured for that purpose.

Part of certain military reservations to be sold, and the proceeds to be vested in the purchase or erection of a store-house, wharf, and arsenal.

APPROVED, June 28, 1832.

STATUTE I.

CHAP. CLIII.—*An Act making appropriations for certain internal improvements for the year one thousand eight hundred and thirty-two.*

July 3, 1832.

[Obsolete.]

Appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be appropriated for the purpose of making the improvements hereinafter enumerated, viz :

For removing obstructions to the navigation of Kennebeck river, at Lovejoy's Narrows, Maine, including a balance of former appropriations, of two thousand five hundred and seventy-nine dollars and sixty-eight hundredths, carried to the surplus fund, two thousand six hundred dollars.

Maine.

For repairing Plymouth Beach, Massachusetts, two thousand five hundred dollars.

Massachusetts.

For further protection and preservation of the Beach at Provincetown, Massachusetts, four thousand six hundred dollars.

For deepening the channel through the Pass au Heron, Alabama, being the balance of the appropriation of one thousand eight hundred and twenty-eight, carried to the surplus fund, first January, one thousand eight hundred and thirty-one, six thousand and fifty dollars.

Alabama.  
1828, ch. 73.

For deepening the channel at Pascagoula river, being the balance of the appropriation of one thousand eight hundred and twenty-five, carried to the surplus fund the first of January, one thousand eight hundred and thirty, fifteen thousand nine hundred dollars.

Louisiana.  
Arkansas.  
1828, ch. 73.

For improving the navigation of the Red river, Louisiana, and Arkansas, being the balance of the appropriation of one thousand eight hundred and twenty-eight, carried to the surplus fund, two thousand six hundred and twenty-eight dollars, and the further sum of twenty thousand dollars.

For carrying on the work of the Delaware breakwater, two hundred and seventy thousand dollars.

Delaware.

To enable the Secretary of War to pay Lucius W. Stockton the

Cumberland road.

amount expended by him on the repairs of the Cumberland road, during the year one thousand eight hundred and thirty-one, five thousand eight hundred and sixty-eight dollars.

**Florida.** For completing the repairs of the United States' military road between Pensacola and Tallahassee, four thousand dollars.

For completing the same from St. Augustine to Tallahassee, two thousand five hundred dollars.

For the completion of the improvement of the harbour and river Saint Marks, in Florida, as recommended by the chief engineer, four thousand five hundred dollars.

**Maine.** For completing repairs to piers at the entrance of Kennebunk river, Maine, one thousand seven hundred dollars.

For removing obstructions in the Berwick branch of the Piscataqua river, two hundred and fifty dollars.

**Massachusetts.** For completing the sea-wall for the preservation of Deer Island, Boston harbour, sixty thousand dollars.

For completing the breakwater at Hyannis harbour, Massachusetts, seven thousand six hundred dollars.

For removing the bar at the mouth of Nantucket harbour, six thousand dollars.

**Connecticut.** For completing the breakwater and dyke, and deepening the channel, in the harbour of Mill river, in Connecticut, four thousand four hundred and ninety dollars and forty-three cents.

**New York.** For completing the pier and mole at Oswego, New York, nineteen thousand dollars.

For removing obstructions at the mouth of Big Sodus bay, New York, seventeen thousand dollars.

For improving the entrance of Genessee river, sixteen thousand dollars.

For completing the pier at the mouth of Buffalo harbour, ten thousand three hundred dollars.

For the work at Black Rock harbour, New York, five thousand one hundred dollars.

For securing and completing the work at Dunkirk harbour, New York, ten thousand two hundred dollars.

**Pennsylvania.** For completing the improvement of the harbour at Presque Isle, Pennsylvania, four thousand five hundred dollars.

For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, on the Delaware, ten thousand dollars.

**North Carolina.** For carrying on the work for the improvement of Ocracoke inlet, North Carolina, twenty-two thousand dollars.

For improving Cape Fear river, below Wilmington, North Carolina, twenty-eight thousand dollars.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.

The President of the United States authorized to improve the steam-boat navigation from Pittsburg to Brownsville, and to extend the provisions of the act of 24th May, 1824, ch. 139, so as to embrace certain parts of the rivers Missouri and Mississippi.

And the President of the United States is hereby authorized to extend the improvement of the steamboat navigation from Pittsburg to the Cumberland road, at Brownsville, upon such plan as he may approve, under the provisions of the act of May twenty-four, eighteen hundred and twenty-four: and that the President of the United States be, and he is hereby, authorized to extend the provisions of the act of twenty-fourth May, one thousand eight hundred and twenty-four, entitled "An act to improve the navigation of the Ohio and Mississippi rivers," so as to embrace in its operations the river Missouri, from its junction with the Mississippi to the mouth of the Kansas river; and, also, the Upper Mississippi river from St. Louis, in Missouri, to Galena, in Illinois, with power to remove all obstructions in the channel of said river between those points; and that the provisions of the act, approved twenty-fourth May, one thousand eight hundred and twenty-four, entitled "An act to improve

the navigation of the Ohio and Mississippi rivers," be extended so as to include, in its operation, the improvement of the Mississippi from New Orleans to the Gulf of Mexico, and the deepening of the bar at the mouth of the Mississippi.

For improving the navigation of the Arkansas river, fifteen thousand dollars; *Provided*, The engineer department, after due examination, is satisfied that, during a portion of the ensuing year, the men and machine now employed in removing obstructions in the Ohio and Mississippi rivers, can be more usefully employed in removing those of the Arkansas river: *Provided*, That the compensation of the superintendent of the Ohio and Mississippi rivers, shall be the sum of three thousand dollars per annum, in full for all his services; and he shall not hereafter be allowed any thing in the shape of commissions in his disbursements.

Arkansas.  
Proviso.

Proviso.  
Compensation to the superintendent not to exceed \$3000.

For improving the mouth of Conneaut creek, Ohio, seven thousand eight hundred dollars.

Ohio.

For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, three thousand eight hundred dollars.

For a pier head at Cunningham creek, Ohio, one thousand five hundred dollars.

For completing the removal of obstructions at the mouth of Grand river, Ohio, two thousand six hundred dollars.

For completing the improvement of Cleveland harbour, Ohio, six thousand six hundred dollars.

For removing a sand bar at the mouth of Black river, Ohio, eight thousand dollars.

For removing obstructions at the mouth of Huron river, Ohio, one thousand five hundred dollars.

For piers at La Plaisance bay, Michigan, eight thousand dollars.

Michigan.

For the improvement of the navigation of the Cumberland river, thirty thousand dollars, to be expended under the direction of the War Department.

Cumberland,  
Tennessee.

For the removal of the obstructions to the navigation of the Savannah river, between the mouth thereof and the city of Savannah, the sum of twenty-five thousand dollars, including the balance of the former appropriation to the same object, to be expended according to a plan and an estimate of the Department of War.

Georgia.

For defraying the expenses incidental to making examinations and surveys under the act of thirtieth April, one thousand eight hundred and twenty-four, thirty thousand dollars.

Surveys.  
Act of April 30,  
1824, ch. 46.

For repairs of the Cumberland road east of the Ohio river, and other needful improvements on said road, to carry into effect the provisions of an act of the General Assembly of Pennsylvania, entitled "An act for the preservation and repair of the Cumberland road," (a) passed the fourth day of April, one thousand eight hundred and thirty-one; and of an act of the General Assembly of the state of Maryland, entitled "An act for the preservation and repair of that part of the United States' road within the limits of the state of Maryland," (a) passed the twenty-third day of Janu-

Cumberland  
road.

Act of March  
2, 1831, ch. 97.

(a) The acts passed by the legislatures of Pennsylvania and Maryland are,

ACT OF PENNSYLVANIA.

*An act for the preservation and repair of the Cumberland road.*

Whereas, that part of the Cumberland road lying within the state of Pennsylvania is in many parts in bad condition, for want of repairs, and as doubts have been entertained whether the United States have authority to erect toll-gates on said road, and collect toll; and as a large proportion of the people of this commonwealth are interested in said road, and its constant continuance and preservation: Therefore,

Sec. 1. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That as soon as the consent of the government of the United States shall have been obtained, as hereinafter provided, William F. Coplan, David Downer, of Fayette county, Stephen Hill, Benjamin Anderson, of Washington county, and Thomas Endsley, of Smithfield, Somerset county, shall be, and they are hereby, appointed commissioners, a majority of whom shall be sufficient to transact business, who shall hold their offices for

Assent to acts of Pennsylvania and Maryland.

ary, one thousand eight hundred and thirty-two, to which said acts the assent of the United States is hereby given, to remain in force during the pleasure of Congress, the sum of one hundred and fifty thousand dollars, to be expended under the direction of the War Department, under the

three years after the passage of this act, after which, the right of appointing said commissioners shall vest in the governor of this commonwealth, to build toll-houses and erect toll-gates, at suitable distances, on so much of the Cumberland road as lies within the state of Pennsylvania: *Provided*, That, if any one or more of the said commissioners should die, resign, or refuse to serve, the governor shall appoint one or more other commissioners to fill the vacancies so happening: *And provided, also*, That nothing herein contained shall be construed to prevent the governor from re-appointing the commissioners named in this act, if he thinks proper.

SEC. 2. *And be it further enacted by the authority aforesaid*, That, for the purposes of keeping so much of the said road in repair as lies within the state of Pennsylvania, and paying the expenses of collection, and other incidental expenses, the commissioners shall cause to be erected, on so much of the said road as passes within this state, at least six gates; and that, as soon as said gates and toll-houses shall be erected, it shall be the duty of the toll-collectors, and they are hereby required to demand and receive, for passing the said gates, the tolls hereafter mentioned; and they may stop any person riding, leading, or driving any horses, cattle, sulky, chair, phaeton, cart, chaise, wagon, sleigh, sled, or other carriage of burden or pleasure, from passing through the said gates, until they shall, respectively, have paid for passing the same; that is to say, for every space of fourteen miles in length on said road, the following sums of monoy; and so, in proportion, for every greater or lesser distance; and the rates of toll to be collected at each gate shall be the following, to wit: for every score of sheep or hogs, six cents; for every score of cattle, twelve cents; for every led or drove horse, three cents; for every horse and rider, four cents; for every sleigh or sled, for each horse or pair of oxen, drawing the same, three cents; for every dearborn, sulky, chair, or chaise, with one horse, six cents; for every chariot, coach, coachee, stage, wagon, phaeton, chaise, or with two horses and four wheels, twelve cents; for either of the carriages last mentioned, with four horses, eighteen cents; for every other carriage of pleasure, under whatever name it may go, the like sum, according to the number of wheels and horses drawing the same; for every cart or wagon, whose wheels shall exceed two and a half inches in breadth, and not exceeding four inches, four cents for every horse or pair of oxen drawing the same; and every other cart or wagon, whose wheels shall exceed four inches, and not exceeding five inches in breadth, three cents for every horse or pair of oxen drawing the same; and for every other cart or wagon, whose wheels shall exceed six inches, and not more than eight inches, two cents for every horse or pair of oxen drawing the same; all other carts or wagons, whose wheels shall exceed eight inches in breadth, shall pass the said gates free of tolls: *Provided*, That the commissioners appointed by the first section of this act may commute the rates of toll with any person or persons, by taking of him or them a certain sum annually, in lieu of the tolls aforesaid: *And provided also*, That nothing in this act shall be construed so as to authorize any tolls to be received or collected from any person or persons passing or re-passing from one part of his farm to another, or to or from a mill, or to or from any place of public worship, funeral, militia training, elections, or from any student or child going to or from any school, or seminary of learning, or from persons and witnesses going to and returning from courts: *And provided further*, That no toll shall be received or collected for the passage of any wagon or carriage laden with the property of the United States, or any cannon or military stores belonging to the United States, or to any of the states composing this Union.

SEC. 3. *And be it further enacted by the authority aforesaid*, That the said commissioners shall appoint proper and suitable persons as toll-gatherers, who shall settle their accounts quarterly with the commissioners, and at all other times, when thereunto required; and shall, at all times, pay over to them, on demand, the amount of tolls by them collected; and it shall be the duty of the said commissioners, to render annually, to the court of quarter sessions of the respective counties through which the road passes, an account of the tolls received and expenses incurred on said road, on oath or affirmation, and publish the same in one or more newspapers in each county, through which the road passes; and they shall each receive a compensation of two dollars per day, for every day that they shall be engaged on the business of said road: *Provided*, That the annual compensation to any one commissioner shall not exceed the sum of one hundred dollars.

SEC. 4. *And be it further enacted by the authority aforesaid*, That the amount of tolls after deducting therefrom the expenses and charges of collection, and compensation of commissioners, shall be applied, under the direction of the commissioners, to the repairs and preservation of said road, in such manner, and under such regulations, as they may from time to time prescribe, and to no other purpose whatever; and the said commissioners shall have power to increase or diminish the rates of toll: *Provided*, That the same shall at no time be increased beyond the rates of toll established by an act entitled "An act authorizing the governor to incorporate a company for making an artificial road, from the bank of the river Susquehanna, opposite the borough of Harrisburg, to Pittsburg," passed the twenty-fourth day of February, one thousand eight hundred and six.

SEC. 5. *And be it further enacted by the authority aforesaid*, That directors shall be set up at proper and convenient situations, to caution all conductors or drivers of carriages, on the road aforesaid, that they shall, at all times, pass on the left of each other, under the penalty of two dollars for every offence.

SEC. 6. *And be it further enacted by the authority aforesaid*, That if any of the toll-gatherers shall unreasonably delay, or hinder, any passenger or traveller at any of the gates, or shall demand or receive more toll than may be established under this act, he shall, for each and every offence, forfeit and pay to the party so aggrieved the sum of twenty dollars.

SEC. 7. *And be it further enacted by the authority aforesaid*, That, if any person or persons shall willfully and of purpose throw down or otherwise injure any of the walls, bridges, culverts, or other works on said road, or shall otherwise willfully injure or obstruct the passage of the said road unnecessarily, the person or persons so offending shall forfeit and pay for every such offence any sum not less than five, or more than fifty dollars, to be collected and applied as is directed in the ninth section of this act.



superintendence of an officer of the engineers; and which said acts are hereby directed to be printed and appended to the laws of the present session of Congress.

Acts to be appended to laws of present session.

For repairing and building bridges on the military road leading from

Maine.

SEC. 8. *And be it further enacted by the authority aforesaid*, That the toll-gatherers on said road shall, respectively, receive compensation for their services, at the rate of twelve per centum on the amount of tolls by them, respectively, collected: *Provided*, That the annual compensation of any toll-gatherer shall never exceed the sum of two hundred dollars.

SEC. 9. *And be it further enacted by the authority aforesaid*, That the penalties and forfeitures which may be incurred under this act shall and may be sued for and recovered in the name of the commissioners of the road, without naming them as individuals, or of any person prosecuting for the same; the one moiety thereof to the use of the commonwealth, the other to the person so prosecuting for the same, before any magistrate or court having jurisdiction in like cases.

SEC. 10. *And be it further enacted by the authority aforesaid*, That this act shall not have any force or effect until the Congress of the United States shall assent to the same, and until so much of the said road as passes through the state of Pennsylvania be first put in a good state of repair, and an appropriation made by Congress for erecting toll-houses and toll-gates thereon, to be expended under the authority of the commissioners appointed by this act: *Provided*, The legislature of this state may at any future session thereof, change, alter, or amend this act: *Provided*, That the same shall not be so altered or amended as to reduce or increase the rates of toll hereby established, below or above a sum necessary to defray the expenses incident to the preservation and repair of said road, for the payment of the fees or salaries of the commissioners, the collectors of tolls, and other agents: *And provided further*, That no change, alteration, or amendment, shall ever be adopted, that will in anywise defeat or affect the true intent and meaning of this act.

APPROVED, April 4, 1831.

Under the act of Congress, ceding to Pennsylvania that part of the Cumberland road which is within the state, and the act of Pennsylvania accepting the surrender, a carriage, whenever it is carrying the mail, must be held to be laden with the property of the United States, within the true meaning of the compact; and consequently exempted from payment of toll. *Searight v. Stokes*, 3 Howard, 151.

But this exemption does not apply to any other property conveyed in the same vehicle; nor to any person travelling in it; unless he is in the service of the United States, and passing along in pursuance of orders from the proper authority. *Ibid*.

Nor can the United States claim an exemption for more carriages than are necessary for the safe, speedy, and convenient carriage of the mail. *Ibid*.

#### ACT OF MARYLAND.

*An act for the preservation and repair of that part of the United States' road within the limits of the state of Maryland.*

Whereas that part of the United States' road lying within the limits of the state of Maryland is, in many parts, in bad condition, for want of repairs; and as a large proportion of the people of this state are interested in said road and its preservation: Therefore,

SEC. 1. *Be it enacted by the general assembly of Maryland*, That, as soon as the consent of the government of the United States shall have been obtained, as hereinafter provided, that part of the United States' road, commonly called the National road, within the limits of the state of Maryland, shall be taken under the care of the state of Maryland; and the governor and council of this state shall be and they are hereby authorized to appoint a superintendent of that part of said road lying within the limits of this state, who shall hold his office for three years from the date of his commission, and who shall, at the time of his appointment, and during his continuance in office, reside in Allegany county; whose duty it shall be to exercise all reasonable vigilance and diligence in the care thereof; which superintendent, after his appointment, shall have full power and authority to build toll-houses, and erect toll-gates, at suitable distances: *Provided*, That the number of gates aforesaid shall not exceed two on the whole distance within the limits of this state.

SEC. 2. *And be it further enacted*, That for the purposes of keeping so much of the said road in repair as lies within the limits of the state of Maryland, and paying the expenses of collection and other incidental expenses, the superintendent shall cause to be erected, on so much of the said road as lies within the limits of this state, a gate or gates, a toll-house or toll-houses, not exceeding two of each; and that, as soon as said gates and toll-houses shall be erected, it shall be the duty of the toll-collectors, and they are hereby required to demand and receive, for passing said gates, the tolls hereafter mentioned; and they may stop any person riding, leading, or driving any horses, cattle, sulky, chair, phaeton, cart, chaise, wagon, sleigh, sled, or other carriage of burden or pleasure from passing through the said gates, until they shall, respectively, have paid for passing the same; that is to say, for every space of fourteen miles in length, on said road, the following sums of money, and so in proportion for every greater or lesser distance, the rates of toll to be collected at each gate, shall be the following, to wit: for every score of sheep or hogs, six cents; for every score of cattle, twelve cents; for every led or drove horse, three cents; for every horse and rider, four cents; for every sleigh or sled, for each horse or pair of oxen drawing the same, three cents; for every dearborn, sulky, chair, or chaise, with one horse, six cents; for every chariot, coach, coachee, stage, wagon, phaeton, chaise, or other carriage, with two horses and four wheels, twelve cents; for either of the carriages last mentioned, with four horses, eighteen cents; for every other carriage of pleasure, under whatever name it may go, the like sum, according to the number of wheels and horses drawing the same; for every cart or wagon whose wheels shall exceed two and a half inches in breadth, and not exceeding four inches, four cents for every horse or pair of oxen drawing the same; and every other cart or wagon, whose wheels shall exceed four inches, and not exceeding five inches in breadth, three cents for every horse or pair of oxen drawing the same; and for every other cart or wagon whose wheels shall exceed six inches, and not more

Mattanawcook to Mars' hill, in Maine, for widening said road, and for contingencies, twenty-one thousand dollars.

Michigan. For continuing the road from Detroit to Chicago, fifteen thousand dollars.

than eight inches, two cents for every horse or pair of oxen drawing the same; all other carts or wagons whose wheels shall exceed eight inches in breadth shall pass the said gates free of tolls: *Provided*, That the superintendent, after he is appointed by this act, may commute the rates of toll with any person or persons, by taking of him or them a certain sum annually, in lieu of the tolls aforesaid: *And provided also*, That nothing in this act shall be construed so as to authorize any tolls to be received or collected from any person or persons passing or repassing from one part of his farm to another, or to or from a mill, or to or from any place of public worship, funeral, militia training, elections, or from any student or child going to or from any school or seminary of learning, or from persons and witnesses going to and returning from courts: *And provided further*, That no toll shall be received or collected for the passage of any wagon or carriage laden with the property of the United States, or any cannon or military stores belonging to the United States or to any of the states composing this Union.

SEC. 3. *And be it further enacted*, That the said superintendent, after his appointment as aforesaid, shall appoint proper and suitable persons as toll-gatherers, who shall settle their accounts every three months from the time of their appointments, and at all other times when thereunto required by the said superintendent; and shall, at all times, pay over to the said superintendent, on demand, the amount of tolls by them or either of them collected; and the said superintendent shall have authority to remove any toll-gatherer, appointed by him, for misbehaviour in his office, and appoint another in his place; and it shall be the duty of the said superintendent to render, semi-annually, to the county court of Allegany county, at its fixed meetings by law on the third Monday of April and second Monday of October, an account of the tolls received and expenses incurred on said road, on oath or affirmation; which account, when ratified and confirmed by the said court, shall be published by the said superintendent in some newspaper printed in Allegany county; and the said superintendent shall, also, on or before the first Monday of December, annually, hereafter, transmit to the governor and council of this state, a duplicate of his said accounts aforesaid; and it shall be the duty of the governor of this state to lay the same before the General Assembly in his annual message. And the said superintendent shall receive a compensation of two dollars per day for every day that he shall be engaged on the business of said road: *Provided*, That the annual compensation to said superintendent shall not exceed the sum of five hundred dollars.

SEC. 4. *And be it further enacted*, That the amount of tolls, after deducting therefrom the expenses and charges of collection, and compensation of superintendent, shall be applied, under the direction of said superintendent, to the repairs and preservation of said road, in such manner, and under such regulations, as he from time to time may prescribe and direct, and to no other purpose whatsoever.

SEC. 5. *And be it further enacted*, That directors shall be set up at proper and convenient situations, to caution all conductors and drivers of carriages on the road aforesaid, that they shall at all times pass on the left of each other, under the penalty of two dollars for every offence.

SEC. 6. *And be it further enacted*, That, if any of the toll-gatherers shall unreasonably delay or hinder any passenger or traveller at any of the gates, or shall demand or receive more toll than may be established by this act, he shall, for each and every offence, forfeit and pay to the party so aggrieved the sum of twenty dollars.

SEC. 7. *And be it further enacted*, That, if any person or persons shall wilfully, and of purpose, throw down, or otherwise injure any of the walls, bridges, culverts, or other works, on said road, or shall otherwise wilfully injure or obstruct the passage of the said road unnecessarily, the person or persons so offending shall forfeit and pay for every such offence any sum not less than five nor more than fifty dollars, to be collected and applied as is directed in the ninth section of this act.

SEC. 8. *And be it further enacted*, That the toll-gatherers on said road shall, respectively, receive compensation for their services at the rate of twelve per centum on the amount of tolls by them, respectively, collected: *Provided*, That the annual compensation of any toll-gatherer shall never exceed the sum of two hundred dollars.

SEC. 9. *And be it further enacted*, That the penalties and forfeitures which may be incurred under this act, shall and may be sued for and recovered in the name of "the superintendent of that part of the United States' road within the limits of the state of Maryland," without naming him as an individual, or of any person prosecuting the same; the one half thereof to the use of the state of Maryland, the other to the person so prosecuting for the same before a justice of the peace in Allegany county, as other small debts are recovered, with the privilege of an appeal to the county court, as in cases of small debts.

SEC. 10. *And be it further enacted*, That the toll-gatherers shall exhibit their accounts from time to time to the superintendent, upon oath, as directed in this act; and they shall, moreover, before they act as toll-gatherers, and annually thereafter, give bond, with security, to the state of Maryland, in the penalty of one thousand dollars, to be approved by the superintendent, for the faithful performance of the duties devolving on them by this act, with a condition, as follows, or to the following effect: "Now the condition of the above obligation is such, that, if the above bound \_\_\_\_\_ shall, at the end of every three months from the time of receiving his appointment, and at all other times when thereunto required, pay over, well and truly, to the said superintendent the whole amount of tolls by him collected as toll-gatherer aforesaid, then the above obligation to be void, otherwise to be in full force and virtue in law."

SEC. 11. *And be it further enacted*, That the said superintendent, before he acts as such, and annually thereafter, shall give bond to the state of Maryland, with such security as any one of the judges of the fifth judicial district shall approve, in the sum of four thousand dollars, with the following condition, or to the following effect: "Now the condition of the above obligation is such, that, if the above \_\_\_\_\_ shall well and faithfully discharge the duties of superintendent, and shall pay over, lay out, and expend, all moneys which he may receive as the superintendent of that part of the United States'

For continuing the road from Detroit to fort Gratiot in Michigan, fifteen thousand dollars; and authority is hereby given to the Secretary of War, to change the direction in which the road shall be continued, agreeably to the report of the superintendent of the War Department, of the eighteenth of October, one thousand eight hundred and thirty-one.

Secretary of War authorized to change direction of road.

For continuing the road from Detroit to Saganaw, ten thousand dollars.

For the repair of the Little Rock and Memphis road, from Little Rock to the St. Francis river, under the superintendence of the governor of said territory, twenty thousand dollars.

Arkansas.

To complete the Washington and Jackson road, at the two extremes thereof, in the territory of Arkansas, in addition to the unexpended balance, two thousand dollars.

For continuing the Cumberland road in the state of Ohio, west of Zanesville, one hundred thousand dollars.

Ohio.

For continuing the Cumberland road in the state of Indiana, including the erection of bridges over the east and west branches of White Water, and other small streams, with a view to bring the road into immediate use, one hundred thousand dollars.

Indiana.

For continuing the Cumberland road in the state of Illinois, seventy thousand dollars.

Illinois.

Which sums shall be paid out of any money in the treasury not otherwise appropriated, and replaced out of the fund reserved for the laying out and making of roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, and Illinois, into the Union, on an equal footing with the original states.

To be paid from the treasury.

SEC. 2. *And be it further enacted*, That so much of the second section of the act for the continuation of the Cumberland road, approved March third, one thousand eight hundred and twenty-five, as authorizes the President, with the advice of the Senate, to appoint a superintendent thereof, be, and the same is hereby, repealed, and that the work in the state of Ohio be continued by the War Department, under the superintendence of an officer of engineers.

Act of March 3, 1825, ch. 98. Cumberland road. Office of superintendent discontinued. Work to be prosecuted, &c.

APPROVED, July 3, 1832.

road within the limits of this state, as directed by this act, then the above obligation to be void, otherwise to be in full force and virtue in law."

SEC. 12. *And be it further enacted*, That, if there shall be any surplus money in the hands of the said superintendent, beyond the actual expenses for preserving and repairing the part of said road within the limits of this state, and paying the said superintendent and toll-gatherers, and all incidental expenses, the said superintendent shall remit the same to the treasurer of the Western Shore, whose duty it shall be to receive the same, to be denominated on the treasury books "The United States Road Fund;" which money, constituting said fund, shall be applied, solely and exclusively, to the preservation, repair, and improvement, of that part of said road within the limits of this state, and to no other use or purpose whatsoever.

SEC. 13. *And be it further enacted*, That this act shall not have any force or effect, until the Congress of the United States shall assent to the same; and until so much of the said road as lies within the limits of the state of Maryland be first put in a good and complete state of repair, by an appropriation made by the Congress of the United States to repair the same, and to pay the expenses of building a toll-house or toll-houses, and erecting a toll-gate or toll-gates, to be built and erected by the superintendent appointed by the governor and council of this state; to be expended under the authority of a superintendent to be appointed by the President of the United States: *Provided*, The general assembly of this state may, at any future session thereof, change, alter, or amend this act, so as to regulate the amount of tolls: *Provided*, That the same shall not be so altered or amended, as to reduce or increase the rates of tolls hereby established, below or above a sum necessary to defray the expenses incident to the preservation and repair of said road, for the payment of the fees and compensation to the superintendent, collectors of tolls, and other agents: *And provided*, That no change, alteration, or amendment, shall ever be adopted, that will in any wise defeat or affect the true intent and meaning of this act.

SEC. 14. *And be it further enacted*, That in case any superintendent, who shall be appointed under this act, shall die, resign, refuse to act, or remove from Allegany county aforesaid, the governor and council of this state shall appoint another in his place, who shall, at the time of his appointment, and during his continuance in office, reside in Allegany county, and who shall hold his office for three years from the date of his commission; and, after the expiration of any time of service of any superintendent who may be appointed under this act, the governor and council of this state shall re-appoint him, or appoint another in his place, at discretion: *Provided*, That he shall not serve for a longer time than three years from the date of his commission.

CERTIFIED, January 24, 1832.

## STATUTE I.

July 3, 1832.

[Expired.]

Transfers of appropriations in the naval service authorized.

Special accounts of the moneys transferred, and of their application, to be laid before Congress.

CHAP. CLIV.—*An Act to authorize the President of the United States to direct transfers of appropriations in the naval service, under certain circumstances.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That upon the application of the Secretary of the Navy, the President of the United States shall have authority, whenever in his opinion the unforeseen contingencies of the public service may require it, to direct that a part of the money appropriated for a particular branch of the naval service be applied to another branch of the said service; in which case, a special account of the moneys thus transferred, and of their application, shall be laid before Congress before its adjournment, if then in session, and during the first week of the next ensuing session, if such transfer be made in the recess of Congress.

This act shall continue in force until the close of the next session of Congress and no longer.

APPROVED, July 3, 1832.

## STATUTE I.

July 3, 1832.

[Obsolete.]

Legislature authorized to sell and convey certain tracts of land.

Proceeds applied to education.

CHAP. CLV.—*An Act to authorize the legislature of the state of Indiana to sell and convey certain lands granted to said state for the use of the people thereof.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislature of the state of Indiana be, and is hereby, authorized to sell and convey, in such manner, and on such conditions, as said legislature shall by law direct, the following described tracts of land heretofore granted and set apart for the use of said state, namely: sections numbered thirteen progressively to thirty-six, inclusive; section sixteen excepted, in township numbered two, north of range two, west; and sections numbered one to twelve progressively and inclusive, in township one, north of range two, west; and the north-east quarter of section numbered fourteen, in township seven, north of range two, west; and the north-west quarter of section numbered twenty-six, in township one, north of range five, west, in the Vincennes district; likewise, section fifteen, in township two, north; section twenty-eight, in township three, north of range four, east; and fractional section, numbered thirty-one, in township nine, north of range two, east, of the Jeffersonville district; and to apply the proceeds of said sale to the purposes of education: *Provided,* That the legislature shall not authorize a sale of the said land at a less price than that at which the public lands are sold at private entry.

APPROVED, July 3, 1832.

## STATUTE I.

July 3, 1832.

Commissioner, surveyor, and clerk to be appointed.

CHAP. CLXI.—*An Act to provide for carrying into effect the treaty of limits between the United States of America and the United Mexican States.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the commissioner and surveyor to be appointed on the part of the United States, according to the third article of the treaty of limits between the United States of America and the United Mexican States, of January twelfth, one thousand eight hundred and twenty-eight, and April fifth, one thousand eight hundred and thirty-two, be severally appointed by the President of the United States, by and with the consent of the Senate; together with a clerk to the said commissioner to be appointed in the same manner; and that for the purpose of carrying into effect the second and third articles of the treaty aforesaid, there be appropriated, out of any money in the treasury not otherwise appropriated, the following sums:

Salaries.

For the salary of the commissioner two thousand five hundred dollars.

For the salary of the surveyor, two thousand dollars.

For the salary of the clerk, one thousand two hundred dollars: *Provided*, That the salary of the said officers shall not commence until they shall be ordered into service.

Provisc.

For other expenses of the survey of boundary required by the said treaty, including the purchase of instruments, wages to persons employed, and other contingencies, ten thousand dollars.

Contingencies.

APPROVED, July 3, 1832.

CHAP. CLXII.—*An Act concerning patents for useful inventions. (a)*

STATUTE I.

July 3, 1832.

*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, annually, in the month of January, to report to Congress, and to publish in two of the newspapers printed in the city of Washington, a list of all the patents for discoveries, inventions, and improvements, which shall have expired within the year immediately preceding, with the names of the patentees, alphabetically arranged.

Act of July 4, 1836, ch. 357.

List of expired patents to be annually reported to Congress.

SEC. 2. *And be it further enacted*, That application to Congress to prolong or renew the term of a patent, shall be made before its expiration, and shall be notified at least once a month, for three months before its presentation, in two newspapers printed in the city of Washington, and in one of the newspapers in which the laws of the United States shall be published in the state or territory in which the patentee shall reside. The petition shall set forth particularly the grounds of the application. It shall be verified by oath; the evidence in its support may be taken before any judge or justice of the peace; it shall be accompanied by a statement of the ascertained value of the discovery, invention, or improvement, and of the receipts and expenditures of the patentee, so as to exhibit the profit or loss arising therefrom.

Form of application to prolong or renew patent.

SEC. 3. *And be it further enacted*, That wherever any patent which has been heretofore, or shall be hereafter, granted to any inventor in pursuance of the act of Congress, entitled "An act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose," passed on the twenty-first day of February, in the year of our Lord, one thousand seven hundred and ninety-three, or of any of the acts supplementary thereto, shall be invalid or inoperative, by reason that any of the terms or conditions prescribed in the third section of the said first mentioned act, have not, by inadvertence, accident, or mistake, and without any fraudulent or deceptive intention, been complied with on the part of the said inventor, it shall be lawful for the Secretary of State, upon the surrender to him of such patent, to cause a new patent to be granted to the said inventor for the same invention for the residue of the period then unexpired, for which the original patent was granted, upon his compliance with the terms and conditions prescribed in the said third section of the said act. And, in case of his death, or any assignment by him made of the same patent, the like right shall vest in his executors and administrators, or assignee or assignees: *Provided, however*, That such new patent, so granted, shall, in all respects, be liable to the same matters of objection and defence as any original patent granted under the said first-mentioned act. But no public use or privilege of the invention so patented, derived from or after the grant of the original patent, either under any special license of the inventor, or without the consent of the patentee that there shall be a free public use thereof, shall, in any manner, prejudice his right of recovery for any use or violation of his invention after the grant of such new patent as aforesaid.

Patent to be invalid in case of inventor not having complied with terms, &c. 1793, ch. 11.

Secretary of State, upon surrender, &c., to grant a new patent.

In case of death, &c., right to vest in executors, &c.

Proviso.

APPROVED, July 3, 1832.

(a) For a note of the acts relating to patents for useful inventions, see vol. i. p. 109.

For the decisions of the courts of the United States relative to the law of patents, see vol. i. p. 318.

STATUTE I.

July 3, 1832.

Unlocated lots in military district, in Ohio, made liable to private sale. Act of Feb. 11, 1800, ch. 8.

CHAP. CLXIII.—*An Act for the sale of the unlocated lots in the fifty quarter townships in the United States' military district, in the state of Ohio, reserved to satisfy warrants granted to individuals for their military services.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the lots and fractional parts of lots lying in the fifty quarter townships, reserved by an act of Congress, passed the eleventh day of February, one thousand eight hundred, and entitled "An act giving further time to the holders of military warrants to register and locate the same," and which remain unlocated, shall, hereafter, be liable to be sold at private sale, in the respective land offices in which they lie, in the same manner, and for the same sum per acre, as other lands of the United States lying in said districts, and undisposed of.

APPROVED, July 3, 1832.

STATUTE I.

July 4, 1832.

Commissioners to be appointed to survey and lay out road.

Plats of surveys to be certified and transmitted to President; if approved, to be deposited, &c. Proviso.

Pay of commissioners and assistants.

Proviso.

Appropriation.

Survey to ascertain practicability of canals to connect bays and rivers in Florida.

Estimates to be made. Appropriation.

CHAP. CLXIV.—*An Act to authorize the surveying and laying out a road from Detroit to the mouth of Grand river of Lake Michigan, in the Michigan territory, and for the survey of canal routes in the territory of Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, a road from Detroit, westwardly, by way of Sciawasse, to the mouth of Grand river, in the territory of Michigan; and said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States, who, if he approve of said surveys, shall cause the plats thereof to be deposited in the office of the Treasury of the United States, and the said road shall be considered as established and accepted: *Provided,* That said commissioners shall be disinterested persons, not residents of any county through which said road may pass.

SEC. 2. *And be it further enacted,* That the said commissioners shall, each, be entitled to receive three dollars, and their assistants one dollar and fifty cents, for each and every day they shall be necessarily employed in the surveying, exploring, and marking of said road, and making their returns thereof: *Provided,* The whole expense thereof shall not exceed the sum of three thousand five hundred dollars.

SEC. 3. *And be it further enacted,* That for the purpose of compensating the said commissioners and their assistants, there shall be, and is hereby, appropriated, the sum of three thousand five hundred dollars, to be paid out of any moneys in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to cause to be made, an accurate and minute survey of the country between the waters of St. Andrew's bay and the river and bay of Chattahoochie, and between Pensacola bay and Bon Secour, along the northern coast of the Gulf of Mexico, with a view to ascertain the practicability and cost of canals to connect said bays and rivers, with notes, plans, observations, and opinions, of the engineers on each of said parts designated, with estimates of the cost of each; and, for the purpose of carrying into effect the foregoing provisions, the sum of three thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 4, 1832.

STATUTE I.

July 4, 1832.

CHAP. CLXV.—*An Act to authorize the surveying and making of a road from La Plaisance bay, in the territory of Michigan, to intersect the Chicago road.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, a road from La Plaisance bay, in the territory of Michigan, to intersect, at some suitable point, the road from Detroit to Chicago, established under the provisions of the act of the third of March, one thousand eight hundred and twenty-five; and said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States, who, if he approve of said surveys, shall cause the plats thereof to be deposited in the office of the Treasury of the United States, and the said road shall be considered as established and accepted: *Provided,* That said commissioners shall be disinterested persons, not residents of the counties of Monroe or Lenewee, in said territory.

Commissioners to be appointed to survey and lay out road.

Plats of surveys to be certified, and transmitted to the President; if approved to be deposited, &c. Proviso.

Pay of commissioners and assistants.

Proviso.

Appropriation.

Proviso.

SEC. 2. *And be it further enacted,* That the said commissioners shall, each, be entitled to receive three dollars, and their assistants one dollar and fifty cents, for each and every day they shall be necessarily employed in the surveying, exploring, and marking, of said road, and making their returns thereof: *Provided,* That the whole expense thereof shall not exceed the sum of five hundred dollars.

SEC. 3. *And be it further enacted,* That, for the purpose of compensating the said commissioners and their assistants, and for opening and making said road, there shall be, and is hereby, appropriated, the sum of fifteen thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, to be expended under the direction of the President of the United States, for the purposes aforesaid: *Provided, however,* That the money applied to the making of said road, shall be laid out first in making such parts of it from La Plaisance bay, to the crossing of the river Raisin, at or near Tesecumseh, as have not heretofore been improved; and the residue, if any, upon such parts of it as, in the judgment of the superintendent, the public good may most require.

APPROVED, July 4, 1832.

STATUTE I.

July 4, 1832.

CHAP. CLXVI.—*An Act for the final adjustment of the claims to lands in the south-eastern land district of the state of Louisiana. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any person or persons, claiming lands within the limits of the south-eastern land district of the

(a) Decisions of the Supreme Court on land titles in Louisiana, in addition to the cases stated in notes to vol. ii, 288, 713.

The treaty by which Louisiana was ceded to the United States, recognised complete grants, issued anterior to the cession, and a decision of a state court against the validity of a title set up under such a grant, would be subject to reversal by the Supreme Court, under the twenty-fifth section of the Judiciary act. *M'Donough v. Millaudon*, 3 Howard, 693.

But, if the state court only applies the local laws of the state to the construction of the grant, it is not a decision against its validity, and the Supreme Court has no jurisdiction. *Ibid.*

Congress, in acting upon complete grants, recognised them as they stood; and the act of 11th of May, 1820, confirming such as were recommended for confirmation by the register and receiver, had no reference to any particular surveys. *Ibid.*

A decision of a state court, therefore, which may be in opposition to one of these surveys, is not against the validity of a title existing under an act of Congress; and this court has no jurisdiction in such a case. *Ibid.*

The certificate of survey alleged to have been given by Trudeau, on the 14th of June, 1797, and brought forward to sustain a grant to the Marquis de Maison Rouge, declared ante-dated and fraudulent. *United States v. King et al.*, 3 Howard, 773.

The circumstance that a copy of this paper was delivered by the Spanish authorities in 1803, is not sufficient to prevent its authenticity from being impeached. *Ibid.*

Claims to lands in Louisiana to be presented to register and receiver at New Orleans, prior to 1st July, 1833.

Notice of claim to be recorded.

**Fees.**

Claims to be reported to the Secretary of the Treasury, and to be laid before Congress.

**Proviso.**

Sales of land suspended until after 1st July, 1833.

Persons who held lands by claims unconfirmed, &c., may avail themselves of the benefits of this act.

Separate report of cases of this class to be made to the Secretary of the Treasury, &c.

Purchasers to be reimbursed.

Additional compensation.

state of Louisiana, agreeably to the provisions of the laws heretofore enacted for the adjustment of land claims in that part of the territory of Orleans or state of Louisiana, but whose titles have not been heretofore confirmed, may, at any time prior to the first day of July, one thousand eight hundred and thirty-three, present their claims, together with the written evidence and other testimony in support of the same, to the register and receiver of the land office at New Orleans; and it shall be the duty of the said register and receiver to record, in a book to be kept for that purpose, the notice of every claim so preferred, together with the evidence; for which service they shall receive a compensation from the claimants, at the rate of twenty-five cents for every hundred words.

SEC. 2. *And be it further enacted*, That the said register and receiver shall, at or before the beginning of the next session of Congress thereafter, make to the Secretary of the Treasury a report of the claims which may have been preferred before them, together with the testimony, their opinion of the validity of the claims, and such other information respecting them as may be in their possession; which report shall, by the Secretary of the Treasury, be laid before Congress as soon as practicable, with his opinion touching the validity of the respective claims: *Provided*, That no claim shall be therein recommended for confirmation, for more than the quantity contained in a league square.

SEC. 3. *And be it further enacted*, That the sales of land in the said south-eastern district, by public auction or private entry, shall be suspended until after the first day of July, one thousand eight hundred and thirty-three.

SEC. 4. *And be it further enacted*, That all persons who, before the first Monday of November, one thousand eight hundred and thirty, held lands in the said south-eastern district, by claims unconfirmed, but which were embraced in the principles of the previous laws for the adjustment of claims in that part of the territory of Orleans or state of Louisiana, which lands may have been sold at the public sale which took place at New Orleans on the first Monday of November, one thousand eight hundred and thirty, under the President's proclamation of the fifth June, one thousand eight hundred and thirty, may avail themselves of this act as though their lands had not been sold; and the said register and receiver shall make a separate report of the cases of this class: and if it shall appear to the Secretary of the Treasury that all or any of the claims contained therein, although unconfirmed, are embraced in the intent and meaning of the previous laws for the adjustment of land claims as aforesaid, he is hereby authorized to repay to the persons, or the legal representative of the persons who purchased, such sum or sums as they may have paid for lands of this description, bought by them at the said public sale.

SEC. 5. *And be it further enacted*, That, in addition to the compensation hereinbefore provided, the said register and receiver shall receive, for the services required of them by this act, the sum of five hundred dollars each, to be paid by the Secretary of the Treasury out of any moneys in the treasury not otherwise appropriated.

APPROVED, July 4, 1832.

Leaving this certificate out of the case, the instruments executed by the Baron de Carondelet, in 1795 and 1797, have not the aid of any authentic survey to ascertain and fix the limits of the land, and to determine its location. *Ibid.*

The Supreme Court has repeatedly decided, and in cases, too, where the instrument contained clear words of grant, that if the descriptions were vague and indefinite, and there was no official survey to give it a certain location, it could create no right of private property, in any particular parcel of land, which could be maintained in a court of justice. *Ibid.*

An equitable title is no defence in a suit brought by the United States. An imperfect title derived from Spain, before the cession, cannot be supported against a party claiming under a grant from the United States. *Ibid.*

The act of Congress of the 29th April, 1816, confirming the grant to the extent of a league square, restricted it to that quantity, and cannot be construed as confirming the residue. *Ibid.*

Query: Whether the acceptance by the claimant of this league square affected his title to the residue. *Ibid.*



STATUTE I.

July 4, 1832.

CHAP. CLXXII.—*An Act to authorize the governor of the territory of Arkansas to select ten sections of land, granted to said territory for the purpose of building a legislative house for said territory, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the authority and power is hereby vested in, and given to the governor of the territory of Arkansas, which was vested in, and given to the legislature of the territory of Arkansas, by an act of Congress of the second of March, one thousand eight hundred and thirty-one, by which a quantity of land not exceeding ten sections, was granted to said territory for the purpose of raising a fund for the erection of a public building at Little Rock, the seat of government of said territory.

Governor to select land.

1831, ch. 67.

SEC. 2. *And be it further enacted,* That nothing herein contained shall be so construed as authorizing any expense on the part of the United States for selecting said lands, or building said house, other than the aforesaid grant of ten sections of the unappropriated public lands.

United States not liable for expense in selecting, &c.

APPROVED, July 4, 1832.

STATUTE I.

July 5, 1832.

CHAP. CLXXIII.—*An Act to provide for liquidating and paying certain claims of the state of Virginia.*

*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 do liquidate and pay the accounts of the commonwealth of Virginia against the United States, for payments to the officers commanding in the Virginia line in the war of the revolution, on account of half-pay for life promised the officers aforesaid by that commonwealth, the sum of one hundred and thirty-nine thousand five hundred and forty-three dollars and sixty-six cents.

Accounts of Virginia for payments to officers of Virginia line in revolutionary war, &c., authorized to be paid.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, required and directed to pay to the state of Virginia the amount of the judgments which have been rendered against the said state, for and on account of the promise contained in an act passed by the general assembly of the state of Virginia in the month of May, Anno Domini one thousand seven hundred and seventy-nine, and in favour of the officers or representatives of officers of the regiments and corps hereinafter recited, and not exceeding, in the whole, the sum of two hundred and forty-one thousand three hundred and forty-five dollars, to wit:

Secretary of the Treasury to pay Virginia the amount of judgments rendered against her in favour of certain revolutionary officers.

First. To the officers, or their legal representatives, of the regiment commanded by the late Colonel George Gibson, the amount of the judgments which they have obtained, and which are now unsatisfied.

Second. To the officers, or their legal representatives, of the regiment denominated the second state regiment, commanded, at times, by Colonels Brent and Dabney, the amount of the judgments which they have obtained, and which are now unsatisfied.

Third. To the officers, or their legal representatives, of the regiments of Colonels Clark and Crockett, and Captain Roger's troop of cavalry, who were employed in the Illinois service, the amount of the judgments which they have obtained, and which are now unsatisfied.

Fourth. To the officers, or their legal representatives, serving in the regiment of state artillery commanded by the late Colonel Marshall, and those serving in the state garrison regiment commanded by Colonel Muter, and serving in the state cavalry commanded by Major Nelson, the amount of the judgments which they have obtained, and which are now unsatisfied.

Fifth. To the officers, or their legal representatives, who served in the

Secretary of the Treasury to settle claims for half-pay to revolutionary officers.

navy of Virginia during the war of the revolution, the amount of the judgments which they have obtained, and which are now unsatisfied.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby directed and required, to adjust and settle those claims for half pay of the officers of the aforesaid regiments and corps, which have not been paid or prosecuted to judgments against the state of Virginia, and for which said state would be bound on the principles of the half-pay cases already decided in the supreme court of appeals of said state; which several sums of money herein directed to be settled or paid shall be paid out of any money in the treasury not otherwise appropriated by law.

APPROVED, July 5, 1832.

STATUTE I.

July 9, 1832.

CHAP. CLXXIV.—*An Act to provide for the appointment of a commissioner of Indian Affairs, and for other purposes. (a)*

Commissioner of Indian affairs to be appointed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President shall appoint, by and with the advice and consent of the Senate, a commissioner of Indian affairs, who shall, under the direction of the Secretary of War, and agreeably to such regulations as the President may, from time to time, prescribe, have the direction and management of all Indian affairs, and of all matters arising out of Indian relations, and shall receive a salary of three thousand dollars per annum.

Salary.

Clerks.

SEC. 2. *And be it further enacted*, That the Secretary of War shall arrange or appoint to the said office the number of clerks necessary therefor, so as not to increase the number now employed; and such sum as is necessary to pay the salary of said commissioner for the year one thousand eight hundred and thirty-two, shall be, and the same hereby is, appropriated out of any money in the treasury.

Pay of commissioner for the year 1832.

Accounts, &c., to be transmitted to commissioner, &c.

Communications to be free of postage.

March 3, 1845, ch. 43, sec. 1.

Ardent spirits prohibited.

Unnecessary agencies, &c., to be discontinued.

SEC. 3. *And be it further enacted*, That all accounts and vouchers for claims and disbursements connected with Indian affairs, shall be transmitted to the said commissioner for administrative examination, and by him passed to the proper accounting officer of the Treasury Department for settlement; and all letters and packages to and from the said commissioner, touching the business of his office, shall be free of postage.

SEC. 4. *And be it further enacted*, That no ardent spirits shall be hereafter introduced, under any pretence, into the Indian country.

SEC. 5. *And be it further enacted*, That the Secretary of War shall, under the direction of the President, cause to be discontinued the services of such agents, sub-agents, interpreters, and mechanics, as may, from time to time, become unnecessary, in consequence of the emigration of the Indians, or other causes.

APPROVED, July 9, 1832.

STATUTE I.

July 9, 1832.

CHAP. CLXXV.—*An Act to enable the President to extinguish Indian title within the state of Indiana, Illinois, and territory of Michigan.*

Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of twenty thousand dollars be, and the same is hereby appropriated, for the purpose of holding Indian treaties, and of finally extinguishing Indian title, within the state of Indiana, and so much of the lands of the Pattawatamies as lies in the state of Illinois and territory of Michigan.

APPROVED, July 9, 1832.

(a) Notes of the acts for the preservation of peace with the Indian tribes, vol. ii. p. 6.  
Notes of regulations of intercourse and trade with the Indian tribes, vol. ii. p. 139.  
Notes of the decisions of the Supreme Court on the laws and treaties with the Indians, vol. ii. p. 141.  
Notes of obsolete acts relating to trading houses with the Indians, vol. ii. p. 652.

STATUTE I.

CHAP. CLXXX.—*An Act for the final adjustment of private land claims in Missouri. (a)*

July 9, 1832.

1833, ch. 84.

*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 recorder of land titles in the state of Missouri and two commissioners*

All unconfirmed land claims to be examined.

(a) Notes of the decisions of the Supreme Court on land titles in Missouri.

The state of Missouri was formerly part of the territory, first of France, next of Spain, then of France, who ceded it to the United States by the treaty of 1803, in full propriety, sovereignty and dominion, as she had acquired and held it; by which this government put itself in place of the former sovereigns, and became invested with all their rights, subject to their concomitant obligations to the inhabitants. Both were regulated by the law of nations, according to which the rights of property are protected, even in the case of a conquered country; and held sacred and inviolable when it is ceded by treaty, with or without any stipulation to such effect: and the laws, whether in writing, or evidenced by the usage and customs of the conquered or ceded country, continue in force, until altered by the new sovereign. *Strother v. Lucas*, 12 Peters, 410.

No principle can be better established by the authority of the Supreme Court, than "that the acts of an officer, to whom a public duty is assigned by his king, within the sphere of that duty, are *prima facie* taken to be within his power." The principles on which it rests, are believed to be too deeply founded in law and reason, ever to be successfully assailed. He who would controvert a grant executed by the lawful authority, with all the solemnities required by law, takes on himself the burden of showing that the officer has transcended the powers conferred upon him; or that the transaction is tainted with fraud. *Ibid.*

Where the act of an officer to pass the title to land according to the Spanish law, is done contrary to the written order of the king, produced at the trial, without any explanation; it shall be presumed that the power has not been exceeded; that the act was done on the motive set out therein; and according to some order known to the king and his officers, though not to his subjects; and courts ought to require very full proof, that he had transcended his powers, before they so determine it. *Ibid.*

In favour of long possession and ancient appropriation, every thing which was done shall be presumed to have been rightfully done; and though it does not appear to have been done, the law will presume that whatever was necessary has been done. *Ibid.*

The stipulations of the treaty ceding Louisiana to the United States affording that protection or security to claims under the French or Spanish government to which the act of Congress refers, are in the first, second, and third articles. They extended to all property until Louisiana became a member of the Union; into which the inhabitants were to be incorporated as soon as possible, "and admitted to all the rights, advantages and immunities of citizens of the United States." The perfect inviolability and security of property is among these rights. *Delassus v. The United States*, 9 Peters, 117.

The right of property is protected and secured by the treaty, and no principle is better settled in this country, than that an inchoate title to lands is property. This right would have been sacred, independent of the treaty. The sovereign who acquires an inhabited country, acquires full dominion over it; but this dominion is never supposed to divest the vested rights of individuals to property. The language of the treaty ceding Louisiana, excludes any idea of interfering with private property. *Ibid.*

On the 15th of April, 1802, the lieutenant-governor of Upper Louisiana granted sixteen hundred arpents of land near certain rivers named in the grant, with directions to survey the same in a vacant place of the royal domain; but no survey was made before the cession of Louisiana to the United States. By the court—As the grant contained no description of the land granted, and was not located within the time prescribed by the act of Congress of the 10th of March, 1804, it comes directly within the point decided by the Supreme Court in the case of *John Smith, T.*, and cannot be confirmed. *Wherry v. The United States*, 10 Peters, 338.

In repeated decisions the Supreme Court have affirmed the authority of local governors, under the crown of Spain, to grant land in Louisiana, before the same was ceded by Spain to France: and the court have also affirmed the validity of descriptive grants, though not surveyed before the 11th of March, 1804, in Missouri, and the 24th of January, 1818, in Florida. *Mackey v. The United States*, 10 Peters, 340.

A grant or concession made by an officer who is by law authorized to make it, carries with it *prima facie* evidence that it is within his powers. No excess of them, or departure from them, is to be presumed. He violates his duty by such excess, and is responsible for it. He who alleges that an officer intrusted with an important duty has violated his instructions, must show it. *Delassus v. The United States*, 9 Peters, 117.

The instructions of governor O'Reilly, relative to granting lands in Louisiana, were considered by the court in *S Peters*, 455. These regulations were intended for the general government of subordinate officers, and not to control and limit the power of the person from whose will they emanated. The Baron De Carondelet must be supposed to have had all the powers which had been vested in Don O'Reilly, and a concession ordered by him is as valid as a similar concession directed by governor O'Reilly, would have been. *Ibid.*

A concession of land was made by the lieutenant-governor of Upper Louisiana, at the time when the power of granting lands was vested in the governors of provinces. This power was, in 1799, after the concession, transferred to the intendant-general: and after this transfer, in January, 1800, the order of survey of the land was made by the lieutenant-governor. The validity of the order of survey depends on the authority of the lieutenant-governor to make it. The lieutenant-governor was also a sub-delegate, and as such was empowered to make inchoate grants. The grant was confirmed. *Chouteau's heirs v. the United States*, 9 Peters, 137.

The transfer of the power to make concessions of lands belonging to the royal domain of Spain, from the governor-general to the intendant-general, did not affect the power of the sub-delegate, who made this concession. The order in this case is the foundation of title, and is, according to the act of

Claims to be  
classified, &c.

to be appointed by the President of the United States, by and with the advice and consent of the Senate, to examine all the unconfirmed claims to land in that state, heretofore filed in the office of the said recorder, according to law, founded upon any incomplete grant, concession, warrant, or order of survey, issued by the authority of France or Spain, prior to the tenth day of March, one thousand eight hundred and four; and to class the same so as to show, first, what claims, in their opinion, would in fact have been confirmed, according to the laws, usages, and customs of the Spanish government, and the practice of the Spanish authorities under them, at New Orleans, if the government under which said claims originated had continued in Missouri; and secondly what claims, in their opinion, are destitute of merit, in law or equity, under such laws, usages, customs, and practice of the Spanish authorities aforesaid; and shall also assign their reasons for the opinions so to be given. And in examining and classing such claims, the recorder and commissioners shall take into consideration, as well the testimony heretofore taken by the boards of commissioners and recorder of land titles upon those claims, as such other testimony as may be admissible under the rules heretofore existing for taking such testimony before said boards and recorder: and all such testimony shall be taken within twelve months after the passage of this act.

Time for taking  
testimony.

Office of recorder to remain open for two years.

Recorder, &c., to proceed, &c.

SEC. 2. *And be it further enacted*, That the office of the recorder shall be open for the purposes of such examination for the term of two years from the date of the organization of the board of commissioners and no longer; and the recorder and commissioners shall proceed in the examination in a summary manner, with or without any new application of

Congress on the subject of confirming titles to lands in Missouri, &c., and the general understanding and usage of Louisiana and Missouri, capable of being perfected into a complete title. It is property, capable of being alienated, of being subjected to debts: and is, as such, to be held as sacred and inviolate as other property. *Ibid.*

A concession of one league square of land, in Upper Louisiana, was made by Don Zenon Trudeau, the lieutenant-governor of that province, to Auguste Chouteau, and a decree made by him directing the surveyor-general of the province to put him in possession of the land, and to survey the same, in order to enable Chouteau to solicit a complete title thereto from the governor-general, who by the said decree was informed that the circumstances of Chouteau were such as entitled him to a grant of the land. The land was surveyed, and the grantee put in full possession of it on the 20th of December, 1803. He retained possession of it until his death. The objection to the validity of the concession was, that the petitioner had not as many tame cattle as the eighth regulation of governor O'Reilly, governor-general of Louisiana, required. That regulation required that the applicant for a grant of a league square of land should make it appear that he is possessed of one hundred head of tame cattle, some horses and sheep, and two slaves to look after them, a proportion which shall always be observed for the grants, &c. By the Court—In the spirit of the decisions which have been heretofore made by the Supreme Court, and of the acts of confirmation passed by Congress, the fact that the applicant possessed the requisite amount of property to entitle him to the land he solicited, was submitted to the officer who decided on the application; and he is not bound to prove it to the court, which passes on the validity of the grant. These incomplete titles were transferable, and the assignee might not possess the means of proving the exact number of cattle in possession of the petitioner when the concession was made. The grant was confirmed. *Ibid.* 147.

If the court can trust the information received on this subject, neither the governor nor the intendant-general has ever refused to perfect an incomplete title granted by a deputy-governor or a sub-delegate. *Ibid.*

The regulation made by Don O'Reilly, as to the quantity of land to be granted to an individual, is not that no individual shall receive grants for more than one league square, but that no grant shall exceed a league square. The words of the regulation do not forbid different grants to the same person, and, so far as the court are informed, it has never been so construed. *Ibid.*

Under the act of February 17, 1815, ch. 45, a New Madrid certificate could be located upon lands before they were offered for sale under a proclamation of the President, or even surveyed by the public surveyor. *Barry v. Gamble*, 3 Howard, 32.

The act of April 26, 1822, ch. 40, recognised locations of this kind, although they disregarded the sectional lines by which the surveys were afterwards made. *Ibid.*

Under the acts of 1805, 1806, and 1807, it was necessary to file the evidence of an incomplete claim under French and Spanish authority, which bore date anterior to 1800, as well as those which were dated subsequent to that day; and in case of neglect, the bar provided applied to both of these classes. *Ibid.*

A title, resting on a permit and warrant of survey, dated before the 1st of October, 1800, without any settlement or survey having been made, was an incomplete title, and within those acts. *Ibid.*

And although the acts of 1824 and 1828 remove the bar as it respected the United States, yet having excepted such lands as have been sold, or otherwise disposed of by the United States, and saved the right or title of adverse claimants, these acts protected a New Madrid claim, which had been located while this bar continued. *Ibid.*

the claimants; and shall, at the commencement of each session of Congress during said term of examination, lay before the commissioner of the general land office a report of the claims so classed, stating therein the date and quantity of each, whether there be any, and what, conflicting claims, and the evidence upon which each claim depends, and the authority and power under which the said claim was granted by the Spanish or French governor, commandant or sub-delegate, to be laid before Congress for their final decision upon the claims contained in such first class.

SEC. 3. *And be it further enacted*, That from and after the final report of the recorder and commissioners, the lands contained in the second class shall be subject to sale as other public lands; and the lands contained in the first class shall continue to be reserved from sale as heretofore, until the decision of Congress shall be made thereon; and if the decision of Congress shall be against the claims, or any of them, the lands so decided against shall be, in like manner, subject to sale as other public lands: *Provided*, That actual settlers being housekeepers upon such lands as are rejected, claiming to hold, under such rejected claim, or such as may waive their grant, shall have the right of pre-emption to enter within the time of the existence of this act not exceeding the quantity of their claim, which in no case shall exceed six hundred and forty acres, to include their improvements, who shall give notice and prove their right of pre-emption, and in all things conform to the regulations as have been or may be prescribed by the Secretary of the Treasury under the existing laws relative to pre-emption; and it shall be the duty of the Secretary of the Treasury immediately to forward to the several land offices in said state, the manner in which all those who may wish to waive their several grants or claims, and avail themselves of the right of pre-emption, shall renounce or release their said grants.

SEC. 4. *And be it further enacted*, That the recorder and commissioners shall each receive the sum of fifteen hundred dollars per annum, to be paid quarter yearly by the United States, in full compensation for their services under this act; and may, when necessary, employ an interpreter of the French or Spanish language, for a reasonable compensation, to be allowed by the Secretary of the Treasury, and paid by the United States.

SEC. 5. *And be it further enacted*, That it shall be lawful for the heirs of Carlos de Villemont to submit the evidence of their claim to a tract of land in Arkansas territory, to a place called "Chicot point," to the said recorder and commissioners, and it shall be the duty of said recorder and commissioners to report upon said claim in the manner that other claims provided for in this act are to be reported and proceeded upon.

APPROVED, July 9, 1832.

A report of claims to be laid before commissioner, and presented to Congress.

Provisions relating to sale of certain lands.

Proviso.

Pay of recorder and commissioners.

Interpreter may be employed.

Heirs of Carlos de Villemont may submit evidence of claim. Report thereon.

STATUTE I.

July 9, 1832.

CHAP. CLXXXI.—*An Act to amend an act entitled "An act for the relief of purchasers of the public lands that have reverted for non-payment of the purchase money, passed twenty-third day of May, one thousand eight hundred and twenty-eight."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in all cases where public lands have been purchased, on which a further credit has been taken under the provisions of the act of the second March, one thousand eight hundred and twenty-one, or under any other act of Congress granting relief to the purchasers of the public lands, and have reverted to the United States for failure to pay the purchase money, or have been sold by the United States by reason of such failure to pay, it shall be the duty of the register of the land office where the purchase was made, to issue

Act of May 23, 1828, ch. 71.

Register to issue certificates to purchasers of public lands for amount paid, &c.

1821, ch. 12.

Certificates to be as cash in payment of public lands.

Commissioner and registers to be governed by provisions of act of May 23, 1828, ch. 71.

Excess paid on lands relinquished, when it exceeds \$10, to be certified, and received in payment for public lands.

Duplicate of lost or destroyed certificate.

1828, ch. 71.

upon application, to the person or persons legally entitled to the benefit of payments made previous to such reversion or sale, his, her or their legal representatives or assigns, a certificate for the amount so paid and not refunded, which shall be received and credited as cash in payment of any public lands that may hereafter be sold by the United States, in the state or territory in which such original purchase was made.

SEC. 2. *And be it further enacted*, That it shall be the duty of the commissioner of the general land office and of the registers as aforesaid, to conform to, and be governed by, the provisions of the act aforesaid, to which this is an amendment, passed the twenty-third day of May, one thousand eight hundred and twenty-eight as aforesaid.

SEC. 3. *And be it further enacted*, That where the lands have been relinquished to the United States under the provisions of the act of second March, one thousand eight hundred and twenty-one, as aforesaid, or other acts of Congress, and the money paid thereon has, in part, been applied in the payment of other lands, if the payment so made on lands retained be less than the amount paid on the relinquished lands, when such excess exceeds the sum of ten dollars, it shall be the duty of the register of the land office where the transfer of payment was made, to issue a certificate for such excess to the person or persons entitled thereto and in the manner pointed out in the first section of this act; which certificate shall be received in payment of the purchase of the public lands as pointed out in said section.

SEC. 4. *And be it further enacted*, That on proof being made, satisfactory to the Secretary of the Treasury, that any certificate issued under this act, or that has been, or may be, issued under the said act of the twenty-third of May, Anno Domini one thousand eight hundred and twenty-eight, has been lost or destroyed by accident, he is hereby authorized to issue to the legal owner thereof, a duplicate of such original certificate, which shall be, in all respects, as available to the owner as the original certificate would have been.

APPROVED, July 9, 1832.

#### STATUTE I.

July 9, 1832.

CHAP. CLXXXII.—*An Act to alter the times of holding the district court of the United States for the state of Illinois. (a)*

District court to be held on the fourth Monday of May, annually.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the term of the district court of the United States for the district of Illinois, which is now directed by law to be held on the first Monday of May, shall hereafter be held on the fourth Monday of May in each year; and all process which may have issued, or which may hereafter issue, returnable on the said first Monday of May, as heretofore directed, shall be held returnable, and be returned, on the fourth Monday of May in each year.

APPROVED, July 9, 1832.

(a) Acts relating to the district court of the United States in the territory and state of Illinois.

An act regulating and defining the duties of the United States' judges for the territory of Illinois. March 3, 1815, ch. 98.

An act supplemental to "An act regulating and defining the duties of the United States' judges for the territory of Illinois," &c. April 29, 1816, ch. 154.

An act to provide for the due execution of the laws of the United States within the state of Indiana. March 3, 1817, ch. 100.

An act respecting the jurisdiction of certain district courts. February 19, 1831, ch. 28.

An act supplementary to the act entitled "An act to amend the judicial system of the United States." March 3, 1837, ch. 34, sec. 3.

An act to change the times of holding the circuit and district courts of the United States in the seventh circuit. March 10, 1838, ch. 33.

CHAP. CLXXXIV.—*An Act to authorize the Secretary of the Treasury to compromise the claim of the United States on the Farmers and Mechanics' Bank of Indiana.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he hereby is, authorized to compromise, and finally settle the claim of the United States on the Farmers and Mechanics' Bank of Indiana, on such terms as he may deem most conducive to the best interests of the United States.

APPROVED, July 9, 1832.

STATUTE I.

July 9, 1832.

Claim to be compromised and settled.

CHAP. CLXXXVI.—*An Act to finish the rebuilding of the frigate Macedonian.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for the purpose of finishing the rebuilding of the frigate Macedonian, the sum of two hundred and seven thousand nine hundred and eighty-four dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, July 10, 1832.

STATUTE I.

July 10, 1832.

Appropriation.

CHAP. CLXXXVII.—*An Act to provide for paying certain arrearages for surveys made by naval officers, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for defraying the extra services and expenses of the officers of the navy, engaged in the survey of our coasts and harbours the past and present years, the sum of four thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be applied and expended under the direction and control of the Secretary of the Navy.

Sec. 2. *And be it further enacted,* That the sum of four hundred and eighty-seven dollars and eighty cents be, and the same is hereby appropriated, to pay the balance due Lieutenant Charles Wilkes, for purchasing, drafting, and superintending the making of the astronomical instruments for the exploring expedition; to be paid out of any money in the treasury not otherwise appropriated.

Sec. 3. *And be it further enacted,* That, from and after the passage of this act, the commander of the navy yard at the city of Washington shall cease to act as navy agent; and that portion of the act of the twenty-seventh of March, one thousand eight hundred and four, which made it his duty so to do, shall be, and the same is hereby, repealed, and a separate and permanent agent shall be appointed as in other cases, in the same manner, entitled to the same compensation, and under the same responsibilities, and to be governed by the same laws and regulations which now are, or may hereafter be adopted for other navy agents; and it shall be his duty to act as agent not only for the navy yard in this city, but for the Navy Department, under the direction of the secretary thereof, in the payment of such accounts and claims as the said secretary may direct.

APPROVED, July 10, 1832.

STATUTE I.

July 10, 1832.

Appropriation for expenses of naval officers surveying coasts and harbours.

Appropriation to pay balance due Lieutenant Charles Wilkes.

Commander of navy yard at Washington to cease to act as navy agent.  
1804, ch. 53.

Permanent agent for Navy Department.

## STATUTE I.

July 10, 1832.

CHAP. CLXXXVIII.—*An Act to provide for rebuilding the frigate Java and the sloop Cyane.*

Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of fifty thousand five hundred dollars be, and the same is hereby, appropriated, payable out of any money in the treasury not otherwise appropriated, for the purpose of purchasing timber to rebuild the frigate Java and the sloop Cyane.

APPROVED, July 10, 1832.

## STATUTE I.

July 10, 1832.

CHAP. CLXXXIX.—*An Act to provide for completing the navy hospital at Norfolk, and the navy asylum at Philadelphia, and to furnish them in part.*

[Obsolete.]  
Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be paid to the commissioners of the navy hospital fund, and for the use thereof, out of any money in the treasury not otherwise appropriated.

For completing the navy hospital at Norfolk, thirty-one thousand dollars.

For providing fixtures, furniture, and apparatus therefor, six thousand six hundred dollars.

For completing the navy asylum at Philadelphia, twenty-seven thousand three hundred dollars.

For providing fixtures, furniture, and apparatus for one wing thereof, six thousand six hundred dollars.

APPROVED, July 10, 1832.

## STATUTE I.

July 10, 1832.

CHAP. CXC.—*An Act authorizing the construction of naval hospitals at the navy yards at Charlestown, Massachusetts, Brooklyn, New York, and Pensacola.*

Naval hospitals  
to be construct-  
ed.

*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, under the direction of the President of the United States, to cause to be constructed, for the use of the navy of the United States, proper hospitals at or near each of the following places, to wit: the navy yard at Charlestown, Massachusetts, the navy yard, Brooklyn, New York, and the navy yard, Pensacola.

Appropriation.

SEC. 2. *And be it further enacted,* That there be, and hereby is, appropriated for the construction of such hospital at Charlestown aforesaid, twenty-six thousand dollars; at Brooklyn aforesaid, twenty thousand dollars; and at Pensacola, thirty thousand dollars; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 10, 1832.

## STATUTE I.

July 10, 1832.

CHAP. CXCI.—*An Act to carry into effect the act to provide for a survey of the coast of the United States.* (a)

Appropriation  
for surveying  
coasts.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for carrying into effect the act, entitled "An act to provide for surveying the coasts of the United States," approved on the tenth day of February, one thousand eight hundred and seven, there shall be, and hereby is, appropriated, a sum not exceeding twenty thousand dollars, to be paid out of any money in the

(a) Act of February 10, 1807, vol. ii. p. 413.

Notes of acts relating to the survey of the coasts of the United States, vol. ii. p. 414.



treasury not otherwise appropriated; and the said act is hereby revived, and shall be deemed to provide for the survey of the coasts of Florida, in the same manner as if the same had been named therein.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, in and about the execution of the said act, to use all maps, charts, books, instruments, and apparatus, which now, or hereafter may belong to the United States, and employ all persons in the land or naval service of the United States, and such astronomers and other persons as he shall deem proper: *Provided*, That nothing in this act, or the act hereby revived, shall be construed to authorize the construction or maintenance of a permanent astronomical observatory.

President authorized to use maps, &c., and to employ persons.

Proviso.

APPROVED, July 10, 1832.

STATUTE I.

CHAP. CXCII.—*An Act to provide iron tanks for the use of the navy of the United States.*

July 10, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That for the purchase of iron tanks for the use of the vessels of war of the United States, in commission, the sum of one hundred and thirty-one thousand seven hundred and ninety-five dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

Appropriation.

APPROVED, July 10, 1832.

STATUTE I.

CHAP. CXCIII.—*An Act to establish additional land districts in the state of Alabama, and for other purposes.*

July 10, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the tract of country in the state of Alabama ceded to the United States by a treaty concluded with the Creek tribe of Indians, at the city of Washington, on the twenty-fourth day of March, one thousand eight hundred and thirty-two, shall be divided into, and constitute two land districts, by extending through the same, east and west, the line between township number twenty-two, south of the base line of the Huntsville district, and township number twenty-four, north of the thirty-first degree of latitude.

Two land districts established.

SEC. 2. *And be it further enacted*, That all the land in said ceded territory, south of said dividing line, shall be sold at the town of Montgomery, and said district shall be called the Talapoosa district; and all the land in said ceded territory, north of said dividing line, shall be sold at the town of Montevallo, and said district shall be called the Coosa district: *Provided, however*, That the President of the United States may, if he shall deem it expedient, remove either, or both, of the said land offices to any other point in the respective districts, for which they are established.

Land office for Talapoosa district. For the Coosa district.

Proviso.

SEC. 3. *And be it further enacted*, That there shall be a register and receiver appointed to each of the aforesaid land offices, to superintend the sales of the public lands in their respective districts, who shall reside at the places designated, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed of at their offices as are, or may be, provided by law in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

Registers and receivers to be appointed.

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 surveys to be deposited.

proper plats of the surveys of said districts to be deposited in the land offices intended for them respectively.

Pay of register and receiver to begin when surveys are completed.

Country acquired by Choctaw treaty, attached to separate district.

SEC. 5. *And be it further enacted*, That the compensation of the registers and receivers, to be appointed for the land districts hereby established, shall not commence till after the surveys shall have been completed.

SEC. 6. *And be it further enacted*, That all that portion of country acquired by the treaty with the Choctaw nation of Indians, within the state of Alabama, south of township nineteen, shall be offered for sale at the Saint Stephen's land office, and the residue shall be attached to the Tuscaloosa land district, and be offered for sale at that place.

APPROVED, July 10, 1832.

#### STATUTE I.

July 10, 1832.

CHAP. CXCIV.—*An Act for the regulation of the navy and privateer pension and navy hospital funds. (a)*

Commissioners to close all their accounts of certain funds, and pay the balance to the Treasurer for the use of the Secretary of the Navy, &c.

Release of commissioners.

Secretary of the Navy made trustee.

Applications for pensions.

Moneys to be invested.

Secretary of the Treasury to sell stock, and receive navy pension funds in payment.

Accounts to be kept of certain funds, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the commissioners of the navy pension and navy hospital funds be, and they are hereby, directed to close all their accounts as trustees of said funds, and to pay over the balance of cash in their hands, and to assign over and transfer all the certificates of stock, and other property belonging to said funds, and to the privateer pension fund, to the treasurer of the United States, for the use of the Secretary of the Navy, for the payment of navy and privateer pensions, and for expenditures on account of navy hospitals, et cetera; and as soon as said assignment and transfer shall be made, the said commissioners shall be, and they are hereby, released and discharged from all further trust connected with said funds, and the Secretary of the Navy be, and he is hereby, constituted the trustee of said funds; and as such, it shall be his duty to receive applications for pensions, and to grant the same according to the terms of the acts of Congress in such case made and provided, and to direct and control the expenditures out of the navy hospital fund.

SEC. 2. *And be it further enacted*, That the balance of cash now on hand, and all moneys that may hereafter arise to said pension funds from stocks redeemed, or from any other source, shall be immediately invested, under the direction of the Secretary of the Navy, in the bank stock of the Bank of the United States; and that the Secretary of the Treasury be, and hereby is, authorized to sell so much of the stock of the United States in said bank, at the par value thereof, as said navy pension funds will pay for; and to receive said navy pension funds, in payment thereof; the said bank stock to be held in the name of the treasurer of the United States for the purposes aforesaid.

SEC. 3. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized and required to cause books to be opened, and regular accounts to be kept, showing the condition of the navy and privateer pension funds, the receipts and expenditures thereof, the names of the pensioners, and the dates and amount of their respective pensions, with a statement of the act or acts of Congress under which the same

(a) Acts relating to the navy pension fund :—

An act for the government of the navy of the United States, March 2, 1799, ch. 24, sec. 9, 10.

An act for the better government of the navy of the United States, April 23, 1800, ch. 33, sec. 9, 10.

An act in relation to the navy pension fund, March 26, 1804, ch. 48.

An act providing navy pensions in certain cases, Jan. 20, 1813, ch. 10.

An act in addition to an act, entitled "An act in relation to the navy pension fund," April 16, 1816, ch. 56.

An act for the regulation of the navy and privateer pension fund and navy hospital fund, July 10, 1832, ch. 194.

An act to continue the office of commissioner of pensions, and to transfer the business heretofore transacted in the Navy Department to that office, March 4, 1840, ch. 4.

may be granted; and that he shall annually report to Congress an abstract, showing the condition of these funds in all these particulars, and the receipts and expenditures during the year; and cause a similar account of the receipts and expenditures of the navy hospital fund, to be kept and reported to Congress, annually, in like manner, and at the same time, with the reports upon the pension funds.

Abstract to be reported to Congress, annually.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy shall be, and he is hereby, authorized to appoint a clerk, who shall perform all the duties which shall be required of him in relation to said funds; and shall receive as a full compensation for his services, and in lieu of all commissions or other allowances, a salary of one thousand six hundred dollars, to be paid quarter-yearly, out of the treasury of the United States.

Clerk.

Salary.

SEC. 5. *And be it further enacted*, That all the powers conferred, and duties imposed by laws now in force, on the commissioners of the navy and privateer pension and navy hospital funds, be, and they are hereby, transferred to the Secretary of the Navy; and all acts, and parts of acts, contrary to the provisions of this act, be, and they are hereby, repealed.

Powers and duties of commissioners transferred to the Secretary of the Navy.

APPROVED, July 10, 1832.

STATUTE I.

July 13, 1832.

CHAP. CXCVI.—*An Act to extend the provisions of the act, entitled "An act regulating commercial intercourse with the islands of Martinique and Guadaloupe," approved the ninth of May, one thousand eight hundred and twenty-eight, and to refund the tonnage duties on the French ship Victorine. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the privileges which are extended by the act, entitled "An act regulating commercial intercourse with the islands of Martinique and Guadaloupe," approved the ninth of May, one thousand eight hundred and twenty-eight, to French vessels laden and coming direct from those islands, shall be extended to vessels coming in the same manner, in ballast, subject, nevertheless, to the proviso contained in said act.

Privileges of act of May 9, 1828, ch. 49, extended to vessels in ballast.

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 tonnage duty as may have been collected, by the collector of the port of New York, upon the French ship Victorine, and which is referred to in the letter of the French minister to the Secretary of State, dated the fourth of November last.

Tonnage duty on the Victorine to be refunded.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CXCVII.—*An Act giving the assent of Congress to an act of the legislature of North Carolina, entitled "An act to incorporate a company, entitled the Roanoke Inlet Company, and for other purposes;" and also, to an act amendatory thereof, which passed in one thousand eight hundred and twenty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the assent of Congress be, and the same is hereby given, so far as the same may be necessary to the validity thereof, to an act of the legislature of the state of North Carolina, entitled "An act to incorporate a company entitled the Roanoke Inlet Company, and for other purposes;" and, also, to an act of the said legislature to amend the former, which passed in the year one thousand eight hundred and twenty-eight.

Assent of Congress to acts of North Carolina.

(a) See notes to the act of January 7, 1824, ch. 4, for the acts relating to discriminating duties, ante, p. 2.

Assent extended to any act to revive, &c., the aforesaid acts.

SEC. 2. *And be it further enacted*, That the assent hereby given to the several acts aforesaid, shall be deemed and taken to extend to the provisions of any act which may be passed by the legislature of the state of North Carolina, to revive, amend, or carry into full effect the purpose of the acts aforesaid, so far as the assent of Congress may be deemed essential to the validity thereof.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CXCVIII.—*An Act making appropriations for a custom-house in the city of New York, and for other purposes.*

Purchase of site, and erection of building for a custom-house in the port of New York.

*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 shall be, and he is hereby, authorized and directed, with the approbation of the President of the United States, to purchase a site, and to cause a building to be constructed thereon to be used as a custom-house in the port of New York; and that the sum of two hundred thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be applied to the purposes aforesaid.

Appropriation.

Custom-house Square, at New Haven.

SEC. 2. *And be it further enacted*, That for the improvement of Custom-house Square at the port of New Haven, in the state of Connecticut, nine hundred dollars be, and the same is hereby appropriated, to be expended under the direction of the Secretary of the Treasury, provided the same shall by him be deemed expedient; to be paid out of any money in the treasury not otherwise appropriated.

Appropriation.

Custom-house, &c., at Middletown;

SEC. 3. *And be it further enacted*, That the following sums be appropriated, out of any moneys in the treasury not otherwise appropriated, for the purposes hereinafter mentioned, viz: for the erection or purchase of a custom-house and public store at the port of Middletown, five thousand dollars; for the erection or purchase of a custom-house and public store at the port of New London, five thousand dollars; for the purchase of a lot, and the erection of a custom-house and public store at the port of New Bedford, fifteen thousand dollars; and for the purchase of a custom-house at the port of Kennebunk, sixteen hundred dollars; for completing the custom-house and fence around it, of the port of Newport, five hundred dollars.

New London;

New Bedford; Kennebunk; Newport.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

[Obsolete.]

CHAP. UXCIX.—*An Act to carry into effect the convention between the United States and his majesty the King of the French, concluded at Paris on the fourth of July, one thousand eight hundred and thirty-one.*

Commissioners to be appointed to examine all claims under the convention with France.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States, by and with the advice and consent of the Senate, shall appoint three commissioners, who shall form a board, whose duty it shall be to receive and examine all claims which may be presented to them under the convention between the United States and France, of the fourth of July, one thousand eight hundred and thirty-one, which are provided for by the said convention, according to the provisions of the same, and the principles of justice, equity, and the law of nations. The said board shall have a secretary, versed in the English, French, and Spanish languages, and a clerk, both to be appointed by the President, by and with the advice and consent of the Senate; and the commissioners, secretary, and clerk, shall, before they enter on the duties of their offices, take oath well and faithfully to perform the duties thereof.

Secretary and clerk.

SEC. 2. *And be it further enacted*, That the said commissioners shall be, and they are hereby, authorized to make all needful rules and regulations, not contravening the laws of the land, the provisions of this act, or the provisions of the said convention, for carrying their said commission into full and complete effect.

Rules and regulations.

SEC. 3. *And be it further enacted*, That the board so constituted shall meet on the first Monday of August next at the city of Washington; and, within two years from the time of its meeting, shall terminate its duties. And the Secretary of State is required forthwith, after the passing of this act, to give notice of the said meeting; to be published in two newspapers in Washington, and in such other papers as he may think proper.

Time of meeting and termination of duties.

Notice of meeting.

SEC. 4. *And be it further enacted*, That all records, documents, or other papers, which now are in, or hereafter, during the continuance of this commission, may come into the possession of the Department of State, in relation to such claims, shall be delivered to the commission aforesaid.

Records, &c. to be delivered to commission.

SEC. 5. *And be it further enacted*, That the compensation of the respective officers, for whose appointment provision is made by this act, shall not exceed the following sums, namely: to each of the said commissioners, at the rate of three thousand dollars per annum; to the secretary of the board at the rate of two thousand dollars per annum; and to the clerk, at the rate of fifteen hundred dollars per annum. And the President of the United States shall be, and he is hereby authorized to make such provision for the contingent expenses of the said commission, as shall appear to him reasonable and proper; and the said salaries and expenses shall be paid out of any money in the treasury not otherwise appropriated.

Pay of commissioners, secretary, and clerk.

Contingent expenses of commission.

SEC. 6. *And be it further enacted*, That the said commissioners shall report to the Secretary of State a list of the several awards made by them; a certified copy whereof shall be by him transmitted to the Secretary of the Treasury, who shall thereupon distribute, in rateable proportions, among the persons in whose favour the awards shall have been made, such moneys as may have been received into the Treasury in virtue of this act, according to the proportions which their respective awards shall bear to the whole amount then received, first deducting such sums of money as may be due the United States from said persons in whose favour said awards shall be made; and shall also cause certificates to be issued by the Secretary of the Treasury, in such form as he may prescribe, showing the proportion to which each may be entitled of the amount that may thereafter be received; and, on the presentation of the said certificates at the treasury, as the net proceeds of the general instalments, payable by the French government, shall have been received, such proportions thereof shall be paid to the legal holders of the said certificates.

List of awards to be reported to Secretary of State, and certified copy to Secretary of Treasury, who shall distribute, &c.

Certificates to be issued.

SEC. 7. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause the several instalments, with the interest thereon, payable to the United States in virtue of the said convention, to be received from the French government, and transferred to the United States, in such manner as he may deem best, and the net proceeds thereof to be paid into the treasury; and, on the payment of the proceeds of each of the said instalments, there shall be set apart, of the money in the treasury, such further sum as would have been received from the net proceeds of such instalment, if the reservation stipulated by the fourth article of said convention had not been deducted; and the moneys which may be thus set apart, together with those which may be received into the treasury under this act, shall be, and the same are hereby, appropriated, to satisfy the awards herein provided for.

Instalments to be transferred to United States, and net proceeds paid into the treasury.

Sum to be set apart, &c.

Appropriation.

SEC. 8. *And be it further enacted*, That all communications to or from

Communications free.

the secretary of the board of commissioners, on the business of the commission, shall pass by mail free of postage.

Records, &c.  
to be deposited  
in State Depart-  
ment.

SEC. 9. *And be it further enacted*, That, as soon as said commission shall be executed and completed, the records, documents, and all other papers, in the possession of the commission or its officers, shall be deposited in the office of the Secretary of State.

Rates of du-  
ties on French  
wines for ten  
years.

SEC. 10. *And be it further enacted*, That, for the term of ten years, from and after the second day of February, one thousand eight hundred and thirty-two, wines, the produce of France, shall be admitted into the United States on paying duties not exceeding the following rates on the gallon, (such as is at present used in the United States,) that is to say: six cents for red wines in casks, ten cents for white wine in casks, and twenty-two cents for wine of all sorts in bottles. (a)

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CC.—*An Act to carry into effect certain Indian treaties.*

Appropriation  
for expenses of  
emigrating In-  
dians.

*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 fifty-seven thousand six hundred and ninety-four dollars be, and the same is hereby, appropriated, in addition to the balance remaining unexpended in the treasury, already appropriated to defray the expenses of transporting and subsisting such portions of the various tribes of Indians as have heretofore emigrated west of the Mississippi, or as may emigrate during the present year, in conformity with the provisions of various treaties entered into with them: For the payment of the account of John Drew, a Cherokee Indian, three thousand four hundred and thirty-five dollars and thirteen cents. For the payment of John W. Flowers, a Cherokee Indian, five hundred dollars.

John Drew to  
be paid.

J. W. Flowers  
to be paid.

Unsatisfied  
claims of Che-  
rokee Indians to  
be paid.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized and directed to cause any unsatisfied claims of John W. Flowers, Nicholas Miller, William Drew, and Joseph Rogers, Cherokee Indians, for stock lost by them, respectively, by spoliations committed by citizens of the United States, in the years one thousand eight hundred and twenty-eight, and one thousand eight hundred and twenty-nine, in the territory in Arkansas, ceded to the United States by the Cherokee tribe of Indians, in the month of May, one thousand eight hundred and twenty-eight, to be settled and paid in the same manner as if such spoliations had been committed before the cession of the said territory, on the principles of the act of Congress, approved March thirtieth, one thousand eight hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers;" and that the Secretary of War be directed to endeavour to ascertain the names of the persons who committed the depredations upon the property of said Indians, and take suitable steps for the prosecution and punishment of such persons; and also for the recovery of the value of the property plundered or destroyed by them.

Act of March  
30, 1802, ch. 13.

SEC. 3. *And be it further enacted*, That the said sums be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CCI.—*An Act extending further the right of debenture to the port of Key West, and altering the limits of the district of Key West.*

Certain ves-  
sels admitted to

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

(a) See notes of acts relative to discriminating duties, vol. iv. p. 2.

merchandise, arriving in the United States, from and after the first day of August next, from the Cape of Good Hope, or from any place beyond the same, shall be admitted to make entry at the port of entry of Key West.

make entry at Key West.

SEC. 2. *And be it further enacted*, That, hereafter, all the ports, harbours, shores and waters, of that part of Florida extending from Indian river to Tampa bay, and of the islands opposite and nearest thereto, be, and the same are hereby, annexed to, and shall form a part of, the collection district of Key West.

Collection district of Key West extended.

SEC. 3. *And be it further enacted*, That the proviso of the third section of the act of the seventh of May, one thousand eight hundred and twenty-two, be, and the same is hereby, repealed, so far as respects the port of Key West, together with all such other parts of said act as are inconsistent with the provisions of the present act.

Proviso of 3d section of act of May 7, 1822, ch. 62, repealed.

APPROVED, July 13, 1832.

STATUTE I.

CHAP. CCII.—*An Act authorizing the entry of vessels and merchandise arriving from the Cape of Good Hope, or beyond the same, at the port of Edgartown, in Massachusetts.*

July 13, 1832.

*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 of August next, all vessels or merchandise, arriving in the United States from the Cape of Good Hope, or from any place beyond the same, may be entered at the port of Edgartown, in Massachusetts.

Certain vessels admitted to entry at Edgartown.

APPROVED, July 13, 1832.

STATUTE I.

CHAP. CCIII.—*An Act concerning the issuing of patents to aliens, for useful discoveries and inventions.*

July 13, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the privileges granted to the aliens described in the first section of the act, to extend the privilege of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the rights of patentees, approved April seventeenth, eighteen hundred, be extended, in like manner, to every alien, who, at the time of petitioning for a patent, shall be resident in the United States, and shall have declared his intention, according to law, to become a citizen thereof: *Provided*, That every patent granted by virtue of this act and the privileges thereto appertaining, shall cease and determine and become absolutely void without resort to any legal process to annul or cancel the same in case of a failure on the part of any patentee, for the space of one year from the issuing thereof, to introduce into public use in the United States the invention or improvement for which the patent shall be issued; or in case the same for any period of six months after such introduction shall not continue to be publicly used and applied in the United States, or in case of failure to become a citizen of the United States, agreeably to notice given at the earliest period within which he shall be entitled to become a citizen of the United States.

The privileges granted to aliens extended. Act of April 17, 1800, ch. 25.

Proviso.

APPROVED, July 13, 1832.

STATUTE I.

CHAP. CCIV.—*An Act to enforce quarantine regulations.*

July 13, 1832.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That if, in the opinion of the Secretary of the Treasury, the revenue cutters, revenue boats, or revenue

[Expired.] Act of May 27, 1796, ch. 31.

Secretary of the Treasury to employ aid to enforce quarantine regulations. Act of Feb. 25, 1799, ch. 12.

Act limited to March 4, 1833.

officers, employed or authorized to be employed for the purposes of the revenue, should be insufficient to aid in the execution of the quarantine and health laws of any state, or the regulations made pursuant thereto, the said Secretary may cause to be employed such additional revenue boats and revenue officers as he may deem necessary for that purpose, the said revenue boats to be of such size and description as he may see proper. This act to continue in force until the fourth of March, one thousand eight hundred and thirty-three.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CCV.—*An Act to extend the time of issuing military land warrants to officers and soldiers of the revolutionary army.*

Time extended to January 1, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the time allowed for issuing military land warrants to the officers and soldiers of the revolutionary army shall be extended to the first day of January, eighteen hundred and thirty-five.

Land appropriated, to be applied in the manner provided by the act of May 30, 1830, ch. 215.

SEC. 2. *And be it further enacted,* That the further quantity of three hundred thousand acres of land be, and the same is hereby appropriated, in addition to the quantity heretofore appropriated by the act entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth of May, eighteen hundred and thirty, which said appropriation shall be applied in the manner provided by the said act to the unsatisfied warrants which have been or may be issued as therein directed to the officers and soldiers and others as described in the first, fifth, and seventh sections of said act.

Last paragraph of the first section of said act repealed.

SEC. 3. *And be it further enacted,* That the last paragraph of the first section of the said act which authorizes the issuing of warrants upon an affidavit that the original was lost, and upon the production of an official copy thereof, shall be, and the same is hereby repealed.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CCVI.—*An Act authorizing the Secretary of War to pay to the Seneca tribe of Indians, the balance of an annuity, of six thousand dollars, usually paid to said Indians, and remaining unpaid for the year one thousand eight hundred and twenty-nine.*

Appropriation.

*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 authorized to pay to the Seneca tribe of Indians, the sum of two thousand six hundred and fourteen dollars and forty cents, out of any money in the treasury not otherwise appropriated, that being the balance due on the annuity payable to said Indians for the year one thousand eight hundred and twenty-nine.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CCVII.—*An Act concerning tonnage duty on Spanish vessels. (a)*

No higher duties of tonnage to be levied on Spanish vessels than are paid by Amer. vessels.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That no other or greater duty of tonnage be levied in the ports of the United States on vessels owned wholly by subjects of Spain, coming from a port in Spain, than shall, by the Secretary of the Treasury, be ascertained to have been paid on

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



American vessels in the ports of Spain previous to the twentieth October, one thousand eight hundred and seventeen.

SEC. 2. *And be it further enacted,* That vessels owned wholly by Spanish subjects, coming from any of the colonies of Spain, either directly or after touching at any other port or place, shall pay, in the ports of the United States, the same rate of duty on tonnage that shall be levied on American vessels in the Spanish colonial port from whence such Spanish vessel shall have last departed; the said amount to be ascertained by the Secretary of the Treasury, who is hereby authorized, from time to time, to give directions to the officers of the customs of the United States for the collection of such duties, so as to conform the said duties to any variation that may take place in the duties levied on American vessels in such Spanish ports.

Spanish colonial vessels to pay same tonnage duty as American vessels in Spanish colonial ports.

SEC. 3. *And be it further enacted,* That whenever the President shall be satisfied that the discriminating or countervailing duties of tonnage levied by any foreign nation on the ships or vessels of the United States shall have been abolished, he may direct that the tonnage duty on the vessels of such nation shall cease to be levied in the ports of the United States; and cause any duties of tonnage that may have been levied on the vessels of such foreign nation, subsequent to the abolition of its discriminating duties of tonnage, to be refunded.

The President, in case any foreign nation shall abolish discriminating tonnage duties on Amer. vessels, may direct duties on vessels of such nation to cease, &c. 2d and 3d sections to take effect Jan. 1, 1833.

SEC. 4. *And be it further enacted,* That the second and third sections of this act shall be in force and take effect from and after the first day of January next.

APPROVED, July 13, 1832.

STATUTE I.

CHAP. CCXXI.—*An Act to increase and improve the law department of the library of Congress.*

July 14, 1832.

*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 librarian to prepare an apartment near to, and connected by an easy communication with that in which the library of Congress is now kept, for the purpose of a law library; to remove the law books, now in the library, into such apartment; and to take charge of the law library, in the same manner as he is now required to do of the library of Congress.

Librarian to prepare an apartment for a law library, &c.

SEC. 2. *And be it further enacted,* That the justices of the Supreme Court of the United States shall have free access to the said law library; and they are, hereby, authorized and empowered to make such rules and regulations for the use of the same, by themselves and the attorneys and counsellors, during the sittings of the said court, as they shall deem proper: *Provided,* Such rules and regulations shall not restrict the President of the United States, the Vice President, or any member of the Senate or House of Representatives, from having access to the said library, or using the books therein, in the same manner that he now has, or may have, to use the books of the library of Congress.

Justices of the Supreme Court to have access, and make rules and regulations.

Provido.

SEC. 3. *And be it further enacted,* That the law library shall be a part of the library of Congress, subject to the same regulations, except such alterations as are herein provided for, as now are, or hereafter shall be established for the library of Congress; and the incidental expenses of the law library shall be paid out of the appropriations for the library of Congress.

Law library to be part of library of Congress, &c. Incidental expenses.

SEC. 4. *And be it further enacted,* That there shall be, and hereby is, appropriated, for the present year, a sum not exceeding five thousand dollars, and a further annual sum of one thousand dollars, for the period of five years, to be expended in the purchase of law books; and that the librarian shall make the purchases of the books for the law library, under such directions, and pursuant to such catalogue, as shall be furnished him by the chief justice of the United States.

Appropriations.

APPROVED, July 14, 1832.

## STATUTE I.

July 14, 1832.

[Obsolete.]

Appropriation.

CHAP. CCXXII.—*An Act to provide for completing the removal and erection of the naval monument.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for the purpose of paying the workmen for renewing the inscriptions, and giving uniformity of color to the naval monument, its ornaments and statues, recently removed from the Washington navy yard to the Capitol square, a sum not exceeding two hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, July 14, 1832.

## STATUTE I.

July 14, 1832.

Allowance to officers of the marine corps.

Proviso.

CHAP. CCXXIII.—*An Act concerning certain officers of the marine corps. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he hereby is, authorized to cause to be allowed and paid to such officers of the marine corps, as have heretofore received the brevet rank of majors in said corps, the amount of pay and emoluments to which they would have been entitled as commandants of separate stations, if said brevet rank had been recognised by the Navy Department: *Provided,* That no officer shall receive under this act more than the difference between the pay and emoluments actually received by them, and those to which their said brevet rank would have entitled them as aforesaid.

APPROVED, July 14, 1832.

## STATUTE I.

July 14, 1832.

[Obsolete.]

Appropriations.

CHAP. CCXXIV.—*An Act supplementary to the several acts making appropriation for the civil and military service during the year one thousand eight hundred and thirty-two.*

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

For the pay and mileage of members of both Houses of Congress and delegates, and of the joint committee directed to prepare a code of laws for the District of Columbia, one hundred thousand dollars.

For alterations in the hall of the House of Representatives, and other expenditures on the Capitol, nine hundred and sixty dollars.

For changing the course of Tiber Creek, three thousand two hundred and two dollars.

For planting trees and improving the walk on Pennsylvania avenue, one thousand eight hundred and forty-eight dollars.

For completing the building now erecting in the city of Philadelphia for the mint establishment of the United States, seventeen thousand five hundred dollars.

For the employment of temporary clerks to enable the commissioner of the general land office to bring up the business of his office, five thousand dollars.

For defraying the expense of removing from the burying ground of Rock Creek church to the Congressional cemetery the remains of James Jackson, and James Jones, formerly members of Congress from the

(a) See notes to act of June 30, 1834, ch. 132, for the decision of the Supreme Court as to brevet pay to officers in the marine corps.

Appropriations.

state of Georgia, such sum as shall be requisite, not exceeding five hundred dollars, to be expended under the direction of the clerk of the House of Representatives.

For defraying the increased expenses of the quartermaster's department, incurred in the Indian war, one hundred thousand dollars.

For completing barracks, quarters, hospital and storehouses, at Key West, fifteen thousand dollars.

For the expenses incurred by the Secretary of the Treasury in collecting information of the extent and condition of the manufactures of the United States, in compliance with certain resolutions of the House of Representatives, eighteen thousand dollars.

To enable the President of the United States to contract with a skilful artist to execute, in marble, a pedestrian statue of George Washington, to be placed in the centre of the Rotundo of the Capitol, the sum of five thousand dollars.

For the construction, under the superintendence of the commissioner of the public buildings, of a substantial brick or stone vault in the Washington parish burial-ground, for the temporary interment of members of Congress, one thousand dollars.

For arrearages arising from a deficiency of appropriation for printing the laws of the territory of Florida and for the payment of C. C. Greenup, remaining unpaid as estimated by the Treasury Department, one thousand seven hundred and fifty-seven dollars and thirteen cents.

For deficiency of appropriation for the salary of the governor of Florida, five hundred dollars.

In addition to the contingent fund of the House of Representatives, five thousand dollars.

For the salary of the surveyor of public lands in the territory of Arkansas, and compensation to draughtsman, and clerks in his office, during the remainder of the current year, one thousand six hundred dollars.

For the pay, subsistence, and forage of surgeons, assistant surgeons, and others, provided for by the act of June eighteenth, [twenty-eighth,] one thousand eight hundred and thirty-two, seven thousand one hundred and thirty-three dollars.

1832, ch. 150.

For the pay, subsistence, and other expenses of the mounted rangers, according to the act of June fifteenth, one thousand eight hundred and thirty-two, in addition to the sum of fifty thousand dollars heretofore appropriated, eighty-three thousand six hundred and forty-seven dollars.

1832, ch. 131.

For the expenses of militia and volunteers called into the service of the United States, in addition to the appropriation of three hundred thousand dollars heretofore made for that object, one hundred thousand dollars.

For the transportation of the army, ordnance, subsistence, and other objects connected with the quartermaster's department, one hundred and twenty thousand dollars.

For the subsistence of militia called into service to suppress Indian hostilities, fifty-six thousand two hundred and fifty dollars.

For the payment of pensions to widows and orphans granted during the present session, three thousand dollars.

In order to carry into effect the act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution, the following sums, to be expended under the direction of the Secretary of War:

For the compensation of temporary clerks, three thousand dollars.

For rent, printing of forms and regulations, six hundred and fifty dollars.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized to apply a sum not exceeding three thousand dollars, out of

Appropriation to defray ex-

penses of a delegation of the Seminole Indians to explore country west of the Mississippi.

Ante, p. 519.  
Transfer of appropriation.

Payment to be made to troops in the service of the United States.

the amount appropriated for the purchase of provisions for the relief of the Seminole Indians, by the act making appropriations for the Indian department for the year one thousand eight hundred and thirty-two, to defray the expenses of a delegation of the said Indians to explore the country west of the Mississippi, for the purpose of deciding upon a removal thither; and so much of the appropriation for the payment of labourers in the ordnance department, as will not be required in consequence of the new organization of the ordnance department, shall be transferred to the pay department, to enable the latter to meet the additional expenditures to which that organization subjects it.

SEC. 4. *And be it further enacted*, That it shall be the duty of the district paymasters of the army of the United States, in addition to the payments required to be made by them to the regular troops, to make payment to all other troops in the service of the United States, whenever required thereto by order of the President.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXV.—*An Act providing for the purchase by the United States of the rights of the Washington Bridge Company, in the District of Columbia, and for the erection of a public bridge on the site thereof.*

Act of June 30, 1834, ch. 155.

WHEREAS it is represented to this present Congress, that the Washington Bridge Company are willing and desirous to sell, convey, and transfer to the United States, the bridge by them owned, in its present condition, with all their rights, property, and privileges, as a company, under the existing laws, including their lands, piers, abutments, roads, and ways, as well as all materials by them owned at the site of the said bridge, whether worked up in the construction or re-construction of the same or not, for the sum of twenty thousand dollars:

Secretary of the Treasury to pay Washington Bridge Company \$20,000, upon conveyance, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That provided the said Washington Bridge Company shall, at a lawful meeting of the stockholders thereof, agree to convey, and shall actually convey to the United States, the said bridge as it now is, with all the estate, right, title, and interest, either in law or equity, by them owned, as a company under existing laws, in said bridge, with its piers, abutments, roads and ways, together with all the materials by them now owned as a company, at the said bridge and ways, either worked up or not, in the construction or re-construction of the said bridge, and all other their rights, privileges, and immunities as such company, within two calendar months from the passing of this act; which conveyance the said company is hereby authorized and empowered to make, by deed, under their corporate seal, to be deposited with the Secretary of the Treasury of the United [States:] then the said secretary shall be, and he hereby is, authorized and required to pay to the said company the sum of twenty thousand dollars, out of any moneys in the treasury not otherwise appropriated.

Bridge to be erected across the Potomac.

SEC. 2. *And be it further enacted*, That, upon the execution of such conveyance by the said company, the President of the United States be, and he is hereby authorized to cause to be erected upon the site of the present bridge, a good and sufficient bridge across the river Potomac, of such materials, and upon such plan of construction as he shall approve and direct: *Provided*, That the said bridge be so constructed as to have a draw therein suitable for the safe passage of vessels of the largest dimensions, capable of navigating the Potomac river above the said bridge, not less than sixty-six feet at the least; and, also, on each side of the said draw, and at a suitable distance therefrom, an arch of sufficient elevation to admit the passage under the same of an ordinary steamboat; which said draw and arch shall be at the Virginia channel

Proviso.

in the said river: *And provided, further,* That there shall be a similar draw at the Maryland channel, of not less than thirty-five feet, with a similar arch: *And, provided, also,* That in the selection of materials and in the construction of the said bridge, draws and arches, all practicable attention shall be had to the preservation of the navigation of the said river.

Proviso.

Proviso.

SEC. 3. *And be it further enacted,* That towards the construction of the said bridge and works hereby authorized and directed, the sum of sixty thousand dollars be, and the same is hereby, appropriated, payable out of any moneys in the treasury not otherwise appropriated.

Appropriation.

SEC. 4. *And be it further enacted,* That the said company shall apply and distribute the said sum of twenty thousand dollars in the following manner, that is to say: first to reimburse the expenses incurred by the said company since the last adjournment of Congress, to the stockholders advancing the same, and the balance among the stockholders, pro rata, on the cost of each share, to the present holder thereof, to be ascertained by the company if necessary, by the oath or affirmation of the present holder.

Application and distribution of sum to be paid.

SEC. 5. *And be it further enacted,* That the provisions of this act shall have no effect, unless three valuers, to be appointed by the President of the United States having no interest in the said bridge, or in any property in the District of Columbia, and not being inhabitants of the said district, or a majority of them, shall, on oath, decide that the property of the said bridge company, so to be conveyed to the United States, exclusive of any supposed value of the privileges by them held under their charter as a company, is of the value of twenty thousand dollars; or unless in case the said valuers, or a majority of them, shall value the said property at a sum less than twenty thousand dollars, the said bridge company will agree to accept the amount of such valuation. This act shall be in force from the passing thereof.

Act to be void, unless valuers appraise company's property at \$20,000; or if appraised at a less sum, company accept such valuation.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXVII.—*An Act to alter and amend the several acts imposing duties on imports. (a)*

*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 thirty-three, so much of the act entitled "An act in alteration of the several acts imposing duties on imports," approved the nineteenth May, one thousand eight hundred and twenty-eight, as is herein otherwise provided for, shall be repealed, except so far as the same may be necessary for the recovery and collection of all duties which shall have accrued under the said act; and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, which may have been incurred under the same.

Parts of the act of May 19, 1828, ch. 55, repealed.

SEC. 2. *And be it further enacted,* That, from and after the third day of March, one thousand eight hundred and thirty-three, in lieu of the duties now imposed by law, on the importation of the articles hereinafter mentioned, there shall be levied, collected, and paid, the following duties, that is to say:

Duties to be levied on certain articles, after 3d of March, 1833.

First. Wool, unmanufactured, the value whereof, at the place of exportation, shall not exceed eight cents per pound, shall be imported free of duty; and if any wool so imported shall be fine wool mixed with dirt or other material, and thus reduced in value to eight 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, and a duty thereon

Coarse unmanufactured wool free.

Unmanufactured wool, valued at more than eight cents per pound.

(a) See acts of March 2, 1833, ch. 55, 57 and 62.

shall be charged in conformity with such appraisal; on wool, unmanufactured, the value whereof, at the place of exportation, shall exceed eight cents, shall be levied four cents per pound, and forty per centum ad valorem: *Provided*, That wool imported on the skin shall be estimated, as to weight and value, as other wool.

**Proviso.**

On manufactures of wool, or of which wool is a component part.

Second. On all milled and fulled cloth, known by the name of plains, kerseys, or kendal cottons, of which wool shall be the only material, the value whereof shall not exceed thirty-five cents a square yard, five per centum ad valorem; on worsted stuff goods, shawls and other manufactures of silk and worsted, ten per centum ad valorem; on worsted yarn, twenty per centum ad valorem; on woollen yarn, four cents per pound, and fifty per centum ad valorem; on mits, gloves, bindings, blankets, hosiery, and carpets and carpeting, twenty-five per centum, except Brussels, Wilton, and treble ingrained carpeting, which shall be at sixty-three cents the square yard; all other ingrained and Venetian carpeting, at thirty-five cents the square yard; and except blankets, the value whereof at the place from whence exported, shall not exceed seventy-five cents each, the duty to be levied upon which, shall be five per centum ad valorem; on flannels, bockings, and baizes, sixteen cents the square yard; on coach laces, thirty-five per centum; and upon merino shawls made of wool, all other manufactures of wool, or of which wool is a component part, and on ready-made clothing, fifty per centum ad valorem. (a)

(a) Under the act of Congress passed July 14, 1832, ch. 227, entitled "An act to alter and amend the several acts imposing duties on imports," worsted shawls with cotton borders, and worsted suspenders with cotton straps or ends, are not subjected to a duty of fifty per cent. ad valorem. *Elliott v. Swartwout*, 10 Peters, 137.

Laws imposing duties on goods are intended for practical use and application by men engaged in commerce, and hence it has become a settled rule in the interpretation of statutes of this description to construe the language adopted by the legislature, and particularly in the denomination of articles, according to the commercial understanding of the terms used. *Ibid*.

*Construction of statutes :*

The principles applied in the courts of the United States, in relation to the construction of statutes of the United States, and of statutes in general.

The suspension of a statute for a limited time, is not a repeal of it. *Brown*, plaintiff in error, v. *Barry*, 3 Dall. 365; 1 Cond. Rep. 165.

The intention of the legislature, when discovered, must prevail; any rule of construction, declared by previous acts, to the contrary notwithstanding. *Ibid*.

The presumption must always be in favour of the validity of a law if the contrary is not clearly demonstrated. *Cooper v. Telfair*, 4 Dall. 14; 1 Cond. Rep. 211.

A legislative act founded on a mistaken opinion of what was law, does not change the actual state of the law, as to pre-existing cases. *Talbot v. Seeman*, 1 Cranch 1; 1 Cond. Rep. 229.

It is true, that in mere private cases between individuals, a court will and ought to struggle hard against a construction, which will, by a retrospective operation, affect the rights of parties; but in great national concerns, where individual rights acquired by war are sacrificed for national purposes, the contract making the sacrifice ought always to receive a construction conforming to its manifest import; and if the nation has given up the vested rights of its citizens, it is not for the court, but for the government, to consider whether it be a case proper for compensation. *United States v. The Schooner Peggy*. 1 Cranch, 103; 1 Cond. Rep. 256.

If courts are to regard the constitution, and the constitution is superior to any ordinary act of the legislature; the constitution, and not such ordinary act, must govern the case to which they both apply. *Marbury v. Madison*, 1 Cranch, 137; 1 Cond. Rep. 267.

In the construction of a statute, positive and explicit provisions, comprehending in terms a whole class of cases, are not to be restrained by applying to those cases an implication drawn from subsequent words; unless that implication be very clear, necessary, and irresistible. *Faw v. Marsteller*, 2 Cranch, 10; 1 Cond. Rep. 337.

Where a case is shown to be out of the mischief intended to be guarded against, or out of the spirit of the law; the letter of the statute will not be deemed so unequivocal as absolutely to exclude another construction. *Ibid*.

It is said the case ought to be an extraordinary one, that the circumstances ought to be uncommon, which would warrant a departure from the general principles established for the government of contracts. This is true, and the Supreme Court would certainly not feel itself at liberty to exercise, on a common occasion, a discretionary power, limited only by the opinion entertained of the naked justice of the case. *Ibid*.

That a law is the best expositor of itself; that every part of an act is to be taken into view for the purpose of discovering the mind of the legislature; and that the details of one part may contain regulations restricting the extent of general expressions used in another part of the same act; are among those plain rules laid down by common sense for the exposition of statutes, which have been uniformly acknowledged. *Pennington v. Cox*, 2 Cranch, 33; 1 Cond. Rep. 346.

It is undoubtedly a well-established principle in the exposition of statutes, that every part is to be considered, and the intention of the legislature to be extracted from the whole. It is also true that

Third. On all manufactures of cotton, or of which cotton shall be a component part, twenty-five per centum ad valorem, excepting cotton twist, yarn, and thread, which shall remain at the rate of duty fixed by the act to amend the several acts imposing duties on imports, of twenty-

Manufactures of cotton, or of part cotton.  
1824, ch. 136.

where great inconvenience will result from a particular construction, that construction is to be avoided; unless the meaning of the legislature be plain; in which case it must be obeyed. *United States v. Fisher et al., Assignees of Blight, 2 Cranch, 358; 1 Cond. Rep. 421.*

That the consequences are to be considered in expounding laws, where the intent is doubtful, is a principle not to be contradicted; but it is also true, that it is a principle which must be applied with caution; and which has a degree of influence dependent on the nature of the case to which it is applied, when rights are infringed. *Ibid.*

Where fundamental principles are overthrown, where the general system of the laws is departed from, the legislative intention must be expressed with irresistible clearness, to induce a court of justice to suppose a design to effect such objects. But when only a political regulation is made which is inconvenient; if the intention of the legislature be expressed in terms which are sufficiently intelligible to leave no doubt in the mind, when the words are taken in their ordinary sense; it would be going a great way to say that a constrained interpretation must be put upon them, to avoid an inconvenience which ought to have been contemplated in the legislature, when the act was passed; and which, in their opinion, was probably overbalanced by the particular advantages it was calculated to produce. *Ibid.*

In cases depending on the statutes of a state, the settled construction of these statutes, by the state courts, is to be regarded. *Polk's Lessee v. Wendal, 9 Cranch, 87; 3 Cond. Rep. 286.*

In the construction of the statutes or local laws of a state, it is frequently necessary to recur to the history and situation of the country, in order to ascertain the reason as well as the meaning of many of them, to enable a court to apply with propriety the different rules for construing statutes. *Preston v. Browder, 1 Wheat. 115; 3 Cond. Rep. 508.*

The best judges in England have been of opinion, that relaxing the construction of the statute of frauds ought not to be extended further than it has already been carried; and the Supreme Court entirely concurs in that opinion. *Grant v. Naylor, 4 Cranch, 224; 2 Cond. Rep. 95.*

An act of Congress ought never to be construed to violate the law of nations, if any other possible construction remains; and consequently can never be construed to violate neutral rights, or to affect neutral commerce, further than is warranted by the law of nations, as understood in this country. *Murray v. The Charming Betsey, 2 Cranch, 64; 1 Cond. Rep. 358.*

When an act of Congress is revived by a subsequent act, it is revived precisely in that form, and with that effect, which it had at the moment when it expired. *The cargo of the Brig Aurora v. The United States, 7 Cranch, 382; 2 Cond. Rep. 540.*

It is a general rule, in the construction of public statutes, that the word "may" is to be construed "must," in all cases where the legislature mean to impose a positive and absolute duty, and not merely to give a discretionary power. And in all cases, the construction should be such as carries into effect the true intent and meaning of the legislature in the enactment. *Minor et al. v. The Mechanics' Bank of Alexandria, 1 Peters, 46.*

Where English statutes, such for instance as the statute of frauds, and the statute of limitations, have been adopted into our own legislation; the known and settled construction of those statutes by English courts of law has been considered as silently incorporated into the acts; or has been received with all the weight of authority. *Pennock v. Dialogue et al., 2 Peters, 1.*

Where the question upon the construction of the statute of a state relative to real property has been settled by any judicial decision in the state where the land lies; the Supreme Court, upon the uniform principles adopted by it, would recognise that decision as a part of the local law. *Gardner v. Collins, 2 Peters, 58.*

A legislative act is to be interpreted according to the intention of the legislature, apparent upon its face. Every technical rule as to the construction or force of particular terms, must yield to the clear expression of the paramount will of the legislature. *Wilkinson v. Leland et al., 2 Peters, 627.*

In cases not absolutely closed by authority, the Supreme Court has always expressed a strong inclination not to extend the operation of the statute of frauds so as to embrace original and distinct promises, made by different persons at the same time, upon the same general consideration. *Townsley v. Sumrall, 2 Peters, 182.*

The Supreme Court has been often called upon to consider the sixteenth section of the judiciary act of 1759, and as often, either expressly or by the course of its decisions, has held that it is merely declaratory; making no alteration whatever in the rules of equity on the subject of legal remedy. *Boyce's Executors v. Grundy, 3 Peters, 210.*

The rule which has uniformly been observed by the Supreme Court in construing statutes, is to adopt the construction made by courts of the country, by whose legislature the statute was enacted. This rule may be susceptible of some modification, when applied to British statutes which are adopted in any of the states. By adopting them they become our own, as entirely as if they had been enacted by the legislature of the state. *Cathcart et al. v. Robinson, 5 Peters, 264.*

The construction which British statutes had received in England at the time of their adoption in this country, indeed to the time of the separation of this country from the British empire, may very properly be considered as accompanying the statutes themselves, and forming an integral part of them. But however subsequent decisions may be respected, and certainly they are entitled to great respect, their absolute authority is not admitted. If the English courts vary their construction of a statute which is common to both countries, we do not hold ourselves bound to fluctuate with them. *Ibid.*

Generally statutes are to be construed to operate in futuro, unless a retrospective effect be clearly intended. *Prince v. The United States, 2 Gallis. C. C. R. 204.*

The word 'or' has sometimes been construed to mean 'and.' Such construction has been clearly necessary to give effect to a clause in a will, or to some legislative provision, but never to change a contract at pleasure. *Douglass v. Eyre, Gilpin's D. C. R. 148.*

**Proviso.** second May, one thousand eight hundred and twenty-four; *And 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 thirty cents the square yard, shall be valued at thirty cents per square

Where a British statute is re-enacted in this country, it is reasonable to suppose that the legislature designed to adopt, as well the settled construction which had been given to the act by the British courts, as the act itself. *Kirkpatrick et al. v. Gibson's Executors*, 2 Brockenb. C. C. R. 388.

In doubtful cases, a court should compare all the parts of a statute, and different statutes in *pari materia*, to ascertain the intention of the legislature. *The Sloop Elizabeth*, Paines's C. C. R. 11.

Semble: That in questions of commercial law the courts of the United States are not concluded by the local construction proceeding from state courts. *Donnell v. The American Ins. Co.*, 2 Sumner's C. C. R. 366.

In the construction of statutes, one part must be construed by another. In order to attest the legislative intention, the whole statute must be inspected. *Strode v. Stafford Justices*, 1 Brockenb. C. C. R. 162.

It is a rule of law that a statute applicable in its terms to particular actions, cannot be applied by construction to other actions standing on the same reasons. *Jacob v. The United States*, 1 Brockenb. C. C. R. 520.

Penal laws must be construed strictly to bring the case within the definition of the law, but not so as to exclude a case within their ordinary acceptation. *The United States v. Wilson and Porter*, 1 Baldwin's C. C. R. 78.

Laws are construed strictly to save a right, or avoid a penalty; and liberally to give a remedy, or effect an object declared in the law. *Whitney et al. v. Emmett et al.*, 1 Baldwin's C. C. R. 316.

The provisions of a law which are merely directory, are not to be construed into conditions precedent. *Ibid.*

The mercantile terms are to be taken in the sense intended, which is to be ascertained by the laws in *pari materia*. *The United States v. Twenty-four Coils of Cordage*, 1 Baldwin's C. C. R. 505.

The words of a law imposing a forfeiture or penalty, should not be construed to embrace a case not within the parts of the law which prohibits the act done, or direct the performance of an act, by the omission of which the penalty or forfeiture is incurred. *Ibid.* 508.

If a section of an act of Congress admits of two interpretations, one of which brings it within, and the other pushes it beyond the constitutional authority of Congress; it is the duty of the Supreme Court to adopt the former construction; because a presumption never ought to be indulged, that Congress meant to exercise or usurp any unconstitutional authority; unless that construction is forced on the court by language altogether incongruous. *The United States v. Combe*, 12 Peters, 72.

Upon the general principles of interpreting statutes, when the words are general, the court are not at liberty to insert limitations not called for by the sense, or the objects, or the mischiefs of the enactment. *Ibid.*

The office of a proviso, generally, is either to except something from the enacting clause, or to qualify or restrain its generality, or to exclude some possible ground of misinterpretation of its extending to cases not intended by the legislature to be brought within its purview. *Ibid.*

The court in construing an act will not consider the motives, or reasons, or opinions, expressed by individual members of Congress in debate, but will look, if necessary, to the public history of the times in which it was passed. *Aldridge et al. v. Williams*, 3 Howard, 1.

An act of Congress imposing a duty upon imports, must be construed to describe the article upon which the duty is imposed according to the commercial understanding of the terms used in the law, in our own markets, at the time when the law was passed. *Curtis v. Martin*, 3 Howard, 106.

Revenue laws for the prevention of fraud, for the suppression of a public wrong, or to effect a public good, are not in a strict sense penal statutes, although they impose a penalty. But they ought to be so construed as most effectually to accomplish the intention of the legislature, in passing them, instead of being construed with great strictness in favour of the defendant. *Taylor et al. v. The United States*, 3 Howard, 197.

A clause of forfeiture in a law is to be construed differently from a similar clause in an engagement between individuals. A legislature may impose it as a punishment, but individuals can only make it a matter of contract. *The State of Maryland v. The Baltimore and Ohio Railroad Company*, 3 Howard, 534.

Statutes in *pari materia*, should be taken into consideration in construing a law. If a thing contained in a subsequent statute be within the reason of a former statute, it shall be taken to be within the meaning of that statute. *The United States v. Freeman*, 3 Howard, 556.

If it can be gathered from a subsequent statute in *pari materia*, what meaning the legislature attached to the words of a former statute, this will amount to a legislative declaration of its meaning, and will govern the construction of the first statute. *Ibid.*

The meaning of the legislature may be extended beyond the precise words used in the law, from the reason or motive on which the legislature proceeded, from the end in view, or the purpose which was designed; the limitation of the rule being that to extend the meaning in any case not included within the words, the case must be shown to come within the same reason upon which the law-maker proceeded, and not a like reason. *Ibid.*

In affirmative statutes, such part of a prior as may be incorporated into the subsequent statute, as consistent with it, must be considered in force. *Davies v. Fairbairn*, 3 Howard, 636.

If a subsequent statute be not repugnant in all its provisions to a prior one, yet if the latter statute clearly intended to prescribe the only rules which should govern, it repeals the prior one. *Ibid.*

In the construction of penal statutes, the proper course is to search out and follow the true intent of the legislature and to adopt that sense which harmonizes best with the context, and promotes, in the fullest manner, the apparent policy and objects of the legislature. *The United States v. Weaver*, 3 Sumner's C. C. R. 208.

In construing an act of Congress, if there be a mistake apparent on the face of the act, which may



yard, and if dyed, colored, printed, or stained, in whole or in part, not exceeding in value thirty-five cents the square yard, shall be valued at thirty-five cents per square yard; and on nankeens, imported direct from China, twenty per centum ad valorem.

Fourth. On all stamped, printed or painted floor cloths, forty-three cents a square yard; on oil cloths of all kinds, other than that usually denominated patent floor cloth, twelve and a half cents the square yard; and on floor matting, usually made of flags or other materials, five per centum ad valorem.

Floor cloths,  
oil cloths, and  
floor matting.

Fifth. On iron, in bars or bolts, not manufactured in whole or in part by rolling, ninety cents per one hundred and twelve pounds.

Iron, in bars  
or bolts, not  
manufactured.

Sixth. On bar and bolt iron, made wholly or in part by rolling, thirty dollars per ton: *Provided*, That all iron in slabs, blooms, 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 duty accordingly.

Bar or bolt  
iron made wholly  
or in part by  
rolling.  
Proviso.

Seventh. On iron in pigs, fifty cents per one hundred and twelve pounds, on vessels of cast iron, not otherwise specified, one and a half cents per pound; on all other castings of iron, not otherwise specified, one cent per pound.

Iron in pigs.

Eighth. On iron or steel wire, not exceeding number fourteen, five cents per pound; exceeding number fourteen, nine cents per pound; on silvered or plated wire five per centum ad valorem; on cap or bonnet wire covered with silk, cotton, flaxen, yarn or thread, manufactured abroad, twelve cents per pound.

Iron or steel  
wire, &c.

Ninth. On round iron or brazier's rods, of three-sixteenths to eight-sixteenths of an inch diameter, inclusive, and on iron in nail or spike rods, or nail plates, slit, rolled, or hammered, and on iron in sheets, and hoop iron, and on iron, slit, rolled, or hammered for band iron, scroll iron, or casement rods, three cents per pound; on iron spikes, four cents per pound; on iron nails, cut or wrought, five cents per pound; 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 square wire used for the manufacture of stretchers for umbrellas, and cut in pieces not exceeding the length used therefor, twelve per centum ad valorem; on anvils and anchors, and all parts thereof, manufactured in whole or in part, two cents per pound; on iron cables or chains, or parts thereof, manufactured in whole or in part, three cents per pound, and no drawback shall be allowed on the exportation of iron cables or parts thereof; on mill cranks and mill irons of wrought iron, four cents per pound; on mill saws, one dollar each; on blacksmith's hammers and sledges, two and a half cents per pound; on muskets, one dollar and fifty cents per stand; on rifles, two dollars and fifty cents each; on all other firearms, thirty per centum ad valorem.

Round iron  
or brazier's  
rods, &c.

Iron spikes,  
nails, &c.

Anvils, an-  
chors, iron ca-  
bles, &c.

No drawback  
allowed on iron  
cables.

Firearms.

Axes, &c.

be corrected by other language in the act itself, the mistake is not fatal. *Blanchard v. Sprague*, 3 Sumner's C. C. R. 279.

But where the descriptive words constitute the very essence of the act, unless the description is so clear and accurate as to refer to the particular subject intended, and be incapable of being applied to any other, the mistake is fatal. *Ibid.*

There is no case where the court in the construction of a statute has substituted other words and other dates, in order to maintain an act making erroneous references to things *aliunde*. *Ibid.*

The judiciary act of 1789, ch. 20, sec. 32, gives no authority to the courts of the United States to make any amendments in judgments except as to defects in want of form. *Albers v. Whitney*, 1 Story C. C. R. 310.

Although penal statutes are to be construed strictly, yet all the provisions thereof must be taken together, and interpreted according to the import of the words, and not by the mere division into sections, so as to give effect to the object and intent of the statute, and all statutes relating to the same subject matter are to be interpreted together, and such a construction is to be given to them, consistent with the words, as will avoid the mischief, and promote the objects and policy contemplated by the statutes. *The Schooner Harriet*, 1 Story C. C. R. 251.

The tariff, being a statute regulating commerce, the terms of it must be construed according to commercial usage. *Bacon v. Bancroft*, 1 Story C. C. R. 341.

- sickles or reaping hooks, scythes, spades, shovels, squares of iron or steel, plated, brass and polished steel saddlery, coach and harness furniture, of all descriptions, steelyards and scalebeams, socket chisels, vices and screws of iron, called woodscrews, thirty per centum ad valorem: on common tinned and japanned saddlery of all descriptions, ten per centum ad valorem: *Provided*, That said articles shall not be imported at a less rate of duty than would have been chargeable on the material constituting their chief value, if imported in an unmanufactured state.
- Proviso.**
- Steel.** Eleventh. On steel, one dollar and fifty cents per one hundred and twelve pounds.
- Japanned and plated wares, &c.** Twelfth. On japanned wares of all kinds, on plated wares of all kinds, and on all manufactures, not otherwise specified, made of brass, iron, steel, pewter, or tin, or of which either of these metals is a component material, a duty of twenty-five per centum ad valorem: *Provided*, That all articles manufactured in whole of sheet, rod, hoop, bolt, or bar iron, or of iron wire, or of which sheet, rod, hoop, bolt, or bar iron, or iron wire, shall constitute the greatest weight, and which are not otherwise specified, shall pay the same duty per pound that is charged by this act on sheet, rod, hoop, bolt, or bar iron, or on iron wire, of the same number, respectively: *Provided, also*, That the said last mentioned rates shall not be less than the said duty of twenty-five per centum ad valorem.
- Proviso.**
- Scrap and old iron, &c.** Thirteenth. That all scrap and old iron shall pay a duty of twelve dollars and fifty cents per ton; that nothing shall be deemed old iron that has not been in actual use, and fit only to be re-manufactured; 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; all manufactures of iron, partly finished, shall pay the same rates of duty as if entirely finished; all vessels of cast iron, and all castings of iron, with handles, rings, hoops, or other addition of wrought iron, shall pay the same rates of duty as if made entirely of cast iron.
- Hemp, sail duck, cotton bagging, &c.** Fourteenth. On unmanufactured hemp, forty dollars per ton: sail duck, fifteen per centum ad valorem; and on cotton bagging, three and a half cents a square yard, without regard to the weight or width of the article: (a) On felts or hat bodies made wholly, or in part, of wool, eighteen cents each.
- Manufactures of silk, &c.** Fifteenth. On all manufactures of silk, or of which silk shall be a component part, coming from beyond the Cape of Good Hope, ten per centum ad valorem, and on all other manufactures of silk, or of which silk is a component part, five per centum ad valorem, except sewing silk, which shall be forty per centum ad valorem.
- Sugars.** Sixteenth. On brown sugar and syrup of sugar cane, in casks, two and a half cents per pound; and on white clayed sugar, three and one-third cents per pound. (b)

(a) An act of Congress imposing a duty on imports, must be construed to describe the article upon which the duty is imposed according to the commercial understanding of the terms used in the law, in our own markets, at the time when the law was passed. *Curtis v. Martin et al.*, 3 Howard, 106.

The duty, therefore, imposed by the act of 1832, upon cotton bagging, cannot properly be levied upon an article which was not known in the market as cotton bagging in 1832, although it may subsequently be called so. *Ibid.*

(b) A seizure was made in the port of New Orleans, under the sixty-seventh section of the act of March 2, 1799, ch. 22, regulating the collection of duties, which authorizes the collector, when he shall suspect a false and fraudulent entry to have been made of any goods, wares, and merchandise, to cause an examination to be made; and if found to differ from the entry, the merchandise is to be forfeited, unless it shall be made to appear to the collector, or to the court in which a prosecution for the forfeiture shall be had, that such difference proceeded from accident or mistake, and not from an intention to defraud the revenue. The United States, by the collector of Mississippi, seized, as falsely entered at the custom-house in New Orleans, certain casks of sugar, which had been entered as "syrup," alleging that they were sugar, in a partial solution in water. The libel charged the entry to have been made with a fraudulent intention of evading the duty on sugar. The claimant gave evidence tending to show that the article seized was, in the prevailing mercantile understanding of the term, deemed syrup, and not sugar. By the Court:—The denomination of merchandise, subject to the payment of duties, is to be understood in a commercial sense, although it may not be scientifically correct. All laws regulating the collection of duties are for prac-

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|---|---|
| Seventeenth. On salt, ten cents per fifty-six pounds.   | Salt.   |
| Eighteenth. On old and scrap lead, two cents per pound.   | Old and scrap lead.   |
| Nineteenth. On teas of all kinds, imported from places this side the Cape of Good Hope, or in vessels other than those of the United States, ten cents per pound.   | Teas.   |
| Twentieth. On slates of all kinds, twenty-five per centum ad valorem.   | Slates.   |
| Twenty-first. On window glass not above eight by ten inches in size, three dollars per hundred square feet; not above ten by twelve inches, three dollars and fifty cents per hundred square feet; and if above ten by twelve inches, four dollars per hundred square feet: <i>Provided</i> , That all window glass imported in plates, uncut, shall be charged with the highest rates of duty hereby imposed. On all apothecaries' vials and bottles, exceeding the capacity of six and not exceeding the capacity of sixteen ounces each, two dollars and twenty-five cents the gross; all perfumery and fancy vials and bottles, not exceeding the capacity of four ounces each, two dollars and fifty cents the gross; and those exceeding four ounces, and not exceeding sixteen ounces each, three dollars and twenty-five cents the gross: on all wares of cut glass not specified, three cents per pound, and thirty per centum ad valorem: on black glass bottles not exceeding one quart, two dollars per gross: on black glass bottles exceeding one quart, two dollars and fifty cents per gross; on demijohns, twenty-five cents each, and on all other articles of glass not specified, two cents per pound, and twenty per centum; on paper hangings, forty per centum: on all Leghorn hats or bonnets, and on all hats or bonnets of straw, chip or grass, and all flats, braids, or plaits for making hats or bonnets, thirty per centum: on the following articles twelve and a half per centum ad valorem, namely, whalebone, the product of foreign fishing, raw silk, and dressed furs; and on the following articles twenty-five per centum ad valorem, namely, boards, planks, walking canes and sticks, frames or sticks for umbrellas and parasols, and all manufactures of wood not otherwise specified; copper vessels, and all manufactures of copper, not otherwise specified: all manufactures of hemp or flax, except yarn and cordage, tarred and untarred, ticklenburgs, osnaburgs, and burlaps, not otherwise specified; fans, artificial flowers, ornamental feathers, ornaments for head dresses, caps for women, and millinery of all kinds; comfits and sweetmeats of all kinds, preserved in sugar or brandy; umbrellas and parasols, of whatever materials made; parchment and vellum, wafers and black lead pencils, and brushes of all kinds. And on the following articles thirty per centum ad valorem, viz: cabinet wares; hats and caps of fur, leather, or wool, leather; whips, bridles, saddles, and on all manufactures of leather not otherwise specified; carriages and parts of carriages, and blank books; on boots and bootees, one dollar and fifty cents per pair; shoes of leather, other shoes and slippers of prunella, stuff, or nankin; also porcelain, china, stone, and earthen ware; musical instruments; and manufactures of marble, shall pay the present rates of duties. | Window glass.<br><br>Proviso.<br><br>Vials, bottles, &c.<br><br>Black glass bottles, &c.<br><br>Leghorn bonnets, &c.<br>Whalebone, &c.<br>Boards, planks, &c.<br><br>Cabinet wares, &c. |
| Twenty-second. On olive oil, in casks, twenty cents a gallon.   | Olive oil.  |
| Twenty-third. On the wines of France, namely, red wines, in casks, six cents a gallon; white wines, in casks, ten cents a gallon, and French wines of all sorts, in bottles, twenty-two cents a gallon; until the third day of March, eighteen hundred and thirty-four; and from and after that day one half of those rates respectively; and on all wines other than those of France, one half of their present rates of duty, respectively, from and after the day last aforesaid, <i>Provided</i> , That no higher duty shall be charged under this act, or any existing law, on the red wines   | Wines.<br><br>Proviso.  |

tical application to commercial purposes, and are to be understood in a commercial sense. And it is to be presumed that Congress so used and understood them. *The United States v. One Hundred and Twelve Casks of Sugar*, 8 Peters, 277.

of Austria than are now, or may be, by this act levied upon red wines of Spain when the said wines are imported in casks.

Baskets, beads,  
indigo, &c.

Twenty-fourth. On the following articles an ad valorem duty of fifteen per centum, namely, barley, grass or straw baskets, composition, wax, or amber beads; all other beads not otherwise enumerated, lamp black; indigo, bleached and unbleached linens; shell or paper boxes, hair bracelets, hair not made up for head dresses, bricks, paving tiles, brooms of hair or palm leaf, cashmere of Thibet, down of all kinds, feathers for beds.

Articles not  
specified.

Twenty-fifth. All articles not herein specified, either as free or as liable to a different duty, and which, by the existing laws, pay an ad valorem duty higher than fifteen per centum, to pay an ad valorem duty of fifteen per centum, from and after the said third day of March, one thousand eight hundred and thirty-three. (a)

Certain articles  
imported from  
and after March  
3, 1833, to be  
exempted from  
duty.

SEC. 3. *And be it further enacted*, That, in addition to the articles exempted from duty by the existing laws, the following articles, imported from and after the third day of March, one thousand eight hundred and thirty-three, shall be exempted from duty; that is to say, teas of all kinds imported from China or other places east of the Cape of Good Hope, and in vessels of the United States, coffee, cocoa, almonds, currants, prunes, figs, raisins in jars and boxes, all other raisins, black pepper, ginger, mace, nutmegs, cinnamon, cassia, cloves, pimento, camphor, crude saltpetre, flax unmanufactured, quicksilver, opium, quills unprepared, tin in plates and sheets, unmanufactured marble, argol, gum arabic, gum senegal, epaulettes of gold and silver, lac dye, madder, madder root, nuts and berries used in dyeing, saffron, turmeric, woad or pastel; aloes, ambergris, Burgundy pitch, bark, Peruvian, cochineal, capers, chamomile flowers, coriander seed, cantharides, castanas, catsup, chalk, cocculus indicus, coral, dates, filberts, filtering stones, frankincense, gamboge, hemlock, henbane, horn plates for lanthorns, ox horns, other horns and tips, India rubber, ipecacuanha, ivory unmanufactured, juniper berries, musk, nuts of all kinds, olives, oil of juniper, paintings and drawings, rattans unmanufactured, reeds unmanufactured, rhubarb, rotten stone, tamarinds, tortoise shell, tin foil, shellac, sponges, sago, lemons, limes, pine apples, cocoa nuts and shells, iris or orris root, arrow root, bole ammoniac, colombo root, annatto, annise-seed, oil of annise-seed, oil of cloves, cummin seed, sarsaparilla, balsam tolu, assafœtida, ava root, alcornoque, canella alba, cascarilla, haerlem oil, hartshorn, manna, senna, tapioca, vanilla beans, oil of almonds, nux vomica, amber, platina, busts of marble, metal or plaster, casts of bronze or plaster, strings of musical instruments, flints, kelp, kermes, pins, needles, mother of pearl, hair unmanufactured; hair pencils, Brazil paste, tartar crude, vegetables such as are used principally in dyeing and in composing dyes, weld, and all articles used principally for dyeing, coming under the duty of twelve and a half per centum, except bichromate of potash, prussiate of potash, chromate of potash, and nitrate of lead, aquafortis, and tartaric acids; all other dyeing drugs, and materials for composing dyes, all other medicinal drugs, and all articles not enumerated in this act nor the existing laws, and which are now liable to an ad valorem duty of fifteen per centum, except tartar emetic and Rochelle salts, sulphate of quinine, calomel and corrosive sublimate, sulphate of magnesia, glauber salts: *Provided*, That nothing in this act contained shall be so construed as to reduce the duties upon alum, copperas, manganese, muriatic or sulphuric acids, refined saltpetre, blue vitriol, carbonate of soda, red lead, white lead or litharge, sugar of lead or combs.

Proviso.

Parts of acts  
repealed.

SEC. 4. *And be it further enacted*, That, from and after the third day of March aforesaid, so much of any act of Congress as requires the

(a) The twenty-fifth clause of the second section of the tariff act of 1832, includes within its terms all bindings whether worsted or woollen. Whiting v. Bancroft, 1 Story C. C. R. 560.

addition of ten or twenty per centum to the cost or value of any goods, wares, or merchandise, in estimating the duty thereon, or as imposes any duty on such addition, shall be repealed.

Sec. 5. *And be it further enacted*, That from and after the third day of March aforesaid, where the amount of duty on merchandise, except wool, manufactures of wool, or of which wool is a component part, imported into the United States, in any ship or vessel, on account of one person only, or of several persons jointly interested, shall not exceed two hundred dollars, the same shall be paid in cash without discount; and if it shall exceed that sum, shall, at the option of the importer or importers, be paid, or secured to be paid, in the manner now required by law, one half in three, and one half in six calendar months; and that, from and after the said third day of March, so much of the sixty-second section of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved the second day of March, one thousand seven hundred and ninety-nine, as authorizes the deposit of teas under the bond of the importer or importers, shall be repealed: and that so much of any existing law as requires teas, when imported in vessels of the United States, from places beyond the Cape of Good Hope, to be weighed, marked and certified, shall be and the same is hereby repealed.

Sec. 6. *And be it further enacted*, That, from and after the third day of March aforesaid, the duties on all wool, manufactures of wool, or of which wool is a component part, shall be paid in cash, without discount, or, at the option of the importer, be placed in the public stores, under bond, at his risk, subject to the payment of the customary storage and charges, and to the payment of interest at the rate of six per centum per annum while so stored: *Provided*, That the duty on the articles so stored shall be paid one half in three, and one half in six months from the date of importation: *Provided, also*, That if any instalment of duties be not paid when the same shall have become due, so much of the said merchandise as may be necessary to discharge such instalment shall be sold at public auction, and retaining the sum necessary for the payment of such instalment of the duties, together with the expenses of safe keeping and sale of such goods, the overplus, if any, shall be returned by the collector to the importer or owner, or to his agent or lawful representative; *And provided also*, That the importer, owner, or consignee of such goods, may, at any time after the deposit shall have been made, withdraw the whole or any part thereof, on paying the duties on what may be withdrawn, and the customary storage and charges, and of interest.

Sec. 7. *And be it further enacted*, That in all cases where the duty which now is, or hereafter may be imposed on any goods, wares, or merchandise imported into the United States, shall, by law, be regulated by, or be directed to be estimated or levied upon, the value of the square yard, or of any other quantity or parcel thereof; and 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, it shall be the duty of the collector within whose district the same shall be imported or entered, to cause the actual value thereof, at the time purchased, and place from which the same shall have been imported into the United States, to be appraised, estimated and ascertained, and the number of such yards, parcels, or quantities, and such actual value of every of them, as the case may require; and it shall, in every such case, be the duty of the appraisers of the United States, and every of them, and of every other person who shall act as such appraiser, by all the reasonable ways or means in his or their power, to ascertain, estimate, and appraise the true and actual value, any invoice or affidavit thereto to the contrary notwithstanding, of the said goods, wares, and merchandise, at the time purchased, and place from whence the same shall have been imported into the United States,

Duty not exceeding \$200 to be paid in cash; if it exceed \$200 to be paid or secured to be paid.

So much of the 62d section of the act of March 2, 1799, ch. 22, vol. 1. p. 627, as authorizes deposit of teas in bond, to be repealed.

Any law requiring teas to be weighed, &c. repealed.

Duties on wool to be paid in cash, or placed under bond, in public stores.

Proviso.

Proviso.

Proviso.

Actual value of goods, &c. in certain cases, to be appraised, estimated, and ascertained by collector and appraiser.

and the number of such yards, parcels, or quantities, and such actual value of every of them as the case may require; and all such goods, wares, and merchandise, being manufactures of wool, or whereof wool shall be a component part, which shall be imported into the United States in an unfinished condition, shall, in every such appraisal, be taken, deemed and estimated by the said appraisers, and every of them, and every person who shall act as such appraiser, to have been, at the time purchased, and place from whence the same were imported into the United States, of as great actual value as if the same had been entirely finished: *Provided*, That in all cases where any goods, wares, or merchandise, subject to ad valorem duty, or whereon the duty is or shall be by law regulated by, or be directed to be estimated or levied upon, the value of the square yard, or any other quantity or parcel thereof, shall have been imported into the United States from a country other than that in which the same were manufactured or produced, the appraisers shall value the same at the current value thereof at the time of purchase, before such last exportation to the United States, in the country where the same may have been originally manufactured or produced.

Proviso.

Appraisers may examine owners, &c., touching true value of merchandise imported, and require the production of letters, &c.

SEC. 8. *And be it further enacted*, That it shall be lawful for the appraisers to call before them, and examine, upon oath, any owner, importer, consignee, or other person, touching any matter or thing which they may deem material in ascertaining the true value of any merchandise imported, and to require the production on oath, 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 authorized to administer oaths. And if any person so called shall fail to attend, or shall decline to answer, or to produce such papers when so required, he shall forfeit and pay to the United States fifty dollars; and if such person be the owner, importer or consignee, the appraisement which the said appraisers may make of the goods, wares, or merchandise, shall be final and conclusive, any act of Congress to the contrary notwithstanding. And any person who shall swear falsely on such examination, shall be deemed guilty of perjury; and if he be the owner, importer, or consignee, the merchandise shall be forfeited.

Duty of the Secretary of the Treasury.

SEC. 9. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, under the direction of the President of the United States, from time to time, to establish such rules and regulations, not inconsistent with the laws of the United States, as the President of the United States shall think proper, 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 value thereof, and of the square yards, parcels, or other quantities, as the case may require, and of such actual value of every of them; and it shall be the duty of the Secretary of the Treasury to report all such rules and regulations, with the reasons therefor, to the then next session of Congress.

Additional duty of ten per cent. on all goods, &c. imported in foreign vessels, where a specific discrimination has not been already made.

Proviso.

Vol. iv. p. 2.

SEC. 10. *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 has not already been made, which, from and after the third day of March aforesaid, shall be imported in ships or vessels not of the United States: *Provided*, That this additional duty shall not apply to goods, wares, and merchandise which shall be imported after said day in ships or vessels not of the United States, entitled by treaty, or by an 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, and merchandise imported in ships or vessels of the United States.

Drawback.

SEC. 11. *And be it further enacted*, That there shall be allowed a draw-

back of the duties by this act imposed, on goods, wares, and merchandise, which shall be imported from and after the said third day of March, upon the exportation thereof, within the time and in the manner prescribed in the existing laws at the time: *Provided*, no drawback shall be allowed on a less quantity of cordage than five tons.

Proviso.

Existing laws for the collection of duties to continue in force after March 3, 1833, as fully as if re-enacted in this act.

SEC. 12. *And be it further enacted*, That the existing laws at the time shall extend to, and be in force for, the collection of the duties imposed by this act, on goods, wares, and merchandise which shall be imported into the United States from and after the said third day of March; and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, and for the allowance of drawbacks by this act authorized, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing in the then existing laws contained, had been inserted in, and re-enacted by this act; and that so much of any act which is contrary to this act, shall be, and the same is hereby, repealed.

Value of best article in package, being all or part wool or cotton, to be adopted as average value of the whole.

SEC. 13. *And be it further enacted*, That whenever goods composed wholly, or in part, of wool or cotton of similar kind, but different quality, are found, in the same packages, charged at an average price, it shall be the duty of the appraisers to adopt the value of the best article contained in such package, and so charged, as the average value of the whole; and that so much of the act entitled "An act for the more effectual collection of the impost duties," approved the twenty-eighth May, one thousand eight hundred and thirty, as requires the appraisers to adopt the value of the best article contained in a package as the average value of the whole, be, and the same is hereby, repealed.

Goods found not to correspond with entry, &c., to be forfeited.

SEC. 14. *And be it further enacted*, That whenever, upon the opening and examination of any package or packages of imported goods, composed wholly, or in part, of wool or cotton, in the manner provided by the fourth section of the act for the more effectual collection of the impost duties, approved on twenty-eighth day of May, one thousand eight hundred and thirty, the said goods shall be found not to correspond with the entry thereof at the custom-house; and if any package shall be found to contain any article not entered, such article shall be forfeited; or if the package be made up with intent to evade or defraud the revenue, the package shall be forfeited; and so much of the said section as prescribes a forfeiture of goods found not to correspond with the invoice thereof, be, and the same is hereby, repealed.

Ad valorem duties, how to be estimated.

SEC. 15. *And be it further enacted*, That, from and after the said third day of March, one thousand eight hundred and thirty-three, the ad valorem rates of duty on goods, wares, and merchandise, shall be estimated in the manner following: to the actual cost, if the same shall have been actually purchased, or the actual value, if the same shall have been procured otherwise than by purchase, at the time and place when and where purchased, or otherwise procured, or to the appraised value, if appraised, shall be added all charges, except insurance.

Pound sterling to be valued at \$4.80.

SEC. 16. *And be it further enacted*, That, from and after the said third day of March, one thousand eight hundred and thirty-three, in calculating the rates of duties, the pound sterling shall be considered and taken as of the value of four dollars and eighty cents.

SEC. 17. *And be it further enacted*, That syrup imported in casks, and all syrup for making sugar, shall be rated by weight, and pay the same duty as the sugar of which it is composed would pay in its natural state; and that loaf or lump sugar, when imported in a pulverized, liquid, or other form, shall pay the same duty as is imposed by law on loaf or lump sugar; and all fossil and crude mineral salt shall pay fifteen per centum ad valorem.

Syrup.

Sugar.

Mineral salt.

SEC. 18. *And be it further enacted*, That the several articles enumerated in this bill, whether imported before or after the passage thereof,

Articles enumerated in this

bill may be put in custom-house stores under the bond of the importer, &c.; and such as remain after March 3, 1833, to be subject to no other duty than if imported after that day; if the duties were previously paid, to be refunded.

Proviso.

may be put into the custom-house stores, under the bond of the importer or owner; and such of said articles as shall remain under the control of the proper officer of the customs on the third day of March, eighteen hundred and thirty-three, shall be subject to no other duty than if the same were imported, respectively, after that day. And if the duties or any part thereof on the articles deposited as aforesaid shall have been paid previous to the said third day of March, the amount so paid shall be refunded to the person importing and depositing the said articles: *Provided*, That this section shall apply to merchandise in original packages which may have been entered and taken into the possession of the importer or owner; upon condition that the said merchandise be placed under the custody of the proper officer of the customs, and that the same shall remain under his control on the third day of March next: *And provided further*, That the Secretary of the Treasury be authorized to prescribe such rules and regulations as may be necessary to carry this section into effect.

APPROVED, July 14, 1832.

#### STATUTE I.

July 14, 1832.

CHAP. CCXXVIII.—*An Act to provide for the extinguishment of the Indian title to lands lying in the states of Missouri and Illinois, and for other purposes.*

Appropriation for extinguishment of Indian title to lands in Missouri and Illinois.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of forty-six thousand dollars be, and the same is hereby appropriated, to be applied, under the direction of the President, to the extinguishment of the title of the Kickapoos, Shawanees, and Delawares, of Cape Girardeau, to lands lying in the state of Missouri; and of the Piankashaws, Weas, Peorias, and Kaskaskias, to lands lying in the state of Illinois; and, for the purpose of defraying all the expenses of treating with, removing, and subsisting, said Indians for one year; for an additional compensation to the Shawnee Indians for their reservation at Wapaughkonitta, in Ohio, an annuity of two thousand dollars per annum, for fifteen years; and, also, the sum of three thousand dollars to defray the expenses of procuring the assent of the Menominee Indians, to the treaty between them and the United States, which was provisionally ratified during the present session of Congress.

Annuity to the Shawnees, &c.

Legal representatives of John and James Pettigrew.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, directed to pay to the legal representatives of John Pettigrew and James Pettigrew, the sum of nine thousand seven hundred and fifty dollars, with interest, at the rate of six per centum, from the month of June, in the year seventeen hundred and ninety-four, until the time of payment.

Legatees of A. McKnight.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, directed to pay to the legatees of Alexander McKnight the sum of two thousand one hundred and twenty dollars, with interest, at the rate of six per centum, from the month of June, in the year seventeen hundred and ninety-four, until the time of payment.

To be paid from the treasury.

SEC. 4. *And be it further enacted*, That said sums be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, July 14, 1832.

#### STATUTE I.

July 14, 1832.

CHAP. CCXXIX.—*An Act for the erection of barracks, quarters, and store-houses, and the purchase of a site, in the vicinity of New Orleans.*

Appropriation.

*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 twelve thousand dollars, to be paid out of any money in the Treas-



surely not otherwise appropriated, be, and the same is hereby appropriated for the erection of barracks, quarters, and store-houses, and the purchase of a site, in the vicinity of New Orleans, for a garrison of four companies of United States' troops.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXX.—*An Act in addition to an act, entitled "An act for the relief of certain insolvent debtors 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 all and each of the provisions of the act to which this is an addition, shall be extended to every person who was a debtor to the United States on the first day of January, one thousand eight hundred and thirty-one, in any sum of money which he is unable to pay, unless such person be indebted as the principal in an official bond, or for public money received by him, and not paid over or accounted for according to law; or for any fine, forfeiture, or penalty, incurred by the violation of any law of the United States.

Act of March 2, 1831, ch. 62. Provisions of former act extended to every person who was on the 1st of January, 1831, indebted to the United States, &c.

SEC. 2. *And be it further enacted,* That, in all such cases of indebtedness as are described in the fourth section of the act to which this is an addition, the Secretary of the Treasury may, according to his discretion, execute to the debtor of the United States a release, as mentioned therein, without any payment by said debtor, if the Secretary of the Treasury is satisfied that said debtor is unable to pay any part of said debt.

Secretary of Treasury to execute releases in certain cases.

SEC. 3. *And be it further enacted,* That nothing contained in this act, or in the act of which it is an amendment, shall be construed to entitle any government debtor to be discharged, until it shall appear to the satisfaction of the Secretary of the Treasury, that the sureties of such debtor are unable to pay the said debt, and that they are entitled to the provisions of this act, in like manner as the said principal debtor shall be entitled to the same, or, unless said sureties shall file their consent, in writing, with the Secretary of the Treasury, that the privileges of this act, and the act to which this is an amendment, may be extended to their principal without any prejudice to their liability, or unless such discharge can and shall be given in such manner as not to affect the legal liability of such sureties.

Debtor not to be discharged until it appear that sureties are unable to pay the debt, &c.

SEC. 4. *And be it further enacted,* That there be, and hereby is, appropriated the sum of five thousand dollars, out of any unappropriated moneys in the treasury, to carry into effect this act, and that of which it is an amendment.

Appropriation.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXXI.—*An Act to provide for the appointment of three commissioners to treat with the Indians, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President shall nominate, and, by and with the advice and consent of the Senate, shall appoint three commissioners, who shall visit and examine the country set apart for the emigrating Indians, west of the Mississippi river; and shall, when it is necessary, enter into negotiations with them for the adjustment of any difficulties which may exist in the location of the lands of the emigrating Indians, in the boundaries thereof. Such commissioners shall also ascertain and report the proper places of location for such of the tribes and portions of tribes as may yet wish to remove to that coun-

[Expired.] Commissioners to be appointed to examine the country set apart for emigrating Indians, &c. and to report proper locations, &c.

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

try, and shall transmit to the War Department all the information they can procure respecting its climate, soil, and capacity to support the number of Indians who will probably remove to and reside in it.

Commissioners to convene hostile tribes, and endeavour to arrange their difficulties.

Act of May 28, 1830, ch. 148.

To report a plan for the improvement of the Indians.

To report relative to mode of emigrating.

To receive instructions from the War Department.

Appropriation.

Act limited to two years.

SEC. 2. *And be it further enacted*, That the said commissioners shall be authorized to convene together such of the tribes as may be in a state of hostility, or as may be apparently disposed to commit, or may have committed, depredations or aggressions against others, and to endeavour to arrange the difficulties between them, so that the protection promised to the emigrating Indians by the sixth section of the act of May twenty-eight, one thousand eight hundred and thirty, may be secured to them.

SEC. 3. *And be it further enacted*, That the said commissioners shall also report to the War Department a plan for the improvement, government, and security of the Indians.

SEC. 4. *And be it further enacted*, That the said commissioners shall inquire into the mode in which the business of emigration has been conducted, and report any changes which would render the same more economical, or better adapted to the comfort and condition of the Indians.

SEC. 5. *And be it further enacted*, That in the discharge of their duties, the said commissioners shall be regulated by such instructions as they may receive from the War Department.

SEC. 6. *And be it further enacted*, That twenty thousand dollars, for the purpose of carrying the provisions of this act into effect, be, and the same is appropriated, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 7. *And be it further enacted*, That this act shall be in force for the term of two years, and no longer.

APPROVED, July 14, 1832.

#### STATUTE I.

July 14, 1832.

[Obsolete.]

Observations to be made preparatory to the adjustment of the boundary line of Ohio.

Result to be returned within one year.

CHAP. CCXXXII.—*An Act to provide for the taking of certain observations preparatory to the adjustment of the northern boundary line of the state of Ohio.* (a)

*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 cause to be ascertained, by accurate observation, the latitude and longitude of the southerly extreme of Lake Michigan; and that he cause to be ascertained, by like observation, the point on the Miami of the Lake which is due east therefrom, and also, the latitude and longitude of the most northerly cape of the Miami bay; also, that he cause to be ascertained, with all practicable accuracy, the latitude and longitude of the most southerly point in the northern boundary line of the United States in Lake Erie; and also, the points at which a direct line drawn from the southerly extreme of Lake Michigan, to the most southerly point in said northern boundary line of the United States, will intersect the Miami river and bay; and also, that he cause to be ascertained by like observation, the point in the Mississippi which is due west from the southerly extreme of Lake Michigan; and that the said observations be made, and the result thereof returned, to the proper department within the current year.

APPROVED, July 14, 1832.

(a) By the fifth section of the act of March 2, 1833, ch. 54, the time for taking observations as to the northern boundary of Ohio was extended to December 31, 1835.

July 14, 1832.

CHAP. CCXXXIII.—*An Act to amend the act entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned."* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases of fine, penalty, or forfeiture, mentioned and embraced in the act entitled "An* Secretary of the Treasury to prescribe rules.

(a) Acts which have been passed relating to the mitigation and remission of forfeitures, penalties, and disabilities.

*Remission of fines, penalties, forfeitures, and disabilities :*

An act to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws in certain cases, May 26, 1790, ch. 12. (Expired.)

An act to continue in force "An act to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws, in certain cases," &c., May 8, 1792, ch. 35. (Obsolete.)

An act to continue in force for a limited time the acts therein mentioned, March 2, 1795, ch. 37. (Expired.)

An act directing the Secretary of the Treasury to remit fines, forfeitures and penalties, in certain cases, Jan. 2, 1813, ch. 7. (Obsolete.)

An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope, Jan. 27, 1813, ch. 14. (Obsolete.)

An act directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures therein mentioned, Feb. 27, 1813, ch. 33. (Obsolete.)

An act to provide for mitigating and remitting the forfeitures, penalties and disabilities accruing in certain cases therein mentioned, March 3, 1797, ch. 13.

[By the fourth section of this act, it was to continue in force for two years, and thence to the end of the next session of Congress. This section was afterwards repealed by act of Feb. 11, 1800, ch. 6.]

An act to repeal part of "An act to provide for mitigating and remitting the forfeitures, penalties and disabilities accruing in certain cases therein mentioned," and to continue in force the residue of the same, Feb. 11, 1800, ch. 6.

An act further to regulate the entry of merchandise imported into the United States, from any adjacent territory, March 2, 1821, ch. 14, sec. 3.

An act supplementary to and to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage," passed second March, 1799, and for other purposes, March 1, 1823, ch. 21, sec. 35.

An act to amend an act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties and disabilities therein mentioned," July 14, 1832, ch. 233.

*Suits for fines, penalties, and forfeitures :*

An act to regulate the collection of duties on imports and tonnage, March 2, 1799, ch. 22, sec. 89.

An act further to provide for the collection of duties on imports and tonnage, March 3, 1815, ch. 93, sec. 5.

An act further to regulate the entry of merchandise imported into the United States from any adjacent territory, March 2, 1821, ch. 14, sec. 3.

An act supplementary to and to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage," passed March 2, 1799, and for other purposes, March 1, 1823, ch. 20, sec. 35.

An act for the more effectual collection of the impost duties, May 28, 1830, ch. 147, sec. 7.

*Limitation of suits for fines, penalties, and forfeitures :*

An act for the punishment of certain crimes against the United States, April 30, 1790, ch. 9, sec. 31.

An act to regulate the collection of duties on imports and tonnage, March 2, 1799, ch. 22, sec. 89.

An act in addition to an act entitled "An act for the punishment of certain crimes against the United States, March 26, 1804, ch. 40, sec. 3.

An act for the regulation of seamen on board the public and private armed vessels of the United States, March 3, 1813, ch. 42, sec. 14.

*Distribution of fines, penalties, and forfeitures :*

An act to regulate the collection of duties on imports and tonnage, 1799, ch. 22, sec. 91.

An act to prohibit intercourse with the enemy, and for other purposes, Feb. 4, 1815, ch. 31, sec. 7.

An act further to provide for the collection of duties on imports and tonnage, March 3, 1815, ch. 93, sec. 5.

An act further to regulate the entry of merchandise imported into the United States from any adjacent territory, March 2, 1821, ch. 14, sec. 3.

An act supplementary to and to amend an act entitled "An act to regulate the collection of duties on imports and tonnage," passed March 2, 1799, and for other purposes, March 1, 1823, ch. 20, sec. 35.

*Decisions of the courts of the United States on the remission and distribution of the proceeds of penalties and forfeitures :*

Action of indebitatus assumpsit, was brought by the officers of the revenue cutter of the district of Delaware, for one half of the forfeiture incurred for a violation of the non-intercourse law, by a vessel seized by the collector of Delaware, on the information of the plaintiffs, and sent by him to the district of Pennsylvania for trial, where she was condemned, and the amount of the forfeiture was received by the defendant, the collector of the port of Philadelphia. *Held*, 1st. The information to induce a seizure need not be as full as the evidence in the case would authorize to condemn. It is sufficient if it induced the prosecution. 2d. It is not necessary that the officers of the revenue cutter should, where they gave the information, make a claim for a part of the forfeiture; or that they should take any part in the prosecution of the case, to entitle them to a portion of the proceeds. 3d. The consent of the plaintiffs that the vessel should be sent from the district of Delaware, to the district of Pennsylvania; or a disavowal by them, of having instituted this suit, does not constitute a waiver of their right to their share of the

act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," or in any act in addition to, or amendatory of said act, and not exceeding fifty dollars in amount, or value, the Secretary of the Treasury be, and he hereby

forfeiture. 4th. The defendant is not liable to the plaintiffs for such parts of the proceeds of the forfeiture as he had paid over to other officers of the custom-house for their shares, before notice of the claims of the plaintiffs. *Sawyer et al. v. Steele*, 3 Wash. C. C. R. 464.

A bond was given to T. S., the collector of the district of Petersburg, under the second section of the embargo act of the 22d of December, 1807, and a suit was afterwards brought by him on the same bond in the district court; and pending the proceedings, to wit, on the 30th of October, 1811, J. S., the collector, died; and judgment was recovered in favour of the United States, on the 30th of November, 1811. On the 26th of the same November, J. J. was appointed collector of the same district, and entered on the duties of his office on the 14th of December, 1811; until which time T. S., who was deputy collector under J. S., at his decease, continued as such to discharge the duties of the office. The judgment of the district court was subsequently affirmed by the circuit court. When the bond was taken, A. T. was surveyor of the district, and continued in that office until his death, which was after the commencement of the suit on the bond, and before judgment thereon, and was succeeded by J. H. P., who was appointed on the 30th of March, 1811, and entered on the duties of his office on the 16th of the same month. It was held, that the personal representatives of the deceased collector and surveyor, and not their successors in office, were entitled to that portion of the penalty which is, by law, to be distributed among the revenue officers of the district where it was incurred. There being no naval officer in the district, the division was adjudged to be made in equal proportions between the collector and surveyor. *Jones and others v. Shore's Executors and others*, 1 Wheat. 462; 3 Cond. Rep. 624.

The Secretary of the Treasury has authority, under the remission act of the 3d of March, 1797, ch. 13, to remit a forfeiture or penalty accruing under the revenue laws, at any time, before or after a final sentence of condemnation or judgment for the penalty, until the money is actually paid over to the collector for distribution. *United States v. Morris*, 10 Wheat. 246; 6 Cond. Rep. 90.

Such remission extends to the shares of the forfeiture or penalty to which the officers of the customs are entitled, as well as to the interest of the United States. *Ibid.*

The ship *Good Friends*, and her cargo of British merchandise, owned by Stephen Girard, a citizen of the United States, was seized by the collector of the Delaware district, on the 19th of April, 1812, for a violation of the non-intercourse laws of the United States then in force. The ship and cargo were condemned as forfeited, in the district and circuit court of the Delaware district. On the 29th July, 1813, Congress passed "An act for the relief of the owners of the *Good Friends*," &c., and a remission of the forfeiture was granted by the Secretary of the Treasury, under the authority of that act, with the exception of a sum equal to the double duties imposed by an act of Congress passed on the 1st of July, 1812. The collector was entitled to one moiety of the whole amount reserved by the Secretary of the Treasury, as the condition of the remission. *M'Lane v. The United States*, 6 Peters, 404.

Where a sentence of condemnation has been finally pronounced in a case of seizure, the Supreme Court, as an incident to the possession of the principal cause, has a right to proceed to decree a distribution of the proceeds, according to the terms prescribed by law. And it is a familiar practice to institute proceedings for the purpose of such distribution, whenever a doubt occurs as to the rights of the parties, who are entitled to share in the distribution. *Ibid.*

The duty of the collector in superintending the collection of the revenue, and of making seizures for supposed violations of law, is onerous and full of perplexity. If he seizes any goods, it is at his own peril; and he is condemnable in damages and costs, if it should turn out upon the final adjudication, that there was no probable cause for the seizure. As a just reward for his diligence, and a compensation for his risks; at once to stimulate his vigilance and secure his activity, the laws of the United States have awarded to him a large share of the proceeds of the forfeiture. But his right by the seizure is but inchoate; and although the forfeiture may have been justly incurred, yet the government has reserved to itself the right to release it, either in whole or in part, until the proceeds have been actually received for distribution; and in that event, and to that extent, it displaces the right of the collector. Such was the decision of the Supreme Court of the United States in the case of the *United States v. Morris*, 10 Wheat. 246. *Ibid.*

But whatever is reserved to the government out of the forfeiture, is reserved as well for the seizing officer, as for itself; and is distributable accordingly. The government has no authority, under its existing laws, to release the collector's share, as such, and yet to retain to itself the other part of the forfeiture. *Ibid.*

In point of law, no duties, as such, can legally accrue upon the importation of prohibited goods. They are not entitled to entry at the custom-house, or to be bonded. They are, ipso facto, forfeited by the mere act of importation. *Ibid.*

The Secretary of the Treasury may remit not only the interest of the United States, but of individuals, in penalties and forfeitures in certain cases, after suit brought, and before judgment. *United States v. Lancaster*, 4 Wash. C. C. R. 64.

A pardon of the President of the United States, after condemnation, as to all the interest of the United States, in the penalty incurred by a violation of the embargo laws, and directing all further proceedings on behalf of the United States to be discontinued, does not remit the interest of the custom-house officers in a moiety. *Ibid.*

Under the 91st section of the duty act of March 2d, 1799, ch. 22, the share of a forfeiture to which the collector, &c., of the district is entitled, is to be paid to the person who was the collector, &c., in the office at the time the seizure was made; and not to his successor in office at the time of condemnation, and the receipt of the money. *Buel v. Van Ness*, 8 Wheat. 312; 5 Cond. Rep. 445.

Until final judgment, no part of the forfeiture vests absolutely in the collector; but after final judgment, his share vests absolutely, and cannot be remitted by the Secretary of the Treasury. *The Hollen*, 1 Mason's C. C. R. 431.

If, pending the proceedings, a remission be made of the whole property forfeited, the whole title of

is authorized, if in his opinion the said fine, penalty, or forfeiture was incurred without wilful negligence or intention of fraud, to prescribe such rules and mode of proceeding, to ascertain the facts, as in his opinion may be convenient and proper, without regard to the provisions of the act above referred to; and upon the said facts, so to be ascertained as aforesaid, the said secretary may exercise all the power conferred upon him in and by said act, as fully as he might have done had said facts been ascertained under and according to the provisions of said act.

APPROVED, July 14, 1832.

Secretary to exercise power conferred by said act, &c.

STATUTE I.

July 14, 1832.

CHAP. CCXXXIV.—*An Act further to provide for the relief of distressed 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 three thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to the fund for the relief of distressed American seamen; and that the said amount be distributed among the owners, officers, and crew of the Spanish brig Leon, in such proportion as shall be directed by the President of the United States, for services rendered and losses incurred, in saving and transporting to the island of Cuba the officers and crew of the American ship Minerva, wrecked and burnt on the Bahama bank.

APPROVED, July 14, 1832.

Appropriation for distribution among the owners, officers, and crew of the Spanish brig Leon.

STATUTE I.

July 14, 1832.

CHAP. CCXXXVI.—*An Act for the relief of the invalid pensioners of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That an act, entitled "An act regulating the payments to invalid pensioners," approved the third day of March, one thousand eight hundred and nineteen, be, and the same is hereby, repealed.

APPROVED, July 14, 1832.

Act of March 3, 1819, ch. 31, repealed.

the collector is gone; if of a part only, his title attaches to the remainder, and, by a judgment of condemnation, becomes fixed and indissoluble. *The Margareta*, 2 Gallis. C. C. R. 515.

If there is no informer, the United States have one-half, and the officers of the customs the other. If there is an informer, the informer has a fourth, and the custom-house officers a fourth. If the informer is an officer of a revenue cutter, the United States have a fourth, one-fourth to the custom-house officers, and the officer of the revenue cutter one-half. *Sawyer et al. v. Steele*, 3 Wash. C. C. R. 464.

The consent of the claimants that the vessel should be sent into another district for adjudication, or a disavowal by them of having instituted the suit, does not amount to a waiver by them, of their right to a share of the forfeiture. *Ibid.*

But the collector is not responsible for such part of the forfeiture as he may have paid over, bona fide, to other officers, for their shares, before notice of the plaintiff's claim. *Ibid.*

The Secretary of the Treasury has no power to remit penalties, unless in cases provided for by law. If he recites his authority under a special act, and remits in pursuance of that act, the remission, if unsupported by that act, cannot be supported under the general act of March 3, 1797, ch. 13. Under the act of February 27, 1813, ch. 33, the Secretary of the Treasury had no authority to remit penalties for goods subsequently imported, contrary to the non-importation act. Under the act of March 3, 1797, ch. 13, the district judge is bound, upon a petition for remission, to state the facts, and not merely the evidence of the facts; and the Secretary of the Treasury is bound by this statement of facts, and cannot legally act upon any other evidence. *The Margareta*, 2 Gallis. C. C. R. 515.

The district judge, in stating such facts, acts judicially; and the proof before him must be made by competent, as well as credible testimony. A statement by the district judge that the claimant only swore to the facts before him, is no legal proof under the act of 1797, upon which the Secretary of the Treasury is authorized to remit. Under the act of February 27, 1813, ch. 33, the Secretary of the Treasury had no authority to make a remission of part only of the property forfeited; if he remitted at all, he was bound to remit the whole penalty or forfeiture. Neither under the act of 1797, nor the act of 1813, had the Secretary of the Treasury any authority to remit the collector's share of the forfeiture, nor any part of it, eo nomine. *Ibid.*

Fines imposed by the act of March 2, 1799, ch. 22, for obstructing officers of the customs, as well as penalties, are to be received by the collector of the customs, and distributed by him. *Ex parte Marquand*, 2 Gallis. C. C. R. 552.

## STATUTE I.

July 14, 1832.

CHAP. CCXXXVII.—*An Act to amend the act, entitled "An act for the relief of certain surviving officers and soldiers of the army of the revolution."*

Third section of May 15, 1823, ch. 53, not to embrace invalid pensioners, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the third section of the act, entitled "An act for the relief of certain surviving officers and soldiers of the army of the revolution," approved the fifteenth day of May, one thousand eight hundred and twenty-eight, shall not be construed to embrace invalid pensioners; and that the pension of invalid soldiers shall not be deducted from the amount receivable by them under the said act.

APPROVED, July 14, 1832.

## STATUTE I.

July 14, 1832.

CHAP. CCXXXVIII.—*An Act repealing a part of the fifth section of an act, entitled "An act to establish ports of delivery at Port Pontchartrain and Delaware city, and for other purposes."*

Act of March 3, 1831, ch. 76, repealed.

Office of surveyor discontinued.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so much of the fifth section of an act, entitled "An act to establish ports of delivery at Port Pontchartrain and Delaware city, and for other purposes," approved March second, one thousand eight hundred and thirty-one, as provides for the appointment of a surveyor to reside at Prospect, in the district of Belfast, in the state of Maine, be, and the [same] is hereby repealed.

APPROVED, July 14, 1832.

## STATUTE I.

July 14, 1832.

CHAP. CCXXXIX.—*An Act to amend the several acts for the establishment of a territorial government in Florida. (a)*

Court of appeals to be composed of judges of the superior courts.

Majority to constitute a quorum, &c.

Writs of error and appeals authorized to be taken and prosecuted from the highest court of law or equity, &c., in the same manner, &c.

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

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the court of appeals in the territory of Florida, established in virtue of the fourth section of the act of the twenty-sixth of May, one thousand eight hundred and twenty-four, to which this act is an amendment, shall be composed of the judges of the superior courts in said territory respectively, a majority of whom shall be necessary to be present to constitute a quorum to hear and decide causes; but any two of the said judges shall be sufficient to make any interlocutory order, or to grant any writ authorized by any of the acts to which this is an amendment.

SEC. 2. *And be it further enacted,* That the provisions and regulations contained in the twenty-fifth section of the act of the twenty-fourth of September, one thousand seven hundred and eighty-nine, entitled "An act to establish the judicial courts of the United States," in regard to writs of error and appeals to the Supreme Court of the United States, from a final judgment or decree in any suit in the highest court of law or equity of a state, shall be applicable to writs of error and appeals to the Supreme Court of the United States from the highest court of law or equity in said territory, having jurisdiction of the subject matter, in the same manner as writs of error and appeals are authorized now to be taken and prosecuted under the aforesaid twenty-fifth section of the act of the twenty-fourth of September, one thousand seven hundred and eighty-nine, from any court in any state; and writs of error and appeals, in virtue of the said twenty-fifth section, are hereby authorized to be taken and prosecuted from the highest court of law or equity having jurisdiction of the subject matter in the said territory.

SEC. 3. *And be it further enacted*, That the regulations prescribed by the second section of the act entitled "An act in addition to an act entitled An act to amend the judicial system of the United States," approved the third of March, one thousand eight hundred and three, as far as said regulations shall be practicable, shall be observed in respect to all writs of error and appeals from the said court of appeals in the said territory to the Supreme Court of the United States.

SEC. 4. *And be it further enacted*, That appeals and writs of error may be taken and prosecuted, in all cases, from the decisions and judgments of the highest court of said territory to the Supreme Court of the United States, where the amount in controversy exceeds one thousand dollars.

APPROVED, July 14, 1832.

The regulations prescribed, &c., shall be observed, &c.  
Act of March 3, 1803, ch. 40

Appeals and writs of error to be allowed only where the amount in controversy exceeds \$1000.

STATUTE I.

July 14, 1832.

CHAP. CCXL.—*An Act to authorize the sale of certain public lands in the state of Ohio.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the lands heretofore reserved for certain Indian tribes in the state of Ohio, and which were ceded to the United States by treaties ratified on the twenty-fourth day of March, in the year one thousand eight hundred and thirty-one, and the sixth day of April, one thousand eight hundred and thirty-two, be, and the same are hereby attached to, and made to form part of, the land districts in which they are respectively situated, and liable to be sold as other public lands in the state of Ohio.

APPROVED, July 14, 1832.

Certain public lands to be attached to the land districts in which they are respectively situated, &c.

STATUTE I.

July 14, 1832.

CHAP. CCXLI.—*An Act to authorize the disposition of the fund arising from the sale of a quarter section of land, reserved for the use of schools, in Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the commissioners elected by the qualified voters in township five, range eleven, north and west, in the county of Jackson, in the territory of Florida, in obedience to an act of Congress, entitled "An act to authorize the establishment of a town on land reserved for the use of schools, &c.," approved the second of March, one thousand eight hundred and twenty-nine, be, and they are hereby, authorized to vest the money arising from the sale in said act authorized, in some productive fund under the authority of the governor and legislative council of the territory, the proceeds of which shall for ever be applied to common schools in said township.

SEC. 2. *And be it further enacted*, That the said commissioners be, and they are hereby authorized to make sale of the remainder of said lots to be applied to the objects aforesaid; and all provisions of the act aforesaid, inconsistent with this act, be, and the same are hereby repealed: *Provided*, That the governor and legislative council of said territory authorize such sale, with the assent of the majority of the inhabitants of said township.

APPROVED, July 14, 1832.

Commissioners authorized to vest money arising from sale of certain land in some productive fund.  
March 2, 1829, ch. 39.

Proceeds to be applied to common schools.

Commissioners authorized to sell remainder of lots, &c.

Proviso.

## STATUTE I.

July 14, 1832.

CHAP. CCXLII.—*An Act giving the assent of the United States to an act of the general assembly of Maryland, passed at their December session, in one thousand eight hundred and thirty-one, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company."*

Act of May 23,  
1828, ch. 85.

Assent of the  
United States  
given to act of  
Maryland.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the assent of the United States be, and the same is hereby, given to an act of the General Assembly of Maryland, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," which passed the general assembly of Maryland at December session, one thousand eight hundred and thirty-one: Provided, That nothing therein contained shall be construed to impair any right possessed by the said company anterior to the passage of said act, nor to authorize any individual to obstruct the free access of all persons to the said canal along the berm bank, or other lands condemned for the construction and use thereof, nor to prevent the engineers, superintendents, or officers of the said company, from passing up and down the said canal without obstruction along the grounds condemned therefor, in order to inspect the condition of the said canal, or to make, at any time, suitable repairs thereof.*

Proviso.

APPROVED, July 14, 1832.

## STATUTE I.

July 14, 1832.

CHAP. CCXLIII.—*An Act making appropriation towards the expense of laying out and opening a military road, from fort Howard, at Green bay, to fort Crawford, on the Mississippi.*

Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, towards the expense of laying out and opening a military road from fort Howard, at Green bay, in the territory of Michigan, to fort Crawford, on the Mississippi, by the way of fort Winnebago.*

APPROVED, July 14, 1832.

## STATUTE I.

July 14, 1832.

CHAP. CCXLV.—*An Act to revive and continue in force "An act authorizing the payment of certain certificates," approved seventh May, one thousand eight hundred and twenty-two.*

Act of Congress  
of May 7, 1822,  
ch. 112, revived  
and continued in  
force for four  
years.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the "Act authorizing the payment of certain certificates," approved on the seventh May, one thousand eight hundred and twenty-two, be, and the same is hereby, revived and continued in force for the term of four years from and after the passing of this act, and from thence to the end of the next session of Congress thereafter, a notification of which revival and continuance shall be published by the Secretary of the Treasury, for the information of the holders of the certificates, the payment of which is authorized by said act, in one or more of the public papers printed in each of the United States.*

Appropriation.

SEC. 2. *And be it further enacted, That, for carrying this act into effect, the sum of forty thousand dollars be, and hereby is, appropriated, out of any money in the treasury of the United States not otherwise appropriated.*

APPROVED, July 14, 1832.



CHAP. CCXLVI.—*An Act supplemental to the act "granting the right of pre-emption to settlers on the public lands," approved the twenty-ninth day of May, eighteen hundred and thirty. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the occupants and settlers upon the public lands of the United States, who are entitled to a pre-emption according to the provisions of the act of Congress, approved the twenty-ninth day of May, eighteen hundred and thirty, and who have not been, or shall not be, enabled to make proof and enter the same within the time limited in said act, in consequence of the public surveys not having been made and returned, or where the land was not attached to any land district, or where the same has been reserved from sale on account of a disputed boundary between any state and territory, the said occupants shall be permitted to enter the said lands on the same conditions, in every respect, as are prescribed in said act, within one year after the surveys are made, or the land attached to a land district, or the boundary line established; and, if the said lands shall be proclaimed for sale before the expiration of one year as aforesaid, then they shall be entered before the sale thereof.

SEC. 2. *And be it further enacted,* That the occupants upon fractions shall be permitted, in like manner, to enter the same, so as not to exceed in quantity one quarter section; and, if the fractions exceed a quarter section, the occupant shall be permitted to enter one hundred and sixty acres, to include his or their improvement, at the price aforesaid.

APPROVED, July 14, 1832.

STATUTE I.  
July 14, 1832.

Act of May 29, 1830, ch. 208.  
Act of Jan. 23, 1832, ch. 9.  
Occupants and settlers on public lands, entitled to pre-emption, &c.

Occupants upon fractions to be permitted to enter in like manner, &c.

CHAP. CCXLVII.—*An Act to authorize the sale of lands reserved from sale at fort Jackson, in the state of Alabama.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby authorized to offer for sale, the lands heretofore reserved from sale at fort Jackson, in the state of Alabama.

SEC. 2. *And be it further enacted,* That every settler on said lands, who, prior to the year one thousand eight hundred and thirty, cultivated any part thereof, and is now in possession of the same, shall be allowed to enter at the proper land office, one quarter section, according to the provisions of the first section of an act to grant pre-emption rights to settlers on public lands, approved May twenty-ninth, one thousand eight hundred and thirty.

APPROVED, July 14, 1832.

STATUTE I.  
July 14, 1832.

Sale of land authorized.

Settlers on said lands, who, prior to 1830, cultivated, &c. allowed to enter, &c.

Act of May 29, 1830, ch. 208.

CHAP. CCXLVIII.—*An Act granting certain city lots to the corporation of the Columbian College, for the purposes therein mentioned.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be, and hereby are, granted to the Columbian College, in the District of Columbia, lots in the city of Washington, to the amount, in value, of twenty-five thousand dollars; which said lots shall be selected and valued by the commissioner of the public buildings, when requested by the trustees of the said college; and when the said lots shall be so selected and valued, the same shall be vested in the said corporation, in fee simple; to be by them held and disposed of in the manner following, that is to say: the said corporation, by proper and lawful act or acts, under their corporate seal,

STATUTE I.  
July 14, 1832.

Grant of city lots to the value of \$25,000.

Sale authorized, &c.

(a) Pre-emption of public lands. See notes to the act of May 29, 1830, ch. 208.

shall sell and dispose of the said lots, as soon as reasonably practicable, for the best price or prices they can obtain; and shall vest the proceeds of the same in some public stock, or in stock of some incorporated bank.

Commissioner of public buildings to make return of the numbers, &c.

SEC. 2. *And be it further enacted*, That, when the lots aforesaid shall be selected and valued as aforesaid, the said commissioner shall make return of the numbers and description thereof to the clerk of the circuit court of the county of Washington; to be by him recorded among the records of land titles in the said county.

Proceeds of sales to be used by trustees only as capital, to be vested, &c.

SEC. 3. *And be it further enacted*, That the proceeds of the sales aforesaid, so to be vested, shall not be otherwise used by the said trustees than as a capital, to be by them for ever hereafter kept vested as aforesaid; and the dividends or interest therefrom accruing, shall, by them, be used and applied in aid of the other revenues of the said college, to the establishment and endowment of such professorships therein as now are, or hereafter shall be, established by the said trustees; and to and for no other purpose whatever.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCL.—*An Act to release from duty iron prepared for, and actually laid on, railways or inclined planes.*

Secretary of the Treasury to allow drawback on rail iron, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That when it shall be satisfactorily proved to the Secretary of the Treasury, that any rail iron imported for the purpose of being applied in the construction of any railroad or inclined plane by any state or incorporated company has been actually and permanently laid on any such railroad or inclined plane, that then, and in that case, he may allow a drawback of the duty on such rail iron so laid, or if the duty shall have been actually paid, he may refund the same; any thing in any act to the contrary notwithstanding: *Provided*, That no iron shall be considered as railroad iron but such as is prepared to be laid upon railroads, or inclined planes, without further manufacture.

Proviso.

Time for payment of bonds extended in certain cases.

SEC. 2. *And be it further enacted*, That whenever any railroad iron may have been, or shall hereafter be imported by any state or incorporated company for the purpose of being laid down on any railroad, and the bonds given for the duties on the same, shall become due before the said iron can be so laid down, the Secretary of the Treasury be, and he is hereby authorized to extend the time for the payment of so much of said bonds as shall be equal to the amount of the drawback to which said state or company may be entitled: *Provided*, The time shall not be extended beyond three years from the date of the importation: and where any such state or company may have already paid the whole amount of any such bond, the Secretary of the Treasury be authorized to cause the amount of the drawback on the same to be refunded, on taking bond with sufficient sureties that the same shall be repaid, should the iron for which said bond may be given, not be actually laid down within three years from the time of importation.

Proviso.

APPROVED, July 14, 1832.

STATUTE I.

July 16, 1832.

CHAP. CCCI.—*An Act supplemental to the act "granting certain relinquished and unappropriated lands to the state of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahaba, and Black Warrior rivers," approved the twenty-third day of May, one thousand eight hundred and twenty-eight.*

Act of May 23, 1828, ch. 75.

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

for the state of Alabama to alter the plan for the improvement on the Tennessee river below Florence, by canalling instead of sluicing, so as to accomplish the object which Congress had in view in making the appropriation: *Provided*, That not more than one hundred and fifty thousand dollars, including the sum already expended on that part of the river, shall be expended below the said town of Florence.

Plan for improvement of Tennessee river authorized to be altered.  
Proviso.

APPROVED, July 16, 1832.

RESOLUTIONS.

I. RESOLUTION *empowering the Secretary of the Navy to settle certain contracts, and to relinquish certain forfeitures.*

Feb. 10, 1832.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of the Navy be empowered to relinquish and pay all forfeitures on contracts made by the board of navy commissioners, when said forfeitures have arisen by the extension of the contracts, or where the contracts have been completed by the approbation of the board of navy commissioners, without any injury to the public service; and the Secretary of the Navy is empowered to fulfil all outstanding contracts where the time for their performance has been extended, or where the completion of said contracts has been prevented by unavoidable accident, and the public service has sustained no injury.

Contracts to be settled.

Outstanding contracts to be fulfilled.

APPROVED, February 10, 1832.

II. RESOLUTION *concerning the recording of patents for useful inventions.*

March 7, 1832.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of State, out of the proceeds arising from the fees on patents for useful inventions, discoveries, and improvements, procure the necessary books, stationery, and other accommodations for recording the patents issued and unrecorded, as well as those hereafter to be issued, and that he employ, and pay at a rate not exceeding twelve and a half cents for every hundred words, so many clerks as may be requisite, with convenient despatch, to record the same.

Patents to be recorded.

APPROVED, March 7, 1832.

III. RESOLUTION *respecting the pay of the marine corps.*

May 25, 1832.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the pay, subsistence, emoluments, and allowances of officers, non-commissioned officers, musicians and privates of the United States marine corps, shall be the same as they were previously to the first of April, one thousand eight hundred and twenty-nine, and shall so continue until they shall be altered by law.

The pay of the marines to continue as previous to April 1, 1829.

APPROVED, May 25, 1832.

IV. RESOLUTION *transferring certain duties, relating to pensions, from the Treasury to the War Department.*

June 28, 1832.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the duties which devolve upon the Secretary of the Treasury by virtue of an act, approved the seventh of June, one thousand eight hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the army of the revolution," be, and the same are hereby, transferred to the Secretary of War.

Duties transferred from the Secretary of the Treasury to the Secretary of War.  
Act of June 7, 1832, ch. 126.

APPROVED, June 28, 1832.

July 3, 1832.

Distribution of the returns of the fifth census.

V. RESOLUTION for the distribution of the returns of the fifth census.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of State be instructed to furnish to each member of the present Congress, and the delegates from the territories, the President and Vice President of the United States, to each five copies: and to the executive of each state and territory, and the presiding officer of each branch of every state or territorial legislature, for the use of the body over which he presides; to the several colleges and incorporated historical societies and athenæums, in the United States, and the academy at West Point, each one copy; for the use of the Departments, State, Treasury, War, and Navy, five copies each; for the use of the Senate, ten copies, and for the use of the House of Representatives, twenty copies of the marshals' returns of the fifth census, and of the revision of the former returns of the population of the United States; and that the residue of the copies thereof be deposited in the library of Congress.

APPROVED, July 3, 1832.

July 10, 1832.

Distribution of the compilation of congressional documents.

Act of March 2, 1831, ch. 65.

VI. RESOLUTION directing the distribution of a compilation of congressional documents, and for other purposes.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the secretary of the Senate and clerk of the House of Representatives be, and they are hereby, directed to distribute, by mail or otherwise, the compilation of documents directed to be published by the act entitled "An act making provision for a subscription to a compilation of congressional documents," approved March second, eighteen hundred and thirty-one, in the following manner, to wit:

To the President of the United States, and to each person who has been President, one copy.

To the Vice President of the United States, one copy.

To the Department of State, four copies, viz: one for the use of the secretary, one to be deposited in the patent office, and the two other to remain in the library of that department.

For the ministers of the United States, in foreign countries, fifty copies, to be deposited in and distributed under such regulations as may be made by the Department of State.

To the Treasury Department, twelve copies, namely: for the use of the secretary, one copy; and for the use of the first and second comptrollers, the first, second, third, fourth, and fifth auditors, the treasurer, register, solicitor, and commissioner of the general land office; one copy each.

To the War Department, thirteen copies, namely: for the use of the Secretary, one copy; for the use of the commanding general of the army of the United States, the paymaster general, the adjutant general, the commissary general of purchases, the ordnance department, commissary general of subsistence, quartermaster general, engineer department, topographical bureau, one copy each; and for the use of the military academy, three copies.

To the Navy Department, fifty-four copies; namely: for the use of the Secretary, one copy; for the use of the commissioners of the navy board, one copy; and to enable the Secretary of the Navy to place one copy in every public armed vessel of the United States, when in commission, under such regulations as the said secretary shall prescribe, fifty-two copies.

To the general post-office, three copies; namely: for the use of the Postmaster General, one copy, and for the use of each of the assistants postmaster general, one copy.

To the library of Congress, five copies.

To the library of the Senate, ten copies.

To the library of the House of Representatives, twenty copies.

To each member of the Senate and House of Representatives, and delegates of the twenty-first and twenty-second Congress, one copy.

To the justices of the Supreme Court of the United States, each, one copy.

To Mr. O. Rich, agent for the Congress Library, in London, one copy, to be disposed of by him in some suitable manner, in return for a donation made by authority of the British government, to the library of Congress, of the volumes of the record commission publications.

To supply the several states and territories of the United States, eighty-one copies, viz: for the use of the governor and each branch of the legislature of every state, one copy; for the use of the governor of each of the territories, one copy; and two copies to be deposited in the archives of each of said territories, for the use of the legislature thereof.

To each incorporated college and athenæum in the United States, not exceeding sixty-nine, one copy.

SEC. 2. *And be it further resolved*, That, of the copies of the Secret Journals of the old Congress, remaining for distribution, there be a further distribution as follows, namely: that one copy of each volume be delivered to each member of both houses of Congress, and that the residue remain for a future order of distribution.

Further distribution of Secret Journals of old Congress.

SEC. 3. *And be it further resolved*, That the secretary of the Senate and the clerk of the House be, and hereby are, directed to divide the remaining documents of the two houses from the fourteenth to the eighteenth Congress inclusive, and to keep them for the use of each house in their respective libraries.

Documents of the two houses.

SEC. 4. *And be it further resolved*, That the copies of the Journal of the Convention for forming the present Constitution, remaining for distribution, be equally divided between the two houses of Congress, to be kept in their respective libraries.

Distribution of Journal of the Convention for forming the Constitution.

APPROVED, July 10, 1832.

VII. RESOLUTION for binding the several copies of the returns of the fifth census, printed by authority of the act of the twenty-third of May, one thousand eight hundred and thirty.

July 13, 1832.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the secretary of the Senate, and clerk of the House of Representatives cause the returns of the marshals of the states and territories of the enumeration of the inhabitants of the United States and the schedule of the whole number of persons within the United States, taken according to the different acts providing for the enumeration of the inhabitants of the United States, printed by authority of the act of Congress of the twenty-third of May, [March,] eighteen hundred and thirty, to be bound in suitable binding, and that the same be paid for, out of the contingent fund of the two houses of Congress.

Binding printed returns of fifth census.

Act of March 23, 1830, ch. 40.

APPROVED, July 13, 1832.

VIII. RESOLUTION to repeal a resolution, approved the twenty-ninth day of April, one thousand eight hundred and sixteen, authorizing the President of the United States to employ a skilful assistant in the corps of engineers.

July 14, 1832.

*Resolved 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 next, the joint resolution, approved the twenty-ninth day

Joint resolution of April 29, 1816, repealed.

of April, one thousand eight hundred and sixteen, authorizing the President of the United States to employ a skilful assistant in the corps of engineers, be, and the same is hereby, repealed.

APPROVED, July 14, 1832.

July 14, 1832.

IX. RESOLUTION *in relation to the execution of an act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution.*

Act of June 7,  
1832, ch. 126.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, in the execution of the act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution, approved June seventh, one thousand eight hundred and thirty-two, the time of imprisonment as a prisoner of war, shall be taken and computed as a part of the period of service.

APPROVED, July 14, 1832.

July 14, 1832.

Documents of  
fifth census free  
of postage.

X. RESOLUTION *directing the transmission of the fifth census by mail.*

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the document containing the fifth census be transmitted free of postage, by mail, to members of Congress and other persons entitled to receive the same.

APPROVED, July 14, 1832.

July 14, 1832.

List of printers  
of laws of the  
United States,  
&c., with the  
compensation  
allowed, to be  
published in the  
Biennial Re-  
gister.

XI. RESOLUTION *respecting the Biennial Register.*

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, in addition to the matter heretofore contained in the Biennial Register, published by direction of a joint resolution passed on the twenty-seventh of April, one thousand eight hundred and sixteen, there shall be included a correct list in the next Register, of all printers of the laws of the United States subsequent to the thirtieth of September, one thousand eight hundred and thirty-one, to the thirtieth September, one thousand eight hundred and thirty-three, with the compensation allowed to each; and of all printers within the period aforesaid, in any way employed by Congress, or by any department or officer of the government, with the compensation allowed to each, designating the department or officer causing the printing to be executed; and that said Register shall contain a correct statement of all allowances made by the Postmaster General within the period last aforesaid, to each contractor on contracts for carrying the mail, discriminating the sum paid as stipulated by the original contract, and the sum as additional allowance. And to enable the Secretary of State to comply with this resolution, the several heads of departments, and officers directing or incurring the expense, or making the allowances mentioned, shall cause the lists, and the matter hereby required to be added, to be lodged in the office of the Department of State, as is directed in other cases by the resolution of April twenty-seventh, one thousand eight hundred and sixteen.

Statement of al-  
lowances made  
to mail contrac-  
tors.

Lists to be  
sent to the State  
Department.

List of officers  
of United States  
Bank and its  
branches.

*Resolved,* That said Register shall contain a correct list of the presidents, cashiers, and directors of the bank of the United States and its branches, in office on the thirtieth of September, eighteen hundred and thirty-three: which list shall be transmitted by the president of said bank to the Secretary of State by the first Monday of October, one thousand eight hundred and thirty-three.

*Resolved,* That all Biennial Registers, under the said resolution of April twenty-seventh, one thousand eight hundred and sixteen, shall hereafter be compiled and published conformably to the principles therein and hereby established.

APPROVED, July 14, 1832.

# ACTS OF THE TWENTY-SECOND 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 third day of December, 1832, and ended on the second of March, 1833.*

ANDREW JACKSON, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives.

### STATUTE II.

CHAP. I.—*An Act making appropriations, in part, for the support of government for the year one thousand eight hundred and thirty-three, and for certain expenditures of the year one thousand eight hundred and thirty-two.*

Jan. 14, 1833.

[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 :

Appropriations for government.

For pay and mileage of the members of Congress and delegates, three hundred and seven thousand nine hundred and sixty-eight dollars.

For pay of the officers and clerks of both houses, thirty-four thousand three hundred dollars.

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

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

The said two sums last named to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose. And no part of this appropriation shall be applied to any printing other than of such documents or papers as are connected with the ordinary proceedings of either of the said Houses, ordered during its session, and executed by the public printer, agreeably to his contracts, excepting such as may have been ordered by the joint committee for preparing a digest of laws for the District of Columbia, or such printing and books as have heretofore been ordered by the House.

Application of last two sums.

For defraying the expenses of the several courts of the United States; also, for jurors and witnesses, and for defraying the expenses of suits in which the United States are concerned, and of prosecution for offences committed against the United States, and for the safe keeping of prisoners during the year one thousand eight hundred and thirty-two, in addition to the sum heretofore appropriated for those purposes, the further sum of fifty-one thousand six hundred and fifty-five dollars.

Expenses of courts, &c.

APPROVED, January 14, 1833.

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## STATUTE II.

Jan. 14, 1833.

[Obsolete.]

Appropriations  
for pensioners.Revolutionary  
pensioners.  
1832, ch. 126.Invalid pen-  
sions.Pensions to  
widows and or-  
phans.

CHAP. II.—*An Act making appropriations for the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-three.*

*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, to be paid out of any money in the treasury not otherwise appropriated, for the pensioners of the United States, for the year one thousand eight hundred and thirty-three.

For the revolutionary pensioners, under the several acts prior to that of the seventh June, one thousand eight hundred and thirty-two, six hundred and twenty-four thousand six hundred and eighty-five dollars, in addition to an unexpended balance of three hundred and six thousand five hundred and forty dollars.

For the invalid pensions, in addition to the sum of two hundred and one thousand nine hundred and forty-two dollars in the treasury, ninety-eight thousand seven hundred and thirty-two dollars.

For the pension to widows and orphans, five thousand five hundred dollars.

APPROVED, January 14, 1833.

## STATUTE II.

Jan. 14, 1833.

[Obsolete.]

Appropriations  
for fortifica-  
tions.

CHAP. III.—*An Act making appropriations for carrying on the fortifications of the United States, during the year one thousand eight hundred and thirty-three.*

*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 to the several objects hereinafter named specifically, to be paid out of any money in the treasury not otherwise appropriated.

For the preservation of Castle Island, and repair of fort Independence, Massachusetts, in addition to the sum heretofore appropriated, seventeen thousand dollars.

For fort Adams, Newport harbour, one hundred thousand dollars.

For repairing fort Columbus and Castle Williams, New York, fifty thousand dollars.

For fort Monroe, Virginia, forty-six thousand dollars.

For fort Calhoun, Virginia, seventy-five thousand dollars.

For completing the works at Oak Island, North Carolina, twenty-two thousand nine hundred dollars.

For the fortifications in the harbour of Charleston, South Carolina, seventy-five thousand dollars.

For the fort at Cockspur Island, Georgia, seventy-five thousand dollars.

For the completion of the fortifications at Pensacola, Florida, one hundred and thirty-two thousand dollars.

For completing the fort at Mobile Point, Alabama, fifty thousand dollars.

For contingencies of fortifications, ten thousand dollars.

APPROVED, January 14, 1833.

## STATUTE II.

Jan. 30, 1833.

Land district  
established.

Boundaries.

CHAP. XII.—*An Act to establish a land office in the territory of Michigan.*

*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 of Michigan, which is comprehended within the following boundaries, shall, from and after the passage of this act, constitute one land district for the sale and entry of the public lands, viz: lying between the third and fourth ranges of townships south of the base line and east of the principal meridian, except so much thereof as lies north of the river Huron, of Lake Erie; and also, the first, second, third, fourth, fifth, and



sixth ranges of townships south of said base line, and west of said principal meridian. And there is hereby established a land office within the same, to be located at such place as the President, in his discretion, shall think proper to designate.

Land-office.

SEC. 2. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, under the existing laws, a register and receiver in and for said district, whose compensation shall be the same as provided for other registers and receivers.

Register and receiver.

APPROVED, January 30, 1833.

STATUTE II.

CHAP. XVI.—*An Act for making Calais and Pembroke, in the state of Maine, ports of delivery.*

Feb. 5, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the towns of Calais and Pembroke, in the state of Maine, shall be ports of delivery, to be annexed to the district of Passamaquoddy.

APPROVED, February 5, 1833.

STATUTE II.

CHAP. XXIII.—*An Act to explain an act, entitled "An act to reduce the duties on coffee, tea, and cocoa," passed the twentieth of May, one thousand eight hundred and thirty.*

Feb. 9, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That in all cases in which the importers of coffee or cocoa, which remained in the custom-house stores under the bond of the importer on the thirty-first day of December, one thousand eight hundred and thirty, shall have paid on the same a greater amount of duty than is imposed by the act passed on the twentieth day of May, one thousand eight hundred and thirty, on coffee or cocoa, imported after the thirty-first day of December, one thousand eight hundred and thirty, the Secretary of the Treasury is directed to refund, out of any money in the treasury not otherwise appropriated, to such importer, the amount of such excess so collected.

Act of May 20, 1830, ch. 101.  
Coffee and cocoa in store Dec. 31, 1830, put on same footing as coffee and cocoa imported after same date.

SEC. 2. *And be it further enacted*, That, in all cases in which the importers of coffee, tea, or cocoa, which remained in the custom-house stores, on the thirty-first day of December, one thousand eight hundred and thirty-one, under the control of the proper officer of the customs, shall have been compelled to pay on the same a greater amount of duty than is imposed by said act, on coffee, tea, or cocoa, imported after the thirty-first day of December, one thousand eight hundred and thirty-one, the Secretary of the Treasury is directed to refund, out of any money in the treasury not otherwise appropriated, to such importers, the amount of such excess so collected.

Coffee, tea, and cocoa, in store Dec. 31, 1831, put on same footing as coffee, tea, and cocoa imported after same date.

APPROVED, February 9, 1833.

STATUTE II.

CHAP. XXX.—*An Act to amend an act, entitled "An act to alter and amend an act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive;" approved nineteenth February, one thousand eight hundred and thirty-one.*

Feb. 19, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all persons who became entitled to an allotment of land under the contract recited in the first section of the act to which this is an amendment, their heirs, devisees, or assigns,

Act of Feb. 19, 1831, ch. 30, expired.  
Occupants prior to October 31,

1832, authorized to purchase.

who, on or before the thirty-first day of October, in the year eighteen hundred and thirty-two, were in the actual occupancy and cultivation of the same, or any part thereof, shall, on paying into the treasury one dollar and twenty-five cents the acre previous to the fifteenth of May, one thousand eight hundred and thirty-four, receive a patent for his or her allotment or purchase: *Provided*, The register of the land office for the district in which the lands lie, shall be satisfied of the validity of the purchase.

Occupants prior to October 31, 1831, authorized to purchase.

SEC. 2. *And be it further enacted*, That all persons in actual settlement and cultivation, before or on the thirty-first day of October, one thousand eight hundred and thirty-one, upon any of the lands referred to by the act to which this is an amendment, and not disposed of by the first section of this act, or any former act of Congress, shall, on proof of such settlement and cultivation, and on paying into the treasury of the United States, within six months after the passage of this act, one dollar and twenty-five cents per acre, receive a patent for one hundred and sixty acres: *Provided*, That nothing in this act shall be so construed as to alter or repeal the third section of the above-recited act.

Proviso.

Term of payment extended.

SEC. 3. *And be it further enacted*, That so much of the act of which this is an amendment as requires that payment shall be made previous to the third of March, eighteen hundred and thirty-three, be, and the same is hereby, extended to the fifteenth of May, one thousand eight hundred and thirty-four.

APPROVED, February 19, 1833.

#### STATUTE II.

Feb. 19, 1833.

CHAP. XXXI.—*An Act to amend an act, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution."*

Act of June 7, 1832, ch. 126.

Invalid pensioners not embraced in 2d section of the former act.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the second section of the act, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," approved the seventh day of June, one thousand eight hundred and thirty-two, shall not be construed to embrace invalid pensioners; and that the pensions of invalid soldiers shall not be deducted from the amount receivable by them under the said act.

APPROVED, February 19, 1833.

#### STATUTE II.

Feb. 19, 1833.

CHAP. XXXII.—*An Act for the further improvement of Pennsylvania Avenue.*

Commissioner authorized to alter plan.

*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 directed to alter the plan for the improvement of Pennsylvania Avenue, as provided for by an act passed the twenty-fifth day of May, one thousand eight hundred and thirty-two, by causing that portion of the avenue lying between the road directed to be Macadamized and the side pavements, to be graduated and covered with stone, on the Macadam's plan, in place of gravel, provided for by said act; also by extending the foot pavements not less than five and a half feet on each side, and forming side drains, not less than four and a half feet wide; and further, by setting a line of curbs of granite, eight inches thick, on each side of that part of the avenue between the Capitol square and the President's square, with suitable returns at the cross streets, and Macadamizing the cross streets fifty feet on each side of the Macadamized cover of the avenue.

Appropriation.

SEC. 2. *And be it further enacted*, That, to carry into effect the pro-

visions of this act, the sum of sixty-nine thousand six hundred and thirty dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 19, 1833.

CHAP. XXXIII.—*An Act for the payment of horses and arms lost in the military service of the United States against the Indians on the frontiers of Illinois and the Michigan territory.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any mounted militiaman or volunteer whilst in the service of the United States, in the late expeditions against the Indians, on the frontiers of Illinois and the territory of Michigan, who sustained damage by the loss of any horse which was killed in battle, or died in consequence of a wound received therein, or in consequence of a failure, on the part of the United States, to furnish such horse with sufficient forage whilst in the service, or in consequence of the owner being dismounted, or separated and detached from the same, by order of the commanding officer, or in consequence of the rider being killed or wounded in battle, shall be allowed and paid the value of such horse at the time of going into service: *Provided,* Such loss was not the result of negligence on the part of the owner; the time employed in going to the place of rendezvous, and returning home after being discharged, to be taken and considered as actual service.

Horses owned by militiamen or volunteers, and lost whilst in the service of the United States, to be paid for.

SEC. 2. *And be it further enacted,* That any person in the aforesaid service of the United States, as a volunteer or drafted militiaman, who furnishes [?] himself with arms and military accoutrements, and has sustained loss by the capture or destruction of the same, without fault or negligence on his part, shall be allowed and paid the value thereof.

Value of arms and military accoutrements to be paid.

SEC. 3. *And be it further enacted,* That all claims arising under this act shall be examined, allowed, and paid in the same manner by the third auditor that similar claims were under "An act to authorize the payment of property lost, captured or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed the ninth of April, one thousand eight hundred and sixteen, and the act in amendment thereof, passed the third of March, one thousand eight hundred and seventeen; this act to be and remain in force three years from and after its passage.

How claims shall be examined.

Act of April 9, 1816, ch. 40.

Act of March 3, 1817, ch. 110.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 19, 1833.

CHAP. XXXIV.—*An Act for the purchase of certain copies of Watterston and Vanzandt's Statistical Tables, and to authorize a subscription for a continuation of the same.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the librarian of Congress be, and he hereby is, authorized to purchase, for the library of Congress, the remaining copies, not exceeding two hundred in number, of Watterston and Vanzandt's Statistical Tables, at the subscription price of two dollars and fifty cents per copy: *Provided,* The supplementary tables marked page ninety-four, be furnished for the said copies and for the copies now on hand in the library; and that the librarian be further authorized to subscribe for seven hundred and fifty copies of the continuation of the said tables, proposed to be published by Watterston and Vanzandt, at three dollars per copy; the said copies to be distributed as provided for by the first section of a joint resolution, approved twenty-

Purchase of two hundred copies authorized.

Proviso.

Subscription for the proposed continuation.

Resolution of May 24, 1828.

fourth of May, one thousand eight hundred and twenty-eight, for the distribution of certain public documents; the same to be paid for out of any money in the treasury not otherwise appropriated.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 20, 1833.

[Obsolete.]

Appropriations  
for naval ser-  
vice.

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

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-three, in addition to the unexpended balances of former appropriations for similar objects, viz :*

|                               |  |
|-------------------------------|--|
| Officers, &c.                 | For pay and subsistence of the officers of the navy, and the pay of seamen, one million four hundred and forty-five thousand dollars.  |
| Superintendents, &c.          | For pay of superintendents, naval constructors, and all the civil establishments at the several yards, fifty-seven thousand three hundred and thirty dollars.  |
| Provisions.                   | For provisions, four hundred and sixty thousand dollars.   |
| Repairs, &c.                  | For repairs of vessels in ordinary, and the repairs, and wear and tear, of vessels in commission, five hundred and six thousand seven hundred and fifty dollars.   |
| Medicines, &c.                | For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, thirty-five thousand dollars.  |
| Navy yards at<br>Portsmouth ; | For improvements and necessary repairs of navy yards, viz :<br>For the navy yard at Portsmouth, twenty-one thousand five hundred and twenty-four dollars.  |
| Boston ;                      | For the navy yard at Boston, seventy-three thousand five hundred and thirty-five dollars.  |
| New York ;                    | For the navy yard at New York, thirty-four thousand eight hundred and fifty dollars.   |
| Philadelphia ;                | For the navy yard at Philadelphia, three thousand two hundred and seventy-five dollars.  |
| Washington ;                  | For the navy yard at Washington, sixteen thousand dollars.   |
| Norfolk ;                     | For the navy yard at Norfolk, one hundred and twenty-six thousand five hundred and twenty-nine dollars.  |
| Pensacola.                    | For the navy yard at Pensacola, fifty-three thousand one hundred and fifty dollars.  |
| Ordnance, &c.                 | For ordnance, and ordnance stores, ten thousand dollars.   |
| Miscellaneous.                | For defraying expenses; for freight and transportation of materials and stores of every description; for wharfage and dockage, storage and rent, travelling expenses of officers, and transportation of seamen, house rent, chamber money, and fuel and candles to officers, other than those attached to navy yards and stations, and for officers in sick quarters, where there is no hospital, and for funeral expenses; for commissions, clerk hire, and 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 allowances for persons attending courts martial, and courts of inquiry, and for officers engaged in extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts, and mathematical and nautical instruments, chronometers, models and drawings; for purchase and repair of steam and fire engines, and for machinery; for 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; for cabin furniture of vessels in commission, and for furniture of officers' houses at navy yards, for taxes on navy yards and public property; for assistance rendered to vessels in distress; for |

incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, founderies, and steam engines; for candles, oil, and fuel, for vessels in commission and in ordinary; for repairs and building of magazines and powder houses; for preparing moulds for ships to be built; and for no other object or purpose whatsoever, two hundred and ninety-five thousand dollars.

For contingent expenses for objects not hereinbefore enumerated, five thousand dollars. Contingencies.

For pay of the officers and non-commissioned officers, musicians, and privates, and for subsistence of the officers of the marine corps, one hundred and twelve thousand nine hundred and ninety dollars. Marine corps.

For subsistence of non-commissioned officers, musicians, and privates, and washerwomen, serving on shore, eighteen thousand four hundred and thirty-nine dollars. Subsistence.

For clothing, twenty-eight thousand seven hundred and sixty-five dollars. Clothing.

For fuel, nine thousand and ninety-eight dollars. Fuel.

For contingent expenses, fourteen thousand dollars. Contingencies.

For military stores, two thousand dollars. Stores.

For medicines, hospital stores, and surgical instruments, two thousand three hundred and seventy dollars. Medicines, &c.

To enable the Secretary of the Treasury to discharge an outstanding claim for prize money for the capture of the Algerine vessels in one thousand eight hundred and fifteen, twenty-one dollars, being part of an unexpended balance carried to the surplus fund. Claim for prize money.

For the payment of claims arising under the act of eleventh of July, one thousand eight hundred and thirty-two, entitled "An act concerning certain marine officers," eighteen thousand three hundred and thirty-seven dollars and twenty-eight cents. Claims under act of July 11, [14,] 1832, ch. 223.

SEC. 2. *And be it further enacted*, That, for the purpose of compensating the board authorized by the act of the nineteenth of May, one thousand eight hundred and thirty-two, for their services in revising and enlarging "the rules and regulations governing the naval service, with the view to adapt them to the present and future exigencies of this important arm of national defence," the sum of seven thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be paid by the Navy Department, according to the rates of allowances for detention on special service now prescribed by the rules and regulations of the Navy Department. Compensation to Board authorized by act of May 19, 1832, ch. 80.

SEC. 3. *And be it further enacted*, That the salary directed by "An act for the regulation of the navy, and privateer pension, and navy hospital funds," passed July tenth, one thousand eight hundred and thirty-two, to be paid to the clerk of said funds out of the treasury of the United States, shall be paid from any money in said treasury not otherwise appropriated. Salary of clerk. 1832, ch. 194.

SEC. 4. *And be it further enacted*, That for carrying into effect the acts for the suppression of the slave trade, including the support in the United States, and for a term not exceeding six months after their arrival in Africa, of all persons removed from the United States under the said acts, the sum of five thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated. Suppression of slave trade.

SEC. 5. *And be it further enacted*, That there be paid to Master Commandant John D. Sloat, of the United States' navy, out of any money in the treasury not otherwise appropriated, the sum of one thousand three hundred and sixty dollars, being the amount of his account exhibited to the Navy Department for expenses incurred in entertaining, on board the St. Louis, under his command, General Bolivar and several of his officers, at Guayaquil, in the year one thousand eight hundred and John D. Sloat.

John D. Sloat.

twenty-nine; and General La Fuente, President of Peru, and Major-general Miller, of the Peruvian army, in the year one thousand eight hundred and thirty-one.

APPROVED, February 20, 1833.

STATUTE II.

Feb. 20, 1833.

[Obsolete.]

Appropriations  
for the payment  
of Indian annuities,  
&c.

CHAP. XL.—*An Act making appropriations for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-three.*

*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, severally, appropriated, for the payment of annuities due to various Indians, and Indian tribes, and other objects hereinafter enumerated, according to the stipulations of certain Indian treaties; to be paid out of any money in the treasury not otherwise appropriated, namely:

To the Wyandot tribe, five thousand nine hundred dollars.

To the Wyandot, Munsee, and Delaware tribes, one thousand dollars.

To the Shawanee tribe, three thousand dollars, and eight hundred and forty dollars for expenses of a blacksmith, and furnishing salt.

To the Shawanee and Seneca tribes of Lewistown, one thousand dollars, and seven hundred and eighty dollars for expenses of a blacksmith.

To the Delaware tribe, six thousand five hundred dollars, and one hundred dollars for furnishing salt.

To the Wea tribe, three thousand dollars.

To the Piankeshaw tribe, eight hundred dollars.

To the Kaskaskias tribe, one thousand dollars.

To the Ottaway tribe, five thousand three hundred dollars.

To the Ottaway and Missouri tribes, two thousand five hundred dollars, and fifteen hundred dollars for the expenses of blacksmiths and tools, and agricultural implements.

To the Chippeway tribe, three thousand eight hundred dollars; also, one thousand dollars for purposes of education, and two thousand dollars for the purchase of farming utensils and cattle, and the employment of persons to aid them in their agriculture.

To the Chippeways, Ottaways, and Pattawatamie tribes, sixteen thousand dollars, and one hundred and twenty-five dollars for furnishing salt.

To the Pattawatamie tribe, sixteen thousand three hundred dollars, and one hundred dollars to To-pe-ni-be, principal chief; also, three thousand dollars for purposes of education, and two thousand five hundred and twenty dollars for expenses of blacksmiths, millers, and agriculturists, and for furnishing salt, tobacco, iron, and steel.

To the Pattawatamie tribe of Huron, four hundred dollars.

To the Choctaw tribe, fifty thousand nine hundred and twenty-five dollars; to Mushulatubbe, a chief, one hundred and fifty dollars, and to Robert Cole, a chief, one hundred and fifty dollars; also, twelve thousand five hundred dollars for purposes of education, and two thousand nine hundred and fifty-five dollars for expenses of blacksmiths and millwrights, and for furnishing iron and steel.

To the Eel river tribe, one thousand one hundred dollars.

To the Six Nations, New York, four thousand five hundred dollars; also, two hundred dollars to the Young King, a chief, and fifty dollars to Little Billey, of the Seneca tribe.

To the Seneca tribe, New York, six thousand dollars.

To the Creek tribe, forty-six thousand five hundred dollars; also, three thousand dollars for purposes of education, and nine hundred and fifty-five dollars for expenses of a blacksmith, and for furnishing iron and steel.

To the Cherokee tribe, ten thousand dollars; also, two thousand dollars for purposes of education.

To the Chickasaw tribe, twenty-three thousand dollars.

To the Sac tribe, three thousand dollars.

To the Sac and Fox tribes, two thousand dollars.

To the Sac, Fox, and Ioway tribes, three thousand dollars for the expenses of blacksmiths and agriculturists, and for furnishing farming utensils and cattle.

To the Fox tribe, three thousand dollars.

To the Ioway tribe, three thousand dollars; also, nine hundred dollars for expenses of a blacksmith and furnishing agricultural tools.

To the Osage tribe, eight thousand five hundred dollars.

To the Seneca tribe of Lewistown, one thousand dollars, and thirteen hundred and fifty dollars for expenses of a blacksmith and miller, and for furnishing iron and steel.

To the Quapaw tribe, two thousand dollars.

To the Kickapoo tribe of Illinois, two thousand dollars.

To the Florida Indians, five thousand dollars; also, one thousand dollars for purposes of education, and one thousand dollars for the expenses of a gun and blacksmith.

To the Miami tribe, twenty-five thousand dollars: also, two thousand dollars for the support of poor and infirm, and education of youth, and two thousand and twenty dollars for expenses of a blacksmith, and for furnishing salt, iron, steel, and tobacco.

To the Winnebago tribe, eighteen thousand dollars; also, three thousand seven hundred and ninety dollars for expenses of blacksmiths and agriculturists, and for furnishing salt and tobacco.

To the Kansa tribe, three thousand five hundred dollars.

To the Christian Indians, four hundred dollars.

To the Sioux tribe of Mississippi, two thousand dollars; also, one thousand seven hundred dollars for expenses of blacksmith, and furnishing agricultural tools.

To the Yancton and Santie bands, three thousand dollars; also, one thousand four hundred dollars for expenses of a blacksmith, and furnishing agricultural tools.

To the Omaha tribe, two thousand five hundred dollars; also, one thousand five hundred dollars for expenses of a blacksmith, and furnishing agricultural tools.

To the Sac tribe, of Missouri river, five hundred dollars; also, nine hundred dollars for expenses of a blacksmith, and furnishing agricultural tools.

For purposes of education of Sacs, Foxes, and others, as stipulated for in the treaty of July fifteenth, one thousand eight hundred and thirty, three thousand dollars.

For purposes of education of Chippeways, Menomonies, and Winnebagoes, as stipulated in fifth article of the treaty of Butte des Mortes, of eleventh August, one thousand eight hundred and twenty-seven; for the years one thousand eight hundred and thirty-two, and one thousand eight hundred and thirty-three, three thousand dollars.

For expenses of transportation and distribution of annuities to the Winnebagoes, Chippeways, Ottaways, Pattawatamies, Sacs, Foxes, and others, and of salt, tobacco, agricultural implements and tools, not otherwise provided for, five thousand one hundred and sixty dollars.

For expense of removing and keeping off intruders from Choctaw lands, by the twelfth article of the treaty of twenty-seventh September, one thousand eight hundred and thirty, five hundred dollars.

For expense of bounding, by sectional lines, the reservation to Choctaw heads of families, by the fourteenth article of said treaty, fifteen hundred dollars.

For an advance to the Ottaways, after their removal, for erecting houses and opening farms, to be reimbursed out of the sales of their

Indian annuities, &c.

lands, by the fifth article of the treaty of thirtieth August, one thousand eight hundred and thirty-one, two thousand dollars.

For the payment of claims of sundry individuals against the Ottaways, guarantied by the seventh article, and enumerated in the sixteenth of the same treaty, also to be reimbursed out of the sales of their lands, twenty-one thousand two hundred and ninety-two dollars and twenty-five cents.

For the services of a person to certify contracts for the sale of Creek lands, by the third article of the treaty of twenty-fourth March, one thousand eight hundred and thirty-two, one thousand dollars.

For expenses of defending suits, and so forth, instituted by intruders against Creek Indians, and keeping off intruders, by the fifth article of the same treaty, three thousand dollars.

For incidental expenses attending the aforesaid treaties, not otherwise enumerated, five thousand dollars.

APPROVED, February 20, 1833.

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STATUTE II.

Feb. 20, 1833.

CHAP. XLI.—*An Act to authorize the laying out and constructing a road from Line Creek to the Chatahooche, and for repairing the road on which the mail is now transported.*

Appropriation for post-road.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of twenty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, for the purpose of laying out and making a post-road through the Creek nation of Indians, commencing at Line creek, in the state of Alabama, and terminating at the Chatahooche, opposite Columbus, in the state of Georgia.

Superintendent to be appointed.

SEC. 2. *And be it further enacted,* That, for the early accomplishment of this object, the President shall appoint a superintendent of said road, whose duty it shall be, under the direction of the President, to divide the same into sections of not more than ten miles each, to contract for, and personally superintend the opening and making the said road, as well as to receive, disburse, and faithfully account with the treasury for all sums of moneys by him received by virtue of this act, and the said superintendent shall receive, during the time he is so employed, at the rate of one thousand dollars per annum.

Salary.

Repairs.

SEC. 3. *And be it further enacted,* That, for the repairs of the road through said Creek nation, on which the mail is now transported, until the road authorized by this act is completed, the further sum of two thousand dollars, to be expended under the direction of the Postmaster General, be, and the same is hereby, appropriated.

APPROVED, February 20, 1833.

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STATUTE II.

Feb. 20, 1833.

[Obsolete.]

CHAP. XLII.—*An Act to authorize the legislature of the state of Ohio to sell the land reserved for the support of religion in the Ohio Company's, and John Cleeves Symmes' purchases.*

Sale of reserved land.

Vol. i. 251.

Act of April 21, 1792, ch. 25.

[Private act.]

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislature of the state of Ohio shall be, and is hereby, authorized to sell and convey, in fee simple, all or any part of the lands heretofore reserved and appropriated by Congress for the support of religion within the Ohio Company's, and John Cleeves Symmes' purchases, in the state of Ohio, and to invest the money arising from the sale thereof, in some productive fund; the proceeds of which shall be for ever annually applied, under the direction of said legislature, for the support of religion within the several town-

Application of proceeds.



ships for which said lands were originally reserved and set apart, and for no other use or purpose whatsoever, according to the terms and stipulations of the contracts of the said Ohio Company's, and John Cleeves Symmes' purchases within the United States: *Provided*, Said land, or any part of it, shall, in no case, be sold without the consent of the person who may be the lessee thereof, nor without the consent of the inhabitants of the township within which any such land may be situated, to be obtained in such manner as the legislature of said state shall, by law, direct: *And provided also*, That in the apportionment of the proceeds of said fund, each township within the districts of country aforesaid, shall be entitled to such portion thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the church land belonging to such township.

APPROVED, February 20, 1833.

Proviso.

Proviso.

STATUTE II.

Feb. 20, 1833.

CHAP. XLIII.—*An Act further to extend the time for entering certain donation claims to land in the territory of Arkansas.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the provisions of the eighth and ninth sections of the act of Congress, approved the twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act to aid the state of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said state to aid in the construction of canals authorized by law, and for making donations of land to certain persons in Arkansas territory," and the provisions of the act, entitled "An act restricting the location of certain land claims in the territory of Arkansas, and for other purposes," approved the sixth of January, one thousand eight hundred and twenty-nine; and, also, the provisions of an act, entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth January, one thousand eight hundred and thirty, be, and the same are hereby, continued in force for the term of five years, from the twenty-fourth day of May, one thousand eight hundred and thirty-three: *Provided*, That nothing in this act, or the foregoing acts, shall be so construed as to prevent the President of the United States from bringing the said lands in Arkansas into market under the existing laws; and all claims to donations under the before-recited act, which shall not have been presented and allowed by the proper authorities on or before the day which shall be fixed on by the President for the sale of said land, are hereby declared forfeited to the United States.

APPROVED, February 20, 1833.

Time for entering donation claims to land extended.

Act of May 24, 1828, ch. 108.

Act of January 6, 1829, ch. 2.

Act of January 13, 1830, ch. 3.

Proviso.

STATUTE II.

March 2, 1833.

CHAP. LIV.—*An Act making appropriations for the civil and diplomatic expenses of government for the year one thousand eight hundred and thirty-three.*

*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 compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars.

For clerks and messengers in the office of the Secretary of State, nineteen thousand four hundred dollars.

For clerks, machinist, and messenger, in the patent office, five thousand four hundred dollars.

[Obsolete.] Appropriations.

President and Vice President, &c.

Office of Secretary of State.

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

For compiling and printing the Biennial Register, eighteen hundred dollars.

To enable the Secretary of State to settle the accounts for preparing and superintending the printing of the revision of the former estimates of the population of the United States, three hundred dollars.

For completing the publication of the diplomatic correspondence of the United States to the fourth of March, one thousand seven hundred and eighty-nine, in addition to the sum heretofore appropriated, two thousand seven hundred and fifty dollars.

For contingent and incidental expenses of the patent office, two thousand one hundred and seventy-five dollars.

For the superintendent and watchmen of the north-east executive building, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of the buildings, three thousand three hundred and fifty dollars.

Treasury Department.

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

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand one hundred dollars.

For compensation to the second comptroller of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.

For compensation to the first auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the first auditor, thirteen thousand nine hundred dollars.

For compensation to the second auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second auditor, seventeen thousand nine hundred dollars.

For compensation to the third auditor of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the third auditor, twenty-one thousand nine hundred and fifty dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.

For compensation to the fifth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fifth auditor, twelve thousand eight hundred dollars.

For compensation to the treasurer of the United States, three thousand dollars.

For compensation to the clerks and messenger in the office of the treasurer of the United States, six thousand seven hundred and fifty dollars.

For compensation to the register of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.

For compensation to the commissioner of the general land office, three thousand dollars.

For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars.

For compensation to the solicitor of the treasury, three thousand five hundred dollars.

For compensation of the clerks and messenger in the office of the solicitor of the treasury, three thousand nine hundred and fifty dollars.

For compensation to the secretary to the commissioners of the sinking fund, two hundred and fifty dollars.

For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the Treasury Department, the following several sums, viz :

For the office of the Secretary of the Treasury, including advertising and extra copying, and the sum of one thousand dollars applied from this fund for clerk hire and other expenses incident to the issuing of revolutionary bounty land scrip, six thousand dollars.

For the office of the first comptroller, including expenses for printing, one thousand three hundred and fifty dollars.

For the office of the second comptroller, one thousand dollars.

For the office of the first auditor, eight hundred dollars.

For the office of the second auditor, eight hundred dollars.

For the office of the third auditor, one thousand dollars.

For the office of the fourth auditor, one thousand dollars.

For the office of the fifth auditor, one thousand dollars.

For the office of the treasurer of the United States, seven hundred dollars.

For the office of the register of the treasury, three thousand dollars.

For the office of the commissioner of the general land office, ten thousand dollars.

For printing, parchment, and other expenses of the land office during the year one thousand eight hundred and thirty-two, expended above the amount of the appropriation for such expenditures in that year, three thousand one hundred and fifty-eight dollars and forty cents.

For compensation for extra aid, during one thousand eight hundred and thirty-three, in the issuing military land scrip and patents founded on Virginia military surveys and on private claims, examining and adjusting the accounts of surveyors general, and writing and recording patents for lands sold, four thousand dollars.

For compensation to seven clerks employed in writing and recording patents for land sold, by the United States, in continuation of the appropriation made for the same object last year, seven thousand dollars.

For a deficit of last year's appropriation for the same object for the month of December, four hundred and eighty-one dollars and sixty-seven cents: *Provided*, That no part of the appropriations herein made for the general land office, shall be applied or expended, for and on account of a resolution of the Senate passed the twenty-eighth day of February one thousand eight hundred and twenty-three, requiring maps to be prepared designating thereon, by discriminating colours, the lands sold, the lands granted to the states for internal improvements, donations to individuals, military grants, and private claims confirmed by the government.

For the office of the solicitor of the treasury, twelve hundred dollars.

For translations, and transmitting passports and sea letters, three hundred dollars.

For stating and printing the public accounts for the year one thousand eight hundred and thirty-three, one thousand three hundred dollars.

For compensation of superintendent and watchmen of the south-east executive building, eight hundred and fifty dollars.

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

Department of  
War.

For compensation to the clerks and messengers in the office of the Secretary of War, twenty-two thousand six hundred and fifty dollars.

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

For books, maps, and plans, for the War Department, one thousand dollars.

For additional or temporary clerk hire during the years eighteen hundred and thirty-two and eighteen hundred and thirty-three, in order to carry into effect the act of seventh of June, eighteen hundred and thirty-two, granting revolutionary pensions, twenty-four thousand and thirty-nine dollars.

1832, ch. 126.

For printing, stationery, rent, and expenses of procuring revolutionary records, arising under the act aforesaid, five thousand dollars.

For additional clerk hire, messengers, stationery, printing, and other contingencies of the pension office for the present year, four thousand dollars. And a commissioner of pensions shall be appointed by the President and Senate, who shall receive a salary of twenty-five hundred dollars, which is hereby appropriated. He shall execute, under the direction of the Secretary of War, such duties in relation to the various pension laws, as may be prescribed by the President of the United States; and he shall also have the privilege of franking; but this provision shall only continue until the expiration of the next Congress.

For compensation to the clerks and messenger in the office of the paymaster general, four thousand six hundred dollars.

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks and messenger in the office of the commissary general of purchases, four thousand two hundred dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks in the office of the adjutant general, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, including advertising, two thousand five hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For the contingent expenses of the topographical bureau, including the purchase of books, repair of instruments, one thousand two hundred and eighty dollars.

For the services of a lithographer, and the expenses of the lithographic press of the War Department, seven hundred and fifty dollars.

For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general, eleven hundred and fifty dollars.

For contingent expenses of said office, four hundred dollars.

For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, six hundred dollars.

For the salary of the superintendent and watchmen of the north-west executive building, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, furniture, repairs of buildings, and improvement of adjoining ground, three thousand one hundred dollars.

For completing the fence on the Pennsylvania Avenue, one thousand two hundred dollars.

For the fitting up the basement rooms of the executive building occu-

pie'd by the War Department, for the preservation of papers, and the occupation of clerks, two thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the Secretary of the Navy, thirteen thousand five hundred and eighty-six dollars.

Navy Department.

For contingent expenses of said office, three thousand dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary of the commissioners of the navy board, two thousand dollars.

For compensation to the clerks, draughtsman, and messenger in the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.

For contingent expenses of the office of the commissioners of the navy board, one thousand eight hundred dollars.

For the salary of the superintendent of the south-west executive building, and the watchmen, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of building, engines, and improvement of the grounds, three thousand three hundred and fifty dollars.

For compensation to the two assistant postmasters general, five thousand dollars.

Post-office.

For compensation to the clerks and messengers in the office of the Postmaster General, forty-one thousand one hundred dollars.

For additional clerk hire in the Post-office Department, during the years one thousand eight hundred and thirty-one and one thousand eight hundred and thirty-two, beyond the annual appropriation, thirty-four thousand four hundred and seventy-eight dollars.

For contingent expenses of said office, seven thousand five hundred dollars.

For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

Miscellaneous.

For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.

For compensation to the surveyor south of Tennessee, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand seven hundred dollars.

For compensation to the surveyor in Illinois and Missouri, two thousand dollars.

For compensation to clerks in the office of said surveyor, four thousand eight hundred and twenty dollars.

For compensation to the surveyor general in Arkansas, one thousand five hundred dollars.

For compensation to clerks in said office, one thousand eight hundred dollars.

For compensation to the surveyor in Alabama, two thousand dollars.

For compensation to clerks in the office of said surveyor, one thousand five hundred dollars.

For compensation to the surveyor in Louisiana, including fifty-four dollars ninety-five cents, from twenty-first June to thirtieth June, one thousand eight hundred and thirty-one, by act of third March, one thousand eight hundred and thirty-one, two thousand fifty-four dollars ninety-five cents.

1831, ch. 116.

For compensation to the clerks in the office of said surveyor, by act of third March, one thousand eight hundred and thirty-one, fifteen hundred dollars.

## Miscellaneous.

For compensation to the surveyor in Florida, two thousand dollars.

For compensation to the clerks in the office of said surveyor, three thousand dollars.

For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.

For compensation to the officers and clerk of the mint, ten thousand six hundred dollars.

For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, fifteen thousand dollars.

For incidental and contingent expenses and repairs, cost of machinery, for allowance for wastage in gold and silver coinage of the mint, thirteen thousand eight hundred and fifty dollars.

For completing the building for the mint at Philadelphia, and machinery thereof, eleven thousand dollars.

For compensation to the governor, judges, and secretary of the Michigan territory, seven thousand eight hundred dollars.

For contingent expenses of the Michigan territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, seven thousand three hundred and ninety-two dollars.

For compensation to the governor, judges, and secretary of the Arkansas territory, seven thousand eight hundred dollars.

For pay and mileage of the legislative council of said territory, six thousand nine hundred and ninety dollars.

For contingent expenses of the Arkansas territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Florida territory, including additional compensation to two of the judges, under the act of twenty-sixth May, one thousand eight hundred and thirty, at eight hundred dollars each, twelve thousand one hundred dollars.

For contingent expenses of the Florida territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and distribution of the laws, seven thousand five hundred dollars.

For compensation to the chief justice, the associate judges, and district judges of the United States, eighty-one thousand four hundred dollars.

For the salaries of chief justice and judges of the District of Columbia, and of the judges of the orphans' courts of the said district, nine thousand five hundred dollars.

For compensation to the attorney general of the United States, four thousand dollars.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.

For compensation to the district attorneys and marshals, as granted by law, including those in the several territories, twelve thousand seven hundred dollars.

## Judiciary.

For defraying the expenses of the Supreme Court, 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 thirty-three, and pre-

ceding 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, two hundred and twenty-five thousand dollars.

For the payment of sundry pensions granted by the late and present governments, one thousand three hundred and fifty dollars.

Pensions.

For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs and improvements, and contingent expenses, two hundred and thirty-one thousand eight hundred and fifty dollars.

Lighthouses.

For the salaries of registers and receivers of land offices where there are no sales, two thousand dollars.

Miscellaneous.

For surveying the public lands, in addition to the unexpended balance of former appropriations, seventy thousand dollars.

For completing the survey of the Choctaw cession in Mississippi and Alabama, sixty-five thousand five hundred dollars.

For surveys of private land claims in Florida, eight thousand dollars.

For the salaries of the district attorney, agent, and assistant council, and contingent expenses in Florida, five thousand dollars.

For the salaries of two keepers of the public archives in Florida, one thousand dollars.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, twelve thousand dollars.

For stationery and books for the offices of commissioners of loans, twelve hundred dollars.

For the fifth payment to Luigi Persico, for two colossal statues for the Capitol, four thousand dollars.

For the salaries of the ministers of the United States to Great Britain, France, Spain, Russia, and Colombia, forty-two thousand seven hundred and twenty-five dollars.

For the salaries of the secretaries of legation to the same places, nine thousand dollars.

For the salaries of the *chargés des affaires* to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Buenos Ayres, Chili, Peru, Mexico, Central America, Naples, and Colombia, sixty thousand seven hundred and twenty-five dollars.

For salary of the *drogoman* to the legation of the United States to Turkey, and for contingent expenses of that legation, six thousand five hundred dollars.

For outfits of the *chargés des affaires* of the United States to Great Britain, Central America, and Colombia, thirteen thousand five hundred dollars.

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

For the salaries of the agents for claims at London and Paris, four thousand dollars.

For the expenses of intercourse with the Mediterranean powers, twenty-four thousand four hundred dollars.

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

For the contingent expenses of foreign intercourse, thirty thousand dollars.

To satisfy a claim presented by his majesty, the king of Sweden, on account of injuries sustained by subjects of the said government in the island of St. Bartholomews, by an illegal act of the commanding officer of the United States' sloop of war *Erie*, in the year one thousand eight hundred and twenty-three, five thousand six hundred and sixty-six dollars and sixty-six cents.

## Miscellaneous.

To Washington Irving, late secretary of legation at London, for an arrearage on account of his services as chargé d'affaires, and for one quarter's salary, the allowance for his return to the United States, one thousand eight hundred and thirty-three dollars and eighty-five cents.

To George W. Slacum, consul of the United States at Buenos Ayres, on account of diplomatic services at that place, from the death of John M. Forbes, till the arrival of Francis Baylies, chargé d'affaires of the United States, from the fourteenth June, one thousand eight hundred and thirty-one, to the fifth of June, one thousand eight hundred and thirty-two, four thousand eight hundred and seventy dollars.

To John Randolph Clay, secretary of legation at St. Petersburg, as an outfit, and on account of his services as chargé d'affaires one year seven months and six days, seven thousand two hundred dollars.

To Cyrenius Hall, a resident of Upper Canada, the sum of five thousand three hundred dollars, (being the value of a schooner, the property of the said Hall, seized and libelled by the collector of the port of Venice, in Sandusky bay, in the year eighteen hundred and seventeen, which was ordered by a decree of the district court of Ohio to be restored, but which, previously to said decree, had been lost,) with interest on the said sum of five thousand three hundred dollars from the tenth day of August, in the year eighteen hundred and seventeen, till the eighth day of January, eighteen hundred and twenty-one; and with further interest on the said sum from the twenty-eighth day of January, eighteen hundred and thirty-one, till paid.

To the clerk employed in the Department of State as a translator of foreign languages, in addition to the salary now provided by law, six hundred dollars per annum.

To the clerk employed in the Department of State as agent of accounts, in addition to the salary now provided by law, three hundred dollars per annum.

To indemnify Captain Daniel Turner, of the United States' navy, for the expense of conveying the Netherlands' minister, and his suite, from New York to Curacao, by order of the Secretary of the Navy, in the year one thousand eight hundred and twenty-eight, eleven hundred and eighty-two dollars seventy-eight cents.

To indemnify Captain George Washington Storer, of the United States navy, for the expenses of accommodating Commodore David Porter, chargé d'affaires of the United States at Constantinople, on board of the United States ship Boston; and for the expenses of conveying George Porter, consul of the United States at Tangiers, from Port Mahon to Tangiers; and of conveying Lieutenant Ebenezer Ridgway, consul of the United States at Tripoli, and his family, from Port Mahon to Tripoli, in all five hundred dollars.

To Michael Hogan, the sum of eighteen thousand one hundred and twelve dollars and fifty cents, in full, for diplomatic services rendered the United States in Chili, from the eighteenth day of September, one thousand eight hundred and twenty-one, to twenty-sixth of March, one thousand eight hundred and twenty-four, and from the twenty-ninth of October, one thousand eight hundred and twenty-nine, to second of May, one thousand eight hundred and thirty-one.

To George F. Brown, consular agent at Algiers, three thousand three hundred and sixty-six dollars for his services to the twentieth February, one thousand eight hundred and thirty-three.

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

For payment of preparing and printing the documents ordered to be printed by Gales and Seaton, fifty thousand dollars, under the same restrictions and reservations as were contained in the appropriation for the same object at the last session.



For the payment to Jonathan Elliott for two hundred and fifty copies of the debates on the federal constitution, purchased by order of the House of Representatives [of the] United States, by their resolution of eighteenth February, one thousand eight hundred and thirty-three, three thousand one hundred and twenty-five dollars.

For two thousand copies of Cobb's Manual, purchased by virtue of a resolution of the House of Representatives of twenty-fifth of February last, one thousand dollars.

For the erection of a custom-house at Middletown, Connecticut, four thousand eight hundred dollars.

For salary of the principal and assistant librarians, contingent expenses of the library, and pay of messenger, three thousand five hundred and fifty dollars.

For alteration and repairs of the Capitol, five hundred dollars.

For the survey of the coast of the United States, twenty thousand dollars.

Coast survey.

For the purchase of ground occupied by the custom-house at Key West, four thousand dollars.

Miscellaneous.

For defraying the expenses of repairing a building at Sandy Hook, belonging to the United States, three hundred and nineteen dollars thirty-one cents.

For the purchase of a building for the custom-house at Castine, Maine, and repairing the same, eight hundred and fifty dollars.

For the erection of a custom-house at New York, three hundred thousand dollars.

For compensation to the recorder, two commissioners, and translator, for the adjustment of private land claims in Missouri, according to the act of ninth July, one thousand eight hundred and thirty-two, eight thousand and fifty-five dollars seventy cents.

For contingent expenses and office rent, two hundred and fifty dollars.

For the expense of bringing to the seat of government the votes for President and Vice President, seven thousand five hundred and twenty-one dollars and seventy-five cents.

For the payment of balances to officers of the old direct tax and internal revenue, being the balance of an appropriation carried to the surplus fund, six thousand seven hundred dollars twenty-three cents.

For making good a deficiency in the fund for the relief of sick and disabled seamen, fifteen thousand seven hundred and fifty dollars.

For removing obstructions in the Savannah river, being part of the balance of an appropriation carried to the surplus fund, forty-three dollars six cents.

For preserving and enclosing the marine hospital at Norfolk, two thousand eight hundred and seventy-five dollars.

For hospital furniture, beds and bedding, of the new hospital, one thousand dollars.

For paying certain inhabitants of the late province of West Florida, now citizens of Louisiana and Mississippi, the claims that have been passed by the accounting officers of the Treasury Department, one thousand eight hundred and seventy-seven dollars forty-five cents, being the balance of a former appropriation, carried to the surplus fund, which is hereby re-appropriated.

For the purpose of carrying into effect the act entitled "An act for the payment of the horses and arms lost in the military service of the United States against the Indians on the frontiers of Illinois and Michigan territory, passed this session—there be appropriated to be paid out of any money in the treasury not otherwise appropriated, the sums which may be allowed according to that act.

Ante, p. 613.

To Hilliard Gray and Company, being a balance of a sum due them on their contract for printing a Manual of Infantry Tactics, four hundred and

**Miscellaneous.** ten dollars and fifty-nine cents, to be paid out of a sum formerly appropriated, a portion of which has been passed to the surplus fund.

For refunding any discriminating duties of tonnage which may have been collected on the vessels of Spain, France, or Portugal, subsequent to the abolition of such duties by either of those nations on vessels of the United States, two thousand dollars.

For compensation and expense of an agent to Havana to procure the archives of Florida, four thousand five hundred dollars.

For completing the custom-house at New London, Connecticut, four thousand dollars.

For surveying the lands in Illinois to which the Indian title has been extinguished by the late treaty with the Pattawatamies, twenty thousand dollars.

For the purchase of a site and the erection of a public warehouse in the city of Baltimore, fifty thousand dollars.

For the salaries of registers and receivers of the land offices established in the late Choctaw purchase, Mississippi, and for furnishing the offices with the necessary books and stationery, three thousand dollars.

For Thomas Douglass, attorney of East Florida, for professional services, three hundred dollars.

For the purchase of a site and erection of a custom-house in Newburyport, in the state of Massachusetts, fifteen thousand dollars.

For the expenses of printing the records in the Supreme Court of the United States, for the term of one thousand eight hundred and thirty-two, the sum of three thousand dollars; and for the same accounts at the term in one thousand eight hundred and thirty-three, the like sum of three thousand dollars.

For surveying the public lands recently purchased from the Indians in the state of Indiana, twenty-five thousand dollars.

Instalments under treaty of indemnity with France to be loaned.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be authorized to loan on interest the instalments under the treaty of indemnity concluded at Paris on the fourth day of July, one thousand eight hundred and thirty-one, between the United States of America, and his majesty the king of the French, upon a pledge of the stock of the United States, or of the Bank of the United States, or to the Bank of the United States, subject nevertheless to be repaid to the public treasury whenever the commissioners appointed under the said treaty shall by their award direct to whom the said fund with the accumulated interest shall be distributed.

Pay of collectors, naval officers, &c.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to pay to the collectors, naval officers, surveyors, gaugers, weighers and measurers, of the several ports of the United States, out of any money in the treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation, in the year one thousand eight hundred and thirty-three, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth July, one thousand eight hundred and thirty-two, had not gone into effect.

1832, ch. 227.

Chickasaw treaty.

SEC. 4. *And be it further enacted*, That the further sum of fifty thousand dollars be appropriated out of any moneys in the treasury not otherwise appropriated, to carry into effect the provisions of the late Chickasaw treaty.

Northern boundary of Ohio.  
1832, ch. 232.

SEC. 5. *And be it further enacted*, That the time limited for making observations and returns thereof under the act of fourteenth July, one thousand eight hundred and thirty-two, "to provide for the taking of certain observations preparatory to the adjustment of the northern boundary line of the state of Ohio," be, and the same is hereby extended until the thirty-first day of December, one thousand eight hundred and thirty-five; and that for the purpose of carrying into effect the provisions of the act

aforsaid, the sum of six thousand one hundred and ten dollars be appropriated for the purchase of instruments; and the further sum of seven thousand five hundred dollars for the expenses of taking such observations.

SEC. 6. *And be it further enacted*, That so much of the twenty-seventh section of the act approved third of March, one thousand eight hundred and twenty-five, as restricts the franking privilege of members of Congress to the period of sixty days before and after each session, shall be, and the same hereby is repealed, and it shall be lawful for the said privilege to be exercised by each member of Congress from the period of sixty days before he takes his seat in Congress until the meeting of the next Congress, and that said privilege shall be extended to all members of the present Congress until the next session.

APPROVED, March 2, 1833.

Franking privilege extended.

Act of March 3, 1825, ch. 43, sec. 6.

STATUTE II.

March 2, 1833.

CHAP. LV.—*An Act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the thirty-first day of December, one thousand eight hundred and thirty-three, in all cases where duties are imposed on foreign imports, by the act of the fourteenth day of July, one thousand eight hundred and thirty-two, entitled "An act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed twenty per centum on the value thereof, one tenth part of such excess shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-five, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-seven, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-nine, another tenth part thereof shall be deducted; and from and after the thirty-first day of December, one thousand eight hundred and forty-one, one half of the residue [residue] of such excess shall be deducted; and from and after the thirtieth day of June, one thousand eight hundred and forty-two, the other half thereof shall be deducted.

Act of July 14, 1832, ch. 227.

Act of March 2, 1833, ch. 57.

Act of Aug. 30, 1822, ch. 270.

After Dec. 31, 1833, all duties exceeding twenty per cent. to be reduced by biennially striking off one-tenth of the excess, &c.

SEC. 2. *And be it further enacted*, That so much of the second section of the act of the fourteenth of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the names of plains, kerseys, or kendal cottons, of which wool is the only material, the value whereof does not exceed thirty-five cents a square yard, at five per centum ad valorem, shall be, and the same is hereby, repealed. And the said

Duty on plains, kerseys, &c. raised to fifty per cent.

(a) The act of Congress of March 2, 1833, ch. 55, commonly called "The compromise act," did not, prospectively, repeal all duties upon imports after 30th June, 1842. Repealing only such parts of previous acts as were inconsistent with itself, it left in force, after June 1842, the same duties which were in force on the first of June, 1842. *Aldridge and others v. Williams*, 3 Howard, 1.

The provisions of the act of 1833, by which duties were to be levied, after June 1, 1842, on the home valuation, "under such regulations as may be prescribed by law," comprehended all the regulations existing under the law at the time when the duties, according to the home valuation, accrued. The regulations established by the 7th and 8th sections of the act of 1832, were, after the compromise act expired, in force, and were sufficient for the collection of duties after June 1, 1842. *Ibid.*

The 9th section of the act of 1832, makes it the duty of the Secretary of the Treasury, under the direction of the President, to establish, when necessary, rules and regulations to secure a just, faithful, and impartial appraisal of merchandise, and just and proper entries of them. It is very clear that any regulations within the authority thus given, are regulations prescribed by law. *Ibid.*

In expounding this law, the judgment of the court cannot, in any degree, be influenced by the construction placed upon it by individual members of Congress, in the debate which took place on its passage; nor by the motives or reasons assigned by them for supporting or opposing amendments offered. The law, as it passed, is the will of a majority of both houses, and the only mode in which this will is spoken, is in the act itself; and we must gather their intention from the language there used, comparing it, where any ambiguity exists, with laws upon the same subject; and looking, if necessary, to the public history of the times in which it was passed. *Ibid.* 24.

articles shall be subject to the same duty of fifty per centum, as is provided by the said second section for other manufactures of wool; which duty shall be liable to the same deductions as are prescribed by the first section of this act.

Existing laws continued until June 30, 1842.

SEC. 3. *And be it further enacted*, That, until the thirtieth day of June, one thousand eight hundred and forty-two, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected. And from and after the day last aforesaid, all duties upon imports shall be collected in ready money; and all credits now allowed by law, in the payment of duties, shall be, and hereby are abolished; and such duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government; and from and after the day last aforesaid, the duties required to be paid by law on goods, wares, and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law.

Duties to be paid in cash, &c.

Goods to be valued at ports of entry.

Articles free after Dec. 31, 1833.

SEC. 4. *And be it further enacted*, That, in addition to the articles now exempt by the act of the fourteenth of July, one thousand eight hundred and thirty-two, and the existing laws, from the payment of duties, the following articles imported from and after the thirty-first day of December, one thousand eight hundred and thirty-three, and until the thirtieth day of June, one thousand eight hundred and forty-two, shall also [be] admitted to entry, free from duty, to wit: bleached and unbleached linens, table-linen, linen napkins, and linen cambrics, and worsted stuff goods, shawls, and other manufactures of silk and worsted, manufactures of silk, or of which silk shall be the component material of chief value, coming from this side of the Cape of Good Hope, except sewing silk.

Articles free after June 30, 1842.

SEC. 5. *And be it further enacted*, That from and after the said thirtieth day of June, one thousand eight hundred and forty-two, the following articles shall be admitted to entry, free from duty, to wit: indigo, quicksilver, sulphur, crude saltpetre, grindstones, refined borax, emory, opium, tin in plates and sheets, gum Arabic, gum Senegal, lac dye, madder, madder root, nuts and berries used in dyeing, saffron, turmeric, woad or pastel, aloes, ambergris, Burgundy pitch, cochineal, chamomile flowers, coriander seed, catsup, chalk, cocculus indicus, horn plates for lanterns, ox horns, other horns and tips, india-rubber, manufactured ivory, juniper berries; musk, nuts of all kinds, oil of juniper, unmanufactured rattans and reeds, tortoise shell, tin foil, shellac, vegetables used principally in dyeing and composing dyes, weld, and all articles employed chiefly for dyeing, except allum, copperas, bichromate of potash, prussiate of potash, chromate of potash, and nitrate of lead, aqua fortis, and tartaric acids. And all imports on which the first section of this act may operate, and all articles now admitted to entry [free] from duty, or paying a less rate of duty than twenty per centum ad valorem, before the said thirtieth day of June, one thousand eight hundred and forty-two, from and after that day may be admitted to entry subject to such duty, not exceeding twenty per centum ad valorem, as shall be provided for by law.

Duties on certain classes of articles after June 30, 1842.

Conflicting acts repealed.

Proviso.

SEC. 6. *And be it further enacted*, That so much of the act of the fourteenth day of July, one thousand eight hundred and thirty-two, or of any other act, as is inconsistent with this act, shall be, and the same is hereby, repealed: *Provided*, That nothing herein contained shall be so construed as to prevent the passage, prior or subsequent to the said thirtieth day of June, one thousand eight hundred and forty-two, of any act or acts, from time to time, that may be necessary to detect, prevent, or punish evasions of the duties on imports imposed by law, nor to prevent the passage of any act, prior to the thirtieth day of June, one thousand eight hundred and forty-two, in the contingency either of excess or deficiency of revenue, altering the rates of duties on articles which, by the aforesaid act of fourteenth day of July, one thousand eight hundred and

thirty-two, are subject to a less rate of duty than twenty per centum ad valorem, in such manner as not to exceed that rate, and so as to adjust the revenue to either of the said contingencies.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LVI.—*An Act making appropriations for the Indian Department for the year one thousand eight hundred and thirty-three.*

March 2, 1833.

[Obsolete.]  
Appropriations  
for the Indian  
department.

*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, to be paid out of any money in the treasury not otherwise appropriated, for the Indian department for the year one thousand eight hundred and thirty-three, viz :

For the salary of the commissioner of Indian affairs, three thousand dollars.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as established by law, twenty-six thousand dollars.

For the pay of sub-agents, as established by law, seventeen thousand dollars.

For presents to Indians, as authorized by the act of one thousand eight hundred and two, fifteen thousand dollars.

For pay of Indian interpreters and translators employed in the several superintendencies and agencies, twenty thousand dollars.

For the pay of gunsmiths and blacksmiths, and their assistants, employed within the several superintendencies and agencies, under treaty provisions, and the orders of the War Department, sixteen thousand dollars.

For iron, steel, coal, and other expenses attending the gunsmiths and blacksmiths' shops, five thousand dollars.

For expenses of transportation and distribution of Indian annuities, nine thousand five hundred dollars.

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

For expense of building houses for Indian agents, blacksmiths' shops, and for repairs of the same, when required, in the several agencies, two thousand dollars.

For contingencies of the Indian Department, twenty thousand dollars.

For supplying the deficiency in the appropriation for the compensation of commissioners, and other expenses attending the adjustment of boundaries under the treaty of Butte des Morts, contained in the act of twentieth May, one thousand eight hundred and thirty, making appropriations to carry into effect the said treaty, five hundred and fourteen dollars and sixty-two cents.

1830, ch. 99.

Sec. 2. *And be it further enacted,* That the following sums, being unexpended balances of former appropriations, be, and the same are hereby, re-appropriated to the several objects of the original appropriations, respectively, to be paid out of any money in the treasury not otherwise appropriated, viz: for the exchange of land with the Indians, and for their removal west of the Mississippi, by act of twenty-eighth May, one thousand eight hundred and thirty, two hundred and eighty dollars and six cents.

For defraying the expenses of an expedition fitted out, consisting of the militia of Georgia and Florida, for the suppression of aggressions by the Indians on their frontiers, three thousand eight hundred and thirty-nine dollars and eighty-six cents.

For carrying into effect a treaty with the Winnebagoes, by act of

twenty-fifth March, one thousand eight hundred and thirty, the following sums, viz :

For payment of claims provided for by [the] fourth article, one hundred and fifty-eight dollars and seventy-two cents.

For expense of surveying the boundaries, nine hundred and forty-five dollars and forty-six cents.

For carrying into effect the treaty of twenty-ninth July, one thousand eight hundred and twenty-nine, with the Chippeways, Ottoways, and Pattawatamies, by act of twenty-fifth March, one thousand eight hundred and thirty, for the expense of surveying the boundaries, six hundred and seventeen dollars and ten cents.

For carrying into effect a treaty with the Choctaw Indians, of eleventh October, one thousand eight hundred and twenty, by act of second March, one thousand eight hundred and twenty-seven, the balance re-appropriated thirtieth April, one thousand eight hundred and thirty, sixteen thousand and three dollars and forty-three cents.

For defraying the expenses of holding a treaty with the Cherokees for the purpose of extinguishing their claim to as much land as will be necessary for a canal to connect the Highwassee and Canasaga with each other, by act of second March, one thousand eight hundred and twenty-seven, the balance re-appropriated thirtieth April, one thousand eight hundred and thirty, two thousand four hundred and fifty-nine dollars and nineteen cents.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

President authorized to direct site of custom-house to be changed.

Vessels to be detained, &c.

Custody of detained vessels, &c.

Jurisdiction of circuit courts.

CHAP. LVII.—*An Act further to provide for the collection of duties on imports. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, it shall become impracticable, in the judgment of the President, to execute the revenue laws, and collect the duties on imports in the ordinary way, in any collection district, it shall and may be lawful for the President to direct that the custom-house for such district be established and kept in any secure place within some port or harbour of such district, either upon land or on board any vessel; and, in that case, it shall be the duty of the collector to reside at such place, and there to detain all vessels and cargoes arriving within the said district until the duties imposed on said cargoes, by law, be paid in cash, deducting interest according to existing laws; and in such cases it shall be unlawful to take the vessel or cargo from the custody of the proper officer of the customs, unless by process from some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons too great to be overcome by the officers of the customs, it shall and may be lawful for the President of the United States, or such person or persons as he shall have empowered for that purpose, to employ such part of the land or naval forces, or militia of the United States, as may be deemed necessary for the purpose of preventing the removal of such vessel or cargo, and protecting the officers of the customs in retaining the custody thereof.

SEC. 2. *And be it further enacted,* That the jurisdiction of the circuit courts of the United States shall extend to all cases, in law or equity, arising under the revenue laws of the United States, for which other provisions are not already made by law; and if any person shall receive any injury to his person or property for or on account of any act by him done, under any law of the United States, for the protection of the revenue or

(a) By the eighth section of this act the first and fifth sections are continued in force to the end of the first session of Congress of 1834, and no longer.

the collection of duties on imports, he shall be entitled to maintain suit for damage therefor in the circuit court of the United States in the district wherein the party doing the injury may reside, or shall be found. And all property taken or detained by any officer or other person under authority of any revenue law of the United States, shall be irrepleviable, and shall be deemed to be in the custody of the law, and subject only to the orders and decrees of the courts of the United States having jurisdiction thereof. And if any person shall dispossess or rescue, or attempt to dispossess or rescue, any property so taken or detained as aforesaid, or shall aid or assist therein, such person shall be deemed guilty of a misdemeanor, and shall be liable to such punishment as is provided by the twenty-second section of the act for the punishment of certain crimes against the United States, approved the thirtieth day of April, Anno Domini one thousand seven hundred and ninety, for the wilful obstruction or resistance of officers in the service of process.

SEC. 3. *And be it further enacted*, That in any case where suit or prosecution shall be commenced in a court of any state, against any officer of the United States, or other person, for or on account of any act done under the revenue laws of the United States, or under colour thereof, or for or on account of any right, authority, or title, set up or claimed by such officer, or other person under any such law of the United States, it shall be lawful for the defendant in such suit or prosecution, at any time before trial, upon a petition to the circuit court of the United States, in and for the district in which the defendant shall have been served with process, setting forth the nature of said suit or prosecution, and verifying the said petition by affidavit, together with a certificate signed by an attorney or counsellor at law of some court of record of the state in which such suit shall have been commenced, or of the United States, setting forth that, as counsel for the petitioner, he has examined the proceedings against him, and has carefully inquired into all the matters set forth in the petition, and that he believes the same to be true; which petition, affidavit and certificate, shall be presented to the said circuit court, if in session, and if not, to the clerk thereof, at his office, and shall be filed in said office, and the cause shall thereupon be entered on the docket of said court, and shall be thereafter proceeded in as a cause originally commenced in that court; and it shall be the duty of the clerk of said court, if the suit were commenced in the court below by summons, to issue a writ of certiorari to the state court, requiring said court to send to the said circuit court the record and proceedings in said cause; or if it were commenced by *capias*, he shall issue a writ of habeas corpus cum causa, a duplicate of which said writ shall be delivered to the clerk of the state court, or left at his office by the marshal of the district, or his deputy, or some person duly authorized thereto; and, thereupon it shall be the duty of the said state court to stay all further proceedings in such cause, and the said suit or prosecution, upon delivery of such process, or leaving the same as aforesaid, shall be deemed and taken to be moved to the said circuit court, and any further proceedings, trial or judgment therein in the state court shall be wholly null and void. And if the defendant in any such suit be in actual custody on *mesne* process therein, it shall be the duty of the marshal, by virtue of the writ of habeas corpus cum causa, to take the body of the defendant into his custody, to be dealt with in the said cause according to the rules of law and the order of the circuit court, or of any judge thereof, in vacation. And all attachments made and all bail and other security given upon such suit, or prosecution, shall be and continue in like force and effect, as if the same suit or prosecution had proceeded to final judgment and execution in the state court. And if, upon the removal of any such suit, or prosecution, it shall be made to appear to the said circuit court that no copy of the record and proceedings therein, in the state court, can be obtained, it shall be lawful for

Property in custody irrepleviable, &c.

Actions in state courts against revenue officers to be removed, on petition, &c. of defendant, to circuit court.

Stay of proceedings in the state court.

Marshal to take defendant into custody.

State process of attachment, &c., to continue in force.

De novo proceeding.

said circuit court to allow and require the plaintiff to proceed *de novo*, and to file a declaration of his cause of action, and the parties may thereupon proceed as in actions originally brought in said circuit court; and on failure of so proceeding, judgment of *non pros.* may be rendered against the plaintiff with costs for the defendant.

Record to be supplied where copy of record cannot be had from the state court.

Sec. 4. *And be it further enacted,* That in any case in which any party is, or may be by law, entitled to copies of the record and proceedings in any suit or prosecution in any state court, to be used in any court of the United States, if the clerk of said state court shall, upon demand, and the payment or tender of the legal fees, refuse or neglect to deliver to such party certified copies of such record and proceedings, the court of the United States in which such record and proceedings may be needed, on proof, by affidavit, that the clerk of such state court has refused or neglected to deliver copies thereof, on demand as aforesaid, may direct and allow such record to be supplied by affidavit, or otherwise, as the circumstances of the case may require and allow; and, thereupon, such proceeding, trial, and judgment, may be had in the said court of the United States, and all such processes awarded, as if certified copies of such records and proceedings had been regularly before the said court.

President to issue proclamation and to suppress obstructions to the laws by military force or other means, within any state.

Sec. 5. *And be it further enacted,* That whenever the President of the United States shall be officially informed, by the authorities of any state, or by a judge of any circuit or district court of the United States, in the state, that, within the limits of such state, any law or laws of the United States, or the execution thereof, or of any process from the courts of the United States, is obstructed by the employment of military force, or by any other unlawful means, too great to be overcome by the ordinary course of judicial proceeding, or by the powers vested in the marshal by existing laws, it shall be lawful for him, the President of the United States, forthwith to issue his proclamation, declaring such fact or information, and requiring all such military and other force forthwith to disperse; and if at any time after issuing such proclamation, any such opposition or obstruction shall be made, in the manner or by the means aforesaid, the President shall be, and hereby is, authorized, promptly to employ such means to suppress the same, and to cause the said laws or process to be duly executed, as are authorized and provided in the cases therein mentioned by the act of the twenty-eighth of February, one thousand seven hundred and ninety-five, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, repel invasions, and to repeal the act now in force for that purpose;" and also, by the act of the third of March, one thousand eight hundred and seven, entitled "An act authorizing the employment of the land and naval forces of the United States in cases of insurrection."

Act of Feb. 28, 1795, ch. 36.

Act of March 3, 1807, ch. 39.

Places of confinement.

Sec. 6. *And be it further enacted,* That in any state where the jails are not allowed to be used for the imprisonment of persons arrested or committed under the laws of the United States, or where houses are not allowed to be so used, it shall and may be lawful for any marshal, under the direction of the judge of the United States for the proper district, to use other convenient places, within the limits of said state, and to make such other provision as he may deem expedient and necessary for that purpose.

Judges to issue writs of habeas corpus.

Sec. 7. *And be it further enacted,* That either of the justices of the Supreme Court, or a judge of any district court of the United States, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases of a prisoner or prisoners, in jail or confinement, where he or they shall be committed or confined on, or by any authority or law, for any act done, or omitted to be done, in pursuance of a law of the United States, or any order, process, or decree, of any judge or court thereof, any thing in any act of Congress to the con-



trary notwithstanding. And if any person or persons to whom such writ of habeas corpus may be directed, shall refuse to obey the same, or shall neglect or refuse to make return, or shall make a false return thereto, in addition to the remedies already given by law, he or they shall be deemed and taken to be guilty of a misdemeanor, and shall, on conviction before any court of competent jurisdiction, be punished by fine, not exceeding one thousand dollars, and by imprisonment, not exceeding six months, or by either, according to the nature and aggravation of the case.

SEC. 8. *And be it further enacted*, That the several provisions contained in the first and fifth sections of this act, shall be in force until the end of the next session of Congress, and no longer.

APPROVED, March 2, 1833.

Penalty for neglect or refusal to obey the same.

Provisions of the first and fifth sections limited.

STATUTE II.

March 2, 1833.

CHAP. LVIII.—*An Act to explain and amend the eighteenth section of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all articles upon which the duties were reduced by "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two, and which may not have been deposited under the provisions of the eighteenth section of the act aforesaid, whether the said articles were imported, or the duties thereon were secured or paid, before or after the passage of said act, may, to obtain the benefit of said act and this amendment thereto, be deposited at any time before the first of April next in the custom-house stores, or in the manner prescribed in the following section, by the importer, consignee, or any subsequent purchaser or owner, and all wines now in bond, or which may be imported at any time previous to the fourth day of March, one thousand eight hundred and thirty-four, and which may remain in the custody of the customs on that day, shall be entitled to the benefit of this act, and of that to which it is an amendment: *Provided*, That no merchandise imported in packages, bales, or casks, shall be entitled to the benefit of this act, or of that, to which it is an amendment, unless they are as originally imported: and that all articles placed in the custody of the customs under this act shall so remain, for inspection and examination, till the fourth day of March next: *Provided, also*, That nothing contained in this act shall be so construed as to extend the provisions thereof to any merchandise, which, under the existing laws, would not be entitled to the benefits of drawback.

Act of July 14, 1832, ch. 227. Certain articles imported before or after July 14, 1832, may be deposited in the public stores.

Wines entitled to the benefit of the act.

Proviso.

Proviso

When goods may remain in warehouse of owner, &c.

Proviso.

SEC. 2. *And be it further enacted*, That, in all cases where the quantity of merchandise, entitled to the benefits of the acts aforesaid shall exceed ten packages, bales, or casks, or where the article may be in bulk, or otherwise than in packages, bales, or casks, the collector of the district where the same may be, is hereby authorized to direct that the said merchandise shall not be removed from the warehouse of the owner, but that the same shall be there placed in the custody of a proper officer of the customs, who shall examine the same, and keep them under the keys of the custom-house, till the first of April, as aforesaid: *Provided*, The collector shall consider the same a safe place of deposit, and that application be made to him for that purpose on or before the twenty-fifth March next.

SEC. 3. *And be it further enacted*, That all articles remaining under the control of the proper officer of the customs, according to the provisions of this act, on the first April next, and all wines which shall re-

Articles under custody of officer of customs, as aforesaid, to

be subject to no higher duty than levied under act of July 14, 1832.

Higher duties paid to be refunded, &c.

Excess of duties to be refunded, &c. and articles to be examined, &c.

Relief to be extended.

Section seventeen of act of July 14, 1832, ch. 227, to take effect March 4, 1833.

main in the same manner, after the fourth day of March, one thousand eight hundred and thirty-four, shall be subject to no higher duty than would be levied under the act aforementioned, approved the fourteenth of July last; and if any higher duty shall have been paid, such excess shall be refunded, out of any money in the treasury not otherwise appropriated, to the person placing the same in the custody of the customs, and any outstanding bond or bonds which may have been given for duties on the same shall be cancelled; and if a sum equal to the amount of duties levied by the said act of the fourteenth July, shall not have been collected, and the bond or bonds given shall amount to more than the duties imposed by said act, the Secretary of the Treasury shall direct that a debenture certificate or certificates, the form of which shall be prescribed by him, for such excess of duty, shall be issued to the persons placing the same in the custody of the customs, payable out of the bond or bonds given for duties on the same, the collectors to give the debtors credit on their bonds for the difference between the high and low duties, and to cancel the bonds on payment of the balance.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury shall cause the amount of excess of duties, as aforesaid, to be ascertained and paid, or the credit given as the case may be, as soon as practicable after the first of April next; and that he shall be authorized to cause all articles under the control of the proper officers of the customs to be examined; and where the merchandise may have passed out of the possession of the importer or consignee, to require satisfactory evidence of the transfer or transfers to identify the same; and to make all other rules and regulations which may be necessary and proper to carry this act into effect.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized and directed to extend relief to all persons, whose cases are provided for in this act, who may have been deprived of the benefit thereof in consequence of the collector's not having received his instructions in pursuance of it, from the Secretary of the Treasury.

SEC. 6. *And be it further enacted*, That the seventeenth section of the aforesaid act of the fourteenth day of July, one thousand eight hundred and thirty-two, as far as the same relates to the duty on pulverized or crushed sugar, shall take effect on the fourth day of March, of the present year.

APPROVED, March 2, 1833.

#### STATUTE II.

March 2, 1833.

[Obsolete.]

Appropriations to effect Indian treaties, &c.

Winnebagoes.

CHAP. LIX.—*An Act making appropriations to carry into effect certain Indian treaties, and for other purposes, for the year one thousand eight hundred and thirty-three.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the objects hereinafter mentioned, that is to say: To carry into effect the stipulations of the treaty with the Winnebagoes, of the fifteenth of September, one thousand eight hundred and thirty-two, to wit:

For payment of the annuity provided for by the third article, ten thousand dollars.

For the purposes of education provided for by the fourth article, three thousand dollars.

For support of agriculturists, for oxen, and ploughs, and other agricultural implements per fifth article, two thousand five hundred dollars.

For expense of removing blacksmiths' shop, per sixth article, two hundred and fifty dollars.

For expense of rations, per seventh article, six thousand dollars.

For payment of claims to certain individuals, per eighth article, one thousand and eighty-two dollars and fifty cents.

For the purchase of tobacco, and for services of two physicians, per fifth article, five hundred and fifty dollars.

To carry into effect the stipulations of the treaty with the Sacs and Foxes, of the twenty-first September, one thousand eight hundred and thirty-two, to wit: For payment of the limited annuity, provided for by the third article, twenty thousand dollars.

Sacs and Foxes.

For fulfilling the stipulations for a blacksmith and gunsmith, establishing a shop, and for purchase of tobacco and salt, per fourth article, one thousand seven hundred and fifty dollars.

For payment of Farnham and Davenport's claim for goods, acknowledged to be due, per fifth article, forty thousand dollars.

For fulfilling the stipulations in regard to subsistence, per tenth article, seven thousand seven hundred and twenty-four dollars.

To carry into effect the stipulations of the treaty with the Shawanoes and Delawares, of the sixth October, one thousand eight hundred and thirty-two.

Shawanoes and Delawares.

For the purchase of cattle, hogs, and other stock, for the Delawares, and for assistance in agriculture, per second article, three thousand dollars.

For expense of a person to attend their mill, and for repairs, per same article, five hundred dollars.

For the support of a school, per same article, five hundred dollars.

For fulfilling the stipulations for payment of certain debts, and for merchandise and cash, per third article, eighteen thousand dollars.

For fulfilling the stipulations to the Shawanoes for cash, clothing and horses, and towards their expenses, after removal, per fifth article, one thousand seven hundred dollars.

For cost of provisions for one year after removal, per same article, the sum of eighteen thousand two hundred and fifty dollars.

For annuities to Patterson, Tawhee-lalen and Natcoming, during their natural lives, the sum of one hundred dollars each, three hundred dollars.

To carry into effect the stipulations of the treaty with the Kaskaskias and Peorias, of seventh October, one thousand eight hundred and thirty two.

Kaskaskias and Peorias.

For payment of the limited annuity, per fifth article, three thousand dollars.

For fulfilling the stipulations in the sixth article of said treaty, to wit: for payment to the Peorias in common with the Kaskaskias, sixteen hundred dollars.

To the Kaskaskias, for lost horses and salt annuities, three hundred and fifty dollars.

To the Peorias, for improvements on their lands, two hundred and fifty dollars.

For the purchase of stock for Peorias and Kaskaskias, four hundred dollars.

For carts, oxen and ploughs, for same, three hundred and fifty dollars.

For building four log houses, five hundred and thirty dollars.

For assistance in agriculture, three hundred dollars.

For agricultural implements, and for iron and steel, fifty dollars.

For the payment for goods delivered at treaty, eight hundred dollars.

For assistance to Kaskaskias in removing, and for one year's provisions, one thousand dollars.

To carry into effect the stipulations of the treaty with the Appalachianicola tribe, of eleventh October, one thousand eight hundred and thirty-two.

Appalachicolas.

For payment to the Appalachicola tribe of Indians, to be in full compensation for all expenses of emigration and subsistence, per second article of the treaty, thirteen thousand dollars.

Pattawatamies  
of the Prairie.

To carry into effect the stipulations of the treaty with the Pattawatamies of the Prairie, of twentieth October, one thousand eight hundred and thirty-two, ratified twenty-first January, one thousand eight hundred and thirty-three.

For payment of the limited annuity, per third article, fifteen thousand dollars.

For the payment of the annuities stipulated for in the same article, to wit: to Billy Caldwell, six hundred dollars. To Alexander Robinson, two hundred dollars. To Pierre Leclere, two hundred dollars.

For payment of claims per schedule annexed to the treaty, per fourth article, the sum of thirty thousand seven hundred and forty-six dollars.

For payment for goods and horses purchased and delivered, per same article, the sum of forty-five thousand dollars.

For the purchase of goods to be delivered, thirty thousand dollars.

For payment to certain named Indians, for lost horses, same article, fourteen hundred dollars.

Kickapoos.

To carry into effect the stipulations of the treaty with the Kickapoos, of twenty-fourth October, and supplement of twenty-sixth November, one thousand eight hundred and thirty-two.

For payment of the annuity for one year, per third article, eighteen thousand dollars.

For erecting a mill and church, per sixth article, three thousand seven hundred dollars.

For support of a blacksmith and assistant, and for iron, steel and tools, per fifth article, one thousand dollars.

For the support of a school, and purchase of books, per seventh article, five hundred dollars.

For the purchase of farming utensils, per eighth article, three thousand dollars.

For expense of agricultural labour and improvements, per ninth article, four thousand dollars.

For payment in merchandise and cash, per eleventh article, six thousand dollars.

For expense of transportation and subsistence, and one year's supply of provisions, per eleventh article, twenty-seven thousand nine hundred dollars.

For expense of running and marking boundaries, per twelfth article, eight hundred dollars.

For the expenses of a deputation to view the lands ceded, per fourteenth article, five hundred dollars.

For furnishing cattle, hogs, and other stock, per tenth article, four thousand dollars.

Pattawatamies  
of the Wabash.

To carry into effect the stipulations of the treaty with the Pattawatamies of the Wabash, of twenty-sixth October, one thousand eight hundred and thirty-two.

For payment of the limited annuity, per third article, twenty thousand dollars.

For the payment of goods and horses purchased and delivered, per same article, the sum of one hundred thousand dollars.

For the purchase of goods to be delivered, per same article, thirty thousand dollars.

For the payment of claims, per schedule attached to the treaty, per fourth article, the sum of sixty-two thousand, three hundred and eighty-two dollars.

For fulfilling the stipulations in the fifth article, to wit: For rifles and ammunition, two thousand three hundred and thirty-four dollars.

For blankets, two thousand nine hundred and sixteen dollars.

For expenses of transportation and subsistence, thirty-three thousand three hundred and twenty dollars.

For one year's supply of provisions, sixty thousand eight hundred and nine dollars.

For expense of erecting a saw mill, per sixth article, two thousand dollars.

To carry into effect the stipulations of the treaty with the Pattawatamies of Indiana, of twenty-seventh October, one thousand eight hundred and thirty-two.

Pattawatamies  
of Indiana.

For the payment of the limited annuity, per fourth article, fifteen thousand dollars.

For the payment for goods and horses purchased and delivered, per same article, the sum of thirty-two thousand dollars.

For the purchase of goods to be delivered, per same article, ten thousand dollars.

For the payment of claims, per schedule attached to the treaty, per same article, the sum of twenty-one thousand seven hundred and twenty-one dollars.

For the purchase of the section of land granted by the treaty of Saint Joseph's to To-pe-naw-koung, wife of Peter Langlois, per same article, the sum of eight hundred dollars.

For the education of Indian youths of the Pattawatamie tribes, during the pleasure of Congress, per same article, two thousand dollars.

To carry into effect the stipulations of the treaty with the Piankashaws and Weas, of twenty-ninth October, one thousand eight hundred and thirty-two.

Piankashaws  
and Weas.

For the purchase of cattle, hogs, and farming utensils, as an equivalent for salt annuities, and lost horses, for the Piankashaws, per third article, five hundred dollars.

For expense of agricultural assistance and improvements, per same article, the sum of seven hundred and fifty dollars.

For payment in merchandise and cash, per same article, two hundred dollars.

For the purchase of cattle, hogs, and farming utensils, as an equivalent for improvements and lost horses, for the Weas, per fourth article, five hundred dollars.

For payment in merchandise and cash, per same article, two hundred dollars.

For assistance to the Weas of Indiana, to enable them to join the rest of their tribe, and for one year's supply of provisions, per same article, the sum of four thousand six hundred and twelve dollars.

For the support of a blacksmith's shop, for the benefit of the Piankashaws, Weas, Peorias and Kaskaskias, per fifth article, one thousand dollars.

For cost of transporting the annuities, agricultural implements and stock, and for other incidental expenses in fulfilment of the aforesaid treaties, the sum of fifteen thousand dollars.

To enable the President to extinguish Indian titles within the states of Indiana and Illinois and territory of Michigan, in addition to the sum appropriated ninth July last, three thousand eight hundred and seventy-one dollars.

1832, ch. 175.

For expenses incurred in one thousand eight hundred and thirty-two, attending the adjustment of the boundary line and other objects referred to in the first, second, and third articles of the treaty of Butte des Morts, ratified twenty-third February, one thousand eight hundred and twenty-

Boundary under  
the treaty of  
Butte des Morts.

- nine, in addition to the sum appropriated by the act of twentieth May, one thousand eight hundred and thirty, four hundred dollars.
- 1830, ch. 99.  
Creeks. For expense of removal and subsistence of Creek Indians, as stipulated in the seventh article of the treaty of twenty-fourth January, one thousand eight hundred and twenty-six, in addition to former appropriations, to pay claims allowed, as settled by the second auditor, seven thousand two hundred and sixty-one dollars forty-four cents.
- For payment of improvements on ceded lands, as stipulated in the eleventh article of said treaty, as settled by the second auditor, in addition to former appropriations, nine thousand three hundred dollars and seventy-five cents.
- Ioway prisoners. For payment of expenses incurred for provisions, transportation, compensation to guards, and other expenses, attending the arrest of Ioway prisoners in one thousand eight hundred and twenty-nine, on the charge of murders committed by them, and not before provided for, the sum of one thousand and twenty-three dollars and thirty-eight cents.
- Choctaw reservations. For expense of locating, surveying and bounding reservations for the Choctaws, under the nineteenth article of the treaty of fifteenth September, one thousand eight hundred and thirty, not otherwise provided for, fifteen hundred dollars.
- Chickasaw agent. For expense of the Chickasaw agent, with a deputation of Indians, to the seat of government, on business relating to the treaty negotiated with them, one thousand six hundred and fifty dollars.
- Delegation of New York Indians. For the expense of a delegation from the New York Indians to visit Green bay during the summer of one thousand eight hundred and thirty-three, for the purpose of surveying and dividing their lands with a view to future emigration, the sum of one thousand eight hundred and ninety dollars.
- Shawanoes. For the expense of removing the remaining Shawanoes, being eighty-two in number, from Ohio, to their lands west, one thousand six hundred and forty dollars.
- Sac and Fox prisoners. For the expenses of twelve prisoners of war of the Sac and Fox tribes, now in confinement, and to be held as hostages, under the seventh article of the treaty with the Sacs and Foxes, of twenty-first September, one thousand eight hundred and thirty-two, embracing the cost of provisions and clothing, compensation to an interpreter, and cost of removing them to a place where they may be kept in safety, without being closely confined, the sum of two thousand five hundred dollars.
- Chippewas. For the expense of appraising the improvements abandoned by the Chippewas, under the sixth article of the treaty of Saginaw, of twenty-fourth September, one thousand eight hundred and nineteen, the sum of six hundred dollars.
- Negroes of Broom. For payment for two negroes, the property of George Fields, illegally taken from the Broom, a Cherokee chief, in the fall of the year one thousand eight hundred and thirteen, by a white citizen, seven hundred dollars.
- Removing of Choctaws, &c. For expenses of removing and subsisting Choctaws, Creeks, Cherokees, and Ohio Indians, as estimated for by the commissary general of subsistence, four hundred and seventy-four thousand and thirteen dollars.
- Pattawatamies. And the sum of ten thousand dollars for holding a treaty with the Pattawatamies, for the extinguishment of their title to the remainder of their lands in Illinois.
- Menominees. For carrying into effect the stipulations of the treaty with the Menominees of the eighth February, one thousand eight hundred and thirty-one, fifty-eight thousand six hundred dollars.
- Chickasaws. For carrying into effect the stipulations of the treaty with the Chickasaws of twenty-eighth October, one thousand eight hundred and thirty-two, to be refunded out of the sales of their lands as provided for by said treaty, one hundred thousand dollars.

For carrying into effect the stipulations of the treaty with the Senecas West, of twenty-ninth December, one thousand eight hundred and thirty-two, to be refunded out of the sales of their lands as provided for by said treaty, four thousand dollars.

Senecas.

For payment to the Senecas for lost horses and other property, as stipulated for by fourth article of same treaty, one thousand dollars.

For carrying into effect the stipulations of the treaty with the Ottawas of eighteenth February, one thousand eight hundred and thirty-three, forty-seven thousand four hundred and forty dollars.

Ottawas.

SEC. 2. *And be it further enacted*, That the Secretary of War shall cause a valuation to be made of the buildings, improvements and other property, belonging to the American Board of Commissioners for Foreign Missions, lying within the limits of the purchase made of the Choctaw tribe of Indians at the treaty of the Dancing Rabbit Creek, and after deducting from the estimated value the amount heretofore advanced by the United States towards the aforesaid buildings and improvements, shall cause the residue to be paid to the trustees of the said board, out of any money in the treasury not otherwise appropriated.

Property of American Board of Foreign Missions.

SEC. 3. *And be it further enacted*, That the sum of one hundred thousand dollars shall be, and the same is hereby appropriated, should the same be found necessary to defray the expenses of repressing the hostilities of the Indians on the western frontier of the United States, out of any money in the treasury not otherwise appropriated.

Repression of Indian hostilities.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LX.—*An Act making appropriations for the engineer and ordnance departments.*

March 2, 1833.

*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, namely :

[Obsolete.]  
Appropriations for engineer and ordnance department.

For collecting the materials, and making the preliminary arrangements, for the construction of a fort on George's island, Boston harbour, Massachusetts, twenty-five thousand dollars.

For the erection of a building for military and other exercises, at the United States' military academy, West Point, six thousand dollars.

For the erection of a chapel at the United States' military academy, West Point, ten thousand dollars.

For the erection of two new dwelling-houses at the national armory at Springfield, Massachusetts, for the use of the master armorer and paymaster, seven thousand dollars.

For building a pay office and store at the same armory, for the preservation of models and patterns, two thousand dollars.

For building a workshop for grinding and polishing, at the same armory, six thousand dollars.

For enlarging and repairing the shop, for welding and boring musket barrels, at the same armory, fifteen hundred dollars.

For additional machinery at the same armory, three thousand five hundred dollars.

For one steam-engine of fifteen horse power, at the same armory, fifteen hundred dollars.

For thirty-six double racks for placing arms in the new arsenal, at the same armory, five thousand one hundred dollars.

For the erection of twelve additional dwelling-houses for the workmen, at the national armory at Harpers' Ferry, Virginia, eight thousand six hundred dollars.

For the repair and extension of the public dam, on the Potomac river,

from which the supply of water is obtained for the works at said armory, five thousand dollars.

For the enlargement of the canal, supplying the water power of the public works of the said armory, from the Potomac dam, thirteen thousand four hundred and ninety-five dollars.

For repairing the walls of four workshops at the same armory, fifteen hundred dollars.

For constructing three new water-wheels, and the machinery in the boring, turning, and stocking shops, and sinking flumes, at the said armory, eight thousand four hundred dollars.

For completing the forging-shop tilt-hammer, and new workshop, at the same armory, thirteen thousand three hundred dollars.

For the purchase of one square acre of land, with the improvements, adjoining the arsenal near Pittsburgh, Pennsylvania, three thousand five hundred dollars.

For the purchase of forty-five acres of land adjoining the Watervliet arsenal, New York, nine thousand dollars.

For the purchase of the right to the water power on the Shenandoah river, for the use of the United States' rifle factory, which is established on that river, four thousand six hundred dollars.

For the repairs of the Spanish fort Marion, at St. Augustine, and for re-constructing the sea wall, to prevent the encroachments of the sea, at and near the same, twenty thousand dollars.

For the purchase of a site, and for erecting quarters and barracks for the United States' troops at Savannah, Georgia, thirty-five thousand dollars.

Purchase of lands.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized to apply to the purchase of the square acre of land above mentioned, a sum not exceeding three thousand five hundred dollars, out of the proceeds arising from the sale of certain lots of land at Pittsburgh, Pennsylvania, belonging to the United States, which may be disposed of, under the provisions of the act of Congress of the second of August, one thousand eight hundred and thirteen.

Act of Aug. 2, 1813, ch. 48.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. LXI.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-three.*

Appropriations for pay of army, &c.

*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 support of the army for the year one thousand eight hundred and thirty-three, viz :

For pay of the army and subsistence of officers, one million three hundred and thirty-six thousand six hundred and ninety-seven dollars.

For forage of officers, fifty-four thousand three hundred and thirty-one dollars.

For clothing for servants of officers, twenty-four thousand dollars.

For subsistence, exclusive of that of officers, in addition to an unexpended balance of fifteen thousand dollars, three hundred and eighty-seven thousand dollars.

For clothing of the army, camp equipage, cooking utensils, and hospital furniture, in addition to material and clothing on hand, amounting to twenty thousand dollars, two hundred and fifty-six thousand seven hundred and sixty-three dollars.

For medical and hospital department, thirty-one thousand dollars.

For arrearages in the same department during the year one thousand eight hundred and thirty-two, three thousand dollars.



For various expenses of the quartermaster's department, viz: for fuel, forage, straw, stationery, blanks, repairing officers' quarters, barracks, store-houses, and hospitals; for erecting temporary cantonments, and gun-houses; for rent of quarters, store-houses, and land; for postage of letters on public service; for expenses of courts martial, including compensation of judge advocates, members and witnesses; for extra pay to soldiers employed on extra labour, under the act of March second, one thousand eight hundred and nineteen; and for expenses of expresses, escorts to paymasters, and other contingencies to quartermaster's department, two hundred and forty thousand dollars.

Pay of army, &c.

Act of March 2, 1819, ch. 45.

For transportation of officers' baggage, and allowance for travel in lieu of transportation, and for per diem allowance to officers on topographical duty, fifty-three thousand dollars.

For transportation of clothing, subsistence, ordnance, and of lead from the mines, and for transportation of the army and funds for pay of the army, including the several contingencies and items of expenditure at the several stations and garrisons usually estimated under the head of transportation of the army, one hundred and twelve thousand dollars.

For defraying the expenses of the board of visitors at West Point, two thousand dollars.

For fuel, forage, stationery, printing, transportation and postage, for the military academy, eight thousand five hundred dollars.

For repairs, improvements, and expenses of buildings, grounds, roads, wharf, and boat, at West Point, four thousand dollars.

For pay of adjutant's and quartermaster's clerk, nine hundred dollars.

For increase and expenses of the library, fourteen hundred dollars.

For philosophical apparatus, eight hundred and ninety dollars.

For models of department of engineering, six hundred dollars.

For models for the drawing department, repairs of instruments for the mathematical department, apparatus and contingencies for the department of chemistry, nine hundred dollars.

Miscellaneous items and incidental expenses of the academy, one thousand five hundred and seventy-five dollars.

For contingencies of the army, ten thousand dollars.

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

For the armament of fortifications, one hundred thousand dollars.

For the current expenses of the ordnance service, sixty-nine thousand three hundred dollars.

For arsenals, ninety-six thousand five hundred dollars.

For the recruiting service, thirty thousand nine hundred and fifty-two dollars, in addition to an unexpended balance of twelve thousand dollars.

For the contingent expenses of the recruiting service, sixteen thousand and forty-four dollars, including an unexpended balance of eight thousand five hundred dollars on hand.

For the purchase of accoutrements and swords, sixteen thousand seven hundred and fifty dollars.

For the purchase of cannon, fourteen thousand seven hundred and fifty dollars.

For payment of arms for mounted rangers, two thousand five hundred and ninety-eight dollars.

For the purchase of arms for South Carolina, six thousand one hundred and thirty-one dollars.

For arrearages prior to the first day of July, one thousand eight hundred and fifteen, payable through the third auditor's office, five thousand dollars.

To enable the second auditor to close the accounts, under the act of third March, one thousand eight hundred and twenty-one, allowing three months' gratuitous pay to disbanded officers and soldiers, five hundred dollars.

1821, ch. 35.

Pay of army,  
&c.

For arrearages of pay of certain militia of the state of Missouri, called out in one thousand eight hundred and twenty-nine, one thousand two hundred dollars.

For the pay of the militia of Illinois, Indiana, Missouri, and Michigan, ordered into the service of the United States during the last year, six hundred and thirty-two thousand dollars in addition to the amount heretofore appropriated for the same purpose.

For completing barracks, quarters, and store-houses, at fort Crawford, eight thousand dollars.

For completing barracks, quarters, and store-houses, at fort Howard, ten thousand dollars.

For completing barracks, and erecting an hospital at Baton Rouge, twenty-five thousand dollars.

For making good a deficiency of appropriation for the erection of barracks at fort Severn, Annapolis, three hundred dollars.

For the construction of a wharf at fort Preble, Portland, including the purchase of a site, three thousand seven hundred and seventy dollars.

For repairing the wharf at fort Independence, Boston, one thousand five hundred dollars.

For repairing the wharf at fort Washington, on the Potomac, one thousand five hundred dollars.

For repairing the wharf at fort Moultrie, Charleston, one thousand five hundred dollars.

For the purchase of ground adjoining fort Trumbull, New London, four hundred dollars.

For the erection of a store-house and stable on the public lot at Pitts-  
burgh, five thousand dollars.

For the purchase of the ground at Key West, on which the barracks and quarters are erected, three thousand two hundred dollars.

For the purchase of land at fort Gratiot, one thousand six hundred dollars.

To make good a deficiency of a former appropriation for the building of a wharf at fort McHenry, ninety dollars and forty cents.

For repairing and extending the levees, securing the works at fort Jackson, Mississippi, and for improving the store rooms and magazine, four thousand dollars.

Commission to  
paymasters.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized, at his discretion, out of the moneys appropriated by this, or any former act, for the payment of the militia ordered into the service of the United States, according to law during the last year, to allow and pay to the district paymasters of the army of the United States employed in making such payments, a commission on the sums respectively paid by them, not exceeding one per centum upon the amounts.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. LXII.—*An Act to explain and amend the act to alter and amend the several acts imposing duties on imports passed July fourteenth, one thousand eight hundred and thirty-two, so far as relates to hardware, and certain manufactures of copper and brass, and other articles.*

Act of July 14,  
1832, ch. 227.  
Certain provi-  
sions suspended  
till June 1, 1834.

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

SEC. 2. *And be it further enacted*, That, so much of the act to alter and amend the several acts imposing duties on imports, passed July the fourteenth, eighteen hundred and thirty-two, as repeals the duties heretofore levied on copper bottoms cut round, and copper bottoms raised to the edge, and still bottoms cut round and turned upon the edge, and parts thereof, and on copper plates or sheets, weighing more than thirty-four ounces per square foot, commonly called braziers' copper, and on tobacco leaves, or unmanufactured, be, and the same is hereby repealed.

Repeal of duties on copper bottoms, &c. repealed.

SEC. 3. *And be it further enacted*, That nothing contained in the act of the fourteenth of July, eighteen hundred and thirty-two, to alter and amend the several acts imposing duties on imports, shall be so construed as to authorize the exemption, from the payment of duty on sheet and rolled brass, but the same shall be charged with the payment of a duty of twenty-five per centum ad valorem.

Duty on sheet and rolled brass.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXIII.—*An Act making appropriations for the erection of certain fortifications.*

March 2, 1833.

[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, out of any money in the treasury not otherwise appropriated, namely:

Appropriations for erection of fortifications.

For a fort on Throg's Neck, East river, New York, twenty-five thousand dollars.

For rebuilding fort Delaware, Delaware river, fifty thousand dollars.

For a fort on Foster's Bank, Pensacola harbour, Florida, twenty-five thousand dollars.

For a fort on Grande Terre, Barataria, Louisiana, twenty-five thousand dollars.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXIV.—*An Act for improving the navigation of certain rivers in the territories of Florida and Michigan, and for surveys, and for other purposes.*

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, for the purpose of removing obstructions, and improving the navigation of certain rivers in the territories of Florida and Michigan, the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury; to be expended under the direction of the President of the United States.

Appropriations for the improvement of rivers in Florida and Michigan.

For removing obstructions in, and improving the navigation of, the Escambia river, five thousand dollars.

For improving the navigation of the Ochlochney river, five thousand dollars.

For improving the navigation of the Choctawhachie river, as recommended by the Postmaster General, for the transportation of the mail from Pensacola to Tallahassee, five thousand dollars.

For improving the harbour at Chicago on lake Michigan, twenty-five thousand dollars.

For a survey of White and Saint Francis rivers, in the territory of Arkansas, five hundred dollars.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

Contracts to be advertised for.

CHAP. LXV.—*An Act in relation to the Potomac bridge.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so soon as the President of the United States shall decide on a plan for the erection of a bridge over the Potomac river at Washington, on or adjoining the site of the old bridge, the Secretary of the Treasury is hereby required to advertise for contracts, after giving, at least, thirty days' notice.

Appropriation for construction of bridge.

SEC. 2. *And be it further enacted,* That, towards the construction of the said bridge, the sum of two hundred thousand dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, in such sums, and at such times, as may be agreed on by the Secretary of the Treasury, and the contractor or contractors, who shall give to the said Secretary satisfactory security for the faithful performance of the contract.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

Appropriation to citizens of Georgetown to improve navigation of Potomac, &amp;c.

CHAP. LXVI.—*An Act to improve the navigation of the Potomac river between Georgetown and Alexandria, 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 order to aid the citizens of Georgetown in removing the obstruction to their navigation, by causing the cut already made through the bar, below the town, to be enlarged and deepened; and for the further purpose of enabling them to make a free turnpike road to the district line on the Virginia side of the river, and to purchase of the present proprietors, and make for ever free, the bridge over the Little Falls of Potomac river, the sum of one hundred and fifty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

How to be paid.

SEC. 2. *And be it further enacted,* That the said sum shall be paid, from time to time, by the Secretary of the Treasury, to the order of the corporation of Georgetown, in such sums as to enable the said corporation to effect the purposes aforesaid.

Condition.

SEC. 3. *And be it further enacted,* That before the said sum be paid over to the said corporation, it shall pass an ordinance to make said road and bridge free, and to be kept in repair by said corporation for ever.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

1827, ch. 94.  
Five hundred thousand dollars annually appropriated.CHAP. LXVII.—*An Act [in] addition to the act for the gradual improvement of 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 for the gradual improvement of the navy of the United States, the sum of five hundred thousand dollars, out of any money in the treasury not otherwise appropriated, be, and the same is hereby appropriated, annually, for six years, from and after the third day of March, eighteen hundred and thirty-three, when the present appropriation expires.

To be applied as directed by act of March 3, 1827, ch. 94.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized and empowered to cause the above-mentioned appropriation to be applied, as directed and prescribed by the act of the third of March, eighteen hundred and twenty-seven, to which this is in addition, the provisions whereof are hereby continued in force for the term above mentioned, and to be applied also to the purchase of other necessary materials as well as timber suitable for the construction of vessels of war.

SEC. 3. *And be it further enacted*, That, in addition to the provisions now in force on the subject of the live oak growing on the public lands, it shall be the duty of all collectors of the customs within the territory of Florida, and the states of Alabama, Mississippi, and Louisiana, before allowing a clearance to any vessel laden in whole or in part with live oak timber, to ascertain satisfactorily that such timber was cut from private lands, or, if from public ones, by consent of the Navy Department. And it is hereby made the duty of all officers of the customs, and of the land officers within said territory and states, to cause prosecutions to be seasonably instituted against all persons known to be guilty of depredations on, or injuries to, the live oak growing on the public lands.

Provisions for preservation of live oak.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXVIII.—*An Act to improve the condition of the non-commissioned officers and privates of the army and marine corps of the United States, and to prevent desertion.* (a)

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the passage of this act, all enlistments in the army of the United States shall be for three years; and that the monthly pay of the non-commissioned officers and soldiers shall be as follows, viz: to each sergeant major, quartermaster sergeant, and chief musician, sixteen dollars; to the first sergeant of a company, fifteen dollars; to all other sergeants, twelve dollars each; to each artificer, ten dollars; to each corporal, eight dollars, and to each musician and private soldier, six dollars: and that all enlistments in the marine corps shall be for four years; and that the monthly pay of the non-commissioned officers and soldiers in said corps, shall be as follows, viz: to each sergeant major and quartermaster sergeant, seventeen dollars; to the drum major, fife major, the orderly sergeants of posts, and first sergeants of guards at sea, sixteen dollars each; to all other sergeants, thirteen dollars; to each corporal, nine dollars; to each musician, eight dollars; and to each private, seven dollars.

Term of enlistment in the army, and pay.

Term of enlistment in the marine corps, and pay.

SEC. 2. *And be it further enacted*, That one dollar of the monthly pay of every musician and private soldier, shall be retained until the expiration of the two first years of their enlistment, when each shall receive the twenty-four dollars retained pay, which shall have so accrued: *Provided*, He shall have served honestly and faithfully that portion of the term of his first enlistment.

One dollar of monthly pay to be retained, &c.

SEC. 3. *And be it further enacted*, That every able-bodied musician or private soldier, who may re-enlist into his company or regiment, within two months before, or one month after, the expiration of his term of service, shall receive two months' extra pay, besides the pay and other allowances which may be due to him on account of the unexpired period of any enlistment.

Bounty for re-enlistment.

SEC. 4. *And be it further enacted*, That every able-bodied musician or soldier, who shall re-enlist into his company or regiment, as specified in the third section of this act, shall receive his full pay, at the rate of six dollars per month, without any temporary deduction therefrom.

Pay of re-enlisted men.

SEC. 5. *And be it further enacted*, That no premium to officers, for enlisting recruits, nor bounties to recruits for enlisting, shall be allowed after the passage of this act.

Premiums and bounties not to be allowed.

SEC. 6. *And be it further enacted*, That no person who has been convicted of any criminal offence, shall be enlisted into the army of the United States.

No convict to be enlisted.

SEC. 7. *And be it further enacted*, That the seventh section of the act,

Seventh section

(a) See notes of acts relating to the marine corps, vol. i. p. 594.

of act of May 16, 1812, ch. 86, repealed.

entitled "An act making further provision for the army of the United States," passed on the sixteenth May, one thousand eight hundred and twelve, be, and the same is hereby, repealed, so far as it applies to any enlisted soldier, who shall be convicted by a general court martial of the crime of desertion. (a)

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.  
[Obsolete.]

CHAP. LXIX.—*An Act making appropriations for carrying on certain works heretofore commenced for the improvement of harbours and rivers, and, also, for continuing and repairing the Cumberland road, and certain territorial roads.*

Appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums of money be, and the same are hereby, appropriated for carrying on or completing certain works and roads heretofore commenced, to be paid out of any money in the treasury not otherwise appropriated.

- |   |   |
|---|---|
| Delaware break water.                   | For carrying on the Delaware breakwater, two hundred and seventy thousand dollars.  |
| Black river.                            | For removing a sand bar at the mouth of Black river, Ohio, two thousand four hundred dollars.   |
| Cunningham creek.                       | For a pier head at Cunningham creek, Ohio, five hundred dollars.  |
| Ashtabula creek.                        | For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, three thousand four hundred dollars.  |
| Presque Isle.                           | For completing the improvement of the harbour of Presque Isle, Pennsylvania, six thousand dollars.  |
| Buffalo harbour.                        | For completing the pier at the mouth of Buffalo harbour, New York, thirty-one thousand seven hundred dollars.   |
| Genesee river.                          | For improving the entrance of Genesee river, New York, fifteen thousand dollars.  |
| Big Sodus bay.                          | For removing obstructions at the mouth of Big Sodus bay, New York, fifteen thousand dollars.  |
| Oswego.                                 | For completing the pier and mole at Oswego, New York, eight thousand four hundred dollars.  |
| Merrimack river.                        | For the completion of the breakwater at the mouth of the Merrimack river, four thousand nine hundred dollars.   |
| Plymouth beach.                         | For repairing Plymouth beach, six hundred dollars.  |
| Breakwater at Hyannis.                  | For the breakwater at Hyannis, Massachusetts, five thousand dollars.  |
| New Castle, Marcus Hook, and Port Penn. | For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, in the Delaware, four thousand dollars.  |
| Ocracoke inlet.                         | For carrying on the improvement of Ocracoke inlet, North Carolina, sixteen thousand seven hundred dollars.  |
| Cape Fear river.                        | For improving Cape Fear river, below Wilmington, North Carolina, twenty-eight thousand dollars.   |
| Ohio, Missouri, and Mississippi.        | For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.   |
| Detroit road to Saganaw bay.            | For continuing the road from Detroit to Saganaw bay, fifteen thousand dollars.  |
| St. Mark's.                             | For completing the improvement of St. Mark's river and harbour in Florida, in addition to the unexpended balance of former appropriations, one thousand five hundred dollars. |
| Detroit road to Grand river.            | For the road from Detroit to Grand river of Lake Michigan, twenty-five thousand dollars.  |
| Detroit road to Chicago.                | For continuing the road from Detroit towards Chicago, in the territory of Michigan, eight thousand dollars.   |

(a) "No person in the army, navy, or marine corps shall be allowed to draw both a pension as an invalid and the pay of his rank or station in the service, unless the alleged disability for which the pension was granted be such as to have occasioned his employment in a lower grade, or in some civil branch of the service." Act of April 30, 1844, ch. 15.

For paying the balance due the commissioner for surveying and marking the road from La Plaisance bay, to intersect the road to Chicago, within the territory of Michigan, six hundred and eight dollars and seventy-six cents.

Road to Chicago.

For making the said road, fifteen thousand dollars.

For completing the improvement of the inland channel between St. Mary's and St. John's, in Florida, nine thousand dollars.

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

For the completion of the removal of obstructions in the harbour and river Appilachicola, in Florida, according to the report and estimate of the engineer, Lieutenant Long, eight thousand seven hundred dollars, including the unexpended appropriation of last year.

Harbour and river Appilachicola.

For repairing the Cumberland road east of the Ohio, one hundred and twenty-five thousand dollars.

Cumberland road.

For continuing the Cumberland road in Ohio, west of Zanesville, one hundred and thirty thousand dollars.

For continuing the Cumberland road in the state of Indiana, one hundred thousand dollars.

For continuing the Cumberland road in Illinois, seventy thousand dollars.

For repairs of the Cumberland road in Virginia, thirty-four thousand four hundred and forty dollars.

For payment of a balance due the commissioner under the act of third March, one thousand eight hundred and twenty-five, for marking out a road to the confines of New Mexico, one thousand five hundred and four dollars and fifty-four cents.

Road to New Mexico.

For defraying the expenses incidental to making examinations and surveys under the act of the thirtieth of April, one thousand eight hundred and twenty-four, twenty-five thousand dollars.

Examinations and surveys.

For payment of balance due Joseph C. Brown, for running the western boundary of the state of Missouri, one hundred and forty dollars.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized, by and with the approbation of the President of the United States, to change the location of the route of the Cumberland road, near Cumberland and Wills' mountain, according to the survey and report thereon of Captain Delafield, of the corps of engineers.

President to alter route of the Cumberland road.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXX.—*An Act making appropriation for the public buildings, and for other purposes.*

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That for the purpose of completing the buildings of the penitentiary, its support, the purchase of raw materials to be manufactured by the convicts, and as compensation to Thomas Carberry, who is hereby allowed one thousand dollars for his services in planning and superintending the erection of the penitentiary, the sum of fifteen thousand four hundred and thirty-six dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

Appropriation for penitentiary.

SEC. 2. *And be it further enacted*, That the following sums be, and hereby are appropriated, to be paid out of any money in the treasury, not otherwise appropriated, for the following purposes, that is to say:

Appropriations for Capitol, President's house, &c.

For dressing and laying the stone, procured for paving the terrace of the Capitol, seven thousand dollars.

For enclosing and improving the public ground north of the Capitol, two thousand dollars.

For a pedestal wall, coping, railing, and foot way at the north front of the President's house, ten thousand dollars.

For improving the Capitol square, including the gardener's salary, and lighting the lamps, two thousand seven hundred and fifty dollars.

For completing the regulation of the ground and planting, south of the President's house, four thousand six hundred and sixty dollars.

For alterations and repairs in the Capitol, one thousand dollars.

For alterations and repairs in the President's house, five hundred dollars.

For constructing reservoirs and fountains at the public offices, and President's house, and enclosing and planting the fountain square, six thousand seven hundred and twenty-three dollars.

For keeping in repair the fire engines belonging to the public buildings, two hundred dollars.

For furnishing the President's house, to be expended under the direction of the President, in addition to the proceeds of such decayed furniture, as he may direct to be sold, twenty thousand dollars.

For an additional pavement for the statue of Washington, five thousand dollars.

For alterations in the Representatives Hall, to accommodate the twenty-third Congress, according to a plan recommended by a select committee of the House of Representatives, of thirtieth June, eighteen hundred and thirty-two, thirteen thousand dollars.

For completing the public vault, and railing thereon, one thousand six hundred dollars.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXI.—*An Act for the construction of a road from the Mississippi river to William Strong's, on the St. Francis river, in the territory of Arkansas.*

Appropriation for construction of road in Arkansas.

*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 thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of enabling the President of the United States to cause to be permanently constructed, a road in the territory of Arkansas, from a point opposite to Memphis, to the house of William Strong, on the St. Francis river, or towards such other point on the same as the engineer appointed to report thereupon may recommend, for the purpose of establishing a constant communication from the point above named, towards Little Rock, in the said territory: *Provided,* That the said sum be expended under the direction of such military engineer as the President may appoint: *And provided, also,* That no part of the said sum of money shall be expended until a careful survey and estimate shall have been made of the cost of the road by a competent engineer, and that the said survey and estimate shall have been previously submitted to, and approved by, the Secretary of War, and the President of the United States.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXII.—*An Act prolonging the second session of the fifth legislative council of the territory of Michigan.*

Authority to prolong session thirty days.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislative council of the territory of Michigan, now in session, be, and is hereby authorized to continue its present session thirty days beyond the time now limited by law.

Appropriation to defray the expenses, &c.

SEC. 2. *And be it further enacted,* That, for the purpose of defraying the incidental expenses and for paying the members of said legislative



council for the additional time employed as aforesaid, the sum of two thousand dollars be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXIII.—*An Act in addition to, and in alteration of, an act entitled "An act vesting in the corporation of the city of Washington all the rights of the Washington Canal Company," and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury is hereby authorized to pay, out of any moneys in the treasury not otherwise appropriated, unto the mayor, aldermen, and common council of the city of Washington, the sum of one hundred and fifty thousand dollars, to aid them in fulfilling the objects and requirements of an act entitled "An act vesting in the corporation of the city of Washington all the rights of the Washington Canal Company, and for other purposes; approved May thirty-first, one thousand eight hundred and thirty-two: *Provided,* That the said mayor, aldermen, and common council, relinquish all title to the land vested in them by the eighth section of the act above named, and, also, relinquish all rights and privileges granted by the eighth, tenth, eleventh, twelfth, thirteenth, and fourteenth sections of said act: *And provided, also,* That the sum herein granted shall be applied to pay and extinguish any debt which has been, or may be contracted in the purchase either of the Washington City Canal, or in the completion of the same, and shall not be applicable to any other object or purpose until said debts be extinguished.

Secretary of the Treasury to pay \$150,000 to city of Washington.

Act of May 31, 1832, ch. 113.

Proviso.

Proviso.

SEC. 2. *And be it further enacted,* That the commissioner of the public buildings is hereby authorized to cause all the open grounds belonging to the United States which, in the original plan of the city, were reserved for public walks, lying between the Maryland and Pennsylvania Avenues, to be enclosed with a wooden fence, and to lay down the same, according to such plan for the improvement thereof as the President of the United States may approve, in grass, and intersect it by suitable paths and roads for intercourse and recreation: *Provided,* That there shall not be more than three streets or roads across the same to connect the streets on the north and south sides of said public grounds.

Public walks to be enclosed and improved.

Proviso.

SEC. 3. *And be it further enacted,* That there be paid out of any unappropriated money in the treasury, for the purposes of the second section of this act, the sum of five thousand dollars.

Appropriation.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXIV.—*An Act establishing a port of entry and delivery at the village of Fall River in Massachusetts, and discontinuing the office at Dighton.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall, from and after the first day of April next, be established in the village of Fall River, near the mouth of Taunton Great river, in Massachusetts, a port of entry and delivery.

Port to be established.

SEC. 2. *And be it further enacted,* That the office of the collection of the customs in Dighton, Massachusetts, shall, from and after the first day of April next, be discontinued.

Office discontinued.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. LXXV.—*An Act to authorize the President of the United States to exchange certain lands belonging to the navy yard at Brooklyn, for other lands contiguous thereto.*

President to execute conveyance.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to execute a conveyance to the corporation of the village of Brooklyn, in the state of New York, of the interest of the United States in certain lands forming a part of the navy yard at said village of Brooklyn, and designated in a petition from said corporation to Congress, on condition that said corporation convey a good title to the United States of such other property contiguous to said yard, and obtain releases to the United States of certain parts of said yard now in controversy, so that, in his opinion, the conveyances from said corporation shall be equally beneficial to the United States as the property granted to said corporation.

Condition.

APPROVED, [March] 2, 1833.

## STATUTE II.

March 2, 1833.

CHAP. LXXVI.—*An Act for the more perfect defence of the frontiers.*

Regiment of dragoons established.

Act of June 15, 1832, ch. 131.

Organization.

Act of Aug. 23, 1842, ch. 186.

Act of April 4, 1844, ch. 11.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in lieu of the battalion of mounted rangers authorized by the act of the fifteenth of June, one thousand eight hundred and thirty-two, there be established a regiment of dragoons, to be composed and organized as follows, to wit: one colonel, one lieutenant colonel, one major, one quartermaster-sergeant, and two chief buglers, one adjutant, who shall be a lieutenant, one sergeant major, one chief musician, and ten companies; each company to consist of one captain, one first lieutenant, and one second lieutenant, exclusive of the lieutenant who is to be the adjutant of the regiment: four sergeants, one of whom shall act as quartermaster-sergeant to the company, four corporals, two buglers, one farrier and blacksmith, and sixty privates.

Pay when mounted.

SEC. 2. *And be it further enacted,* That the officers, non-commissioned officers, musicians, and privates, when mounted, be entitled to the same pay and emoluments as was allowed to dragoons during the war, and when on foot, the same pay and emoluments as are now allowed to the officers, non-commissioned officers, musicians, and privates of a regiment of infantry; and that the farrier and blacksmith be allowed the same pay and allowances as are allowed to an artificer of artillery.

Pay when on foot.

To serve on horse or foot, and subject to rules of war, &c.

SEC. 3. *And be it further enacted,* That the said regiment of dragoons shall be liable to serve on horse, or foot, as the President may direct; shall be subject to the rules and articles of war, be recruited in the same manner, and with the same limitations; that the officers, non-commissioned officers, musicians, farriers, and privates, shall be entitled to the same provisions for wounds and disabilities, the same provisions for widows and children, and the same allowances and benefits in every respect, as are allowed the other troops constituting the present military peace establishment.

President to carry act into effect.

SEC. 4. *And be it further enacted,* That the President of the United States be authorized to carry into effect this act as soon as he may deem it expedient, and to discharge the present battalion of mounted rangers, on their being relieved by the said regiment of dragoons.

Appropriation.

SEC. 5. *And be it further enacted,* That the sum required to carry into effect the provisions of this act is hereby appropriated, in addition to the appropriations for the military establishment for the year one thousand eight hundred and thirty-three.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXVII.—*An Act to create sundry new land offices, and to alter the boundaries of other land offices of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so much of the lands ceded to the United States by the treaties made and concluded with the Choctaw tribe of Indians, near Doak's Stand, on the eighteenth day of October, one thousand eight hundred and twenty, and at Dancing Rabbit creek, on the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated north of the line dividing townships nineteen and twenty, and west of the line dividing ranges seven and eight, east, be, and the same is hereby, established into a land district, to be designated as the north-western district.

Choctaw lands to form north-western land district.

Bounds.

SEC. 2. *And be it further enacted,* To so much of the land ceded by the Choctaw tribe of Indians to the United States, by said treaty of the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated west of the basis meridian, and south of the dividing line between townships nineteen and twenty, north, be, and the same is attached to the Choctaw district, established by an act of the seventh of May, eighteen hundred and twenty-two.

Choctaw district, by act of May 7, 1822, ch. 93, extended.

SEC. 3. *And be it further enacted,* That so much of the lands ceded to the United States, by said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated north of the dividing line between townships seven and eight, east of the basis meridian, and south of the north-western district, and the southern boundary of the lands of the Chickasaw tribe of Indians, shall constitute a land district to be designated as the north-eastern district; and the lands of the United States in the counties of Monroe and Lowndes, now subject to sale in the Choctaw district, shall, from and after the first day of May next, be subject to sale at the land office in the said north-eastern district; and it shall be the duty of the register at Mount Salus, under instructions from the commissioner of the general land office, to transfer all such books, maps, records, field notes, and plats, or transcripts thereof relating to the surveys of the public lands in Monroe and Lowndes counties, to the register of the north-eastern district, as may be necessary to enable him to comply with the provisions of this act.

North-eastern district.

Bounds.

Lands in Monroe, &c. to be subject to sale.

Transfer of books, &c.

SEC. 4. *And be it further enacted,* That so much of the land ceded to the United States by the said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated south of the dividing line between townships seven and eight, be attached to, and constitute a part of, the Augusta land district.

Augusta district: addition thereto.

SEC. 5. *And be it further enacted,* That, for the disposal of the public lands in the north-eastern and north-western districts, a land office shall be established in each, at such convenient place as the President of the United States may designate; and, for each of said offices, a register and receiver shall be appointed by the President, by and with the advice and consent of the Senate, who shall severally give bond and security, according to law, before entering on the duties of their respective offices. They shall receive the same compensation, fees, and emoluments, and shall perform similar duties, and possess the same powers, with all other registers and receivers of public moneys of the United States, and shall, in all respects, be governed by the laws of the United States providing for the sale of public lands.

Land offices of north-eastern and north-western district.

SEC. 6. *And be it further enacted,* That so much of the Edwardsville land district as lies north and north-west of the Illinois river, between said river and the Mississippi, be, and the same is hereby, attached to the Quincy land district, in the state of Illinois; and that ranges one and two west of the third principal meridian, embracing all townships from the base line to the southern boundary of the Sangamon land district, be,

Quincy district: part of Edwardsville district attached thereto.

Vandalia district: addition thereto.

and the same is hereby, attached to the Vandalia land district in said state. The said transfer to be effected under the direction of the Secretary of the Treasury.

Demopolis district.

SEC. 7. *And be it further enacted*, That all the lands situated south of the district line, and south of the dividing line between townships twenty and twenty-one, and north of the line dividing townships eleven and twelve, and west of the line dividing ranges nine and ten west, to the west boundary line of the state of Alabama, shall constitute a land district, to be known and called the Demopolis district.

Lands in Green and Marengo counties to be subject to sale at Demopolis land office.

SEC. 8. *And be it further enacted*, That the lands in the United States in the counties of Green and Marengo, now subject to sale in the Tuscaloosa, Cahawba, and Saint Stephen's land districts, as comprehended in the above-described district: *Provided*, That the land district hereinafter created by the tenth section of this act, shall be bounded on the south by the line dividing townships twenty-six and twenty-seven, and on the east by the line dividing ranges six and seven, and the lands in said district now in market shall be subject to entry at the land offices at Crawfordsville and fort Wayne as heretofore, until the first day of July next, and no longer; shall, from and after the first day of June next, be subject to sale at the land office in the said Demopolis land district; and it shall be the duty of the registers at Tuscaloosa, Cahawba, and Saint Stephen's, under instructions from the commissioner of the general land office, to transfer all such books, maps, records, field notes, and plats, or transcripts thereof, relating to the surveys of the public lands hereby added to the said Demopolis land district, to the register of the Demopolis land district.

Register and receiver for Demopolis district.

SEC. 9. *And be it further enacted*, That there shall be a register and receiver appointed for the said land district, with the same compensation, fees, and emoluments, and who shall perform all the duties usually performed by registers and receivers appointed to superintend the sale of the public lands of the United States.

New land district in Indiana.

SEC. 10. *And be it further enacted*, That all that district of country, in the state of Indiana, lying west of the line dividing ranges seven and eight east of the second principal meridian, and north of the line dividing townships twenty-four and twenty-five, shall form a separate land district; and the land office for the sale and disposal of all the public lands in said district, shall be, and hereby is, established at Laporte; and for said land office, a register and receiver shall be appointed in like manner, and be subject to like rules and regulations, and receive the same salary, fees, and compensation for their services, as is designated and provided for in other cases by the fifth section of this act; and it shall be [the] duty of the Secretary of the Treasury, as soon as it can be done, to cause the necessary tract books, plats, maps, and surveys of the public lands in said district, to be filed in said office: *Provided*, That the President may, whenever, in his judgment, the public interest and the convenience of the people require it, remove said office to a more central and suitable place in said district.

Office at Laporte.

President may remove office.

APPROVED, March 2, 1833.

#### STATUTE II.

March 2, 1833.

CHAP. LXXVIII.—*An Act making provision for the publication of the Documentary History of the American Revolution.*

Secretary of State authorized to contract.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of State be, and he hereby is authorized to contract with Matthew St. Clair Clarke and Peter Force, for the publication of a work entitled "The Documentary History of the American Revolution," to be printed in octavo or folio, as may be agreed upon: *Provided*, That the rate of expense shall

Limitation of expense.

not exceed the actual cost per volume of the Diplomatic Correspondence now printing, or heretofore printed, under direction of the Secretary of State; the same to be distributed and disposed of in the manner provided by the joint resolution of the tenth July, one thousand eight hundred and thirty-two, for the distribution and disposal of Gales and Seaton's collection of American State Papers.

APPROVED, March 2, 1833.

Ante, p. 606.

STATUTE II.

CHAP. LXXIX.—*An Act declaring the assent of Congress to an act of the General Assembly of the state of Virginia, hereinafter recited. (a)*

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the assent of the United States be, and the same is hereby, given to an act of the General Assembly of Virginia, entitled "An act concerning the Cumberland road," passed February the seventh, one thousand eight hundred and thirty-two; such assent to remain in force during the pleasure of Congress: Provided, That this act shall not be construed as preventing the United States from resuming whatever jurisdiction it may now have over the said road, whenever, in its discretion, it shall deem it proper so to do; which act of the said General Assembly is in the words and figures following, to wit:*

Assent of the United States.

Proviso.

*"Be it enacted by the General Assembly, That whenever the government of the United States shall have surrendered so much of the road, commonly called the Cumberland road, as lies within the limits of this state, the president and directors of the board of public works, shall be, and they are hereby, authorized to take the same under their care in behalf of this state; and to cause a gate or gates, and a toll-house or houses, to be erected on said road: Provided, the same shall not exceed two in number.*

Act of Virginia.

Toll-gates.

*"Be it further enacted, That a superintendent shall be appointed by the president and directors of the board of public works, removable at pleasure, whose duty it shall be to erect said gate or gates, and toll-house or toll-houses, and to exercise all reasonable vigilance and diligence in the care of said road committed to his charge; to contract for, and direct the application of, the labour, materials, and other things necessary for the repair, improvement, and preservation of said road; and he shall pay for the same out of the fund arising from the tolls; he shall have power to appoint and remove at pleasure, the collectors of tolls, and to take from such collector or collectors, bond with good security, conditioned for his, her, or their faithfully discharging his, her, or their duty, and accounting for, and paying over, to such superintendent or his successors in office, all moneys or tolls by him, her, or them collected or received; and it shall be the duty of the superintendent every six months, before the county or superior court for Ohio county, or before some one by either of said courts appointed for that purpose, to render, under oath, an account of all moneys by him received or expended, particularly setting forth, in such account, the time when, and from whom, he shall have received such money, and the time when, and to whom, and on what account, the same shall have been disbursed or expended. He shall, before he shall have entered on the duties of said office, take, before the county court of Ohio county, or some justice of the peace for said county, an oath, that he will faithfully, justly, and impartially discharge the duties of his said office; and he shall, also, before said court, enter into bond, with two good securities, at least in the penalty of ten thousand dollars, conditioned for his faithfully performing, in all things, the duties of his office of superintendent, to account as is before provided for, and also to pay over to his successor or succes-*

Superintendent of road.

Duties.

Toll-collectors.

Accounts of superintendent.

Oath.

Bond.

(a) See notes to "An act declaring the assent of Congress to an act of the General Assembly of the state of Ohio," hereinafter recited, March 2, 1831, ch. 97.

sors in office, or to such person as the county court of Ohio county may, for this purpose, name and appoint, all tolls by him received, and not expended, by virtue of the provisions of this act. He shall, immediately on the receipt thereof, deposit in the North-western Bank of Virginia, all moneys by him received for tolls or otherwise, and the same, as superintendent, check for, as he may want the same in repairing, improving, or preserving said road. And in case of death, resignation, or removal from office, or from the state, any and all moneys standing to his credit in bank, as superintendent, shall be passed to the credit of his successor in office. If the superintendent shall fail or omit, for two calendar months, to render his accounts as is before required, he shall, for every such failure, forfeit and pay, for the benefit of said road fund, five hundred dollars, to be recovered as is after provided for; or if he shall fail or omit to pay over all moneys in his hands as is before required, it shall be lawful, in the name of the President and directors of the board of public works, to obtain judgment against him, his security or securities, his or their heirs, executors, or administrators, upon motion in the county or superior courts of Ohio county, upon giving ten days' notice to such superintendent, his security or securities, his or their heirs, executors or administrators. In all motions, actions, or bills in chancery against such superintendent, his security or securities, his or their heirs, executors, or administrators, whenever judgment or decree shall be pronounced against the defendant or defendants, for any money by such superintendents wrongfully detained, such judgment shall be for the principal sum due, with interest thereon from the time at which the principal sum shall have been due, together with fifteen per centum damages thereon, to be made and levied in manner provided for by law. The said collectors shall monthly, or oftener if required by the superintendent, under oath, account for, and pay to the superintendent then in office, all moneys or tolls collected by him or them, and which shall remain, after deducting his or their compensation; and if such collector or collectors shall fail herein, it shall be lawful for the superintendent, in the name of the president and directors of the board of public works, to obtain judgment against such collector or collectors, his, her, or their security or securities, his or their heirs, executors, or administrators, by motion in the county or superior court for Ohio county, for the sum he, she, or they may be in arrear, with interest and damages as is above provided for in the case of defaulting superintendents: *Provided*, That such collector or collectors, his, her, or their security or securities, his or their heirs, executors, or administrators, shall [have] had ten days' previous notice of such motion. When the said collector shall have paid over to the superintendent, the superintendent shall give him duplicate receipts therefor, one of which he, the said collector, upon pain of forfeiting fifty dollars for every failure, shall file with the clerk of the county court of Ohio county. The bonds hereby required of superintendents or collectors shall be made payable to the president and directors of the board of public works, and be deposited for safe-keeping, with the clerk of the county court of Ohio county. But all moneys, and all fines and forfeitures recovered of them, or either of them, shall be collected and received by the superintendent, in office, or by such person as the county court of Ohio county may appoint to receive the same. The said superintendent, and the said collector or collectors, shall be allowed by the county court of Ohio county a reasonable compensation for their services; to be by them respectively retained out of said tolls, or the proceeds thereof: *Provided however*, That the compensation to the superintendent shall not exceed three hundred and thirty-three and one-third dollars per annum. And for the better order and management of the said fund, and the preservation of said road, the said superintendent, and collector or collectors, shall observe and conform to such

Deposit for  
tolls, &c.

Failure to render  
account.

Judgment in  
actions for failure.

Accounts of  
collectors.

Proviso.

Receipts to  
collectors.

Bonds.

Fines and forfeitures.

Compensation  
of superintendent  
and collectors.

Proviso.

Instructions.

instructions as the president and directors of the board of public works may, from time to time, prescribe.

“That, as soon as the said gates and toll-houses shall be erected, it shall be the duty of the said toll collector, or collectors, and they are hereby required to demand and receive, for passing the said gates, the tolls and rates hereafter mentioned: and they may stop any person riding, leading, or driving any horses, cattle, sulky, chair, phaeton, cart, chaise, wagon, sleigh, sled, or other carriage of burden or pleasure, from passing through the said gate or gates, until they shall have respectively paid for passing the same; that is to say: if there be but one gate, for every score of sheep or hogs, six and a quarter cents; for every score of cattle, twelve and a half cents; for every led or drove horse, three cents; for every mule or ass, led or driven, three cents; for every horse and rider, six and a quarter cents; for every sled or sleigh, drawn by one horse, or ox, six and a quarter cents; for every horse or ox in addition, three cents; for every dearborn, sulky, chair, or chaise, with one horse, six and a quarter cents; for every horse in addition, six and a quarter cents; for every chariot, coach, coachee, stage, or phaeton with two horses, twelve and a half cents; for every horse in addition, six and a quarter cents; for every other carriage of pleasure, by whatever name it may be called, the like sum, according to the number of wheels and horses drawing the same; for every cart, or wagon, whose wheels do not exceed two and a half inches in breadth, twelve and a half cents; for each horse or ox drawing the same, four cents; for every cart or wagon, whose wheels shall exceed two and a half inches in breadth, and not exceeding four inches, six and a quarter cents; for every horse or ox drawing the same, three cents; and for every other cart or wagon, whose wheels shall exceed four inches, and not exceeding five in breadth, four cents; for every horse or ox drawing the same, two cents; and all other wagons or carts, whose wheels shall exceed six inches in breadth, shall pass said gates free and clear of all tolls: *Provided, however,* That nothing in this act shall be so construed as to authorize any tolls to be received or collected from any person passing to or from public worship, or to or from a visit to a friend, or other place within the county in which he resides, or to or from any musters, elections, or courts, or to or from his common business on his farm or woodland, or to or from a funeral, or to or from a mill or school, or to or from his common place of trading or marketing within the county in which he resides, including the wagons, carriages, and horses, or oxen drawing the same: *Provided, also,* That no toll shall be received or collected for the passage of any stage or coach conveying the United States’ mail, or horses bearing the same, or any wagon or carriage laden with property of the United States, or any cavalry or other troops, army or military stores, belonging to the same, or to any of the states comprising the Union, or any person or persons on duty in military service of the United States, or of the militia of any of the States: *And provided, further,* That the superintendent may commute the rates of tolls with any person or persons by taking of him or them a certain sum, annually, in lieu of the tolls aforesaid: *And provided, further,* If two gates shall be erected on said road, then only one half of the said rates or tolls shall be received or collected at each gate; and that the superintendent and three discreet freeholders of Ohio county, to be appointed for this purpose by the county court of Ohio county, shall determine the number of gates (not exceeding two as aforesaid) and the site or location of such gate or gates; and said superintendent and persons to be appointed by the county court as aforesaid, are duly authorized to purchase, for the purpose of erecting a toll-house or toll-houses on said road, as much ground as they shall deem necessary and advantageous to said road fund; to be paid for out of the tolls aforesaid.

Tolls to be collected.

Rates, if one gate.

Persons exempt from tolls.

United States mail, &c., exempt.

Commutation of tolls.

Rates, if two gates.

Site for gates.

Application of the Cumberland road fund.

alties, and forfeitures, accruing under this act, shall constitute a fund, to be denominated the Cumberland road fund, and shall be applied by the superintendent to be appointed as aforesaid, solely and exclusively to the preservation, repair, and improvement of said road, and the expenses incident thereto, and to no other purpose whatever.

Power of the Assembly to alter or amend. Proviso.

"*Be it further enacted*, That the General Assembly reserves to itself at any future session thereof, without the consent of Congress, to change, alter, or amend this act: *Provided*, That the same shall not be so changed, altered, or amended, as to reduce or increase the rates of toll hereby established, below or above a sum necessary to defray the expenses incident to the repair and preservation of said road, to the erection of gates and toll-houses thereon, and for the payment of the fees or salaries of the superintendent, the collector of tolls, and of such other agents as may be necessarily employed in the preservation and repair of the said road, according to the true intent and meaning of this act.

Directors to be set up on the road, &c.

"*Be it further enacted*, That directors shall be set up, at proper and convenient situations, to caution all conductors and drivers of carriages or wagons on the road, as aforesaid, that they shall always pass on the left of each other, under the penalty of five dollars for every offence; and there shall also be set up, at some conspicuous place at each gate, a board, on which shall be legibly printed the rates of toll as is provided for in this act; and if any toll collector shall unreasonably delay or hinder any passenger or traveller at any of the gates, or shall demand or receive more toll than is by this act established, he shall, for each and every such offence, forfeit and pay to the party aggrieved, the sum of ten dollars.

Delay of passengers, &c.

"*Be it further enacted*, That if any person shall purposely and maliciously deface, or otherwise injure any of the milestones, parapet walls, culverts, or bridges, or any masonry whatsoever, or any of the gates or toll-houses of, or belonging to the said Cumberland road, in this state, as the same is now constructed, or may hereafter be constructed, every person so offending, upon conviction thereof, or judgment, information, or presentment in the county or superior court of Ohio county, be fined in a sum not exceeding five hundred dollars, or imprisonment in the jail of the county not exceeding six months, or both, at the discretion of the court; and if any person shall purposely fill, choke, or otherwise obstruct any of the side drains, valleys, gutters, or culverts of said road now made, or hereafter to be made, or shall connect any private road or cartway with said Cumberland road, or if any surveyor of a county road shall connect the same with the said Cumberland road, without making, at the point of connection, a stone culvert or paved valley, or other good and sufficient fixture so as to secure a free passage for the water along such side drain where such private or county road or cartway connects with said Cumberland road, and so as to secure such Cumberland road from injury by reason of such county or private road, or way, being connected with said Cumberland road, every person so offending shall, upon conviction thereof, be, for every such offence, fined in a sum not less than five dollars, nor more than twenty dollars; and if any person shall stand his wagon, and team, or either of them, over night upon the pavement of said road now made, or which may hereafter be made, or shall at any other time stand a wagon and team, or either of them, upon the said pavement for the purpose of feeding, or if he shall, in any other manner, purposely and wilfully obstruct the travel upon said road, or if he shall fast-lock or rough-lock either of the wheels of any wagon, coach, chaise, gig, sulky, carriage, or other two or four wheeled vehicle while travelling upon said road as now made, or as it may hereafter be made, (excepting, however, such parts of said road as may be, at the time of said locking, covered with ice,) every person so offending shall, upon conviction thereof, be fined in a sum not less than two, nor more than twenty dollars.

Wilful injuries to road, &c.

Penalty.

Obstructing side drains, &c.

Penalties.

Standing wagons, &c.

Locking wheels.

Penalty.

"*Be it further enacted*, That all fines, penalties, and forfeitures, incurred



under the provisions of this act, may be recovered by presentment or indictment in the county or superior courts of Ohio county, or by information or action of debt in the name of the governor, for the use of said road fund, in the same courts; or, the said fines, penalties, and forfeitures, where the same shall be less than twenty dollars, may be recovered by action of debt in the name and for the use aforesaid, before any justice of the peace for Ohio county; but an appeal may be had, as in other cases, to the next monthly court of Ohio county, from the judgment of any justice of the peace, when the same shall be a greater sum than five dollars, exclusive of costs, and it shall be the duty of the superintendent and collectors of tolls to prosecute all offences against the provisions of this act, and he or they shall not be liable for costs where the person or persons prosecuted shall be acquitted, unless the court or justice will certify that the prosecution is groundless and without good cause.

Recovery of fines, &c.

Appeal.

“*Be it further enacted*, That if more than one gate be erected upon said road, it shall be lawful for any person, desirous to do so, to pay the whole toll at any one gate, and, thereupon, the collector shall grant him a proper certificate thereof, which certificate shall be a sufficient warrant to procure his passage through the other gate.

Tolls may be paid at one gate.

“*Be it further enacted*, That this act shall not have any force or effect till the government of the United States shall assent to the same.

“*VIRGINIA, Richmond city to wit* :

“I, George W. Mumford, Clerk of the House of Delegates, and keeper of the rolls of Virginia, do certify that the foregoing is a true copy of an act concerning the Cumberland road, passed February the seventh, eighteen hundred and thirty-two.

“Given under my hand this thirteenth day of February, eighteen hundred and thirty-two.”

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXX.—*An Act to secure to mechanics and others payment for labour done and materials furnished in the erection of buildings 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 all and every dwelling-house, or other building, hereafter constructed and erected within the city of Washington, in the town of Alexandria, or in Georgetown, in the District of Columbia, shall be subject to the payment of the debts contracted for, or by reason of any work done or materials found and provided by any brickmaker, bricklayer, stonecutter, mason, lime merchant, carpenter, painter and glazier, ironmonger, blacksmith, plasterer, and lumber merchant, or any other person or persons employed in furnishing materials for, or in the erecting and constructing such house or other building, before any other lien which originated subsequent to the commencement of such house or other building. But if such dwelling-house, or other building, or any portion thereof, shall have been constructed under contract or contracts, entered into by the owner thereof, or his or her agent, with any person or persons, no person who may have done work for such contractor or contractors, or furnished materials to him, or on his order or authority, shall have or possess any lien on said house or other building, for work done or materials so furnished, unless the person or persons employed by such contractor to do work on, or furnish materials for, such building, shall, within thirty days after being so employed, give notice in writing, to the owner or owners of such building, or to his or to their agent, that he or they are so employed to work or to furnish materials, and that they claim the benefit of the lien granted by this act. And if such house or other building should not sell for a sum sufficient to pay all the demands for such work and mate-

Buildings subject to debts for work, &c.

If buildings be under contract, no lien to attach for work or materials, unless notice be given.

If sale of building do not satiate

fy all demands,  
to be distributed  
pro rata.  
Limitation of  
lien.

Creditors paid,  
to enter satis-  
faction.

Penalty for not  
so doing.

Mode of re-  
covering lien.

Proviso.

rials;—then, and in such case, the same shall be averaged, and each of the creditors paid a sum proportionate to their several demands: *Provided, always,* That no such debt for work and materials shall remain a lien on the said houses or other buildings longer than two years from the commencement of the building thereof, unless an action for the recovery of the same be instituted, or the claim filed, within three months after performing the work or furnishing the materials, in the office of the clerk of the court for the county in which the building shall be situated: *And provided, also,* That each and every person, having received satisfaction for his or their debt, for which a claim has been or shall be filed, or action brought as aforesaid, shall, at the request of any person interested in the building on which the same was a lien, or in having the same lien removed, or of his or their legal representative, on payment of the costs of the claim or action, and on tender of the costs of office for entering the satisfaction, within six days after such request made, enter satisfaction of the claim in the office where such claim was or shall be filed, or such action brought, which shall for ever thereafter discharge, defeat, and release the same; and if such persons, having received such satisfaction as aforesaid, by himself or his attorney, shall not, within six days after request and payment of the costs of the claim or action, and tender as aforesaid, by himself or his attorney, duly authorized, enter satisfaction as aforesaid, he, she, or they, neglecting or refusing so to do, shall forfeit and pay unto the party or parties aggrieved any sum of money, not exceeding one half of the debt, for which the claim was filed, or action brought as aforesaid, to be sued for and demanded by the person or persons indemnified, in like manner as other debts are now recovered by the existing laws for the recovery of debts.

SEC. 2. *And be it further enacted,* That in all cases of lien created by this act, the person having a claim filed agreeably to its provisions, may, at his election, proceed to recover it by personal action, according to the nature of the demand, against the debtor, his executors, or administrators, or by scire facias against the debtor, or owner of the building; and where the proceedings are by scire facias, the writ shall be served in like manner as a summons upon the persons named therein, if to be found within the county, and if not found in the county, then by fixing a copy of the writ upon the door of the building against which the claim is filed; and upon the return of service and failure of the defendants to appear, the court shall render judgment as in the case of a summons; but if they, or either of them, appear, they may plead and make defence, and the like proceedings shall be had as in personal actions for the recovery of debts: *Provided,* That no judgment rendered in such scire facias shall warrant the issuing an execution, except against the building or buildings upon which the lien existed as aforesaid.

APPROVED, March 2, 1833.

#### STATUTE II.

March 2, 1833.

CHAP. LXXXII.—*An Act authorizing an alteration in the election districts for members of the legislative council of the territory of Michigan.*

Council to pro-  
vide for altera-  
tion of election  
districts.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislative council of the territory of Michigan be, and hereby is, authorized to provide for such alterations in the election districts of said territory as will more effectually secure to the different sections of said territory a more equal representation in said legislative council.

Governor to  
district territory  
in case council  
shall have ad-  
journed.

SEC. 2. *And be it further enacted,* That if the said legislative council shall have adjourned before the first day of April next, the governor of said territory shall, by proclamation, district the said territory according to the provisions of the foregoing section.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXXIII.—*An Act supplementary to an act, entitled "An act concerning a seminary of learning in the territory of Arkansas," approved the second of March, eighteen hundred and twenty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the governor of the territory of Arkansas shall select twenty of the sections of public land reserved by the act, entitled "An act concerning a seminary of learning in the territory of Arkansas," approved the second of March, eighteen hundred and twenty-seven; and, after advertising and proclaiming them for sale in the several newspapers printed in Arkansas, and such other papers as he may deem expedient, he shall proceed to sell the same for cash, at some notorious place in Little Rock, to be designated in said advertisement, to the highest bidder.

Act of March 2, 1827, ch. 53. Governor to select twenty sections, and to sell the same for cash.

SEC. 2. *And be it further enacted,* That the said governor shall proclaim and sell the same in quantities not exceeding one half section, nor shall any sale be made for a price less than one dollar and twenty-five cents per acre. It shall be the duty of the governor to give to the purchaser a certificate of his purchase; and he shall also make a return to the register and receiver of the land office at Little Rock, of the quantity sold, the number of the section, range, township, and such other description of the land as he may deem necessary, the price for which each parcel sold, and to whom sold; and he shall also communicate to the legislature of the territory of Arkansas a duplicate of the same, upon which a patent shall issue to the purchasers as in other cases of sales of public lands.

Quantities and price.

Certificates of purchase, &c.

SEC. 3. *And be it further enacted,* That the money arising from the sales of the said twenty sections, or such portions of them as may be sold from time to time, after paying the reasonable expenses incurred in making the selections of the two townships under the before-recited act, and the expenses of selling the same under this act, shall be applied to the erection of suitable buildings for a seminary of learning at such place as may be designated, and under such terms and conditions as may be prescribed by the legislature of Arkansas.

Application of proceeds, &c.

SEC. 4. *And be it further enacted,* That it shall be the duty of the governor of said territory to pay the net proceeds of said sales into the office of the treasurer of said territory, who shall be responsible for the same as other public moneys; and who shall not pay out the whole, or any part thereof, for any other objects or purposes than such as are provided for by the act of the second of March, eighteen hundred and twenty-seven, to which this is a supplement, and by this act, and in obedience to the laws of the legislature of said territory, made to carry into effect the provisions of this act, and the said recited act.

Proceeds to be paid into the office of the treasurer of the territory.

1827, ch. 53.

SEC. 5. *And be it further enacted,* That the governor of the said territory shall be authorized to lease, for a term not exceeding five years, at any one time, the remainder of the two townships granted by the said act, and to apply the proceeds arising therefrom to the purposes aforesaid; and he shall render, once in two years, an account of the same to the legislature of said territory, and pay over the money to the treasurer of said territory.

Governor to lease remainder of lands.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

1822, ch. 180.

Provisions of act extended.

CHAP. LXXXIV.—*An Act supplemental to the act entitled "An act for the final adjustment of land claims in Missouri." (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

(a) See notes of the acts passed relative to lands in Missouri, vol. ii. p. 812.

Notes of decisions of the Supreme Court on Missouri land titles, vol. ii. pp. 748 and 812.

to which this is a supplement, shall be extended to and embrace in its operations, every claim to a donation of land in the state of Missouri, held in virtue of settlement and cultivation; and the commissioners appointed under the above-recited act, shall proceed to consider, decide, and report upon the aforesaid claims, under the provisions of the several acts of Congress heretofore passed in relation to said claims, and under such provisions and restrictions of the act to which this is a supplement, as may be applicable thereto.

Testimony to be taken.

SEC. 2. *And be it further enacted*, That it shall and may be lawful for the recorder and commissioners aforesaid, to continue to take the testimony of all such claims as heretofore described, for and during the term of two years, from the date of the act to which this is a supplement, any law to the contrary notwithstanding.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXXV.—*An Act authorizing the removal of the office of surveyor general of public lands south of Tennessee.*

Public land-office removed to Jackson.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That after the first day of April next, the office of the surveyor general of public lands south of Tennessee, shall be kept at Jackson, the seat of government of the state of Mississippi.

Presentation of accounts for surveys.

SEC. 2. *And be it further enacted*, That all accounts for surveys of public land in the state of Louisiana, not approved before the first day of April next, shall be presented with the proper returns of such surveys, to the office of the surveyor general of public lands for the state of Louisiana, for settlement and allowance.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXXVII.—*An Act to amend an act, entitled "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 Illinois river with those of Lake Michigan," and to allow further time to the state of Ohio for commencing the Miami canal from Dayton to Lake Erie. (a)*

Act of March 2, 1827, ch. 56. Lands granted to Illinois.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the lands granted to the state of Illinois by the act to which this is an amendment, may be used and disposed of by said state, for the purpose of making a railroad instead of a canal as in said act contemplated; and that the time for commencing and completing said canal or railroad, whichever the state of Illinois may choose to make, be and is extended five years; *Provided*, That if a railroad is made in place of a canal, the state of Illinois shall be subject to the same duties and obligations, and the government of the United States shall be entitled to, and have the same privileges on said railroad, which they would have had through the canal, if it had been opened.

Ohio canal.

SEC. 2. *And be it further enacted*, That the further time of five years be allowed the state of Ohio to commence the Miami canal from Dayton to Lake Erie, in addition to the time now allowed therefor by law.

APPROVED, March 2, 1833.

(a) An act to authorize the state of Illinois to open a canal through the public lands to connect the Illinois river with Lake Michigan, March 30, 1822, ch. 14.

An act to authorize the selection of certain Wabash and Erie Canal lands in the state of Ohio, June 30, 1834, ch. 137.

An act to grant certain lands to the state of Indiana, the better to enable the said state to extend and complete the Wabash and Erie Canal from Terre Haute to the Ohio river, March 3, 1845, ch. 42.

CHAP. LXXXIX.—*An Act to authorize the President of the United States to cause the public surveys to be connected with the line of demarcation between the states of Indiana and Illinois.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and hereby is authorized and required to cause the public lands lying along the line of demarcation between the states of Indiana and Illinois, as established by the joint sanction of those states, to be surveyed in connection with said line on either side thereof.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and hereby is, authorized to allow for the service to be performed under this act, such further compensation, in addition to [the] regular price now authorized by law, as to him shall appear to be just and reasonable, to be paid out of the regular appropriation for surveying public lands north-west of the Ohio river.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

Lands to be surveyed.

Compensation.

CHAP. XC.—*An Act further to extend the powers of the board of canal commissioners for the improvement of the Tennessee river in the state of Alabama.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the commissioners appointed by the state of Alabama to superintend the improvement of the Tennessee river, and their successors in office, be, and they are hereby authorized to suspend the improvement of so much of said river as is below Florence, in said state, and every other part of the same, until the canal and other improvements, between Lamb's ferry and Campbell's ferry, shall have been completed; any thing in the act entitled "An act to grant certain relinquished and unappropriated lands to the state of Alabama for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Black Warrior rivers," approved twenty-third of May, one thousand eight hundred and twenty-eight, to the contrary notwithstanding.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

Commissioners to suspend improvement of Tennessee river.

Act of May 23, 1828, ch. 75.

CHAP. XCI.—*An Act prescribing the mode by which patents for public lands shall be signed and executed.*

*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 President of the United States, by and with the advice and consent of the Senate, to appoint a secretary, with a salary of one thousand five hundred dollars per annum, whose duty it shall be, under the direction of the President, to sign in his name, and for him, all patents for lands sold or granted under the authority of the United States.

SEC. 2. *And be it further enacted,* That this act shall continue and be in force until the fourth day of March, one thousand eight hundred and thirty-seven, and no longer.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

Secretary to be appointed.

Limitation of the act.

CHAP. XCII.—*An Act to revive the act entitled "An act supplementary to the several laws for the sale of [the] public lands."*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in all cases in which persons were settlers or occupants of the public lands prior to the first

STATUTE II.

March 2, 1833.

Settlers prior to May 1, 1832, permitted to enter, &c.

Act of April 5,  
1832, ch. 65.

day of May, one thousand eight hundred and thirty-two, and were authorized to enter under the provisions of the act, entitled "An act supplementary to the several laws for the sale of [the] public lands," approved April fifth, one thousand eight hundred and thirty-two, and were prevented from making their entries, in consequence of the public surveys not having been made and returned, or where the land was not attached to any land district, or where the same has been reserved from sale in consequence of a disputed boundary between two states, or between a state and territory, the said occupants shall be permitted to enter the said lands on the same conditions, in every respect, as were prescribed in said act, within one year after the surveys are made, or the land attached to a land district, or the boundary line established; and if the land shall be proclaimed for sale before the expiration of one year as aforesaid, then the said settlers or occupants shall be permitted to enter before the sale thereof.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. XCIII.—*An Act to establish a town at St. Marks, in Florida.*

Lands to be  
laid off into  
town lots, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to cause so much of the public lands at or near St. Marks, in the territory of Florida, as he may deem proper, to be laid off into town lots, not to contain more than one quarter of an acre each, and into streets, avenues, and out lots, and public squares, for the use of the town; and, whenever the survey of the same shall be completed, it shall be the duty of the surveyor for the territory of Florida, to cause two plats thereof to be made out, on which the town and out lots shall respectively be designated by progressive numbers; one of which shall be transmitted, with a copy of the field notes, to the commissioner of the general land office, and the other to the register of the land office for the proper district: *Provided,* That the President may adopt, if he shall approve such plan as may have been already reported to the general land office.

Plan.

Public sale of  
lots.

SEC. 2. *And be it further enacted,* That the aforesaid town and out lots at said site, with the exception of such of them as the President may reserve for fortifications, shall be offered for sale to the highest bidder, under the direction of the register and receiver of the proper land office, at such times and places as the President shall, by public proclamation, designate for that purpose; and all lots remaining unsold at the closing of the public sales shall be subject to entry at private sale at the proper land office: *Provided,* That no town lot shall be sold for less than twenty-five dollars, nor any out lot for less than at the rate of twenty-five dollars per acre; and they shall, in every other respect, be sold on the same terms and conditions as are provided for the disposal of the other public lands of the United States.

Private entry.

Prices limited.

Improvements  
to be paid for.

SEC. 3. *And be it further enacted,* That previous to offering the aforesaid town and out lots at public sale, the President of the United States shall cause the value of any improvements which may have been made thereon to be ascertained in such manner as he may prescribe for that purpose; and the purchaser at public sale of any lot upon which there are such improvements, other than the owner thereof, shall, in addition to the sum to be paid to the United States, be, and hereby is, required to pay to the owner of the improvements, the value of them as thus ascertained; and, if payment therefor shall not be made upon the day on which the same was purchased, the lot shall be again offered at public sale on the next day of sale, and such persons shall not be capable of becoming the purchaser of that or of any other lot offered at that

Payment on  
day of sale, &c.

public sale: *Provided*, That, if any lot so offered and bid off on the last day of the public sale shall not be thus paid for, the same may be entered at private sale, upon paying to the United States the sum at which it was bid off, and to the owner of the improvements the previously ascertained value thereof: *And provided further*, That the President be not authorized to offer any part of said town lots for sale, till he shall be satisfied that the site proposed for said town is not included within the limits of any conflicting Spanish title, which may not be released, or decided to be invalid.

APPROVED, March 2, 1833.

Lots not to be offered for sale, until, &c.

STATUTE II.

CHAP. XCIV.—*An Act granting an additional quantity of land for the location of revolutionary bounty land warrants.*

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the further quantity of two hundred thousand acres of land be, and the same is hereby, appropriated, in addition to the quantity heretofore appropriated by the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth May, one thousand eight hundred and thirty, and the act, entitled "An act to extend the time of issuing military land warrants to officers and soldiers of the revolutionary war," approved the thirteenth July, one thousand eight hundred and thirty-two; which said appropriations shall be applied in the manner provided by the said acts, to the unsatisfied warrants, whether original or duplicate, which have been or may be issued as therein directed, to the officers and soldiers, and others, as described in said acts: *Provided*, That the said certificates of scrip shall be receivable in payment of any of the public lands liable to sale at private entry.

APPROVED, March 2, 1833.

Further appropriation of land.

Act of May 30, 1830, ch. 215. 1832, ch. 205.

Application of it.

Proviso.

STATUTE II.

CHAP. XCV.—*An Act to extend the provisions of the act of the third March, one thousand eight hundred and seven, entitled "An Act to prevent settlements being made on lands ceded to the United States, until authorized by law."*

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all offences prescribed in the act, entitled "An Act to prevent settlements being made on lands ceded to the United States until authorized by law," approved the third of March, one thousand eight hundred and seven," when committed upon public lands not situated within any state, or organized territorial government, shall be cognisable in the district court of the United States held in the state nearest where the said offence may have been committed: and the offenders, upon conviction, shall be punished accordingly. And the said court shall also have jurisdiction to hear and determine all suits or prosecutions, instituted for the recovery of all fines and penalties imposed by the said act.

Act of March 3, 1807, ch. 46. Offences cognisable in the district court of United States, &c.

SEC. 2. *And be it further enacted*, That it shall be lawful for the President of the United States, to direct the Indian agents at Prairie du Chien, and Rock Island, or either of them, when offences against the said act shall be committed on lands recently acquired by treaty from the Sac and Fox Indians, to execute and perform all the duties required by the said act to be performed by the marshals in such mode as to give full effect to the said act, in and over the lands acquired as aforesaid.

Offences committed on lands acquired from Sac and Fox Indians.

APPROVED, March 2, 1833.

## STATUTE II.

March 2, 1833.

[Obsolete.]

Board of commissioners to be created.

Duties.

Secretary and clerk.

Oath.

Rules and regulations.

Board to meet within thirty days after exchange of ratifications, &amp;c.

Notice of meeting.

Records, &amp;c. to be delivered to the board.

Compensation.

Contingent expenses.

Appropriation.

Awards to be reported.

Distribution of moneys received.

CHAP. XCVI.—*An Act to carry into effect the convention between the United States and his majesty the king of the Two Sicilies, concluded at Naples on the fourteenth day of October, one thousand eight hundred and thirty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint three commissioners, who shall form a board, whose duty it shall be to receive and examine all claims which may be presented to them under the convention between the United States and the king of the Two Sicilies, of the fourteenth day of October, one thousand eight hundred and thirty-two, which are provided for by the said Convention, according to the provisions of the same and the principles of justice, equity, and the law of nations. The said board shall have a secretary, versed in the French and Italian languages, and a clerk, both to be appointed by the President, by and with the advice and consent of the Senate; and the commissioners, secretary and clerk, shall, before they enter on the duties of their offices, take oath well and faithfully to perform the duties thereof.

SEC. 2. *And be it further enacted,* That the said commissioners shall be, and they are hereby, authorized to make all needful rules and regulations, not contravening the laws of the land, the provisions of this act, or the provisions of the said convention for carrying their said commission into full and complete effect.

SEC. 3. *And be it further enacted,* That the members of the board so constituted shall meet at the city of Washington, and their salaries shall begin to be allowed within thirty days after the exchange of the ratifications of the convention shall have been proclaimed by the President of the United States; and within one year from the time of said meeting, they shall terminate their duties. And the Secretary of State is required, as soon as the said proclamation of the President shall have been made, to give notice of the said meeting; to be published in two newspapers in Washington, and in such other papers as he may think proper.

SEC. 4. *And be it further enacted,* That all records, documents, or other papers, which now are in, or hereafter during the continuance of this commission may come into the possession of the Department of State, in relation to such claims, shall be delivered to the commission aforesaid.

SEC. 5. *And be it further enacted,* That the compensation of the respective officers, for whose appointment provision is made by this act, shall not exceed the following sums, namely: to each of the said commissioners, at the rate of three thousand dollars per annum; to the secretary of the board, at the rate of two thousand dollars per annum; and to the clerk, at the rate of fifteen hundred dollars per annum. And the President of the United States shall be, and he is hereby authorized to make such provision for the contingent expenses of the said commission, as shall appear to him reasonable and proper; and the said salaries and expenses shall be paid out of any money in the treasury, not otherwise appropriated.

SEC. 6. *And be it further enacted,* That the said commissioners shall report to the Secretary of State a list of all the several awards made by them; a certified copy thereof shall be by him transmitted to the Secretary of the Treasury, who shall thereupon distribute in rateable proportions, among the persons in whose favour the awards shall have been made, such moneys as may have been received into the treasury in virtue of this act, according to the proportions which their respective awards shall bear to the whole amount then received, first deducting such sums of money as may be due the United States from said persons in whose favour



said awards shall be made; and shall cause certificates to be issued by the Secretary of the Treasury, in such form as he may prescribe, showing the proportion to which each may be entitled of the amount that may thereafter be received; and on the presentation of the said certificates at the treasury, as the net proceeds of the general instalments, payable by the Neapolitan government, shall have been received, such proportions thereof shall be paid to the legal holders of the said certificates.

Certificates.

Payments to holders.

Instalments to be received, &c.

SEC. 7. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, to cause the several instalments, with the interest thereon payable to the United States, in virtue of the said convention, to be received from the Neapolitan government, and transferred to the United States, in such manner as he may deem best, and the net proceeds thereof to be paid into the treasury, and the same are hereby appropriated, to satisfy the awards herein provided for.

Appropriation.

SEC. 8. *And be it further enacted*, That all communications to and from the secretary of the board of commissioners, on the business of the commission, shall pass by mail, free of postage.

Postage.

SEC. 9. *And be it further enacted*, That as soon as said commission shall be executed and completed, the records, documents, and all other papers, in the possession of the Commission or its officers, shall be deposited in the office of the Secretary of State.

Deposit for records, &c.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. XCVII.—*An Act to authorize the governor of the territory of Arkansas to sell the land granted to said territory by an act of Congress approved the fifteenth of June, one thousand eight hundred and thirty-two, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, whenever the governor of the territory of Arkansas shall furnish to the Secretary of the Treasury a sufficient description of the boundaries of the thousand acres of land, granted by an act of Congress of the fifteenth of June, one thousand eight hundred and thirty-two, to the territory of Arkansas, for the erection of a courthouse and jail in the town of Little Rock, in the territory aforesaid, it shall be the duty of the Secretary of the Treasury to cause a patent to be issued for said thousand acres of land, to the governor of Arkansas, and his successors in office, in trust, for the benefit of the territory of Arkansas, for the purpose of erecting a courthouse and jail at Little Rock.

Act of June 15, 1832, ch. 129.  
Patent for one thousand acres of land to issue.

SEC. 2. *And be it further enacted*, That the governor of the said territory of Arkansas be, and he is hereby, fully empowered and authorized to lay off into town lots, conforming, as near as practicable to the present plan of the town of Little Rock, so much of said grant of a thousand acres of land as he may deem advisable so to be appropriated; and that he be further authorized to sell the same, from time to time, as the public interest may require; and the residue of said grant, which may not be laid off into town lots corresponding with the plan of the said town of Little Rock, he shall be authorized to dispose of, in such lots or parcels as he may deem advisable; but in no case shall he be authorized to sell, unless he shall give public notice of such sale by an advertisement in one or more newspapers printed in the territory of Arkansas; and said sale shall be public at the courthouse in the town of Little Rock.

Part of land to be laid off in town lots, and to be sold.

Residue to be disposed of in lots or parcels, after public notice of sale.

SEC. 3. *And be it further enacted*, That, in case suitable situations cannot be had, free of cost to the territory, for the location of the state-house, as well as for the courthouse and jail in the town of Little Rock, the governor aforesaid shall be, and he is hereby, fully authorized to select and lay off suitable squares for each of those buildings, within the addition hereunto authorized to be added to the town of Little Rock;

Squares for the statehouse, and courthouse and jail.

and that the squares so selected and laid off shall be appropriated to the use of the respective buildings for which they may be designated, and for no other purpose whatsoever, for ever.

Deeds for lots sold.

SEC. 4. *And be it further enacted*, That the governor shall execute deeds for the lots he may sell under the provisions of this act, to purchasers, so soon as the purchasers shall pay off entirely the amount they may have bid for any lot or lots, and all sales shall be for cash.

Proceeds to be applied to erection of a court-house and jail, and surplus to erection of governor's house.

SEC. 5. *And be it further enacted*, That so soon as the governor aforesaid shall dispose of lots, he shall apply the proceeds of said sales to the erection of a good and substantial courthouse and jail; and, after these shall have been completed, should there be any funds remaining, it shall be the duty of said governor, to apply the surplus thus remaining to the erection of a suitable and permanent house for the residence of the present and future governors of Arkansas, during their continuance in office.

APPROVED, March 2, 1833.

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## RESOLUTIONS.

Feb. 19, 1833.

I. A RESOLUTION *authorizing the delivery of certain papers in the Department of State to the commissioners for settling claims under the treaty with France, of the second of February, one thousand eight hundred and thirty-two.*

Secretary of State to deliver evidence of certain claims.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of State be, and he is hereby, authorized to deliver to the commissioners for the settlement of claims under the treaty with France, ratified and confirmed on the second day of February, one thousand eight hundred and thirty-two, the evidences of any claim submitted to, and rejected by the commissioners for the settlement of claims under the treaty with Spain, which was made on the twenty-second day of February, one thousand eight hundred and nineteen, and finally ratified and confirmed on the twenty-second day of February, one thousand eight hundred and twenty-one, which evidences shall be returned to the Department of State when the commission shall expire.

APPROVED, February 19, 1833.

March 2, 1833.

II. A RESOLUTION *in relation to the execution of the act supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution."*

Act of June 7, 1832, ch. 126. Revolutionary pensioners.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, in the execution of the act supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution," approved June seventh, one thousand eight hundred and thirty-two, whenever it shall be made to appear that any applicant for a pension under said act entered the army of the revolution, in pursuance of a contract with the government, made previous to the eleventh day of April, one thousand seven hundred and eighty-three, and continued in service until after that period, it shall be the duty of the Secretary of War to compute the period of any such applicant's service, from the time he then entered the army, and until the date of the definitive treaty of peace, and to allow him a pension accordingly.

APPROVED, March 2, 1833.

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IV. A RESOLUTION *authorizing the Secretary of War to correct certain mistakes.* March 2, 1833.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That if it shall be made satisfactorily to appear to the Secretary of War, that in the treaties concluded in one thousand eight hundred and thirty-two, with the Pattawatamie Indians, in the state of Indiana, that in the proper schedules accompanying the same, mistakes were made in writing the names of persons to whom payments were to be made, such mistakes may be corrected and the payments made accordingly.

APPROVED, March 2, 1833.

V. A RESOLUTION *providing for the continuation of Gales and Seaton's compilation of state papers.* March 2, 1833.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the provisions of the act of the second of March, one thousand eight hundred and thirty [one], authorizing a subscription to a compilation of congressional documents, be, and the same are hereby, extended to the continuation of said compilation proposed to be executed by Gales and Seaton; and that the copies of the said continuation, when completed, shall be distributed to the members of the twenty-second Congress, and in such other manner as Congress shall hereafter direct: *Provided,* The said continuation shall be limited to eight volumes.

Act of March 2, 1831, ch. 65.

APPROVED, March 2, 1833.

VI. A RESOLUTION *to place thirty copies of the diplomatic correspondence of the American revolution at the disposition of the Secretary of State.* March 2, 1833.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That thirty copies of Sparks' Diplomatic Correspondence of the revolution, now in the custody of the clerk of the House of Representatives, be placed at the disposition of the Secretary of State, for the use of the diplomatic agents of the United States in foreign countries.

APPROVED, March 2, 1833.

# ACTS OF THE TWENTY-THIRD CONGRESS

OF THE

## UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of December, 1833, and ended on the thirtieth day of June, 1834.*

ANDREW JACKSON, President; M. VAN BUREN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives, until Monday, the second day of June, one thousand eight hundred and thirty-four, and JOHN BELL for the remainder of the session.

### STATUTE I.

Jan. 24, 1834.

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

Appropriations  
for the naval  
service.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-four, in addition to the unexpended balances of former appropriations for similar objects, viz :

Officers, &c.

For pay and subsistence of the officers of the navy, and pay of seamen, one million four hundred and eighty-seven thousand two hundred and forty-four dollars and twenty-one cents.

Superintendents, &c.

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, sixty-one thousand one hundred and eighty dollars.

Provisions.

For provisions, four hundred and fifty thousand dollars.

Repairs, &c.

For the repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, five hundred and ninety thousand dollars.

Medicines, &c.

For medicines and surgical instruments, hospital stores and other expenses on account of the sick, forty thousand dollars.

Navy yards at

For the improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, forty thousand seven hundred dollars.

Portsmouth ;  
Charlestown ;

For the improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, eighty-six thousand three hundred dollars.

Brooklyn ;

For the improvement and necessary repairs of the navy yard at Brooklyn, New York, fifty-seven thousand five hundred dollars.

Philadelphia ;

For the improvement and necessary repairs of the navy yard at Philadelphia, six thousand five hundred and fifty dollars.

Washington ;

For the improvement and necessary repairs of the navy yard at Washington, twenty-nine thousand five hundred dollars.

Gosport ;

For the improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred and eight thousand two hundred and fifty dollars.

Pensacola.

For the improvement and necessary repairs of the navy yard at Pensacola, twenty-six thousand dollars.

Ordnance, &c.

For ordnance and ordnance stores, ten thousand dollars.

For defraying the expenses that may accrue for the following purposes, Miscellaneous.  
 viz :

For freight and transportation of materials and stores of every description: for wharfage and dockage, storage and rent, travelling expenses of officers and transportation of seamen, house rent, chamber money, and fuel and candles, to officers other than those attached to navy yards and stations, and for officers in sick quarters where there is no hospital, and for funeral expenses; for commissions, clerk hire and 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 allowances to persons attending courts martial and courts of inquiry, and to officers engaged in extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts and mathematical and nautical instruments, chronometers, models and drawings; for purchase and repair of fire and steam engines, and for machinery; for purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for cabin furniture of vessels in commission, and for furniture of officers' houses at navy yards; for taxes on navy yards and public property; for assistance rendered to vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, foundries, and steam engines; for candles, oil, and fuel for vessels in commission and in ordinary; for repairs of magazines and powder houses; for preparing moulds for ships to be built, and for no other purpose whatsoever, two hundred and ninety-five thousand dollars.

For contingent expenses for objects not herein-before enumerated, Contingencies.  
 four thousand dollars.

For pay of the officers, non-commissioned officers, musicians and privates, and for subsistence of the officers of [the] marine corps, including arrearages and increased pay under the act, second of March, one thousand eight hundred and thirty-three, one hundred and thirty-five thousand eight hundred and eighty dollars and twenty-five cents. Marine corps.  
March 2, 1833,  
ch. 68.

For subsistence of non-commissioned officers, musicians and privates, and washerwomen of said corps serving on shore, nineteen thousand two hundred and thirty-one dollars and eighty cents. Subsistence.

For clothing, twenty-nine thousand three hundred and fifteen dollars. Clothing.

For fuel, nine thousand and ninety-eight dollars. Fuel.

For contingent expenses, including arrearages, nineteen thousand dollars. Contingencies.

For transportation and recruiting, five thousand dollars. Transportation.

For medicines, hospital stores, and surgical instruments, for officers and men serving on shore, two thousand three hundred and sixty-nine dollars and seventy-one cents. Medicines, &c.

For balance due Lieutenant Colonel Anderson, nine hundred and fifty-four dollars and twenty-two cents. Balance to Col.  
Anderson.

For the erection of barracks for the marines stationed at the navy yard, Brooklyn, New York, thirty thousand dollars. Barracks at  
Brooklyn.

For carrying into effect the acts for the suppression of the slave trade, including the support in the United States, and for a term not exceeding six months after their arrival in Africa, of all persons removed from the United States under the said acts, five thousand dollars. Suppression of  
the slave trade.

That so much of the sums appropriated by the act of the twenty-eighth May, eighteen hundred and thirty, for the relief of Alexander Claxton, as still remains due and unpaid, and which has been carried to the credit of the surplus fund, shall be, and the same is hereby, re-appropriated. Re-appropriation to Alexander  
Claxton.  
1830, ch. 140.

APPROVED, January 24, 1834.

## STATUTE I.

Feb. 11, 1834.

CHAP. X.—*An Act making appropriations, in part, for the support of government for the year one thousand eight hundred and thirty-four.*

Appropriations  
for support of  
government.

*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 :

Congress.

For pay and mileage of the members of Congress, and delegates, five hundred and fifty-five thousand four hundred and eighty dollars.

For pay of the officers and clerks of the Senate and House of Representatives, thirty-two thousand nine hundred dollars.

For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, thirty-two thousand five hundred and fifty dollars.

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

The said two sums last mentioned, to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose.

APPROVED, February 11, 1834.

## STATUTE I.

Feb. 26, 1834.

CHAP. XI.—*An Act further to continue in force "An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio Railroad into and within the District of Columbia."*

Act of March  
2, 1831, ch. 85.  
Period of con-  
struction ex-  
tended.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the period limited and allowed to the Baltimore and Ohio Railroad Company, within which they are required by the fifth section of the act entitled "An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio Railroad, into and within the District of Columbia," approved second March, one thousand eight hundred and thirty-one, to commence the road, and complete one set of tracks, be, and the same is hereby extended, and the said act shall remain in force, and all the rights and privileges thereby granted shall be vested in said company: *Provided,* They shall commence the said lateral road within one year, and complete the same, with one set of tracks, within four years from the passage of this act.

Proviso.

APPROVED, February 26, 1834.

## STATUTE I.

Feb. 27, 1834.

CHAP. XV.—*An Act making appropriations for the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-four.*

Appropriations  
for pensioners.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the pensioners of the United States, for the year one thousand eight hundred and thirty-four :

June 7, 1832,  
ch. 126.

For the revolutionary pensioners under the several acts prior to that of the seventh of June, one thousand eight hundred and thirty-two, in addition to an unexpended balance of one hundred and forty-four thousand six hundred and twenty-three dollars and twenty-one cents, the sum of nine hundred and one thousand six hundred and fifty-six dollars.

For the invalid pensioners under the various laws, in addition to the unexpended balance of one thousand eight hundred and forty-nine dol-

lars and seventy cents, the sum of three hundred and six thousand one hundred and twenty-five dollars.

For pensions to widows and orphans, seven thousand five hundred dollars.

APPROVED, February 27, 1834.

STATUTE I.

CHAP. XVI.—*An Act to change the times for commencing the sessions of the courts of the United States in the district of Delaware.*

March 24, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sessions of the circuit court and district court of the United States in the district of Delaware, shall commence at the times hereinafter mentioned, instead of the times now appointed by law; that is to say: the sessions of the said circuit court shall commence at Newcastle, on the Tuesday next following the fourth Monday of May, and at Dover on the Tuesday next following the third Monday of October annually; and the sessions of the said district court shall commence at Newcastle on the third Tuesday of June, and second Tuesday of December; and at Dover on the Tuesday next following the third Monday of March, and the Tuesday next following the fourth Monday of September annually; and that no process, recognisance, or bail bond, returnable to the next term of either of said courts shall be avoided, or impaired, or affected by this change as to the commencement of said term; but that all process, bail bonds, and recognisances, returnable to the next term of either of said courts, shall be returnable and returned to the said court next held, according to this act, in the same manner as if so made returnable on the face thereof, and shall have full effect accordingly, and that all continuances in either of said courts shall be from the last term to the day appointed by this act for the commencement of the next session thereof.

1789, ch. 20, sec. 3.

Sessions of the circuit court to commence at Newcastle, on Tuesday after 4th Monday in May;

Dover, on the Tuesday after 3d Monday in Oct.

District court, at Newcastle, on 3d Tuesday in June and the 2d Tuesday in Dec.

Dover, Tuesday after the 3d Monday, March, and after 4th in September.

Return of process, &c.

APPROVED, March 24, 1834.

STATUTE I.

CHAP. XLI.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-four.*

May 14, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and thirty-four, that is to say:

Appropriations for pay of army, &c.

For pay of the army and subsistence of officers, one million three hundred and eighty-one thousand seven hundred and seventy-two dollars, including the sum of ninety-four thousand seven hundred and eighty-six dollars, arrearages of pay and subsistence for the year one thousand eight hundred and thirty-three.

For forage of officers, fifty-nine thousand one hundred and seventy-nine dollars.

For clothing for servants of officers, twenty-four thousand four hundred and fifty dollars.

For subsistence exclusive of that of officers, in addition to an unexpended balance of fifty-five thousand dollars, the sum of three hundred and sixty-one thousand nine hundred dollars.

For clothing of the army, camp, and garrison equipage, cooking utensils and hospital furniture, two hundred and eighty thousand seven hundred and forty-eight dollars.

For payments in lieu of clothing for discharged soldiers for the year eighteen hundred and thirty-four, including an arrearage in eighteen

Pay of army,  
&c.

hundred and thirty-three, estimated for by the pay department, forty-five thousand dollars.

For the medical and hospital department, thirty-six thousand five hundred dollars.

For various expenses in the quartermaster's department, viz: fuel, forage, straw, stationery, blanks and printing; repairing and enlarging barracks, quarters, store-houses, and hospitals at the various posts in the Union; erecting temporary cantonments at such posts as shall be occupied during the year, including huts for the dragoons; materials for the authorized furniture of the rooms of non-commissioned officers and soldiers, rent of quarters, barracks, and store-houses; postage on public letters; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers employed in the erection of barracks and quarters, and the construction of roads and other constant labour, under an act of Congress of the second March, eighteen hundred and nineteen; expenses of expresses from the frontier posts, of escorts to paymasters, hire of labourers, and the interment of deceased non-commissioned officers and soldiers; compensation to extra clerks in the office of the quartermaster general, and in the offices of the quartermasters and assistants at the several posts, and compensation to temporary agents; also, for the horses and equipments which may be required to keep the establishment of the regiment of dragoons complete, three hundred and forty-four thousand dollars.

March 2, 1819,  
ch. 45.

For transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase and the points of delivery under contract, to the posts where they are required to be used; of ordnance from the founderies and arsenals to the fortifications and frontier posts, and lead from the western mines to the several arsenals; for transportation of the army, including officers when removing with troops either by land or water; freights and ferriages: the purchase or hire of horses, oxen, mules, carts, wagons, and boats, for transportation of troops and supplies, and for garrison purposes: drayage and cartage at the several posts, hire of teamsters, transportation of funds for the pay department, and the expenses of sailing a public transport between the several posts on the Gulf of Mexico, one hundred and forty-five thousand dollars.

For the allowance to officers for the transportation of their baggage when travelling on duty without troops, and for the per diem to officers on topographical duty, fifty-three thousand dollars.

For contingencies of the army, ten thousand dollars.

For carrying on the works in the city of Savannah, Georgia, twenty-five thousand dollars.

For continuing the repairs and alterations of the barracks and quarters at Baton Rouge, Louisiana, ten thousand dollars.

For erecting officers' quarters at Fort Severn, Annapolis, Maryland, five thousand dollars.

For carrying on the works at Green Bay, Michigan, ten thousand dollars.

For temporary repairs of the barracks at Fort Gibson, Arkansas, five thousand dollars.

For the purchase of land adjoining Fort Sullivan, Eastport, Maine, three thousand three hundred dollars.

For national armories, three hundred and sixty thousand dollars.

For the armament of fortifications, one hundred thousand dollars.

For the current expenses of the ordnance service, sixty-eight thousand four hundred dollars.

For arsenals, one hundred and fifty thousand dollars.

For the arsenal at St. Louis, in addition to the sum embraced in the general appropriation for arsenals, eight thousand five hundred dollars.



For the purchase of five thousand sets of accoutrements for the artillery and infantry regiments, fourteen thousand two hundred and fifty dollars.

Pay of army,  
&c.

For the recruiting service, in addition to twenty-nine thousand three hundred and eighty-eight dollars unexpended of a former appropriation, six thousand dollars.

For contingent expenses of the recruiting service, in addition to six thousand and forty-three dollars unexpended of a former appropriation, fourteen thousand dollars.

For arrearages prior to the first of July, eighteen hundred and fifteen, payable through the office of the third auditor, in addition to an unexpended balance in the treasury, three thousand dollars.

To enable the second auditor to close the accounts under the act of third [second] March, eighteen hundred and twenty-one, allowing three months' gratuitous pay to disbanded officers and soldiers, one thousand dollars.

March 2, 1821,  
ch. 13.

For the payment of the general and staff officers and six companies of Missouri militia, ordered into service by the governor of that state, in the year eighteen hundred and thirty-two, thirty-five thousand dollars.

For paying any balance which may be due for militia services, in the territory of Michigan, in the late war against Black Hawk and his followers, two thousand dollars.

For the payment of Captain McGeorge's company of Indiana militia, for services performed in the year eighteen hundred and thirty-two, *Provided*, the Secretary of War shall be satisfied that the said company is entitled thereto, the sum of seven hundred dollars.

For finishing gun-racks, and making window shutters to the new arsenal, rebuilding middle water shop, one hundred and ten by fifty feet, and for building a house for steam engine, including a store-room for iron, fifty-two by forty-six feet, at the national armory, Springfield, Massachusetts, twelve thousand two hundred dollars.

For additional machinery and fixtures at the same armory, viz: three water-wheels for grinding musket barrels, six water-wheels and twenty-two forges required in the middle water shop, blast machinery for eleven double forges, and for the purchase of new and improved labour saving machinery, seventeen thousand eight hundred dollars.

For slating roof and rebuilding water-wheel of upper work-shop, renewing and repairing fences on the public ground, and for painting public buildings at the same armory, three thousand five hundred dollars.

For repairing dam, (and removing obstructions in way of,) supplying the water to the rifle factory on the Shenandoah river, at the national armory, Harper's Ferry, Virginia, two thousand dollars.

For the completion of the machinery in the three shops for turning, boring, and stocking muskets; the completion of the canal, furnishing the water power; erecting an annealing shop and proof house; erecting two shops for tempering springs and polishing barrels; erecting two engine houses, and making addition to stocking shops; and for erecting a carpenter's and machine shop, at the same armory, thirty-six thousand one hundred and fourteen dollars and eighty-six cents.

For erecting store-houses for iron and pit coal; repairing paymasters' and clerks' quarters; constructing a river wall, sinking three wells on Camp hill, grading and paving the open spaces between the public shops, and for painting some of the public buildings at the same armory, eight thousand five hundred and eighty-nine dollars and eighty-seven cents.

For the payment of the taxes assessed by the state of Pennsylvania on the United States arsenal on the Schuylkill river, five hundred and sixty-eight dollars and fifty-nine cents.

For the purchase of three acres of land on the Alabama river, and building a warehouse and dock at the Mount Vernon arsenal, in the state of Alabama, one thousand eight hundred dollars and fifty cents.

APPROVED, May 14, 1834.

## STATUTE I.

June 7, 1834.

CHAP. XLV.—*An Act to revive and amend "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, eighteen hundred and thirty-one, and an act in addition thereto, passed on the fourteenth of July, eighteen hundred and thirty-two.*

Act of March 2, 1831, ch. 62, and of July 14, 1832, ch. 230, revived.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That an act, entitled "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, eighteen hundred and thirty-one, and an act in addition thereto, passed on the fourteenth day of July, eighteen hundred and thirty-two, which said acts expired on the second day of March, eighteen hundred and thirty-four, be, and the same are hereby, revived, and shall continue in force for three years from and after the passage of this act.*

Consent of legal representative of deceased surety or co-surety to entitle applicant to relief, &c.

1832, ch. 230.

SEC. 2. *And be it further enacted, That if any surety, or co-surety, of any debtor who is, or shall become, an applicant for relief under the provisions of the acts recited in the preceding section of this act, shall be dead, the consent of the legal representative or representatives of such deceased surety, or co-surety, shall be received, and entitle the applicant to relief, in like manner as the consent of a living surety, or co-surety, would do by the provisions of the third section of the act of the fourteenth of July, eighteen hundred and thirty-two; and if the surety, or co-surety, of any such debtor shall be absent in parts unknown, or if the consent of the legal representative or representatives of any deceased surety, or co-surety, cannot be obtained, and the property or estate of any such deceased or absent surety, or co-surety, shall not be sufficient to pay the debt due to the United States, and the Secretary of the Treasury shall be satisfied by proof of these facts, he shall be authorized, in all such cases, to grant such relief or discharge as the debtor applying for the same may be entitled to, according to the provisions of the acts which this act is intended to revive and amend, upon the condition that such debtor shall not be discharged thereby from his or her legal liability to such absent surety, or co-surety, or to the estate of such deceased debtor, for any part of the debt due to the United States, which may thereafter be paid by or out of the estate of any such absent or deceased surety, or co-surety.*

All discharges heretofore granted declared valid.

SEC. 3. *And be it further enacted, That all discharges which have heretofore been granted by the Secretary of the Treasury to any principal debtor, with the consent of the legal representative or representatives of any deceased surety, or co-surety, shall be as valid as though such surety or co-surety had been alive, and his or her consent obtained, according to the letter of the third section of the act of the fourteenth of July, eighteen hundred and thirty-two.*

Secretary of Treasury may cause satisfaction to be entered, &c.

SEC. 4. *And be it further enacted, That the Secretary of the Treasury shall be authorized to cause satisfaction to be entered upon all judgments against such insolvents as have heretofore been, or may hereafter be, relieved under the provisions of the acts which this act is intended to revive and amend; or under any other and former act of Congress for the relief of persons imprisoned for debts due to the United States: *Provided*, The district judge of the district in which such judgments are on record, shall certify that he is satisfied that the debtor is possessed or entitled to no property liable to be applied to the satisfaction of said judgments, and that the interest of the government does not require that such judgments should remain unsatisfied. In every case of application for such certificate to a judge at his chambers, ten days' notice shall be given to the district attorney for the district, when the application is made.*

Proviso.

APPROVED, June 7, 1834.

STATUTE I.

CHAP. XLVI.—*An Act to equalize representation in the territory of Florida, and for other purposes. (a)*

June 18, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the counties of Escambia, Jackson, Gadsden, Leon, Jefferson and St. John's, in the territory of Florida, shall each be authorized to elect two members of the legislative council of said territory, as now directed by law; all other counties in said territory shall, respectively, be authorized to elect one member each, in the manner now directed, or which shall hereafter be prescribed by law; and such counties as have not at this time a member of said council, shall be authorized to elect one before the next session thereof, on the first Monday of September next.

Certain counties to elect two, and others one member of the council.

SEC. 2. *And be it further enacted,* That it shall not be lawful for the legislative council to employ more than three clerks, nor to direct the printing the laws of said territory in more than three newspapers, at the public expense.

Employment of clerks and printing of laws restricted.

SEC. 3. *And be it further enacted,* That so much of an act entitled, "An act to provide for the compensation of the officers of the council, and for other purposes," as provides, in paragraph number seven, for the superintending the printing the acts, revising the proof sheets, and the allowance therefor; so much of the said act in paragraph number eight, as provides for stitching said acts, and the allowance therefor; and so much of the act as provides in the sixteenth paragraph for a clerk in the executive office, be and the same is, hereby annulled.

Part of former act annulled.

SEC. 4. *And be it further enacted,* That it shall be the duty of the secretary of the territory to superintend the printing and revision of the laws, and it shall be his duty to send a printed, and not a manuscript copy to the Department of State, and another printed copy to the secretary of the Senate, and clerk of the House of Representatives of the United States, to be laid before Congress; and the amount appropriated by the said legislative council shall not exceed, annually, the sum of seven thousand dollars, including their pay, mileage, printing and incidental expenses.

Secretary of the territory to superintend the printing and revision of laws, &c.

SEC. 5. *And be it further enacted,* That an act entitled "An act to alter and fix permanently the sessions of the superior court of the district of East Florida," be, and the same is hereby, approved.

Appropriation not to exceed \$7000 annually.

Act relating to superior court approved.

SEC. 6. *And be it further enacted,* That the twenty-first section of an act entitled "An act in addition to the several acts now in force, regulating judicial proceedings," passed February fifteen, one thousand eight hundred and thirty-four, be, and the same is hereby, annulled.

Twenty-first section of act of Feb. 15, 1834, [act of Florida,] annulled.

APPROVED, June 18, 1834.

STATUTE I.

CHAP. XLVII.—*An Act making appropriations for the Indian Department for the year one thousand eight hundred and thirty-four.*

June 18, 1834.

*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, to be paid out of any money in the treasury not otherwise appropriated, for the Indian department for the year one thousand eight hundred and thirty-four, viz:

Appropriations for the Indian department.

For the salary of the commissioner of Indian affairs, three thousand dollars.

Commissioner.

For the salary of the clerks in the office of the commissioner, five thousand dollars.

Clerks.

For compensation to the messenger, seven hundred dollars.

Messenger.

For office contingencies, eight hundred dollars.

Contingencies.

(a) Notes of the acts relating to the territory of Florida, vol. iii. p. 654.

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| Superintendent and agents.                 | For pay of the superintendent of Indians affairs at St. Louis, and the several Indian agents, as authorized by law, twenty-six thousand dollars.   |
| Clerk.                                     | For clerk in the office of superintendent of Indian affairs, one thousand dollars.   |
| Sub-agents.                                | For pay of sub-agents, as allowed by law, sixteen thousand five hundred dollars.   |
| Interpreters, &c.                          | For pay of interpreters and translators, employed at the several superintendencies and agencies, eighteen thousand eight hundred dollars.  |
| Gun and blacksmiths, &c.                   | For pay of gun and blacksmiths, and their assistants, employed within the several superintendencies and agencies under the orders of the War Department, six thousand four hundred and eighty dollars.               |
| Presents.                                  | For presents to Indians, as authorized by the act of eighteen hundred and two, fifteen thousand dollars.   |
| Act of 1802, ch. 13, sec. 13.<br>Iron, &c. | For the purchase of iron, steel, and coal, and for other expenses attending the gun and blacksmith shops, one thousand four hundred and sixty-five dollars.  |
| Provisions.                                | For provisions for Indians at the distribution of annuities while on visits of business with the different superintendents and agents, and when assembled on public business, eleven thousand eight hundred dollars. |
| Buildings.                                 | For the necessary buildings required at the several agencies, and repairs thereof, two thousand dollars.   |
| Contingencies.                             | For contingencies of the Indian department, twenty thousand dollars.   |
| Holding treaty.                            | For holding a treaty with the Wyandot tribe of Indians, one thousand dollars.  |

APPROVED, June 18, 1834.

STATUTE I.

June 19, 1834.

CHAP. LIV.—*An Act to revive the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved May twenty-nine, one thousand eight hundred and thirty. (a)*

Act of May 29, 1830, ch. 208, revived, and extended to those who settled and cultivated land in 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That every settler or occupant of the public lands, prior to the passage of this act, who is now in possession, and cultivated any part thereof, in the year one thousand eight hundred and thirty-three, shall be entitled to all the benefits and privileges provided by the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved May twenty-nine, one thousand eight hundred and thirty; and the said act is hereby revived and shall continue in force two years from the passage of this act and no longer.

Choice of quarter sections allowed.

SEC. 2. *And be it further enacted,* That where a person inhabits one quarter section and cultivates another, he shall be permitted to enter the one or the other at his discretion: *Provided,* Such occupant shall designate, within six months from the passage of this act, the quarter section of which he claims the pre-emption under the same.

Settlers on the public lands before 1829 may enter a quarter section at the minimum price.

SEC. 3. *And be it further enacted,* That all persons residing on the public lands, and cultivating the same, prior to the year eighteen hundred and twenty-nine, and who were deprived of the advantages of the law passed on the twenty-ninth May, eighteen hundred and thirty, by the constructions placed on said law by the Secretary of the Treasury, be, and they are hereby authorized to enter, at the minimum price of the government, one quarter section of the public lands, within said land district.

APPROVED, June 19, 1834.

(a) See notes of the acts relating to pre-emption of public lands, vol. iv. p. 420.

STATUTE I.

CHAP. LV.—*An Act further to extend the term of certain pensions chargeable on the privateer pension fund.*

June 19, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the pensions of all widows who now are or have been heretofore in the receipt thereof, under the provision of the act entitled "An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," passed the fourth day of March, one thousand eight hundred and fourteen, and the act entitled "An act in addition to an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," passed the sixteenth day of April, one thousand eight hundred and eighteen, or either of said acts, so far as regards persons receiving pensions from the fund arising from captures and salvage made by the private armed vessels of the United States, be, and the same are hereby, continued, under the restrictions and regulations in the said acts contained, for and during the additional term of five years from and after the period of the expiration of the said pensions, respectively: *Provided, however,* That the said pensions shall be paid from the proceeds of the privateer pension fund, and without recourse to the United States, for any deficiency which may hereafter arise thereon, if any such there be: *And provided further,* That no such pension shall be paid to any widow after her intermarriage, had or to be had.

Pensions given under acts of March 4, 1814, ch. 20, and of April 16, 1818, ch. 65, continued for five years longer.

Proviso.

Proviso.

APPROVED, June 19, 1834.

STATUTE I.

CHAP. LVI.—*An Act to grant to the state of Ohio certain lands for the support of schools in the Connecticut Western Reserve.*

June 19, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized and required to reserve from sale, out of any public lands that have been heretofore offered at public sale, and that remain unsold in the state of Ohio, a quantity of land, which, together with the lands heretofore granted for the support of schools in the Connecticut Western Reserve, in said state, shall be equal to one thirty-sixth part of said Western Reserve; which said quantity of land may be reserved in sections, or half sections, or quarter sections; and, when so reserved, the same shall vest in the said state of Ohio, for the support of schools in said Western Reserve, and be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said state now holds, or may hold, the lands heretofore granted for the support of schools in said Western Reserve.

Land equal to one thirty-sixth of Western Reserve, including that heretofore granted, to be reserved from sale, and to vest in the state.

APPROVED, June 19, 1834.

STATUTE I.

CHAP. LVII.—*An Act to extend the time allowed for the discharge of the duties of the commission for carrying into effect the convention with France.*

June 19, 1834.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of an act entitled "An act to carry into effect the convention between the United States and his majesty the king of the French, concluded at Paris on the fourth day of July, eighteen hundred and thirty-one," approved July thirteenth, eighteen hundred and thirty-two, as limits the duration of the commission created by the said act to two years, be, and the same is hereby, repealed, and that a period of three years, commencing on the first Monday of August, one thousand eight hundred and thirty-two, be allowed for the discharge of the duties prescribed by the said act.

Commission extended to three years from first Monday in August, 1832. Act of July 13, 1832, ch. 199.

APPROVED, June 19, 1834.

## STATUTE I.

June 19, 1834.

CHAP. LVIII.—*An Act supplementary to the act entitled "An act to carry into effect the convention between the United States and his majesty the king of the Two Sicilies, concluded at Naples on the fourteenth day of October, one thousand eight hundred and thirty-two."*

Act of March 2, 1833, ch. 96.  
Six months to be added to the time allowed by said act.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the further time of six months, in addition to the time specified in the act to which this is a supplement, be, and hereby is, allowed to the commissioners appointed by the President to execute and complete the duties imposed upon them by the provisions of the aforesaid act, approved on the second day of March, anno Domini, eighteen hundred and thirty-three.

APPROVED, June 19, 1834.

## STATUTE I.

June 19, 1834.

CHAP. LIX.—*An Act for the re-appropriation of an unexpended balance of a former appropriation for the payment of the Georgia militia claims for the years one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four.*

Re-appropriation for payment of the Georgia militia.  
1830, ch. 84.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of thirty-seven thousand six hundred and sixty-nine dollars and forty-seven cents, being the unexpended balance of a former appropriation for the payment of claims of the militia of Georgia for services performed in the years one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four, which said unexpended balance has been carried to the account of the surplus fund, be, and the same is hereby, re-appropriated, for the payment of the said militia claims of the state of Georgia.

APPROVED, June 19, 1834.

## STATUTE I.

June 19, 1834.

CHAP. LX.—*An Act making additional appropriations for the armory at Harper's Ferry, for the year eighteen hundred and thirty-four.*

Appropriation for completing canal to Harper's Ferry.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, for the purpose of completing the canal from the public dam across the Potomac river to the works at the armory at Harper's Ferry, the sum of three thousand three hundred and seventy-eight dollars and twenty-seven cents be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 19, 1834.

## STATUTE I.

June 24, 1834.

CHAP. LXVIII.—*An Act for the continuation and repair of the Cumberland road. (a)*

Appropriations for continuing the road in the state of

Ohio;  
Indiana;

Illinois.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of two hundred thousand dollars be, and the same is hereby appropriated, for the purpose of continuing the Cumberland road in the state of Ohio; also, that the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, for continuing the Cumberland road in the state of Indiana; and that the sum of one hundred thousand dollars be appropriated for continuing said road in the state of Illinois; which sums shall be paid

out of any money not otherwise appropriated, and replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, and Illinois into the Union, on an equal footing with the original states.

SEC. 2. *And be it further enacted*, That an officer of the corps of engineers, to be selected by the Department of War, shall be charged with the disbursements of the moneys appropriated for the construction of the Cumberland road through the states of Indiana and Illinois; and that said officer shall have, under the direction of the engineer department, a general control over the operations of the said road, and over all persons employed thereon: *Provided*, That no per centage shall be allowed to such officer for disbursing moneys appropriated for the construction of said road.

Officer of engineer corps to superintend the road in Indiana and Illinois.

Proviso.

SEC. 3. *And be it further enacted*, That for the entire completion of repairs of the Cumberland road, east of the Ohio river, and other needful improvements on said road, to carry into effect the provisions of an act of the General Assembly of Pennsylvania, entitled "An act for the preservation and repair of the Cumberland road," passed the fourth day of April, one thousand eight hundred and thirty-one; and of an act of the General Assembly of the state of Maryland, entitled "An act for the preservation and repair of that part of the United States road, within the limits of the state of Maryland," passed the twenty-third day of January, one thousand eight hundred and thirty-two; also, an act of the General Assembly of Virginia, entitled "An act concerning the Cumberland road," passed February the seventh, one thousand eight hundred and thirty-two; the sum of three hundred thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of War: the money to be drawn out of the treasury in such sums, and at such times as may be required for the performance of the work.

Appropriation to carry into effect Pennsylvania act of April 4, 1831; Maryland act of January 23, 1832; and Virginia act of February 7, 1832.

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SEC. 4. *And be it further enacted*, That as soon as the sum by this act appropriated, or so much thereof as is necessary, shall be expended in the repair of said road, agreeably to the provisions of this act, the same shall be surrendered to the states, respectively, through which said road passes: and the United States shall not thereafter be subject to any expense for repairing said road.

Road to be surrendered to the states through which it passes.

APPROVED, June 24, 1834.

STATUTE I.

June 25, 1834.

CHAP. LXXI.—*An Act regulating the value of certain foreign silver coins within the United States.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passage of this act, the following silver coins shall be of the legal value, and shall pass current as money within the United States, by tale, for the payment of all debts and demands, at the rate of one hundred cents the dollar, that is to say, the dollars of Mexico, Peru, Chili, and Central America, of not less weight than four hundred and fifteen grains each, and those re-stamped in Brazil of the like weight, of not less fineness than ten ounces fifteen pennyweights of pure silver, in the troy pound of twelve ounces of standard silver: and the five franc pieces of France, when of not less fineness than ten ounces and sixteen pennyweights in twelve ounces troy weight of standard silver, and weighing not less than three hundred and eighty-four grains each at the rate of ninety-three cents each.

Act of June 28, 1834, ch. 96. Certain silver coin to pass by tale.

SEC. 2. *And be it further enacted*, That it shall be [the] duty of the Secretary of the Treasury to cause assays of the aforesaid silver coins,

Assays of such coin to be made

(a) See notes of the acts relating to the currency of foreign coins in the United States, vol. ii. p. 374.

at the mint once  
in every year.

made current by this act, to be had at the mint of the United States at least once in every year, and to make report of the result thereof to Congress.

APPROVED, June 25, 1834.

STATUTE I.

June 25, 1834.

CHAP. LXXII.—*An Act to change the boundary between the south-eastern and the western land districts in the territory of Michigan, and for other purposes.*

Certain lands  
to form part  
of the western,  
and  
others of south-  
eastern land dis-  
trict.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the public lands of the United States within the limits of the counties of Calhoun and Branch, in the territory of Michigan, which are now subject to sale at the land office at Monroe, shall, from and after the passage of this act, be set off to, and form a part of, the western land district in said territory; and all that part of said territory lying east of the aforesaid counties, and south of the base line and west of the principal meridian, and, also, all the country east of the principal meridian and south of the line between townships numbered three and four south, except so much thereof as lies north of the river Huron of Lake Erie, shall continue to belong to, and form a part of, the south-eastern land district in said territory, the land office for which is now located at Monroe, but shall be subject to be removed from time to time to such place as the President of the United States may order and direct.

APPROVED, June 25, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXIV.—*An Act making appropriations for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-four.*

Appropriations  
for Indian an-  
nuities, &c.

*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 payment of annuities due to various Indians and Indian tribes, and other objects hereinafter enumerated, according to the stipulations of certain Indian treaties, to be paid out of any money in the treasury not otherwise appropriated; that is to say:

To the Six Nations of Indians in New York, four thousand seven hundred and fifty dollars.

To the Senecas of New York, six thousand dollars.

To the Ottowas, four thousand three hundred dollars.

To the Wyandot, six thousand seven hundred and forty-five dollars.

To the Wyandots, Munsees, and Delawares, one thousand dollars.

To the Christian Indians, four hundred dollars.

To the Miamies, twenty-nine thousand and twenty dollars.

To the Eel Rivers, one thousand one hundred dollars.

To the Pattawatamies, twenty thousand six hundred and twenty dollars.

To the Pattawatamies of Huron, four hundred dollars.

To the Pattawatamies of the Prairie, sixteen thousand dollars.

To the Pattawatamies of the Wabash, twenty thousand dollars.

To the Pattawatamies of Indiana, seventeen thousand dollars.

To the Chippewas, Ottawas, and Pattawatamies, sixteen thousand nine hundred and ninety-five dollars.

To the Winnebagoes, thirty-seven thousand eight hundred and forty dollars.

To the Menomonies, twenty thousand and forty dollars.

To the Chippewas, five thousand eight hundred dollars.

To the Chippewas, Menomonies, and New York Indians, one thousand five hundred dollars.



To the Sioux of Mississippi, three thousand seven hundred dollars. Indian annuities, &c.  
 To the Yancton, and Santie bands of Sioux, four thousand four hundred dollars.

To the Omahas, four thousand dollars.

To the Sacs of Missouri, one thousand four hundred dollars.

To the Sacs, three thousand dollars.

To the Foxes, three thousand dollars.

To the Ioways, five thousand three hundred and thirty dollars.

To the Sacs and Foxes, twenty-five thousand three hundred and twenty dollars.

To the Sacs, Foxes, and Ioways, three thousand dollars.

To the Ottoes and Missourias, four thousand dollars.

To the Kansas, five thousand nine hundred and forty-five dollars.

To the Osages, eleven thousand and seventy dollars.

To the Kickapoos, eight thousand five hundred dollars.

To the Kaskaskias and Peorias, two thousand and fifty dollars, in addition to the sum of one thousand dollars in the hands of the superintendent at St. Louis.

To the Kaskaskias and Peorias, Weas, and Piankeshaws, one thousand dollars.

To the Piankeshaws, eight hundred dollars.

To the Weas, three thousand dollars.

To the Piankeshaws, five hundred dollars.

To the Delawares, seven thousand eight hundred and seventy dollars.

To the Shawanees, three thousand eight hundred and forty dollars.

To the Shawanees and Delawares, one thousand dollars.

To the Shawanees and Senecas of Lewistown, one thousand seven hundred and eighty dollars.

To the Senecas of Lewistown, two thousand three hundred and fifty dollars.

To the Choctaws, sixty-six thousand five hundred and thirty dollars.

To the Chickasaws, three thousand dollars.

To the Creeks, fifty-four thousand four hundred and fifty-five dollars.

To the Cherokees, twelve thousand dollars.

To the Quapaws, two thousand dollars.

To the Florida Indians, seven thousand dollars.

For to carry into effect the fourth article of the treaty with the Apalachicola band of Indians in Florida, approved thirteenth of February, eighteen hundred and thirty-three, three thousand five hundred and ten dollars.

To the Menomonies, five thousand dollars, for the annuity for the year eighteen hundred and thirty-two.

For the expenses of transportation and distribution of annuities, salt, agricultural implements, and tobacco, tools, &c.; and other incidental expenses not otherwise enumerated, twenty-nine thousand five hundred dollars.

SEC. 2. *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, viz:

For running the lines and marking out the reservations for the Sacs and Foxes, under the first and second articles of the treaty with them, of twenty-first September, eighteen hundred and thirty-two, two thousand dollars. Running lines for the Sacs and Foxes.

For expenses of locating reservations and certifying contracts under the Creek treaty of twenty-fourth March, eighteen hundred and thirty-two, fifteen thousand two hundred and twenty-three dollars and thirty-seven cents. Creek treaty.

For payment to the Stockbridge and Munsees Indians, for improvements on the lands on the east side of Fox river, agreeably to the pro- Improvements of Stockbridge

and Munsee Indians.

visional ratification of the treaty with said Indians, of ninth July, eighteen hundred and thirty-two, twenty-four thousand two hundred and twenty-six dollars.

Improvements of Brothertown Indians.

For payment to the Brothertown Indians for improvements on the land east of Fox river, agreeably to the same proviso of said treaty, six hundred dollars.

For running lines.

For expenses of running the lines provided for by said treaty, and for surveying the tracts for the aforesaid Indians, two thousand dollars.

Treaty with Pattawatamies.

For expenses of selecting and locating reservations under the several treaties with the Pattawatamies, of twentieth, twenty-sixth, and twenty-seventh October, eighteen hundred and thirty-two, one thousand five hundred dollars.

Running Choctaw and Chickasaw line.

For expenses of running the dividing line between the Choctaws and Chickasaws, one thousand five hundred dollars.

Running Chippewa and Sioux line.

For expenses of running the lines between the Chippewas and Sioux, under the fifth article of the treaty with them, of nineteenth August, eighteen hundred and twenty-five, seven thousand dollars.

Running lines between Sacs and Foxes.

For to run the lines between the Sacs and Foxes, and to complete the surveys under the treaty of Prairie du Chien, of fifteenth July, eighteen hundred and thirty, the sum of two thousand dollars.

Commission to examine lands for emigrating Indians.

For expenses of the commission heretofore appointed to visit and examine the Indian country, adjust difficulties which may exist in the location of the lands of the emigrating Indians in the boundaries thereof, and ascertain and report the proper places of location for such tribes, and portions of tribes, as may yet wish to remove to that country, for that part of the year eighteen hundred and thirty-four included within the term of their appointment, twenty thousand dollars.

Claims due by Pattawatamies.

For the payment of claims due by the Pattawatamie Indians to white citizens, and for horses delivered by order of the commissioners to the Indians, and not embraced in the schedule which accompanied the treaty of October, eighteen hundred and thirty-two, as the Secretary of War shall ascertain to have been omitted, not exceeding one thousand dollars.

Cherokees of Arkansas.

For payment of claims to Cherokees of Arkansas, in addition to eight thousand seven hundred and sixty dollars, appropriated twenty-fourth May, eighteen hundred and twenty-eight, which sum, it is ascertained, falls short of the sum actually required, two hundred and fifty-eight dollars and thirty-three cents.

1828, ch. 94.

Isaac McCoy for surveying.

For compensation to Isaac McCoy for expenses of surveying the lands assigned to the Piankeshaws, Weas, Kaskaskias, and Peorias, and for extending the survey of the Shawnee lands, two thousand one hundred and two dollars.

Survey in territory of Michigan.

For surveying Indian reservations in the neighbourhood of Michilimackinac, in the territory of Michigan, four hundred and fifty dollars.

Emigrating Indians under the Creek treaty.

For the payment of claims ascertained upon settlement to be due, for provisions and bounty money, for Indians emigrating west, under the treaty with the Creeks, five thousand one hundred and thirty-six dollars ninety-three cents.

Removing the Creeks east of the Mississippi.

For removing five thousand Creeks from the Creek country east of the Mississippi to their new country west of that river, including subsistence on the route, and for one year after their arrival west of the Mississippi, and all other expenses attending their emigration, as provided for by the twelfth article of the treaty of the twenty-fourth of March, eighteen hundred and thirty-two, two hundred and forty-one thousand eight hundred and seventy-five dollars.

Rifles, &c. furnished Creeks.

For rifles, moulds, wipers, ammunition, and blankets, and transportation of the same, as provided for by the thirteenth article of the treaty of the twenty-fourth of March, eighteen hundred and thirty-two, with the said Creek tribe of Indians, twenty thousand eight hundred and seventy-five dollars.

For removing such portion of the Cherokees as may emigrate during the present year from the Cherokee country east of the Mississippi, to their new country west of that river, including subsistence on the route and for one year after their arrival west of the Mississippi, and all other expenses attending their emigration, sixty-eight thousand three hundred and twenty-five dollars.

Removing the Cherokees from country east of the Mississippi.

SEC. 3. *And be it further enacted*, That the sum of one hundred and twelve thousand eight hundred and fifty-three dollars, and seventy-eight cents, paid into the treasury under the provisions of the act of February nineteenth, eighteen hundred and thirty-one, entitled "An act to provide hereafter for the payment of six thousand dollars annually to the Seneca Indians, and for other purposes," and now standing to the credit of Indian contingencies, shall be applied to, and be subject to, the payment of the annuities authorized to be paid by the provisions of this act: *Provided*, That the claim of the Seneca Indians against the United States, for the said sum of money, shall continue of the same force and effect as it now is.

Money in the treasury under act of February 19, 1831, ch. 26, to be subject to payment of Indian annuities.

Proviso.

SEC. 4. *And be it further enacted*, That the sum of eleven thousand one hundred and sixty dollars be, and the same is hereby, appropriated to be paid out of any money in the treasury not otherwise appropriated, to be distributed to the Creek Indians, friends and followers of General McIntosh, who emigrated under the treaty of January twenty-fourth, eighteen hundred and twenty-six, and who have not received their proportions of the sums stipulated to be paid under the ninth article of the said treaty.

Creek followers of General McIntosh, who emigrated under treaty of January 24, 1826.

SEC. 5. *And be it further enacted*, That the annuities to the Cherokees, for which appropriations are made in this act, shall be paid to the chiefs of the tribe, or to such person or persons as the tribe shall appoint.

Cherokee annuities to be paid to chiefs, &c.

APPROVED, June 26, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXV.—*An Act for the relief of the town of Fayetteville, in the territory of Arkansas.*

WHEREAS, the seat of justice of Washington county, in the territory of Arkansas, was located and called Fayetteville prior to the public surveys being made, and when the lands were surveyed, the said town fell on section number sixteen, which, by law, is reserved for the use of schools; and whereas the said town is situated on the south half of the north-east quarter, and the north half of the south-east quarter, of section number sixteen, in township number sixteen, north of range number thirty, west of the fifth principal meridian, therefore,—

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the trustee of the school lands in and for township number sixteen, north of range thirty, west of the fifth principal meridian in the territory of Arkansas, be, and he is hereby, authorized to select and have set apart for the use of schools in said township, one entire section of any of the unimproved lands in said township in lieu of section number sixteen; and when the said trustee shall make his selection, he shall file the same in the office of the register of the Fayetteville land office, and the land so selected shall be reserved from sale, and set apart for the use of schools; and that section number sixteen, in said township, shall be subject to sale and entry as other public lands now are.

School lands to be set apart in lieu of section sixteen.

SEC. 2. *And be it further enacted*, That the south half of the north-east quarter, and the north half of the south-east quarter, of section number sixteen, in township number sixteen, north of range number thirty, west of the fifth principal meridian, in the territory of Arkansas, be, and is hereby, granted to Lewis Evans, Larkin Newton, Samuel

Lands granted in trust for the county.

Appropriation of proceeds to erection of a courthouse and jail.

Vaughan and John Wooddy, commissioners of said county, in trust for the use of said county; and that the Secretary of the Treasury be authorized to issue a patent for the same; and that the said commissioners shall have power to lay off the said land into town lots, and sell and dispose of the same, and make good and sufficient titles to purchasers; and they shall appropriate the proceeds of the sales of the said lots to the erection of a courthouse and jail in the town of Fayetteville, for the use of said county.

APPROVED, June 26, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXVI.—*An Act to create additional land districts in the states of Illinois and Missouri, and in the territory north of the state of Illinois. (a)*

Four new land districts created.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all that tract of country lying north of the dividing line between township number twelve and thirteen, north of the base line running through the military bounty lands, and that tract of country lying north of the dividing line between townships number thirty and thirty-one, north of the old base line included in the state of Illinois, and all that tract of country lying north of the state of Illinois, west of Lake Michigan, and south and south-east of the Wisconsin and Fox rivers of Green Bay, in the present territory of Michigan, be laid off into four new land districts, to be divided and designated as follows, to wit: That tract lying within the state of Illinois, as above described, shall be divided by a north and south line, drawn between the range of townships number three and four, east of the third principal meridian, and that on the west side of said line shall be called the north-west, and that on the east, the north-east land district of the state of Illinois; and all that tract north of the state of Illinois, west of Lake Michigan, south and south-east of the Wisconsin and Fox rivers, included in the present territory of Michigan, shall be divided by a north and south line, drawn from the northern boundary of Illinois, along the range of township line next west of fort Winnebago, to the Wisconsin river, and be called, the one on the west side, the Wisconsin, and that on the east side, the Green Bay land districts of the territory of Michigan; which two districts shall embrace the country north of said rivers, when the Indian title shall become extinguished, and the Green Bay district may be divided so as to form two districts, when the President shall deem it proper.

President to designate place for office.

SEC 2. *And be it further enacted,* That there shall be established in each of the said land districts, one land office, at such time and place as

(a) The act of Congress, entitled "An act to create additional land districts in the states of Illinois and Missouri," approved June 26, 1834, ch. 76, does not require the President of the United States to cause to be offered for sale the public lands containing lead mines, situated in the land districts created by that act. *The United States v. Gear*, 3 Howard, 120.

The act does not require the President to cause the land containing lead mines to be sold, as the fifth section of the act of March 3, 1807, entitled "An act making provision for the disposal of the public lands, situated between the United States' tract and the Connecticut reserve, and for other purposes," is in full force. *Ibid.*

The lands containing lead mines, in the Indiana territory, or that part of it made into the new land districts, by the act of June 26th, 1834, are not subject to a pre-emption by settlers upon the public lands, under any of the pre-emption laws which have been passed by Congress. *Ibid.*

The fourth section of the act of 1834 does in no way repeal any part of the fifth section of the act of March 3, 1807, ch. 49, by which the lands containing lead mines were reserved for the future disposal of the United States, in which section it is declared that grants for lead mine tracts, discovered to be such before they may be bought from the United States, are declared to be fraudulent and null; and which authorized the President to lease any lead mine which had been, or might be discovered in the Indiana territory, for a term not exceeding five years. *Ibid.*

The land containing lead mines, in the districts made by the act of 1834, are not subject to pre-emption and sale under any of the existing acts of Congress. *Ibid.*

Digging lead ore from the lead mines upon the public land of the United States, is such a waste as entitles the United States to a writ of injunction to restrain it. *Ibid.*

the President may designate, to be removed whenever he may deem it expedient for the public convenience.

SEC. 3. *And be it further enacted*, That the President, by and with the consent of the Senate, so soon as a sufficient number of townships are surveyed, and returns thereof made to the general land office, to authorize the commencement of the sales in either of said districts, to appoint one register, and one receiver for each land office so established, who shall reside at the place designated for the land office, and give security, and discharge all duties pertaining to such office as prescribed by law.

Registers and receivers to be appointed.

SEC. 4. *And be it further enacted*, That the President shall be authorized, so soon as the survey shall have been completed, to cause to be offered for sale, in the manner prescribed by law, all the lands lying in said land districts, at the land offices in the respective districts in which the land so offered is embraced, reserving only section sixteen in each township, the tract reserved for the village of Galena, such other tracts as have been granted to individuals and the state of Illinois, and such reservations as the President shall deem necessary to retain for military posts, any law of Congress heretofore existing to the contrary notwithstanding.

Land to be reserved for military posts.

SEC. 5. *And be it further enacted*, That so much of the public lands of the United States, in the state of Missouri, as lies west of the range line between ranges ten and eleven west of the fifth principal meridian, and south of the line dividing townships, numbers forty and forty-one north of the base line, shall form a new land district, to be called the south-western land district; and for the sale of the public lands within the district aforesaid, there shall be a land office established at such place within said district as the President of the United States may designate.

Land office.

SEC. 6. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of public land in said district, who shall reside at the place where said office is established, 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.

SEC. 7. *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 the several land offices, at Jackson, Franklin, Fayette, and Lexington, 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: *Provided*, That nothing in this act shall be so construed as to permit the officers appointed in either of the foregoing land districts to receive compensation out of the treasury of the United States.

Lands not disposed of at public sale may be entered and sold at private sale.

Proviso.

APPROVED, June 26, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXVII.—*An Act to establish an additional land office in Arkansas.*

*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 Arkansas as lies east of a line commencing on the southern boundary of the territory where it is intersected by the dividing line between ranges five and six, west of the meridian, thence with said range line to the dividing line between townships ten and eleven south; thence east with the said line to the dividing

Land office to be established at Helena.

line between ranges two and three west, thence north with said dividing line to the base line, thence east with said base line to the dividing line between ranges two and three east—thence north with said line to the dividing line between townships ten and eleven north, thence east with said dividing line to the dividing line between ranges six and seven east,—thence north with said dividing line to the northern boundary of the territory of Arkansas, shall form a new land district, to be called the Mississippi land district; and for the sale of the public lands within the district aforesaid, there shall be a land office established at the town of Helena, in the county of Phillips, in the territory aforesaid.

Register and receiver to reside at Helena.

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 Helena 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.

Land not sold at public, may be entered and sold at private sale.

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.

APPROVED, June 26, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXVIII.—*An Act confirming certain land claims in the district of St. Stephen's, in Alabama.*

Register's decision of March 7, 1832, confirmed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the decisions of the register and receiver of the land office for the district of St. Stephen's, in the state of Alabama, as contained in their report bearing date the seventh of March, eighteen hundred and thirty-two, made in pursuance of the act of Congress approved the second of March, eighteen hundred and twenty-nine, entitled "An act confirming the report of the register and receiver of the land office of the district of Saint Stephen's, in the state of Alabama, and for other purposes," be, and the same are hereby, confirmed.

Act of March 2, 1829, ch. 40.

APPROVED, June 26, 1834.

STATUTE I.

June 27, 1834.

CHAP. XCI.—*An Act authorizing the Secretary of War to establish a pension agency in the town of Decatur, in the state of Alabama; and to provide for the paying of certain pensioners in said town of Decatur.*

Secretary of War to establish an agency at Decatur.

*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, authorized to establish a pension agency at Decatur, in the state of Alabama, for the payment of pensioners of the United States, resident in the counties of Jackson, Madison, Limestone, Lauderdale, Franklin, Lawrence, Morgan, Blount, Jefferson, Walker, Fayette, and Marion; *Provided*, That the establishment of such agency can be made without any charge to the United States.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized to make the necessary arrangements with the branch of the bank of the state of Alabama, established in the said town of Decatur, for the payment of the pensioners herein before described.

Secretary of the Treasury to make arrangements for payment of pensioners.

SEC. 3. *And be it further enacted*, That this act shall not take effect until the first day of August next.

Act to take effect August 1.

APPROVED, June 27, 1834.

STATUTE I.

CHAP. XCII.—*An Act making appropriations for the civil and diplomatic expenses of government for the year one thousand eight hundred and thirty-four.*

June 27, 1834.

*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 :

Appropriations for the civil and diplomatic expenses of government.

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars.

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

For clerks, machinist, and messenger in the patent office, five thousand four hundred dollars.

For incidental and contingent expenses of the Department of State, including the expense of publishing and distributing the laws, and for carrying into effect the resolutions of the Senate of the twenty-sixth of February, eighteen hundred and thirty-three, and thirty-first of March, eighteen hundred and thirty-four, in conjunction with the statistical inquiries set on foot by the late Secretary of State, Edward Livingston, and to reimburse the contingent fund the sum taken therefrom, in prosecution of the same, thirty-one thousand five hundred dollars.

For contingent and incidental expenses of the patent office, two thousand one hundred and seventy-five dollars.

For the superintendent and watchmen of the north-east executive building, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of the buildings, three thousand three hundred and fifty dollars.

For completing the publication of the diplomatic correspondence of the United States, from the peace of seventeen hundred and eighty-three to the fourth of March, seventeen hundred and eighty-nine, thirteen hundred and ninety-two dollars and fifty-two cents.

For the documentary history of the revolution, per act of March second, eighteen hundred and thirty-three, twenty thousand dollars; and it shall be the duty of the Secretary of State, to examine the contract entered into by Edward Livingston, late Secretary of that department, with Matthew St. Clair Clarke and Peter Force, for the collection and publication of the documentary history of the American Revolution, and make a special report thereon, to the next session of Congress, setting forth the nature and character of the materials of which the work is to be composed, the progress made in the work, the number of volumes which will be required to complete it, and an estimate of the money which it may be necessary to appropriate for the fulfilment of the contract.

Act of March 2, 1833, ch. 78.

For the erection of a fence of wood corresponding with that already enclosing the war and navy buildings, to complete the enclosure of the north-east executive building, sixteen hundred dollars.

For compensation of an additional watchman of the north-east executive building, three hundred dollars.

Civil and diplomatic expenses of government.

For reimbursing the fund for the contingent expenses of the north-east executive building, including fuel, labour, oil, and repairs, for so much paid out of that fund for extra watchings during the year eighteen hundred and thirty-three, three hundred and thirty-seven dollars and fifty cents.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, sixteen thousand seven hundred dollars, including one hundred and fifty dollars additional compensation to the assistant messenger for extra labour.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand three hundred dollars, including two hundred dollars additional compensation to the assistant messenger for extra labour.

For compensation to the second comptroller of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.

For compensation to the first auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the first auditor, thirteen thousand nine hundred dollars.

For compensation to the second auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second auditor, seventeen thousand nine hundred dollars.

For compensation to the third auditor of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the third auditor, twenty-three thousand seven hundred and fifty dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.

For compensation to the fifth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fifth auditor, twelve thousand eight hundred dollars.

For compensation to the treasurer of the United States, three thousand dollars.

For compensation to the clerks and messenger in the office of the treasurer of the United States, six thousand seven hundred and fifty dollars.

For compensation to the register of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.

For compensation to the commissioner of the general land office, three thousand dollars.

For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars.

For compensation to the solicitor of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messenger in the office of solicitor of the treasury, three thousand nine hundred and fifty dollars.

For compensation to the secretary to the commissioners of the sinking fund, two hundred and fifty dollars.



For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the Treasury Department, the following sums, viz:

Civil and diplomatic expenses of government.

For the office of the Secretary of the Treasury, including the expenses incurred in consequence of the burning of the treasury building, ten thousand dollars.

For the office of the first comptroller, including the sum necessary to supply books and stationery lost in the conflagration, one thousand eight hundred and fifty dollars.

For the office of the second comptroller, one thousand five hundred dollars.

For the office of the first auditor, eight hundred dollars.

For the office of the second auditor, one thousand dollars.

For the office of the third auditor, eight hundred dollars.

For the office of the fifth auditor, one thousand dollars.

For the office of the treasurer of the United States, one thousand dollars.

For the office of the register of the treasury, three thousand dollars.

For the office of the solicitor of the treasury, one thousand dollars.

For the office of the commissioner of the general land office, including eighty thousand parchments, and cost of printing patents, eighteen thousand dollars.

For compensation to the legal representatives of the late William Wirt, Esq., in full for professional services rendered the United States in suits relative to lands lying in Missouri, in Alabama, and in Florida, the sum of one thousand dollars.

For additional clerk hire in the issuing of military land scrip, making out of patents for Virginia military surveys, and for private land claims, and in adjusting the accounts of the surveyors general, four thousand dollars.

For additional clerk hire in writing and recording not less than forty thousand patents, at a price not exceeding fifteen cents each, six thousand dollars.

For compensation to six additional clerks, one year, to aid in registering sales of lands and adjusting the accounts of receivers of public moneys for districts recently created, and for opening tract books, making indexes, and bringing up other arrears, six thousand dollars.

For translations, and for expense of passports and sea letters, three hundred dollars.

For stating and printing the public accounts for the year one thousand eight hundred and thirty-four, one thousand five hundred dollars.

For compensation of superintendent and watchmen of the buildings occupied by the Treasury Department, two thousand one hundred dollars.

For incidental and contingent expenses of said buildings, fuel, labour, oil, and repairs, five thousand dollars.

For compensation to the clerks and messengers in the office of the Secretary of War, twelve thousand six hundred and fifty dollars.

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

For books, maps and plans for the War Department, one thousand dollars.

For compensation to the clerks and messenger in the office of the paymaster general, four thousand six hundred dollars.

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks and messenger in the office of the commissary general of purchases, three thousand two hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks in the office of the adjutant general, two thousand nine hundred and fifty dollars.

Civil and diplomatic expenses of government.

For contingent expenses of said office, one thousand dollars.  
For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, six hundred dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, including printing advertisements, two thousand five hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For the services of a lithographer, and the expenses of the lithographic press of the War Department, seven hundred and fifty dollars.

For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general, eleven hundred and fifty dollars.

For contingent expenses of said office, four hundred dollars.

For the salary of a clerk in the topographical bureau, one thousand dollars.

For contingent expenses of the topographical bureau, one thousand three hundred and seven dollars and fifty cents.

For the salary of a clerk in the clothing bureau, seven hundred dollars.

For the salary of the commissioner of pensions, two thousand five hundred dollars.

For salaries of clerks transferred from the office of the Secretary of War, four thousand eight hundred dollars.

For salaries of additional clerks, ten thousand six hundred dollars.

1832, ch. 126.

For additional or temporary clerk hire for the year eighteen hundred and thirty-four, in order to carry into effect the act of the seventh of June, eighteen hundred and thirty-two, granting revolutionary pensions, five thousand dollars.

For arrearages for salaries and clerk hire, printing, stationery, rent, expenses of procuring revolutionary records, and other contingencies, for the year eighteen hundred and thirty-three, five thousand dollars.

For printing, stationery, rent, expenses of procuring revolutionary records, and other contingencies in the office of the commissioner of pensions, six thousand five hundred dollars.

For the salary of the superintendent and watchmen of the north-west executive building, twelve hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, furniture, repairs of building and improvements of adjoining ground, including arrearages for eighteen hundred and thirty-three, and the sum of one hundred and four dollars and seventeen cents for the rent of rooms occupied by the bounty land bureau, three thousand two hundred and four dollars and seventeen cents.

For fitting up the basement rooms of the executive building occupied by the War Department, six hundred dollars.

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

For contingent expenses of said office, two thousand seven hundred dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary of the commissioners of the navy board, two thousand dollars.

For compensation to the clerks, draughtsmen, and messenger in

the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.

For contingent expenses of the office of the commissioners of the navy board, one thousand eight hundred dollars.

For salary of the superintendent of the south-west executive building, and the watchmen, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of building, engine, and improvement of the grounds, three thousand three hundred and fifty dollars.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks and messengers in the office of the Postmaster General, forty-one thousand one hundred dollars.

For contingent expenses of said office, seven thousand five hundred dollars.

For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.

For additional clerk hire for the year eighteen hundred and thirty-three, thirty-one thousand seven hundred and thirty-one dollars and forty-four cents.

For the repairs of the buildings occupied by the general post-office, three thousand three hundred and thirty-four dollars and thirty-one cents.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.

For additional clerk hire, in order to bring up the arrears, and transcribing field notes of said office, for the purpose of having them preserved at the seat of government, three thousand five hundred dollars.

For compensation to the surveyor in Illinois and Missouri, two thousand dollars.

For compensation to the clerks in the office of said surveyor, four thousand eight hundred and twenty dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor general in Arkansas, one thousand five hundred dollars.

For compensation to clerks in said office, one thousand eight hundred dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor in Louisiana, two thousand dollars.

For compensation to the clerks in the office of said surveyor, fifteen hundred dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor in Mississippi, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand seven hundred dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, two thousand three hundred dollars.

For compensation to the surveyor in Alabama, two thousand dollars.

Civil and diplomatic expenses of government.

For compensation to the clerk and draughtsman in the office of the said surveyor, one thousand dollars each.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, two thousand five hundred dollars.

For compensation to the surveyor in Florida, two thousand dollars.

For compensation to the clerks in the office of said surveyor, three thousand dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand five hundred dollars.

For enabling the respective surveyors general to furnish the several land offices, commencing under the credit system, with renewed township plats, under the direction of the Secretary of the Treasury, in cases where those previously furnished have been defaced, or become materially injured by use, five thousand dollars.

For compensation to the secretary appointed by the President to sign all patents for lands sold or granted under the authority of the United States, per act of second March, eighteen hundred and thirty-three, including arrears of salary not paid for eighteen hundred and thirty-three, the sum of two thousand seven hundred and fifty dollars.

Act of March 2, 1833, ch. 91.

For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.

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

For salary of the principal and assistant librarians, and for contingent expenses of the library and pay of messenger, three thousand seven hundred and fifty dollars.

For compensation to the officers and clerk of the mint, ten thousand six hundred dollars.

For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, including one thousand dollars for the salary of an assistant assayer, and one thousand five hundred dollars for his services and expenses during a visit to Europe on behalf of the mint, in order to examine certain processes in the treatment of the precious metals, twenty thousand eight hundred and twenty dollars.

For incidental and contingent expenses and repairs, cost of machinery, for allowance for wastage in gold and silver coinage of the mint, twenty thousand and fifty dollars.

For compensation to the governor, judges and secretary of the Michigan territory, seven thousand eight hundred dollars.

For contingent expenses of the Michigan territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, of the territory of Michigan, eleven thousand four hundred and forty-eight dollars.

For arrearages for compensation and mileage of the members of the legislative council of Michigan territory, pay of officers of the council, fuel, stationery, and printing, for the year eighteen hundred and thirty-three, four thousand seven hundred and twenty-five dollars and thirty-five cents.

For compensation to the governor, judges, and secretary of the Arkansas territory, including additional compensation to the judges, under the act of twentieth April, eighteen hundred and thirty-two, at eight hundred dollars each, from the sixteenth March, eighteen hundred and thirty-three, to thirty-first December, eighteen hundred and thirty-four, thirteen thousand five hundred and thirty-three dollars and thirty-three cents.

Act of April 20, 1832, ch. 72.

For incidental expenses of the legislative council of said territory, per act of twenty-fourth May, eighteen hundred and twenty-eight, omitted last year, seven hundred and twenty dollars.

Civil and diplomatic expenses of government. 1828, ch. 100.

To defray the expenses of compiling and printing the laws of the territory of Arkansas, under the direction and superintendence of the governor of said territory, three thousand dollars.

For contingent expenses of Arkansas territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary of the Florida territory, including additional compensation per act of twenty-sixth May, eighteen hundred and thirty, of eight hundred dollars to the judge of the superior court of the eastern district of said territory, eleven thousand three hundred dollars.

1830, ch. 106.

For additional compensation for the year eighteen hundred and thirty-three, to the judges of the superior courts of the eastern and southern districts of the Florida territory, one thousand six hundred dollars, in lieu of an appropriation of last year of one thousand six hundred dollars, for "additional compensation of two of the said judges" of the Florida territory.

1833, ch. 54.

For contingent expenses of the Florida territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, and printing, nine thousand one hundred and seventy-three dollars and twenty-four cents.

For arrearages for the compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and the distribution of the laws for the year eighteen hundred and thirty-three, two thousand seven hundred and nineteen dollars and fifty cents.

For allowances to the law agent and assistant counsel, under the acts for the settlement of private land claims in Florida, including arrearages, nine thousand eight hundred and seventy-five dollars.

For compensation to the chief justice, the associate judges, and district judges of the United States, eighty-one thousand four hundred dollars.

For the expenses of printing the records of the Supreme Court of the United States for the term of eighteen hundred and thirty-four, three thousand dollars.

For the salaries of chief justice and associate judges of the District of Columbia, and of the judges of the orphans' courts of the said district, nine thousand five hundred dollars.

For compensation to the attorney general of the United States, four thousand dollars.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.

For compensation to the district attorneys and marshals as granted by law, including those in the several territories, twelve thousand seven hundred dollars.

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 thirty-four, and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences com-

Civil and diplomatic expenses of government.

mitted against the United States, and for the safe keeping of prisoners, two hundred and sixty thousand dollars.

For the payment of sundry pensions granted by special acts of Congress, one thousand three hundred and fifty dollars.

For the support and maintenance of lighthouses, floating-lights, beacons, buoys and stakeages, including the purchase of lamps, oil, keepers' salaries, repairs and improvements, and contingent expenses, two hundred and fifty-one thousand seven hundred and twenty-six dollars and seventy-nine cents.

For the salaries of registers and receivers of land offices where there are no sales, three thousand five hundred dollars.

For surveying the public lands, and for establishing a permanent and conspicuous land-mark on the line dividing the states of Indiana and Illinois at some suitable point near Lake Michigan, in addition to the unexpended balance of former appropriations, sixty thousand dollars.

For surveying a portion of the public lands in the south-western part of the state of Missouri, to which the Indian title was extinguished in eighteen hundred and thirty-two, twenty thousand dollars.

For the salaries of two keepers of the public archives in Florida, one thousand dollars.

For compensation to the recorder, two commissioners, and translators, for the final adjustment of private land claims in Missouri, per act of ninth July, eighteen hundred and thirty-two, which act, and a supplemental act of second March, eighteen hundred and thirty-three, are hereby continued in force for one year from the first of October next, including an unexpended balance of former appropriations of eight hundred and ninety-two dollars and seventy-two cents, the sum of five thousand one hundred and seven dollars and twenty-eight cents.

For contingent expenses and office rent of said board, five hundred dollars.

For contingent expenses of said board for eighteen hundred and thirty-four, including compensation to the agent employed to convey annual report of the board to the seat of government, including also expenses incurred by commissioners in taking testimony, and for payment of balances of claims admitted in due course of settlement at the treasury, one thousand nine hundred and thirty-eight dollars and sixty-two cents.

For stationery and books for the offices of commissioners of loans, one thousand two hundred dollars.

For registers for ships and vessels, and lists of crews, two thousand three hundred dollars.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, twelve thousand dollars.

For salaries of the ministers of the United States to Great Britain, France, Spain, and Russia, thirty-six thousand dollars.

For salaries of the secretaries of legation to the same places, eight thousand dollars.

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

For the salary of the drogoman to the legation of the United States to Turkey, and for contingent expenses of that legation, six thousand five hundred dollars.

For outfits of a minister of the United States to Russia, and a chargé des affaires to Buenos Ayres, Chili and Brazil, twenty-two thousand five hundred dollars.

1832, ch. 180.  
1833, ch. 84.

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

Civil and diplomatic expenses of government.

For the salaries of the agents for claims at London and Paris, four thousand dollars.

For the expenses of intercourse with the Mediterranean powers, twenty-four thousand four hundred dollars.

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

For the contingent expenses of foreign intercourse, thirty thousand dollars.

For compensation and expenses of an agent to Havana, to procure the archives of Florida, four thousand five hundred dollars.

For compensation to the judges of the western and middle districts of Florida, under the act of eighteen hundred and twenty-eight, for the year eighteen hundred and thirty-three, sixteen hundred dollars.

1828, ch. 70.

To defray the costs of certain suits decided against the United States, as directed in the act of May twenty-sixth, eighteen hundred and twenty-eight, one thousand dollars.

For balance due to Lucius Lyon, commissioner appointed to ascertain and survey the northern boundary of the state of Illinois, per act of second March, eighteen hundred and thirty-one, one thousand and sixty-eight dollars and twelve cents.

1831, ch. 86.

For additional payment for the statue of Washington, five thousand dollars.

For payment of the balance found to be due on settlement, at the treasury, to the legal representatives of John W. Smith, deceased, late special agent in relation to the sale of property in New Orleans, formerly belonging to Edward Livingston, nine hundred and ten dollars and twenty-four cents.

For survey of the coasts of the United States, thirty thousand dollars.

For the erection of the custom-house at New London, in the state of Connecticut, in addition to an unexpended balance of former appropriations, nine thousand dollars.

For the erection of the custom-house at Middletown, in the state of Connecticut, in addition to an unexpended balance of former appropriations, six thousand dollars.

For the erection of a custom-house at New Bedford, in the state of Massachusetts, in addition to an unexpended balance of former appropriations, eight thousand two hundred dollars.

For the erection of a custom-house at Newburyport, in the state of Massachusetts, in addition to an unexpended balance of former appropriations, eight thousand two hundred dollars.

For the erection of a public warehouse at Baltimore, in addition to an unexpended balance of former appropriations, twenty-three thousand dollars.

To construct a cistern on the custom-house lot at Key West, five hundred dollars.

To construct a brick wall to enclose the custom-house lot, and a small building connected with the wall, and for repairs to the custom-house at Providence, Rhode Island, one thousand dollars.

To construct a brick wall to enclose the custom-house lot at New Orleans, five thousand five hundred dollars.

To supply a deficiency in the contingent fund of the House of Representatives, twenty-five thousand dollars.

For completing the compilation of the laws of the territory of Florida, two thousand five hundred dollars.

For compensation to Robert Mills, the architect employed by order of the House of Representatives to superintend the alterations in the Representatives Hall, according to the plan of said Mills, one thousand dollars.

Civil and diplomatic expenses of government.

For the repair and completion of the United States' marine hospital in Charleston, South Carolina, one thousand one hundred dollars, to be placed at the disposal of the intendant and wardens of the said city of Charleston.

1834, ch. 10. For pay and mileage of members of Congress and delegates, seventy thousand and eighty dollars, in addition to the appropriation made by act of the eleventh day of February, eighteen hundred and thirty-four.

To enable the directors of the mint to procure the requisite apparatus for parting gold and silver by the sulphuric acid, and to establish a refinery for that purpose on the most approved principles under the control of the institution, seven thousand dollars.

1832, ch. 74. For payment of preparing, printing and binding the documents ordered to be printed by Gales and Seaton, forty thousand dollars, under the same restrictions and reservations as were contained in the appropriation for the same object by the act of the fifth day of May, eighteen hundred and thirty-two.

For payment for printing the documents relating to the public lands, ordered to be printed by the Senate of the United States, and for binding and engraving the necessary maps, forty-two thousand nine hundred and sixty dollars, to be disbursed by the secretary of the Senate, whose accounts for the same shall be settled and adjusted at the treasury in the usual manner.

1834, ch. 70. For the contingent expenses of the Senate, in addition to the appropriation contained in the act of the eleventh day of February, eighteen hundred and thirty-four, forty-six thousand two hundred and ninety-four dollars. And for the contingent expenses of the House of Representatives, in addition to former appropriations, thirty-five thousand dollars.

1834, ch. 45. To enable the Secretary of the Treasury to carry into effect the act entitled "An act for the relief of certain insolvent debtors," approved the seventh day of June, eighteen hundred and thirty-four, five thousand dollars.

For payment of balance due the representatives of Samuel Babcock on settlement of his accounts, one hundred and forty-six dollars twenty-three cents.

For payment of balance due Gurdon Trumbull, superintendent of the public works at Stonington harbour, two hundred and sixty-two dollars sixteen cents.

For payment of Major P. H. Perrault, balance due on account of the survey of the harbour of St. Augustine, two dollars and eighty-four cents.

For payment of balances due Joseph D. Selden, superintendent of the erection of a lighthouse at Buffalo and Erie, one thousand six hundred and ninety-seven dollars and sixty-two cents.

For payment of the arrearages due contractors on the Cumberland road in Ohio, one thousand six hundred and nine dollars thirty-six cents.

For the expenses of a "Digest of the existing commercial regulations of foreign countries" now in preparation under a resolution of the House of Representatives of the third of March, eighteen hundred and thirty-one, the sum of five thousand and one hundred dollars.

Compensation to be allowed to collectors and other officers of the customs.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, naval officers, surveyors, and their respective clerks, together with the weighers of the several ports of the United States, out of any money in the treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation in the year one thousand eight hundred and thirty-four, according to the importations of that year, as they would have been entitled to receive if the act of the fourteenth of July, eighteen hundred and thirty-two, had not gone into effect: and that the clerks employed by the respective collectors, naval officers, and surveyors

1832, ch. 227.



of the several ports, shall be paid for the year one thousand eight hundred and thirty-three, as if they had been specifically included in the third section of the act of the second of March, of said year, entitled "An act making appropriations for the civil and diplomatic expenses of government, for the year eighteen hundred and thirty-three." *Provided, however,* that in no case shall the compensation of any other officers than collectors, naval officers and surveyors, whether by salaries, fees, or otherwise, exceed the sum of two thousand dollars each per annum; nor shall the union of any two or more of these officers in one person entitle him to receive more than the sum of two thousand five hundred dollars per annum; *and provided, also,* that no officer shall receive under this act a greater annual salary or compensation than was paid to such officer for the year one thousand eight hundred and thirty-two, provided, however, that the number of officers to be employed in any of the custom-houses shall not be augmented beyond those now in service; *and provided further,* that the said collectors, naval officers and surveyors shall render an account quarterly to the treasury, and the other officers herein named or referred to shall render an account quarterly to the respective collectors of the customs where they are employed, to be forwarded to the treasury, of all the fees and emoluments whatever by them respectively received, and of all expenses incident to their respective offices, which accounts shall be rendered on oath or affirmation, and shall be in such form, and be supported by such proofs, to be prescribed by the Secretary of the Treasury, as will in his judgment best enforce the provisions of this section, and show its operation and effect.

Act of March 2, 1833, ch. 54.  
Proviso.

SEC. 3. *And be it further enacted,* That no payment of the money, appropriated by this act, or any other act passed at the present session of Congress, shall be made in the note or notes of any bank which shall not be at par value at the place where such payment may be made, provided that nothing herein contained shall be construed to make any thing but gold and silver a tender in payment, of any debt due from the United States to individuals.

Payments not to be made in bank notes below par at place of payment.

SEC. 4. *And be it further enacted,* That the secretary of the Senate be, and he hereby is, directed to pay, out of the fund appropriated by law for the pay of members of Congress, to Elisha R. Potter, of the state of Rhode Island, such compensation as is allowed by law to members of Congress, for his travel from his place of residence to the city of Washington, to claim a seat in the Senate, and for his return and also the per diem compensation for the days he was in actual attendance at the seat of government from the commencement of the present session of Congress, until the final decision by the Senate against his right to the seat so claimed by him.

Elisha R. Potter to be paid for mileage and attendance.

APPROVED, June 27, 1834.

STATUTE I.

CHAP. XCV.—*An Act concerning the gold coins of the United States, and for other purposes.*

June 28, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the gold coins of the United States shall contain the following quantities of metal, that is to say: each eagle shall contain two hundred and thirty-two grains of pure gold, and two hundred and fifty-eight grains of standard gold; each half eagle one hundred and sixteen grains of pure gold, and one hundred and twenty-nine grains of standard gold; each quarter eagle shall contain fifty-eight grains of pure gold, and sixty-four and a half grains of standard gold; every such eagle shall be of the value of ten dollars; every such half eagle shall be of the value of five dollars; and every such quarter eagle shall be of the value of two dollars and fifty cents; and the

Standard and weight of coins.  
Vol. ii, 54.  
Vol. ii, 111.

said gold coins shall be receivable in all payments, when of full weight, according to their respective values; and when of less than full weight, at less values, proportioned to their respective actual weights.

Gold and silver deposited for coinage to be paid for within five days.

Proviso.

SEC. 2. *And be it further enacted*, That all standard gold or silver deposited for coinage after the thirty-first of July next, shall be paid for in coin under the direction of the Secretary of the Treasury, within five days from the making of such deposit, deducting from the amount of said deposit of gold and silver one-half of one per centum: *Provided*, That no deduction shall be made unless said advance be required by such depositor within forty days.

Rate at which gold coin shall be receivable.

SEC. 3. *And be it further enacted*, That all gold coins of the United States, minted anterior to the thirty-first day of July next, shall be receivable in all payments at the rate of ninety-four and eight-tenths of a cent per pennyweight.

Gold coins to be set apart for assay.

SEC. 4. *And be it further enacted*, That the better to secure a conformity of the said gold coins to their respective standards as aforesaid, from every separate mass of standard gold which shall be made into coins at the said mint, there shall be taken, set apart by the treasurer and reserved in his custody, a certain number of pieces, not less than three, and that once in every year the pieces so set apart and reserved shall be assayed under the inspection of the officers, and at the time, and in the manner now provided by law, and, if it shall be found that the gold so assayed, shall not be inferior to the said standard hereinbefore declared, more than one part in three hundred and eighty-four in fineness, and one part in five hundred in weight, the officer or officers of the said mint whom it may concern, shall be held excusable; but if any greater inferiority shall appear, it shall be certified to the President of the United States, and if he shall so decide, the said officer or officers shall be thereafter disqualified to hold their respective offices: *Provided*, That if, in making any delivery of coin at the mint in payment of a deposit, the weight thereof shall be found defective, the officer concerned shall be responsible to the owner for the full weight, if claimed at the time of delivery.

Proviso.

Act to be in force after July 31, 1834.

SEC. 5. *And be it further enacted*, That this act shall be in force from and after the thirty-first day of July, in the year one thousand eight hundred and thirty-four.

APPROVED, June 28, 1834.

#### STATUTE I.

June 28, 1834.

CHAP. XCVI.—*An Act regulating the value of certain foreign gold coins within the United States.* (a)

Act of June 25, 1834, ch. 71.

Rates at which gold coins shall be receivable after July 31, 1834.

Coins of Great Britain, Portugal, and Brazil. France.

Spain, Mexico, and Colombia.

Annual assays to be made.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the thirty-first day of July next, the following gold coins shall pass as current as money within the United States, and be receivable in all payments, by weight, for the payment of all debts and demands, at the rates following, that is to say: the gold coins of Great Britain, Portugal, and Brazil, of not less than twenty-two carats fine, at the rate of ninety-four cents and eight-tenths of a cent per pennyweight; the gold coins of France nine-tenths fine, at the rate of ninety-three cents and one-tenth of a cent per pennyweight; and the gold coins of Spain, Mexico, and Colombia, of the fineness of twenty carats three grains and seven-sixteenths of a grain, at the rate of eighty-nine cents and nine-tenths of a cent per pennyweight.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause assays of the aforesaid gold coins,

made current by this act, to be had at the mint of the United States, at least once in every year, and to make a report of the result thereof to Congress.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. XCVII.—*An Act to authorize the removal of the custom-house from Magnolia, to St. Marks in Florida.*

June 28, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, the President of the United States be, and he is hereby, authorized to remove the custom-house, now established at Magnolia on the St. Marks river in Florida, to the town of St. Marks or some other point on St. Marks harbour which may be deemed suitable, when in his judgment the public interests and convenience may require it, and after the removal aforesaid the office of surveyor at St. Marks shall be abolished.

President to cause custom-house to be removed.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. XCVIII.—*An Act to attach the territory of the United States west of the Mississippi river, and north of the state of Missouri, to the territory of Michigan.*

June 28, 1834.

*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 of the United States bounded on the east by the Mississippi river, on the south by the state of Missouri, and a line drawn due west from the north-west corner of said state to the Missouri river; on the south-west and west by the Missouri river and the White Earth river, falling into the same; and on the north, by the northern boundary of the United States, shall be, and hereby is, for the purpose of temporary government, attached to, and made a part of, the territory of Michigan, and the inhabitants therein shall be entitled to the same privileges and immunities, and be subject to the same laws, rules, and regulations, in all respects, as the other citizens of Michigan territory.

Territory made part of Michigan, and the inhabitants subjected to its laws, &c.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. XCIX.—*An Act for the benefit of the city of Washington.*

June 28, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any unappropriated money in the treasury, a sum not exceeding seventy thousand dollars, in quarterly instalments, for one year from the passage of this act, to the mayor of the city of Washington, to be applied under the direction and authority of the boards of aldermen and common council, to extinguish so much of the interest annually accruing on their public debt.

Appropriation to extinguish interest on public debt of Washington city.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. C.—*An Act to enable the President to make an arrangement with the government of France in relation to certain French seamen killed or wounded at Toulon, and their families.*

June 28, 1834.

WHEREAS certain French seamen were unfortunately killed and others wounded, by firing a salute from the American frigate United States in the harbour of Toulon, on the first day of May last, and whereas it is

proper to manifest the sensibility, with which the disastrous accident is viewed by the government of the United States, therefore,

Arrangement to be made with France for payment of double pensions to persons wounded and relatives of those killed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he hereby is authorized and empowered to enter into an arrangement with the government of France for the payment of an annual sum of twice the amount receivable by the navy pensioners of the same or a similar class to the wounded who survive, and to such relatives of those who were unhappily killed as aforesaid, as the President may deem it expedient to include in this provision, which said sum shall be paid on the earliest day practicable after the proposed arrangement shall be concluded, and on the same day in each year thereafter during the respective lives of the persons to whom granted.

Appropriation.

*SEC. 2. And be it further enacted,* That a sum of money sufficient to enable the President to carry the aforesaid arrangement into effect, be and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CI.—*An Act to authorize the correction of erroneous selections of land granted to the state of Indiana, for the purpose of constructing the Michigan road.*

Indiana to select lands in lieu of those formerly selected.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the state of Indiana be, and hereby is authorized to select other lands in lieu of sections numbered eighteen and twenty-nine, and fractional section numbered thirty-two, in township thirty-seven north, of range one, east, heretofore selected, to be applied to the purpose of constructing the Michigan road in Indiana; the selections authorized by this act to be made on any unsold land, within the district where the above-mentioned lands lie, and shall be applied to the same object, and the first named selections are hereby declared void and of no effect.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CII.—*An Act limiting the times of advertising the sales of the public lands.*

Sales to be advertised not less than three, nor more than six months.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That hereafter the public lands which shall be exposed to public sale by order of the President of the United States, shall be advertised for a period of not less than three nor more than six months prior to the day of sale, any thing in any law heretofore enacted to the contrary notwithstanding.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CIII.—*An Act making additional appropriations for certain harbours, and removing obstructions in the mouths of certain rivers, for the year one thousand eight hundred and thirty-four.*

Appropriations for harbours and rivers.

*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 carrying on and completing certain works heretofore commenced, viz :

Kennebunk river.

For piers at the entrance of Kennebunk river, ten thousand three hundred dollars.

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| For the breakwater at the mouth of Merrimack river, three thousand eight hundred and sixty dollars.   | Merrimack river.                                 |
| For the preservation of Plymouth beach, two thousand dollars.   | Plymouth beach.                                  |
| For the preservation of the beach at Provincetown harbour, Massachusetts, four thousand four hundred dollars.   | Beach at Provincetown.                           |
| For the breakwater at Hyannis harbour, Massachusetts, ten thousand dollars.   | Breakwater at Hyannis.                           |
| For improving the harbours of Newcastle, Marcus Hook, Chester, and Port Penn, in the Delaware river, six thousand one hundred and thirty-three dollars.   | New Castle, Marcus Hook, and Port Penn.          |
| For carrying on the improvement of Ocracok inlet, North Carolina, fifteen thousand dollars.   | Ocracok inlet.                                   |
| For improving Cape Fear river below Wilmington, North Carolina, five thousand two hundred and thirty-four dollars.  | Cape Fear river.                                 |
| For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.   | Ohio, Missouri, and Mississippi.                 |
| For completing the improvement of St. Mark's river and harbour, Florida, four thousand six hundred dollars.   | St. Mark's.                                      |
| For improving the harbour of Chicago, Illinois, thirty-two thousand eight hundred and one dollars.  | Chicago harbour.                                 |
| For the piers at La Plaisance bay, Michigan, four thousand eight hundred and ninety-five dollars.   | La Plaisance piers.                              |
| For improving the navigation of Red river, fifty thousand dollars.  | Red river.                                       |
| For carrying on the Delaware breakwater, two hundred and seventy thousand dollars.  | Delaware breakwater.                             |
| For filling up and securing a breach in the south embankment at Presque Isle, Pennsylvania, three thousand and forty-five dollars.  | Presque Isle.                                    |
| For improving the harbour at Mobile, in removing the bar at the entrance of the harbour called Choctaw Pass, ten thousand dollars.  | Mobile harbour.                                  |
| For improving the navigation of the river Savannah, in removing the obstructions in said river from the city of Savannah to its mouth, thirty thousand dollars.   | Savannah river.                                  |
| For continuing and securing the works at Oswego harbour, New York, thirty thousand dollars.   | Oswego harbour.                                  |
| For continuing the improvements at Big Sodus bay, New York, on the present plan, fifteen thousand dollars.  | Big Sodus bay.                                   |
| For completing the works at Genessee river, New York, on the present plan, twenty thousand dollars.   | Genessee river.                                  |
| For continuing the improvements of Black Rock harbour, New York, twelve thousand dollars.   | Black Rock harbour.                              |
| For completing the works at Buffalo, New York, twenty thousand dollars.   | Buffalo.   |
| For continuing the improvements at Dunkirk harbour, New York, four thousand dollars.  | Dunkirk harbour.                                 |
| For securing the works at Presque Isle, Pennsylvania, twenty thousand dollars.  | Presque Isle.                                    |
| For completing and securing the works at Cleveland harbour, Ohio, thirteen thousand three hundred and fifteen dollars.  | Cleveland harbour.                               |
| For repairing and securing the works at Grand river, Ohio, ten thousand dollars.  | Grand river.                                     |
| For securing the works at Black river, Ohio, five thousand dollars.   | Black river.                                     |
| For extending and securing the works at Huron river, Ohio, six thousand seven hundred dollars.  | Huron river.                                     |
| For continuing the improvements at Ashtabula creek, Ohio, five thousand dollars.  | Ashtabula creek.                                 |
| And for defraying the expense of surveys pursuant to the act of the thirtieth of April, eighteen hundred and twenty-four, including arrearages for eighteen hundred and thirty-three, twenty-nine thousand dollars, | Surveys under act of April 30, 1824, ch. 46, &c. |

of which sum five thousand dollars shall be appropriated and applied to geological and mineralogical survey and researches.

Steele's ledge.

To rebuild the monument on Steele's ledge, in Penobscot bay, four thousand six hundred dollars.

Cumberland river.

For the continuation of the improvement of the navigation of the Cumberland river, thirty thousand dollars, to be expended under the direction of the War Department.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CIV.—*An Act making appropriations for the military academy of the United States, for the year one thousand eight hundred and thirty-four.*

Appropriations for the military academy.

*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 defraying the expenses of the board of visitors at West Point, two thousand dollars.

For fuel, forage, stationery, printing, transportation, and postage, eight thousand four hundred and eighty-six dollars and thirty cents.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, carts and fences, nine thousand six hundred and ten dollars and ninety-six cents.

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

For philosophical apparatus and repairs of the same, six hundred and ninety-eight dollars.

For models for the department of engineering, eight hundred dollars.

For models for the drawing department, apparatus, and contingencies for the department of chemistry, and repairs of instruments for the mathematical department, one thousand one hundred and seventeen dollars.

For the departments of mineralogy, artillery, and sword exercises, one thousand one hundred and thirty dollars.

For increase and expenses of the library, one thousand two hundred and sixteen dollars and twenty-two cents.

For completing the out-buildings and culvert attached to the cadet barracks, one thousand and eighty-one dollars and fifty cents.

For miscellaneous items, and incidental expenses of the military academy, one thousand six hundred and seventy-one dollars and forty-seven cents.

For the erection of a building for military and other exercises, in winter, in addition to six thousand dollars appropriated last session, fourteen thousand dollars.

For pay of the officers, cadets, and musicians, and subsistence of officers and cadets, ninety-five thousand six hundred and ninety-eight dollars.

For forage of officers, one thousand one hundred and fifty-two dollars.

For clothing for servants of officers, three hundred and thirty dollars.

Secretary of War to cause transfers to be made to settle accounts of Col. Thayer.

SEC. 2. *And be it further enacted,* That the Secretary of War be, and is hereby authorized to cause such transfers to be made from specific heads of appropriation, for the military academy, as may be necessary to enable the accounting officer to settle the accounts of Lt. Col. S. Thayer, late superintendent, for expenses incurred in procuring philosophical apparatus for said academy, under an order of the War Department, in eighteen hundred and twenty-nine.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. CV.—*An Act making appropriations to carry into effect certain Indian treaties, and for other purposes.*

June 28, 1834.

*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, for the objects hereinafter mentioned, to be paid out of any moneys in the treasury, not otherwise appropriated, viz :

Appropriations to effect certain Indian treaties.

To carry into effect the stipulations of the treaty with the Seminoles, of the ninth May, eighteen hundred and thirty-two, viz :

Seminoles.

To pay for improvements relinquished to the United States by the first article, fifteen thousand four hundred dollars.

To defray the expense of investigating claims against the Seminoles for property alleged to have been stolen or destroyed by them, and of liquidating such as may be satisfactorily established, seven thousand eight hundred dollars.

To carry into effect the treaty with the Western Cherokees, of fourteenth February, eighteen hundred and thirty-three, viz :

Western Cherokees.

For support of blacksmiths, of a wheelwright and wagon maker and their establishments, and the purchase of corn mills, under the fourth article, eight thousand three hundred and twenty dollars.

To carry into effect the treaty with the Western Creeks, of fourteenth February, eighteen hundred and thirty-three, viz :

Western Creeks.

For support of a blacksmith, wheelwright, or wagon maker, and their establishments, and for the purchase of saws and corn mills, under the fifth article, three thousand three hundred and sixteen dollars.

For education, one thousand dollars.

To pay for improvements abandoned, under the sixth article, three thousand eight hundred and one dollars and fifty-eight cents.

To pay the expense of appraising these improvements, five hundred dollars.

To carry into effect the treaty with the Quapaws, of thirteenth May, eighteen hundred and thirty-three, viz :

Quapaws.

To pay for stock, implements of agriculture, rifles, blankets, and other articles stipulated to be furnished in the third article, five thousand and eighty-eight dollars and fifty cents.

For support of a farmer, six hundred dollars.

For education, one thousand dollars.

For support of a blacksmith and his establishment, one thousand and seventy-five dollars.

For payment of debts of the Quapaws, under the fourth article, four thousand one hundred and eighty dollars.

For pay of labourers, one thousand dollars.

For payment of the limited annuity, two thousand dollars.

For pay of an interpreter, by the sixth article, three hundred dollars.

Appalachicolas.

To carry into effect the treaties with the Appalachicolas, of eighteenth June, eighteen hundred and thirty-three, viz :

For payment of reservations to be surrendered, under the fourth article of each of the treaties, six thousand dollars.

To carry into effect the treaty with the Otoes and Missouriias, of twenty-first September, eighteen hundred and thirty-three, viz :

Otoes and Missouriias.

For education, under the fourth article, five hundred dollars.

For support of farmers, and the erection of a mill, under the fifth article, one thousand four hundred and fifty dollars.

For purchase of stock, under the sixth article, one thousand dollars.

For payment for merchandise, under the ninth article, four hundred dollars.

To carry into effect the treaty with the Pawnees, of ninth October, eighteen hundred and thirty-three, viz :

Pawnees.

For payment of the annuity provided for in the third article, four thousand six hundred dollars.

For purchase of agricultural implements, under the fourth article, two thousand dollars.

For education, under the fifth article, one thousand dollars.

For support of blacksmiths, and their establishments, under the sixth article, two thousand dollars.

For the support of farmers, under the seventh article, two thousand four hundred dollars.

For the purchase of stock, four thousand dollars.

For the erection of mills under the eighth article, one thousand dollars.

For the purchase of guns, and ammunition under the twelfth article, one thousand four hundred and twenty-two dollars.

For payment for merchandise under the thirteenth article, one thousand six hundred dollars.

For payment of transportation and other incidental expenses, under the above treaties, two thousand dollars.

Senecas and  
Shawnees, and  
Quapaws.

To survey and lay off the lands of the Senecas and Shawnees, under the second article of the treaty of twentieth July, eighteen hundred and thirty-one, and of the Quapaws, under the third article of the treaty of thirteenth May, eighteen hundred and thirty-three, twelve hundred dollars.

Sacs and Foxes.

To survey and lay off the reservation provided for in the second article of the treaty with the Sacs and Foxes, of twenty-first of September, eighteen hundred and thirty-two, eight hundred dollars.

Sac and Fox  
half-breeds.

To lay off and divide the lands of the Sac and Fox half-breeds, under the first article of the treaty of fourth August, eighteen hundred and twenty-four, one thousand dollars.

Kickapoos.

To complete the surveys of the Kickapoo reservations, under the twelfth article of the treaty of twenty-fourth October, eighteen hundred and thirty-two, eight hundred dollars.

Osages.

To complete the north line of the Osage reservation, under the second article of the treaty of second June, eighteen hundred and twenty-five, one thousand dollars.

Kanzas.

To complete the north line of the Kanzas reservation, under the second article of the treaty of third June, eighteen hundred and twenty-five, one thousand dollars.

Sacs and Foxes.

To cover the excess of expenditure over the appropriation for running the line under the treaty with the Sacs and Foxes, and others of fifteenth July, eighteen hundred and thirty, two thousand two hundred and seventeen dollars and sixty-one cents.

Winnebagoes.

To locate reservations under the fifth article of the treaty with the Winnebagoes of first August, eighteen hundred and twenty-nine, four hundred dollars.

Choctaws.

To defray the expense of locating reservations, under the treaty with the Choctaws, of twenty-seventh September, eighteen hundred and thirty, three thousand five hundred dollars.

Chippewas.

To pay for improvements relinquished by the Chippewas, under the sixth article of the treaty of twenty-fourth September, eighteen hundred and nineteen, one thousand seven hundred and seventy-six dollars.

Cherokees.

To pay for improvements relinquished by the Cherokees who have emigrated, under the eighth article of the treaty of sixth May, eighteen hundred and twenty-eight, one hundred and thirty-nine thousand four hundred and eighteen dollars and fifty cents.

Chickasaws.

For the balance of expenses of the Chickasaws, who explored the country west of the Mississippi, in eighteen hundred and thirty, and eighteen hundred and thirty-one, two thousand four hundred and twenty-six dollars and fifty-six cents.

Capture of  
Black Hawk.

To pay expenses incurred by the Indian agent at Prairie du Chien, in collecting Indians to attend the treaties at Rock Island, in eighteen hun-



dred and thirty-two, and in effecting the capture of Black Hawk and the Prophet, six hundred and twelve dollars and seventy-four cents.

To pay the expenses of a delegation of New York Indians in exploring the country west of the Mississippi, four thousand five hundred dollars.

To pay for three thousand and fifty bushels of corn for the Choctaws, "who were suffering for want of food," three thousand six hundred and ninety dollars.

To pay for one thousand bushels of corn, purchased for the relief of the Osages, one thousand dollars.

To pay balances ascertained to be due by the second auditor for capitation money, provisions, &c., under the treaty of twenty-fourth January, eighteen hundred and twenty-six, with the Creeks, nine thousand seven hundred and seventy dollars and twelve cents.

To compensate the Western Cherokees for stock and other property lost during their emigration under the eighth article of the treaty of sixth May, eighteen hundred and twenty-eight, fourteen thousand three hundred and sixty-four dollars and fifty cents.

To remunerate the Western Cherokees for spoliations on their property under the fifth article of the treaty of sixth May, eighteen hundred and twenty-eight, one thousand and forty-three dollars.

To defray expenses incurred in holding treaties with the Pawnees, Ottoes, and Missouriias, and the general treaty of peace, and councils with the Osages, and Kickapoos, six thousand two hundred and sixteen dollars.

That the Secretary of War ascertain the amount paid by Joseph M. Street and Stephen W. Kearney, for attorney fees in defending a suit or suits brought against them for acts done in performance of their official duties by Jean Brunette, not to exceed four hundred and fifty dollars, to be paid out of any money in the treasury, not otherwise appropriated.

For expense of surveys and marking certain lines in the Creek and Cherokee country, by order of the commissioners under the treaties with said tribes of Indians, of the fourteenth of February, eighteen hundred and thirty-three, sixty-two dollars and fifty cents.

For improvements abandoned on ceded lands under the treaty with the Cherokee Indians, of the eighth of July, eighteen hundred and seventeen, five hundred dollars.

For refunding to Colonel Pierre Minard, six hundred and eighty-one dollars, eighty-two cents, for that sum advanced by him to the commissioners for holding treaties with the Winnebagoes, Chippewas, Ottoways and Pattawatamies.

For expenses of thirteen delegates from the Eastern Cherokees, five thousand six hundred dollars.

For the expenses of five delegates from the Western Cherokees, two thousand six hundred dollars.

For the purchase of a house and lot at Prairie du Chien, for the use of the agency at that place, two thousand five hundred dollars.

APPROVED, June 28, 1834.

New York Indians.

Choctaws.

Osages.

Creeks.

Western Cherokees.

Pawnees, &c.

Fees paid by J. M. Street and S. W. Kearney.

Creeks and Cherokees.

Cherokees.

Colonel Pierre Minard.

Eastern Cherokees.

Western Cherokees.

House at Prairie du Chien.

STATUTE I.

June 28, 1834.

CHAP. CVI.—*An Act further to provide for the location of certain lands in the territory of Arkansas.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proviso to the act entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth day of January, eighteen hundred and thirty, be, and the same is hereby, repealed, and all locations of said claims made, or to be made, shall in no wise be affected by said proviso.

APPROVED, June 28, 1834.

Proviso of act of January 13, 1830, ch. 3, repealed.

## STATUTE I.

June 28, 1834.

CHAP. CXXV.—*An Act in reference to pre-emption rights in the south-eastern district of Louisiana. (a)*

Register of land office to issue patents in conformity with acts of April 5, 1832, ch. 65, and June 15, 1832, ch. 140.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the pre-emption rights granted by the register and receiver of the land office at New Orleans, to certain individuals claiming the same, in the south-eastern land district of Louisiana, under the act of Congress approved fifth April, eighteen hundred and thirty-two, entitled "An act supplementary to the several laws for the sale of public lands," and the act approved fifteenth June, eighteen hundred and thirty-two, entitled "An act to authorize the inhabitants of the state of Louisiana to enter the back lands," be, and they are hereby, confirmed; and the register of the land office is hereby directed to issue patent certificates accordingly.

Re-survey on Bayou St. Vincent confirmed.

SEC. 2. *And be it further enacted,* That the re-survey made under the supervision of the surveyor general of Louisiana, of certain lands on the bayou St. Vincent, in sections designated as numbers one hundred and ten and one hundred and forty-three, in township thirteen of range fourteen east, situate in the south-eastern district of Louisiana, and which re-survey purports to include the improvements of the actual settlers within its limits, claiming the right of pre-emption thereto under the act of fifth April, eighteen hundred and thirty-two, aforesaid, be, and the same is hereby, confirmed; and payments may be made and patents issued in accordance therewith.

1832, ch. 65.

APPROVED, JUNE 28, 1834.

## STATUTE I.

June 28, 1834.

CHAP. CXXVI.—*An Act giving the consent of Congress to an agreement or compact entered into between the state of New York and the state of New Jersey, respecting the territorial limits and jurisdiction of said states. (b)*

WHEREAS commissioners duly appointed on the part of the state of New York, and commissioners duly appointed on the part of the state

(a) See notes of acts which have been passed relative to pre-emption of public lands, vol. iv. p. 420.

(b) The decisions of the Supreme Court upon the compacts between states have been:—

The compact of 1789, between Virginia and Kentucky, was valid under that provision of the constitution which declares, that "no state shall, without the consent of Congress, enter into agreement or compact with another state, or with a foreign power;" no particular mode, in which that consent must be given, having been prescribed by the constitution; and Congress having consented to the admission of Kentucky into the Union, as a sovereign state, upon the conditions in the compact. *Green v. Biddle*, 8 Wheat. 1; 5 Cond. Rep. 369.

The compact is not invalid upon the ground of its surrendering rights of sovereignty, which are inalienable. *Ibid.*

To bring a case within the protection of the seventh article in the compact between Virginia and Kentucky, it must be shown that the title to the land asserted, is derived from the laws of Virginia, prior to the separation of the two states. *Lessee of Fisher v. Cockerell*, 5 Peters, 247.

The construction of a compact between the states of Virginia and Pennsylvania, is not to be settled by the laws or decisions of either of those states, but by the compact itself. *Marlatt v. Silk et al.*, 11 Peters, 1.

The decision of a question of the construction of such a compact, is not to be attested from the decisions of either state, but is one of an international character. *Ibid.*

It is a part of the general right of sovereignty, belonging to independent nations, to establish and fix the disputed boundaries between the respective limits; and the boundaries so established and fixed by compact between nations, become conclusive upon all the subjects and citizens thereof, and bind their rights; and are to be treated, to all intents and purposes, as the real boundaries. This right is expressly recognised to exist in the states of the Union, by the constitution of the United States; and is guarded in its exercise by a single limitation or restriction, only, requiring the consent of Congress. *Ibid.*

The compact between New Jersey and Pennsylvania, recognises the right of fishery in riparian owners on the Delaware. *Bennet v. Boggs, Baldwin's C. C. R.* 60.

The plaintiffs, in the circuit court of West Tennessee, instituted an ejectment for a tract of land held under a Virginia military land warrant, situate south of a line called Mathews' line, and south of Walker's line; the latter being the established boundaries between the states of Kentucky and Tennessee, as fixed by a compact between those states, made in 1820; by which compact, although the jurisdiction over the territory to the south of Walker's line, was acknowledged to belong to Tennessee, the titles to lands held under Virginia military land warrants, &c.; and grants from Kentucky, as far south as "Mathews' line," were declared to be confirmed: the state of Kentucky having, before the com-

of New Jersey, for the purpose of agreeing upon and settling the jurisdiction and territorial limits of the two states, have executed certain articles, which are contained in the words following, viz :

Agreement made and entered into by and between Benjamin F. Butler, Peter Augustus Jay and Henry Seymour, commissioners duly appointed on the part and behalf of the state of New York, in pursuance of an act of the legislature of the said state, entitled " An act concerning the territorial limits and jurisdiction of the state of New York and the state of New Jersey, passed January 18th, 1833, of the one part; and Theodore Frelinghuysen, James Parker, and Lucius Q. C. Elmer, commissioners duly appointed on the part and behalf of the state of New Jersey, in pursuance of an act of the legislature of the said state, entitled " An act for the settlement of the territorial limits and jurisdiction between the states of New Jersey and New York," passed February 6th, 1833, of the other part.

Articles of agreement.

ARTICLE FIRST. The boundary line between the two states of New York and New Jersey, from a point in the middle of Hudson river, opposite the point on the west shore thereof, in the forty-first degree of north latitude, as heretofore ascertained and marked, to the main sea, shall be the middle of the said river, of the Bay of New York, of the waters between Staten Island and New Jersey, and of Raritan Bay, to the main sea; except as hereinafter otherwise particularly mentioned.

ARTICLE SECOND. The state of New York shall retain its present jurisdiction of and over Bedlow's and Ellis's islands; and shall also retain exclusive jurisdiction of and over the other islands lying in the waters above mentioned and now under the jurisdiction of that state.

ARTICLE THIRD. The state of New York shall have and enjoy exclusive jurisdiction of and over all the waters of the bay of New York; and of and over all the waters of Hudson river lying west of Manhattan Island

compact, claimed the right to the soil, as well as the jurisdiction over the territory, and having granted lands in the same. The compact of 1820 was confirmed by Congress. The defendants in the ejection claimed the lands under titles emanating from the state of North Carolina, in 1786, 1794, 1795; before the formation of the state of Tennessee; and grants from the state of Tennessee, in 1809, 1811, 1812, 1814, in which the lands claimed by the defendants were situated, according to the boundary of the state of Tennessee, declared and established at a time when the state of Tennessee became one of the states of the United States. The circuit court instructed the jury that the state of Tennessee, by sanctioning the compact, admitted, in the most solemn form, that the lands in dispute were not within her jurisdiction, nor within the jurisdiction of North Carolina, at the time they were granted; and that, consequently, the titles are subject to the compact: Held, by the Supreme Court, that the instructions of the circuit court were entirely correct. *Poole v. Fleeger*, 11 Peters, 135.

The seventh article of the compact between Virginia and Kentucky declares " all private rights and interests of lands within the said district (Kentucky,) derived from the laws of Virginia, prior to such separation, shall remain valid and secure under the laws of the proposed state, and shall be determined by the laws now existing in this state (Virginia)." Whatever course of legislation, by Kentucky, would be sanctioned by the principles and practice of Virginia, should be regarded as an unaffected compliance with the compact. Such are all reasonable quieting statutes. *Hawkins v. Barney's Lessee*, 5 Peters, 457.

From as early a date as the year 1705, Virginia has never been without an act of limitation; and no class of laws is more universally sanctioned by the practice of nations, and the consent of mankind, than those laws which give peace and confidence to the actual possessor and tiller of the soil. Such laws have frequently passed in review before the Supreme Court; and occasions have occurred in which they have been particularly noticed, as laws not to be impeached on the ground of violating private rights. It is impossible to take any reasonable exception to the course of legislation pursued by Kentucky on this subject. She has in fact literally complied with the compact in its most rigid construction. For she adopted the very statute of Virginia in the first instance, and literally gave her citizens the full benefit of twenty years to prosecute their suits, before she enacted the law now under consideration. As to the exceptions and provisoes, and savings in such statutes, they must necessarily be left, in all cases, to the wisdom or discretion of the legislative power. *Ibid.*

It is not to be questioned, that laws limiting the time of bringing suits constitute a part of the *lex fori* of every country; the laws for administering justice, one of the most sacred and important of sovereign rights and duties, and a restriction upon which must materially affect both legislative and judicial independence. It can scarcely be supposed that Kentucky would have consented to accept a limited and crippled sovereignty; nor is it doing justice to Virginia to believe that she would have wished to reduce Kentucky to a state of vassalage. Yet it would be difficult, if the literal and rigid construction necessary to exclude her from passing the limitation act were adopted, to assign her a position higher than that of a dependent on Virginia. *Ibid.*

The limitation act of the state of Kentucky, commonly known by the epithet of " the seven years law," does not violate the compact between the state of Virginia and the state of Kentucky. *Ibid.*

Articles of  
agreement.

and to the south of the mouth of Spuytenduyvel creek; and of and over the lands covered by the said waters to the low water-mark on the westerly or New Jersey side thereof; subject to the following rights of property and of jurisdiction of the state of New Jersey, that is to say:

1. The state of New Jersey shall have the exclusive right of property in and to the land under water lying west of the middle of the bay of New York, and west of the middle of that part of the Hudson river which lies between Manhattan island and New Jersey.

2. The state of New Jersey shall have the exclusive jurisdiction of and over the wharves, docks, and improvements, made and to be made on the shore of the said state; and of and over all vessels aground on said shore, or fastened to any such wharf or dock; except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers, of the state of New York, which now exist or which may hereafter be passed.

3. The state of New Jersey shall have the exclusive right of regulating the fisheries on the westerly side of the middle of the said waters, *Provided*, That the navigation be not obstructed or hindered.

ARTICLE FOURTH. The state of New York shall have exclusive jurisdiction of and over the waters of the Kill Van Kull between Staten Island and New Jersey to the westernmost end of Shooter's Island in respect to such quarantine laws, and laws relating to passengers, as now exist or may hereafter be passed under the authority of that state, and for executing the same; and the said state shall also have exclusive jurisdiction, for the like purposes of and over the waters of the sound from the westernmost end of Schooter's Island to Woodbridge creek, as to all vessels bound to any port in the said state of New York.

ARTICLE FIFTH. The state of New Jersey shall have and enjoy exclusive jurisdiction of and over all the waters of the sound between Staten Island and New Jersey lying south of Woodbridge creek, and of and over all the waters of Raritan bay lying westward of a line drawn from the lighthouse at Prince's bay to the mouth of Mattavan creek; subject to the following rights of property and of jurisdiction of the state of New York, that is to say:

1. The state of New York shall have the exclusive right of property in and to the land under water lying between the middle of the said waters and Staten Island.

2. The state of New York shall have the exclusive jurisdiction of and over the wharves, docks and improvements made and to be made on the shore of Staten Island, and of and over all vessels aground on said shore, or fastened to any such wharf or dock; except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers of the state of New Jersey, which now exist or which may hereafter be passed.

3. The state of New York shall have the exclusive right of regulating the fisheries between the shore of Staten Island and the middle of the said waters: *Provided*, That the navigation of the said waters be not obstructed or hindered.

ARTICLE SIXTH. Criminal process, issued under the authority of the state of New Jersey, against any person accused of an offence committed within that state; or committed on board of any vessel being under the exclusive jurisdiction of that state as aforesaid; or committed against the regulations made or to be made by that state in relation to the fisheries mentioned in the third article; and also civil process issued under the authority of the state of New Jersey against any person domiciled in that state, or against property taken out of that state to evade the laws thereof; may be served upon any of the said waters within the exclusive jurisdiction of the state of New York, unless such person or property shall be on board a vessel aground upon, or fastened to, the shore of the state of

New York, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New York.

Articles of agreement.

ARTICLE SEVENTH. Criminal process issued under the authority of the state of New York against any person accused of an offence committed within that state, or committed on board of any vessel being under the exclusive jurisdiction of that state as aforesaid, or committed against the regulations made or to be made by that state in relation to the fisheries mentioned in the fifth article; and also civil process issued under the authority of the state of New York against any person domiciled in that state, or against property taken out of that state, to evade the laws thereof, may be served upon any of the said waters within the exclusive jurisdiction of the state of New Jersey, unless such person or property shall be on board a vessel aground upon or fastened to the shore of the state of New Jersey, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New Jersey.

ARTICLE EIGHTH. This agreement shall become binding on the two states when confirmed by the legislatures thereof, respectively, and when approved by the Congress of the United States.

Done in four parts (two of which are retained by the commissioners of New York, to be delivered to the governor of that state, and the other two of which are retained by the commissioners of New Jersey, to be delivered to the governor of that state,) at the city of New York this sixteenth day of September, in the year of our Lord one thousand eight hundred and thirty-three and of the independence of the United States the fifty-eighth.

B. F. BUTLER,  
 PETER AUGUSTUS JAY,  
 HENRY SEYMOUR,  
 THEO. FRELINGHUYSEN,  
 JAMES PARKER,  
 LUCIUS Q. C. ELMER.

And whereas the said agreement has been confirmed by the legislatures of the said states of New York and New Jersey, respectively,—therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the consent of the Congress of the United States is hereby given to the said agreement, and to each and every part and article thereof, *Provided,* That nothing therein contained shall be construed to impair or in any manner affect, any right of jurisdiction of the United States in and over the islands or waters which form the subject of the said agreement.

Consent of Congress given to the agreement.  
 Proviso.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. CXXVIII.—*An Act to amend an act entitled "An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewistown; to make Cape St. Vincent, in the district of Sackett's Harbour, a port of delivery; and out of the districts of Miami and Mississippi, to make two new districts, to be called the districts of Sandusky and Teche, and for other purposes."*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be paid, annually, to the collector of the port of Franklin, in the district of Teche, in lieu of all demands against the government of the United States for house rent, storage, and so forth, the sum of two hundred and fifty dollars.

Vol. ii. 657.  
 Annual pay of the collector of the district of Teche.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CXXIX.—*An Act to enable the Secretary of State to purchase the papers and books of General Washington.*

Appropriation for papers and books of Washington.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of twenty-five thousand dollars be, and the same is hereby appropriated, to be paid out of any [money] in the treasury not otherwise appropriated—to enable the Secretary of State to purchase the manuscript papers and a portion of the printed books of General George Washington, the said papers and books to be deposited and preserved in the Department of State; under the regulations the Secretary shall prescribe.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CXXX.—*An Act authorizing the President of the United States to cause certain roads to be opened in Arkansas.*

Appropriations for Roads from Helena to the mouth of Cache river;

From Jackson to fort Smith, and  
From Strong's to Batesville.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of ten thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to enable the President of the United States to cause a road to be opened from Helena, in Arkansas territory, to the mouth of Cache river; also, a road leading from Jackson, in the county of Lawrence, by Liberty and Fayetteville, in the county of Washington, in the aforesaid territory, to fort Smith: *And also,* That the sum of seven thousand dollars be, and the same is hereby appropriated, for the purpose of locating and constructing a road from Strong's, (a point on the military road from Memphis to Little Rock,) by Letchfield in Jackson county, to Batesville, in the territory of Arkansas.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

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

Part of act of July 14, 1832, ch. 227, suspended.

Secretary of Treasury to report to Congress.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the provisos of the tenth and twelfth clauses of the second section of the act to alter and amend the several acts imposing duties on imports, passed July fourteenth, eighteen hundred and thirty-two, be, and the same are hereby, suspended until the third day of March next. And in the mean time, that the Secretary of the Treasury be directed to inquire, whether it be necessary to except any manufactured articles from the operation and effect of those provisos, by reason of the difficulty of ascertaining the duties chargeable upon such articles, and that he make report to Congress, at the commencement of the next session.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CXXXII.—*An Act for the better organization of the United States' "marine corps."* (a)

Of what the corps shall consist.

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

(a) *Marine Corps.* (Notes to act of July 11, 1798, vol. i. p. 594.)

A brevet field officer of the marine corps is not entitled by law to brevet pay and rations by reason of his commanding a separate post or station, if the force under his command would not entitle a brevet

sage of this act, the marine corps shall consist of the following officers, non-commissioned officers, musicians and privates, viz: one colonel commandant, one lieutenant colonel, four majors, thirteen captains, twenty first lieutenants, twenty second lieutenants, one adjutant and inspector, one paymaster, one quartermaster, one assistant quartermaster, one sergeant major, one quartermaster sergeant, one drum major, one fife major, eighty sergeants, eighty corporals, thirty drummers, thirty fifers, and one thousand privates.

SEC. 2. *And be it further enacted*, That the said corps shall, at all times, be subject to, and under the laws and regulations which are, or may hereafter be, established for the better government of the navy, except when detached for service with the army by order of the President of the United States.

Subject to the laws of navy, except when on service with the army.

SEC. 3. *And be it further enacted*, That the officers, non-commissioned officers, musicians and privates, shall take the oath prescribed by law, and that all enlistments shall be for the term of four years, during which period marines, so enlisted, shall be, and are hereby, exempt from all personal arrest for debt or contract.

Enlistments to be for four years and marines exempt from arrest for debt.

SEC. 4. *And be [it] further enacted*, That the officers of the marine corps shall be, in relation to rank, on the same footing as officers of similar grades in the army: *Provided*, That no officer of the marine corps shall exercise command over any navy yard or vessel of the United States.

Rank of officers as in the army. Proviso.

SEC. 5. *And be it further enacted*, That the officers of the marine corps shall be entitled to, and receive the same pay, emoluments, and allowances, as are now, or may hereafter be, allowed to officers of similar grades in the infantry of the army, except the adjutant and inspector, who shall be entitled to the same pay, emoluments and allowances, as are received by the paymaster of said corps; and the non-commissioned officers, musicians and privates, shall be entitled to the same pay, rations, clothing, and allowances, as they now receive.

Pay and emoluments.

SEC. 6. *And be it further enacted*, That the staff of said corps shall be taken from the captains or subalterns of the corps.

Staff.

SEC. 7. *And be it further enacted*, That the commissions of the officers now in the marine corps shall not be vacated by this act, and that the President of the United States may, during the recess of the Senate, first by promotions according to rank and then by selections, appoint the officers hereby authorized, which appointments shall be submitted to the Senate, at their next session, for their advice and consent.

Existing commissions not to be vacated.

SEC. 8. *And be it further enacted*, That the President be, and he is hereby, authorized to prescribe such military regulations for the discipline of the marine corps, as he may, in his judgment, deem expedient.

President to prescribe regulations.

SEC. 9. *And be it further enacted*, That so much of the fourth section of an act, passed the sixth day of July, in the year one thousand eight hundred and twelve, entitled "An act making further provision for the army of the United States, and for other purposes," or of any other act as

Parts of former acts repealed. July 6, 1812, ch. 137.

field officer of infantry of similar grade to brevet pay and rations. *United States v. Freeman*, 3 Howard, 556.

The act of 1834, ch. 132, does not repeal the first section of the act of 1818, ch. 64, regulating the pay and emoluments of brevet officers. *Ibid.*

The fifth section of the act of June 30, 1834, ch. 132, is a repeal of the joint resolution of the two houses of Congress of May 25, 1832, respecting the pay and emoluments of the marine corps. *Ibid.*

By force of the army regulation No. 1125, authorizing the issue of double rations to officers commanding departments, posts, and arsenals, a brevet field officer of marines is entitled to double rations. But the fact must be shown that he had such a command of a post or arsenal at which double rations had been allowed according to the army regulations. *Ibid.*

The fact of appropriations having been made by Congress for double rations does not determine what officers are entitled to them. *Ibid.*

A brevet field officer of the marine corps, commanding a separate post, without a command equal to his brevet rank, is not entitled to his brevet pay and emoluments. But if such brevet officer is a captain in the line of his corps, and in the actual command of a company, whether he is in the command of a post or not, he is entitled to the compensation given by the act of March 2, 1827, ch. 42. *Ibid.*

Act of July 6,  
1812, ch. 137.

Act of April  
16, 1818, ch. 64.

Proviso.

Conflicting acts  
repealed.

authorizes the President to confer brevet rank on such officers of the army or of the marine corps, as shall have served ten years in any one grade, shall be, and the same hereby is, repealed; and so much of the second section of an act passed the sixteenth of April, one thousand eight hundred and eighteen, entitled "An act regulating the pay and emoluments of brevet officers," as may be applicable to the clause herein above repealed, shall be, and the same hereby is, also repealed: *Provided*, Nothing herein shall affect any right already acquired by ten years' expired service to brevet rank.

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

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXIII.—*An Act to increase and regulate the pay of the surgeons and assistant surgeons of the army.*

Appointment  
of surgeons and  
assistants.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passing of this act, no person shall receive the appointment of assistant surgeon in the army of the United States, unless he shall have been examined and approved by an army medical board, to consist of not less than three surgeons or assistant surgeons, who shall be designated for that purpose by the Secretary of War; and no person shall receive the appointment of surgeon in the army of the United States, unless he shall have served at least five years as an assistant surgeon, and unless, also, he shall have been examined by an army medical board constituted as aforesaid.

Pay and emolu-  
ments.

SEC. 2. *And be it further enacted*, That the surgeons in the army of the United States shall be entitled to receive the pay and emoluments of a major; and the assistant surgeons, who shall have served five years, shall be entitled to receive the pay and emoluments of a captain; and those who shall have served less than five years, the pay and emoluments of a first lieutenant; and that said assistant surgeons shall be entitled to receive the same allowance for forage as they are at present entitled to.

Increase of  
rations after ten  
years' service.

SEC. 3. *And be it further enacted*, That every surgeon and assistant surgeon, who shall have served faithfully ten years in these grades, respectively, shall be entitled to receive an increase of rations, per day, equal to the number of rations to which he may be entitled under this act.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXIV.—*An Act concerning naval pensions, and the navy pension fund.*

Act of June  
28, 1832, ch. 151,  
prolonged for  
five years.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the provisions and benefits of the act of the twenty-eighth of June, one thousand eight hundred and thirty-two, entitled "An act further to extend the pension heretofore granted to the widows of persons killed, or who died in the naval service," be continued for another term of five years to all those widows who have heretofore had the benefit of the same, and the same are hereby also extended to the widows of officers, seamen and marines, who have died in the naval service since the first day of January, one thousand eight hundred and twenty-four, or who may die in said service, by reason of disease contracted, or of casualties by drowning or otherwise, or of injuries received while in the line of their duty, and the pensions of such widows shall commence from the passage of this act: *Provided*, That every pension hereby granted shall cease on the death or marriage of such widow.

Proviso.



SEC. 2. *And be it further enacted*, That there be reimbursed to the navy pension fund, out of any money in the treasury not otherwise appropriated, the cost of the stock of the Bank of Columbia, heretofore purchased by the commissioners of the said fund, and which now remains unredeemed by the said bank, together with interest thereon from the period at which said bank ceased to pay interest, to the time of the reimbursement, herein directed to be made; and at the period of said reimbursement, the said stock shall be transferred by the Secretary of the Navy, to the treasurer of the United States.

Cost of stock of the Bank of Columbia to be reimbursed.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXV.—*An Act to establish a port of entry at Natchez, in Mississippi, and creating certain ports of delivery, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the ports, harbours, shores and waters of the Mississippi river, within the state of Mississippi, be, and they are hereby constituted a collection district, by the name of the Natchez district, and a port of entry shall be established at Natchez for said district, and a collector shall be appointed, who shall give the usual bond required of such officers, and be entitled to a salary of five hundred dollars per annum.

Port of entry at Natchez.

SEC. 2. *And be it further enacted*, That all vessels proceeding to the said port of Natchez, from any port or place in foreign countries, shall stop and report her arrival at the port of New Orleans; and before such vessel shall proceed on her voyage to the said port of Natchez, it shall be the duty of the collector of the said port of New Orleans to order on board any such vessel, a custom-house officer, who shall remain on board such vessel until her arrival at the said port of Natchez; and it shall be the duty of such custom-house officer, to take possession and safely keep all the papers belonging to such vessel, having relation to the freight or cargo on board, which papers he shall deliver to the collector of the port of Natchez, immediately after his arrival at that port; and any such vessel, which shall depart from the said port of New Orleans, without such custom-house officer on board, shall be subject to all the pains and penalties provided for by law for a violation of the revenue laws of the United States.

Vessels bound for Natchez to report at New Orleans.

SEC. 3. *And be it further enacted*, That the expenses of the custom-house officer which may be put on board of any such vessel at New Orleans, from the time of his being put on board, until his return to New Orleans, shall be paid by the owner or owners of such vessel.

Owners to pay expenses of custom-house officer.

SEC. 4. *And be it further enacted*, That Dorchester, in the state of Massachusetts, be, and the same is hereby, declared to be a port of delivery.

Dorchester, in Massachusetts, a port of entry.

SEC. 5. *And be it further enacted*, That from and after the passage of this act, the port of entry and delivery for the district of Philadelphia, shall be bounded by the navy yard on the south, and Gunner's run on the north; any thing in any former law to the contrary notwithstanding.

Port of entry at Philadelphia extended.

SEC. 6. *And be it further enacted*, That the town of Camden, in the district of Bridgeton, in the state of New Jersey, shall be a port of delivery, and shall be subject to the same regulations and restrictions as other ports of delivery in the United States; and there shall be appointed a surveyor of the customs to reside at said port, who shall also perform the duties of an inspector, and who shall be entitled to receive the annual salary of one thousand dollars and no more.

Camden, New Jersey, a port of delivery.

SEC. 7. *And be it further enacted*, That the surveyor of the port of Camden shall be authorized to enrol and license ships or vessels to be employed in the coasting trade and fisheries, under the regulations and

Surveyor of Camden to enrol and license fishing and coasting vessels.

Act of Feb. 11,  
1830, ch. 14.

provisions of the act, entitled "An act to authorize surveyors, under the direction of the Secretary of the Treasury, to enrol and license ships and vessels to be employed in the coasting trade and fisheries," passed the eleventh day of February, eighteen hundred and thirty, as to all ships and vessels belonging to that part of the district of Bridgeton, which lies northward of Alloway's creek, in the county of Salem.

Detroit collec-  
tion district ex-  
tended.

SEC. 8. *And be it further enacted*, That all the waters, shores, inlets and harbours of Lake Michigan, lying south of a point fifty miles north of the mouth of Grand river, on the east side, and the like distance north of the Milwaukee river on the west side of said lake, shall be, and hereby are, attached to, and made a part of, the collection district of Detroit, in the territory of Michigan, any law to the contrary notwithstanding.

Port of entry  
and district of  
Newark, New  
Jersey.

SEC. 9. *And be it further enacted*, That, from and after the thirtieth day of September next, all that part of the state of New Jersey, lying north and east of Elizabethtown and Staten Island, extending eastward as far as the Mouth of the Kill Van Kull, where it empties into the bay of New York, with all the waters of the Passaic and Hackensack rivers, shall form a collection district, to be called the district of Newark, of which the town of Newark shall be the port of entry.

Appointment  
and duties of  
collector.

SEC. 10. *And be it further enacted*, That a collector for the said district shall be appointed, to reside at Newark, who shall give bond with security, as provided by law, for the true and faithful performance of the duties of his office, in the sum of five thousand dollars, and shall be allowed three per centum on all moneys received on account of the duties arising on goods, wares, and merchandise imported, and on the tonnage of ships and vessels; and the said collector shall also receive, in addition to his other fees and emoluments allowed by law, the annual sum of two hundred and fifty dollars, subject, however, to the limitations provided by law.

Custom-house  
at Frenchman's  
bay to be remov-  
ed to Ellsworth.

SEC. 11. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized to remove the seat of the custom-house of the district of Frenchman's bay, in the state of Maine, from its present situation to the town of Ellsworth, in said district.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXVI.—*An Act for the repair of the Mars Hill military road, in the state of Maine.*

Appropriation  
for the repair of  
road.

*Be it enacted 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 the same is hereby, appropriated for the repair of Mars Hill military road, in the state of Maine, which sum shall be paid out of any money in the treasury not otherwise appropriated; the state of Maine having, by a resolve approved the eighth day of March, eighteen hundred and thirty-four, agreed to assume the preservation and repair from and after the first day of January, eighteen hundred and thirty-five, on condition that the said road shall be put in a state of repair by the United States prior to the first day of January aforesaid: *Provided*, That no toll shall be received or collected for the passage of any wagon or carriage, laden with the property of the United States, or any cannon or military stores belonging to the United States, or to any of the states composing this Union.

Proviso.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXVII.—*An Act authorizing the selection of certain Wabash and Erie Canal lands in the state of Ohio.*

Commissioners  
to select lands.

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

otherwise disposed of by the United States, within the state of Ohio, and which would otherwise become the property of the state of Indiana, in virtue of "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," approved March second, eighteen hundred and twenty-seven, the canal commissioners authorized to locate the lands granted as aforesaid for the use of the canal within the state of Ohio, be, and they are hereby, authorized to select an equal quantity from the alternate sections, which would otherwise belong to the United States in the division under said act, or from the lands recently acquired by purchase from the Indians, or from other lands in the neighbourhood near the line of said canal as they shall think proper; and the lands thus selected shall be vested and disposed of for the use of the canal as other lands appropriated by the act aforesaid.

SEC. 2. *And be it further enacted,* That in case of selections of lands authorized by the previous section, and which agreeably to treaty stipulations, may hereafter be sold by the United States for the benefit of the Indians, a sum equal to the amount for which said lands may have been sold, shall be paid over, by the Treasurer of the United States, to the commissioners authorized to receive the same, for the use and benefit of said canal.

SEC. 3. *And be it further enacted,* That until the lands granted by the aforesaid act of March second, eighteen hundred and twenty-seven, shall be selected and the selections contemplated by this act shall be made, the public lands on and near the line of said canal, and liable to the selections aforesaid, shall be reserved from sale.

SEC. 4. *And be it further enacted,* That it shall be the duty of the commissioner of the general land office, to furnish said commissioners with a perfect map of the surveyed lands on and contiguous to the Maumee river within the state of Ohio, including the lands recently purchased from the Indians, carefully noting thereon the lands which have been sold or otherwise disposed of by the United States.

APPROVED, June 30, 1834.

Act of March 2, 1827, ch. 51.  
Act of March 2, 1845, ch. 42.

Former selections, if sold, to be paid for to commissioners.  
Act of March 2, 1827, ch. 51.

Lands reserved from sale until selections are made.

Commissioners to be furnished with maps.

CHAP. CXXXVIII.—*An Act to procure a bust, in marble, of the late Chief Justice Ellsworth.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the joint committee of the two Houses of Congress on the library be, and they are hereby, authorized and required to contract with a suitable American artist for the execution, in marble, and delivery in the room of the Supreme Court of the United States, a bust of the late Chief Justice Ellsworth.

SEC. 2. *And be it further enacted,* That, for the purpose of carrying this act into effect, there be, and hereby is, appropriated, eight hundred dollars; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

STATUTE I.  
June 30, 1834.

American artist to be employed to execute bust.

Appropriation.

CHAP. CXXXIX.—*An Act concerning the duty on lead.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the duty of three cents a pound on lead in pigs, bars, and sheets, shall be considered as extending to all articles manufactured of lead, the value of which does not exceed double that of the raw material of which it is composed, excepting lead manufactured into pipes, and old and scrap lead, which shall pay the

STATUTE I.  
June 30, 1834.

Duty on lead in pigs, &c., extended to lead in other forms.

Proviso.

same duties as heretofore: *Provided*, That nothing in this section shall extend to, or affect, the present duties on red and white lead, shot, sugar of lead, and litharge.

Act of March 2, 1833, ch. 55.

SEC. 2. *And be it further enacted*, That the provisions of the aforesaid section shall be subject to the reductions in duties provided for in the act entitled "An act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports," passed second March, one thousand eight hundred and thirty-three.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXL.—*An Act to aid in the construction of certain roads in the territory of Michigan.*

Appropriations for roads in Michigan territory.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be, and hereby are appropriated, out of any money in the treasury, not otherwise appropriated, to be expended under the direction of the Secretary of War, in the territory of Michigan, the following sums of money, and for the following purposes, to wit:

To aid in opening and constructing the territorial road, between Sheldon's on the Chicago road, and the mouth of the river St. Joseph's, of Lake Michigan, the sum of twenty thousand dollars.

To aid in opening and constructing the territorial road between Port Lawrence and Adrian, the sum of ten thousand dollars.

To aid in opening and constructing the territorial road between Niles and the mouth of the river Saint Josephs, the sum of ten thousand dollars.

To aid in opening the territorial road from the village of Clinton, on the Chicago road, through the county of Jackson, to the rapids of Grand river, the sum of eight thousand dollars.

To aid in opening, bridging, and constructing a territorial road from Vistula, westwardly, to the Indiana state line, in the direction of Chicago, ten thousand dollars: *Provided, however*, That the moneys to be thus expended shall be applied upon such parts of the several roads as may be most difficult to make, and running principally through the lands of the United States.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXLI.—*An Act for the completion of the road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas.*

Appropriation for road.  
Act of July 3, 1832, ch. 153.

*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 for the completion of the road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXLII.—*An Act making certain allowances, and granting certain arrears, to the captains and subalterns of the United States corps of marines.*

Act of March, 1827, ch. 42, extended to marine corps.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passage of this act, the Secretary of the Navy be, and he is hereby, author-

ized to extend the benefits of the act of March, one thousand eight hundred and twenty-seven, entitled "An act giving certain compensation to the captains and subalterns of the army of the United States in certain cases," to the captains and subalterns of the corps of United States marines under similar cases.

SEC. 2. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized to cause to be settled by the proper accounting officers of the department, all arrearages of pay and allowances which shall be found due the said captains and subalterns of the United States corps of marines from the period at which the act of March, one thousand eight hundred and twenty-seven, above referred to, went into operation, up to the passage of this act; and that the same be paid out of any moneys in the treasury, not otherwise appropriated.

Arrearages of pay to be allowed.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLIII.—*An Act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and thirty-four.*

June 30, 1834.

*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 certain fortifications, viz:

Appropriations for fortifications of the United States.

For the preservation of Castle Island, and repair of fort Independence, seventeen thousand five hundred and ninety-four dollars.

For a fort on George's Island, one hundred thousand dollars.

For fort Adams, one hundred thousand dollars.

For repairing fort Columbus and Castle Williams, fifty thousand dollars.

For a fort on Throg's neck, East river, New York, one hundred thousand dollars.

For rebuilding fort Delaware, seventy-nine thousand dollars.

For fort Monroe, fifteen thousand dollars.

For fort Calhoun, one hundred and twenty thousand dollars.

For fortifications in Charleston harbour, fifty thousand dollars.

For the fort at Cockspur island, Georgia, eighty-two thousand dollars.

For completing a fort at Pensacola, forty thousand dollars.

For a fort on Foster's bank, Florida, fifty thousand dollars.

For a fort at Grand Terre, Louisiana, fifty thousand dollars.

For contingencies of fortifications, ten thousand dollars.

For completing fort Macon, repairing the wharf and dyke, and for the protection of the site of that work, seven thousand dollars.

In satisfaction of a contract made with John Urquhart for attending the troops of the United States, as surgeon from fort Mitchell to Charleston and thence to Point Comfort, four hundred and fifty dollars.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLIV.—*An Act making appropriations for building lighthouses, light-boats, beacons and monuments, for the year one thousand eight hundred and thirty-four.*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following appropriations be, and the same are hereby made and directed to be paid out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide by contract, for building lighthouses, light-boats, beacons and monuments, to wit:

Appropriations for lighthouses, &c.

- Maine. *State of Maine.*—For a lighthouse to be erected on a proper site on Fort Point, at the entrance of Penobscot bay, five thousand dollars.  
 For a lighthouse to be erected on a proper site on Negro Island, at the entrance of Camden harbour, four thousand five hundred dollars.  
 For the erection of a beacon on the end of a shoal in George's river, round which is formed what is called the Great Bend, three thousand dollars.  
 For a fog-bell to be placed on a proper site on Cape Elizabeth, near the eastern lighthouse, seven hundred dollars.
- Massachusetts. *State of Massachusetts.*—For the erection of a lighthouse on the north-easterly part of Straitmouth harbour, five thousand dollars.  
 For building a lighthouse at the entrance of the harbour of Marblehead, four thousand five hundred dollars.  
 For a beacon at the harbour in the mouth of Bass river, between the towns of Dennis and Yarmouth, at or near the site where the former beacon was erected, one thousand five hundred dollars.  
 For a beacon or monument on Deer Island Point, Boston harbour, three thousand five hundred dollars.  
 For a monument of stone on the Island of Nix's Mate, in the harbour of Boston, one thousand dollars.
- Rhode Island. *State of Rhode Island.*—For the removal of the lighthouse now on the north end of Goat Island, near the harbour of Newport, to a point north of its present site, agreeably to a survey and estimate heretofore made by direction of the Department of War, thirteen thousand six hundred dollars.
- New York. *State of New York.*—For a lighthouse on a proper site at or near the mouth of Esopus creek and near Saugerties, five thousand dollars.  
 For beacon lights on the piers at the mouth of Genesee river and Sodus bay, four thousand dollars.  
 For a lighthouse or beacon-light on one of the piers at the harbour of Oswego, on Lake Ontario, three thousand six hundred and sixty-six dollars. For placing four lights on the following points in Hudson's river, viz: one near Van Wie's point; one near Castleton; one on the island near New Baltimore; and one at Kinderhook, six hundred dollars. For a lighthouse on a proper site at the mouth of Oswegatchie, a tributary stream of the St. Lawrence, five thousand dollars.  
 For a lighthouse on the flats in Hudson's river, above Stuyvesant's Landing, in the place of the one carried away by the ice, five thousand dollars.
- New Jersey. *State of New Jersey.*—For a lighthouse on or near the shoals of Barnegat, to be erected in such a manner as to be distinguished from the adjacent lights, six thousand dollars.
- Delaware. *State of Delaware.*—For rebuilding the lighthouse on Brandywine shoals, in the bay of Delaware, thirty thousand dollars: *Provided, however,* That before the commencement of the work, a resurvey, plan and estimate shall be made, and that then it shall be in the discretion of the proper department to enter upon the rebuilding of the said lighthouse, or to report such survey, plan and estimate to Congress as shall be considered best for the public interest.  
 For building a lighthouse at the mouth of Christiana river, six thousand dollars.
- Maryland. *State of Maryland.*—For a bell, and fixing the same on the lighthouse at Cove point, in Chesapeake bay, one thousand two hundred dollars.  
 For building a lighthouse on Love point, the sum of five thousand five hundred dollars.
- Virginia. *State of Virginia.*—For a light-boat to be anchored in a proper place at the mouth of the Rappahannock river, twelve thousand dollars.
- North Carolina. *State of North Carolina.*—For a light-boat to be anchored in a proper place at or near the mouth of Roanoke river, ten thousand dollars.

*State of Georgia.*—For two small beacon-lights on Cockspur island, at the mouth of Savannah river, four thousand dollars. Georgia.

*State of Ohio.*—For a beacon-light on a proper site for Huron river, two thousand six hundred dollars. Ohio.

For a beacon-light on the pier at Conneant river, two thousand dollars. For a beacon-light on a proper site for Ashtabula creek, two thousand dollars.

For completing the beacon-light on the pier at Grand river, one thousand four hundred and fifty-six dollars. For a beacon-light on the pier at Cunningham harbour, two thousand dollars.

*State of Louisiana.*—For the erection of a lighthouse on a proper site at Port Ponchartrain, five thousand dollars. Louisiana.

For a lighthouse at a proper site at the mouth of Chifuncté river, five thousand dollars.

*State of Mississippi.*—For a lighthouse at the mouth of Pearl river, five thousand dollars. Mississippi

*State of Indiana.*—For a lighthouse on a proper site at or near Michigan city, five thousand dollars. Indiana.

*Territory of Michigan.*—For a lighthouse on a proper site at Pottawatamie island, situated at the entrance of Green Bay, in Lake Michigan, five thousand dollars. For securing and completing the foundation of the lighthouse on Turtle island, in Lake Erie, two thousand dollars. Michigan.

*Territory of Florida.*—For a lighthouse on a proper site at Musquito inlet on the Atlantic coast, eleven thousand dollars. Florida.

For rebuilding the lighthouse at St. John's river, ten thousand five hundred and fifty dollars.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLV.—*An Act to carry into full effect the fourth article of the treaty of the eighth of January, eighteen hundred and twenty-one, with the Creek nation of Indians, so far as relates to the claims of citizens of Georgia against said Indians, prior to eighteen hundred and two.* June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to cause to be adjusted and paid to full indemnity, out of any money in the treasury not otherwise appropriated, all claims of citizens of the state of Georgia, under the fourth article of the treaty of the eighth of January, eighteen hundred and twenty-one, between the United States and the Creek nation of Indians, which have not been heretofore adjusted and paid, on the following principles: all claims which have not been heretofore adjusted and paid, founded upon the capture and detention, or destruction of property by said Indians, prior to the passage of the act regulating intercourse with Indian tribes, if satisfactorily established, shall be allowed and paid. 1802, ch. 13.

SEC. 2. *And be it further enacted,* That there shall be an interest of six per cent. per annum allowed and paid on the amount of all claims which have been or may be adjusted and established under the provisions of the aforesaid treaty, to be calculated from the date of the origin of the claims, respectively, up to the date of the adjustment and establishment of said claims respectively: *Provided, however,* That the amount which may be allowed under the provisions of this act as interest shall be calculated on the amount of the value of the property so taken or destroyed; the amount of the principal of each claim to be determined by the value of the property for which it was and is made, at the time said property was so taken or destroyed: *And provided, also,* That the aggregate amount of the claims which have been, and hereafter may be, paid, shall not exceed the sum of two hundred and fifty thousand dollars. Six per cent. interest allowed. Proviso. Proviso.

Apportionment to be made, if whole amount of the adjusted claims exceed \$250,000.

Proviso.

SEC. 3. *And be it further enacted*, That if, on the adjustment of the aforesaid claims, the amount which may be found due, and the amount already paid, with the interest to be calculated as aforesaid, shall exceed the sum of two hundred and fifty thousand dollars, the President be, and he is hereby, authorized to cause a fair and equitable distribution of the unexpended balance of the said two hundred and fifty thousand dollars to be made among the claimants, in proportion to the amount which may have been, or shall be, found due to them, respectively: *Provided*, That the principal of the respective claims shall be first paid.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXLVI.—*An Act making appropriations for the public buildings and grounds, and for other purposes.*

Appropriations for the public buildings and grounds.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes, that is to say:

For alterations and repairs of the Capitol, including the repairs of the roof, six thousand two hundred and ninety-two dollars.

For laying pipes for the purpose of draining the east and west reservoirs, two thousand six hundred and thirty-three dollars.

For salary of the gardener employed in superintending the Capitol square, and other public grounds, one thousand dollars.

For lighting lamps, keeping the grounds and walks in order, and planting in the Capitol square, and adjacent public grounds, four thousand eight hundred and twenty-six dollars.

For alterations and repairs of the President's house, flooring the terraces, and erecting stables, six thousand six hundred and seventy dollars.

For the gardener's salary, and for labourers employed upon the grounds and walks at the President's house, and for planting, two thousand eight hundred and fifty dollars.

For paving foot-ways at the north front of the President's house, and making a gravel carriage way, thirteen thousand seven hundred and forty-four dollars.

For planting trees and repairing the fence in Lafayette square, north of the President's house, one thousand dollars.

For purchasing and planting trees and shrubs for the Pennsylvania Avenue, and the public grounds, three thousand dollars.

For keeping in repair the public fire engines, two hundred dollars.

For rebuilding the wall and constructing a culvert and drain at the burying-ground, one thousand nine hundred and sixty-six dollars.

For the actual deficiency in the appropriation made during the last year for the enclosure of the public vault and the improvement of the public burying-ground, one hundred and ninety-three dollars and eighty-nine cents.

For completing the water-works at the President's house, the executive buildings, and the Capitol, one thousand and fifty-two dollars.

For completing the furniture of the President's house, six thousand dollars.

For excess of expenditures beyond the appropriations made by the late commissioner of the public buildings during the last year, twenty-two thousand nine hundred and thirteen dollars and eighty-four cents.

For erecting a monument over the remains of the late Major General Jacob Brown, one thousand dollars; the work to be done under the direction of the Secretary of War.



For the construction of an ornamental hydrant of marble of the west fountain in front of the Capitol, one thousand and twenty-two dollars.

SEC. 2. *And be it further enacted*, That the regulations of the city of Washington for the preservation of the public peace and order, be extended to all the public buildings and public grounds belonging to the United States within the city of Washington whenever the application of the same shall be requested by the commissioner of the public buildings.

APPROVED, June 30, 1834.

City regulations for preserving order extended to public buildings and grounds on request of commissioner.

STATUTE I.

CHAP. CXLVII.—*An Act to complete the improvements on Pennsylvania Avenue.*

June 30, 1834.

*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, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes:

Appropriations for Pennsylvania Avenue.

To pay outstanding claims for work done on Pennsylvania Avenue, three thousand seven hundred and twenty dollars.

To finish foot pavements, entrances of tunnels or sewers, and side drains, three thousand seven hundred and seventy dollars.

To repair the north end of Tiber bridge, by casting a stone arch over the broken part, and protecting it by a stone wall, one thousand two hundred dollars.

For expenses already incurred in removing the dust and mud from the surface of Pennsylvania Avenue, one hundred and forty-three dollars and seventy three cents.

To keep Pennsylvania Avenue in repair, four hundred dollars.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLVIII.—*An Act authorizing a road to be cut out from the northern boundary of the territory of Florida, by Marianna, to the town of Appalachicola, within the said territory.*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be surveyed, marked, and located, a route for a road from the line which divides the state of Alabama from the territory of Florida, by Marianna, in the county of Jackson, to the town of Appalachicola, on the bay of Appalachicola, in said territory, and when said survey, and the final location of the said road, shall be made, if he approve the same, he is hereby authorized to cause it to be cut out; and for that purpose the sum of twelve thousand dollars be, and the same is hereby appropriated out of any money in the treasury not otherwise appropriated: *Provided*, That the said road shall be cut out by contract, and that no money shall be paid at any time on account thereof, but on the certificate of an engineer of the army of the United States that the said road has been faithfully constructed according to the terms of such contract.

Appropriations for roads and harbour in the territory of Florida.

For the survey of a road from Tallahassee to Cape Florida, five hundred dollars.

For a survey of the east pass into Appalachicola bay and river, to ascertain the practicability and cost of removing obstructions and improving the harbour, five hundred dollars.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

Appropriation for a road from Columbia to Little Rock in Arkansas.

CHAP. CXLIX.—*An Act to mark and open a road from Columbia to Little Rock, in the territory of Arkansas.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of ten thousand dollars be, and the same hereby is, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of marking and cutting out a road from Columbia, in Chicot county, to Little Rock, in the territory of Arkansas, to be expended under the direction of the President of the United States.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

Appropriation for the improvement of Hudson river.

CHAP. CL.—*An Act making an appropriation for the improvement of the navigation of the Hudson river, in the state of New York.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of seventy thousand dollars be, and the same is hereby, appropriated towards the improvement of the navigation of the Hudson river, and the removal of obstructions therein, according to the plan submitted to the House of Representatives by the Department of War, under date of March thirty, eighteen hundred and thirty-two; which sum shall be paid out of any money in the treasury not otherwise appropriated, and shall be expended under the direction of the President of the United States.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

Council of Michigan to hold an extra session.

CHAP. CL.—*An Act to authorize an extra session of the legislative council of the territory of Michigan.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislative council of the territory of Michigan be, and hereby is authorized to hold an extra session, to commence at such time during the present year, as the governor of said territory may think proper; of which time it shall be his duty to give the members of said council due notice.

Appropriation for expenses.

SEC. 2. *And be it further enacted,* That for the purpose of defraying the incidental expenses, and for paying the members of the legislative council for travel and for additional time employed as aforesaid, the sum of three thousand dollars be, and is hereby appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

Appropriation for purchase of live oak frames for a frigate and sloop of war.

CHAP. CLII.—*An Act authorizing the purchase of live oak frames for a frigate and sloop of war, and for other naval purposes.*

*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 direct the procurement, in the usual mode, of a live oak frame for a frigate to be called the Paul Jones, and a live oak frame for a sloop of war to be called the Levant; and the sum of fifty thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, for that purpose.

District attorney of Massachusetts and solicitor of trea-

SEC. 2. *And be it further enacted,* That the district attorney of Massachusetts, and the solicitor of the treasury of the United States, be, and they are hereby, authorized and required to defend the suit, insti-

tuted by the heirs of John Harris, for land connected with the navy yard at Charlestown, Massachusetts, in the courts of that district, and, with the aid of the attorney general of the United States, to defend the same in the Supreme Court at Washington, if brought up by appeal or writ of error.

surey to defend suit of heirs of John Harris.

SEC. 3. *And be it further enacted*, That, for completing and furnishing the hospitals at the several naval stations, the sum of sixty-four thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Navy.

Appropriations for Furnishing hospitals at naval stations;

SEC. 4. *And be it further enacted*, That the sum of twenty-four thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for building two new naval magazines at the navy yards Charlestown, Massachusetts, and Brooklyn, New York.

Two new naval magazines at Charlestown and Brooklyn.

SEC. 5. *And be it further enacted*, That the sum of forty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the building of a naval store ship.

Naval store ship.

SEC. 6. *And be it further enacted*, That the sum of seventy thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the building of two small vessels of war, to be rigged as brigs or schooners, at the discretion of the Navy Department.

Two vessels of war.

SEC. 7. *And be it further enacted*, That the sum of four thousand five hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the repair of the damage occasioned by the late gale at the navy yard, Brooklyn, New York.

Repair of navy yard at Brooklyn, New York

SEC. 8. *And be it further enacted*, That the district attorney of the eastern district of the state of Virginia and the solicitor of the treasury of the United States be, and they are hereby, authorized and required to defend the suit instituted by John Harper, or by any other person or persons whatsoever, for land connected with the navy yard, [yard] Gosport, in said state, in the courts of that district, and with the aid of the attorney general of the United States, to defend the same in the Supreme Court at Washington, if brought up by appeal, writ of error, or otherwise.

Attorney of eastern district of Virginia and solicitor of the treasury to defend suit of John Harper.

SEC. 9. *And be it further enacted*, That the sum of eight thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the repairs of the marine barracks, at the different stations, and for erecting an hospital at head-quarters.

Appropriation for repairs of marine barracks and erection of hospital.

SEC. 10. *And be it further enacted*, That no part of the balance of the appropriation heretofore made to rebuild the frigate Macedona [Macedonia] and not yet expended, shall be carried to the surplus [fund.] until one year after said frigate shall be launched.

Balance of appropriation for Macedonia not to be carried to surplus, &c.

SEC. 11. *And be it further enacted*, That the sum of two thousand seven hundred and ten dollars and seventy-five cents, be, and the same is hereby, reappropriated out of any money in the treasury not otherwise appropriated towards building a wharf at Pensacola.

Appropriation for building a wharf at Pensacola.

SEC. 12. *And be it further enacted*, That a sum not exceeding six thousand dollars be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, to purchase a site near the navy yard [yard] at Brooklyn, New York, on which to erect marine barracks and officers' quarters, *Provided*, That the present site or one on the hospital grounds should not be found so convenient and useful for that purpose.

Appropriation for site to erect marine barracks near the navy yard, Brooklyn. Proviso.

SEC. 13. *And be it further enacted*, That the sum of one hundred and twenty-nine dollars be appropriated out of any moneys in the treasury not otherwise appropriated for compensation to Lieut. Thomas Dornin

Compensation to Lieut. Thomas Dornin.

for extra services in surveying the coast in eighteen hundred and twenty-seven, the said sum having been carried to the surplus fund from a former appropriation.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLIII.—*An Act to provide for the payment of claims, for property lost, captured, or destroyed, by the enemy, while in the military service of the United States, during the late war with the Indians on the frontiers of Illinois and Michigan territory.*

Officers and other persons to be paid the value of property lost.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any officer, field or staff, volunteer, ranger, cavalry or other persons engaged in the service of the United States in the late campaigns against the Indians on the frontiers of Illinois and Michigan territory, who have sustained damage without any fault or negligence on their part, respectively, by the loss of a horse, or necessary equipage in battle, or by the loss of a horse that was wounded in battle, and afterwards died of said wound while in the service, or who has sustained damage by the reason of the loss of any horse which, in consequence of the United States failing to supply sufficient forage, while engaged in said service, died, or was unavoidably abandoned and lost, or who has sustained damage by reason of the loss of any horse, because the rider was dismounted and separated from his horse, and ordered to do military duty on foot at a station detached from his horse, or for the loss of necessary equipage, in consequence of the loss of his horse as aforesaid, shall be allowed and paid the value thereof: *Provided,* That if any payment shall have been made to any officer, soldier or other person as aforesaid, for the use and risk, or for forage after the death or abandonment of said horse, said amount shall be deducted from the value thereof, unless said officer or soldier or other person shall have satisfied the paymaster at the time he made the payment, or shall hereafter show by proof, that he was remounted, in which case the deduction shall only extend to the time such officer, soldier, or other person, served on foot; *And provided, also,* That if any payment shall have been made, to any officer or soldier on account of clothing, such payment shall be deducted from the value of his horse and accoutrements; *And provided further,* That no claim shall be allowed under the provisions of this section until the best evidence which the nature of the case will admit of, shall be produced before the accounting officer showing the number of horses lost, in manner aforesaid, the time when lost, and the name of the owner.

Proviso.

Proviso.

Proviso.

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

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

Parent or guardian to receive compensation on account of deceased minors.

SEC. 3. *And be it further enacted,* That in all instances where any minor has been engaged in the military service as aforesaid, during the Indian wars as aforesaid, and was provided with a horse or equipments, or with military accoutrements by his parent or guardian, and has since deceased, without paying for said property, and the same was lost, captured, destroyed, or abandoned, in the manner before mentioned, said parent or guardian shall be allowed pay therefor on making satisfactory proof as in other cases, and the further proof, that he is entitled thereto by having furnished the same.

SEC. 4. *And be it further enacted,* That the third auditor of the trea-

surey shall adjudicate and decide such claims as may be presented against the United States, under the provisions of this act, *Provided*, That every claim which exceeds the sum of two hundred dollars, instead of deciding the same, the said third auditor shall report the whole of the proof to Congress at its next session after taking and closing such proof; and he shall have power by constituting a commission or otherwise, to take testimony in any case where he shall think the interests of the United States require further testimony to be taken.

Third auditor to adjudicate claims.  
Proviso.

SEC. 5. *And be it further enacted*, That any sum of money to any amount not exceeding two hundred dollars so allowed by said third auditor shall be paid by the Secretary of the Treasury, out of any money in the treasury not otherwise appropriated.

Amount allowed by auditor to be paid, if not exceeding \$200.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CLV.—*An Act authorizing the construction of a bridge across the Potomac, and repealing all acts already passed in relation thereto.*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act, entitled "An act providing for the purchase by the United States of the rights of the Washington Bridge Company, in the District of Columbia, and for the erection of a public bridge on the site thereof," which passed the fourteenth day of July, eighteen hundred and thirty-two, and the act entitled "An act in relation to the Potomac bridge," which passed the second day of March, eighteen hundred and thirty-three, be, and the same are hereby repealed, except so much of the former as authorized the purchase of the rights of the Washington Bridge Company.

Former acts repealed, except so much as authorized a purchase from the Washington Bridge Comp.  
Act of 1832, ch. 225.  
Act of 1833, ch. 65.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required, to contract for the reconstruction, on the site of the present bridge, across the river Potomac, of a bridge, on the plan of that originally constructed there by the Washington Bridge Company: *Provided*, That the draw at the southern channel of the river be not less than sixty-six feet, and at the northern channel than thirty-five feet; that a space or spaces not exceeding in all, one thousand six hundred and sixty feet of the shoal or shoals, over which the present bridge passes, may be filled up by a solid embankment; in part, if convenient, of earth obtained by dredging the river channel: *And provided, also*, That the entire cost of said embankment, and such reconstruction shall not on the whole exceed one hundred and thirty thousand dollars, which sum is hereby appropriated thereto, out of any money in the treasury not hitherto appropriated.

Secretary of Treasury to contract for bridge similar to that formerly built.  
Size of draws.

SEC. 3. *And be it further enacted*, That the claims of Orange H. Dibble, for labour, materials, or any other expenses upon the said bridge, be ascertained by the Secretary of the Treasury, as nearly as the same can be done, and be laid before Congress at its next session for its examination. And the Secretary of the Treasury is hereby directed to pay him in the mean time such sum as will reimburse to him the actual loss incurred by him, in making preparation for the construction of the said bridge: *Provided*, The amount paid shall not exceed twenty thousand dollars, said payment to be made out of any money in the treasury not otherwise appropriated.

Claims of O. H. Dibble to be ascertained and actual loss paid, if not exceeding \$20,000.

APPROVED, June 30, 1834.

Appropriation.

STATUTE I.

CHAP. CLVI.—*An Act to authorize the sale of lots in the town of St. Mark's, in Florida.*

June 30, 1834.

*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

Register and receiver to sell.

States be, and he is hereby, authorized to direct the register and receiver of the Tallahassee land district to make sale, at public auction, of one-fourth of the lots in the town of St. Mark's, in the territory of Florida, according to the plan of the surveyor general of said territory, as soon as practicable after the passage of this act, upon giving two months' public notice of the said sale.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLVII.—*An Act supplementary to the act to amend the several acts respecting copyrights. (a)*

Deeds of transfer to be recorded, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all deeds or instruments in writing for the transfer or assignment of copyrights, being proved or acknowledged in such manner as deeds for the conveyance of land are required by law to be proved or acknowledged in the same state or district, shall and may be recorded in the office where the original copyright is deposited and recorded; and every such deed or instrument that shall in any time hereafter be made and executed, and which shall not be proved or acknowledged and recorded as aforesaid, within sixty days after its execution, shall be judged fraudulent and void against any subsequent purchaser or mortgagee for valuable consideration without notice.

Fees of clerk of district court.

SEC. 2. *And be it further enacted,* That the clerk of the district court shall be entitled to such fees for performing the services herein authorized and required, as he is entitled to for performing like services under existing laws of the United States.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLVIII.—*An Act to provide for rebuilding the frigate Congress.*

Appropriation for rebuilding the frigate Congress.

*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 eighty-one thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to rebuild the frigate Congress; and no part of said sum shall be carried to the surplus fund, notwithstanding any general provision in any other act to the contrary.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLX.—*An Act authorizing the Secretary of the Navy to make experiments for the safety of the steam engine.*

Secretary of Navy to test engine devised by B. Phillips.

*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 and empowered to examine and test the steam engine devised by Benjamin Phillips, of Philadelphia, and to [employ] said Phillips, and such other persons as he may deem proper to make the experiment.

Other improvements to be tested, and result reported to Congress.

SEC. 2. *And be it further enacted,* That a discretionary power be vested in the Secretary of the Navy to examine and test such other improvements in the same line, as may hereafter be presented, and for that purpose to employ such person or persons as he may deem proper; and that he report to Congress, as soon as may be, the result of any experiment made in pursuance of this act.

Appropriation to carry act into execution.

SEC. 3. *And be it further enacted,* That, for the purpose of carrying this act into execution, the sum of five thousand dollars, out of any

(a) For notes of acts relating to copyrights, see vol. ii. p. 171.

money in the treasury not otherwise appropriated, be, and is hereby, appropriated, and placed at the disposal of the Secretary of the Navy.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXI.—*An Act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers. (a)*

*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 United States west of the Mississippi, and not within the states of Missouri and Louisiana, or the territory of Arkansas, and, also, that part of the United States east of the Mississippi river, and not within any state to which the Indian title has not been extinguished, for the purposes of this act, be taken and deemed to be the Indian country.

Parts of territory of United States to be deemed Indian country.

SEC. 2. *And be it further enacted,* That no person shall be permitted to trade with any of the Indians (in the Indian country) without a license therefor from a superintendent of Indian affairs, or Indian agent, or sub-agent, which license shall be issued for a term not exceeding two years for the tribes east of the Mississippi, and not exceeding three years for the tribes west of that river. And the person applying for such license shall give bond in a penal sum not exceeding five thousand dollars, with one or more sureties, to be approved by the person issuing the same, conditioned that such person will faithfully observe all the laws and regulations made for the government of trade and intercourse with the Indian tribes, and in no respect violate the same. And the superintendent of the district shall have power to revoke and cancel the same, whenever the person licensed shall, in his opinion, have transgressed any of the laws or regulations provided for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit him to remain in the Indian country. And no trade with the said tribes shall be carried on within their boundary, except at certain suitable and convenient places, to be designated from time to time by the superintendents, agents, and sub-agents, and to be inserted in the license. And it shall be the duty of the persons granting or revoking such licenses, forthwith to report the same to the commissioner of Indian affairs, for his approval or disapproval.

Persons trading with Indians to be licensed.

SEC. 3. *And be it further enacted,* That any superintendent or agent may refuse an application for a license to trade, if he is satisfied that the applicant is a person of bad character, or that it would be improper to permit him to reside in the Indian country, or if a license, previously granted to such applicant, has been revoked, or a forfeiture of his bond decreed. But an appeal may be had from the agent or the superintendent, to the commissioner of Indian affairs; and the President of the United States shall be authorized, whenever in his opinion the public interest may require the same, to prohibit the introduction of goods, or of any particular article, into the country belonging to any Indian tribe, and to direct all licenses to trade with such tribe to be revoked, and all applications therefor to be rejected; and no trader to any other tribe shall, so long as such prohibition may continue, trade with any Indians of or for the tribe against which such prohibition is issued.

License may be refused, or, if granted, may be revoked.

SEC. 4. *And be it further enacted,* That any person other than an Indian who shall attempt to reside in the Indian country as a trader, or to introduce goods, or to trade therein without such license, shall forfeit all her-

Forfeiture of goods and fine for trading without license.

(a) Notes of the acts for the preservation of peace with the Indian tribes, vol. ii. p. 6.  
 Notes of the regulations of intercourse with the Indian tribes, vol. ii. p. 139.  
 Notes of the decisions of the Supreme Court of the United States on the subject of the Indians, vol. ii. p. 146.  
 Note of obsolete acts relating to trading houses with the Indians, vol. ii. p. 652.  
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chandise offered for sale to the Indians, or found in his possession, and shall moreover forfeit and pay the sum of five hundred dollars.

Citizens only to be licensed.

SEC. 5. *And be it further enacted*, That no license to trade with the Indians shall be granted to any persons except citizens of the United States: *Provided*, That the President shall be authorized to allow the employment of foreign boatmen and interpreters, under such regulations as he may prescribe.

Proviso.

Foreigners to obtain passports to go into the Indian country.

SEC. 6. *And be it further enacted*, That if a foreigner shall go into the Indian country without a passport from the War Department, the superintendent, agent, or sub-agent of Indian affairs, or from the officer of the United States commanding the nearest military post on the frontiers, or shall remain intentionally therein after the expiration of such passport, he shall forfeit and pay the sum of one thousand dollars; and such passport shall express the object of such person, the time he is allowed to remain, and the route he is to travel.

Indians only to barter with Indians.

SEC. 7. *And be it further enacted*, That if any person other than an Indian shall, within the Indian country, purchase or receive of any Indian, in the way of barter, trade, or pledge, a gun, trap, or other article commonly used in hunting, any instrument of husbandry or cooking utensils of the kind commonly obtained by the Indians in their intercourse with the white people, or any other article of clothing, except skins or furs, he shall forfeit and pay the sum of fifty dollars.

No other persons than Indians to trap in their limits.

SEC. 8. *And be it further enacted*, That if any person, other than an Indian, shall, within the limits of any tribe with whom the United States shall have existing treaties, hunt, or trap, or take and destroy, any peltries or game, except for subsistence in the Indian country, such person shall forfeit the sum of five hundred dollars, and forfeit all the traps, guns, and ammunition in his possession, used or procured to be used for that purpose, and peltries so taken.

Cattle not to be driven for forage on Indian lands.

SEC. 9. *And be it further enacted*, That if any person shall drive, or otherwise convey any stock of horses, mules, or cattle, to range and feed on any land belonging to any Indian or Indian tribe, without the consent of such tribe, such person shall forfeit the sum of one dollar for each animal of such stock.

Intruders may be removed.

SEC. 10. *And be it further enacted*, That the superintendent of Indian affairs, and Indian agents and sub-agents, shall have authority to remove from the Indian country all persons found therein contrary to law; and the President of the United States is authorized to direct the military force to be employed in such removal.

Settlers may be driven off by military force.

SEC. 11. *And be it further enacted*, That if any person shall make a settlement on any lands belonging, secured, or granted by treaty with the United States to any Indian tribe, or shall survey or shall attempt to survey such lands, or designate any of the boundaries by marking trees, or otherwise, such offender shall forfeit and pay the sum of one thousand dollars. And it shall, moreover, be lawful for the President of the United States to take such measures, and to employ such military force, as he may judge necessary to remove from the lands as aforesaid any such person as aforesaid.

Purchases or grants from Indians invalid.

SEC. 12. *And be it further enacted*, That no purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the constitution. And if any person, not employed under the authority of the United States, shall attempt to negotiate such treaty or convention, directly or indirectly, to treat with any such nation or tribe of Indians, for the title or purchase of any lands by them held or claimed, such person shall forfeit and pay one thousand dollars: *Provided, nevertheless*, That it shall be lawful for the agent or agents of any state who may be present at any treaty held with Indians under the authority of the United States, in the presence and with the approbation of the commissioner or commis-

Proviso.



sioners of the United States appointed to hold the same, to propose to, and adjust with the Indians, the compensation to be made for their claim to lands within such state, which shall be extinguished by treaty.

SEC. 13. *And be it further enacted*, That if any citizen or other person residing within the United States or the territory thereof, shall send any talk, speech, message, or letter to any Indian nation, tribe, chief, or individual, with an intent to produce a contravention or infraction of any treaty or other law of the United States, or to disturb the peace and tranquillity of the United States, he shall forfeit and pay the sum of two thousand dollars.

Penalty for sending any talk, &c. to disturb the peace.

SEC. 14. *And be it further enacted*, That if any citizen, or other person, shall carry or deliver any such talk, message, speech, or letter, to or from any Indian nation, tribe, chief, or individual, from or to any person or persons whatsoever, residing within the United States, or from or to any subject, citizen, or agent of any foreign power or state, knowing the contents thereof, he shall forfeit and pay the sum of one thousand dollars.

Persons carrying such talk, &c. fined.

SEC. 15. *And be it further enacted*, That if any citizen or other person, residing or living among the Indians, or elsewhere within the territory of the United States, shall carry on a correspondence, by letter or otherwise, with any foreign nation or power, with an intent to induce such foreign nation or power to excite any Indian nation, tribe, chief, or individual, to war against the United States, or to the violation of any existing treaty; or in case any citizen or other person shall alienate, or attempt to alienate, the confidence of any Indian or Indians from the government of the United States, he shall forfeit the sum of one thousand dollars.

Persons corresponding with foreign powers, with similar intent, to be fined.

SEC. 16. *And be it further enacted*, That where, in the commission, by a white person, of any crime, offence, or misdemeanor, within the Indian country, the property of any friendly Indian is taken, injured or destroyed, and a conviction is had for such crime, offence, or misdemeanor, the person so convicted shall be sentenced to pay to such friendly Indian to whom the property may belong, or whose person may be injured, a sum equal to twice the just value of the property so taken, injured, or destroyed. And if such offender shall be unable to pay a sum at least equal to the just value or amount, whatever such payment shall fall short of the same shall be paid out of the treasury of the United States: *Provided*, That no such Indian shall be entitled to any payment, out of the treasury of the United States, for any such property, if he, or any of the nation to which he belongs, shall have sought private revenge, or attempted to obtain satisfaction by any force or violence: *And provided*, also, That if such offender cannot be apprehended and brought to trial, the amount of such property shall be paid out of the treasury, as aforesaid.

Property of friendly Indians injured or destroyed to be paid for twice its value.

Proviso.

Proviso.

SEC. 17. *And be it further enacted*, That if any Indian or Indians, belonging to any tribe in amity with the United States, shall, within the Indian country, take or destroy the property of any person lawfully within such country, or shall pass from the Indian country into any state or territory inhabited by citizens of the United States, and there take, steal, or destroy, any horse, horses, or other property, belonging to any citizen or inhabitant of the United States, such citizen or inhabitant, his representative, attorney, or agent, may make application to the proper superintendent, agent, or sub-agent, who, upon being furnished with the necessary documents and proofs, shall, under the direction of the President, make application to the nation or tribe to which said Indian or Indians shall belong, for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction, in a reasonable time, not exceeding twelve months, it shall be the duty of such superintendent, agent, or sub-agent, to make return of his doings to the commissioner of Indian affairs, that such further steps may be taken as shall be proper, in the opinion of the

Indemnification to be made for property taken or destroyed in certain cases.

President, to obtain satisfaction for the injury; and, in the mean time, in respect to the property so taken, stolen or destroyed, the United States guaranty, to the party so injured, an eventual indemnification: *Provided*, That, if such injured party, his representative, attorney, or agent, shall, in any way, violate any of the provisions of this act, by seeking or attempting to obtain private satisfaction or revenge, he shall forfeit all claim upon the United States for such indemnification: *And provided, also*, That, unless such claim shall be presented within three years after the commission of the injury, the same shall be barred. And if the nation or tribe to which such Indian may belong, receive an annuity from the United States, such claim shall, at the next payment of the annuity, be deducted therefrom, and paid to the party injured; and, if no annuity is payable to such nation or tribe, then the amount of the claim shall be paid from the treasury of the United States: *Provided*, That nothing herein contained shall prevent the legal apprehension and punishment of any Indians having so offended.

Superintendents, &c., may take depositions.

SEC. 18. *And be it further enacted*, That the superintendents, agents, and sub-agents, within their respective districts, be, and are hereby, authorized and empowered to take depositions of witnesses touching any depredations, within the purview of the two preceding sections of this act, and to administer an oath to the deponents.

Arrest and trial of accused Indians.

SEC. 19. *And be it further enacted*, That it shall be the duty of the superintendents, agents, and sub-agents, to endeavour to procure the arrest and trial of all Indians accused of committing any crime, offence, or misdemeanor, and all other persons who may have committed crimes or offences within any state or territory, and have fled into the Indian country, either by demanding the same of the chiefs of the proper tribe, or by such other means as the President may authorize; and the President may direct the military force of the United States to be employed in the apprehension of such Indians, and also, in preventing or terminating hostilities between any of the Indian tribes.

Penalty for disposing of spirituous liquors to Indians.

SEC. 20. *And be it further enacted*, That if any person shall sell, exchange, or give, barter, or dispose of, any spirituous liquor or wine to an Indian, (in the Indian country,) such person shall forfeit and pay the sum of five hundred dollars; and if any person shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department, such person shall forfeit and pay a sum not exceeding three hundred dollars; and if any superintendent of Indian affairs, Indian agent, or sub-agent, or commanding officer of a military post, has reason to suspect, or is informed, that any white person or Indian is about to introduce, or has introduced, any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent, or sub-agent, or military officer, agreeably to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, and places of deposit of such person to be searched, and if any such spirituous liquor or wine is found, the goods, boats, packages, and peltries of such persons shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the use of the informer, and the other half to the use of the United States; and if such person is a trader, his license shall be revoked and his bond put in suit. And it shall moreover be lawful for any person, in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, excepting military supplies as mentioned in this section.

Search may be made for such liquors.

Liquors may be destroyed.

Penalty for setting up a distillery.

SEC. 21. *And be it further enacted*, That if any person whatever shall, within the limits of the Indian country, set up or continue any distillery

for manufacturing ardent spirits, he shall forfeit and pay a penalty of one thousand dollars; and it shall be the duty of the superintendent of Indian affairs, Indian agent, or sub-agent, within the limits of whose agency the same shall be set up or continued, forthwith to destroy and break up the same; and it shall be lawful to employ the military force of the United States in executing that duty.

Sec. 22. *And be it further enacted,* That in all trials about the right of property in which an Indian may be a party on one side, and a white person on the other, the burden of proof shall rest upon the white person, whenever the Indian shall make out a presumption of title in himself from the fact of previous possession or ownership.

In trials about property, burden of proof to rest on the white person.

Sec. 23. *And be it further enacted,* That it shall be lawful for the military force of the United States to be employed in such manner and under such regulations as the President may direct, in the apprehension of every person who shall or may be found in the Indian country, in violation of any of the provisions of this act, and him immediately to convey from said Indian country, in the nearest convenient and safe route, to the civil authority of the territory or judicial district in which said person shall be found, to be proceeded against in due course of law; and also, in the examination and seizure of stores, packages, and boats, authorized by the twentieth section of this act, and in preventing the introduction of persons and property into the Indian country contrary to law; which persons and property shall be proceeded against according to law: *Provided,* That no person apprehended by military force as aforesaid, shall be detained longer than five days after the arrest and before removal. And all officers and soldiers who may have any such person or persons in custody shall treat them with all the humanity which the circumstances will possibly permit; and every officer or soldier who shall be guilty of maltreating any such person while in custody, shall suffer such punishment as a court-martial shall direct.

Apprehension of persons violating the provisions of this act.

Proviso.

Sec. 24. *And be it further enacted,* That for the sole purpose of carrying this act into effect, all that part of the Indian country west of the Mississippi river, that is bounded north by the north line of lands assigned to the Osage tribe of Indians, produced east to the state of Missouri: west, by the Mexican possessions; south, by Red river; and east, by the west line of the territory of Arkansas and the state of Missouri, shall be, and hereby is, annexed to the territory of Arkansas; and that for the purpose aforesaid, the residue of the Indian country west of the said Mississippi river shall be, and hereby is, annexed to the judicial district of Missouri; and for the purpose aforesaid, the several portions of Indian country east of the said Mississippi river, shall be, and are hereby, severally annexed to the territory in which they are situate.

Indian country annexed, for legal purposes, to the district of Missouri, &c.

Sec. 25. *And be it further enacted,* That so much of the laws of the United States as provides for the punishment of crimes committed within any place within the sole and exclusive jurisdiction of the United States, shall be in force in the Indian country: *Provided,* The same shall not extend to crimes committed by one Indian against the person or property of another Indian.

Laws of the United States in force in certain cases.

Proviso.

Sec. 26. *And be it further enacted,* That if any person who shall be charged with a violation of any of the provisions or regulations of this act, shall be found within any of the United States, or either of the territories, such offenders may be there apprehended, and transported to the territory or judicial district having jurisdiction of the same.

Offenders against this act may be arrested in any state or territory.

Sec. 27. *And be it further enacted,* That all penalties which shall accrue under this act, shall be sued for and recovered in an action of debt, in the name of the United States, before any court having jurisdiction of the same, (in any state or territory in which the defendant shall be arrested or found,) the one half to the use of the informer, and the other half to the use of the United States, except when the prosecution

How penalties shall be sued for.

shall be first instituted on behalf of the United States, in which case the whole shall be to their use.

Proceedings  
against goods or  
other property.

SEC. 28. *And be it further enacted*, That when goods or other property shall be seized for any violation of this act, it shall be lawful for the person prosecuting on behalf of the United States to proceed against such goods, or other property, in the manner directed to be observed in the case of goods, wares, or merchandise brought into the United States in violation of the revenue laws.

Certain acts  
and parts of  
acts repealed.

Act of May 13,  
1800, ch. 68.

Act of March  
30, 1802, ch. 13.

Act of April  
29, 1816, ch. 165.

Act of March  
3, 1817, ch. 43.

1817, ch. 92.

Act of April  
16, 1818, ch. 66.

Act of April  
20, 1818, ch. 104.

Act of Feb.  
24, 1819, ch. 43.

Act of March  
3, 1819, ch. 87.

Act of March  
3, 1819, ch. 79.

Act of May 6,  
1822, ch. 58.

Act of May 18,  
1824, ch. 89.

Act of May 25,  
1824, ch. 146.

Act of May 20,  
1826, ch. 126.

Act of Feb.  
25, 1831, ch. 32.

Proviso.

1802, ch. 13.

Proviso.

Agents for the  
Western territory  
to execute  
duties, &c.

SEC. 29. *And be it further enacted*, That the following acts and parts of acts shall be, and the same are hereby, repealed, namely: An act to make provision relative to rations for Indians, and to their visits to the seat of government, approved May thirteen, eighteen hundred; an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved March thirty, eighteen hundred and two; an act supplementary to the act passed thirtieth March, eighteen hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved April twenty-nine, eighteen hundred and sixteen; an act for the punishment of crimes and offences committed within the Indian boundaries, approved March three, eighteen hundred and seventeen; the first and second sections of the act directing the manner of appointing Indian agents, and continuing the "Act establishing trading-houses with the Indian tribes," approved April sixteen, eighteen hundred and eighteen; an act fixing the compensation of Indian agents and factors, approved April twenty, eighteen hundred and eighteen; an act supplementary to the act entitled "An act to provide for the prompt settlement of public accounts," approved February twenty-four, eighteen hundred and nineteen; the eighth section of the act making appropriations to carry into effect treaties concluded with several Indian tribes therein mentioned, approved March three, eighteen hundred and nineteen; the second section of the act to continue in force for a further time the act entitled "An act for establishing trading-houses with the Indian tribes, and for other purposes," (a) approved March three, eighteen hundred and nineteen; an act to amend an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth of March, eighteen hundred and two, approved May six, eighteen hundred and twenty-two; an act providing for the appointment of an agent for the Osage Indians west of the state of Missouri and territory of Arkansas, and for other purposes, approved May eighteen, eighteen hundred and twenty-four; the third, fourth, and fifth sections of "An act to enable the President to hold treaties with certain Indian tribes, and for other purposes," approved May twenty-five, eighteen hundred and twenty-four; the second section of the "Act to aid certain Indians of the Creek nation in their removal to the west of the Mississippi," approved May twenty, eighteen hundred and twenty-six; and an act to authorize the appointment of a sub-agent to the Winnebago Indians on Rock river, approved February twenty-five, eighteen hundred and thirty-one: *Provided, however*, That such repeal shall not effect [affect] any rights acquired, or punishments, penalties, or forfeitures incurred, under either of the acts or parts of acts, nor impair or affect the intercourse act of eighteen hundred and two, so far as the same relates to or concerns Indian tribes residing east of the Mississippi: *And provided also*, That such repeal shall not be construed to revive any acts or parts of acts repealed by either of the acts or sections herein described.

SEC. 30. *And be it further enacted*, That until a western territory shall be established, the two agents for the Western territory, as provided in the act for the organization of the Indian department, this day ap-

(a) This act is entitled "An act to continue in force, for a further time, the act entitled 'An act for establishing trading-houses with the Indian tribes, and for other purposes,'" March 3, 1819, ch. 79.

proved by the President, shall execute the duties of agents for such tribes as may be directed by the President of the United States. And it shall be competent for the President to assign to one of the said agents, in addition to his proper duties, the duties of superintendent for such district of country or for such tribes as the President may think fit. And the powers of the superintendent at St. Louis, over such district or tribes as may be assigned to such acting superintendent, shall cease: *Provided*, That no additional compensation shall be allowed for such services.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CLXII.—*An Act to provide for the organization of the department of Indian affairs.* (a)

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the duties of the governors of the territories of Florida and Arkansas, as superintendents of Indian affairs, shall hereafter cease, and the duties of the governor of the territory of Michigan, as superintendent of Indian affairs, shall cease from and after the establishment of a new territory, embracing the country west of Lake Michigan, should such a territory be established. And while the governor of the said territory of Michigan continues to act as superintendent of Indian affairs, he shall receive therefor, the annual sum of one thousand dollars, in full of all allowances, emoluments, or compensation for services in said capacity.

Duties of governors of Florida and Arkansas as superintendents to cease.

Duties of governor of Michigan to cease.  
Salary.

SEC. 2. *And be it further enacted*, That there shall be a superintendency of Indian affairs for all the Indian country not within the bounds of any state or territory west of the Mississippi river, the superintendent of which shall reside at St. Louis, and shall annually receive a salary of fifteen hundred dollars.

A superintendent to reside at St. Louis.

SEC. 3. *And be it further enacted*, That superintendents of Indian affairs shall, within their several superintendencies, exercise a general supervision and control over the official conduct and accounts of all officers and persons employed by the government in the Indian department, under such regulations as shall be established by the President of the United States; and may suspend such officers and persons from their office or employments, for reasons forthwith to be communicated to the Secretary of War.

Duties of superintendents.

SEC. 4. *And be it further enacted*, That the following Indian agents shall

(a) *Acts relating to the Indians, passed subsequent to June 30, 1834.*

An act to regulate, in certain cases, the disposition of the proceeds of land ceded by the Indian tribes, January 9, 1837, ch. 1.

An act to extend the jurisdiction of the district court for the district of Arkansas, March 1, 1837, ch. 16.

Provision for the removal of the Creeks, act of March 3, 1837, ch. 31.

An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of 1830, with the Choctaw Indians, March 3, 1837, ch. 39.

An act to authorize and sanction the sales of reserves provided for the Creek Indians in the treaty of March 24, 1832, in certain cases, and for other purposes, March 3, 1837, ch. 41.

An act to provide for the payment of the annuities which will become due and payable to the Great and Little Osages, in the year 1838, and for other purposes, January 16, 1838, ch. 3.

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 1830, with the Choctaw Indians," February 22, 1838, ch. 13.

Choctaw lands reserved from sale or pre-emption, June 22, 1838, ch. 119, sec. 1.

An act to authorize the issuing of patents to the last bona fide transferee of reservations under the treaty between the United States and the Creek tribe of Indians, which was concluded on the 24th March, 1832. July 5, 1838, ch. 161.

An act to provide for the location and temporary support of the Seminole Indians removed from Florida, February 13, 1839, ch. 24.

Brothertown Indians, March 3, 1839, ch. 83. Act of June 15, 1844, ch. 54.

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, 1830. August 23, 1842, ch. 187.

An act supplementary to the act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," passed 30th June, 1834. June 17, 1844, ch. 103.

Indian agents  
to be appointed.

be appointed by the President of the United States, by and with the advice and consent of the Senate, who shall hold their offices for [the] term of four years, and who shall give bond, with two or more securities, in the penal sum of two thousand dollars, for the faithful execution of the same, and shall receive the annual compensation of fifteen hundred dollars.

Two agents for the Western territory.

An agent for the Chickasaws.

An agent for the eastern Cherokees.

An agent for the Florida Indians.

An agent for the Indians in the state of Indiana.

An agent at Chicago.

An agent at Rock island.

An agent at Prairie du Chien.

An agent for Michilimackinac and the Sault Sainte Marie.

An agent for the Saint Peter's.

An agent for the Upper Missouri.

Agencies dis-  
continued.

And the following agencies shall be discontinued at the periods herein mentioned, that is to say :

The Florida agency, from and after the thirty-first day of December next.

The Cherokee agency, from and after the thirty-first day of December next.

The Indiana agency, from and after the thirty-first day of December, eighteen hundred and thirty-six.

The Chicago agency, from and after the thirty-first day of December next.

The Rock Island agency, from and after the thirty-first day of December, eighteen hundred and thirty-six.

Proviso.

And all other agencies, not provided for in this act, from and after the passing thereof: *Provided*, That the limitation of the said agencies shall not be construed to prevent the President of the United States from discontinuing the same at an earlier period. And the President shall be, and he is hereby authorized, whenever he may judge it expedient, to discontinue any Indian agency, or to transfer the same, from the place or tribe designated by law, to such other place or tribe as the public service may require. And every Indian agent shall reside and keep his agency within or near the territory of the tribe for which he may be agent, and at such place as the President may designate, and shall not depart from the limits of his agency without permission. And it shall be competent to the President to require any military officer of the United States to execute the duties of Indian agent.

Sub-agents to  
be appointed by  
the President.

SEC. 5. *And be it further enacted*, That a competent number of sub-agents shall be appointed by the President, with an annual salary of seven hundred and fifty dollars each, to be employed, and to reside wherever the President may direct, and who shall give bonds, with one or more sureties, in the penal sum of one thousand dollars, for the faithful execution of the same. But no sub-agent shall be appointed who shall reside within the limits of any agency where there is an agent appointed.

Persons in of-  
fice to hold for  
their terms.

SEC. 6. *And be it further enacted*, That nothing herein contained shall be construed to require the re-appointment of persons now in office, until the expiration of their present term of service; but the commissions of all Indian agents and sub-agents, now in office, shall expire on the fourth day of March next, unless sooner terminated.

Limits of the  
agencies, and  
duties of agents.

SEC. 7. *And be it further enacted*, That the limits of each agency and sub-agency shall be established by the Secretary of War, either by tribes or by geographical boundaries. And it shall be the general duty of Indian agents and sub-agents to manage and superintend the intercourse with the Indians within their respective agencies, agreeably to law; to obey all legal instructions given to them by the Secretary of War, the commis-

sioner of Indian affairs, or the superintendent of Indian affairs, and to carry into effect such regulations as may be prescribed by the President.

SEC. 8. *And be it further enacted*, That the President of the United States may, from time to time, require additional security, and in larger amounts, from all persons charged or trusted, under the laws of the United States, with the disbursement or application of money, goods, or effects of any kind, on account of the Indian department.

SEC. 9. *And be it further enacted*, That an interpreter shall be allowed to each agency, who shall receive an annual salary of three hundred dollars: *Provided*, That where there are different tribes in the same agency, speaking different languages, one interpreter may be allowed, at the discretion of the Secretary of War, for each of the said tribes. Interpreters shall be nominated, by the proper agents, to the War Department for approval, and may be suspended, by the agent, from pay and duty, and the circumstances reported to the War Department for final action; and blacksmiths shall, in like manner, be employed wherever required by treaty stipulations, and such blacksmiths shall receive an annual compensation of four hundred and eighty dollars: and if they furnish their shop and tools, an additional sum of one hundred and twenty dollars; and their assistants shall be allowed an annual compensation of two hundred and forty dollars. And wherever farmers, mechanics, or teachers are required by treaty stipulations to be provided, they shall be employed under the direction of the War Department, and shall receive an annual compensation of not less than four hundred and eighty dollars, nor more than six hundred dollars. And in all cases of the appointments of interpreters or other persons employed for the benefit of the Indians, a preference shall be given to persons of Indian descent, if such can be found, who are properly qualified for the execution of the duties. And where any of the tribes are, in the opinion of the Secretary of War, competent to direct the employment of their blacksmiths, mechanics, teachers, farmers, or other persons engaged for them, the direction of such persons may be given to the proper authority of the tribe.

SEC. 10. *And be it further enacted*, That the compensation prescribed by this act shall be in full of all emoluments or allowances whatsoever: *Provided, however*, That where necessary, a reasonable allowance or provision may be made for offices and office contingencies: *And provided, also*, That where persons are required, in the performance of the duties under this act, to travel from one place to another, their actual expenses, or a reasonable sum in lieu thereof, may be allowed them: *And provided also*, That no allowance shall be made to any person for travel or expenses in coming to the seat of government to settle his accounts, unless thereto required by the Secretary of War: *And provided, also*, That no person shall hold more than one office at the same time under this act, nor shall any agent, sub-agent, interpreter, or person employed under this act, receive his salary while absent from his agency or employment, without leave of the superintendent, or Secretary of War: *Provided*, Such absence shall, at no one time, exceed sixty days.

SEC. 11. *And be it further enacted*, That the payment of all annuities or other sums stipulated by treaty to be made to any Indian tribe, shall be made to the chiefs of such tribe, or to such person as said tribe shall appoint; or if any tribe shall appropriate their annuities to the purpose of education, or to any other specific use, then to such person or persons as such tribe shall designate.

SEC. 12. *And be it further enacted*, That it shall be lawful for the President of the United States, at the request of any Indian tribe to which any annuity shall be payable in money, to cause the same to be paid in goods, purchased as provided in the next section of this act.

SEC. 13. *And be it further enacted*, That all merchandise required by any Indian treaty for the Indians, payable after making of such treaty,

Additional security may be required of persons intrusted with disbursements.

Interpreters.

Proviso.

Blacksmiths, &c.

Compensation prescribed to be in full.

Provisoes.

Annuities to be paid to chiefs or other persons appointed by the tribe.

Annuities, if requested, to be paid in goods.

Purchase of merchandise.

shall be purchased under the direction of the Secretary of War, upon proposals to be received, to be based on notices previously to be given; and all merchandise required at the making of any Indian treaty shall be purchased under the order of the commissioners, by such person as they shall appoint, or by such person as shall be designated by the President for that purpose. And all other purchases on account of the Indians, and all payments to them of money or goods, shall be made by such person as the President shall designate for that purpose. And the superintendent, agent, or sub-agent, together with such military officer as the President may direct, shall be present, and certify to the delivery of all goods and money required to be paid or delivered to the Indians. And the duties required by any section of this act, of military officers, shall be performed without any other compensation than their actual travelling expenses; and all persons whatsoever, charged or trusted with the disbursement or application of money, goods, or effects of any kind, for the benefit of the Indians, shall settle their accounts, annually, at the War Department, on the first day of October; and copies of the same shall be laid, annually, before Congress at the commencement of the ensuing session, by the proper accounting officers; together with a list of the names of all persons to whom money, goods, or effects had been delivered within said year, for the benefit of the Indians, specifying the amount and object for which it was intended, and showing who are delinquents, if any, in forwarding their accounts according to the provisions of this act; and, also, a list of the names of all persons appointed or employed, under this act, with the dates of their appointment or employment, and the salary and pay of each.

SEC. 14. *And be it further enacted*, That no person employed in the Indian department shall have any interest or concern in any trade with the Indians, except for, and on account of, the United States; and any person offending herein, shall forfeit the sum of five thousand dollars, and upon satisfactory information of such offence being laid before the President of the United States, it shall become his duty to remove such person from the office or situation he may hold.

SEC. 15. *And be it further enacted*, That the President shall be, and he is hereby, authorized to cause any of the friendly Indians west of the Mississippi river, and north of the boundary of the Western territory, and the region upon Lake Superior and the head of the Mississippi, to be furnished with useful domestic animals and implements of husbandry, and with goods, as he shall think proper: *Provided*, That the whole amount of such presents shall not exceed the sum of five thousand dollars.

SEC. 16. *And be it further enacted*, That the President be, and he is hereby, authorized to cause such rations as he shall judge proper, and as can be spared from the army provisions without injury to the service, to be issued, under such regulations as he shall think fit to establish, to Indians who may visit the military posts or agencies of the United States on the frontiers, or in their respective nations, and a special account of these issues shall be kept and rendered.

SEC. 17. *And be it further enacted*, That the President of the United States shall be, and he is hereby, authorized to prescribe such rules and regulations as he may think fit, for carrying into effect the various provisions of this act, and of any other act relating to Indian affairs, and for the settlement of the accounts of the Indian department.

SEC. 18. *And be it further enacted*, That all acts or parts of acts, contrary to the provisions of this act, shall be, and the same are hereby, repealed.

APPROVED, June 30, 1834.

Persons employed in the Indian department not to be concerned in trade.

Domestic animals and implements to be furnished Indians west of the Mississippi.

Rations to Indians visiting military posts.

President to prescribe rules and regulations.

Conflicting acts repealed.



STATUTE I.

June 30, 1834.

CHAP. CLXIII.—*An Act in addition to the "Act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved March third, eighteen hundred and twenty-five.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That whenever any criminal convicted of any offence against the United States, shall be imprisoned, in pursuance of such conviction, and of the sentence thereupon, in the prison or penitentiary of any state or territory, such criminal shall in all respects be subject to the same discipline and treatment, as convicts sentenced by the courts of the state or territory, in which such prison or penitentiary is situated; and while so confined therein, shall also be exclusively under the control of the officers having charge of the same, under the laws of the said state or territory.

APPROVED, June 30, 1834.

Act of March 3, 1825, ch. 66.

Persons convicted of a criminal offence against United States to be treated as convicts of the state or territory.

STATUTE I.

June 30, 1834.

CHAP. CLXIV.—*An Act increasing the salaries of the judges of the United States for the territories of Michigan, Arkansas, and Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be allowed and paid, annually, to each of the judges of the United States for the territories of Michigan, Arkansas, and Florida, the sum of three hundred dollars, in addition to the salaries now allowed by law to the said judges, respectively.

SEC. 2. *And be it further enacted,* That this act shall take effect from the first day of January, eighteen hundred and thirty-four, and that the several sums authorized to be paid, shall be paid out of any money in the treasury, not otherwise appropriated.

SEC. 3. *And be it further enacted,* That the increased salary allowed by this act, shall only be paid to such judges in the territories of Florida and Arkansas, as are not now allowed the extra compensation under the act of May, 1828, providing for the adjudication of land claims, and shall take effect as to the remainder, when the extra pay aforesaid shall no longer be paid.

APPROVED, June 30, 1834.

Additional salary to judges of Michigan, Arkansas, and Florida.

Act to take effect from January 1, 1834.

To be paid only to such as are not allowed extra compensation under act of May, 1828, ch. 70.

STATUTE I.

June 30, 1834.

CHAP. CLXV.—*An Act making compensation for certain diplomatic services, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be allowed and paid to W. H. D. C. Wright, to supply the deficiency of a former appropriation, in payment of the balance found due to him in the adjustment of his accounts, and for his diplomatic services at the court of Brazil, after the death of Mr. Tudor, and before the arrival of Mr. Brown, the sum of five thousand and thirty-seven dollars.

Also, to the state of Maine, to reimburse the expense of supporting certain American citizens, in prison at Fredericton, in New Brunswick, seven hundred and seventy-five dollars.

Also, to John Adams Smith, Nathaniel Niles, and J. C. Pickett, secretaries of legation, a compensation for their services as chargés des affaires, at the rate of four thousand five hundred dollars per annum, during the time that they were actually left in charge of the affairs of the legations to which they were attached, deducting therefrom the amount already paid to them as secretaries of legation; the aforesaid sums to be paid out of any money in the treasury not otherwise appropriated.

Deficiency in former appropriation to be paid to W. H. D. C. Wright.

State of Maine to be reimbursed for supporting prisoners.

J. A. Smith, N. Niles, and J. C. Pickett to receive compensation.

Salary of J. C. Pickett.

To James C. Pickett, secretary of legation, left in charge of the affairs of the United States at Bogota, on the termination of the mission of Mr. Moore, one quarter's salary, for the expense of his return to the United States, five hundred dollars.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXVI.—*An Act repealing certain acts of the legislative council of the territory of Florida.*

Acts imposing higher duties on slaves belonging to non-residents repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all such acts or parts of acts, passed by the legislative council of the territory of Florida, as may impose a higher or greater tax on the slaves or other property of non-resident citizens, than is imposed on the slaves or other property of resident citizens of said territory, be, and the same are hereby, repealed, and declared null and void.

Punishment for enforcing such acts.

SEC. 2. *And be it further enacted,* That if any person shall attempt to enforce any of the acts, or parts of acts, passed by the legislative council of the territory of Florida, as aforesaid, by demanding or receiving any tax, imposition, or assessment authorized or prescribed thereby, such person shall, on conviction thereof, be punished by fine not exceeding two hundred dollars, or by imprisonment not exceeding six months, or either or both of said punishments.

County of Leon to elect two additional members of council.

SEC. 3. *And be it further enacted,* That the county of Leon, in the territory of Florida, shall be authorized to elect two additional members to the legislative council, on the first Monday in September next, and it shall be lawful for the legislative council to designate by law the election districts, in such manner as to ensure an equality of representation to each.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXVII.—*An Act to relinquish the reversionary interest of the United States in a certain Indian reservation lying between the rivers Mississippi and Desmoins.*

Lands relinquished, and to be vested in certain half-breeds of Sacs and Fox Indians.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the right, title, and interest which might accrue or revert to the United States to the reservation of land, lying between the rivers Desmoins and Mississippi, which was reserved for the use of the half-breeds belonging to the Sacs and Fox nations, now used by them, or some of them, under a treaty made and concluded between the United States and the Sacs and Fox tribes or nations of Indians, at Washington, on the fourth day of August, in the year one thousand eight hundred and twenty-four, be, and the same are hereby, relinquished and vested in the said half-breeds of the Sacs and Fox tribes or nations of Indians, who, at the passage of this act are, under the reservation in the said treaty, entitled, by the Indian title, to the same; with full power and authority to transfer their portions thereof, by sale, devise or descent, according to the laws of the state of Missouri.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXVIII.—*An Act authorizing the governors of the several states to transmit, by mail, certain books and documents.*

State papers, &c. to be free of postage.

*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

governors of the several states, to transmit by mail, free of postage, all laws and reports, whether bound or unbound, and all records and documents of their respective states, which may be directed by the legislatures of the several states to be transmitted to the executives of other states; and the governor of the state transmitting the same shall, in addition to his frank, endorse the kind of book or document enclosed, and direct the same to the governor of the state to which the same may be sent.

Character of books, &c. to be endorsed

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXX.—*An Act concerning tonnage duty on Spanish vessels. (a)*

Spanish vessels from Cuba or Porto Rico, after March, to pay a tonnage duty equal to discriminating duty on American bottoms.

*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 March next, Spanish vessels coming from the island of Cuba, or Porto Rico, either directly, or after touching at any port or place, shall pay, in the ports of the United States, such further tonnage duty in addition to the tonnage duty which may be payable under any other law, as shall be equivalent to the amount of discriminating duty that would have been imposed on the cargoes imported in the said vessels, respectively, if the same had been exported from the port of Havana, in American bottoms.

SEC. 2. *And be it further enacted,* That before any such vessel shall be permitted to clear out or depart from a port of the United States, with a cargo which shall be directly or indirectly destined to either of the said islands, the said vessel shall pay such further tonnage duty as shall be equivalent to the amount of discriminating duty that would be payable, for the time being, upon the cargo, if imported into the port of Havana, in an American bottom.

SEC. 3. *And be it further enacted,* That no Spanish vessel shall be allowed to clear out or depart from a port of the United States, with any goods, wares, or merchandise, except upon a destination to some port or place, in the Island of Cuba or Porto Rico, without giving bond, with approved security, in double the value of the vessel and cargo, that the said cargo, or any part thereof, shall not be landed in either of the said islands; which bond shall be cancelled on producing of certificate from an American consul, that the said cargo has been landed elsewhere, bona fide and without intention to reship it for a port in one of the said islands.

Spanish vessels clearing out, excepting for Cuba or Porto Rico, to give bond that no part of the cargo shall be landed in those islands.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized, from time to time, to estimate the said additional tonnage duty, and to give directions to the officers of the customs of the United States, for the collection of such duties, so as to conform the same to any variation which may take place in the discriminating duties levied on the cargoes of American vessels in the said port of Havana.

Secretary of the Treasury to estimate the additional tonnage duty, and direct officers of the customs.

SEC. 5. *And be it further enacted,* That whenever the President of the United States shall be satisfied, that the discriminating duties in favour of Spanish bottoms, levied upon the cargoes of American vessels in the ports of Cuba and Porto Rico, have been abolished, or whenever, in his opinion, a satisfactory arrangement upon the subject of the said duties shall have been made between the United States and Spain, the President is hereby authorized to declare the same by proclamation, and thereupon this act shall cease to have any further force or effect.

Act to cease, if Spain abolish her discriminating duties on American vessels in Cuba and Porto Rico.

APPROVED, June 30, 1834.

(a) See notes of the acts relating to discriminating duties, ante, p. 2.

## STATUTE I.

June 30, 1834.

CHAP. CLXXI.—*An Act to authorize the President of the United States to direct transfers of appropriations in the naval service, under certain circumstances.*

President may direct transfers between close of year and the passage of new naval appropriation bill.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That upon the application of the Secretary of the Navy, the President of the United States shall have authority, whenever, in his opinion, the contingencies of the public service may require it, at any period between the close of the year, and the passage of the new naval appropriation bills, to direct that a part of the money appropriated for a particular branch of the naval service the former year to be applied to another branch of the said service; in which case, a special account of the moneys thus transferred, and of their application, shall be laid before Congress previous to its adjournment.

Account to be laid before Congress.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CLXXIII.—*An Act for changing the term of the district court, for the western district of Louisiana. (a)*

Term to commence on the third Monday of March.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the term of the district court of the United States for the western district of Louisiana, shall hereafter commence and be holden on the third Monday of March in each and every year, instead of the time heretofore appointed by law, and the court shall then be holden under the powers, duties, rules, and regulations heretofore prescribed by law.

Process, &c. continued to the March term.

SEC. 2. *And be it further enacted,* That all process, pleadings, motions, suits and business, heretofore begun, pending, and undetermined, shall stand continued, valid and adjourned over to the said next term of said court to be holden on the said third Monday in March next, then to be proceeded in, as if regularly returnable to, notified, or set, for that term.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CLXXIV.—*An Act to prohibit the corporations of Washington, Georgetown, and Alexandria, in the District of Columbia, from issuing promissory notes or bills of any denomination less than ten dollars after the period therein mentioned, and for the gradual withdrawal from circulation of all such notes or bills.*

Notes of a less denomination than ten dollars not to be issued after March 1, 1839.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it shall not be lawful for the corporations of Washington, Georgetown, or Alexandria, in the District of Columbia, or either of them, after the first day of March, eighteen hundred and thirty-nine, to issue any promissory note or bill of a less denomination than ten dollars: *Provided,* That it shall not be lawful for either of the corporations aforesaid to make or issue any new promissory note or bill, after the passage of this act, of a less denomination than ten dollars.

Proviso.

One-fifth of the small notes to be taken, annually, from circulation.

SEC. 2. *And be it further enacted,* That each and all the corporations aforesaid shall annually withdraw from circulation and destroy promissory notes or bills respectively issued by either of them of a less denomination than ten dollars, so as to effect a reduction of one-fifth per annum of the amount which each corporation may have in circulation of the said notes or bills; and render an account at each session to Congress, showing the amount withdrawn and extinguished as aforesaid, and the balance still in circulation.

(a) See notes of the acts which have been passed relating to the district court of Louisiana, vol. iii. p. 774.

SEC. 3. *And be it further enacted*, That, on failure of either or all of the corporations aforesaid to comply with the requirements of the second section of this act, it shall not thereafter be lawful for the corporation or corporations so failing, to issue any promissory note or bill of a less denomination than ten dollars.

APPROVED, June 30, 1834.

Notes less than ten dollars not to be issued, if 2d section of act be not complied with.

STATUTE I.

June 30, 1834.

CHAP. CCXLVII.—*An Act granting land to certain exiles from Poland.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be, and is hereby, granted to Lewis Banezakiewitz and his associates, being two hundred and thirty-five exiles from Poland, transported to the United States by the orders of the Emperor of Austria, thirty-six sections of land, to be selected by them, under the direction of the Secretary of the Treasury, in any three adjacent townships of the public lands which have been, or may hereafter be surveyed, situated within the limits of the state of Illinois or the territory of Michigan.

Thirty-six sections of land in Illinois or Michigan granted to Polish exiles.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to obtain an authenticated list of the names of the aforesaid two hundred and thirty-five Polish exiles, and cause the same to be filed and recorded in the office of the commissioner of the general land office.

Names of the grantees to be recorded in the general land office.

SEC. 3. *And be it further enacted*, That immediately after the said thirty-six sections of land shall be surveyed and located in the manner prescribed in the first section of this act, it shall be the duty of the Secretary of the Treasury to cause the said thirty-six sections to be divided into equal parts among the said two hundred and thirty-five Poles, by lot, under such regulations as the said Secretary may prescribe.

Land to be divided by lot, in equal portions.

SEC. 4. *And be it further enacted*, That it shall be lawful for each and every of the said grantees to enter upon and take possession of the respective lots of land assigned to them and each of them; and, after the expiration of ten years, the said grantees, respectively, shall be entitled to a patent for the lot of land assigned to them as aforesaid: *Provided*, That the said grantees shall, during the said term of ten years, without intermission, actually inhabit and cultivate the said township of land in the ratio of one settlement for every five hundred acres thereof; and, on due proof of such habitation and cultivation to the Secretary of the Treasury, and of the payment into the proper land office of the minimum price per acre, at the time of such payment, within the said term of ten years, patents shall be granted as aforesaid, and not otherwise.

Ten years' occupancy to entitle to patent.

Proviso.

APPROVED, June 30, 1834.

RESOLUTIONS.

I. RESOLUTION *providing for the distribution of the diplomatic correspondence of the United States, from the peace of seventeen hundred and eighty-three, to the fourth of March, seventeen hundred and eighty-nine.*

June 19, 1834.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the copies of the "Selection of the Diplomatic Correspondence of the United States, between the peace of seventeen hundred and eighty-three, and the fourth of March, seventeen hundred and eighty-nine," published in virtue of an act of the fifth of May, eighteen hundred and thirty-two, in continuation of the Diplomatic Correspondence of the Revolution, be distributed and disposed of,

Library committee to distribute copies of Diplomatic Correspondence.

1832, ch. 74.

under the direction of the joint library committee, in manner following, viz :

To each person who received a copy of the Diplomatic Correspondence of the Revolution, and who shall apply to the clerk of the House of Representatives, for the continuation of the same, one copy ;

To the library of each institution, to which a copy of the Diplomatic Correspondence of the Revolution was sent, one copy ;

To Jared Sparks, editor of the Diplomatic Correspondence of the Revolution, one copy ;

To Edward Livingston, under whose direction, as Secretary of State, the selection aforesaid was made, one copy.

SEC. 2. *And be it further resolved*, That twenty-five copies of the work aforesaid, and of any other work or works printed by order, or at the expense of the United States, shall be placed at the disposition of the joint library committee, to be by them disposed of, in return for donations to the library of Congress.

APPROVED, June 19, 1834.

June 19, 1834.

Librarian to deliver two copies of census to each member of the present, who was not a member of last Congress.

## II. RESOLUTION for distributing returns of the last census.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the librarian of Congress be authorized to deliver to each member of the present Congress, who was not a member of the last Congress, two copies of the return of the last census of the inhabitants of the United States, and that it may be lawful for the said members to transmit the said copies, free of postage, by mail.

APPROVED, June 19, 1834.

June 25, 1834.

Grant of the right of way, and restriction of its use.

Post, p. 792.

Proviso.

## III. RESOLUTION giving the right of way through the property of the United States at Harper's Ferry, to the Winchester and Potomac Railroad Company.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States of America be, and he is hereby, authorized to convey to the Winchester and Potomac Railroad Company, free of charge, the right of way through the property held by the United States at Harper's Ferry, (and at present not improved,) if, in his opinion, it should not be inconsistent with the public service ; and, also, on the same terms, so much of the ground between the arsenal and the Shenandoah river, and near its junction with the Potomac, as may be deemed consistent with the public interest : to be used for the benefit of the said company in the deposit and accommodation of the trade of said Winchester and Potomac Railroad Company only, and for no other purpose whatever : *Provided, nevertheless*, That the said railroad shall be so located, in the judgment of two or more skilful engineers of the army of the United States, who may be deputed by the President of the United States to make such location, as not to impede or injure, in any manner, the future improvement of the navigation of the river Shenandoah by a lock and dam navigation, or by extending a canal along the left bank thereof, to the river Potomac, or to the canal now constructed along the left bank of the said river.

APPROVED, June 25, 1834.

IV. RESOLUTION manifesting the sensibility of the two houses of Congress, and of the nation, on the occasion of the decease of General La Fayette.

June 26, 1834.

Death of General La Fayette.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the two houses of Congress have received, with the profoundest sensibility, intelligence of the death of General La Fayette, the friend of the United States, the friend of Washington, and the friend of liberty.

2. *And be it further resolved,* That the sacrifices and efforts of this illustrious person, in the cause of our country, during her struggle for independence, and the affectionate interest which he has at all times manifested for the success of her political institutions, claim from the government and people of the United States, an expression of condolence for his loss, veneration for his virtues, and gratitude for his services.

3. *And be it further resolved,* That the President of the United States be requested to address, together with a copy of the above resolutions, a letter to George Washington La Fayette, and the other members of his family, assuring them of the condolence of this whole nation in their irreparable bereavement.

4. *And be it further resolved,* That the members of the two houses of Congress will wear a badge of mourning for thirty days, and that it be recommended to the people of the United States to wear a similar badge for the same period.

5. *And be it further resolved,* That the halls of the houses be dressed in mourning for the residue of the session.

6. *And be it further resolved,* That John Quincy Adams be requested to deliver an oration on the life and character of General La Fayette, before the two houses of Congress at the next session.

APPROVED, June 26, 1834.

# ACTS OF THE TWENTY-THIRD 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 first day of December, 1834, and ended on the third day of March, 1835.*

ANDREW JACKSON, President; MARTIN VAN BUREN, Vice President of the United States and President of the Senate; JOHN BELL, Speaker of the House of Representatives.

### STATUTE II.

- Jan. 27, 1835. CHAP. II.—*An Act making appropriations for the current expenses of the Indian department for the year one thousand eight hundred and thirty-five.*  
[Obsolete.]  
Appropriation for the Indian department.
- Superintendent and agents. 1834, ch. 162. *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, to be paid out of any money in the treasury not otherwise appropriated, for the current expenses of the Indian department for the year one thousand eight hundred and thirty-five, viz:
- Sub-agents. For the pay of the superintendent of Indian affairs, and the several Indian agents, as provided for by the act of thirtieth of June, one thousand eight hundred and thirty-four, fifteen thousand dollars.
- Interpreters. For the pay of sub-agents, allowed by the same act, ten thousand five hundred dollars.
- Presents. For the pay of interpreters allowed by the same act, seven thousand five hundred dollars.
- Provisions. For presents to Indians, authorized by the same act, five thousand dollars.
- Buildings. 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.
- Postage, &c. 1834, ch. 162. For the necessary buildings required at the several agencies and repairs thereof, two thousand dollars.
- Contingencies. For postage, stationery, and rent and fuel for offices, as authorized by the act of June thirtieth, one thousand eight hundred and thirty-four, three thousand dollars.
- For contingencies of the Indian department, four thousand dollars.
- APPROVED, January 27, 1835.

### STATUTE II.

- Jan. 27, 1835. CHAP. III.—*An Act making an appropriation for the completion of the military barracks at New Orleans.*  
[Obsolete.]  
Appropriation.
- 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 seven thousand five hundred dollars be, and the same is hereby appro-



printed and made payable out of any money in the treasury not otherwise appropriated, for the completion of the barracks at New Orleans, under the direction of the Secretary at War.

APPROVED, January 27th, 1835.

CHAP. IV.—*An Act making appropriations for the support of the army for the year one thousand eight 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 following sums be, and the same are hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and thirty-five—that is to say:

For the pay of the army, nine hundred and eighty-seven thousand and forty-five dollars.

For subsistence of officers, three hundred and fourteen thousand eight hundred and ninety-nine dollars.

For forage of officers, sixty thousand three hundred and thirty-one dollars.

For clothing for officers' servants, twenty-four thousand eight hundred and ten dollars.

For subsistence, exclusive of that of officers, in addition to an unexpended balance of seventy-five thousand dollars, the sum of three hundred and forty-one thousand seven hundred dollars.

For clothing of the army, camp and garrison equipage, cooking utensils, hospital furniture, &c., &c., one hundred and fifty-four thousand three hundred and eighty-seven dollars.

For the medical and hospital department, thirty-one thousand five hundred dollars.

For various expenses in the quartermaster's department, viz: fuel, forage, straw, stationery, blanks, and printing; repairing and enlarging barracks, quarters, storehouses, and hospitals at the various posts; erecting temporary cantonments at such posts as shall be occupied during the year, including huts for the dragoons, and gun-houses at the Atlantic posts, and those on the Gulf of Mexico, with the necessary tools and materials; providing materials for the authorized furniture of the rooms of non-commissioned officers and soldiers; rent of quarters, barracks and storehouses, and of grounds for summer cantonments and encampments, including a farm at fort Monroe for military practice; postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members and witnesses; extra pay to soldiers, under an act of Congress of the second March, eighteen hundred and nineteen; expenses of expresses from the frontier posts, of escorts to paymasters, hire of labourers, compensation to extra clerks in the office of the quartermaster general, and in the offices of the quartermasters and assistants at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works and in the performance of other duties, coffins and other articles necessary at the interment of non-commissioned officers and soldiers, and purchase of horses, and various other expenditures necessary to keep the regiment of dragoons complete, in addition to an unexpended balance of twenty thousand dollars, the sum of three hundred and twelve thousand dollars.

For the allowance made to the officers for the transportation of their baggage, when travelling on duty without troops, and allowances to officers on topographical duty and superintending working parties, fifty three thousand dollars.

For transportation of clothing from the depôt at Philadelphia to the

STATUTE II.

Jan. 27, 1835.

[Obsolete.]

Appropriation for support of the army.

Pay.

Subsistence of officers.

Forage.

Clothing.

Subsistence.

Clothing, &c.

Medical department.

Department of quartermaster.

Transportation of baggage, &c.

Transportation  
of clothing, &c.

stations of the troops, of subsistence from the places of purchase and points of delivery, under contracts, to the posts where they are required to be used, of ordnance from the founderies and arsenals, to the frontier posts and the fortifications, and lead from the western mines to the several arsenals, transportation of the army, including officers, when removing with troops either by land or water, freight and ferriages, purchase or hire of horses, oxen, mules, carts, wagons and boats for transportation of troops and supplies, and for garrison purposes, drayage and cartage, at the several posts, hire of teamsters, transportation of funds for the pay department, the expense of sailing a public transport between the several posts on the Gulf of Mexico, and procuring water at such posts as from their situation require it, the sum of one hundred and thirty-eight thousand dollars.

Contingencies.

For contingencies of the army, ten thousand dollars.

Armories.

For the national armories, three hundred and thirty thousand dollars.

Fortifications.

For armament of new fortifications, one hundred thousand dollars.

Arsenals.

For arsenals, ninety-four thousand three hundred and thirty-four dollars.

Ordnance.

For the current expenses of the ordnance service, sixty-eight thousand four hundred dollars.

Arrearages.

For arrearages prior to the first of July, eighteen hundred and fifteen, payable through the office of the third auditor, in addition to an unexpended balance of three thousand two hundred and seventy-nine dollars and seventy-four cents, the sum of two thousand dollars.

For arrearages between the first of July, eighteen hundred and fifteen, and the first of January, eighteen hundred and seventeen, payable through the office of the second auditor, one thousand five hundred dollars.

Discharged  
soldiers.

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

Appropriation  
of unexpended  
balance.

SEC. 2. *And be it further enacted*, That of the balance of thirty-eight thousand three hundred and seventy-nine dollars and fifty-two cents, which now stands to the credit of "bounties and premiums," on the books of the treasury, appropriated for the service of eighteen hundred and thirty-three, and which is not wanted for that object, in consequence of the change made in the mode of enlisting, by the act of second March eighteen hundred and thirty-three, the sum of fifty-four dollars be, and the same is hereby directed to be transferred to the credit of "two months' extra pay, per act second March, eighteen hundred and thirty-three;" and the sum of seventeen thousand six hundred and sixty dollars to the credit of "expenses of recruiting," to be used for the recruiting service of one thousand eight hundred and thirty-five.

1833, ch. 68.

APPROVED, January 27, 1835.

## STATUTE II.

Jan. 27, 1835.

[Obsolete.]

CHAP. V.—*An Act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-five.*

Appropriations  
for pensioners.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the pensioners of the United States for the year one thousand eight hundred and thirty-five:

Revolutionary  
pensioners.

1832, ch. 126.

For the revolutionary pensioners, under the several acts prior to that of the seventh of June, one thousand eight hundred and thirty-two, in addition to an unexpended balance of two hundred and seventy-three thousand and five dollars and fifty-three cents, the sum of four hundred and fifty-eight thousand nine hundred and ninety-nine dollars and forty-seven cents.

For the invalid pensioners, under various laws, in addition to an unexpended balance of sixty-nine thousand seven hundred and twenty-five dollars, the sum of two hundred and forty-one thousand two hundred and nineteen dollars.

Invalid pensioners.

For pensions to widows and orphans, in addition to an unexpended balance of three thousand five hundred and eighty-four dollars and forty-nine cents, the sum of two thousand five hundred dollars.

Widows and orphans.

APPROVED, January 27, 1835.

STATUTE II.

CHAP. VI.—*An Act to allow further time to complete the issuing and locating of military land warrants during the late war.*

Jan. 27, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act entitled "An act to allow further time to complete the issuing and locating of military land warrants," approved the twenty-sixth day of May, one thousand eight hundred and twenty-four, and also the operations of the act approved the twenty-fourth day of February, one thousand eight hundred and nineteen, which, by said act of one thousand eight hundred and twenty-four, is revived, be, and the said acts are hereby, extended and continued in force for the term of five years from and after the twenty-sixth day of May last.

Acts of May 26, 1824, ch. 177, and of February 24, 1819, ch. 41, revived.

APPROVED, January 27, 1835.

STATUTE II.

CHAP. VII.—*An Act to extend the time of issuing military land warrants to the officers and soldiers of the revolutionary army.*

Jan. 27, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the time allowed for issuing military land warrants to the officers and soldiers of the revolutionary army shall be extended to the first day of January, eighteen hundred and forty.

Time extended to January 1, 1840.

APPROVED, January 27, 1835.

STATUTE II.

CHAP. XVII.—*An Act for the final adjustment of claims to lands in the state of Louisiana. (a)*

Feb. 6, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any person or persons having claims to lands in the state of Louisiana, whose claims have been recognised by former laws as valid, but which have not heretofore been confirmed to the grantees or their legal representatives, be, and they are hereby, authorized to present their claims to the register and receiver of the land office in which the land may lie, within two years from the passage of this act, together with the written and other testimony in support of the same, and it shall be the duty of the register and receiver to record in a book to be kept by them for that purpose, the notice of every claim so preferred, together with the evidence in support of the same; and the said register and receiver are hereby further authorized to receive any evidence for and on behalf of other individuals who may resist the confirmation of any such claim either on their own behalf, or that of the United States, and cause to be taken any evidence which shall be deemed necessary and proper by them to have such claim properly and justly settled, and to have the same likewise recorded in said book, for

Valid claims to be presented to register and receiver within two years.

(a) Notes of the acts relating to the adjustment of land claims in Louisiana, vol. iii. p. 528.

which service, in recording the applicant's title-papers and evidence, they shall be entitled to receive from said applicant at the rate of twenty-five cents for every hundred words.

Report of the claims, with testimony and opinions on validity of each, to be made, and laid before Congress.

SEC. 2. *And be it further enacted*, That it shall be the duty of the registers and receivers of the land offices, at or before the beginning of each session of Congress thereafter, to make to the Secretary of the Treasury a report of the claims which may have been presented before them, together with the testimony, accompanied by their opinions of the validity of each claim, and such other information respecting them as may be in their possession, which said report shall, by the Secretary of the Treasury, be laid before Congress as soon as practicable, with the opinion of the commissioner of the general land office, touching the validity of the respective claims.

APPROVED, February 6, 1835.

## STATUTE II.

Feb. 13, 1835.

[Obsolete.]

Appropriations for the naval service.

CHAP. XIX.—*An Act making appropriations for the naval service for the year one thousand eight 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 following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-five, in addition to the unexpended balances of former appropriations, viz :

Pay and subsistence.

For pay and subsistence of the officers of the navy and pay of seamen, one million five hundred and one thousand eight hundred and twenty-four dollars and forty-two cents.

Pay of superintendents, &c.

For pay of superintendents, naval constructors, and all the civil establishment at the several yards, sixty-one thousand one hundred and eighty dollars.

Provisions.

For provisions, four hundred and fifty thousand dollars.

Repairs.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, nine hundred and seventy-four thousand dollars.

Medicines, &c.

For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, forty thousand dollars.

Repairs, &c. of navy yards at Portsmouth ;

For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, thirty-nine thousand nine hundred and twenty-five dollars.

Charlestown ;

For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, ninety-nine thousand five hundred dollars.

Brooklyn ;

For improvement and necessary repairs of the navy yard at Brooklyn, New York, forty-six thousand one hundred and twenty dollars.

Philadelphia ;

For improvement and necessary repairs of the navy yard at Philadelphia, three thousand five hundred and twenty dollars.

Washington ;

For improvement and necessary repairs of the navy yard at Washington, ten thousand dollars.

Gosport ;

For improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred thousand four hundred and fifty dollars.

Pensacola.

For improvement and necessary repairs of the navy yard at Pensacola, forty-four thousand six hundred dollars.

Repairs, &c. at Sackett's harbour.

For repairs of building and preservation of a vessel at Sackett's Harbour, five hundred dollars.

Ordnance, &c.

For ordnance, and ordnance stores, fifteen thousand dollars.

For defraying the expenses that may accrue for the following purposes, viz :

Miscellaneous.

For the freight and transportation of materials and stores of every description, for wharfage and dockage, storage and rent, travelling expenses of officers, and transportation of seamen, house-rent, chamber-

money, and fuel and candles to officers other than those attached to navy yards and stations, and for officers in sick quarters where there are no hospitals, and for funeral expenses, for commissions, clerk hire, and 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, and for officers engaged on extra service beyond the limits of their stations, for printing and stationery of every description, and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for purchase and repair of fire and steam engines, and for machinery; for 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 of ships of war; for cabin furniture of vessels in commission, and for furniture of officers' houses in navy yards: for taxes on navy yards and public property; for assistance rendered to vessels in distress; for incidental labour at navy yards not applicable to any other appropriation; for coal and other fuel for forges, founderies and steam engines; for candles, oil, and fuel for vessels in commission and in ordinary; for repairs of magazines and powder houses; for preparing moulds for ships to be built, and for no other purpose whatever, two hundred and ninety-five thousand dollars.

|   |   |
|---|---|
| For contingent expenses for objects not hereinbefore enumerated, three thousand dollars.  | Contingencies.                                |
| For pay of the officers, non-commissioned officers, musicians, and privates, and for subsistence of the officers of the marine corps, one hundred and sixty-six thousand seven hundred and forty-nine dollars and fifty-five cents. | Marine corps.                                 |
| For the subsistence of the non-commissioned officers, musicians, and privates, and washerwomen of said corps, serving on shore, and for servants, thirty-three thousand five hundred and sixty-five dollars and sixty cents.        | Marine corps, &c. on shore.                   |
| For clothing, thirty-eight thousand seven hundred and eleven dollars and twenty-five cents.   | Clothing.                                     |
| For fuel, fifteen thousand one hundred and sixty-six dollars.   | Fuel.   |
| For transportation and recruiting, six thousand dollars.  | Transportation.                               |
| For medicines, hospital stores, surgical instruments, pay of matron and acting hospital steward, four thousand one hundred and thirty-nine dollars and twenty-five cents.   | Medicines, &c.                                |
| For contingent expenses, seventeen thousand nine hundred and seventy-seven dollars and ninety-three cents.  | Contingencies.                                |
| For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements, and ordnance stores, two thousand dollars.  | Stores, &c.                                   |
| For repairs of barracks, three thousand dollars.  | Barracks.                                     |
| For completing the naval magazines authorized to be built near Boston, Massachusetts, and New York, for enclosing and providing convenient access to them, seven thousand five hundred dollars.                                     | Magazines at Boston and New York.             |
| For completing the naval hospitals near Boston, New York, and Pensacola, building the necessary out-houses and appendages, and for enclosing them, twenty thousand seven hundred dollars.   | Hospitals at Boston, New York, and Pensacola. |
| For repair of the hospital near Norfolk, and its enclosures and dependencies, one thousand dollars.   | Hospital near Norfolk.                        |
| For repairing enclosures and graduating the ground about the navy asylum, near Philadelphia, three thousand five hundred dollars.   | Asylum near Philadelphia.                     |
| For completing the payments which will be due on contracts for iron tanks, made under the act of the tenth of July, one thousand eight hundred and thirty-two, nine thousand dollars.   | Iron tanks.<br>1832, ch. 192.                 |
| For continuing the survey of the coast of the United States, thirty thousand dollars.   | Coast survey.                                 |

Extra services,  
&c. in the coast  
survey for 1830.

For arrearages for defraying the extra services and expenses of the officers of the navy engaged in the survey of the coasts and harbours of the United States, for the year one thousand eight hundred and thirty, one thousand five hundred dollars.

Lithographic  
press.

For the purchase of a lithographic press, for the Navy Department, and for expenses of the same for one year, one thousand dollars.

Unexpended  
balances re-ap-  
propriated.

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

Frigate Java  
and sloop Cy-  
anne.

For the purchase of timber to rebuild the frigate Java, and the sloop Cyanne, authorized by the act of July the tenth, eighteen hundred and thirty-two, the sum of forty-six thousand, three hundred and thirty-two dollars and three cents.

1832, ch. 188.

Iron tanks.

For the purchase of iron tanks for the use of the navy, as authorized by the act of tenth of July, eighteen hundred and thirty-two, the sum of three hundred and fifty-one dollars and sixty-five cents.

1832, ch. 192.

Furniture, &c.  
for asylum at  
Philadelphia.

For providing fixtures, furniture, and apparatus, for the navy asylum at Philadelphia, as authorized by the act of July tenth, eighteen hundred and thirty-two, one thousand three hundred and sixty-two dollars and thirty-three cents.

1832, ch. 189.

Ships in ordi-  
nary.

For covering and preserving ships in ordinary, as authorized by the act of March eleventh, eighteen hundred and thirty, two thousand six hundred and fifty-three dollars and eighty-eight cents.

1830, ch. 32.

APPROVED, February 13, 1835.

#### STATUTE II.

Feb. 24, 1835.

CHAP. XXI.—*An Act for improving the harbour at the mouth of the river Raisin, in the territory of Michigan.*

Appropriation  
for a new en-  
trance into har-  
bour at mouth  
of river Raisin.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of thirty thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for the construction of a new entrance into the harbour, at or near the mouth of the river Raisin, where it unites with Lake Erie, according to a plan and survey of the said works, made under the direction of the War Department by Capt. H. Smith, during the fall of the year eighteen hundred and thirty-four; *Provided, however*, That no part of the sum hereby appropriated shall be expended for improving the channel of said river, but the expenditure hereby directed, shall be confined exclusively to the construction of a cut or passage from the lake to that part of the river which is to be used as a harbour for vessels.

Proviso.

APPROVED, February 24, 1835.

#### STATUTE II.

Feb. 24, 1835.

CHAP. XXII.—*An Act for the completion of certain improvements in Florida.*

Appropriations  
for internal im-  
provements in  
Florida.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That for the purpose of executing certain internal improvements, hereinafter designated, in the territory of Florida, the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated:

Clearing Och-  
lawaha river.

For clearing out the Ochlawaha river from the St. John's to Glassall's Spring, near Camp King, for the transportation of provisions and military stores to the garrison at that place, as estimated in the report of the quartermaster general, ten thousand dollars:

For opening a road from the head of Pensacola bay, by Pittman's ferry, on the Chatawhachie river, to Webbville, four thousand dollars:

Opening road to Webbville.

For continuing the improvement of the navigation of Chatahawchie river from Cedar Bluff to the Big Spring, in Florida, according to the report of the assistant quartermaster charged with the superintendence of the removal of obstructions, two thousand dollars.

Improving navigation of Chatahoochie river.

For removing obstructions in the Chipola river, in Florida, five thousand dollars.

Clearing Chipola river.

APPROVED, February 24, 1835.

STATUTE II.

CHAP. XXIII.—*An Act to provide for the further compensation of the marshal of the district of Delaware.*

Feb. 24, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the marshal of the district of Delaware shall be entitled to receive, in addition to the compensation now allowed by law, an annual salary of two hundred dollars, payable quarterly, out of any money in the treasury, not otherwise appropriated.

Additional salary to marshal of the district of Delaware.

APPROVED, February 24, 1835.

STATUTE II.

CHAP. XXIV.—*An Act supplementary to an act, entitled "An Act to authorize the inhabitants of the state of Louisiana to enter the back lands."*

Feb. 24, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the time given by the act to which this is a supplement, to the owners of lands bordering on any of the rivers, creeks, bayous or other water-courses of the state of Louisiana, to become the purchasers by preference, of the back tracts adjacent to those owned by them, be, and the same is hereby, extended one year from the fifteenth of June next.

Act of June 15, 1832, ch. 140. Time for entering lands on rivers, &c. extended one year from June 15.

APPROVED, February 24, 1835.

STATUTE II.

CHAP. XXV.—*An Act to complete certain roads in the territory of Arkansas:*

Feb. 24, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of twenty thousand dollars be, and the same is hereby, appropriated out of any money in the treasury of the United States not otherwise appropriated, to complete the road leading from the southern boundary line of the state of Missouri, by Jackson, Little Rock, and Washington, to the town of Fulton, on the north bank of Red river; and that the further sum of fifteen thousand dollars be appropriated in like manner to complete the military road leading from fort Towson on Red River, to the northern boundary line of the state of Louisiana, in the direction of Natchitoches.

Appropriations for Road from the southern line of Missouri to Red river.

Road from fort Towson to the northern line of Louisiana.

APPROVED, February 24, 1835.

STATUTE II.

CHAP. XXVI.—*An Act making additional appropriations for the Delaware break-water, and for certain harbours, and removing obstructions in and at the mouths of certain rivers, for the year one thousand eight hundred and thirty-five.*

March 3, 1835.

[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 money in the treasury, not otherwise appropriated, for carrying on and completing certain works heretofore commenced, viz :

Appropriations for harbours and rivers.

- Chicago harbour. For improving the harbour of Chicago, in addition to the balance of former appropriations, thirty-two thousand eight hundred dollars.
- Black river. For securing the works at Black river, four thousand four hundred dollars.
- Ashtabula creek. For continuing the improvement at Ashtabula creek, in addition to the balance of former appropriations, seven thousand five hundred and ninety-one dollars.
- Presqu' Isle. For securing the works at Presqu' Isle in addition to the balance of former appropriations, five thousand dollars.
- Genesee river. For completing the works at Genesee river, two thousand three hundred and ninety dollars.
- Big Sodus bay. For continuing the improvement of Big Sodus bay, eleven thousand seven hundred and ninety dollars.
- Provincetown harbour. For the preservation of the beach at Provincetown harbour, in addition to the balance of former appropriation, four thousand four hundred dollars.
- Plymouth beach. For the preservation of Plymouth beach, seven hundred dollars.
- Breakwater at Hyannis. For the breakwater at Hyannis harbour, in addition to the balance of former appropriation, nine thousand dollars.
- Harbours in the Delaware. For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, in the Delaware river, in addition to the balance of former appropriation, six thousand dollars.
- Savannah river. For improving the navigation of the Savannah river, in removing the obstructions in said river from the city of Savannah to its mouth, in addition to the balance of former appropriations, twenty thousand dollars.
- Ohio, Missouri, and Mississippi. For improving the navigation of the Ohio river below the falls, and the Missouri and Mississippi rivers, fifty thousand dollars.
- Ohio river between Pittsburg and the falls. For the improvement of the navigation of the Ohio river, between Pittsburg and the falls of the Ohio, fifty thousand dollars, to be expended under the direction of the War Department, and under the care of a superintendent for that part of the Ohio.
- Delaware breakwater. For the Delaware breakwater, one hundred thousand dollars, *Provided*, That only so much of this sum shall be applied as, in the opinion of the Secretary of War, may be advantageously expended in the present situation of the said work.
- Mobile harbour. For completing the improvement at the harbour of Mobile, in removing the bar at the entrance of the harbour, called the Choctaw Pass, in addition to the appropriation of ten thousand dollars, made at the last session, seventeen thousand nine hundred and ninety-seven dollars and sixty cents.
- Red river. For completing the removal of the obstructions to the navigation of Red river, in addition to the appropriation of fifty thousand dollars, made at the last session of Congress, the sum of fifty thousand dollars.
- Arkansas river, and an iron boat. For improving the navigation of the Arkansas river, and for constructing a boat with an iron hull, forty thousand dollars.
- Cape Fear river. For completing the improvement in the navigation of the Cape Fear river, below the town of Wilmington, North Carolina, twenty thousand dollars.
- Dredging machine, &c. for Florida. For constructing a dredging machine, and for completing the inland channel between St. Mary's and St. John's, in the territory of Florida, according to the estimate of the engineer department, fifteen thousand dollars.
- Dunkirk harbour. For filling up with stone, three hundred and fifty-two yards of the outer pier or breakwater at Dunkirk harbour, New York, one thousand four hundred and eighteen dollars and twenty-seven cents.
- Extension of pier at Dunkirk harbour. For extending and completing the pier or breakwater in front of said harbour, nine thousand five hundred and seventy dollars and sixteen cents.
- Proviso. *Provided*, That no officer of the army shall receive any per cent. or



additional pay, extra allowance, or compensation, in any form whatever, on account of the disbursing any public money appropriated by law during the present session, for fortifications, execution of surveys, works of internal improvement, building of arsenals, purchase of public supplies of any description, or for any other service or duty whatsoever, unless authorized by law.

APPROVED, March 3, 1835.

STATUTE II.

CHAP. XXVII.—*An Act to regulate the pay of the navy of the United States.*

March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the passage of this act, the annual pay of the officers of the navy of the United States shall be as follows:

Annual pay of navy officers.

THE SENIOR CAPTAIN.

At all times when in service, four thousand five hundred dollars.  
When on leave of absence, or waiting orders, three thousand five hundred dollars.

Senior captain.

ALL OTHER CAPTAINS.

When in command of squadrons on foreign stations, four thousand dollars.  
When on other duty, three thousand five hundred dollars.  
When off duty, two thousand five hundred dollars.

Captains.

COMMANDERS, OR MASTERS COMMANDANT.

When attached to vessels for sea service, two thousand five hundred dollars.  
When attached to navy yards, or on other duty, two thousand one hundred dollars.  
When on leave of absence, or waiting orders, one thousand eight hundred dollars.

Commanders, or masters commandant.

LIEUTENANTS.

Commanding, one thousand eight hundred dollars.  
On other duty, one thousand five hundred dollars.  
Waiting orders, one thousand two hundred dollars.

Lieutenants.

ASSISTANT SURGEONS.

Waiting orders, six hundred and fifty dollars.  
At sea, nine hundred and fifty dollars.  
After passing and found qualified for promotion to surgeon, eight hundred and fifty dollars.  
At sea, one thousand two hundred dollars.  
When stationed at navy yards, hospitals, rendezvous, and receiving ships, nine hundred and fifty dollars.  
After being passed and stationed as above, one thousand one hundred and fifty dollars.

Assistant surgeons.

SURGEONS.

For the first five years after the date of his commission, one thousand dollars.  
For the second five years, one thousand two hundred dollars.  
For the third five years, one thousand four hundred dollars.  
For the fourth five years, one thousand six hundred dollars.  
After he shall have been commissioned as a surgeon twenty years and upwards, one thousand eight hundred dollars.

Surgeons.

All surgeons of the navy under orders for duty, at navy yards, receiving vessels, rendezvous, or naval hospitals, shall have an increase of one-fourth of the foregoing amount of their respective annual pay, from the date of their acceptance of such orders.

All surgeons of the navy ordered to any of the ships or vessels of the United States, commissioned for sea service, shall have an increase of

one-third of the foregoing amount of their respective annual pay, from the date of their acceptance of such orders.

All surgeons of the navy, ordered as fleet surgeons, shall have an increase of one half of their respective annual pay, from the date of their acceptance of such orders.

#### CHAPLAINS.

**Chaplains.** When attached to vessels for sea service, or at navy yards, one thousand two hundred dollars.

When on leave of absence, or waiting orders, eight hundred dollars.

#### PROFESSOR OF MATHEMATICS.

**Professor of mathematics.** When attached to vessels for sea service, or in a yard, one thousand two hundred dollars.

#### SECRETARIES.

**Secretaries.** To commanders of squadrons, when commanding in chief, one thousand dollars.

To commanders of squadrons, when not commanding in chief, nine hundred dollars.

#### SAILINGMASTERS.

**Sailingmasters.** Of a ship of the line, for sea service, one thousand one hundred dollars. When on other duty, one thousand dollars.

When on leave of absence, or waiting orders, seven hundred and fifty dollars.

#### SECOND MASTERS.

**Second masters.** When attached to vessels for sea service, seven hundred and fifty dollars.

When on other duty, five hundred dollars.

When on leave of absence, or waiting orders, four hundred dollars.

#### PASSED MIDSHIPMEN.

**Passed midshipmen.** On duty, seven hundred and fifty dollars.

Waiting orders, six hundred dollars.

#### WARRANTED MASTERS' MATES.

**Warranted masters' mates.** When attached to vessels for sea service, or at navy yards, four hundred and fifty dollars.

When on leave of absence, or waiting orders, three hundred dollars.

#### MIDSHIPMEN.

**Midshipmen.** When attached to vessels for sea service, four hundred dollars.

When on other duty, three hundred and fifty dollars.

When on leave of absence, or waiting orders, three hundred dollars.

#### CLERKS.

**Clerks.** Of a yard, nine hundred dollars.

First clerk to a commandant of a navy yard, nine hundred dollars.

Second clerk to a commandant of a navy yard, seven hundred and fifty dollars.

To commanders of squadrons, captains of fleets, and commanders of vessels, five hundred dollars.

#### BOATSWAINS, GUNNERS, SAILMAKERS, CARPENTERS.

**Boatswains, gunners, sailmakers, and carpenters.** Of a ship of the line, for sea service, seven hundred and fifty dollars.

Of a frigate for sea service, six hundred dollars.

When on other duty, five hundred dollars.

When on leave of absence, or waiting orders, three hundred and sixty dollars.

**Officers temporarily on duty of higher grade.** Officers temporarily performing the duties belonging to those of a higher grade, shall receive the compensation allowed to such higher grade, while actually so employed.

**On furlough.** No officer shall be put on furlough but at his own request, and all

officers so furloughed shall receive one half only of the pay to which they would have been entitled if on leave of absence.

If any assistant surgeon shall have been absent from the United States, on duty, at the time others of his date were examined, he shall if not rejected at a subsequent examination be entitled to the same rank with them; and if from any cause, his relative rank cannot be assigned to him, he will retain his original position on the register.

One ration per day, only, shall be allowed to all officers when attached to vessels for sea service.

SEC. 2. *And be it further enacted*, That no allowance shall hereafter be made to any officer, in the naval service of the United States, for drawing bills, for receiving or disbursing money, or transacting any business for the government of the United States, nor shall he be allowed servants, or pay for servants, or clothing or rations for them or pay for the same, nor shall any allowance be made to him for rent of quarters or to pay rent for furniture, or for lights or fuel, or transporting baggage. It is hereby expressly declared that the yearly allowance provided in this act is all the pay, compensation, and allowance that shall be received under any circumstances whatever, by any such officer or person, except for travelling expenses when under orders, for which ten cents per mile shall be allowed.

APPROVED, March 3, 1835.

Rank of assistant surgeons under certain circumstances.

Rations.

No allowance to be made for drawing bills, &c.

STATUTE II.

CHAP. XXVIII.—*An Act supplementary to an act entitled "An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio railroad into and within the District of Columbia," passed December, eighteen hundred and twenty-nine.* (a)

March 3, 1835.

1831, ch. 85.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Baltimore and Ohio Railroad Company be, and they are hereby, authorized to locate and construct their said road within the city of Washington, through squares nine hundred and nine, eight hundred and eighty-eight, eight hundred and fifty-eight, eight hundred and thirty-two, nine hundred and eight, eight hundred and eighty-seven, eight hundred and fifty-six, eight hundred and fifty-seven, eight hundred and thirty-one, eight hundred and seven, seven hundred and seventy-six, seven hundred and fifty-one, seven hundred and eighteen, in the same manner, and with the same rights and privileges which are granted to them by the act to which this is a supplement, for the construction of their said road within the District of Columbia, beyond the limits of the city of Washington, any thing in the said act contained to the contrary notwithstanding, and the assent of Congress is hereby given to the construction of the said railroad through or over any of the said lots or parts of lots which are owned by the United States.

Construction of road within the District of Columbia.

(a) The following decision of the Supreme Court is introduced, as it is one of the occasions in which the Baltimore and Ohio railroad has been the subject of the legislation of Congress.

The state of Maryland, in 1836, passed a law directing a subscription of three millions of dollars to be made to the capital stock of the Baltimore and Ohio Railroad Company, with the following proviso, "that if the said company shall not locate the said road in the manner provided in this act, then and in that case, they shall forfeit one million of dollars to the state of Maryland, for the use of Washington county." In March, 1840, the state passed another act, repealing so much of the prior act as made it the duty of the company to construct the road by the route therein prescribed, remitting and releasing the penalty, and directing the discontinuance of any suit brought to recover the same. Held, that the proviso was a measure of state policy, which it had a right to change, if that policy was afterwards discovered to be erroneous; and neither the commissioners, nor the county, nor any one of its citizens, acquired any separate or private interest under it, which could be maintained in a court of justice. *State of Maryland v. The Baltimore and Ohio Railroad Company*, 3 Howard, 534.

It was a penalty, intended to be imposed on the company for disobeying the law; and the assent of the company to it, as a supplemental charter, was not sufficient to deprive it of the character of a penalty. *Ibid.*

A clause of forfeiture in a law is to be construed differently from a similar clause in an engagement between individuals. A legislature can impose it as a punishment; but individuals can only make it a matter of contract. Being a penalty, imposed by law, the legislature had a right to remit it. *Ibid.*

Extension of  
the road.

SEC. 2. *And be it further enacted*, That the main stem of the said railroad, after passing through the squares or lots above-named, or any of them, shall not be constructed west or south of a point at the intersection of H street north, with Delaware Avenue, until the route from that point to the final termination of the main stem of said road shall be surveyed and approved by the mayor, board of aldermen, and board of common council of the city of Washington; and when the said route shall be so surveyed and approved, the said company shall be, and they are hereby, authorized to construct the said railroad on the said route, under such restrictions and conditions as may be agreed upon by the said railroad company and the mayor, board of aldermen, and board of common council of the said city of Washington.

Road may pass  
through unim-  
proved lots or  
squares.

SEC. 3. *And be it further enacted*, That if the said route from the intersection of H street and Delaware Avenue should pass through any unimproved lots or squares, except public reservations, the said railroad company shall be, and they are hereby, authorized to construct their road through or over the same, upon the same terms, and with the same privileges, as are prescribed for passing through the squares enumerated in the first section of this act.

Branches may  
be constructed.

SEC. 4. *And be it further enacted*, That the said company are further authorized to construct branches of their road from the main stem thereof, within the said city, to such place or places, and in such number of tracts, as the corporate authority of the city of Washington shall assent to or permit: *Provided*, That the said branches shall not pass through any of the public reservations.

Proviso.

SEC. 5. *And be it further enacted*, That it shall be lawful for the said company, and they are hereby empowered to obtain, by gift or purchase, any lot or lots adjacent to any street or avenue along which the said company shall construct their said road or branches, and to hold and improve the same in such manner as may be necessary for the purposes of said company, or for the beneficial use of said road, or the branches thereof; and the said company shall be authorized to extend and construct tracks of railway into any lot or lots so held by them, in connection with the tracks in any adjacent street or avenue: *Provided*, That the free use of any street or avenue shall not be impaired thereby: *And provided, also*, That the said company shall not use or employ any steam engine in drawing or propelling the cars, wagons, or other vehicles, on any part of the said road within the city of Washington, except in such parts as may be agreed to by the corporate authorities of said city.

Company may  
obtain, hold, and  
improve lots.

Proviso.

SEC. 6. *And be it further enacted*, That such provisions of the act to which this is a supplement, as are inconsistent herewith, be, and the same are hereby, repealed.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

[Obsolete.]

Appropriations  
for light-boats,  
&c.

CHAP. XXIX.—*An Act making appropriations for building light-boats, beacons, and monuments, and placing buoys, for the year one thousand eight hundred and thirty-five, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following appropriations be, and the same are hereby made, and directed to be paid out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide, by contract, for building light-boats, beacons, and monuments, and placing buoys, to wit:

Maine.

*State of Maine*.—For placing buoys in St. George's river, to wit: on Jenk's, Colmel's, Gay's cove, and Fullerton's ledges and Point of Rocks, seven hundred dollars.

For placing buoys in Passamaquoddy bay, and for substituting for the

present fog bell, at the entrance of said passage, a cast steel triangular bell, or a bell of the usual form, but increased weight, one thousand five hundred dollars.

For placing buoys or spindles on ledges of rocks called Fishing rocks, and Old Prince, at the entrance of Kennebunk and Cape Porpoise harbour, five hundred dollars.

For the erection of three beacons, on the following sites, in the harbour of Castine, viz: one on Otter rock, one on Homer's ledge, and one on Stubb's Point ledge, three thousand dollars.

For the erection of buoys on Alden's ledge, at the mouth of Portland harbour, fifteen hundred dollars.

For placing buoys on Heron Island ledge, at the mouth of Damariscotta river, and on Western rock, Eastern rock, and Kellsa's ledge, in said river, a sum not exceeding five hundred dollars.

*State of Massachusetts.*—For placing buoys, to wit, on West Island ledge, on Nye's ledge, and on the north-west and south-east end of Mattapoissett ledge, on Sunken ledge, and on Snow's rock, seven hundred dollars.

Massachusetts.

For completing the erection of a spindle on Minot's ledge, seven hundred and fifty dollars.

For a stone beacon on Collier's ledge, Vineyard sound, one thousand five hundred dollars.

For placing buoys at or near the following sites, in or near the harbour of Lynn: one on Lobster's rock, near the west side of Nahant, one on the Western rocks, one on the sand bar at the mouth of Sauger's river, and upon such other sites as may be necessary for safe navigation, five hundred dollars.

For two boat buoys, to be placed at or near the harbour of Nantucket, six hundred dollars.

For placing buoys in the harbour of New Bedford on the following sites, to wit: on Fort Flat, near Fairhaven, on Egg island, on Butler's flat, on Bartholomew's rocks, on Sandspit shoal, south-east of Dumpling rocks, on the Sunken rocks, south of Dumpling rocks, and on the ledge between Dumpling rocks, and Mishone point, one thousand and fifty dollars.

For erecting beacons and placing buoys on proper sites in Buzard's bay, two thousand dollars.

For buoy, beacon or spindle on a sunken rock near the mouth of Green Bay, Plymouth, Massachusetts, one hundred and fifty dollars.

*State of Connecticut.*—For a spindle on the point of rocks near the mouth or entrance of Mystic river, a short distance easterly from the lighthouse on Morgan's point, in the town of Groton, two hundred and fifty dollars. For a light-boat, with a bell to be attached to the same, and anchored at Bartlett's reef, five thousand dollars.

Connecticut.

For making a foundation, and rebuilding thereon a beacon, near the entrance of Black Rock harbour, in Long Island sound, in addition to a former appropriation, seven thousand seven hundred and ten dollars.

1831, ch. 103.

*State of Rhode Island.*—For the erection of iron spindles on the Halfway rock, near the south end of the island of Prudence in Narragansett bay, and the Little Lime rock, in the harbour of Newport, three hundred dollars. For the erection of a beacon on the rock near the harbour of East Greenwich, called the Halfway rock, from the Warwick Neck point to Pattawomet harbour, five hundred dollars.

Rhode Island.

*State of New Jersey.*—For placing four buoys on Absecum and New Inlet, Gloucester county, four hundred dollars.

New Jersey.

*State of Maryland.*—For placing buoys at proper sites in the following rivers, viz: Nanticoke, Wicomico, Manokin, Annamuxox, and Pocomoke river and sound, Hooper's straits, and Tangier sound, one thousand and fifty dollars.

Maryland.

Virginia.

*State of Virginia.*—For a light-boat to be placed on Boler's rock, in the Rappahannock river, five thousand dollars.

For three buoys to be placed on proper sites in the channel of Chincoteague Inlet, four hundred and fifty dollars.

For three buoys to be placed on proper sites in the channel of Matpungo Inlet, four hundred and fifty dollars.

For a light-boat to be anchored at or near Ragged Point in the Potomac river, in the state of Virginia, or the erection of a light-house at Piney Point, in the State of Maryland, which of the two lights above mentioned as best adapted for the security of navigation, to be decided on by the Secretary of the Treasury, five thousand dollars.

North Carolina.

*State of North Carolina.*—For a light-boat to be placed on a proper site between Albemarle and Pamlico sound, five thousand dollars.

For building a light-boat to be stationed at or near Harbor Island, five thousand dollars.

South Carolina.

*State of South Carolina.*—For placing three buoys at the bar of the port of Georgetown, on proper sites, four hundred and fifty dollars.

For placing three buoys on proper sites in the north channel of Charleston harbour, four hundred and fifty dollars.

For one buoy on North Edisto bar, one in the Swash channel, on Combahee, two on South Edisto bar, two on the Bird Key channel, and one in Calibago sound, one thousand and fifty dollars.

For five beacon-lights at Charleston bar, five thousand dollars, if so much be necessary; one light to be so placed as to range precisely with the main light, when a vessel shall be crossing the bar at the Ship channel and in the deepest water; two to be placed on Morris' Island, to range with each other when a vessel shall be crossing the Overall channel and in the deepest water; one to be placed on Sullivan's Island, to the eastward of fort Moultrie; and another to be placed on the back of Sullivan's Island, or on the main, to range when a vessel shall have crossed the bar, and is steering northward.

Ohio.

*State of Ohio.*—For placing not less than five buoys at the entrance of Sandusky harbour, five hundred dollars. For placing two buoys at Port Clinton, at the mouth of Portage river, one hundred and fifty dollars.

Louisiana.

*State of Louisiana.*—For the purpose of replacing the twenty buoys that were on the coast of Louisiana, to mark out the channel from the vicinity of the lighthouse on Point au Fer, into the Atchafayala bay, or so many of them as may be sunk or have been destroyed, a sum not exceeding two thousand five hundred dollars.

Florida.

*Territory of Florida.*—For placing eight buoys in St. Mark's harbour, at proper sites, eight hundred dollars.

For placing four buoys at proper sites in the channel at the east end of St. George's island, Appalachicola bay, six hundred dollars.

For placing buoys to mark the channel through the east pass of Appalachicola bay and river, one thousand dollars.

Michigan.

*Territory of Michigan.*—For placing ten buoys to mark the channel at the mouth of the Miami of Lake Erie, and in Maumee bay, seven hundred dollars. For erecting a lighthouse at Mobile Point, eight thousand dollars; and for placing buoys in Mobile bay, five hundred dollars. For the preservation of Fairweather Island, and the lighthouse and other public buildings thereon, and securing Black Rock harbour, two thousand six hundred dollars.

APPROVED, March 3, 1835.

STATUTE II.

March 3, 1835.

CHAP. XXX.—*An Act making appropriations for the civil and diplomatic expenses of government for the year one thousand eight hundred and thirty-five.*

[Obsolete.]

Appropriations  
for the civil and

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be,*

and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, viz :

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

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

For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, including twenty thousand dollars deficiency of appropriation for the same objects for the year one thousand eight hundred and thirty-four, the sum of eighty-five thousand five hundred dollars.

For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, two hundred thousand dollars. The two sums last-mentioned to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives severally, and to no other purpose.

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars.

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

For clerks, machinist, and messenger in the patent office, five thousand four hundred dollars.

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

For contingent and incidental expenses of the patent office, two thousand dollars.

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

For the superintendent and watchmen of the north-east executive building, one thousand five hundred dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of the buildings, three thousand three hundred and fifty dollars.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, sixteen thousand seven hundred dollars.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand three hundred dollars.

For compensation to the second comptroller of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.

For compensation to the first auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the first auditor, fourteen thousand nine hundred dollars.

For compensation to the second auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second auditor, seventeen thousand nine hundred dollars.

For compensation to the third auditor of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the third auditor, twenty-four thousand five hundred and fifty dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.

diplomatic expenses of government. Congress.

President and Vice President, &c.

Department of State.

Treasury Department.

Civil and diplomatic expenses of government.

For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.

For compensation to the fifth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fifth auditor, twelve thousand eight hundred dollars.

For compensation to the treasurer of the United States, three thousand dollars.

For compensation to the clerks and messenger in the office of the treasurer of the United States, seven thousand one hundred and fifty dollars.

For compensation to the register of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.

For compensation to the commissioner of the general land office, three thousand dollars.

For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars.

For compensation to the solicitor of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messenger in the office of the solicitor of the treasury, three thousand nine hundred and fifty dollars.

For compensation to the secretary to the commissioners of the sinking fund, to the seventh of February, one thousand eight hundred and thirty-five, twenty-six dollars and thirty-nine cents.

For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the Treasury Department, the following several sums, viz:

For the office of the Secretary of the Treasury, including the copying and expenses incurred in consequence of the burning of the treasury building, twelve thousand five hundred dollars.

For the office of the first comptroller, one thousand five hundred dollars.

For the office of the second comptroller, one thousand five hundred dollars.

For the office of the first auditor, eight hundred dollars.

For the office of the second auditor, one thousand dollars.

For the office of the third auditor, eight hundred dollars.

For the office of the fourth auditor, one thousand dollars.

For the office of the fifth auditor, one thousand dollars.

For the office of the treasury of the United States, seven hundred dollars.

For the office of the register of the treasury, three thousand dollars.

For the office of the solicitor of the treasury, one thousand dollars.

For the office of the commissioner of the general land office, including one hundred thousand parchments, and cost of printing patents, twenty-two thousand dollars.

For additional clerk hire in the issuing of military land scrip, making out of patents for Virginia military surveys, and for private land claims, and in adjusting the accounts of the surveyors general, four thousand dollars.

For compensation to six additional clerks, one year, to aid in registering sales of lands, and adjusting the accounts of receivers of public moneys, and for opening tract books, making indexes, and bringing up other arrears, six thousand dollars.

For renewing the old war office index of Virginia military warrants,



and patents issued on surveys made to satisfy the same, one thousand five hundred dollars.

Civil and diplomatic expenses of government.

For the preparation of maps to examine and check the quantities and technical designation of parts of fractional sections sold preparatory to the issuing of patents, and in comparing the charges made by surveyors general with the lines exhibited on the return of surveys, one thousand dollars.

For writing, recording, examining, making out lists, and transmitting eighty thousand patents, fifteen thousand dollars.

For additional clerk hire in the bureau of private land claims, to aid in the investigation of land titles; and writing and recording patents for private land claims; and recording deeds of transfer of lands reserved to individual Indians under treaties after conveyances by them, two thousand dollars.

For translations, and for expense of passports and sea letters, three hundred dollars.

For stating and printing the public accounts for the year one thousand eight hundred and thirty-five, one thousand four hundred dollars.

For compensation of superintendent and watchmen of the buildings occupied by the Treasury Department, including arrearages for one thousand eight hundred and thirty-three, the sum of two thousand four hundred and seventy-five dollars.

For incidental and contingent expenses of said building, including fuel, labour, oil, repairs, furniture, and for rent, amounting to three thousand seven hundred and fifty dollars, eight thousand dollars.

For compensation to the clerks and messengers in the office of the Secretary of War, twelve thousand six hundred and fifty dollars.

Department of War.

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

For books, maps, and plans for the War Department, one thousand dollars.

For messenger in the bounty land bureau, four hundred dollars.

For compensation to the commissioner of Indian affairs, three thousand dollars.

For compensation to the clerks and messenger in the office of Indian affairs, five thousand seven hundred dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks and messenger in the office of the paymaster general, four thousand six hundred dollars.

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks and messenger in the office of the commissary general of purchases, and for a clerk employed at the seat of government, four thousand two hundred dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks in the office of [the] adjutant general, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, six hundred dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, including printing advertisements, two thousand five hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For expenses of the lithographic press of the War Department, seven hundred and fifty dollars.

Civil and diplomatic expenses of government.

For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general, eleven hundred and fifty dollars.

For contingent expenses of said office, four hundred dollars.

For salary of the clerk in the topographical bureau, one thousand dollars.

For contingent expenses of the topographical bureau, one thousand two hundred and eighty-two dollars and fifty cents.

For the salary of the commissioner of pensions, two thousand five hundred dollars.

For salaries of clerks transferred from the office of the Secretary of War, four thousand eight hundred dollars.

For salaries of additional clerks, ten thousand six hundred dollars.

Act of June 7, 1832, ch. 126.

For additional or temporary clerk hire, to assist in the re-examination of claims and accounts, in order to carry into effect the act of the seventh of June, eighteen hundred and thirty-two, granting revolutionary pensions, three thousand four hundred dollars.

For messengers in the pension office, one thousand two hundred and fifty dollars.

For the pay of temporary clerks employed for five months to prepare a statement under the resolutions of the Senate of the sixth and thirtieth of June, eighteen hundred and thirty-four, required to be made during the recess of Congress, at an average of eighty dollars per month for each clerk, nine thousand one hundred and twenty dollars.

For printing, stationery, rent, expenses of procuring revolutionary records, and other contingencies in the office of the commissioner of pensions, six thousand five hundred dollars.

War office building.

For the salary of the superintendent and watchmen of the north-west executive building, twelve hundred and fifty dollars.

For the contingent expenses of said building, including fuel, labour, oil, furniture, repairs of building, the sum of one hundred and fifty dollars for the rent of rooms occupied by the bounty land bureau, and a deficiency of sixty-six dollars and sixty-six cents for the year eighteen hundred and thirty-three, three thousand two hundred and fifty dollars.

Department of the Navy.

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

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary of the commissioners of the navy board, two thousand dollars.

For compensation to the clerks, draughtsman, and messenger, in the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.

For contingent expenses of the office of the commissioners of the navy board, one thousand eight hundred dollars.

For the salary of the superintendent of the south-west executive building, and the watchmen, twelve hundred and fifty dollars.

Post-office.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks and messengers in the office of the Postmaster General, forty-one thousand one hundred dollars.

For contingent expenses of said office, seven thousand five hundred dollars.

For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.

For additional clerk hire for the year eighteen hundred and thirty-four,

thirty-eight thousand three hundred and fifty-five dollars and eighty-four cents.

Civil and diplomatic expenses of government.

For the services of a topographer and map-maker for obtaining materials and drawing maps of the several states and territories, one thousand dollars.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

For compensation to the clerks in the office of the said surveyor, two thousand one hundred dollars.

For additional clerk hire, in order to bring up the arrears, and transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, three thousand five hundred dollars.

For compensation to the surveyor in Illinois and Missouri, two thousand dollars.

For compensation to clerks in the office of said surveyor, four thousand eight hundred and twenty dollars.

For additional clerk hire, in order to bring up the arrears, and transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor general in Arkansas, one thousand five hundred dollars.

For compensation to clerks in said office, one thousand eight hundred dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor in Louisiana, two thousand dollars.

For compensation to the clerks in the office of said surveyor, fifteen hundred dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor in Mississippi, two thousand dollars.

For compensation to the clerks in the office of said surveyor, two thousand seven hundred dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, two thousand three hundred dollars.

For compensation to the surveyor in Alabama, two thousand dollars.

For compensation to the clerk and draughtsman in the office of the said surveyor, one thousand dollars each.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor in Florida, two thousand dollars.

For compensation to the clerks in the office of said surveyor, three thousand dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, five hundred dollars.

For compensation to the secretary appointed by the President to sign all patents for lands sold or granted under the authority of the United States, per act of second March, eighteen hundred and thirty-three, one thousand five hundred dollars.

1833, ch. 91.

For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.

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

Library.

For salary of the principal and assistant librarians, and for contingent

Civil and diplomatic expenses of government.

expenses of the library, and pay of messenger, three thousand seven hundred and fifty dollars.

For new articles of furniture for the library of Congress, fifteen hundred dollars.

Mint.

For compensation to the officers and clerk of the mint, ten thousand six hundred dollars.

For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, including one thousand dollars for the salary of an assistant assayer, twenty-three thousand dollars.

For incidental and contingent expenses and repairs, cost of machinery, for allowance for wastage in gold and silver coinage of the mint, thirty-nine thousand six hundred and fifty dollars.

For defraying the excess of expenditure in the several departments of the mint for the year one thousand eight hundred and thirty-four, beyond the appropriation for the year eighteen hundred and thirty-four, arising from the extra coinage consequent upon the act of the twenty-eighth June, eighteen hundred and thirty-four, relative to the gold coinage, including wastage on said coinage, twenty thousand dollars.

1834, ch. 96.

Michigan.

For compensation to the governor, judges, and secretary of the Michigan territory, including five hundred dollars arrearages of compensation to the governor of said territory, from thirtieth of June to thirty-first December, eighteen hundred and thirty-four, per act of thirtieth June, eighteen hundred and thirty-four, ten thousand five hundred dollars.

1834, ch. 164.

For contingent expenses of the Michigan territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, nine thousand nine hundred and twenty dollars.

For pay and mileage of the members of the legislative council, pay of the officers of the council, and the incidental expenses of an extra session of said council, held at Detroit in the year eighteen hundred and thirty-four, four thousand two hundred and sixty-eight dollars and eighty-one cents.

Arkansas.

For compensation to the governor, judges, and secretary of the Arkansas territory, nine thousand dollars.

For incidental expenses, per act of twenty-fourth of May, eighteen hundred and twenty-eight, seven hundred and twenty dollars.

1828, ch. 100.

For contingent expenses of the Arkansas territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislature of the territory of Arkansas, including fuel, stationery, printing and distribution of the laws, in addition to an unexpended balance of former appropriations of six thousand eight hundred and seventy-two dollars and fifty-six cents, the sum of two thousand five hundred and two dollars and forty-four cents.

Florida.

For compensation to the governor, judges and secretary of the Florida territory, eleven thousand seven hundred dollars.

For the contingent expense of the Florida territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and incidental expenses, per act of eighteenth June, one thousand eight hundred and thirty-four, and thirtieth June, one thousand eight hundred and thirty-four, seven thousand four hundred dollars.

1834, ch. 46,  
164.

For the printing and distribution of the laws and journals, and publication of the laws of said territory, in three newspapers, as required by law, one thousand eight hundred and ninety dollars.

For allowances to the law agent, assistant counsel, and district attorney,

under the acts for the settlement of private land claims in Florida, four thousand and fifty dollars.

Civil and diplomatic expenses of government.

For expenses of clerk hire, interpreter, office rent, and stationery, rendered necessary to the judge of the superior court of East Florida, at St. Augustine, in the performance of the services required of him under the act for the relief of inhabitants of East Florida, of June twenty-six, one thousand eight hundred and thirty-four, one thousand six hundred and seventy-five dollars.

1834, ch. 87.

For compensation to the chief justice, the associate judges, and district judges of the United States, eighty-one thousand four hundred dollars.

Judiciary.

For the expenses of printing the records of the Supreme Court of the United States, for the term of eighteen hundred and thirty-five, three thousand dollars.

For the salaries of the chief justice and associate judges of the District of Columbia, and of the judges of the orphans' courts of the said District, nine thousand five hundred dollars.

For compensation to the attorney general of the United States, four thousand dollars.

For compensation to the clerk in the office of the attorney general, eight hundred dollars.

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars.

For compensation to the district attorneys and marshals, as granted by law, including those in the several territories, and including the sum of three thousand one hundred and seventy-five dollars, being a deficiency in the appropriation to meet the expenditure for the fourth quarter of one thousand eight hundred and thirty-four, fifteen thousand eight hundred and seventy-five dollars.

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 thirty-four, and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, three hundred thousand dollars.

For the payment of sundry pensions, granted by special acts of Congress, one thousand three hundred and fifty dollars.

Miscellaneous.

For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of lamps, oil, keepers' salaries, repairs and improvements, and contingent expenses, two hundred and sixty-eight thousand one hundred and fifty-two dollars and fifty-nine cents.

To make good a deficiency in the funds for the relief of sick and disabled seamen, as established by the acts of sixteenth July, seventeen hundred and ninety-eight, and third May, eighteen hundred and two, twenty-five thousand dollars.

1798, ch. 77.  
1802, ch. 51.

For repairs of the marine hospital wharf at Chelsea, Massachusetts, five hundred dollars.

For enclosing the custom-house lot at Norfolk with a brick wall, and for repairs of the custom-house buildings, three thousand and four hundred and fifty dollars.

For repairs and for building an addition to the house occupied by the revenue officer having charge of the public property at Sandy Hook, New Jersey, four hundred dollars.

For expense in relation to the relief of certain insolvent debtors of the United States, under the act of seventh June, eighteen hundred and thirty-four, five thousand dollars.

1834, ch. 45.

Civil and diplomatic expenses of government.  
1834, ch. 144.

For a beacon on the piers at the mouth of Genesee river and Sodus bay, as authorized by the act of the thirtieth June, eighteen hundred and thirty-four, in addition to a former appropriation of four thousand dollars, the sum of three thousand seven hundred and fifty dollars.

1834, ch. 144.

For a lighthouse or beacon-light on one of the piers at the harbour of Oswego, on Lake Ontario, as authorized by the act of the thirtieth of June, eighteen hundred and thirty-four, in addition to a former appropriation of three thousand six hundred and sixty-six dollars, the sum of six thousand four hundred and eighty-five dollars.

1834, ch. 144.

For the removal of the lighthouse now on the north end of Goat island, near the harbour of Newport, Rhode Island, as authorized by the act of the thirtieth of June, eighteen hundred and thirty-four, in addition to a former appropriation of thirteen thousand six hundred dollars, the sum of thirty-two thousand four hundred dollars.

For surveying the public lands, in addition to the unexpended balance of former appropriations, seventy thousand dollars.

1823, ch. 68.

For surveying the lots in the town of Peoria, in the state of Illinois, as authorized by the act of third March, eighteen hundred and twenty-three, five hundred dollars.

For the salaries of two keepers of the public archives in Florida, one thousand dollars.

1834, ch. 92.

For compensation to the recorder, two commissioners, and translator, for the final adjustment of private land claims in Missouri, from the first January to the first of October, eighteen hundred and thirty-five, per act of the twenty-seventh June, eighteen hundred and thirty-four, the sum of four thousand five hundred and seventeen dollars.

For contingent expenses and office rent of said board, including five hundred dollars for conveying the final report to the seat of government, one thousand dollars.

For stationery and books for the office of commissioners of loans, one thousand two hundred dollars.

For additional payment for the statue of Washington, five thousand dollars.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the treasury, twelve thousand dollars.

Diplomatic expenses.

For the salaries of the ministers of the United States to France, Spain, and Russia, twenty-seven thousand dollars.

For the salaries of the *chargés des affaires* to Portugal, Great Britain, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Chili, Peru, Mexico, Central America, New Grenada, Prussia, and Venezuela, sixty-seven thousand five hundred dollars.

For the salary of the drogoman to the legation of the United States to Turkey, and for contingent expenses of that legation, six thousand five hundred dollars.

For outfit of a minister of the United States to Spain, nine thousand dollars.

For outfits to the *chargés des affaires* to Venezuela and Portugal, nine thousand dollars.

For outfit of a *chargé d'affaires* to Denmark or to Prussia, as may be required, four thousand five hundred dollars.

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

For a balance due John Randolph Clay, *chargé des affaires* at Russia, thirteen hundred dollars.

For a balance due to Nathaniel Niles, late *chargé des affaires* at France, five thousand and fifteen dollars and sixty-two cents, in addition to the sum appropriated for his services as *chargé des affaires* aforesaid, by the act of thirtieth June, one thousand eight hundred and thirty-four.

1834, ch. 165.

To Captain John Downes the sum of one thousand and eighty dollars, in reimbursement of the cost of presents to the native authorities in the Society and Sandwich Islands while commanding the squadron of the United States in the Pacific ocean.

Civil and diplomatic expenses of government.

For the salaries of the agents for claims at London and Paris, four thousand dollars.

For the expenses of intercourse with the Barbary powers, seventeen thousand four hundred dollars.

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

For the contingent expenses of foreign intercourse, thirty thousand dollars.

For compensation and expenses of an agent to Havana, to procure the archives of Florida, four thousand five hundred dollars.

For completing a "Digest of Commercial Regulations of Foreign Countries," under the resolution of the House of Representatives of the third of March, eighteen hundred and thirty-one, including the sum of one thousand five hundred dollars for expenses in obtaining information from foreign countries, the sum of six thousand six hundred dollars.

Miscellaneous.

For compensation to Lemuel Slater, for services in collecting information, in the state of Rhode Island, upon the extent and condition of manufactures of that state, under the appointment of the Secretary of the Treasury, in eighteen hundred and thirty-two; eight hundred and ten dollars, and twenty-seven cents.

For completing the public warehouse, in Baltimore, sixty thousand dollars.

For the payment of the balance of the salary of Valentine Giesy, late superintendent of the Cumberland road, east of the Ohio river, eight hundred sixty-two dollars and eighty-seven cents.

For the purchase of a site and building a custom-house in the city of Boston, fifty thousand dollars, in addition to what may be obtained by a sale of the present custom-house, provided a suitable site can be obtained and a custom-house satisfactory to the Secretary of the Treasury can be built to cost not exceeding these appropriations for that purpose.

For the repair of the pier and wharves connected with the public stores on Staten Island, in consequence of the damage done to them by a late gale, for the rebuilding of the store thrown down in consequence of the breaking up of the foundation on which it stood by the same gale: and for putting on of a new roof and other repairs to the remaining store, the sum of thirty-eight thousand dollars, to be expended under the direction of the Secretary of the Treasury, and the work to be done upon contract in the ordinary mode of letting contracts for public works.

For payment for preparing, printing and binding the documents ordered to be printed, by Gales and Seaton, under the same restrictions and reservations as were contained in the appropriation for the same object, in the act of May the fifth, eighteen hundred and thirty-two, forty thousand dollars.

1832, ch. 74.

For payment for printing the documents relating to the public lands, and for binding, and for engraving the necessary maps, ordered to be printed by the Senate, ten thousand eight hundred and sixty dollars.

And the following sums for the military academy at West Point:

For defraying the expenses of the board of visitors at West Point, two thousand dollars.

For fuel, forage, stationery, printing, transportation and postage, nine thousand nine hundred and sixty-five dollars.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, carts, and fences, six thousand five hundred and twenty-eight dollars.

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

Civil and diplomatic expenses of government.

For philosophical apparatus and repairs of the same, five hundred and eighty-five dollars.

For models for the department of engineering, six hundred dollars.

For completing the custom-house building and enclosing the lot, six thousand eight hundred dollars.

For models for the drawing department, apparatus and contingencies for the department of chemistry, and repairs of instruments for the mathematical department, one thousand one hundred and eighty dollars.

For the departments of mineralogy, artillery, and sword exercises, one thousand four hundred dollars.

For increase and expenses of the library, eight hundred and seventy-three dollars.

For miscellaneous items, and incidental expenses, one thousand five hundred and fifty-eight dollars.

For pay of the officers, cadets and musicians, fifty-six thousand one hundred and thirty-two dollars.

For subsistence of officers and cadets, thirty-nine thousand five hundred and sixty-six dollars.

For forage of officers, one thousand one hundred and fifty-two dollars.

For clothing of officers' servants, three hundred and thirty dollars.

For recording the opinions of the Supreme Court of the United States, two hundred and fifty dollars; which recording shall be done by the clerk of said court presently after the delivery of such opinions.

For the publication of the new System of Discipline and Tactics for the use of the army of the United States, two thousand six hundred dollars; and for compensation to Winfield Scott, the author and compiler, and for superintending the printing of the same, five thousand dollars.

March 3, 1835,  
ch. 27.

For additional pay to the officers of the navy and the civil establishment of the navy yards, granted by act of the present session of Congress, two hundred and ninety-five thousand seven hundred and thirty-two dollars and seventy-four cents.

For alterations and repairs in the Capitol, including the domes of the chambers of the Senate and House of Representatives, replacing and renewing the copper of the same, and painting the ceiling of the Rotundo, twelve thousand five hundred dollars.

For salary of the gardener employed in superintending the Capitol square and other public grounds, one thousand dollars.

For lighting lamps and keeping the grounds and walks in order, including cost of trees and shrubs, four thousand five hundred dollars.

For protection of the waste water pipes and air pipe of the aqueduct of the Capitol and repairs of the pipes, five hundred dollars.

For alterations and repairs of the President's house, for gardener's salary, and for keeping the grounds and walks in order, including the cost of trees and shrubs, four thousand two hundred dollars.

For laying a line of iron water pipes from the State to the Navy Department, seventeen hundred dollars.

For improving Lafayette square, three hundred dollars.

For the annual expense of two fire engines, two hundred dollars.

For preparing the niches for the reception of the statues at the east front of the Capitol, four hundred and sixty dollars.

For repairing the culvert, at the west front of the Capitol, three hundred and eighty dollars.

For completing the work of repairing and putting in order the Congressional burial ground, six hundred dollars.

Land appropriated for unsatisfied warrants and certificates, &c.

1830, ch. 215.

SEC. 2. *And be it further enacted*, That six hundred and fifty thousand acres of land, in addition to the quantity heretofore appropriated by the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth day of May one thousand eight hun-



dred and thirty, and the act entitled "An act to extend the time for issuing military land warrants to officers and soldiers of the revolutionary war," approved the thirteenth day of July, one thousand eight hundred and thirty-two, and the act entitled "An act granting an additional quantity of land for the location of revolutionary bounty land warrants," approved the second day of March, one thousand eight hundred and thirty-three, be, and the same are hereby, appropriated, to be applied in the manner provided for in said acts, to the unsatisfied warrants whether original or duplicate, which have been or may be issued as therein directed to the officers, soldiers and others therein described; and the certificates of scrip, issued pursuant to said acts shall be receivable in payment for any of the public lands liable to sale at private entry: *Provided*, That no scrip shall be issued until the first day of September next, and warrants shall be received in the general land office until that day and immediately thereafter, if the amount filed exceed six hundred and fifty thousand acres, the commissioner of the general land office shall apportion the said six hundred and fifty thousand acres of land among the warrants which may be then on file, in full satisfaction thereof.

1832, ch. 205.

1833, ch. 94.

Proviso.

SEC. 3. *And be it further enacted*, That the second section of the act making appropriations for the civil and diplomatic expenses of the government, for the year one thousand eight hundred and thirty-four, is hereby repealed, and that the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, naval officers, surveyors, and their respective clerks, together with the weighers of the several ports of the United States, out of any money in the treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation in the year one thousand eight hundred and thirty-five, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth July, one thousand eight hundred and thirty-two, had not gone into effect: *Provided*, That no officer shall receive under this act a greater annual salary or compensation than was paid to such officer for the year one thousand eight hundred and thirty-two; and that in no case, shall the compensation of any other officers than collectors, appraisers and surveyors, whether by salaries, fees, or otherwise, exceed the sum of fifteen hundred dollars each per annum; nor shall the union of any two or more of these offices in one person entitle him to receive more than that sum per annum: *Provided*, That the whole number of custom-house officers in the United States on the first January, one thousand eight hundred and thirty-four, shall not be increased until otherwise allowed by Congress: *Provided, further*, That the said collectors, naval officers and surveyors shall render an account, quarterly, to the treasury, and the other officers herein named or referred to, shall render an account, quarterly, to the respective collectors of the customs, where they are employed, to be forwarded to the treasury, of all the fees and emoluments whatever by them respectively received; and of all expenses incident to their respective offices; which accounts shall be rendered on oath or affirmation, and shall be in such form, and be supported by such proofs, to be prescribed by the Secretary of the Treasury, as will, in his judgment, best enforce the provisions of this section, and show its operation and effect: *Provided also*, That any salary or compensation due for the year one thousand eight hundred and thirty-four, shall not be affected by this section.

Second section of the act making appropriations for 1834, ch.92, repealed, and Secretary of the Treasury to pay certain amounts to officers of the customs.

1832, ch. 227.

Proviso.

Proviso.

Proviso.

Proviso.

SEC. 4. *And be it further enacted*, That no payment of the money appropriated by this act, or any other act passed at the present session of Congress, shall be made in the note or notes of any bank which shall not be at par value at the place where such payment may be made: *Provided* that nothing here contained shall be construed to make any thing but gold and silver a tender in payment of any debt due from the United States to individuals.

Payments not to be made in bank notes below par at place of payment.

## STATUTE II.

March 3, 1835.

CHAP. XXXI.—*An Act for the continuation and repair of the Cumberland road in the states of Ohio, Indiana, and Illinois. (a)*

Appropriation  
for continuing  
the road in the  
state of  
Ohio;

Indiana.

Appropriation  
to complete the  
road east of the  
Ohio river, and  
to carry into ef-  
fect the acts of  
Pennsylvania,  
Maryland, and  
Virginia.

Money appro-  
priated not to be  
expended until  
the states ac-  
cept the road.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of two hundred thousand dollars be, and the same is hereby, appropriated, for the purpose of continuing the Cumberland road in the state of Ohio; also that the sum of one hundred thousand dollars be, and the same is hereby, appropriated, for continuing the Cumberland road in the state of Indiana; which sums shall be paid out of any money not otherwise appropriated, and replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, and Illinois into the Union, on an equal footing with the original states.

SEC. 2. *And be it further enacted,* That for the entire completion of repairs of the Cumberland road, east of the Ohio river, and other needful improvements on said road, to carry into effect the provisions of an act of the general assembly of Pennsylvania, entitled "An act for the preservation and repair of the Cumberland road," passed the fourth day of April, one thousand eight hundred and thirty-one, and of an act of the general assembly of the state of Maryland, entitled "An act for the preservation and repair of that part of the United States' road within the limits of the state of Maryland," passed the twenty-third day of January, one thousand eight hundred and thirty-two; also an act of the general assembly of Virginia, entitled "An act concerning the Cumberland road," passed February the seventh, one thousand eight hundred and thirty-two; the sum of three hundred and forty-six thousand one hundred and eighty-six dollars and fifty-eight cents be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of War.

SEC. 3. *And be it further enacted,* That before any portion of the sum by the second section of this act appropriated, shall be expended in the repair of said road, east of the Ohio river, agreeably to the provisions of this act, the same shall be surrendered to and accepted by the states, respectively, through which said road passes; and the United States shall not thereafter be subject to any expense in relation to said road.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

CHAP. XXXII.—*An Act amendatory of the act for the continuation of the Cumberland road.*

Line of road  
between Spring-  
field, Ohio, and  
Richmond, In-  
diana, to be re-  
examined, &c.

*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 the line of the national road, heretofore run between Springfield, in Clarke county, in the state of Ohio, and Richmond, in the state of Indiana, to be examined and reviewed by some competent engineer; and, on such review, the line of the national road to be run in such manner, and in such direction, as will best promote the public convenience and interest; and the location so made, if approved by the President of the United States, shall be established as the line between the said points.

APPROVED, March 3, 1835.

(a) See notes of the acts relating to the Cumberland road, vol. ii. p. 357.

CHAP. XXXIII.—*An Act to prescribe the punishments of consuls, commercial agents, and others, in certain cases.*

STATUTE II.  
March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That if any consul, vice consul, commercial agent, or vice commercial agent, shall knowingly and falsely certify to any invoice, or other papers to which his certificate is by law authorized or required, he shall, on conviction thereof, in any court of competent jurisdiction, forfeit and pay a fine not exceeding ten thousand dollars, at the discretion of the court, and be imprisoned for a term not exceeding three years, at the like discretion.

Fine and imprisonment for giving false certificates.

APPROVED, March 3, 1835.

CHAP. XXXIV.—*An Act to change the place of holding the district court of the United States for the district of Mississippi.*

STATUTE II.  
March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district court of the United States for the district of Mississippi, now held at Natchez, shall hereafter be held at the town of Jackson, in the state of Mississippi, at the times now prescribed by law for the holding of said court.

Court to be held at Jackson.

APPROVED, March 3, 1835.

CHAP. XXXV.—*An Act to amend an act entitled "An act authorizing the construction of a bridge across the Potomac, and repealing all acts already passed in relation thereto."*

STATUTE II.  
March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act entitled "An act authorizing the construction of a bridge across the Potomac, and repealing all acts already passed in relation thereto," which was approved on the thirtieth of June, eighteen hundred and thirty-four, be, and the same is hereby, amended, so far as to authorize a connexion, by a solid embankment across the middle, commonly called the Swash channel, of the river Potomac, of the two embankments now constructing on the shoals of the said river, and the addition of the several improvements upon the plan of the said bridge, contemplated in the contract for the construction thereof, which are recommended in the letter of the engineer superintending the said work, to the Secretary of the Treasury, bearing date December first, eighteen hundred and thirty-four, and transmitted to the House of Representatives on the eighth of that month: *Provided,* That the said additional embankment and improvement shall not cause the entire cost of the said bridge to exceed, in amount, the sum of one hundred and thirty thousand dollars, already appropriated thereto.

Solid embankment across the Swash channel, &c.

Act of June 30, 1834, ch. 155.

Proviso.

APPROVED, March 3, 1835.

CHAP. XXXVI.—*An act to change the times of holding the district courts of the United States for the western district of Virginia, held at Clarksburg. (a)*

STATUTE II.  
March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the second of August next, the sessions of the district court of the United States for the western district of Virginia, required by law to be holden at Clarksburg, shall be held on the first Mondays of June and November annually.

Court to be held on the first Mondays of June and November.

APPROVED, March 3, 1835.

(a) See notes of the acts relating to the district courts of Virginia, vol. iii. p. 479.

## STATUTE II.

March 3, 1835.

CHAP. XXXVII.—*An Act to authorize the removal of the land office at Wapaughkoneta to Lima, in the state of Ohio.*

Wapaughkoneta land office removed to Lima.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the land office at present established at Wapaughkoneta, in the state of Ohio, be removed to Lima, in Allen county, in the same state.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

CHAP. XXXIX.—*An Act to establish branches of the mint of the United States. (a)*

Branches of the mint to be established at

New Orleans;  
Charlotte;  
Dahlohnega.

Appropriation for purchasing sites, &c.

Officers to be appointed when the buildings are erected.

Salaries.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That branches of the mint of the United States shall be established as follows: one branch at the city of New Orleans for the coinage of gold and silver; one branch at the town of Charlotte, in Mecklinburg county, in the state of North Carolina, for the coinage of gold only; and one branch at or near Dahlohnega, in Lumpkin county, in the state of Georgia, also for the coinage of gold only. And for the purpose of purchasing sites, erecting suitable buildings, and completing the necessary combinations of machinery for the several branches aforesaid, the following sums, to be paid out of any money in the treasury not otherwise appropriated, shall be, and hereby are, appropriated: for the branch at New Orleans, the sum of two hundred thousand dollars; for the branch at Charlotte, fifty thousand dollars; for the branch at Dahlohnega, fifty thousand dollars.

SEC. 2. *And be it further enacted,* That, so soon as the necessary buildings are erected for the purpose of well conducting the business of each of the said branches, the following officers shall be appointed upon the nomination of the President, and with the advice and consent of the Senate: one superintendent, one treasurer, one assayer, one chief coiner, one melter, and one refiner. And the superintendent of each mint shall engage and employ as many clerks and as many subordinate workmen and servants as shall be provided for by law; and the salaries of the said officers and clerks shall be as follows:

For the branch at New Orleans, to the superintendent, the sum of two thousand five hundred dollars; to the treasurer, the sum of two thousand dollars; to the chief coiner, the sum of two thousand dollars; to the assayer, melter, and refiner, the sum of two thousand dollars each; to two clerks, the sum of twelve hundred dollars each; to the subordinate workmen, and servants, not exceeding twenty in number, such wages and allowances as are customary and reasonable, according to their respective stations and occupations. For the branches at Charlotte and Dahlohnega, to the superintendents, each the sum of two thousand dollars, who shall respectively discharge the duty of treasurers; to the chief coiners, each the sum of one thousand five hundred dollars; to the assayers, melters, and refiners, each the sum of one thousand five hundred dollars; to the clerks, not exceeding one at each branch, the sum of one thousand dollars; and to the subordinate workmen and servants, not

(a) Act of January 18, 1837, ch. 3.

An act to amend an act entitled "An act to establish branches of the mint of the United States," passed March 3, 1835. February 13, 1837, ch. 14.

An act to provide for the collection, safe keeping, transfer, and disbursement of the public revenue, July 4, 1840, ch. 41, sec. 4.

An act amendatory of an act establishing the branch mint at Dahlohnega, Georgia, and defining the duties of assayers and coiners, February 27, 1843, ch. 46.

An act to amend the act entitled "An act to establish branches of the mint of the United States," April 2, 1844, ch. 7.

Appropriation for a building in the place of the one destroyed by fire, at Charlotte, North Carolina, act of March 3, 1845, ch. 72.

exceeding the number of five at each of the said branches, such wages and allowances shall be paid as are customary and reasonable, according to their respective stations and occupations. And for the purpose of paying the said salaries, wages, allowances, and the incidental expenses of the said branches of the mint, for the year one thousand eight hundred and thirty-five, the following sums, to be paid out of any money in the treasury not otherwise appropriated, be, and the same hereby are, appropriated: for the branch at New Orleans, the sum of thirty-five thousand dollars; for the branches at Charlotte and Dahlohnega, the sum of fifteen thousand dollars each.

Appropriation for salaries, &c.

SEC. 3. *And be it further enacted*, That the officers and clerks to be appointed under this act, before entering upon the duties thereof, shall take an oath or affirmation before some judge of the United States, faithfully and diligently to perform the duties thereof; and shall each become bound to the United States of America, with one or more sureties, to the satisfaction of the director of the mint and the Secretary of the Treasury, with condition for the faithful and diligent performance of the duties of their offices.

Oath or affirmation of officers.

SEC. 4. *And be it further enacted*, That the general direction of the business of the said branches of the mint of the United States shall be under the control and regulation of the director of the mint at Philadelphia, subject to the approbation of the Secretary of the Treasury; and for that purpose, it shall be the duty of the said director to prescribe such regulations, and require such returns, periodically, and occasionally, as shall appear to him to be necessary for the purpose of carrying into effect the intention of this act in establishing the said branches; also, for the purpose of discriminating the coin which shall be stamped at each branch, and at the mint itself; also, for the purpose of preserving uniformity of weight, form, and fineness in the coins stamped at each place; and for that purpose, to require the transmission and delivery to him, at the mint, from time to time, such parcels of the coinage of each branch as he shall think proper to be subjected to such assays and tests as he shall direct.

General direction of branches to be under the director of the mint at Philadelphia.

SEC. 5. *And be it further enacted*, That all the laws, and parts of laws, made for the regulation of the mint of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offences connected with the mint or coinage of the United States, shall be, and the same are hereby, declared to be in full force, in relation to each of the branches of the mint by this act established, so far as the same shall be applicable thereto.

Laws for regulation of mint extended to the branches.

APPROVED, March 3, 1835.

STATUTE II.

CHAP. XL.—*An Act in amendment of the acts for the punishment of offences against the United States. (a)*

March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That if any one of more of the crew of any American ship or vessel on the high seas, or on any other

Revolt and mutiny on board a vessel to be punished by fine and

(a) *Revolt.*

Where there is a deviation from the voyage in the shipping articles, a refusal of the seamen, subsequently, to do duty on that account, does not amount in law to an endeavour to commit a revolt, under the act of Congress of 1835, ch. 40, sec. 2. *United States v. John Mathews*, 2 Sumner's C. C. R. 470.

To sustain an indictment for an endeavour to make a revolt, under the act of Congress of 1835, ch. 40, sec. 2, a confederacy or combination must be shown, between two or more of the seamen, to refuse to do further duty on board of the ship, and to resist the lawful commands of the officers. *The United States v. Alfred Cassidy et al.*, 2 Sumner's C. C. R. 582.

The contract of seamen for the voyage is not suspended or extinguished by the death, removal, or resignation of the original master; but they are bound to perform the voyage under any person who is lawfully substituted in his place. *Ibid.*

If a person substituted as master be grossly incompetent to the duties of his station, from want of

imprisonment,  
and not as a ca-  
pital offence.

waters within the admiralty and maritime jurisdiction of the United States, shall unlawfully, wilfully, and with force, or by fraud, threats, or other intimidations, usurp the command of such ship or vessel from the master or other lawful commanding officer thereof, or deprive him of his authority and command on board thereof, or resist or prevent him in the free and lawful exercise thereof, or transfer such authority and command to any other person not lawfully entitled thereto, every such person so offending, his aiders or abettors, shall be deemed guilty of a revolt or mutiny and felony; and shall, on conviction thereof, be punished by fine not exceeding two thousand dollars; and by imprisonment and confinement to hard labour not exceeding ten years, according to the nature and aggravation of the offence. And the offence of making a revolt in a ship, which now is, under and in virtue of the eighth section of the act of Congress, passed the thirtieth day of April, in the year of our Lord one thousand seven hundred and ninety, punishable as a capital offence, shall, from and after the passage of the present act, be no longer punishable as a capital offence, but shall be punished in the manner prescribed in the present act, and not otherwise.

1790, ch. 9.

Punishment for  
an endeavour to  
make a revolt or  
mutiny, &c.

SEC. 2. *And be it further enacted*, That if any one or more of the crew of any American ship or vessel on the high seas, or any other waters, within the admiralty and maritime jurisdiction of the United States, shall endeavour to make a revolt or mutiny on board such ship or vessel, or shall combine, conspire or confederate with any other person or persons on board to make such revolt or mutiny, or shall solicit, incite or stir up any other or others of the crew to disobey or resist the lawful orders of the master, or other officer of such ship or vessel, or to refuse or neglect their proper duty on board thereof, or to betray their proper trust therein, or shall assemble with others in a tumultuous and mutinous manner, or make a riot on board thereof, or shall unlawfully confine the master, or other commanding officer thereof, every such person so offending shall, on conviction thereof, be punished by fine, not exceeding one thousand dollars, or by imprisonment not exceeding five years, or by both, according to the nature and aggravation of the offence.

Punishment of  
master or other  
officer for mal-  
treating one or  
more of the  
crew.

SEC. 3. *And be it further enacted*, That if any master or other officer, (a) of any American ship or vessel on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, shall from malice, hatred or revenge, and without justifiable cause, beat, wound, or imprison, any one or more of the crew of such ship or vessel, or withhold from them suitable food and nourishment, or inflict upon them

skill or bad habits, or profligate and cruel behaviour, the seamen may be justified in refusing to do duty or to remain by the ship. *Ibid.*

The act of 1835, ch. 40, provides, "That if any one or more of the crew of an American ship or vessel on the high seas, &c., shall endeavour to make a revolt, &c., he and they shall be punished as provided in the act." Held, that a ship engaged in a whaling voyage, without having surrendered her register, or taken out an enrolment and license pursuant to the act of 1793, ch. 8, was not an American ship, within the purview of the act of 1835, ch. 40, and that an indictment would not hold, under this act, against the crew, for an endeavour to make a revolt. *The United States v. Rogers*, 3 Sumner's C. C. R. 342.

(a) The act of Congress of 1835, ch. 40, sec. 3, for the punishment of certain maritime offences, provides, "that if any master or other officer of an American ship or vessel shall, from malice, hatred, or revenge, and without justifiable cause, beat, wound or imprison any one or more of the crew of such ship or vessel," &c., he shall be punished in the manner stated in the act. Held, that "malice," in the sense of the act, signified wilfulness, or a wilful intention to do a wrongful act, and that to authorize a conviction under this act, two things must be shown: first, malice, or hatred, or revenge; and, secondly, a want of justifiable cause to inflict the injury. *United States v. Otis Taylor*, 2 Sumner's C. C. R. 584.

The master, when on board, has generally the sole authority to authorize punishment to be inflicted on any of the crew, and if he is present when punishment is inflicted by a subordinate officer, and can prevent it, and does not, he is personally responsible for the act; and neither the mate nor any subordinate officer has authority to punish any seaman, even for improper behaviour to himself personally, when the master is on board, except by authority, express or implied, by the master, or when the necessities of the service require instantaneous punishment, as by blows or otherwise, to compel a seaman to his duty. *Ibid.*

In the absence of the master, the next highest officer on board succeeds to his right and authority, pro tempore, so far as they are necessary for the due performance of the ship's duties. *Ibid.*

any cruel and unusual punishment, every such person so offending shall, on conviction thereof, be punished by fine, not exceeding one thousand dollars, or by imprisonment not exceeding five years, or by both, according to the nature and aggravation of the offence.

SEC. 4. *And be it further enacted*, That whenever any person indicted for any offence against the United States, whether capital or otherwise, shall upon his arraignment stand mute, or will not plead or answer thereto, it shall be the duty of the court to enter the plea of not guilty on his behalf, in the same manner as if he had pleaded not guilty thereto. And when the party shall plead not guilty, or such plea shall be entered as aforesaid, the cause shall be deemed at issue, and shall, without further form or ceremony, be tried by a jury. And in all trials in capital cases, if the party indicted shall peremptorily challenge above the number of jurors allowed by law, such excess of challenges shall be disallowed by the court, and the cause shall proceed for trial in the same manner as if the same [said] challenges had not been made.

SEC. 5. *And be it further enacted*, That whenever any person shall be convicted of any offence against the United States which is punishable by fine and imprisonment, or by either, it shall be lawful for the court by which the sentence is passed, to order the sentence to be executed in any house of correction, or house of reformation for juvenile delinquents within the state or district where such court is holden, the use of which shall be allowed and authorized by the legislature of the state for such purpose. And the expenses attendant upon the execution of such sentence shall be paid by the United States.

APPROVED, March 3, 1835.

Procedure in case a person arraigned shall stand mute, &c.

Challenge.

Court may order sentence to be executed in house of correction, &c.

STATUTE II.

CHAP. XLI.—*An Act making appropriations for certain roads, and for examinations and surveys, for the year one thousand eight hundred and thirty-five.*

March 3, 1835.

*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, to be paid out of any unappropriated money in the treasury, for certain roads, and for making examinations and surveys, for the year one thousand eight hundred and thirty-five, viz :

[Obsolete.]  
Appropriations for roads from

For the road from Detroit to fort Gratiot, three thousand dollars.

For the road from Detroit to Saganaw bay, ten thousand dollars.

For the road from Detroit to Grand river of Lake Michigan, twenty-five thousand dollars.

Detroit to fort Gratiot ;  
Detroit to Saganaw ;  
Detroit to Grand river ;  
Detroit towards Chicago ;

For the road from Detroit towards Chicago, in the territory of Michigan, ten thousand dollars.

For the road from La Plaisance bay to intersect the road to Chicago, within the territory of Michigan, ten thousand dollars.

La Plaisance bay to Chicago road ;  
Memphis to St. Francis river.

For the construction of a road from a point opposite to Memphis, to Wm. Strong's house, on the St. Francis river, in the territory of Arkansas, in addition to the balance of former appropriation, one hundred and six thousand dollars.

Examinations and surveys.  
1824, ch. 46.

For defraying the expenses incidental to making examinations and surveys under the act of thirtieth of April, eighteen hundred and twenty-four, twenty-five thousand dollars.

For repairing the military road in Florida, from Pensacola to Tallahassee, and thence to St. Augustine, fifteen thousand dollars.

Road from Pensacola to Tallahassee.  
Payment of Isaiah Frost.

For the payment of Isaiah Frost, for work heretofore done by him, on the Cumberland road, the sum of three hundred and twenty dollars.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

CHAP. XLIII.—*An Act further to extend the time allowed for the execution of the duties of the commission for carrying into effect the convention with France.*

Act of July 13, 1832, ch. 199.  
Time extended to January 1, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the commission created by an act entitled "An act to carry into effect the convention between the United States and his majesty the king of the French, concluded at Paris on the fourth day of July, eighteen hundred and thirty-one," approved July thirteenth, eighteen hundred and thirty-two, shall be and is hereby, continued until the first day of January, eighteen hundred and thirty-six, for the execution of the duties prescribed by said act.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

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

Act of July 14, 1832, ch. 227.  
Certain clauses of the second section suspended.

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

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

CHAP. XLV.—*An Act to authorize the construction of a railroad upon the public lands, from Tallahassee to St. Marks, in Florida.*

Authority to construct road.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the president, directors, and stockholders organized in virtue of an act of incorporation from the governor and legislative council of the territory of Florida, be, and they are hereby, authorized to construct said road upon the public lands of the United States, so far as the line of said road has been or shall be made to pass through the same.

Land and timber granted to the company.

SEC. 2. *And be it further enacted,* That there be granted to the said railroad company, the land over which the said road shall pass, and thirty feet on each side of the same; and the said company shall have the privilege of using the timber on the public lands, for one hundred yards on each side of said railroad, in the construction and repair of said road.

Ten acres of land granted, at terminus of the road.

SEC. 3. *And be it further enacted,* That there shall be, and is hereby, granted to the said railroad company, ten acres of land, at the junction of the St. Marks and Waculla rivers, (the point where the road terminates,) exclusive of such portions as shall be actually improved by individuals, and now in their occupancy, and also exclusive of such portions as, in the opinion of the President, it may be expedient to preserve for the national defence, or other public use: *Provided, nevertheless,* That the several grants contained in this act, shall revert to the government of the United States, unless the said railroad be begun in five years from the passage of this act, and completed within ten years thereafter.

Proviso.

Provisions to extend to two companies authorized by acts of Alabama and Florida.

SEC. 4. *And be it further enacted,* That the foregoing provisions shall extend to two companies organized under the authority of acts of the legislature of Alabama, and of the governor and legislative council of the territory of Florida, for a railroad from Pensacola to the Chatahoochee river near Columbus in Georgia, and to such other point designated in the act of the legislature of Alabama, in said state



And also, another railroad authorized by acts of the legislature of the state of Georgia, and the territory of Florida, from the Saint John's river in East Florida, to the Suwanee river in said territory, or to Vacasom bay, at the mouth of said river.

And all the rights, privileges and authority conferred in the first and second sections of this act shall extend to the said companies mentioned in this section; and subject to the proviso of the third section, as to the time within which the railroads shall be commenced and completed.

APPROVED, March 3, 1835.

Provisions extended to railroad authorized by acts of Georgia and Florida.

STATUTE II.

March 3, 1835.

Office continued for two years.

Commissioner to be appointed.

Salary, and the franking privilege.

Duties transferred from the Secretary of the Treasury to the Secretary of War.

1828, ch. 53.

CHAP. XLVI.—*An Act to continue the office of commissioner of pensions.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the office of commissioner of pensions shall be, and the same is hereby, continued for the term of two years, from and after the fourth day of March next, and no longer.

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

SEC. 3. *And be it further enacted,* That the said commissioner shall receive an annual salary of twenty-five hundred dollars, and he shall also have the privilege of franking.

SEC. 4. *And be it further enacted,* That the duties heretofore required of, and performed by the Secretary of the Treasury, under the provisions of the act approved on the fifteenth of May, one thousand eight hundred and twenty-eight, granting allowances to the officers and soldiers of the revolutionary army, and in relation to Virginia claims for revolutionary services and deficiency of commutation, be and the same are hereby transferred to, and made the duties of the Secretary of War, from and after the first day of June next.

APPROVED, March 3, 1835.

STATUTE II.

March 3, 1835.

CHAP. XLVII.—*An Act authorizing the construction of a dry-dock for the naval service.*

*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, under the direction of the President of the United States, be, and he is hereby, authorized to purchase a site, should it be deemed most advisable, and to cause a dry-dock for the naval service to be constructed, upon the most approved plan, in the harbour of New York, or its adjacent waters; and that toward defraying the expense thereof, the sum of one hundred thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1835.

Appropriation for the purchase of a site and the construction of a dry-dock in the harbour of New York.

STATUTE II.

March 3, 1835.

CHAP. XLVIII.—*An Act supplementary to the act of the fourth of July, eighteen hundred and thirty-two, entitled "An act for the final adjustment of the claims to lands in the south-eastern district of Louisiana. (a)"*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the claims for lands within the south-eastern district of the state of Louisiana, described by the

Act of July 4, 1832, ch. 166. Claims confirmed.

(a) See notes of the acts relating to the adjustment of land claims in Louisiana, vol. iii. p. 528.

register and receiver of the said district, in their report to the Secretary of the Treasury, bearing date the fifth of September, eighteen hundred and thirty-three, at New Orleans, be, and the same are hereby confirmed against any claim on the part of the United States, except the different applications hereinafter specified, to wit: in class A of said report, the following numbers: three, ten, twenty-five, thirty-two, thirty-eight, and forty-six.

In class B, of said report, the following numbers, twenty-six, twenty-eight, twenty-nine, nineteen, twenty-three, forty-seven, thirteen, thirty-five, forty-two, and forty-three.

In class C, of said report, the following numbers: six, one hundred and eighty-six, two hundred and twenty, two hundred and twenty-one, and eighty-six, eighty-four and eighty-five, forty, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and ninety-one, one hundred and ninety-eight.

Transcript of title-papers, &c. to be reported to Secretary of Treasury, and laid before Congress.

SEC. 2. *And be it further enacted*, That it shall be the duty of the register and receiver, in said district, to make out a full and perfect transcript of all the title-papers and of the evidence in their office, in relation to the numbers excepted in the first section of this act, and report the same to the Secretary of the Treasury, with such other and further information in relation to said claims, as may be directed by the Secretary of the Treasury, for the final and just settlement of said claims on or before the commencement of the next session of Congress; and he is hereby required and directed to report the same to Congress as early as practicable thereafter, with his opinion touching the validity of said claims.

APPROVED, March 3, 1835.

#### STATUTE II.

March 3, 1835.

CHAP. XLIX.—*An Act to render permanent the present mode of supplying the army of the United States, and fixing the salary of certain clerks therein named.*

Sections of the act of April 14, 1818, ch. 61.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the seventh, eighth, ninth and tenth sections of the act, entitled "An act regulating the staff of the army," passed April fourteenth, eighteen hundred and eighteen, be, and the same are hereby, continued in force until repealed by Congress.

Compensation to officers.

SEC. 2. *And be it further enacted*, That the principal clerk in the office of the commissary general of subsistence, shall receive the annual sum of sixteen hundred dollars, one of the other clerks the sum of twelve hundred dollars, and the other clerk the sum of one thousand dollars, to be paid for the year eighteen hundred and thirty-five, out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1835.

#### STATUTE II.

March 3, 1835.

CHAP. L.—*An Act making appropriations for Indian annuities and other similar objects, for the year eighteen hundred and thirty-five.*

Appropriations for Indian annuities, &c.

*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 the objects hereinafter mentioned, to be paid out of any money in the treasury not otherwise appropriated; that is to say:

Six Nations in New York.

To the Six Nations of Indians in New York, for the permanent annuity stipulated in the sixth article of the treaty with them, of the eleventh of

November, seventeen hundred and ninety-four, four thousand five hundred dollars.

Indian annuities, &c.

For the annuity to the young king, a chief, for life, as provided for by the act of the twenty-sixth of April, eighteen hundred and twenty-six, two hundred dollars.

To the Senecas of New York, for the permanent annuity, in lieu of interest on stock provided for by the act of the nineteenth of February, eighteen hundred and thirty-one, six thousand dollars.

Senecas of New York. 1831, ch. 26.

To the Ottawas, for the permanent annuity, stipulated in the fourth article of the treaty with them of the third of August, seventeen hundred and ninety-five, one thousand dollars.

Ottawas.

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, eight hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the seventeenth of September, eighteen hundred and eighteen, one thousand five hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-ninth of August, eighteen hundred and twenty-one, one thousand dollars.

To the Wyandots, for the permanent annuity, stipulated in the fourth article of the treaty of the third of August, seventeen hundred and ninety-five, one thousand dollars

Wyandots.

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, four hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaties of the twenty-ninth of September, eighteen hundred and seventeen, and the seventeenth of September, eighteen hundred and eighteen, four thousand five hundred dollars.

For the support of a blacksmith and assistant, stipulated in the tenth article of the treaty of the twenty-ninth of September, eighteen hundred [and] seventeen, seven hundred and twenty dollars.

For the purchase of iron, steel, &c., for shop, two hundred and twenty dollars.

To the Wyandots, Munsees, and Delawares, for the permanent annuity, stipulated in the fourth article of the treaty with them of the fourth of July, eighteen hundred and five, one thousand dollars.

Wyandots, Munsees, and Delawares.

To the Christian Indians, for the permanent annuity per act of the [twentieth] thirtieth of May, eighteen hundred and twenty-six, four hundred dollars.

Christian Indians. 1826, ch. 109.

To the Miamies, for the permanent annuity, stipulated in the fourth article of the treaty with them of the twenty-third of October, eighteen hundred and twenty-six, twenty-five thousand dollars.

Miamies.

For the purposes of education, during the pleasure of Congress, stipulated in the sixth article of same treaty, two thousand dollars.

For the pay of eight labourers, stipulated in the fourth article of same treaty, four hundred and eighty dollars.

For the purchase of two thousand pounds of iron, two hundred and fifty pounds of steel, and one thousand pounds of tobacco, stipulated in the same, six hundred and twenty dollars.

For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty of the sixth of October, eighteen hundred and eighteen, seven hundred and twenty dollars.

For the support of a miller, in lieu of a gunsmith, stipulated in [the] same, six hundred dollars.

For the purchase of one hundred and sixty bushels of salt, stipulated in [the] same, three hundred and twenty dollars.

To the Eel Rivers, for the permanent annuity, stipulated in the fourth

Eel Rivers.

Indian annuities, &c.

article of the treaty with them of the third of August, seventeen hundred and ninety-five, five hundred dollars.

For the permanent annuity, stipulated in the third article of the treaty of the twenty-first of August, eighteen hundred and five, two hundred and fifty dollars.

For the permanent annuity, stipulated in the third and separate article of the treaty of the thirtieth of September, eighteen hundred and nine, three hundred and fifty dollars.

Pattawatamies.

To the Pattawatamies, for the permanent annuity, stipulated in the fourth article of the treaty with them of the third of August, seventeen hundred and ninety-five, one thousand dollars.

For the purchase of salt, stipulated in the third article of the treaty of the seventh of June, eighteen hundred and three, one hundred and forty dollars.

For the permanent annuity, stipulated in the third article of the treaty of the thirtieth of September, eighteen hundred and nine, five hundred dollars.

For the permanent annuity, stipulated in the third article of the treaty of the second of October, eighteen hundred and eighteen, two thousand five hundred dollars.

For the limited annuity, stipulated in the fourth article of the treaty of the twenty-ninth of August, eighteen hundred and twenty-one, five thousand dollars.

For the limited annuity, stipulated in the third article of the treaty of the sixteenth of October, eighteen hundred and twenty-six, two thousand dollars.

For the purposes of education, during the pleasure of Congress, stipulated in same, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., stipulated in same, two hundred and twenty dollars.

For the support of a miller, stipulated in the third article of the treaty of the sixteenth of October, eighteen hundred and twenty-six, six hundred dollars.

For the purchase of one hundred and sixty bushels of salt, stipulated in same, three hundred and twenty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twentieth of September, eighteen hundred and twenty-eight, two thousand dollars.

For the limited annuities stipulated in same, one thousand dollars.

For the purposes of education during the pleasure of Congress, stipulated in same, one thousand dollars.

For the annuity to the principal chief, for life, stipulated in same, one hundred dollars.

For the support of a blacksmith and assistant, stipulated in same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the purchase of two thousand pounds of tobacco. stipulated in same, two hundred and forty dollars.

For the pay of three labourers, stipulated in same, three hundred and sixty dollars.

Pattawatamies of Huron.

To the Pattawatamies of Huron, for the permanent annuity stipulated in the second article of the treaty with them of the seventeenth of November, eighteen hundred and seven, four hundred dollars.

Pattawatamies of the Prairie.

To the Pattawatamies of the Prairie, for the limited annuity, stipulated in the third article of the treaty with them of the twentieth of October, eighteen hundred and thirty-two, fifteen thousand dollars.

For the annuity to three chiefs, for life, stipulated in same, one thousand dollars.

Indian annuities, &c.

To the Pattawatamies of the Wabash, for the limited annuity stipulated in the third article of the treaty with them of the twenty-sixth of October, eighteen hundred and thirty-two, twenty thousand dollars.

Pattawatamies of the Wabash.

To the Pattawatamies of Indiana, for the limited annuity stipulated in the fourth article of the treaty with them of the twenty-seventh of October, eighteen hundred and thirty-two, fifteen thousand dollars.

Pattawatamies of Indiana.

For the purpose of education, during the pleasure of Congress, stipulated in same, two thousand dollars.

To the Chippewas, Ottawas, and Pattawatamies, for the support of a blacksmith and assistant, stipulated in the second article of the treaty with them of the twenty-ninth of July, eighteen hundred and twenty-nine, seven hundred and twenty dollars.

Chippewas, Ottawas, and Pattawatamies.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twenty-ninth of July, eighteen hundred and twenty-nine, sixteen thousand dollars.

For the purchase of fifty barrels of salt, stipulated in same, one hundred and twenty-five dollars.

To the Winnebagoes, for the limited annuities, stipulated in the second article of the treaty with them of the first of August, eighteen hundred and twenty-nine, eighteen thousand dollars.

Winnebagoes.

For the purchase of fifty barrels of salt, stipulated in same, one hundred and twenty-five dollars.

For the purchase of three thousand pounds of tobacco, stipulated in same, three hundred dollars.

For the support of three blacksmiths and assistant, stipulated in the third article, two thousand one hundred and sixty dollars.

For iron and steel, &c., six hundred and sixty dollars.

For pay of labourers, and for oxen, stipulated in same, three hundred and sixty-five dollars.

For the limited annuity, stipulated in the third article of the treaty of the fifteenth of September, eighteen hundred and thirty-two, ten thousand dollars.

For the purpose of education, stipulated in the fourth article of same, three thousand dollars.

For the support of six agriculturists, and purchase of oxen, ploughs, and agricultural implements, stipulated in the fifth article of same, two thousand five hundred dollars.

For the purchase of one thousand five hundred pounds of tobacco, stipulated in same, one hundred and fifty dollars.

For the services of two physicians, stipulated in same, four hundred dollars.

To the Menomonees, for the support of five farmers, and five females, housekeepers, stipulated in the second article of the treaty with them of the fifth of February, eighteen hundred and thirty-one, four thousand dollars.

Menomonees.

For the support of a miller, stipulated in same, six hundred dollars.

For the support of three blacksmiths and assistant, stipulated in same, two thousand one hundred and sixty dollars.

For the purchase of iron and steel, &c., six hundred and sixty dollars.

For the limited annuity, stipulated in same, six thousand dollars.

For the purposes of education, stipulated in the fifth article of same, five hundred dollars.

For the purchase of provisions, stipulated in the sixth article of same, one thousand dollars.

To the Chippewas, for the permanent annuity, stipulated in the fourth

Chippewas.

Indian annuities, &c.

article of the treaty with them of the third of August, seventeen hundred and ninety-five, one thousand dollars.

For the support of a blacksmith and assistant at Michilimackinack, seven hundred dollars.

For the purchase of iron, steel [steel], &c., two hundred and twenty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, eight hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-fourth of September, eighteen hundred and nineteen, one thousand dollars.

For the support of a blacksmith at Saginaw, and for farming utensils and cattle, and for the employment of persons to aid them in agriculture, fixed by the act of the fifteenth of May, eighteen hundred and twenty, two thousand dollars.

For the purposes of education, during the pleasure of Congress, stipulated in the sixth article of the treaty of the fifth of August, eighteen hundred and twenty-six, one thousand dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians.

To the Chippewas, Menomonees, Winnebagoes, and New York Indians, for the purposes of education, during the pleasure of Congress, stipulated in the fifth article of the treaty with them of the eleventh of August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Sioux of Mississippi.

To the Sioux of Mississippi, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural implements, stipulated in same, seven hundred dollars.

Yancton and Santie bands.

To the Yancton and Santie bands, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

For the support of a blacksmith and assistant, stipulated in same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural implements, stipulated in same, four hundred dollars.

Omahas.

To the Omahas, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, two thousand five hundred dollars.

For the support of a blacksmith and assistant, stipulated in same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural implements, stipulated in same, five hundred dollars.

Sacs of Missouri.

To the Sacs of Missouri, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, five hundred dollars.

For the support of a blacksmith and assistant, stipulated in same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural implements, stipulated in same, two hundred dollars.

Sacs.

To the Sacs, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

Foxes.

To the Foxes, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

To the Ioways, for the support of a blacksmith and assistant, stipulated in the fifth article of the treaty with them of the fourth of August, eighteen hundred and twenty-four, seven hundred and twenty dollars.

Indian annuities, &c.  
Ioways.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural implements, stipulated in same, four hundred dollars.

For the limited annuity, stipulated in the fourth article of the treaty of the fifteenth of July, eighteen hundred and thirty, two thousand five hundred dollars.

For the support of an assistant blacksmith, stipulated in same, four hundred and eighty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural implements, stipulated in same, six hundred dollars.

To the Sacs and Foxes, for the permanent annuity, stipulated in the third article of the treaty with them of the third of November, eighteen hundred and four, one thousand dollars.

Sacs and Foxes.

For the support of a blacksmith and assistant, stipulated in the fourth article of the same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural implements, stipulated in same, sixty dollars.

For the limited annuity, stipulated in the third article of the treaty of the twenty-first of September, eighteen hundred and thirty-two, twenty thousand dollars.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the purchase of forty barrels of salt, stipulated in same, two hundred dollars.

For the purchase of forty kegs of tobacco, stipulated in same, four hundred dollars.

To the Sacs, Foxes, and Ioways, for the purposes of education, stipulated in the fifth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

Sacs, Foxes, and Ioways.

To the Ottoes and Missourias, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, two thousand five hundred dollars.

Ottoes and Missourias.

For the support of blacksmith and assistant, stipulated in same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural implements, stipulated in same, five hundred dollars.

For the purposes of education, stipulated in the fourth article of the treaty of the twenty-first of September, eighteen hundred and thirty-three, five hundred dollars.

For the support of two farmers, stipulated in the fifth article of the same, one thousand two hundred dollars.

To the Kansas, for the limited annuity, stipulated in the third article of the treaty with them of the third of June, eighteen hundred and twenty-five, three thousand five hundred dollars.

Kansas.

For the support of a blacksmith and assistant, stipulated in the fourth article of the same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural assistance, stipulated in same, one thousand and six hundred dollars.

To the Osages, for the permanent annuity, stipulated in the fifth article of the treaty with them of the tenth of November, eighteen hundred and eight, one thousand five hundred dollars.

Osages.

For the limited annuity, stipulated in the third article of the treaty of the second of June, eighteen hundred and twenty-five, seven thousand dollars.

## Indian anquities, &amp;c.

For the support of a blacksmith and assistant, stipulated in the fourth article of the same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For agricultural assistance, stipulated in same, one thousand six hundred dollars.

## Kickapoos.

To the Kickapoos, for the limited annuity, stipulated in the fourth article of the treaty with them of the twenty-fourth of October, eighteen hundred and thirty-two, five thousand dollars.

For the support of a blacksmith's establishment, stipulated in the fifth article of the same, one thousand dollars.

For the purposes of education, stipulated in the seventh article of the same, five hundred dollars.

## Kaskaskias and Peorias.

To the Kaskaskias and Peorias, for the limited annuity, stipulated in the fifth article of the treaty with them of the twenty-seventh of October, eighteen hundred and thirty-two, three thousand dollars.

For agricultural implements, stipulated in the sixth article of the same, fifty dollars.

## Kaskaskias, Peorias, Weas, and Piankeshaws.

To the Kaskaskias, Peorias, Weas, and Piankeshaws, for the support of a blacksmith and assistant, stipulated in the fifth article of the treaty with them of the twenty-ninth of October, eighteen hundred and thirty-two, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

## Piankeshaws

To the Piankeshaws, for the permanent annuity, stipulated in the fourth article of the treaty with them of the third of August, seventeen hundred and ninety-five, five hundred dollars.

For the permanent annuity, stipulated in the third article of the treaty of the thirtieth of December, eighteen hundred and five, three hundred dollars.

For agricultural implements, stipulated in the third article of the treaty of the twenty-ninth of October, eighteen hundred and thirty-two, five hundred dollars.

## Weas.

To the Weas, for the permanent annuity, stipulated in the fifth article of the treaty with them of the second of October, eighteen hundred and eighteen, three thousand dollars.

## Delawares.

To the Delawares, for the permanent annuity, stipulated in the fourth article of the treaty with them of the third of August, seventeen hundred and ninety-five, one thousand dollars.

For the purchase of salt, stipulated in the third article of the treaty of the seventh of June, eighteen hundred and three, one hundred dollars.

For the permanent annuity, stipulated in the third article of the treaty of the thirtieth of September, eighteen hundred and nine, five hundred dollars.

For the permanent annuity, stipulated in the fifth article of the treaty of the third of October, eighteen hundred and eighteen, four thousand dollars.

For the support of a blacksmith and assistant, stipulated in the sixth article of the same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the permanent annuity, stipulated in the supplemental treaty of the fourteenth of September, eighteen hundred and twenty-nine, one thousand dollars.

For the annuity to three chiefs, stipulated in the supplemental treaty of the twenty-sixth of October, eighteen hundred and thirty-two, three hundred dollars.

## Shawanees.

To the Shawanees, for the permanent annuity, stipulated in the fourth article of the treaty with them of the third of August, seventeen hundred and ninety-five, one thousand dollars.



For the purchase of salt, stipulated in the third article of the treaty of the seventh of June, eighteen hundred and three, sixty dollars.

Indian annuities, &c.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-ninth of September, eighteen hundred and seventeen, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the seventh of November, eighteen hundred and twenty-five, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the eighth of August, eighteen hundred and thirty-one, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

To the Shawanees and Delawares, for [the] purposes of education, stipulated in the second article of the treaty with them of the twenty-sixth of October, eighteen hundred and thirty-two, five hundred dollars.

Shawanees and Delawares.

For the support of a miller, stipulated in the same, five hundred dollars.

To the Shawanees and Senecas of Lewistown, for the permanent annuity, stipulated in the fourth article of the treaty with them of the seventeenth of September, eighteen hundred and eighteen, one thousand dollars.

Shawanees and Senecas of Lewistown.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the twentieth of July, eighteen hundred and thirty-one, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

To the Senecas of Lewistown, for the permanent annuity, stipulated in the fourth article of the treaties with them, of the twenty-ninth of September, eighteen hundred and seventeen, and the seventeenth of September, eighteen hundred and eighteen, one thousand dollars.

Senecas of Lewistown.

For support of a blacksmith and assistant stipulated in the fourth article of the treaty of the twenty-eighth of February, eighteen hundred and thirty-one, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the support of a miller, stipulated in same, six hundred dollars.

To the Choctaws, for the annuity, during the pleasure of the United States, stipulated in the fifth article of the treaty with them of the seventeenth of December, eighteen hundred and one, two thousand dollars.

Choctaws.

For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of November, eighteen hundred and five, three thousand dollars.

For the limited annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and sixteen, six thousand dollars.

For the permanent annuity, stipulated in the thirteenth article of the treaty of the eighteenth of October, eighteen hundred and twenty, six hundred dollars.

For annuity to a chief, stipulated in the fourteenth article of same, one hundred and fifty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twentieth of January, eighteen hundred and twenty-five, six thousand dollars.

For the limited annuity, stipulated in the third article of same, six thousand dollars.

Indian annuities, &c.

For annuity to a chief, stipulated in the tenth article of same, one hundred and fifty dollars.

For the limited annuity, stipulated in the seventeenth article of the treaty of the twenty-seventh of September, eighteen hundred and thirty, twenty thousand dollars.

For the purposes of education, stipulated in the twentieth article of same, twelve thousand five hundred dollars.

For the support of three blacksmiths and assistants, stipulated in same, two thousand one hundred and sixty dollars.

For the purchase of iron and steel, &c., six hundred and sixty dollars.

For the support of a millwright, stipulated in same, six hundred dollars.

For the annuity to the chief, stipulated in the fifteenth article of same, one thousand one hundred dollars.

For the annuity to the speakers, secretaries, and captains, stipulated in same, five thousand one hundred and seventy-five dollars.

For annuity to warriors, stipulated in same, five hundred dollars.

Chickasaws.

To the Chickasaws, for the permanent annuity, as provided for by the act of the twenty-fifth of February, seventeen hundred and ninety-nine, three thousand dollars.

1799, ch. 11.

For the purposes of education, stipulated in the second article of the treaty with them of the twenty-fourth of May, eighteen hundred and thirty-four, three thousand dollars.

For the purposes of education for the year eighteen hundred and thirty-four, as authorized by the second supplemental article of the treaty with the Chickasaws of the twenty-fourth of May, eighteen hundred and thirty-four, three thousand dollars.

Creeks.

To the Creeks, for the permanent annuity, stipulated in the fourth article of the treaty with them of the seventh of August, seventeen hundred and ninety, one thousand five hundred dollars.

For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of June, eighteen hundred and two, three thousand dollars.

Creeks, east.

To the Creeks, east, for the limited annuity stipulated in the eighth article of the treaty with them of the twenty-fourth of March, eighteen hundred and thirty-two, twelve thousand dollars.

For the support of a blacksmith and assistant, stipulated in the thirteenth article of the same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the purposes of education, stipulated in the thirteenth article of the same, three thousand dollars.

For the annuity to three chiefs, stipulated in the eleventh article of the same, four hundred dollars.

Creeks, west.

To the Creeks, west, for the limited annuity, stipulated in the fourth article of the treaty with them of the twenty-fourth of January, eighteen hundred and twenty-six, twenty thousand dollars.

For the support of a blacksmith and assistant, stipulated in the eighth article of the same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the support of a wheelwright, stipulated in same, six hundred dollars.

For agricultural implements, stipulated in the eighth article of the same, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty of the fourteenth of February, eighteen hundred and thirty-three, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the support of a wheelwright, or wagon-maker, stipulated in same, six hundred dollars. Indian annuities, &c.

For the purposes of education, during the pleasure of the President, stipulated in same, one thousand dollars.

To the Cherokees, for the permanent annuity, stipulated in the third and sixth articles of the treaty with them of the sixth of June, seventeen hundred and ninety-four, and the second of October, seventeen hundred and ninety-eight, six thousand dollars. Cherokees.

For the permanent annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and four, one thousand dollars.

For the permanent annuity, stipulated in the third article of the treaty of the twenty-fifth of October, eighteen hundred and five, three thousand dollars.

To the Quapaws, for the purposes of education, during the pleasure of the President, stipulated in the third article of the treaty with them of the thirteenth of May, eighteen hundred and thirty-three, one thousand dollars. Quapaws.

For the limited annuity, stipulated in the fourth article of the treaty of the thirteenth of May, eighteen hundred and thirty-three, two thousand dollars.

For support of a blacksmith and assistant, stipulated in the third article of same, seven hundred and twenty dollars.

For the purchase of iron and steel, &c., two hundred and twenty dollars.

For the support of a farmer, stipulated in same, six hundred dollars.

For the pay of an interpreter, stipulated in the sixth article of same, three hundred dollars.

To the Florida Indians, for the limited annuity, stipulated in the third article of the treaty with them of the eighteenth of September, eighteen hundred and twenty-three, four thousand six hundred and ten dollars. Florida Indians.

For the support of a blacksmith's establishment, stipulated in the sixth article of same, one thousand dollars.

For the purposes of education, stipulated in same, one thousand dollars.

To the Pawnees, for the limited annuity, stipulated in the third article of the treaty with them of the ninth of October, eighteen hundred and thirty-three, four thousand six hundred dollars. Pawnees.

For agricultural implements, stipulated in the fourth article of same, two thousand dollars.

For the purposes of education, stipulated in the fifth article of same, one thousand dollars.

For the support of two blacksmiths' establishments, stipulated in the sixth article of same, two thousand dollars.

For support of four farmers, stipulated in the seventh article of same, two thousand four hundred dollars.

To the Cherokees, west, for the purposes of education, stipulated in the fifth article of the treaty with them of the sixth of May, eighteen hundred and twenty-eight, two thousand dollars. Cherokees, west.

For support of four blacksmiths and assistants, stipulated in the fourth article of the treaty of the fourteenth of February, eighteen hundred and thirty-three, two thousand eight hundred and eighty dollars.

For the purchase of iron and steel, &c., eight hundred and eighty dollars.

For support of a wagon-maker and a wheelwright, stipulated in same, one thousand two hundred dollars.

For the expenses of transportation and distribution of annuities, salt, agricultural implements, tobacco, tools, &c., and other incidental expenses, twenty-nine thousand five hundred dollars.

For the removal of five thousand Seminoles to their lands west of the Removal of Seminoles.

Indian annuities, &c.

Mississippi, under the seventh article of the treaty with them of the ninth of May, eighteen hundred and thirty-two, thirty-three thousand three hundred and thirty-three dollars and thirty-three cents.

For the subsistence of the same for twelve months after their arrival west of the Mississippi, stipulated in the same, forty-eight thousand six hundred and sixty-six dollars and sixty-seven cents.

For a blanket and homespun frock to each individual of the same, stipulated in the third article of the same treaty, twenty-seven thousand five hundred dollars.

For the difference in value of cattle abandoned by them on the east, and of those to be delivered to them west of the Mississippi, stipulated in the fifth article of the same treaty, two thousand five hundred dollars.

Removal of Quapaws from Arkansas, &c.

For the removal of five hundred Quapaws from the Arkansas territory to their lands west of the Mississippi, stipulated in the third article of the treaty with them of the thirteenth of May, eighteen hundred and thirty-three, three thousand five hundred dollars.

For the subsistence of the same for twelve months after their arrival west of the Mississippi, stipulated in same, fourteen thousand six hundred dollars.

Subsistence of Choctaws west of the Mississippi, &c.

For the subsistence of one thousand five hundred Choctaws, west of the Mississippi, from April, eighteen hundred and thirty-four, to April, eighteen hundred and thirty-five, under the provisions of the sixteenth article of the treaty of Dancing Rabbit creek, of the twenty-seventh September, eighteen hundred and thirty, forty-three thousand eight hundred dollars.

For the purchase of looms and wheels, &c., &c., stipulated in the twentieth article of the same treaty, in addition to appropriations heretofore made, eleven thousand eight hundred dollars.

Removal of Cherokees west of the Mississippi, &c.

For the removal of one thousand Cherokees to the west of the Mississippi, under the provisions of the eighth article of the treaty of the sixth of May, eighteen hundred and twenty-eight, twenty thousand dollars.

For the subsistence of same for twelve months after their arrival west of the Mississippi, stipulated in the same treaty, twenty-five thousand five hundred dollars.

Certifying contracts for Creek reservations.

For the expense of certifying contracts for Creek reservations under the provisions of the treaty of the twenty-fourth of March, eighteen hundred and thirty-two, one thousand eight hundred dollars.

Locating reservations under treaty with Choctaws.

For the expense of locating reservations under the provisions of the treaty with the Choctaws, of the twenty-seventh of September, eighteen hundred and thirty, two thousand dollars.

Portion of annuity of Chickasaws for 1832.

To replace a portion of the annuity of the Chickasaws for the year eighteen hundred and thirty-two, stolen from the agent, in conformity with the provisions of the fourth article of the treaty with them of the twenty-fourth of May, eighteen hundred and thirty-four, one thousand dollars.

Holding treaties.

For holding treaties with the Caddo and Canmouche, and other wandering tribes of Indians, west of the state of Missouri and the territory of Arkansas, ten thousand dollars.

Fulfilling fifth article of treaty with Pattawatamies of Wabash.

For fulfilling the fifth article of the treaty with the Pattawatamies of the Wabash, dated October twenty-sixth, eighteen hundred and thirty-two, seven thousand three hundred and fifty-seven dollars and fifty cents.

Treaty with Pattawatamies of Indiana.

For carrying into effect the treaties recently ratified with the Pattawatamies of Indiana, and for negotiating the same, five thousand four hundred and sixty-nine dollars.

Treaty with Chippewas, Ottoways, and Pattawatamies, &c.

For carrying into effect the treaty with the Chippewas, Ottoways, and Pattawatamies, concluded at Chicago, September twenty-sixth, eighteen hundred and thirty-three, one million, thirty-two thousand six hundred and eighty-nine dollars and fifty-three cents.

For defraying the expenses of conducting said treaty, two thousand five hundred and thirty-six dollars and fifty-three cents.

Indian annuities, &c.

For the expense of an exploring party, of fifty Pattawatamies, from the Chicago agency, to the west of the Mississippi, nine thousand four hundred and fifty-three dollars.

Exploring party from Chicago.

To defray the expenses which have been incurred, or may be incurred in any negotiation with the Cherokees, for the cession of their claims in Georgia, Alabama, North Carolina and Tennessee, the sum of fourteen thousand one hundred and fifty-eight dollars seventy-five cents.

Negotiation with Cherokees for cession of their claims in Georgia, &c.

To defray the expenses of holding a treaty with the Caddo Indians, in Louisiana, and Arkansas, the sum of five thousand dollars.

Holding treaty with Caddos.

To repay William Marshall, this sum which he advanced by order of the commissioners, holding a treaty with the Pattawatamie Indians, in October, eighteen hundred [and] thirty-two, one thousand four hundred and forty-four dollars and twenty-five cents.

Repayment of William Marshall.

For refunding to Captain William R. Jouett, the expenses incurred in the necessary defence in two suits, brought by the American Fur Company, and Joseph Reuville, against him, in the district court of the United States, at Mineral point, in Michigan territory, on actions of trespass, for having seized certain spirits belonging to them, while in command of fort Snelling, and acting under orders from the War Department, and for the safety of said post, to prevent the said spirits from being used by the Indians, the sum of six hundred and forty-two dollars and thirty-seven cents.

Expenses incurred by Capt. W. R. Jouett.

Sec. 2. *And be it further enacted*, That if, in the valuation made or to be made, of the buildings, improvements, and other property, belonging to the American board of Commissioners for Foreign Missions, lying within the limits of the purchase made of the Choctaw tribe of Indians, at the treaty of the Dancing Rabbit creek, it shall be found that the said valuation is less than the original cost of the same, in that case, the estimated value shall be apportioned to the United States, and the said American board, pro rata, according to the sums advanced by them respectively, towards the aforesaid buildings and improvements, and the amount thus found due to the said board, shall be paid to the trustees thereof, out of any money in the treasury not otherwise appropriated.

Adjustment of claims of missionary board for property in Choctaw purchase.

Sec. 3. *And be it further enacted*, That the sum of eight hundred and ten dollars be paid to Mrs. Mitchell, wife of Edward Mitchell, for instructing the Choctaw Indians to spin and weave, in conformity with the request made by their chiefs and head men to the President of the United States at the treaty of Doak's Stand.

Payment to Mrs. Mitchell.

APPROVED, March 3, 1835.

CHAP. LXXVI. *An Act to provide for paying certain pensions at Jackson in the State of Tennessee.*

STATUTE II.  
March 3, 1835.

*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 empowered to establish a pension agency at Jackson in the State of Tennessee, for the payment of pensioners of the United States resident in the counties of Hardin, McNairy, Hardiman, Fayette, Shelby, Tipton, Haywood, Madison, Henderson, Perry, Carroll, Gibson, Dyer, Obion, Weakley and Henry in the State of Tennessee. *Provided*, that the establishment of such agency can be made without any charge to the United States.

Pension agency to be established at Jackson.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is authorized to make the necessary arrangements for the payment of said pensioners.

Secretary of Treasury to make the arrangements.

SEC. 3. *And be it further enacted*, That this act shall not take effect until the first day of June next.

To take effect June 1, 1835.

APPROVED, March 3, 1835.

## RESOLUTIONS.

- Jan. 27, 1835.  
 Ante, p. 744.  
 Road to be completed under the approval of the President.  
 Proviso.
- I. Whereas the Winchester and Potomac Railroad Company have found it impracticable to make the railroad through the grounds belonging to the United States at Harper's Ferry, agreeably to the exact tenor of the joint resolution passed for their benefit at the last session of Congress,  
*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the said Winchester and Potomac Railroad Company are hereby authorized to complete said railroad, as now located through said grounds, on paying the value of any improvements injured by the road, or giving authority to replace them in other positions, should they be deemed by the President of sufficient importance to be paid for or removed: *Provided, however,* That the road shall be constructed in such place, as far as it passes through the public grounds at Harper's Ferry, as may be approved by the President.  
 APPROVED, January 27, 1835.
- 
- Feb. 13, 1835.  
 Gold medal to be presented to Col. Croghan.  
 Swords to be presented other officers.
- II. A RESOLUTION presenting a gold medal to George Croghan, and a sword to each of the officers under his command, for their gallantry and good conduct, in the defence of Fort Stephenson, in eighteen hundred and thirteen.  
*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be requested to cause a gold medal to be struck, with suitable emblems and devices, and presented to Colonel Croghan, in testimony of the high sense entertained by Congress of his gallantry and good conduct in the defence of fort Stephenson, and that he present a sword to each of the following officers engaged in that affair; to Captain James Hunter, to the eldest male representative of Lieutenant Benjamin Johnston, and to Lieutenants Cyrus A. Baylor, John Meek, Ensign Joseph Duncan, and the nearest male representative of Ensign Edmund Shipp, deceased.  
 APPROVED, February 13, 1835.
- 
- Feb. 13, 1835.  
 President to cause the horses to be sold, and to present the lion to some institution.
- III. RESOLUTION for the disposition of a lion and two horses, received as a present by the consul of the United States at Tangier, from the Emperor of Morocco.  
*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby authorized to cause the two horses received as a present by the consul of the United States at Tangier, from the Emperor of Morocco, to be sold in Washington city, by public auction, on the last Saturday of February, one thousand eight hundred and thirty-five, and to cause the proceeds thereof to be placed in the treasury of the United States, and that the lion, received in like manner, be presented to such suitable institution, person, or persons as the President of the United States may designate.  
 APPROVED, February 13, 1835.

# APPENDIX I.

*ACTS of the states of Virginia, Pennsylvania, and Maryland, and of the Congress of the United States, incorporating the Chesapeake and Ohio Canal Company—the Proceedings of the General Special Meeting of the Potowmac Company, declaring their assent thereto, made necessary by said acts, to which are added, extracts from the Charter of the Potowmac Company. [See Act of May 23, 1828, ch. 85, cited page 292.]*

## ACT OF THE STATE OF VIRGINIA.

*An Act incorporating the Chesapeake and Ohio Canal Company.*

Jan. 27, 1824.

Preamble.

WHEREAS a navigable canal from the tide water of the river Potowmac, in the District of Columbia, to the mouth of Savage creek on the north branch of said river, and extending thence, across the Alleghany mountain, to some convenient point on the navigable waters of the river Ohio, or some one of its tributary streams, to be fed, through its course, on the east side of the mountain, by the river Potowmac and the streams which empty therein, and on the western side of the mountain, and in passing over the same, by all such streams of water as may be beneficially drawn thereto by feeders, dams, or any other practicable mode, will be a work of great profit and advantage to the people of this state, and of the neighbouring states, and may, ultimately, tend to establish a connected navigation between the eastern and western waters, so as to extend and multiply the means and facilities of internal commerce and personal intercourse between the two great sections of the United States, and to interweave more closely all the mutual interests and affections that are calculated to consolidate and perpetuate the vital principles of union; and whereas it is represented to this General Assembly, that the Potowmac Company are willing and desirous that a charter shall be granted to a new company, upon the terms and conditions hereinafter expressed; and that the charter of the present company shall cease and determine,

1. *Be it therefore enacted by the General Assembly of Virginia,* That so soon as the Legislatures of Maryland and Pennsylvania, and the Congress of the United States, shall assent to the provisions of this act, and the Potowmac company shall have signified their assent to the same, by their corporate act, a copy whereof shall be delivered to the executives of the several states aforesaid, and to the Secretary of the Treasury of the United States, there shall be appointed by the said executives and the President of the United States, three commissioners on the part of each state, and of the government of the United States, any one of whom shall be competent to act for his respective government. The said commissioners shall cause books to be opened at such times and places as they shall think fit, in their respective states, and the District of Columbia, under the management of such persons as they shall appoint, for receiving subscriptions to the capital stock of the company hereinafter incorporated; which subscriptions may be made either in person or by power of attorney; and notice shall be given in such manner as may be deemed advisable, by one or more of the said commissioners, of the time and places of opening the books.

Commissioners to be appointed.

Subscriptions.

2. And the said commissioners shall cause the books to be kept open at least forty days, and, within twenty days after the expiration thereof, shall call a general meeting of the subscribers at the city of Washington, of which meeting notice shall be given, by a majority of the commissioners aforesaid, in at least

Regulations as to subscriptions.

**Act of Virginia.** four of the newspapers printed in Pennsylvania, Maryland, and Virginia, and the District of Columbia, at least twenty days next before the said meeting, and such meeting shall, and may be, continued from day to day until the business is finished; and the commissioners, at the time and place aforesaid, shall lay before such of the subscribers as shall meet according to the said notice, the book containing the state of the said subscriptions: and, if one-fourth of the capital sum of six millions of dollars should appear not to have been subscribed, then the said commissioners, or a majority of them, at the said meeting, are empowered to take and receive subscriptions to make up such deficiency, and may continue to take and receive such subscriptions for the term of twelve months thereafter; and a just and true list of all the subscribers, with the sum subscribed by each, shall be made out, and returned by the said commissioners or by a majority of them, under their hands, to the board of public works of this state, to the governor and council of the state of Maryland, to the Secretary of State of the state of Pennsylvania, and to the Secretary of the Treasury of the United States, to be carefully preserved; and in case more than six millions of dollars shall be subscribed, then the sum subscribed shall be reduced to that amount, by the said commissioners, or a majority of them, by beginning at and striking off a share from the largest subscription or subscriptions, and continuing to strike off a share from all subscriptions under the largest and above one share, until the same is reduced to the capital aforesaid, or until a share is taken from all subscriptions above one share; and lots shall be drawn between subscribers of equal sums, to determine the number of shares which each subscriber shall be allowed to hold, on a list to be made for striking off as aforesaid; and if the sum subscribed still exceed the capital aforesaid, then to strike off by the same rule, until the sum subscribed is reduced to the capital aforesaid, or all the subscriptions reduced to one share respectively; and, if there still be an excess, then lots shall be drawn to determine the subscribers who are to be excluded, in order to reduce the subscription to the capital aforesaid; which striking off shall be certified on the lists aforesaid; and the said capital stock of the company, hereby incorporated, shall consist of six millions of dollars, divided into sixty thousand shares, of one hundred dollars each; of which every person subscribing may take, and subscribe for one or more whole shares, and such subscriptions may be paid and discharged either in the legal currency of the United States, or in the certificates of stock of the present Potowmac Company, at the par or nominal value thereof, or in the claims of the creditors of the said company, certified by the acting president and directors to have been due, for principal and debt, on the day on which the assent of the said company shall have been signified by their corporate act as hereinbefore required: *Provided*, That the said certificates of stock shall not exceed, in the whole amount, the sum of three hundred and eleven thousand one hundred and eleven dollars and eleven cents; nor the said claims the sum of one hundred and seventy-five thousand eight hundred dollars: *Provided, also*, That the stock so paid for in certificates of the stock of the present company, and of the debts due from the said company, shall be entitled to dividend, only as hereinafter provided; and that no payment shall be received, in such certificates of stock, until the Potowmac Company shall have executed the conveyance prescribed by the thirteenth section of this act. *And provided*, That, unless one-fourth of the said capital shall be subscribed, as aforesaid, all subscriptions made in consequence of this act, shall be void; and, in case one-fourth, and less than the whole capital, shall be subscribed as aforesaid, then the said commissioners, or a majority of them, are hereby empowered and directed to take and receive the subscriptions, which shall first be offered in whole shares, as aforesaid, until the deficiency shall be made up; a certificate of which additional subscription shall be made, under the hands of said commissioners, or a majority of them, for the time being, and returned as aforesaid.

**Incorporation of the company.**

**Name.**

3. *And be it further enacted*, That, whenever one-fourth, or a greater part of the said stock shall have been subscribed, in the manner aforesaid, then the subscribers, their heirs and assigns, shall be, and are hereby, declared to be incorporated into a company by the name of the "Chesapeake and Ohio Canal Company," and may sue and be sued, and, as such, shall have perpetual succession, and a common seal; and the estates, rights, and interests of the said company, shall be adjudged and taken in law to be real estate; and it shall, thereupon, be the duty of the said commissioners, or a majority of them, to call a general meeting of the said subscribers, at such time and place as they, or a majority of them, shall appoint, after advertising the same, in such public



prints as they, or a majority of them, may think proper, and such of the said subscribers as shall be present at the said meeting, or a majority of them, are hereby empowered and required to elect a president and six directors, for conducting the said undertaking, and managing all the said company's business and concerns, for, and during such time, not exceeding three years, as the said subscribers, or a majority of them, shall think fit; and, in counting the votes of all general meetings of the said company, each member shall be allowed one vote for every share, as far as ten shares, and one vote for every five shares above ten, by him or her held at the time, in the stock of the said company; and any proprietor, by writing, under his or her hand, executed before two witnesses, may depute any other member or proprietor, to vote and act as proxy for him or her, at any general meeting: *Provided, also*, That no officer or director of said company shall, under any circumstances, be allowed to vote on any stock but his own.

4. *And be it further enacted*, That the said president and directors, and their successors, or a majority of them, assembled, shall have full power and authority to appoint, and, at their pleasure, dismiss such engineer or engineers, and agent or agents, as they shall deem expedient, and to fix their compensation; and to agree with any person or persons, on behalf of the said company, to cut canals, erect dams, open feeders, construct locks, and perform such other works, as they shall judge necessary or expedient, for completing the canal hereinbefore mentioned and described; and, out of the money arising from the subscriptions and tolls and other aids, hereinafter given, to pay for the same, and to repair and keep in order the said canals, locks, and other works necessary thereto, and to defray all incidental charges; and also to appoint a treasurer, clerk, and other officers, toll-gatherers, managers, and servants, as they shall judge requisite, and to agree for, and settle their respective wages or allowances; and to settle, pass, and sign their accounts; and also to make and establish rules of proceeding, and to transact all other business and concerns of the said company, in and during the intervals between the general meetings of the same; and they shall be allowed as a compensation for their trouble therein, such sum of money as shall, by a general meeting of the stockholders, be determined: *Provided always*, That the treasurer shall give bond, in such penalty and with such security, as the said president and directors, or a majority of them, shall direct, for the true and faithful discharge of the trust reposed in him, and that the allowance to be made him for his services, shall not exceed three dollars in the hundred for the disbursements by him made; and that no officer in the company shall have any vote in the settlement or passing of his own account.

5. *And be it further enacted*, That, on all subscriptions which shall not be paid, as hereinbefore provided, in certificates of the stock or debts of the present Potowmac Company, there shall be paid, at the time of subscription, on each share one dollar; and thereafter, when the company shall be formed, the stock subscribed shall be paid on such instalments, and at such times, as the president and directors shall, from time to time, require, as the work advances: *Provided*, That not more than one-third part shall be demanded within any year, from the commencement of the work: nor any payment demanded within any year from the commencement of the work: nor any payment demanded, until at least sixty days' public notice thereof shall have been given, in such public newspapers as the said president and directors shall direct such notices to be published in; and, whenever any subscriber shall fail to pay any instalment called for by the company, it shall and may be lawful for the company, upon motion to be made in any court of record, after ten days' notice, to obtain judgment against the subscriber so failing to pay; or the said company, at their option, may, after giving sixty days' notice, in such public newspaper, printed within the District of Columbia, as they may judge proper, sell the stock of such subscriber; and, if the proceeds of any such sale shall exceed the sum demanded, the surplus, after paying the expenses of such sale, shall be paid to the subscriber so failing, or to his legal representatives; and the purchaser, at such sale, shall become a stockholder, and be subject to the same rules and regulations, and entitled to the same privileges, rights and emoluments, as original subscribers under this act.

6. And to continue the succession of the said president and directors, and to keep up the same number: *Be it enacted*, That, from time to time, upon the expiration of the said term for which the said president and directors were appointed, the stockholders of the said company, at the next general meeting,

Act of Virginia.

Powers of the president and directors.

Their compensation.

How subscriptions shall be paid.

Election of president and directors.

- Act of Virginia. shall either continue the said president or directors, or any of them, or choose others in their stead, and, until such choice be made, the president and directors for the time being shall continue in office; and, in case of the death, removal, resignation, or incapacity of the president, or any of the said directors, may and shall, in manner aforesaid, elect any other person or persons to be president and directors, in the room of him or them so dying, removing, or resigning; and may, at any of their general meetings, remove the president, or any of the directors, and appoint others for and during the remainder of the term for which such person or persons were at first to have acted.
- Oath. 7. *And be it enacted*, That every president and director, before he acts as such, shall take an oath or affirmation for the due execution of his office.
- General meeting. 8. *And be it enacted*, That the presence of stockholders, having a major part of the stock at least, shall be necessary to constitute a general meeting of the stockholders, which shall be held on the first Monday in June in every year, at such convenient town or place as shall be, from time to time, appointed by the said general meeting: but, if a sufficient number shall not attend on that day, the stockholders who do attend, may adjourn from time to time, until the stockholders holding the major part of the stock do attend, and the business of the company is finished; to which meeting the president and directors shall make report, and render distinct accounts of all their proceedings; and, on finding them fairly and justly stated, the stockholders then present, or a majority of them, shall give a certificate thereof, a duplicate of which shall be entered on the company's books; and at such yearly general meetings, after leaving in the hands of the treasurer such sums as the stockholders, or a majority of them, shall judge necessary for repairs and contingent charges, an equal dividend of all the net profits arising from the tolls hereby granted, shall be ordered and made to and among all the stockholders of the said company, in proportion to their several shares, subject to the provisions and enactments hereinafter declared; and, upon any emergency in the interval between the said yearly meetings, the said president, or a majority of the said directors, may appoint a general meeting of the stockholders of the company, at any convenient town or place, giving at least one month's previous notice, in at least four of the newspapers in Pennsylvania, Maryland, Virginia, and the District of Columbia; which meeting may be adjourned and continued as aforesaid: and in case the stockholders, or a majority of them, in any general meeting aforesaid, shall deem it expedient to order a semi-annual, rather than a yearly dividend as aforesaid, then, in like manner, with like notice, and under like restrictions, there shall be a half-yearly, or semi-annual dividend of net profits declared and paid.
- Improvements vested in the stockholders. 9. *And be it enacted*, That, for and in consideration of the expenses the said stockholders will be at, not only in cutting the said canal, erecting locks and dams, providing aqueducts, feeders, and other works, and in improving and keeping the same in repair, the said canal and all other works aforesaid, or required to improve the navigation thereof, at any time hereafter, with all their profits, subject to the limitations herein provided, and to none other, shall be, and the same are hereby, vested in the said stockholders, their heirs and assigns, for ever, as tenants in common, in proportion to their respective shares, and be for ever exempt from the payment of any tax, imposition, or assessment whatsoever; and that it shall and may be lawful for the said president and directors, at all times, for ever hereafter, to demand and receive, at such places as shall hereafter be appointed by the president and directors aforesaid, tolls for the passage of vessels, boats, rafts, produce, and all other articles, at such rates as the said president and directors may hereafter allow and establish, according to the provisions of this act.
- To be exempt from taxation.
- Toll to be received.
- Commissioners. 10. *And be it enacted*, That if the commissioners hereby required to be appointed, shall die, resign or refuse to act, the vacancy occasioned thereby shall be filled by the same authority by which the original appointment was made; and the person or persons appointed to fill such vacancy, shall have all the power and authority which was vested in the commissioner whose place he or they shall be appointed to supply; and when any part of the canal aforesaid shall have been completed, according to the true intent and meaning of this act, the president and directors of the company hereby created, shall have power, and it shall be their duty to ordain and establish a rate of tolls to be paid upon boats, vessels, rafts, or other property, passing on the part of the canal so completed; and so, from time to time, as part or parts shall be completed; and until the eastern section thereof shall be finished up to the mouth of Savage river or creek; and, thereafter, until the entire
- Collection of tolls, &c.

canal shall have been finished according to the true intent and meaning of this act. For the collection of which tolls, the president and directors shall have power to establish so many toll-houses, and at their pleasure to appoint and remove so many collectors, and at such places as from time to time they may judge expedient; and the said president and directors shall have full authority, subject to the direction and control of a majority in interest of the stockholders represented in any general meeting, to regulate and fix a tariff of tolls, not exceeding an average of two cents per ton per mile; and so to adjust the said tolls, in relation to the capacity or burden of the boats, and the dimensions of the rafts passing the locks of the said canal, as to promote economy of water and time in the navigation thereof.

11. *And be it enacted*, That the president and directors shall, annually, or semi-annually, declare and make such dividend of the net profits, from the tolls to be received according to the provisions of this act, and from the other resources of the company, as they may deem advisable, after deducting therefrom the necessary current, and the probable contingent expenses, to be divided among the proprietors of the stock of the said company, in proportion to their respective shares, in manner following; that is to say: if such net profits shall not exceed ten per cent. on the amount of shares, which shall have been paid for in current money of the United States, and expended on the eastern section of the said canal, then the whole thereof shall be divided among the holders of such shares, in proportion to their respective shares; but, if such net profits shall exceed the rate of ten per cent. per annum in any year, on such amount of stock, then the surplus shall be divided among such stockholders as shall have paid for their shares in certificates of the debts of the Potowmac Company, until they shall therefrom have received a dividend of six per cent.; and, if a surplus yet remain, the same shall be divided among the stockholders who shall have paid for their shares in certificates of the stock of the Potowmac Company, until they shall have received therefrom a dividend of six per cent. per annum on such shares; and if a surplus still remain, so long as the western section of the canal shall remain unfinished, such surplus shall be applied, from time to time, to the construction and completion thereof, in such mode as the president and directors, under such rules and regulations, not inconsistent with the constitution of the United States, or of the several states aforesaid, as the stockholders, or a majority thereof, in general meeting, may prescribe, until the western section of the canal shall be also completed; after which, if such surplus shall still arise, the same shall be divided among all the stockholders, without discrimination, in proportion to their respective shares, until the annual dividend thereon shall have reached fifteen per cent., beyond which it shall never extend. But should the net revenue of the company exceed that amount for any two years in succession, then such excess shall be applied, by the president and directors, in such mode as shall be agreed on by a majority of the stockholders convened in general meeting; first, to strengthening and improving the works of the canal of every description requiring the same; next, to the accommodation, where not already provided, of the inhabitants of the shores of the river Potowmac, and of the country drained by the tributary streams thereof, now navigable, or which may hereafter become so, by affording to them, in the best practical mode, a safe and easy access to the canal, from the surface of the main river, and of the said streams emptying therein; and, last of all, to the erection of such walls of stone or other materials, along the water margin of the canal, as shall fit the same for the navigation of steamboats of a size adapted to the said canal. And should the said tolls continue, after all such improvements have been completed, to net more than fifteen per cent. per annum to the stockholders for any two years in succession, the tolls upon the same shall be reduced, by the president and directors, according to some just and equitable ratio, till the said dividend shall fall to fifteen per cent. per annum: *Provided*, That, should the said dividend thereafter sink below fifteen per cent., the said tolls, or a part thereof, may be renewed, till the said net dividend reaches that amount. And for any, or all the within-mentioned purposes, the said president and directors are empowered to borrow, in behalf of the company, on the credit of such excess of tolls, such sum or sums of money as they may deem expedient, at such rate of interest, and with such delay of payment, as they may stipulate, with the previous consent of a majority of the stockholders in general meeting convened.

12. *And be it further enacted*, That it shall be the duty of the president and directors of the Chesapeake and Ohio Canal Company, so long as there shall

Act of Virginia.

Dividends.

Creditors of  
the Potowmac  
Company.

Act of Virginia. be and remain any creditor of the Potowmac Company, who shall not have vested his demand against the same in the stock of the Chesapeake and Ohio Canal Company, to pay to such creditor or creditors annually, such dividend, or proportion of the net amount of the revenues of the Potowmac Company, on an average of the last five years preceding the organization of the said proposed company, as the demand of the said creditor or creditors at this time may bear to the whole debt of one hundred and seventy-five thousand eight hundred dollars.

The Potowmac Company to surrender charter.

13. *And be it further enacted,* That whenever the Potowmac Company shall have declared its assent to the provisions of this act, in the manner hereinbefore provided, it shall be lawful for the said company to surrender its charter, and convey, in due form of law, to the Chesapeake and Ohio Canal Company, hereby incorporated, all the property, rights, and privileges by them owned, possessed and enjoyed, under the same; and thereupon it shall be lawful to and for the said company, hereby proposed to be created, to accept such surrender and transfer, and to hold, possess, use and occupy, all the said property, rights, and privileges, in the same manner, and to the same effect, as the said Potowmac Company now hold, possess, and occupy the same by law; and thereupon the charter of the said Potowmac Company shall be, and the same is hereby vacated and annulled, and all the rights and powers thereby granted to the Potowmac Company shall be vested in the company hereby incorporated; and it shall be the duty of the said last mentioned company, until every section of the contemplated canal shall be completed, so as to be used and enjoyed for the purposes of navigation, to keep the corresponding part of the river in a proper state for navigation, and in good order as the same now is; and in default thereof, they shall be in all things responsible, in the same manner as the Potowmac Company is now responsible. And in all rivulets, streams, creeks, and rivers, required for the western section of the said Chesapeake and Ohio canal, the same rights shall be, and are hereby, vested in the Chesapeake and Ohio Canal Company by this act, as the charter of the Potowmac Company vested in the said company in relation to the waters of the Potowmac and the tributary streams thereof.

Canal declared a public highway.

14. *And be it enacted,* That the said canal, and the works to be erected thereon in virtue of this act, when completed, shall forever thereafter be esteemed, and taken to be navigable as a public highway, free for the transportation of all goods, commodities, and produce whatever, on payment of the tolls to be imposed, as provided by this act; and no other toll or tax whatever, for the use of the said canal and the works thereon erected, shall, at any time hereafter, be imposed, but by consent of the said states and of the United States.

Jury to assess damages for the land cut through.

15. And whereas it is necessary for the making of the said canal, locks, dams, ponds, feeders, and other works, that a provision should be made for condemning a quantity of land for the purpose: *Be it enacted,* That it shall and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any land through which the said canal is intended to pass, for the purchase or use and occupation thereof; and in case of disagreement, or in case the owner thereof shall be a femme covert, under age, non-compos, or out of the state or county, on application to a justice of the county in which such land shall be, the said justice of the peace shall issue his warrant, under his hand, to the sheriff of the county, to summon a jury of eighteen inhabitants of his county, not related to the parties, nor in any manner interested, to meet on the land to be valued at a day to be expressed in the warrant, not less than ten, nor more than twenty days thereafter; and the sheriff, upon receiving the said warrant, shall forthwith summon the said jury, and, when met, shall administer an oath or affirmation to every jurymen who shall appear, being not less than twelve in number, that he will faithfully, justly, and impartially, value the land, and all damages the owner thereof shall sustain by cutting the canal through such land, or the partial or temporary appropriation, use, or occupation, of such land, according to the best of his skill and judgment, and that in such valuation he will not spare any person for favour or affection, nor any person grieve for malice, hatred, or ill will; and in every such valuation and assessment of damages, the jury shall be, and they are hereby instructed to consider, in determining and fixing the amount thereof, the actual benefit which will accrue to the owner from conducting the said canal through, or erecting any of the said works upon his land, and to regulate their verdict thereby; except that no assessment shall require any such owner to pay, or contribute any thing to the said company

Act of Virginia.

where such benefit shall exceed, in the estimate of the jury, the value and damages ascertained as aforesaid; and the inquisition thereupon taken, shall be signed by the sheriff and some twelve or more of the jury, and returned by the sheriff to the clerk or prothonotary of his county, and unless good cause be shown against the said inquisition, it shall be affirmed by the court and recorded; but if the said inquisition should be set aside, or if from any cause no inquisition shall be returned to such court within a reasonable time, the said court may, at its discretion, as often as may be necessary, direct another inquisition to be taken in the manner above prescribed; and, upon every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and the quality and duration of the interest and estate in the same, required by the said company for its use; and their valuation shall be conclusive on all persons, and shall be paid for by the said president and directors to the owner of the land or his legal representatives; and on payment thereof, the said company shall be seized of such land as of an absolute estate in perpetuity, or with such less quantity and duration of interest or estate in the same, or subject to such partial or temporary appropriation, use, or occupation, as shall be required and described, as aforesaid, as if conveyed by the owner to them. And whenever, in the construction of the said canal, or any of the works thereof, locks, dams, ponds, feeders, tunnels, aqueducts, culverts, bridges, or works of any other description whatsoever appurtenant thereto, it shall be necessary to use earth, timber, stone or gravel, or any other material to be found on any of the lands adjacent or near thereto, and the said president and directors, or their agent, cannot procure the same for the works aforesaid by private contract of the proprietor or owner, or in case the owner should be a femme covert, or non-compos, or under age, or out of the state or county, the same proceedings in all respects shall be had as in the case before mentioned of the assessment and condemnation of the lands required for the said canal, or the works appurtenant thereto.

16. *And be it enacted*, That it shall be the duty of the company hereby incorporated, to cut, make, and construct, the said canal, with good and sufficient locks, on the most improved plan for expedition in the use thereof, and with a width of not less than forty feet at the surface of the water therein, or of twenty-eight feet at the bottom thereof, unless the quality of the soil shall require a narrow base to admit of a sufficient slope to preserve the banks from sliding down, and sufficient to admit, at all seasons, the navigation of boats and rafts, with a depth of four feet water at the least; and wherever wastes shall be essential to the security of the said canal, and in no other situation whatever, along the same, the waste water of the said canal may be, from time to time, sold or disposed of by the said company for the purpose of supplying such works and machinery as require a water-power. And along one side at least of the said canal, and such aqueducts as it may render necessary, there shall be provided, throughout its whole extent, a towing-path of sufficient breadth to apply the power of horses to the navigation thereof.

17. *And be it enacted*, That it shall and may be lawful for any of the said stockholders to transfer his or her shares, by deed executed before two witnesses, and registered, after the proof of the execution thereof, in the company's books, and not otherwise, except by devise, which devise shall also be exhibited to the president and directors, and registered in the company's books before the devisee or devisees shall be entitled to draw any part of the profits from the said tolls or dividends: *Provided*, That no transfer shall be made, except for one or more whole share or shares, and not for part of such share or shares; and that no share or shares shall, at any time, be sold, conveyed, or held in trust for the use and benefit, or in the name of another, whereby the said president and directors, or the stockholders of the said company, or any of them, shall or may be challenged, or made to answer concerning any such trust, but that every person appearing as aforesaid to be a stockholder, shall, as to the others of the said company, be, to every intent, taken absolutely as such; but, as between any trustee and the person for whose benefit any trust shall be created, the common remedy may be pursued.

18. *And be it enacted*, That if the said capital, and the other aids already granted by this act, shall prove insufficient, it shall and may be lawful for the said company, from time to time, to increase the said capital by the addition of so many whole shares as shall be judged necessary by the said stockholders, or a majority of them, present at any general meeting of the said company; and the said president and directors, or a majority of them, are hereby empowered and required, after giving at least two months' previous notice thereof, in

Construction of locks.

Wastes.

Towing-path.

Transfer of shares.

President and directors empowered to increase capital.

**Act of Virginia.** at least four of the newspapers printed in Virginia, Pennsylvania, Maryland, and the District of Columbia, to open books in the before-mentioned states and district, for receiving and entering such additional subscriptions, in which the stockholders of the said company for the time being, shall, and are hereby declared to have the preference of all others, for the first thirty days after the said books shall be opened as aforesaid, of taking and subscribing for so many whole shares, as any of them shall choose; and the said president and directors are hereby required to observe, in all other respects, the same rules, therein, as are by this act prescribed for receiving and adjusting the first subscriptions, and in like manner to return, under the hands of any three or more of them, an exact list of such additional subscriptions, with the sums subscribed, to the public authorities, as aforesaid, to be, by them, preserved as aforesaid; and all stockholders of such additional shares shall, and are hereby declared to be, from thenceforward, incorporated into the said company.

**Legal proceedings under this act.**

19. *And be it enacted,* That whenever it shall become necessary to subject the lands of any individual to the purposes provided for in this act, and their consent cannot be obtained, it shall and may be lawful for the company to enter upon such lands, and proceed to the execution of such works, as may be requisite; and that the pendency of any proceedings in any suit in the nature of a writ of ad quod damnum, or any other proceedings, shall not hinder or delay the progress of the work; and it shall be the duty of every court to give precedence to controversies which may arise between the company created by this act, and the proprietors of land sought to be condemned for public uses, and to determine them in preference to all other causes.

**Eastern section.**

20. *And be it enacted,* That the said canal shall be, and the same is hereby, divided into two sections, to be denominated first and second, or eastern and western, respectively; that the first, or eastern section, shall begin at the District of Columbia, on tide-water, and terminate at or near the bank of Savage river, or creek, which empties into the north branch of the Potowmac, at the base of the Alleghany mountain; that the second, or western section, shall commence at the said termination, and extend along the valley of Savage river, or creek, so far as the same, or any branch thereof, as may reach some convenient point thereon, for connecting the eastern and western waters, by a tunnel through, or an open cut across the dividing ridge between the same; and thence, after crossing the said dividing ridge, shall proceed to the highest steamboat navigation of the Ohio river, or of some one tributary stream thereof, in such direction as, in the opinion of the said president and directors, shall be best calculated for the attainment of the end set forth in the preamble of this act: that the said president and directors shall first construct the eastern section aforesaid, out of the capital stock hereinbefore mentioned, and shall next proceed to construct, with all possible despatch, the western section thereof. In case the said company shall not begin the said work within two years after the company shall have been formed, or if the work, having been so begun, shall not be diligently prosecuted, so that one hundred miles of the said canal, with the adequate locks and incidental improvements, shall not be completed, and in fit order for navigation, in the term of five years from the commencement of the work, then all interest of the said company, in the navigation and tolls, shall cease and determine, and their charter shall be thereafter taken to be null and void; and so, in like manner, shall the said charter be null and void, if the entire eastern section be not completed in the term of twelve years from the said commencement. And should the said company fail to begin the western section of the said canal, in two years after the time allowed as aforesaid for the completion of the eastern section; or, having begun the western section, shall fail to complete the same in six years after such beginning, then all right, title, and interest of the said company, in the said western section, shall cease and determine; and the several states aforesaid shall have full authority to incorporate another company for the completion of such section, or to complete the same in any other mode that they may deem expedient. And if, after the completion of the said canal and locks, the president and directors shall fail to keep the same in repair for twelve months at any time, then, in like manner, the interest of the company in the navigation and tolls shall cease, and their charter shall be forfeited.

**Western section.**

**Time for construction.**

**Rights reserved to states.**

21. *And be it further enacted,* That the right to the waters of the river Potowmac, for the purpose of any lateral canal or canals, which the state of Virginia or Maryland may authorize to be made in connection with the said canal, is reserved to the said states respectively; that a similar right is reserved to the state of Pennsylvania, in relation to the rivers and streams within the ter-

ritory of that state, the waters of which may be used in supplying the western section of the said canal; that the government of the United States shall retain the power to extend the said canal in or through the District of Columbia, on either or both sides of the river Potowmac: *Provided*, That, before this act shall take effect, the Congress of the United States shall authorize the states of Virginia and Maryland, or either of them, to take and continue a canal from any point of the above-named canal, or the termination thereof, through the territory of the District of Columbia, or any part thereof, to the territory of the said states, or either of them, in any direction they may deem proper, upon the same terms and conditions, and with all the rights, privileges, and powers of every kind whatsoever, that the company incorporated by this act have to make the Chesapeake and Ohio canal. *And provided also*, That, in taking or extending such lateral canal or canals through the District of Columbia, by either of the said states, no impediment or injury be done to the navigation of the said Chesapeake and Ohio canal.

22. This act, or so much thereof as respects the canal and works designed to be constructed in the District of Columbia, and the states of Virginia and Maryland, shall take effect, with such necessary modification in the construction thereof, as shall fit it for such limited application or use, upon the assent of the Congress of the United States, and the legislature of Maryland being given thereto; and upon its receiving the further assent of the legislature of Pennsylvania, the whole and every section and part thereof shall be valid and in full force and operation.

23. *Be it further enacted*, That the assent of the Congress of the United States, required by the first section of this act, and the authority conferred by the fourteenth section, is understood and taken, to relate only to their authority as the legislature of the District of Columbia.

24. *Be it further enacted*, That all acts and parts of acts coming within the purview of this act, shall be, and the same are hereby, repealed.

RICHMOND, Dec. 30, 1824.

The foregoing is a true copy of an Act of the General Assembly of Virginia.

WM. MUNFORD, *Keeper of the Rolls.*

#### ACT OF THE STATE OF MARYLAND.

*An act to confirm an act of the General Assembly of the state of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company."*

Jan. 31, 1825.  
Act of Maryland.

Whereas, the General Assembly of Virginia have, heretofore, at the December session of the said General Assembly, in the year eighteen hundred and twenty-three, passed an act, entitled "An act incorporating the Chesapeake and Ohio Canal Company," in the substance, or words following:

[*See the preceding act.*]

*Therefore, be it enacted by the General Assembly of Maryland*, That the said act of the General Assembly of Virginia be, and the same is hereby accepted, assented to, and confirmed.

*And be it further enacted and declared*, That, by confirming and accepting the act of Virginia, it is not intended by the legislature of Maryland, to deny to the Congress of the United States the constitutional power to legislate on the subjects of roads and canals. And for the purpose of removing all doubt as to the right of the state of Maryland to intersect the said Chesapeake and Ohio canal, for the purpose of conducting a lateral canal or canals to Baltimore or elsewhere in the state of Maryland, from that part of the said Chesapeake and Ohio canal, which shall be within the District of Columbia—

*Be it further enacted and declared*, That the said act of Virginia has been accepted and confirmed by the legislature of Maryland, on the express condition, that the act of Congress contemplated by the twenty-first section of the Virginia act, shall direct and provide some safe and practicable mode, whereby such lateral canal or canals may be secured to the state of Maryland, and whereby also it may be determined whether such lateral canal or canals will injure the said Chesapeake and Ohio canal, within the meaning and intention of the said twenty-first section of the Virginia act.

Act of Virginia accepted with a condition.

We hereby certify, that the foregoing is a true copy of the original act, as passed both branches of the legislature at December session, eighteen hundred and twenty-four.

WM. KILTY, *Clerk Sen. of Md.*  
JOHN BREWER, *Clerk House Del.*

ANNAPOLIS, Jan 31, 1825.

ACT OF THE CONGRESS OF THE UNITED STATES.

March 3, 1825. *An act confirming an act of the legislature of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company," and an act of the state of Maryland, confirming the same.*

1825, ch. 25.  
Act of Congress.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act of the legislature of the state of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company," be, and the same is hereby, ratified and confirmed, so far as may be necessary for the purpose of enabling any company, that may hereafter be formed by the authority of said act of incorporation, to carry into effect the provisions thereof, in the District of Columbia, within the exclusive jurisdiction of the United States, and no further.

Sec. 2. *And be it further enacted,* That, should the state of Virginia or Maryland desire at any time, to avail itself of the rights secured to it, by the twenty-first section of the act aforesaid, to take and continue a canal, from any point of the Chesapeake and Ohio canal, to any other point within the territory of the District of Columbia, or through the same, on application to the President of the United States, by the executive of a state, the President is authorized and empowered to depute three skilful commissioners of the United States' corps of engineers, to survey and examine so much of the route of such canal as may affect, in any manner, the navigation of the Chesapeake and Ohio canal. The said commissioners, or a majority of them, shall ascertain, as far as practicable, whether the canal proposed to be constructed by the state aforesaid will injure or impede the navigation of the Chesapeake and Ohio canal, and report to the President of the United States the facts and reasons on which they may ground their judgment thereupon; which report shall be submitted to the Congress of the United States, at their session next ensuing the date thereof, for their decision thereon; and, if Congress shall be of opinion that the said canal may be cut in the manner proposed as aforesaid, without impeding or injuring the navigation of the Chesapeake and Ohio Canal, the same shall be conclusive thereon.

APPROVED, March 3, 1825.

May 16, 1825.

PROCEEDINGS OF THE GENERAL MEETING OF THE  
POTOWMAC COMPANY.

GEORGETOWN, D. C., 16th May, 1825.

Proceedings  
of the general  
meeting of Potowmac Company.

At a special meeting of the stockholders of the Potowmac Company, held this day at Semmes' Tavern, previous notice thereof having been given conformably to law—

The following resolutions were unanimously adopted:

That this meeting having duly considered the act of the General Assembly of the state of Virginia, passed at the December session thereof, in the year 1823, entitled "An act incorporating the Chesapeake and Ohio Canal Company," and the acts of the General Assembly of Maryland, and of the Congress of the United States, confirming the same, and being willing and desirous that the charter shall be granted and confirmed to the said Chesapeake and Ohio Canal Company, do hereby declare the full and free assent of the Potowmac Company, to the said act incorporating the said Chesapeake and Ohio Canal Company, and to all the provisions thereof.

That the President of the Potowmac Company be, and he is hereby, required to deliver to the executives of the states of Virginia, Maryland, and Pennsylvania, respectively, and to the Secretary of the Treasury of the United States, copies of the foregoing declaration of assent and corporate act of the Potowmac Company, as required by the first section of the act of the General Assembly of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company."



That the president and directors of the Potowmac Company be, and they are hereby, authorized and required, in the name and behalf of this company, whenever, agreeably to the terms and provisions of the aforesaid act of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company," the subscribers therein mentioned and referred to shall have become incorporated, to make a surrender of the charter of the Potowmac Company, to the said Chesapeake and Ohio Canal Company, and to convey in due form of law to the said Chesapeake and Ohio Canal Company, all the property, rights, and privileges, owned, possessed, and enjoyed, by the said Potowmac Company, under their said charter, to be held, used, and occupied, by the said Chesapeake and Ohio Canal Company, in the same manner and to the same effect, as the said Potowmac Company now hold, possess, and occupy the same by law. And it is hereby resolved and declared, that, upon the completion of the said surrender and conveyance by the said president and directors, to be evidenced by deed or deeds, in the name of this company, under the hands of the said president and directors, or a majority of them, and the corporate seal of this company, the said charter shall be, and hereby is, effectually surrendered, and all the said property, rights, and privileges, shall be, and hereby are, effectually conveyed to the said Chesapeake and Ohio Canal Company, according to the tenor and effect, true intent and meaning, of the said act and acts so incorporating the Chesapeake and Ohio Canal Company, as aforesaid.

Surrender of  
charter by the  
Potowmac  
Company.

In testimony whereof, as the corporate act of the Potowmac Company, &c.

*Office of the Potowmac Company,*

GEORGETOWN, 16th May, 1825.

I HEREBY certify the foregoing to be a true and faithful extract from the records of the proceedings of the Potowmac Company.

ROBERT BARNARD,

*Treasurer and Clerk, Potowmac Company.*

*Extracts from the Charter of the Potowmac Company, granted November, 1784.*

Nov., 1784.

SEC. 4. *And be it enacted,* That the said president and directors, so elected, and their successors, or a majority of them assembled, shall have full power and authority to agree with any person or persons, on behalf of the said company, to cut such canals, and erect such locks, and perform such other works as they may judge necessary, for opening, improving, and extending the navigation of the said river, above tide water, to the highest part of the North Branch, to which navigation can be extended, and carrying on the same from place to place, and from time to time, and upon such terms, and in such manner, as they shall think fit; and out of the money arising from the subscriptions and the tolls, and other aids hereinafter given, to pay for the same; and to repair and keep in order the said canals, locks, and other works, necessary thereto.

Charter of  
the Potowmac  
Company.

SEC. 11. And whereas it is necessary for the making of the said canal, locks, and other works, that a provision should be made for condemning a quantity of land for the purpose: *Be it enacted,* That it shall and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any land through which the said canal is intended to pass, for the purchase thereof; and in case of disagreement, or in case the owner thereof shall be a *femme covert*, under age, *non-compos*, or out of the state, on application to any two justices of the county in which such land shall lie, the said justices shall issue their warrant, under their hands, to the sheriff of their county, to summon a jury of twenty-four inhabitants of their county, of property and reputation, not related to the parties, nor in any manner interested, to meet on the land to be valued, at a day to be expressed in the warrant, not less than ten, nor more than twenty days thereafter, and the sheriff, upon receiving the said warrant, shall forthwith summon the said jury; and when met, shall administer an oath, or affirmation, to every jurymen that shall appear, that he will faithfully, justly, and impartially, value the land, (not exceeding in any case the width of two hundred feet,) and all damages the owner thereof shall sustain, by the cutting the canal through such land,

according to the best of his skill and judgment: and that in such valuation he will not spare any person for favour or affection, nor any person grieve for hatred, malice, or ill-will; and the inquisition thereupon taken shall be signed by the sheriff, and some twelve or more of the jury, and returned by the sheriff to the clerk of his county, to be by him recorded. And upon every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and their valuation shall be conclusive on all persons, and shall be paid by the said president and directors to the owner of the land, or his legal representatives; and on payment thereof, the said company shall be seized *in fee* of such land, as if conveyed by the owner to them and their successors by legal conveyance.

SEC. 12. *And be it enacted*, That the said president and directors, or a majority of them, are hereby authorized to agree with the proprietor, for the purchase of a quantity of land, at or near such of the places of receipt of tolls aforesaid, for the purpose of erecting necessary buildings; and in case of disagreement, or any of the disabilities aforesaid, or the proprietor being out of the state, then such land may be valued, condemned, and paid for as aforesaid, for the purpose aforesaid; and the said company shall, upon the payment of the valuation of the said land, be seized thereof *in fee simple*, as aforesaid.

SEC. 13. And whereas some of the places through which it may be necessary to conduct the said canals may be convenient for erecting mills, forges, or other water-works, and the persons possessors of such situation may design to improve the same; and it is the intention of this act not to interfere with private property, but for the purpose of improving and perfecting the said navigation—*Be it enacted*, That the water, or any part thereof, conveyed through any canal or cut made by the said company, shall not be used for any purpose but navigation, unless the consent of the proprietors of the land, through which the same shall be led, be first had.

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March 8, 1826. *Extracts from the act of the state of Maryland, for the promotion of internal improvement, passed March 8, 1826.*

Act of Maryland.

SEC. 19. *And be it enacted*, That the treasurer of the Western Shore be, and he is hereby, authorized and required, for and on behalf of the state, to subscribe to the Chesapeake and Ohio Canal Company for stock to the whole amount of the stock of the Potowmac Company owned by the state, and of the debt due to the state by the said Potowmac Company, and to pay for the same in the certificates of the stock of the Potowmac Company, and in the evidences of the debt due to the state, certified in the manner specified in the charter of the said Chesapeake and Ohio Canal Company; and also to subscribe for five thousand shares of the stock of the said company, payable, agreeably to the terms of the charter, in the legal currency of the United States.

SEC. 20. *And be it enacted*, That the treasurer of the Western Shore be, and he is hereby, instructed and required, in like manner, to subscribe for five thousand shares in the Maryland Canal Company hereby incorporated.

SEC. 21. *And be it enacted*, That the sum of two hundred thousand dollars shall be, and the same is hereby, appropriated, or such part thereof as may be necessary, to drain, embank, and render dry and arable, the low lands on the margins of such rivers and creeks of the Eastern Shore of this state as the Board of Public Works may think proper and recommend, and to complete and carry into effect such plans for opening and improving the navigation of the Pokomoke, Manokin, Wicomico, Great Choptank, Chester, Elk, and North East rivers, as the Board of Public Works may devise, recommend, and contract for, on behalf of the state of Maryland: *Provided*, That, before any part of the aforesaid subscriptions, except so much as is payable in the stock and debt of the Potomac Company, shall be made, or any part of the sum herein appropriated to execute the improvements contemplated by this act to be made on the low lands situated on the margins of the aforesaid rivers and creeks, or to execute the improvements of the Pokomoke, Manokin, Wicomico, Great Choptank, Chester, Elk, and North East rivers, be expended, the Congress of the United States shall, by law, authorize a subscription for not less than ten thousand shares of the capital stock of the eastern section of the Chesapeake and Ohio Canal, and shall enact a law expressly securing

to the state of Maryland, and to any company incorporated, or hereafter to be incorporated, by the said state, the right to take and continue a canal from any point of the Chesapeake and Ohio canal through the territory of Columbia, or any part thereof, to the said state, in any direction it may deem proper, upon the same terms and conditions, and with all the rights, privileges, and powers, of every kind whatsoever, granted to the Chesapeake and Ohio Canal Company by the act of incorporation, and deciding, agreeably to the act of Congress passed at December session, eighteen hundred and twenty-four, that the canal, as located by the Board of Public Works under the authority of this act, may be cut without impeding or injuring the navigation of the Chesapeake and Ohio canal. *And provided, also,* That the Board of Public Works shall previously ascertain and certify to the executive the practicability of connecting, by the canal described in this act, the Chesapeake and Ohio Canal with the Patapsco river at the city of Baltimore; and if the said Board of Public Works shall adopt for the said canal a line wholly within the state of Maryland, then the act of Congress last mentioned in the foregoing proviso, shall not be necessary to authorize the subscriptions and expenditures aforesaid: *And provided, also,* That the executive shall previously be satisfied that the residue of the sum of money estimated by the United States' Board of Engineers to be adequate to the completion of the eastern section of the Chesapeake and Ohio canal, after deducting the amount of the subscriptions of the state of Maryland and of the United States, herein provided to be made, hath been actually subscribed by bona fide and competent subscribers."

#### ACT OF THE STATE OF MARYLAND.

*An Act to amend the "Act incorporating the Chesapeake and Ohio Canal Company."*

Feb. 6, 1827.

SEC. 1. *Be it enacted by the General Assembly of Maryland,* That the act, entitled "An act incorporating the Chesapeake and Ohio Canal Company, passed by the General Assembly of Virginia, at the December session, eighteen hundred and twenty-three," which has already received the assent of the state of Maryland, and of the Congress of the United States, as well as of the Potomac Company, shall be, and the same is hereby, amended, in the manner hereinafter provided, on condition that this act receive, in like manner, the assent of the necessary parties thereto.

Act of Maryland.

SEC. 2. *And be it further enacted,* That the Chesapeake and Ohio Canal Company shall have power to terminate the eastern section of the said canal at or near the town of Cumberland, on the river Potomac, and thence, to extend the western section thereof, in any direction that may be deemed expedient, by any other route, as well as that prescribed in the act aforesaid, towards Pittsburg, on the river Ohio; and, in extending the same in any direction across the dividing ridge which separates the eastern and western waters, to substitute for a tunnel, and numerous locks, on such part of the route, inclined planes and railways, or any other artificial communication or roads; and, in the event that the western section of the Chesapeake and Ohio canal shall leave the valley of the Potomac river at any point below the Coal Banks, at or near the mouth of Savage, on the north branch thereof, the company shall have the power, in like manner, to extend a branch from the main canal to the said Coal Banks, at or above the mouth of Savage, and to cause such branch to be constructed, of such dimensions as their views of their own and the public interest may warrant; and, for the construction of the same, shall have and enjoy the same rights, privileges, and immunities, under the same restraints and conditions, in all respects, as they are entitled to in relation to the main Chesapeake and Ohio canal.

SEC. 3. *And be it further enacted,* That nothing in this act contained shall be held to discharge the said company from a compliance with each and every of the conditions of the original act, except so far as the same are expressly altered by the provisions of this act.

SEC. 4. *And be it further enacted,* That this act shall commence and be in force as soon as it shall have received the assent of the legislature of Virginia, of the Congress of the United States, and of the Potomac Company.

We certify the foregoing is a true copy of the original act, passed the legislature of Maryland, at their present session.

Witness our respective signatures, this sixth day of February, in the year of our Lord one thousand eight hundred and twenty-seven.

W. KILTY, *Clerk Senate,*

GIDEON PIERCE, *Clerk House of Delegates, Md.*

## ACT OF THE STATE OF PENNSYLVANIA.

### *An Act incorporating the Chesapeake and Ohio Canal Company.*

Act of Pennsylvania giving assent to act of Virginia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the full and entire assent of this commonwealth be, and the same is hereby, given to all and each of the provisions mentioned and contained in an act of the legislature of the state of Virginia, passed the twenty-seventh day of January, one thousand eight hundred and twenty-four, entitled "An act incorporating the Chesapeake and Ohio Canal Company," so far as the same are or may be applicable to this commonwealth; and the said act of the state of Virginia is hereby adopted, ratified, and confirmed, and enacted into a law of this commonwealth, and all and each of the provisions, conditions, and restrictions thereof, as fully and effectually, as if the same were enacted, paragraph by paragraph, and section by section, so far as the same can apply to this commonwealth; always, nevertheless, subject to the exceptions, provisions, and restrictions, hereinafter mentioned; and the said act shall hereafter be in full force and effect, wherever the same is applicable, as well within, as without this commonwealth, as an act incorporating the Chesapeake and Ohio Canal Company, for all and every of the objects and purposes therein set forth and provided for, according to the true intent and meaning of the said act of the state of Virginia; an exemplification whereof shall be annexed to this act, and be published in the same manner as the laws are usually published; and the governor shall likewise cause an exemplified copy of the said act of Virginia to be deposited in the secretary's office of this commonwealth, and shall also transmit an attested copy of this act to the President of the United States, and one copy thereof to the governor of Virginia, and one copy thereof to the governor of Maryland.

SEC. 2. *And be it further enacted by the authority aforesaid,* That this act shall have no effect, unless, within three years from and after the passage hereof, the state of Maryland shall pass a law authorizing the state of Pennsylvania, or any company which may be for that purpose incorporated by the state of Pennsylvania, to take and continue a lateral canal or canals, or railway, from any point or points within the territory of Pennsylvania, to, and connect with, the Chesapeake and Ohio canal, within the territory of the said state of Maryland, and upon the same terms and conditions, and with all the rights, privileges, and powers, of every kind whatsoever, that the Chesapeake and Ohio Canal Company may have to make the said Chesapeake and Ohio canal, and unless the said Chesapeake and Ohio Canal Company shall assent to and accept the said law of the state of Maryland, within one year after it shall have been enacted: *Provided,* That, should the said Chesapeake and Ohio canal be located on the south side of the Potomac, at any point or points below the town of Hancock, then the assent of Virginia, and the said Chesapeake and Ohio Canal Company, shall also be obtained in like manner, before this act goes into operation, except so far as it requires the assent of Maryland to the right to make a railway through the territory of that state.

SEC. 3. *And be it further enacted by the authority aforesaid,* That, as a condition on which this act shall pass, no greater tolls shall be charged or paid on goods, commodities, and produce, entering and transported on the said Chesapeake and Ohio canal, from such lateral canals, than are charged and paid on other goods, commodities, and produce of the same kind, transported on the said Chesapeake and Ohio canal: *And provided further,* That the aforesaid Chesapeake and Ohio Canal Company shall extend the Chesapeake and Ohio canal to, and terminate the same at, the city of Pittsburg.

SEC. 4. *And be it further enacted by the authority aforesaid,* That the said Chesapeake and Ohio Canal Company shall have full power and authority to alter and change the route of the western section of the said canal, so that the same may commence at the town of Cumberland, situated near the junction of Wills' creek with the north branch of the Potomac, and be continued from

thence, by the valley of Wills' creek and Castleman's river, to the Youghiogany, and from thence to the city of Pittsburg: *Provided*, That the United States' board of internal improvement, or a majority thereof, should deem and report that route to be the best.

Act of Penn-  
sylvania.

SEC. 5. *And be it further enacted by the authority aforesaid*, That, should the United States of America subscribe to the stock of the Chesapeake and Ohio Canal Company, the said company shall, within six months after receiving the sum subscribed, commence the western section of said canal, at such point or points as may be deemed most advantageous to the interests of the said company, and it shall be their duty to apportion at least one half of the subscription of the United States to the western section of the said canal. And whatever amount of stock may be subscribed by the citizens of Pennsylvania, shall be expended wholly on the western section, unless authority is given to the said company, by the Pennsylvania subscribers, to expend their subscriptions differently; and in case of failure of the said company to comply with the provisions herein set forth, this act shall cease to have any force or effect whatever.

SEC. 6. *And be it further enacted by the authority aforesaid*, That, if the net annual dividend of said company shall, for any two years in succession, exceed the amount of fifteen per cent., such excess shall be equally applied, by the president and directors, to the accommodation of the inhabitants of the shores of the Youghiogany and Monongahela rivers, and the country drained by the tributary streams thereof, now navigable, or which may hereafter become so, in the same manner, in proportion to the distance, as is directed for the accommodation of the inhabitants of the shores of the Potomac and its tributary streams, by the eleventh section of an act of the state of Virginia, entitled "An act incorporating the Ohio and Chesapeake Canal Company," passed the twenty-seventh day of January, one thousand eight hundred and twenty-four.

SEC. 7. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the said Chesapeake and Ohio Canal Company, at any place within this commonwealth, on the route of the said canal, to sell or lease the use of the water contained therein, or in any embankment, dyke, pond, or other improvement connected therewith, to any individual or individuals, or private company or companies, for that purpose incorporated by the state of Pennsylvania, for mills, or any other water-works, or for irrigating any lands, or for supplying bleach grounds, tan pits, or brick yards, and the profits or rents resulting therefrom, to take and receive to, and for the use and benefit of, the said corporation, in addition to the tolls and profits allowed to be taken by the act of Virginia: *Provided*, That the navigation of the said canal be not thereby impeded or obstructed: *And provided further*, That the said Chesapeake and Ohio Canal Company shall not, at any time, be, directly or indirectly, engaged or concerned in any banking, merchandising, milling, or the erecting of mills, manufacturing, or mining, or in any other business whatsoever, except such as may be necessary and proper for the construction of such canal and appurtenances, and the performance of the several functions of a canal company.

SEC. 8. *And be it further enacted by the authority aforesaid*, That, as a further condition on which the assent of this state is given to the Virginia act, aforesaid, that, so far as regards the territory of Pennsylvania, whenever the said canal shall cross any public or private laid-out road or highway, or shall divide the ground of any person or persons, so as to require a ford or bridge to cross the same, the jury, who shall inquire of the damages to be sustained, in manner directed by the fifteenth section of the Virginia act, shall find and ascertain whether a passage across the same shall be admitted or maintained by a ford or bridge; and, on such finding, the said Ohio and Chesapeake Canal Company shall cause a ford to be rendered practicable, or a bridge fit for the passage of carts and wagons to be built, and for ever hereafter maintained and kept in repair, at all and every places so ascertained by the said jury, at the cost and charges of the said company; but nothing herein contained shall prevent any person from erecting and keeping in repair any foot or other bridge across the said canal, at his own expense, when the same shall pass through his ground: *Provided*, The same shall be of such height above the water, as shall be usual in the bridges erected by the company: *And provided, also*, That such foot or other bridges so to be erected by the owners of such lands, shall not interfere with any of the locks, buildings, or other works of the company, or with the navigation of the said canal.

SEC. 9. *And be it further enacted by the authority aforesaid*, That the assent

Act of Pennsylvania.

of the legislature of this commonwealth to the said act of the legislature of Virginia, is given and granted upon the further express conditions, that any mesne process which may be issued against the said company, may be served on any toll-gatherer, director, or other officer of the company; and such service shall be held good, valid, and effectual, as a service of such process upon the said Ohio and Chesapeake Canal Company; and that said company shall annually report to the legislature of Pennsylvania the progress they may make in constructing the said canal; and also an annual abstract of their accounts, certified by the oath of the president of the said company, showing the amount of capital stock actually paid in, and the sums deposited with the treasurer for contingent and current expenses, and the profits which may have accrued, and the dividends made or declared during the preceding year.

### AN ACT OF THE STATE OF VIRGINIA.

Feb. 26, 1828.

*An Act giving the assent of this state to an act further to amend the act incorporating the Chesapeake and Ohio Canal Company, passed by the state of Maryland. [Passed Feb. 26, 1828.]*

Act of Virginia giving assent to act of Maryland.

Whereas it is represented that the General Assembly of the commonwealth of Maryland hath passed, at their present session, an act entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," in the words following, to wit:

"Whereas it is represented to this General Assembly, that it may tend greatly to the promotion of the object of the original act incorporating the Chesapeake and Ohio Canal Company, to authorize a subscription for its stock by aliens; and doubts have arisen, whether, under said act, such stock may be held by others than citizens of the United States; and whether the stock of said company is to be regarded as real or personal property:—

1. "Be it enacted by the General Assembly of Maryland, That it shall and may be lawful for the commissioners for the time being, and for the president and directors of the said company, whensoever the same shall be duly organized, agreeably to the provisions of the original act aforesaid, to receive subscriptions for any number of shares of the capital stock of said company, from any alien or aliens, who are hereby declared competent to hold the same; and, if in their judgment it be necessary, to appoint an agent or agents to visit Europe for that purpose.

2. "And be it enacted, That the shares of the capital stock of the said Chesapeake and Ohio Canal Company, shall be deemed and taken to be personal estate, and as such to be liable to be assigned and transferred: *Provided*, That it shall not be lawful for any stockholder in said company to assign any share or shares, by him or her held, unless it be in person, or by attorney, upon the books of said company: *And provided, also*, That no transfer or assignment shall be made, except for one or more whole share or shares, and not for any part of such share or shares; and that no share or shares shall at any time be assigned or transferred, or held in trust for the use and benefit, or in the name of another, whereby the said president and directors, or stockholders, of the said company, or any of them, shall or may be challenged or made to answer concerning any such trust; but that every person appearing as aforesaid to be stockholders, shall, as to others of the said company, be, to every intent, taken absolutely as such; but as between any trustee, and the person for whose benefit any trust shall be created, the common remedy may be pursued.

3. "And be it enacted, That the words 'nor any payment demanded within any year from the commencement of the work,' inserted in the proviso to the fifth section of the original act incorporating the Chesapeake and Ohio Canal Company, passed the twenty-seventh day of January, eighteen hundred and twenty-four, by the General Assembly of Virginia, and subsequently confirmed by the General Assembly of Maryland, be, and the same are hereby repealed and expunged from the aforesaid proviso; and henceforth the said proviso shall be construed in the same manner, and have the same effect, as if the afore-recited words had never been recited therein.

4. "And be it enacted, That this act shall commence and be in force as soon as it shall have received the assent of the legislature of Virginia, of the Congress of the United States, of the Potowmac Company, and of the stockholders of the said Chesapeake and Ohio Canal Company, to be given at their first general meeting after the passage of this act."

See ante, p. 795.

1. *Be it therefore enacted by the General Assembly of this Commonwealth,* Act of Virginia.  
That the assent of this legislature in and to the amendments to the "Act incorporating the Chesapeake and Ohio Canal Company," as contained in the foregoing act of the General Assembly of Maryland, is hereby as fully and completely given, as if the said amendatory act had been passed by this present General Assembly.

2. This act shall be in force from the passing thereof.

### ACT OF THE STATE OF MARYLAND.

*A further supplement to the act, entitled "An act for the promotion of internal improvement."* March 3, 1828.

Act of Maryland.

Whereas by the act, entitled "A supplement to the act, entitled an act for the promotion of internal improvement," passed at December session, eighteen hundred and twenty-six, chapter two hundred and twenty-one, it is, amongst other things, provided, that one of the conditions upon which the treasurer of the Western Shore shall be authorized to subscribe for five thousand shares in the capital stock of the Chesapeake and Ohio Canal Company, is, that whenever the United States shall have authorized subscriptions for not less than ten thousand shares of the capital stock of the Chesapeake and Ohio Canal Company; and whereas it is important, with reference to the interest of the state, that the grant already made by her, to that company, should be made dependent upon such other conditions and restrictions, as will effectually secure the completion of this work, if ever commenced, and the previous payment of the instalments upon all other subscriptions; and that some mode of payment of the subscription already made, should be provided, having reference to the exhausted condition of the treasury, in lieu of the mode of payment provided by the terms of the original subscription: Therefore,

Sec. 1. *Be it enacted by the General Assembly of Maryland,* That the treasurer of the Western Shore be authorized to subscribe the aforementioned five thousand shares of the capital stock of the Chesapeake and Ohio Canal Company, whenever the commissioners, their successors, or a majority of them, appointed on the part of this state, to aid in opening books, and taking subscriptions to the stock of said company, shall certify that the sum of two millions five hundred thousand dollars has been subscribed by bona fide subscribers, with such additional securities as to them may be deemed ample, to ensure the faithful compliance on the part of the subscribers of the aforesaid two millions five hundred thousand dollars: and provided, also, that the instalments thereon, similar to that required to be paid on behalf of the state, and all the previous instalments, which may have accrued thereon, shall have been paid, before any payment shall be demanded on account of the state's subscription.

Sec. 2. *And be it enacted,* That the said subscription is authorized and directed upon the condition, that the said president and directors of the said Chesapeake and Ohio Canal Company, shall certify to the said treasurer, their agreement, under the corporate seal of said company, to accept and receive, in payment of the instalments which may become due on any such subscription, as they may be called for, certificates of stock of the state of Maryland, at par, irredeemable for fifteen years, and bearing an interest of five *per centum per annum*, payable quarterly, to commence at the end of one year after the same shall have been issued in succession, and that, upon any such subscription being made, the said Treasurer is further authorized and directed to borrow, on the credit of the state, on the best obtainable terms, from time to time, the funds necessary to meet and discharge the first advance, and each successive payment, whensoever and as often as any instalment on the said subscription of the state shall be demanded, and become due, in conformity to the provisions of the charter of the said company; and to issue for the same, certificates of stock of the state, bearing interest at the rate of five *per centum per annum*, payable quarterly: provided, that the said stock shall be redeemable at the pleasure of the state, at any time after fifty years from each successive issue of certificates as aforesaid; and the premium, if any, on each and every of the said loans, shall be invested in some safe and productive stock, at the discretion of the said treasurer, with the advice and consent of the governor and council, for the time being; and the interests, dividends or profits, arising from such invest-

Act of Maryland.

ment or investments, shall be reinvested, as aforesaid, for the eventual redemption of the said loans; and the said funds, when obtained under the authority of this act, the said treasurer is hereby directed to pay to the order of the president and directors of the Chesapeake and Ohio Canal Company, in conformity to the provisions of the charter of the said company, and to receive therefor the necessary acquittances; or, in case it shall be deemed more beneficial to the interest of the state, in the estimation of the said treasurer, with the approbation and concurrence of the governor and council, the said treasurer shall be, and he hereby is, authorized and directed, whensoever and as often as any instalment on the said subscription of the state shall be demanded, and become due, in conformity to the provisions of the said charter, to issue certificates of stock of the state, at par, irredeemable for fifteen years, bearing interest at the rate of five per centum per annum; the said interest upon such certificates, to commence at the end of one year after the same shall have been issued, in succession, and to be paid quarterly thereafter; and the said treasurer is authorized and directed to cause the said certificates to be delivered to the person or persons authorized to receive the said instalments, as they shall severally become due, and to demand and receive, from such person or persons, upon the delivery of the said certificates, a full acquittance and discharge for and on behalf of the state, for the instalment for which the said certificates were issued: provided, always, that, in case a premium of five per centum, or exceeding five per centum, may be obtained upon any loan required for any instalment as aforesaid, that then, and in that case, it shall be the duty of the said treasurer, with the advice and consent of the governor and council, as aforesaid, to elect the first alternative, as hereinbefore provided: *And provided furthermore, and it is hereby enacted*, That, upon the adoption of either alternative, a capital equal to ten per centum, at the least, on the gross amount of each loan, shall be made from any unappropriated money in the treasury, and the same shall be invested in some safe and productive stock, as aforesaid; and the interest, dividends, or profits, arising therefrom, shall be reinvested, as aforesaid, for the eventual redemption of each of the said loans, to be negotiated for as aforesaid.

SEC. 3. *And be it enacted*, That any act or acts, repugnant to, or inconsistent herewith, be, and the same are hereby, repealed.

We hereby certify the foregoing to be a true copy from the original act, which passed both branches of the legislature of Maryland at their December session, eighteen hundred and twenty-seven.

Given under our hands, at the city of Annapolis, this third day of March, eighteen hundred and twenty-eight.

WILLIAM H. MARRIOT,  
*President of the Senate of Maryland.*  
 J. G. CHAPMAN,  
*Speaker of the House of Delegates.*



# APPENDIX, No. II.

## ACT OF THE STATE OF ALABAMA.

*An Act to incorporate the Cahawba Navigation Company.* (a)

Jan. 10, 1827.

Act of Alabama.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama, in General Assembly convened,* That a company be established for the improvement of the navigation of the Cahawba river, the capital stock of which said company shall not exceed the sum of fifty thousand dollars, unless hereafter enlarged by law, exclusive of such sums as the General Assembly may hereafter think proper to subscribe; the right to make subscriptions is hereby reserved to the state to an unlimited amount: *Provided,* said state shall subscribe for the amount of stock intended to be taken, within twelve months.

SEC. 2. *And be it further enacted,* That subscriptions for stock, each share to consist of one hundred dollars, shall be opened on the first Monday of June next, at the town of Cahawba, under the superintendence of J. G. Cocheron, W. G. Mitchell, John Shields, James Craig, and Thomas Casey; at the town of Marion, on the first Monday of June next, under the superintendence of John Durden, Temple Lea, Edwin D. King, George Weissinger, and Abraham Trigg; at the town of Centreville, on the first Monday of June next, under the superintendence of Alexander Hill, Anthony Stoughtenberg, Thomas Crawford, Mitchell Watkins, and John Henry; which subscriptions shall be kept open for three days at each place: *Provided,* That a majority of the superintendents, at either of the places aforesaid, shall be competent to open the books and receive subscriptions of stock.

Subscriptions.

SEC. 3. *And be it further enacted,* That the superintendents at Cahawba shall have full power and authority to appoint agents to open subscriptions at any other place or places they may deem proper, and to publish the times of opening the same, in some newspaper published nearest the place or places of opening such subscriptions.

Appointment of agents.

SEC. 4. *Be it further enacted,* That one-fourth of each share shall be paid at the time of subscribing, and the remainder by three equal instalments, at six, twelve, and eighteen months thereafter, such times of payment to be determined by the directors, and notice given thereof: the payments to be made in a specie-paying currency; and immediately after the time of subscription, the superintendents shall give notice in writing to the superintendents at Cahawba, of the names of subscribers, the number of shares subscribed by each, and the moneys paid in. And in case the aggregate amount of subscriptions amounts to five thousand dollars, then the superintendents at Cahawba shall publish a day and place for the election of a president and seven directors, every share to be entitled to one vote, and stockholders to be entitled to vote by proxy; the said superintendents at Cahawba to have full power and authority to appoint managers for holding such election.

Payments.

Election of president and directors.

SEC. 5. *And be it further enacted,* That in case the whole amount of subscriptions shall not amount to the sum of five thousand dollars, the superintendents at Cahawba shall forthwith determine, as their discretion may direct, either to order and advertise for opening subscriptions again at the places aforesaid, by the same superintendents, or others in case of death, removal, or refusing to act, of those previously appointed, or to direct the repayment to subscribers of the sums respectively subscribed and paid.

Re-opening of subscriptions.

SEC. 6. *And be it further enacted,* That the company hereby established shall be, and the same is hereby made a body politic and corporate, under the name and style of "The Cahawba Navigation Company;" and shall so continue until one thousand eight hundred and fifty-eight; and by that name shall be, and are hereby made, capable in law to have, purchase, receive, possess, enjoy,

Incorporation of the company. Name.

Act of Alabama. and retain, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels, and effects, of whatever kind, nature, and quality, to any amount not exceeding in the whole one hundred thousand dollars; including in the amount of capital stock; and the same to sell, grant, demise, alien, and dispose of, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any suit, action, matter or thing, in any court, either of law or equity, or in any other place whatsoever; and also to make, have, and use a common seal, and the same to break, alter, or renew, at their pleasure; and also to ordain, establish, and put in execution, such by-laws, ordinances, and regulations, as they shall deem necessary and convenient for the government of said corporation, not being contrary to the laws of this state, or of the United States; and generally to do and execute all and singular the acts, matters and things, which to them may appear necessary, or which to them it shall or may appertain to do, as incident to bodies corporate; subject, nevertheless, in addition, to the restrictions, limitations, and provisions, hereinafter prescribed and declared: *Provided*, That nothing in this act shall be so construed as to authorize said company to exercise banking powers, or any other power not specially delegated in this act.

Organization of directors.

SEC. 7. *Be it further enacted*, That the directors shall meet and organize, and appoint such officers as may be necessary for conducting the business of said company; they shall keep regular accounts and make an annual report of their proceedings to the legislature of this state; in case of the death, resignation, or removal of any one of the directors, or should a vacancy occur in any manner whatever, in the board of directors, a majority of the remaining directors may fill such vacancy; and an annual election of directors shall be held on the first Monday in February in each and every year at Cahawba; the directors shall have power to change the place of election of directors, giving public notice thereof in some newspaper, at least two months before the election.

Power of the directors,

SEC. 8. *Be it further enacted*, That the directors, a majority being present, shall have power to determine upon all plans for improvement, and may authorize a committee or agents to contract for, or to superintend the execution of any such plan, and to make contract for necessary supplies, or for such superintendents and labourers as may be required, not to exceed in amount or value the sums appropriated by the board of directors.

To enforce the payment of stock,

SEC. 9. *Be it further enacted*, That the directors shall have power to enforce the payment of stock subscribed, either by making a failure amount to a forfeiture, or otherwise.

To receive toll when completed as far as Maybury's landing;

SEC. 10. *And be it further enacted*, That when the improvement of said river, so far as Maybury's landing, shall be deemed by the directors to be completed, and the directors shall desire liberty to receive toll for the passage of boats over the same, they shall apply to the governor of this state, who shall cause the same to be examined, and in case such improvement is deemed completed, so as to admit the easy ascent and descent of boats of twenty tons burden, he shall certify the same to the directors; whereupon they shall be authorized to make regulations for receiving toll not exceeding the rates hereinafter mentioned, that is to say: for each barrel eighteen cents and three-fourths; for each bale of cotton, ten cents; for each ton of iron, one dollar; for lumber of every description, in rafts or otherwise, one-fourth cent per cubic foot: *Provided*, Said company shall defray all expenses incurred by every such examination.

Oldtown, Perry county;

SEC. 11. *Be it further enacted*, That when the improvement of said river shall be completed so far as Oldtown, in Perry county, so as to allow the easy and safe ascent and descent of boats of twenty tons burden, and the directors shall obtain the certificate of the governor in like manner as is provided for in the preceding section of this act, they shall be authorized to make regulations for receiving toll, not exceeding the rates hereinafter mentioned, to wit: For each barrel thirty-seven cents and a half; for each bale of cotton, twenty cents; for each ton of iron, one dollar and fifty cents; for lumber of every description, in rafts or otherwise, one-half cent per cubic foot.

Centreville;

SEC. 12. *Be it further enacted*, That when the improvement of said river shall be completed to Centreville, or the Falls of Cahawba, and the certificate of the governor obtained in like manner as is pointed out in a previous section, that then, and in that event, the directors shall be authorized to make regulations for receiving toll upon the whole route, not exceeding the rates hereinafter mentioned, to wit: For each barrel, fifty-six and one-fourth cents; for each bale of cotton, thirty cents; for each ton of iron, two dollars; for lumber

of every description, in rafts or otherwise, three-fourths of a cent per cubic foot. Act of Alabama.

SEC. 13. *And be it further enacted*, That after the completion of all and every part of the improvement on said river, his excellency the governor shall appoint some suitable person, whose duty it shall be, whenever said river shall be considered by him not to be in such repair as to admit of the easy ascent and descent of boats as contemplated by this act, to report the same to the governor, and said company shall not receive any toll until said river shall be reported in sufficient repair for the easy ascent and descent of boats, and the certificate of the governor obtained as prescribed in the tenth section of this act. When they shall not receive toll.

SEC. 14. *And be it further enacted*, That the directors, after receiving said toll on all or any part of the works, shall commence and declare semi-annual dividends, on the first Monday of February in each and every year, of such net proceeds, as may be above all expenses, and sums necessary for repairs and improvements. Semi-annual dividends.

SEC. 15. *Be it further enacted*, That stock shall be transferable only on the books of the company. Stock, how transferable.

SEC. 16. *And be it further enacted*, That nothing in this act shall be so taken or construed as to prevent or obstruct the free navigation of said river, so far as it is now a navigable stream, until the assent of Congress shall be obtained authorizing the same. Construction.

SEC. 17. *And be it further enacted*, That all articles not heretofore enumerated, shall be rated by weight or measurement, and tolled according to the foregoing rates.

SEC. 18. *And be it further enacted*, That all acts, and parts of acts, contravening this act, be, and the same are hereby repealed.

SEC. 19. *And be it further enacted*, That the president and directors shall keep a true account of the costs and expenditures of the improvements of the said river, and on the first day in February, in each year, have the same made up, and the balance of profits struck and divided among the stockholders, and report upon the same to the General Assembly of the state; and if it shall appear by the said return, under the oath of the president and directors, that the profits arising from tolls, divided, do not amount to twelve and a half per cent on the capital expended, the corporation shall be authorized to add to the tolls for the succeeding years, until the net profits arising from tolls, after deducting all expenses, repairs, and improvements, shall amount to twelve and a half per cent. per year; that should it appear that the net profits arising from tolls exceed twenty-five per cent. per year, after deducting the expenses, repairs, and improvements, the General Assembly reserve to themselves the right so to reduce the rates of tolls that the profits from the tolls to be divided shall not exceed twenty-five per centum. Dividends not to exceed twenty-five per cent.

APPROVED, January 10, 1827.

## APPENDIX, No. III.

In pursuance of the authority contained in the act of May 24, 1828, ch. 111, ante, p. 308, the act of January 7, 1824, ch. 2, ante, p. 2, proclamations have been issued by the President of the United States, as follow :

June 3, 1829.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

### PROCLAMATION:

Proclamation.

Ante, p. 308.

*Whereas*, by an act of the Congress of the United States of the 24th of May, one thousand eight hundred and twenty-eight, entitled "An Act in addition to an act, entitled 'An act concerning discriminating duties of Tonnage and Impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided that, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any foreign country, the President is thereby authorized to issue his proclamation declaring that the foreign discriminating duties of tonnage and impost within the United States are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures or merchandise, imported into the United States in the same from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

And whereas, satisfactory evidence has lately been received by me, from his Imperial Majesty the Emperor of Austria, through an official communication of the Baron de Lederer, his Consul General in the United States, under date of the 29th of May, 1829, that no other or higher duties of tonnage and impost are imposed or levied since the first day of January last in the ports of Austria, upon vessels wholly belonging to citizens of the United States, and upon the produce, manufactures, or merchandise imported in the same from the United States, and from any foreign country whatever, than are levied on Austrian ships and their cargoes, in the same ports under like circumstances.

Discriminating duties suspended upon Austrian vessels.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing discriminating duties of tonnage and impost within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of Austria, and the produce, manufactures, and merchandise, imported into the United States in the same, from the dominions of Austria, and from any other foreign country whatever, the said suspension to take effect from the day above mentioned, and to continue thenceforward, so long as the reciprocal exemption of the vessels of the United States, and the produce, manufactures, and merchandise imported into the dominions of Austria, in the same as aforesaid, shall be continued on the part of the government of His Imperial Majesty the Emperor of Austria.

Given under my hand, at the City of Washington, this third day of June, in the year of our Lord one thousand eight hundred and twenty-nine, and the fifty-third of the Independence of the United States.

*By the President:*

ANDREW JACKSON.

M. VAN BUREN, *Secretary of State.*

Sept. 18, 1830.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

### PROCLAMATION:

Proclamation.

*Whereas*, by an act of the Congress of the United States, of the 24th of May, one thousand eight hundred and twenty-eight, entitled "An Act in addi-

tion to an act, entitled 'An Act concerning discriminating duties of Tonnage and Imposts,' and to equalize the duties on Prussian vessels and their cargoes," it is provided that, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any foreign country, the President is thereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise, imported into the United States in the same from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

And whereas, satisfactory evidence has lately been received by me, from His Royal Highness the Grand Duke of Oldenburg, through an official communication of F. A. Mench, his Consul in the United States, under date of the 15th September, 1830, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the Grand Dukedom of Oldenburg, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any other country.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim that, so much of the several acts imposing discriminating duties of tonnage and impost within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the Grand Dukedom of Oldenburg, and the produce, manufactures, and merchandise, imported into the United States in the same, from the Grand Dukedom of Oldenburg, and from any other foreign country whatever; the said suspension to take effect from the day above mentioned, and to continue thenceforward so long as the reciprocal exemption of the vessels of the United States, and the produce, manufactures, and merchandise, imported into the Grand Dukedom of Oldenburg in the same as aforesaid, shall be continued on the part of the government of His Royal Highness the Grand Duke of Oldenburg.

Given under my hand, at the City of Washington, the eighteenth day of September, in the Year of our Lord one thousand eight hundred and thirty, and the fifty-fifth of the Independence of the United States.

ANDREW JACKSON.

*By the President:*

M. VAN BUREN, *Secretary of State.*

Proclamation.  
Ante, p. 308.

Discriminating  
duties suspend-  
ed upon vessels  
of Oldenburg.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

July 1, 1828.

PROCLAMATION:(a)

Whereas, by an act of the Congress of the United States, of the seventh of January, one thousand eight hundred and twenty-four, entitled "An Act concerning discriminating duties of Tonnage and Imposts," it is provided that, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied within the ports of the said nation, upon vessels belonging wholly to citizens of the United States, or upon merchandise, the produce or manufacture thereof, imported in the same, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States, are, and shall be suspended, and discontinued, so far as respects the vessels of the said nation, and the merchandise of its produce or manufacture imported into the United States in the same; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens

Proclamation.  
Ante, p. 2.

of the United States, and merchandise, as aforesaid, thereon laden, shall be continued, and no longer.

Discriminating duties suspended on Hanoverian vessels.

And whereas, satisfactory evidence has been received by me, from His Britannic Majesty, as King of Hanover, through the Right Honourable Charles Richard Vaughan, his Envoy Extraordinary and Minister Plenipotentiary, that vessels wholly belonging to citizens of the United States, or merchandise, the produce or manufacture thereof, imported in such vessels, are not, nor shall be, on their entering any Hanoverian port, subject to the payment of higher duties of tonnage or impost, than are levied on Hanoverian ships, or merchandise, the produce or manufacture of the United States, imported in such vessels.

Now, therefore, I, John Quincy Adams, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares and merchandise, imported into the United States as imposed a discriminating duty of tonnage, between the vessels of the Kingdom of Hanover, and vessels of the United States, between goods imported into the United States, in vessels of the Kingdom of Hanover, and vessels of the United States, are suspended and discontinued, so far as the same respect the produce or manufacture of the said Kingdom of Hanover; the said suspension to take effect this day, and to continue henceforward so long as the reciprocal exemption of the vessels of the United States and the merchandise laden therein as aforesaid shall be continued in the ports of the Kingdom of Hanover.

Given under my hand, at the City of Washington, this first day of July, 1828, and the fifty-second of the Independence of the United States.

*By the President :*

JOHN Q. ADAMS.

HENRY CLAY, *Secretary of State.*

May 11, 1829.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

PROCLAMATION :

Proclamation.  
Ante, p. 2.

*Whereas*, by an act of the Congress of the United States, of the seventh of January, one thousand eight hundred and twenty-four, entitled "An Act concerning discriminating duties of Tonnage and Impost," it is provided, that upon satisfactory evidence being given to the President of the United States by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied within the ports of the said nation, upon vessels belonging wholly to citizens of the United States, or upon merchandise, the produce or manufacture thereof, imported in the same, the President is thereby authorized to issue his proclamation, declaring that the foreign discriminating duties and impost within the United States are, and shall be, suspended and discontinued, so far as respects the vessels of the said nation, and the merchandise of its produce or manufacture, imported into the United States in the same; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and merchandise, as aforesaid, therein laden, shall be continued, and no longer.

Discriminating duties suspended upon Austrian vessels.

And whereas, satisfactory evidence has been received by me from His Imperial Majesty, the Emperor of Austria, through the Baron de Lederer, his Consul General in the United States, that vessels wholly belonging to citizens of the United States are not, nor shall be, on their entering any Austrian port, from and after the first day of January last, subject to the payment of higher duties of tonnage than are levied on Austrian ships.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing duties on the tonnage of ships arriving in the United States, as imposed a discriminating duty between the vessels of the Empire of Austria and vessels of the United States, are suspended and discontinued; the said suspension to take effect from the day above mentioned, and to continue henceforward, so long as the reciprocal exemption of the vessels of the United States shall be continued in the ports of the imperial dominions of Austria.

Given under my hand, at the City of Washington, this eleventh day of May, in the year of our Lord one thousand eight hundred and twenty-nine, and the fifty-second\* of the Independence of the United States.

*By the President :*

ANDREW JACKSON.

M. VAN BUREN, *Secretary of State.*

\* This should be "third," instead of "second."

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

Oct. 5, 1830.

A PROCLAMATION.

Whereas, by an act of the Congress of the United States, passed on the twenty-ninth day of May, one thousand eight hundred and thirty, it is provided, that, whenever the President of the United States shall receive satisfactory evidence that the government of Great Britain will open the ports in its colonial possessions in the West Indies, on the continent of South America, the Bahama Islands, the Caicos, and the Bermuda or Somer Islands, to the vessels of the United States, for an indefinite or for a limited term; that the vessels of the United States and their cargoes, on entering the colonial ports aforesaid, shall not be subject to other or higher duties of tonnage or impost, or charges of any other description, than would be imposed on British vessels or their cargoes arriving in the said colonial possessions from the United States; that the vessels of the United States may import into the said colonial possessions, from the United States, any article or articles which could be imported in a British vessel into the said possessions from the United States; and that the vessels of the United States may export from the British colonies aforesaid, to any country whatever other than the dominions or possessions of Great Britain, any article or articles that can be exported therefrom in a British vessel, to any country other than the British dominions or possessions aforesaid, leaving the commercial intercourse of the United States with all other parts of the British dominions or possessions on a footing not less favorable to the United States than it now is, That then, and in such case, the President of the United States shall be authorized, at any time before the next session of Congress, to issue his proclamation, declaring that he has received such evidence, and that thereupon, and from the date of such proclamation, the ports of the United States shall be opened indefinitely, or for a term fixed, as the case may be, to British vessels coming from the said British colonial possessions, and their cargoes, subject to no other or higher duty of tonnage or impost, or charge of any description whatever, than would be levied on the vessels of the United States or their cargoes, arriving from the said British possessions; and that it shall be lawful for the said British vessels to import into the United States, and to export therefrom, any article or articles which may be imported or exported in vessels of the United States; and that the act, entitled "An Act concerning navigation," passed on the eighteenth day of April, one thousand eight hundred and eighteen, an act supplementary thereto, passed the fifteenth day of May, one thousand eight hundred and twenty, and an act, "An Act to regulate the commercial intercourse between the United States and certain British ports," passed on the first day of March, one thousand eight hundred and twenty-three, shall, in such case, be suspended, or absolutely repealed, as the case may require.

And whereas, by the said act, it is further provided, that, whenever the ports of the United States shall have been opened under the authority thereby given, British vessels and their cargoes shall be admitted to an entry in the ports of the United States from the islands, provinces, or colonies of Great Britain, on or near the North American continent, and north or east of the United States.

And whereas satisfactory evidence has been received by the President of the United States, that, whenever he shall give effect to the provisions of the act aforesaid, the government of Great Britain will open, for an indefinite period, the ports in its colonial possessions in the West Indies, on the continent of South America, the Bahama Islands, the Caicos, and the Bermuda or Somer Islands, to the vessels of the United States and their cargoes, upon the terms and according to the requisitions of the aforesaid act of Congress.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim that such evidence has been received by me; and that by the operation of the act of Congress, passed on the twenty-ninth day of May, one thousand eight hundred and thirty, the ports of the United States are, from the date of this proclamation, open to British vessels coming from the said British possessions, and their cargoes, upon the terms set forth in the said act; the act, entitled "An Act concerning navigation," passed on the eighteenth day of April, one thousand eight hundred and eighteen, the act supplementary thereto, passed the fifteenth day of May, one thousand eight hundred and twenty, and the act, entitled "An Act to regulate the commercial intercourse between the United States and certain British ports," passed the first day of March, one thousand eight hundred and twenty-three,

Recital.

1830, ch. 207.

1818, ch. 70.

1820, ch. 122.

1823, ch. 22.

Ports of the United States opened to vessels from British islands and provinces, and certain acts repealed.

1830, ch. 207.

1818, ch. 70.

1820, ch. 122.

1823, ch. 22.

## APPENDIX III.

are absolutely repealed; and British vessels and their cargoes are admitted to an entry in the ports of the United States, from the islands, provinces, and colonies of Great Britain on or near the American continent, and north or east of the United States.

Given under my hand, at the city of Washington, the fifth day of October, in the year of our Lord one thousand eight hundred and thirty, and fifty-fifth of the Independence of the United States.

ANDREW JACKSON.

By the President.

M. VAN BUREN,

*Secretary of State.*



are absolutely repealed; and British vessels and their cargoes are admitted to an entry in the ports of the United States, from the islands, provinces, and colonies of Great Britain on or near the American continent, and north or east of the United States.

Given under my hand, at the city of Washington, the fifth day of October, in the year of our Lord one thousand eight hundred and thirty, and fifty-fifth of the Independence of the United States.

ANDREW JACKSON.

By the President.

M. VAN BUREN,

*Secretary of State.*

April 23, 1835.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Preamble, reciting act relative to discriminating duties.

1823, ch. 111.

Discriminating duties on vessels and cargoes of Mecklenberg Schwerin, suspended.

From 13th April, 1835.

Whereas, by an act of Congress of the United States of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An Act in addition to an act entitled 'An Act concerning discriminating duties of tonnage and impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided, that upon satisfactory evidence being given to the President of the United States by the Government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same, from the United States, or from any foreign country, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States, are and shall be suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise, imported into the United States, in the same, from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

And whereas satisfactory evidence has lately been received by me from His Royal Highness the Grand Duke of Mecklenberg Schwerin, through an official communication of Leon Herckenrath, his consul at Charleston, in the United States, under date of the thirteenth April, one thousand eight hundred and thirty-five, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the Grand Duchy of Mecklenberg Schwerin, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any foreign country.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim, that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the Grand Duchy of Mecklenberg Schwerin, and the produce, manufactures, or merchandise, imported into the United States, in the same, from the said Grand Duchy, or from any other foreign country; the said suspension to take effect from the thirteenth day of April, one thousand eight hundred and thirty-five, above mentioned, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

Given under my hand, at the city of Washington, the twenty-eighth day of April, in the year of our Lord one thousand eight hundred and thirty-five, and of the Independence of the United States the fifty-ninth.

ANDREW JACKSON.

By the President.

JOHN FORSYTH,

*Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Sept. 1, 1836.

A PROCLAMATION.

Whereas, by an act of Congress of the United States, of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An Act in addition to an act entitled 'An Act concerning discriminating duties of tonnage and impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided, that upon satisfactory evidence being given to the President of the United States by the Government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied, in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same, from the United States, or from any foreign country, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise imported into the United States, in the same, from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

Preamble, reciting act relative to discriminating duties.

1823, ch. 111.

And whereas satisfactory evidence has lately been received by me, from the Government of His Imperial and Royal Highness the Grand Duke of Tuscany, through an official communication of Baron Lederer, the Consul General of His Imperial and Royal Highness in the United States, under date of the sixth day of August, one thousand eight hundred and thirty-six, that no discriminating duties of tonnage or impost are imposed or levied, in the ports of Tuscany, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same, from the United States, or from any foreign country.

Discriminating duties on vessels of Tuscany suspended.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim, that the foreign discriminating duties of tonnage and impost within the United States are and shall be suspended and discontinued, so far as respects the vessels of the Grand Dukedom of Tuscany, and the produce, manufactures, or merchandise, imported into the United States in the same, from the said Grand Dukedom, or from any other foreign country; the said suspension to take effect from the sixth day of August, one thousand eight hundred and thirty-six, above mentioned, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

Declares the discriminating duties, so far as respects the vessels of Tuscany, suspended.

From 6th Aug. 1836.

Given under my hand, at the City of Washington, the first day of September, in the year of our Lord one thousand eight hundred and thirty-six, and of the Independence of the United States the sixty-first.

ANDREW JACKSON.

By the President.

JOHN FORSYTH,

Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

June 14, 1837.

A PROCLAMATION.

Whereas, by the third section of the act of Congress of the United States, of the thirteenth of July, one thousand eight hundred and thirty-two, entitled "An Act concerning tonnage duty on Spanish vessels," it is provided, that whenever the President shall be satisfied that the discriminating duties or countervailing duties of tonnage, levied by any foreign nation on the ships or vessels of the United States, shall have been abolished, he may direct that the tonnage duty on the vessels of such nation shall cease to be levied in the ports of the United States.

President authorized to abolish tonnage duties.

1832, ch. 207

And whereas satisfactory evidence has lately been received from His Majesty, the King of Greece, that the discriminating duties of tonnage levied by said nation on the ships or vessels of the United States, have been abolished.

Discriminating tonnage duties levied by Greece on American vessels abolished.

Tonnage duty on Greek vessels in U. States ports shall cease to be levied.

Now, therefore, I, Martin Van Buren, President of the United States, do hereby declare and proclaim, that the tonnage duty on the vessels of the Kingdom of Greece shall, from this date, cease to be levied in the ports of the United States.

Given under my hand at the City of Washington, this fourteenth day of June, A. D. 1837, and of the Independence of the United States the sixty-first.

MARTIN VAN BUREN.

By the President.

JOHN FORSYTH,  
*Secretary of State.*

Oct. 11, 1837.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Tonnage duty on vessels of Portugal provisionally abolished, but the President authorized to levy said duty.

1832, ch. 104.

Vessels of U. S. subjected to tonnage duty in ports of Portugal.

Tonnage duty henceforth to be levied on vessels of Portugal.

Whereas, by an act of Congress of the United States, of the twenty-fifth of May, one thousand eight hundred and thirty-two, entitled "An Act to exempt the vessels of Portugal from the payment of duties of tonnage," it was enacted as follows: "No duties upon tonnage shall be hereafter levied or collected of the vessels of the Kingdom of Portugal: *Provided, always,* That whenever the President of the United States shall be satisfied that the vessels of the United States are subjected, in the ports of the Kingdom of Portugal, to payment of any duties of tonnage, he shall, by proclamation, declare the fact, and the duties now payable by vessels of that Kingdom shall be levied and paid, as if this act had not been passed."

And whereas, satisfactory evidence has been received by me, not only that the vessels of the United States are subjected in the ports of the said Kingdom of Portugal to payment of duties of tonnage, but that a discrimination exists in respect to those duties against the vessels of the United States.

Now, therefore, I, Martin Van Buren, President of the United States of America, do hereby declare that fact, and proclaim that the duties payable by vessels of the said Kingdom of Portugal, on the twenty-fifth day of May, one thousand eight hundred and thirty-two, shall henceforth be levied and paid as if the said act of the twenty-fifth of May, eighteen hundred and thirty-two, had not been passed.

Given under my hand at the city of Washington, on the eleventh day of October, one thousand eight hundred and thirty-seven, and of the Independence of the United States the sixty-second.

M. VAN BUREN.

By the President.

JOHN FORSYTH,  
*Secretary of State.*

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