

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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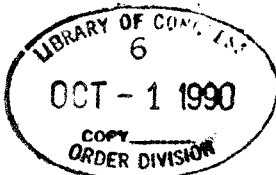
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CONTAINED IN VOLUME FIFTH.

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THE  
LAWS OF THE UNITED STATES.

ACTS OF THE TWENTY-FOURTH 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 7th day of December, 1835, and ended July 4, 1836.*

ANDREW JACKSON, President; MARTIN VAN BUREN, Vice President of the United States, and President of the Senate, JAMES K. POLK, Speaker of the House of Representatives.

STATUTE I.

CHAPTER I.—*An Act making an appropriation for repressing hostilities commenced by the Seminole Indians.* Jan. 14, 1836.

[Obsolete.]

*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 thousand dollars be and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses attending the suppression of hostilities with the Seminole Indians in Florida, to be expended under the direction of the Secretary of War, conformably to the provisions of the act of April fifth, eighteen hundred and thirty-two, making appropriations for the support of the army.

1832, ch. 64.

APPROVED, January 14, 1836.

STATUTE I.

CHAP. III.—*An Act making an additional appropriation for repressing hostilities commenced by the Seminole Indians.* Jan. 29, 1836.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of five hundred thousand dollars be, and the same hereby is appropriated, out of any money in the Treasury not otherwise appropriated, in addition to a former appropriation, to defray the expenses attending the suppression of hostilities with the Seminole Indians in Florida; to be expended in the manner provided for in the act approved January fourteenth, eighteen hundred and thirty-six, entitled "An Act making an appropriation for repressing hostilities commenced by the Seminole Indians."

Five hundred thousand dollars, in addition to former appropriations.

1836, ch. 1.

APPROVED, January 29, 1836.

STATUTE I.

CHAP. V.—*An Act to extend the charters of certain Banks, in the District of Columbia, to the first day of October, one thousand eight hundred and thirty-six.* Feb. 9, 1836.

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the acts incorporating certain banks in the District of Columbia, that is to say, the Bank of Potomac, and the Farmers Bank of Alexandria, in the city of Alexandria; the Union Bank, and the Farmers and Mechanics Bank of Georgetown,

Act of July 2, 1836, ch. 260.

in the town of Georgetown; the Bank of the Metropolis, the Patriotic Bank of Washington, and the Bank of Washington, in the city of Washington, be, and the same are hereby renewed, continued in full force, and limited to the first Saturday, and first day of October, in the year of our Lord eighteen hundred and thirty-six.

APPROVED, February 9, 1836.

STATUTE I.

Feb. 11, 1836.

[Obsolete.]

CHAP. VII.—*An Act making appropriations, in part, for the support of Government, for the year one thousand eight hundred and thirty-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 be paid out of any unappropriated money in the Treasury, viz :

Members of Congress.

For pay and mileage of the members of Congress and Delegates, five hundred and fifty-six thousand four hundred and eighty dollars.

Clerks of the Senate & House of Representatives.

For pay of the officers and clerks of the Senate and House of Representatives, thirty-three thousand seven hundred dollars.

Stationery, &c.

For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, fifty-three thousand seven hundred dollars.

For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, two hundred 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, 1836.

STATUTE I.

Feb. 17, 1836.

CHAP. XXXVIII.—*An Act to incorporate a fire insurance company, in the town of Alexandria, 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 persons who were

(a) Decisions of the Courts of the United States on Insurance against Fire :

Among the conditions which were printed on the same sheet with a policy of insurance against fire, was one requiring "that all persons insured, and sustaining loss or damage by fire, should forthwith give notice thereof to the company, and as soon after as possible deliver in a particular account of such loss or damage, signed with their own hands, and verified with their oath or affirmation, and also, if required, by their books of account and other proper vouchers." *Held*, that the particular account required by the above condition is a particular account of the articles lost or damaged, and does not refer to the manner and cause of the loss. *Catlin v. The Springfield Ins. Co.*, 1 Sumner's C. C. R. 434.

In stating a loss, it is sufficient to show it to have been occasioned by a peril within the policy, without negating the exception of losses from design, invasion, public enemies, riots, &c.; which are properly matters of defence. *Ibid*.

The words in a policy against fire, described the house as "at present occupied as a dwelling-house, but to be occupied hereafter as a tavern, and privileged as such." *Held*, that this is not a warranty that the house should, during the continuance of the risk, be constantly occupied as a tavern; but that it is, at farthest, a mere representation of the intention to occupy it as such, and a license or privilege granted by the underwriters that it might be so occupied. *Ibid*.

Where underwriters agree to make good any loss or damage "by fire originating in any cause, except design in the insured, invasion," &c., *held*, that the exception of losses by design admits all losses not by design; that, therefore, where the plaintiff negligently left the premises insured derelict, and intruders came and burnt them, without any co-operation or knowledge on the part of the plaintiff, it is a loss within the policy. *Ibid*.

The material inquiry is, does the offer for insurance state truly the interest of the assured in the property to be insured? The offer describes the property as belonging to Lawrence & Poindexter, and states it afterwards to be their stone mill. It contains no qualifying terms, which should lead the mind to suspect that their title was not complete and absolute. The title of the assured was subject to contingencies, and was held under contracts which had become void by the non-performance of the same. The supreme court is of opinion that a precarious title, depending for its continuance on events which might or might not happen, is not such a title as is described in this offer for insurance; construing the words of that offer as they are fairly to be understood. *The Columbian Ins. Co. v. Lawrence*, 2 Peters, 48.

The contract for insurance against fire is one in which the underwriter generally acts on the representation of the assured; and that representation ought consequently to be fair, and to omit nothing which it is material to the underwriter to know. It may not be necessary that the person requiring insurance should state every incumbrance on his property, which it might be required of him to state if it was offered for sale; but fair dealing requires that he should state everything which might influence the mind of the underwriter in forming or declining the contract. *Ibid*. 49.

the proprietors of the stock of the late fire insurance company of the town of Alexandria, on the eighth day of March, eighteen hundred and thirty-five, and the representatives and assigns of such of them as have since that time died, or transferred their interests, be, and the same are, hereby incorporated and declared to be a body politic, under the name and style of the Fire Insurance Company of Alexandria.

Certain persons incorporated as a fire insurance company.

The description of the property insured must be such as the property is, and not such as will in any way reduce the rate of the premium. *Ibid.*, 56.

The doctrine, as applied to policies against fire on land, has for a great length of time prevailed, that losses occasioned by the mere fault or negligence of the assured, or his servants, unaffected by fraud or design, are within the protection of the policy, and as such are recoverable from the underwriters. This doctrine is fully established in England and America. *Waters v. The Merchants' Louisville Ins. Co.*, 11 Peters, 213.

It is a well established principle of the common law, that in all cases of loss we are to attribute it to the proximate cause, and not to the remote cause. This has become a maxim to govern cases arising under policies of insurance. *Ibid.*

L. & P. at the time an insurance was made for them against loss by fire, were entitled to one third of the property by deed, and to two thirds as mortgagees; but one moiety of the whole was held under an agreement which had not been complied with, and which purported on its face to be void, if not complied with; but the other contracting party had not declared it void, nor called for a compliance with it. L. & P. had an insurable interest in the property. *The Columbian Ins. Co. v. Lawrence*, 2 Peters, 46.

That an equitable interest may be insured, is admitted; and the court perceive no reason which excludes an interest held under an executory contract. While the contract subsists, the person claiming under it has undoubtedly a substantial interest in the property. If it be destroyed, the loss, in contemplation of law, is his. If the purchase money be paid, it is his in fact. If he owes the purchase money, the property is equivalent, and is still valuable to him. The embarrassment of his affairs may be such that his debts may absorb all his property; but this circumstance has never been considered as proving a want of interest in it. The destruction of the property is a real loss to the person in possession, who claims title under an executory contract; and the contingency that his title may be defeated by subsequent events does not prevent this loss. *Ibid.*, 46.

Action on a policy of insurance on the "Glenco Cotton Factory," against loss or damage by fire. The policy was dated the 27th day of September, 1838, and was to endure for one year. The policy contained a clause by which it was stipulated by the assured, that if any other insurance on the property had been made, and had not been notified to the assurers, and mentioned in or endorsed on the policy, the insurance should be void; and if afterwards any insurance should be made on the property, and the assured should not give notice of the same to the assurers, and have the same endorsed on the policy, or otherwise acknowledged by the assured in writing, the policy should cease; and in case any other insurance on the property, prior or subsequent to this policy, should be made, the assured should not, in case of loss, be entitled to recover more than the portion of the loss should bear to the whole amount insured on the property; the interest of the assured in the property not to be assignable, unless by consent of the assurers, manifested in writing; and if any sale or transfer of the property without such consent is made, the policy to be void and of no effect. On all the policies of insurance made by the insurance company, there was a printed notice of the conditions on which the insurance was made. The declaration alleged that Carpenter was the owner of the property insured, and was interested in the same to the whole amount insured by the policy; and that the property had been destroyed by fire. The facts of the case showed that the property had been mortgaged for a part of the purchase money, and the policy of insurance was held for the benefit of the mortgagor. Another insurance was made by another insurance company, but this was not communicated in writing to the Providence Washington Insurance Company; nor was the same assented to by them, nor was a memorandum thereof made on the policy. By the Court: No doubt can exist that the mortgagor and the mortgagee may each separately insure his own distinct interest in property against loss by fire. But there is this important distinction between the cases; that where the mortgagee insures solely on his own account, it is but an insurance of his debt; and if his debt is afterwards paid or extinguished, the policy ceases from that time to have any operation; and even if the premises insured are subsequently destroyed by fire, he has no right to recover for the loss, for he sustains no damage thereby; neither can the mortgagor take advantage of the policy, for he has no interest whatsoever therein: on the other hand, if the premises are destroyed by fire, before any payment or extinguishment of the mortgage, the underwriters are bound to pay the amount of the debt to the mortgagee, if it does not exceed the insurance. Upon such payment, the underwriters are entitled to an assignment of the debt from the mortgagee, and may recover the same from the mortgagor. The payment of the insurance is not a discharge of the debt, but only changes the creditor. *Carpenter v. The Providence Washington Insurance Company*, 16 Peters, 495.

When the insurance is made by the mortgagor, he will, notwithstanding the mortgage or other encumbrance, be entitled to recover the full amount of his loss, not exceeding the insurance, since the whole loss is his own. The mortgagee can only insure to the amount of his debt; whereas the mortgagor can insure to the full value of the property, notwithstanding any encumbrances thereon. *Ibid.*

An assignment of a policy by the assured only covers such interest in the premises as he may have had at the time of the insurance, and at the time of the loss. If a loss takes place after the policy has been assigned, the assignee alone is entitled to recover. The rights of the assignee under the policy cannot be more extensive than the rights of the assignor. Cited *The Columbia Insurance Company v. Lawrence*, 10 Peters, 507, 512; 2 Peters, 25, 49. *Ibid.*

Policies of insurance against fire are not deemed in their nature incidents to the property insured, but they are mere special agreements with the person insuring against such loss or damage as they may sustain; and not the loss or damage that any other person having an interest as grantee, or mortgagee, or creditor, or otherwise, may sustain by reason of the subsequent destruction by fire. *Ibid.*

The public have an interest in maintaining the validity of the clauses in a policy of insurance against

The property of the late company vested in them.

Parts of the Act of Congress of 1814, ch. 24, revived.

Election of officers, when held.

SEC. 2. *And be it further enacted*, That the property, real and personal, owned by the late fire insurance company of Alexandria, be, and the same is hereby vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

SEC. 3. *And be it further enacted*, That an act of Congress, passed on the ninth day of March, eighteen hundred and fourteen, entitled "An act to incorporate a fire insurance company, in the town of Alexandria, in the District of Columbia," with the exception of the first, second, and tenth sections thereof, be, and the same is hereby revived and declared to be in full force as to the company hereby created, and that the company hereby created, shall have all the powers and capacities which were granted to the former company by the said act; and shall be subject to the payment of all debts due, or contracted by the former company, and shall be chargeable with all their contracts.

SEC. 4. *And be it further enacted*, That the election of president and directors as made by the stockholders of the former company on the first Monday in November last, be, and the same is hereby confirmed; that the president and directors shall continue in office for one year from the first Monday in November last, and until others shall be chosen in their stead; and that all acts by them done within the provisions of the former charter shall be, and are hereby declared to be binding and obligatory on the company hereby created.

SEC. 5. *And be it further enacted*, That this act shall continue in force, for the term of eighteen years, from and after the passing thereof, and until the end of the session of Congress then next following.

APPROVED February 17, 1836.

STATUTE I.

Feb. 25, 1836.

[Expired.]

The charters extended and limited to the 4th of March, 1839.

CHAP. XL.—*An Act to extend the charters of the Bank of Columbia in Georgetown, and the Bank of Alexandria in the city of Alexandria.*

*Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled*, That to enable the president and directors of the Bank of Columbia in Georgetown, and the president and directors of the Bank of Alexandria in the city of Alexandria, to close all the concerns of the said banks, to recover the debts due to said banks, or either of them, to pay the sums due from said banks or either of them, and to divide the capital and profits which may remain among the stockholders of said banks, in proportion to their respective interests, the charter of the said Bank of Columbia, and the charter of the Bank of Alexandria, shall be, and are hereby, extended and continued and limited to the fourth day of March, one thousand eight hundred and thirty-nine; and that all laws now in force, imposing penalties, or inflicting punishments, for crimes or offences committed in relation to said banks, shall be, and the same are hereby, declared to be extended and continued, and to remain in force, to the same period of time: *Provided*, That no new discounts shall be made by either of said banks, except such as may be deemed proper to renew such notes as have already been discounted, nor any promissory note thereof be put in

Proviso.

fire. They have a tendency to keep premiums down to the lowest rates, and to uphold institutions of this sort, so essential to the present state of the country for the protection of the vast interests embarked in manufactures, and on consignments of goods in warehouses. *Ibid.*

Questions on a policy of insurance are of general commercial law, and depend upon the construction of a contract of insurance, which is by no means local in its character, or regulated by any local policy or customs. *Ibid.*

The Circuit Court charged the jury, that at law, whatever might be the case in equity, mere parole notice of another insurance on the same property was not a compliance with the terms of the policy; and that it was necessary in the case of such prior policy, that the same should not only be notified to the company, but should be mentioned in or endorsed on the policy; otherwise the insurance was to be void and of no effect. *Held*, that this instruction of the Circuit Court was correct. It never can be properly said that the stipulation in the policy is complied with, when there has been no such mention or endorsement as it positively requires; without which it declares that the policy shall be void and of no effect. *Ibid.*

circulation by either of them, or any of their officers on behalf of the said banks from and after the passing of this law.

SEC. 2. *And be it further enacted,* That instead of a president and nine directors, as are now required by law, there shall be elected on the first Thursday of March next, and on the first Thursday of March in each year annually thereafter while this law remains in force, by the stockholders of each of said banks respectively, five directors, any three of whom shall be a quorum, who shall elect from among themselves, a president, who shall retain all the powers and privileges of a director; and in case of refusal to serve, death or resignation, or disqualification of the president of either of the said banks, the directors of such bank shall meet as soon as convenient thereafter, and after filling up the vacancy, in the number of directors required by this act, elect another person for president in the manner before directed.

Five directors to be elected.

SEC. 3. *And be it further enacted,* That any number of stockholders of either of said banks, who, together, shall be proprietors of five hundred shares, shall at any time have power and authority to call a general meeting of the stockholders of such banks, giving one month's notice in one or more newspapers printed in the District of Columbia, and when they shall have met as aforesaid, shall have power to transfer to trustees, the whole and entire authority of closing the affairs of the said Bank of Columbia, and Bank of Alexandria, or either of them, as fully and completely as is given to the directors by the first section of this act, and that, in case of the refusal to act, death, resignation or disqualification of any one of the trustees aforesaid, the stockholders shall, by giving the usual notice, proceed to elect another to supply the vacancy.

General meeting, how called.

APPROVED, February 25, 1836.

STATUTE I.

CHAP. XLI.—*An Act authorizing a special term of the Court of Appeals, for the Territory of Florida, and for other purposes.*(a)

Feb. 25, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a special term of the court of appeals, for the Territory of Florida, shall be holden at Tallahassee, the seat of Government of said Territory, on the first Monday in May next, and all appeals, writs of error, motions, and suits, depending or returnable to the last January term, shall be heard and decided at the special term herein appointed, in the same manner as they might have been, under the existing laws if the January term had been holden according to law.

Special term on the first Monday in May.

SEC. 2. *Be it further enacted,* That when, by the death, sickness, or inability to attend, of any of the judges, or for any other cause, the regular terms of said court shall not be holden, it shall and may be lawful for the judges thereof to appoint a special term.

Special terms may be appointed.

SEC. 3. *Be it further enacted,* That the county of Franklin, in the Territory of Florida, shall be added to, and form a part of the middle judicial district of said Territory, and it shall be the duty of the judge of said middle district to hold two regular terms of the superior court, at the town of Apalachicola, commencing on the second Mondays of April and November, and special terms at such other periods, as may be required by business, and not interfere with the business of said court in other counties.

County of Franklin to be added to the middle judicial district.

SEC. 4. *Be it further enacted,* That there shall only be one term of the superior court holden for the counties of Madison and Hamilton, in each year.

APPROVED, February 25, 1836.

(a) See notes of acts relating to the Territory of Florida, vol. 3, 523.



## STATUTE I.

March 19, 1836.

[Obsolete.]  
Act of April  
5, 1836, chap.  
47.

Term of pay-  
ment of bonds  
extended where  
property has  
been lost.

CHAP. XLII.—*An Act for the relief of the sufferers by the fire in the city of New York.*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the collector of the port of New York, be and he is hereby, authorized, as he may deem best calculated to secure the interest of the United States, to cause to be extended (with the assent of the sureties thereon) to all persons who have suffered loss of property by the conflagration at that place, on the sixteenth day of December last, by the burning of their buildings or merchandise, the time of payment of all bonds heretofore given by them for duties, to periods not exceeding three, four, and five years in equal instalments from and after the day of payment specified in the bonds; or to allow the said bonds to be cancelled, upon giving to the said collector new bonds with one or more sureties, to the satisfaction of the said collector, for the sums of the former bonds, respectively, payable in equal instalments in three, four, and five years, from and after the day of payment specified in the bonds to be taken up or cancelled as aforesaid; and the said collector is hereby authorized and directed to give up, or cancel all such bonds upon the receipt of others described in this section; which last mentioned bonds shall be proceeded with, in all respects, like other bonds which are taken by collectors for duties to the United States, and shall have the same force and validity: *Provided* That those who are within the provision of this section, but who may have paid their bonds subsequent to the late fire, shall also be entitled to the benefit of this section, and that the said bonds shall be renewed from the day when the same were paid, and said payments refunded, if not previously put into bank to the credit of the Treasurer of the United States. *And provided also,* That the benefits of this section shall not be extended to any person whose loss shall not be proved to the satisfaction of the collector, to have exceeded the sum of one thousand dollars.

Proviso.

Proviso.

Time extend-  
ed on other  
bonds.

SEC. 2. *And be it further enacted,* That the collector of the port of New York, is hereby authorized and directed to extend the payments in the manner prescribed in the first section of this act, of all other bonds given for duties at the port of New York prior to the late fire, and not provided for in the first section as aforesaid, for six, nine, and twelve months, from and after the date of payment specified in the bonds; which bonds when executed agreeably to the provisions of this section, shall be payable with interest, at the rate of five per centum per annum, which interest, shall be computed from the times the respective bonds would have fallen due, if this act had not passed; *Provided however,* That nothing contained in this act, shall extend to bonds which had fallen due before the 17th day of December last: *Provided also,* That if in the opinion of the collector aforesaid, any of the bonds which may be given under this act or the payment of which may be postponed, shall at any time be insecure, it shall be the duty of the said collector to require such additional security as shall be satisfactory to him, and on the failure of such additional security being furnished, the payment of such bond shall be enforced forthwith.

Proviso.

Proviso.

APPROVED, March 19, 1836.

## STATUTE I.

March 19, 1836.

[Obsolete.]

CHAP. XLIII.—*An Act authorizing the Secretary of War to transfer a part of the appropriation for the suppression of Indian hostilities in Florida, to the credit of subsistence.*

*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) An act to remit the duties upon certain goods destroyed by fire at the late conflagration in the city of New York, July 7, 1838, chap. 174.

is hereby authorized to transfer so much of the appropriation for the suppression of Indian hostilities in Florida, to the credit of subsistence, as may have been taken from the latter fund, for the former purpose.

APPROVED, March 19, 1836.

STATUTE I.

CHAP. XLIV.—*An Act to provide for the payment of volunteers and militia corps, in the service of the United States.*

March 19, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the officers, non-commissioned officers, musicians, artificers and privates, of volunteer and militia corps, who have been in the service of the United States, at any time since the first day of November, in the year of our Lord one thousand eight hundred and thirty-five, or may hereafter be in the service of the United States, shall be entitled to and receive the same monthly pay, rations, clothing or money in lieu thereof, and forage, and be furnished with the same camp equipage, including knapsacks, as are, or may be provided by law for the officers, musicians, artificers and privates, of the infantry of the army of the United States.

Volunteers and militia to be paid and furnished as provided for the infantry of the United States.

SEC. 2. *And be it further enacted,* That the officers of all mounted companies who have been in, or may hereafter be in, the service of the United States, shall each be entitled to receive forage, or money in lieu thereof, for two horses, when they actually keep private servants, and for one horse when without private servants, and that forty cents per day be allowed for the use and risk of each horse, except horses killed in battle or dying of wounds received in battle. That each non-commissioned officer, musician, artificer and private, of all mounted companies, shall be entitled to receive forage in kind for one horse, with forty cents per day for the use and risk thereof, except horses killed in battle, or dying of wounds received in battle, and twenty-five cents per day in lieu of forage and subsistence, when the same shall be furnished by himself, or twelve and a half cents per day for either as the case may be.

Officers of mounted companies, allowances to.

SEC. 3. *And be it further enacted,* That the officers, non-commissioned officers, musicians, artificers and privates, shall be entitled to one day's pay, subsistence, and other allowances, for every twenty miles' travel from their places of residence to the place of general rendezvous, and from the place of discharge back to their residence.

Allowance for travelling.

SEC. 4. *And be it further enacted,* That the volunteers or militia, who have been or who may be received into the service of the United States, to suppress Indian depredations in Florida, shall be entitled to all the benefits which are conferred on persons wounded or otherwise disabled in the service of the United States.

Volunteers or militia who may be wounded or disabled.

SEC. 5. *And be it further enacted,* That when any officer, non-commissioned officer, artificer, or private, of said militia or volunteer corps, who shall die in the service of the United States, or returning to his place of residence after being mustered out of service or at any time in consequence of wounds received in service, and shall leave a widow, or if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled, at the time of his death, for and during the term of five years; and in case of the death or intermarriage of such widow before the expiration of five years, the half pay for the remainder of the time shall go to the child or children of said decedent: *Provided always,* That the Secretary of War shall adopt such forms of evidence, in applications under this act, as the President of the United States may prescribe.

Provision for widows, &c. of those who die in the service.

Proviso.

SEC. 6. *And be it further enacted,* That the volunteers and militia

What volun-

teers and militia are included in these provisions.

mentioned in the foregoing provisions of this act, called into service before its passage, and who are directed to be paid, shall embrace those only ordered into service by the commanding general or Governors of States and of the Territory of Florida under authority from the War Department for repressing the hostilities of the Florida Indians.

APPROVED, March 19, 1836.

STATUTE I.

April 1, 1836.

[Obsolete.]

Five hundred thousand dollars appropriated.

CHAP. XLVI.—*An Act making a further appropriation for the suppression of Indian hostilities in Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of five hundred thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, in addition to former appropriations, for suppressing Indian hostilities in Florida.

APPROVED, April 1, 1836.

STATUTE I.

April 5, 1836.

[Obsolete.]

Act of March 19, 1836, chap. 42, limited to bonds entered into prior to Dec. 16, 1835.

CHAP. XLVII.—*An Act amendatory of "the act for the relief of the sufferers by fire in the city of New York," passed March 19th, 1836.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the operation of the act entitled "An act for the relief of the sufferers by fire in the city of New York," passed the nineteenth day of March last past, shall be, and hereby is limited and confined exclusively to such bonds of the description set forth in said act, as were made and entered into at the custom-house in the city of New York prior to the sixteenth day of December last past.

APPROVED, April 5, 1836.

STATUTE I.

April 9, 1836.

[Expired.]

Act of March 3, 1835, ch. 30.

1836, ch. 353, § 12.

CHAP. XLVIII.—*An Act to suspend the operation of the second proviso, third section of "An act making appropriations for the civil and diplomatic expenses of Government 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 so much of the third section of the act, entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1835," as provides "that the whole number of custom-house officers in the United States, on the 1st of January, 1834, shall not be increased until otherwise allowed by Congress," be, and the same is hereby suspended to the end of the present session of Congress.

APPROVED, April 9, 1836

STATUTE I.

April 11, 1836.

Act of March 3, 1817, ch. 38.

CHAP. L.—*An Act to repeal so much of the act entitled "An act transferring the duties of Commissioner of Loans to the Bank of the United States, and abolishing the office of Commissioner of Loans," as requires the Bank of the United States to perform the duties of Commissioner of Loans for the several States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first, second and third sections of the act entitled "An act transferring the duties of Commissioner of Loans to the Bank of the United States, and abolishing the office of Commissioner of Loans," passed March third, eighteen hundred and seventeen, be, and the same are hereby repealed; and the Bank of the United States and its several branches, and such State Banks employed under the provisions of said act by the Bank of the United States, as have heretofore done and performed, or are now doing and performing, the duties of Commissioner of Loans, shall be, and they are hereby, required to transmit to the Secretary of the Treasury, immediately after the passing of this act, all the books, papers, and

records in their possession relating to their duties as Commissioners of Loans.

SEC. 2. *And be it further enacted*, That the Bank of the United States and its several branches, and the State Banks employed by the Bank of the United States, performing the duties of Commissioners of Loans, shall be, and they are hereby required to pay into the Treasury of the United States, within three months after the passing of this act, all the money in their possession for the redemption of the public debt of the United States, and the interest thereon remaining in their hands, which has not been applied for by the person or persons entitled to receive the same.

Banks to pay all money into the Treasury within three months.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to pay over to the person or persons entitled to receive the same, the amount so received into the Treasury by virtue of the second section of this act, out of any money in the Treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That nothing contained in this act shall be construed to authorize the appointment of a Commissioner or Commissioners of Loans in any State, District, or Territory of the United States.

APPROVED, April 11, 1836.

STATUTE I.

CHAP. LII.—*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-six.*

April 14, 1836.

[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 the pensioners of the United States, for the year one thousand eight hundred and thirty-six;

For the revolutionary pensioners under the several acts, other than those of the fifteenth of May, one thousand eight hundred and twenty-eight, the seventh of June, one thousand eight hundred and thirty-two, and the fifth of July, one thousand eight hundred and thirty-two, in addition to an unexpended balance of three hundred and thirty-five thousand three hundred and ninety-five dollars and seventy cents, the sum of three hundred and forty-seven thousand six hundred and twenty-nine dollars.

Revolutionary pensioners.

For the invalid pensioners, under various laws, in addition to an unexpended balance of two hundred and one thousand, seven hundred and twenty-one dollars and twenty-seven cents, one hundred and five thousand, eight hundred and twenty-five dollars.

Invalid pensioners.

For pensions to widows and orphans, payable through the office of the Third Auditor, in addition to the unexpended balance of two thousand one hundred and ninety-five dollars and twenty-two cents, two thousand dollars.

Widows and orphans.

SEC. 2. *And be it further enacted*, That hereafter, no bank note of less denomination than ten dollars, and that from and after the third day of March, anno Domini, eighteen hundred and thirty-seven, no bank note of less denomination than twenty dollars shall be offered in payment in any case whatsoever in which money is to be paid by the United States or the Post Office Department, nor shall any bank note, of any denomination, be so offered, unless the same shall be payable, and paid on demand, in gold or silver coin, at the place where issued, and which shall not be equivalent to specie at the place where offered, and convertible into gold or silver upon the spot, at the will of the holder, and without delay or loss to him; *Provided*, That nothing herein contained shall be construed to make any thing but gold or silver a legal tender by any individual, or by the United States.

No bank-note of less denomination than ten dollars after March 3, 1837. No bank-note of less denomination than twenty dollars to be offered in payment by the United States; and no bank-note unless equivalent to specie, or convertible into gold or silver without loss, to be paid.

Act of Aug. 13, 1841, ch. 7. Proviso.

APPROVED, April 14, 1836.

VOL. V.—2

## STATUTE I.

April 20, 1836.

CHAP. LIII.—*An Act to carry into effect the treaties concluded by the Chickasaw tribe of Indians on the twentieth October, eighteen hundred and thirty-two, and the twenty-fourth May, eighteen hundred and thirty-four.*

Moneys received for lands to be paid into the Treasury.

*Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled,* That all moneys received from the sale of lands under the stipulations of the treaties with the Chickasaw Indians of the twentieth of October, eighteen hundred and thirty-two, and the twenty-fourth May, eighteen hundred and thirty-four, shall be paid into the Treasury of the United States, in the same manner that moneys received from the sales of public lands are paid into the Treasury.

Payment under the instructions of the President.

SEC. 2. *And be it further enacted,* That all payments required to be made, and all moneys required to be vested by the said treaty, are hereby appropriated in conformity to it, and shall be drawn from the Treasury, as other public moneys are drawn therefrom, under such instructions as may from time to time be given by the President.

Special account to be kept, &c.

SEC. 3. *And be it further enacted,* That all investments of stock, required by the said treaty shall be made under the direction of the President; and a special account of the funds under the said treaty, shall be kept at the Treasury, and a statement thereof shall be annually laid before Congress, and the sum of one hundred and fifty thousand dollars, heretofore appropriated, agreeably to the said treaty, and to aid in its fulfilment shall be refunded to the Treasury, as soon as funds sufficient therefor, are received from the sale of the said lands.

APPROVED, April 20, 1836.

## STATUTE I.

April 20, 1836.

CHAP. LIV.—*An Act establishing the Territorial Government of Wisconsin.*(a)

[Obsolete.]

What country shall constitute the Wisconsin Territory.

*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 July next, the country included within the following boundaries shall constitute a separate Territory, for the purposes of temporary government, by the name of Wisconsin; that is to say: Bounded on the

(a) The acts which have been passed relative to the Territory of Wisconsin have been:

An act to establish the Territorial Government of Wisconsin, April 20, 1836, chap. 54.

Appropriation for the public buildings and library of the Territory of Wisconsin, Civil and Diplomatic appropriation, act of May 9, 1836, chap. 59.

An act for laying off the towns of Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes, July 2, 1836, chap. 262.

An act to amend an act, entitled "An act for laying off the towns of Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes," approved July 2, 1836. March 3, 1837, chap. 36.

An act to give the approval and confirmation of Congress to three several acts of the Legislative Assembly of the Territory of Wisconsin, incorporating banks, March 3, 1837, chap. 75.

An act making appropriations for completing the public buildings in Wisconsin, June 18, 1838, chap. 117.

Post routes in Wisconsin, an act to establish post routes, and to discontinue others, July 7, 1838, chap. 172.

An act to divide the Territory of Wisconsin, and to establish the Territorial Government of Iowa, June 12, 1838, chap. 96.

An act to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes, March 3, 1839, chap. 72.

An act to create the office of Surveyor of public lands in the Wisconsin Territory, June 12, 1838, chap. 99.

An act concerning a seminary of learning in the Territory of Wisconsin, June 12, 1838, chap. 110.

An act to grant a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock river, June 18, 1838, chap. 114.

An act to alter and amend the organic law of the Territories of Wisconsin and Iowa, March 3, 1839, chap. 90.

An act to define and establish the eastern boundary line of the Territory of Wisconsin, June 12, 1838, ch. 101. Brotherton Indians subjected to the laws of the United States and of Wisconsin, Act of March 3, 1839, chap. 83, sect. 7.

Appropriation for the survey and examination of the country between the mouths of the Menomonic and Montreal rivers, for the purpose of designating and marking the boundary line between the State of Michigan and the Territory of Wisconsin, March 3, 1841, chap. 36, sect. 3.

An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights, September 4, 1841, chap. 16, sect. 2.

Appropriations for Wisconsin Territory, May 18, 1842, chap. 29, No. 108, &c.

east, by a line drawn from the northeast corner of the State of Illinois, through the middle of Lake Michigan, to a point in the middle of said lake, and opposite the main channel of Green Bay, and through said channel and Green Bay to the mouth of the Menomonie river; thence through the middle of the main channel of said river, to that head of said river nearest to the Lake of the Desert; thence in a direct line, to the middle of said lake; thence through the middle of the main channel of the Montreal river, to its mouth; thence with a direct line across Lake Superior, to where the territorial line of the United States last touches said lake northwest; thence on the north, with the said territorial line, to the White-earth river; on the west, by a line from the said boundary line following down the middle of the main channel of White-earth river, to the Missouri river, and down the middle of the main channel of the Missouri river to a point due west from the northwest corner of the State of Missouri; and on the south, from said point, due east to the northwest corner of the State of Missouri; and thence with the boundaries of the States of Missouri and Illinois, as already fixed by acts of Congress. And after the said third day of July next, all power and authority of the Government of Michigan in and over the Territory hereby constituted, shall cease: *Provided*, That nothing in this act contained shall be construed to impair the rights of person or property now appertaining to any Indians within the said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to impair the obligations of any treaty now existing between the United States and such Indians, or to impair or anyway to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, or law, or otherwise, which it would have been competent to the Government to make if this act had never been passed: *Provided*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing the Territory hereby established into one or more other Territories, in such manner, and at such times, as Congress shall, in its discretion, deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That the Executive power and authority in and over the said Territory shall be vested in a Governor, who shall hold his office for three years, unless sooner removed by the President of the United States. The Governor shall reside within the said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve of all laws passed by the Legislative Assembly before they shall take effect; he may grant pardons for offences against the laws of the said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

Appointment and powers of Governor.

SEC. 3. *And be it further enacted*, That there shall be a Secretary of the said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he

Secretary, his duties.

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An act for the relief of certain settlers in the Territory of Wisconsin, August 23, 1842, chap. 190.  
 An act to provide for the settlement of certain accounts for the support of the Government in the Territory of Wisconsin, and for other purposes, August 29, 1842, chap. 259.  
 An act to authorize the election or appointment of officers in the Territory of Wisconsin, March 3, 1843, chap. 99.  
 An act granting a section of land for the improvement of Grant river, at the town of Potosi, in Wisconsin Territory, June 15, 1844, chap. 50.  
 An act for granting to the county of Du Buque certain lots of ground in the town of Du Buque, June 15, 1844, chap. 56.

shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor in his executive department; he shall transmit one copy of the laws and one copy of the Executive proceedings on or before the first Monday in December in each year, to the President of the United States; and at the same time, two copies of the laws to the Speaker of the House of Representatives, for the use of Congress. And in case of the death, removal, resignation, or necessary absence, of the Governor from the Territory, the Secretary shall have, and he is hereby authorized and required to execute and perform, all the powers and duties of the Governor during such vacancy or necessary absence.

Legislature—  
how constituted  
and elected.

SEC. 4. *And be it further enacted*, That the Legislative power shall be vested in a Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue four years. The House of Representatives shall consist of twenty-six members, possessing the same qualifications as prescribed for the members of the Council, and whose term of service shall continue two years. An apportionment shall be made, as nearly equal as practicable, among the several counties, for the election of the Council and Representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the said members of the Council and House of Representatives shall reside in and be inhabitants of the district for which they may be elected. Previous to the first election, the Governor of the Territory shall cause the census or enumeration of the inhabitants of the several counties in the Territory to be taken and made by the sheriffs of the said counties, respectively, and returns thereof made by said sheriffs to the Governor. The first election shall be held at such time and place, and be conducted in such manner, as the Governor shall appoint and direct: and he shall, at the same time, declare the number of members of the Council and House of Representatives to which each of the counties is entitled under this act. The number of persons authorized to be elected having the greatest number of votes in each of the said counties for the Council, shall be declared, by the said Governor, to be duly elected to the said Council; and the person or persons having the greatest number of votes for the House of Representatives, equal to the number to which each county may be entitled, shall also be declared, by the Governor, to be duly elected: *Provided*, The Governor shall order a new election when there is a tie between two or more persons voted for, to supply the vacancy made by such tie. And the persons thus elected to the Legislative Assembly shall meet at such place on such day as he shall appoint; but, thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties to the Council and House of Representatives, according to population, shall be prescribed by law, as well as the day of the annual commencement of the session of the said Legislative Assembly; but no session, in any year, shall exceed the term of seventy-five days.

Proviso.

Who shall be  
eligible to  
office.

SEC. 5. *And be it further enacted*, That every free white male citizen of the United States, above the age of twenty-one years, who shall have been an inhabitant of said Territory at the time of its organization, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters at all subsequent elections shall be such as shall be determined by the Legislative Assembly: *Provided*, That the right of suffrage shall be exercised only by citizens of the United States.

Proviso.

Powers of the  
Legislature.

SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation; but no law

shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws of the Governor and Legislative Assembly shall be submitted to, and, if disapproved by the Congress of the United States, the same shall be null and of no effect.

SEC. 7. *And be it further enacted,* That all township officers and all county officers, except judicial officers, justices of the peace, sheriffs, and clerks of courts, shall be elected by the people, in such manner as may be provided by the Governor and Legislative Assembly. The Governor shall nominate, and, by and with the advice and consent of the Legislative Council, shall appoint, all judicial officers, justices of the peace, sheriffs, and all militia officers, except those of the staff, and all civil officers not herein provided for. Vacancies occurring in the recess of the Council shall be filled by appointments from the Governor, which shall expire at the end of the next session of the Legislative Assembly; but the said Governor may appoint, in the first instance, the aforesaid officers, who shall hold their offices until the end of the next session of the said Legislative Assembly.

What officers are to be elected by the people.

SEC. 8. *And be it further enacted,* That no member of the Legislative Assembly shall hold or be appointed to any office created or the salary or emoluments of which shall have been increased whilst he was a member, during the term for which he shall have been elected, and for one year after the expiration of such term; and no person holding a commission under the United States, or any of its officers, except as a militia officer, shall be a member of the said Council, or shall hold any office under the Government of the said Territory.

Disqualifications for office.

SEC. 9. *And be it further enacted,* That the Judicial power of the said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate judges, any two of whom shall be a quorum, and who shall hold a term at the seat of Government of the said Territory, annually, and they shall hold their offices during good behaviour. The said Territory shall be divided into three judicial districts; and a district court or courts shall be held in each of the three districts, by one of the judges of the supreme court, at such times and places as may be prescribed by law. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts, and of the justices of the peace, shall be as limited by law: *Provided, however,* That justices of the peace shall not have jurisdiction of any matter of controversy, when the title or boundaries of land may be in dispute, or where the debt or sum claimed exceeds fifty dollars. And the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction. Each district court shall appoint its clerk, who shall keep his office at the place where the court may be held, and the said clerks shall also be the registers in chancery; and any vacancy in said office of clerk happening in the vacation of said court, may be filled by the judge of said district, which appointment shall continue until the next term of said court. And writs of error, bills of exception, and appeals in chancery causes, shall be allowed in all cases, from the final decisions of the said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court, shall a trial by jury be allowed in said court. The supreme court may appoint its own clerk, and every clerk shall hold his office at the pleasure of the court by which he shall have been appointed. And writs of error and appeals from the final decisions of the said supreme court shall be allowed and taken to the Supreme Court of the United States, in the same manner, and under the same regulations, as from the circuit

Judiciary.

Proviso.



courts of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, shall exceed one thousand dollars. And each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the constitution and laws of the United States as is vested in the circuit and district courts of the United States. And the first six days of every term of the said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws. And writs of error, and appeals from the final decisions of the said courts, in all such cases, shall be made to the supreme court of the Territory, in the same manner as in other cases. The said clerks shall receive, in all such cases, the same fees which the clerk of the district court of the United States in the northern district of the State of New York receives for similar services.

Attorneys to be appointed.

Marshal.

Governor, &c. to be approved by the Senate.

Salaries

Contingent expenses.

SEC. 10. *And be it further enacted,* That there shall be an Attorney for the said Territory appointed, who shall continue in office four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the Michigan Territory. There shall also be a Marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, who shall execute all process issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States. He shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as the Marshal of the district court of the United States for the northern district of the State of New York; and shall, in addition, be paid the sum of two hundred dollars, annually, as a compensation for extra services.

SEC. 11. *And be it further enacted,* That the Governor, Secretary, Chief Justice and Associate Judges, Attorney, and Marshal, shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The Governor and Secretary, to be appointed as aforesaid, shall, before they act, as such respectively take an oath or affirmation before some judge or justice of the peace in the existing Territory of Michigan, duly commissioned and qualified to administer an oath or affirmation, to support the constitution of the United States, and for the faithful discharge of the duties of their respective offices; which said oaths, when so taken, shall be certified by the person before whom the same shall have been taken, and such certificate shall be received and recorded by the said Secretary among the Executive proceedings. And, afterwards, the Chief Justice and associate Judges, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said Governor or Secretary, or some judge or justice of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the Secretary, to be by him recorded as aforesaid; and, afterwards, the like oath or affirmation shall be taken, certified, and recorded, in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of two thousand five hundred dollars for his services as Governor and as superintendent of Indian affairs. The said Chief Justice and Associate Judges shall each receive an annual salary of eighteen hundred dollars. The Secretary shall receive an annual salary of twelve hundred dollars. The said salaries shall be paid quarter-yearly, at the Treasury of the United States. The members of the Legislative Assembly shall be entitled to receive three dollars each per day, during their attendance at the sessions thereof, and three dollars each for every twenty miles' travel in going to and returning from the said sessions, estimated according to the nearest usually-travelled route. There shall be appropriated, annually, the sum of three hundred and fifty dollars, to

be expended by the Governor to defray the contingent expenses of the Territory, and there shall also be appropriated annually, a sufficient sum, to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws and other incidental expenses; and the Secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

SEC. 12. *And be it further enacted,* That the inhabitants of the said Territory shall be entitled to, and enjoy, all and singular the rights, privileges, and advantages, granted and secured to the people of the Territory of the United States northwest of the river Ohio, by the articles of the compact contained in the ordinance for the government of the said Territory, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven; and shall be subject to all the conditions and restrictions and prohibitions in said articles of compact imposed upon the people of the said Territory. The said inhabitants shall also be entitled to all the rights, privileges, and immunities, heretofore granted and secured to the Territory of Michigan, and to its inhabitants, and the existing laws of the Territory of Michigan shall be extended over said Territory, so far as the same shall not be incompatible with the provisions of this act, subject, nevertheless, to be altered, modified, or repealed, by the Governor and Legislative Assembly of the said Territory of Wisconsin; and further, the laws of the United States are hereby extended over, and shall be in force in, said Territory, so far as the same, or any provisions thereof may be applicable.

SEC. 13. *And be it further enacted,* That the Legislative Assembly of the Territory of Wisconsin shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said session, or as soon thereafter as may be by them be deemed expedient, the said Governor and Legislative Assembly shall proceed to locate and establish the seat of government for said Territory, at such place as they may deem eligible, which place, however, shall thereafter be subject to be changed by the said Governor and Legislative Assembly. And twenty thousand dollars, to be paid out of any money in the Treasury, not otherwise appropriated, is hereby given to the said Territory, which shall be applied by the Governor and Legislative Assembly to defray the expenses of erecting public buildings at the seat of government.

SEC. 14. *And be it further enacted,* That a Delegate to the House of Representatives of the United States, to serve for the term of two years, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as have been granted to the Delegates from the several Territories of the United States to the said House of Representatives. The first election shall be held at such time and place or places, and be conducted in such manner, as the Governor shall appoint and direct. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given to the person so elected.

SEC. 15. *And be it further enacted,* That all suits, process, and proceedings, and all indictments and informations which shall be undetermined on the third day of July next, in the courts held by the additional judge for the Michigan Territory, in the counties of Brown and Iowa; and all suits, process and proceedings, and all indictments and informations which shall be undetermined on the said third day of July, in the county courts of the several counties of Crawford, Brown, Iowa, Dubuque, Milwaukee [Milwaukie], and Des Moines, shall be transferred to be heard,

Rights, &c. under the Territorial compact of July, 1787 extended to Wisconsin.

And also those secured to Michigan.

Legislative sessions, when held.

Delegate to the House of Representatives of the United States.

Provision respecting undetermined suits.

tried, prosecuted, and determined, in the district courts hereby established, which may include the said counties.

SEC. 16. *And be it further enacted*, That all causes which shall have been or may be removed from the courts held by the additional judge for the Michigan Territory, in the counties of Brown and Iowa, by appeal or otherwise, into the supreme court for the Territory of Michigan, and which shall be undetermined therein on the third day of July next, shall be certified by the clerk of the said supreme court, and transferred to the supreme court of said Territory of Wisconsin, there to be proceeded in to final determination, in the same manner that they might have been in the said supreme court of the Territory of Michigan.

Five thousand dollars for the purchase of a library.

SEC. 17. *And be it further enacted*, That the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by and under the direction of the Legislative Assembly of said Territory, in the purchase of a library for the accommodation of said Assembly, and of the supreme court hereby established.

APPROVED, April 20, 1836.

STATUTE I.

April 20, 1836.

CHAP. LV.—*An Act in addition to the act of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An act to authorize the licensing of vessels to be employed in the mackerel fishery."*(a)

Vessels licensed for the mackerel fishery not subject to forfeitures, &c.

Act of May 1828, ch. 119.  
1793, ch. 8.

Proviso.

*Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled*, That vessels duly licensed under the provisions of "An act to authorize the licensing of vessels to be employed in the mackerel fishery," passed May twenty-fourth, one thousand eight hundred and twenty-eight, shall not be deemed or taken to be liable to the forfeitures imposed by the fifth and thirty-second sections of the act of Congress, approved the eighteenth day of February, one thousand seven hundred and ninety-three, entitled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same," in consequence of any such vessel, whilst licensed as aforesaid, having been engaged in catching cod, or fish of any other description whatever, *Provided, however*, That this act shall not be deemed or considered as authorizing or entitling the owner or owners of any vessel licensed for the mackerel fishery, to receive the bounty allowed by law to vessels employed in the cod fishery.

APPROVED, April 20, 1836.

STATUTE I.

April 20, 1836.

CHAP. LVI.—*An Act to prescribe the mode of paying pensions heretofore granted by the United States.*

Laws authorizing the U. S. Bank to pay pensions, repealed.

Pensions to be paid according to the directions of the Secretary at War.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all laws and parts of laws, authorizing or requiring the Bank of the United States, or its branches to pay any pensions granted under the authority of the United States, shall be, and the same are hereby, repealed; and such payments shall be hereafter made, at such times and places, by such persons or corporations, and under such regulations, as the Secretary of War may direct; but no compensation or allowance shall be made to such persons or corporations for making such payments, without authority of law.

APPROVED, April 20, 1836.

(a) See notes to act of March 2, 1819, ch. 48.

CHAP. LVII.—*An Act making a further appropriation for suppressing Indian hostilities in Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of one million of dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, in addition to former appropriations, for suppressing Indian hostilities in Florida, and that the same shall be expended in the manner already provided for by law.

APPROVED, April 29, 1836.

STATUTE I.

April 29, 1836.

[Obsolete.]

Appropriation of one million dollars.

CHAP. LVIII.—*An Act to authorize the construction of a rail-road, through lands of the United States in Springfield, Massachusetts.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Western Railroad corporation be, and they are hereby, authorized to construct a railroad on lands belonging to the United States, in Springfield, Massachusetts, and take for the security and accommodation of said railroad, or the accommodation of the business thereof, a strip of land through or over said land of the United States, not exceeding eighty feet in width; *Provided,* That the location of said railroad, through said land of the United States, shall be submitted to, and approved by the Secretary of War, prior to the construction thereof; *And provided, also,* That whenever said strip of land shall cease to be improved for the purposes of a railroad, or the accommodation of the business thereof, that the same shall revert to the United States.

APPROVED, April 29, 1836.

STATUTE I.

April 29, 1836.

[Obsolete.]

The Western Rail-road may pass through the lands of the United States.

Proviso.

Proviso.

CHAP. LIX.—*An Act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-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 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.

President and Vice President.

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.

For contingent and incidental expenses of the Patent Office, two thousand dollars.

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

For contingent expenses of said building, including fuel, labor, 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, fourteen thousand dollars.

Treasury Department.

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, eighteen thousand eight hundred and fifty 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-seven thousand 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, 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, eighteen hundred and thirty-six, 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 ;

For the office of the Secretary of the Treasury, including 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, five hundred dollars.

For the office of the Third Auditor, six 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 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 Solicitor of the Treasury, one thousand dollars.  
 For the office of the Commissioner of the General Land Office, for two hundred thousand parchments, cost of printing patents, and cost of books for patent records, thirty-nine thousand dollars.

For tract books, other articles of books and stationery, furniture, advertising, and all other items of contingent expenses, including office rent for additional rooms required for writing patents, nine thousand five 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-five, one thousand four hundred dollars.

For compensation of superintendent and watchmen of the buildings occupied by the Treasury Department, the sum of two thousand one hundred dollars.

For incidental and contingent expenses of said buildings, including fuel, labor, oil, repairs, furniture, and for rent, amounting to three thousand seven hundred and fifty dollars, ten 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 compensation to extra clerks when employed in said office, three thousand six hundred 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 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, four thousand nine hundred and fifty 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, 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, one thousand dollars.

For contingent expenses of the office of the Quartermaster General, six hundred dollars.

For compensation to the clerks in the office of the Commissary General of Subsistence, three thousand eight hundred 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 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 contingent expenses of the Topographical Bureau, one thousand two hundred and thirty-five dollars.

For compensation to clerk in said Bureau, one thousand dollars.

Pension Office.

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 messengers in the Pension Office, one thousand two hundred and fifty dollars.

For contingent expenses in the office of the Commissioner of Pensions, five thousand five hundred dollars.

For the salary of the superintendent and watchmen of the northwest executive building, twelve hundred and fifty dollars.

For the salaries of two additional watchmen to assist in watching the buildings of the War Department, and the additional houses occupied by officers thereof, including one hundred and twenty-five dollars for the services of those employed in eighteen hundred and thirty-five, one thousand one hundred and twenty-five dollars.

For the contingent expenses of said building, including fuel, labor, oil, furniture, repairs of building, three thousand one hundred and eighty-three dollars.

Navy Department.

For compensation to the clerks and messengers in the office of the Secretary of the Navy, eleven thousand eight hundred and fifty dollars.

For the contingent expenses of the office of the Secretary of the Navy, 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, seven thousand five 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 southwest executive building, and the watchmen, one thousand two hundred and fifty dollars.

For contingent expenses of said building, including fuel, labor, oil, repairs, 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 thousand, three 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 laborer, sixteen hundred and forty dollars.

For additional clerk hire for the year eighteen hundred and thirty-five, forty-one thousand nine hundred and thirty-four dollars and seven cents.

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.

Surveyor General in Ohio, &c.  
Surveyor in Illinois, &c.

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

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

For compensation to the Surveyor General in Arkansas, one thousand five hundred dollars.

Surveyor in Arkansas.

For compensation to clerks in said office, one thousand eight hundred dollars.

For compensation to the Surveyor in Louisiana, two thousand dollars.

Surveyor in Louisiana.

For compensation to the clerks in the office of said surveyor, fifteen hundred dollars.

For compensation to the Surveyor in Mississippi, two thousand dollars.

Surveyor in Mississippi.

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

For compensation to the Surveyor in Alabama, one thousand five hundred dollars.

Surveyor in Alabama.

For compensation to the Surveyor in Florida, two thousand dollars.

Surveyor in Florida.

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 of March, eighteen hundred and thirty-three, one thousand five hundred dollars.

Signing Land Patents.  
1833, ch. 91.

For compensation to the Commissioner of the Public Buildings, in Washington city, two thousand dollars.

Commissioner of Public Buildings.  
Library of Congress.

For the 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 eight hundred and fifty dollars.

For services rendered by Charles H. W. Meehan, as assistant in the Library at one dollar and fifty cents per diem, Sundays excepted, during the sitting of Congress, from December second eighteen hundred and thirty-three, to March fourth eighteen hundred and thirty-five, three hundred and ninety-eight dollars.

For compensation to the officers and clerks of the Mint, thirteen thousand nine hundred dollars.

Mint.

For compensation to laborers employed in the various operations of the Mint, twenty-one thousand dollars.

For incidental and contingent expenses and repairs, wastage, cost of machinery, for allowance for wastage in gold and silver coinage of the Mint, including sixteen thousand dollars for arrearages in eighteen hundred and thirty-five, fifty-one thousand one hundred dollars.

For expenses incident to the introduction of new machinery and apparatus, including the application of steam power to coinage, and improvements in the melting and refining department, twenty thousand dollars.

For compensation to the Governor, Judges, and Secretary of the Michigan Territory, ten thousand dollars.

Governor, &c. of Michigan Territory.

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

For compensation and mileage of the members of the Legislative Council of the Territory of Michigan, pay of the officers of the Council, fuel, stationery, and printing, six thousand four hundred and twenty-five dollars.

For arrearages of the expenses of the Legislative Council of the Territory of Michigan, for eighteen hundred and thirty-five, in addition



to an unexpended balance of appropriation of eighteen hundred and seventy dollars and ninety-five cents, three thousand five hundred and fifty-three dollars and forty cents.

Governor,  
&c. of Arkan-  
sas Territory.

For compensation to the Governor, Judges, and Secretary of the Arkansas Territory, nine thousand dollars.

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

For compensation and mileage of the members of the Legislative Council of the Territory of Arkansas, including fuel, stationery, printing and distribution of the laws and journals, ten thousand dollars.

Governor,  
&c. of Florida  
Territory.

For compensation to the Governor, Judges, and Secretary of the Florida Territory, eleven thousand seven hundred dollars.

For the 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 incidental expenses, nine thousand four hundred and six dollars.

For arrearages of the expenses of the Legislative Council of Florida, nine hundred and eight dollars, and sixty cents.

For allowances to the Assistant Counsel, and District Attorney, under the acts for the settlement of private land claims in Florida, four thousand dollars.

Judiciary.

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-six, 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.

Attorney Ge-  
neral.

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.

Reporter Su-  
preme Court.

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

District At-  
torneys, &c.

For compensation to the District Attorneys and Marshals, as granted by law, including those in the several Territories, twelve thousand nine 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-six, 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 and forty-five thousand dollars.

Pensions.

For the payment of sundry pensions, granted by special acts of Congress, one thousand three hundred and fifty dollars.

Light-houses,  
&c.

For the support and maintenance of light-houses, floating lights, beacons, buoys, and stakeages, including the purchase of lamps, oil, keepers' salaries, repairs and improvements and contingent expenses, two hundred and seventy-nine thousand nine hundred and eighty-six dollars and seven cents.

For a light-house on a proper site, at or near Michigan city, Indiana,

in addition to a former appropriation, made thirtieth June, eighteen hundred and thirty-four, three thousand dollars.

For a light-house on a proper site, at Pottawatamie island, at the entrance of Green Bay, in Lake Michigan, in addition to a former appropriation, made thirtieth June, eighteen hundred and thirty-four, three thousand dollars.

1834, ch. 144.

For a light-house or beacon light on one of the piers at the harbor of Oswego, on Lake Ontario, in addition to former appropriations, twelve hundred dollars.

For the removal of the light-house now on the north end of Goat island, near the harbor of Newport, Rhode Island, in addition to former appropriations, eight thousand seven hundred dollars.

For erecting a frame building for a beacon light, at the end of west pier, at the mouth of Black river, Ohio, two thousand six hundred dollars.

For finishing and securing the foundation of the beacon light at Cunningham creek, Ohio, two hundred and twenty-five dollars and fifty 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, fifteen thousand dollars.

Disabled seamen.  
1798, ch. 77.  
1802, ch. 51.

For expense in relation to the relief of certain insolvent debtors of the United States, under the act of seventh of June, eighteen hundred and thirty-four, three thousand dollars.

Insolvent debtors.  
1834, ch. 45.

For surveying the public lands in Ohio, six hundred and fifty dollars.

Surveying in Ohio.  
Michigan peninsula.

For surveying the public lands in the Michigan peninsula, fifteen thousand dollars.

Michigan and Wisconsin.

For surveying the public lands in Michigan Territory, west of the lake, and in Wisconsin Territory, fifty thousand dollars.

Illinois and Missouri.

For surveying the public lands in Illinois and Missouri, forty thousand dollars.

Mississippi.  
Surveys.

For surveying the public lands in Mississippi, ten thousand dollars.

For surveys south of the thirty-first degree north latitude, by the Surveyor General of Alabama, twenty-five hundred dollars.

Creek lands.  
Florida.

For survey of the Creek lands, one thousand dollars.

For survey of the public lands and private land claims, by the Surveyor General of Florida, sixteen thousand four hundred and eighty dollars.

For survey of the public lands and private land claims, by the Surveyor General of Louisiana, thirty-five thousand dollars.

Louisiana.

For surveying public lands by the Surveyor General of Arkansas, twenty-five thousand dollars.

Arkansas.

For the salaries of two keepers of the public archives, in Florida, one thousand dollars.

Archives of Florida.

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.

Miscellaneous claims.

For the salaries of the Ministers of the United States to Great Britain, France, Spain, and Russia, thirty-six thousand dollars.

Salaries of Ministers.

For the salaries of the secretaries of legation to the same places, eight thousand dollars.

Secretaries of Legation.

For the salaries of the secretaries of legation to France, Spain, and Russia, for the year eighteen hundred and thirty-five, six thousand dollars.

For the salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Chili, Peru, Mexico, Central America, New Grenada, Prussia, and Venezuela, sixty-three thousand dollars.

Legation to Turkey.

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.

Outfits of ministers.

For outfits of ministers to Great Britain, France, and Spain, twenty-seven thousand dollars.

Outfits of chargés.

For outfits of chargés des affaires to Mexico, Prussia, and Peru, thirteen thousand five hundred dollars.

Agents of claims.

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

Barbary powers.

For the expenses of intercourse with the Barbary Powers, twelve thousand dollars.

American seamen.

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

Digest of Commercial Regulations.

For completing 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, five thousand eight hundred and eighty-three dollars and thirty-four cents.

Custom-house, &c., New Bedford. At New York.

For completing the custom-house at New Bedford, and enclosing the lot, seven thousand two hundred dollars.

For the erection of a custom-house at New York, in addition to former appropriations, three hundred thousand dollars.

At Baltimore

For completing the public warehouse, at Baltimore, seventeen thousand dollars.

Direct taxes.

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, thirty-first December, eighteen hundred and thirty-five, five thousand seven hundred dollars and twenty-three cents.

Inhabitants of West Florida, &c.

For paying certain inhabitants of West Florida, now citizens of Louisiana and Mississippi, the claims passed by the accounting officers of the Treasury, being the balance of a former appropriation for that object, carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-five, one thousand five hundred and nineteen dollars and forty-one cents.

For the payment of certain certificates, being the balance of a former appropriation for that object, carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-five, thirty-seven thousand four hundred fifty-five dollars and seventy-six cents.

For the incidental and contingent expenses of the Department of State, being a balance due to William Browne, on that account, two thousand and ten dollars and six cents.

For clerk hire and other expenses in relation to the north-eastern boundary agency, being a balance due to William Browne, on that account, two thousand seven hundred and thirty-two dollars and twenty cents; these two last appropriations to be carried to the credit of said Browne, on account of contingencies of foreign intercourse.

Astronomical observations, north boundary of Ohio.

1832, ch. 232.

For arrearages for the service of astronomer, assistants, and incidental expenses incurred in making astronomical observations during the year eighteen hundred and thirty-five, under the act of the fourteenth July, eighteen 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": *Provided*, The compensation to the principal astronomer and assistants shall not exceed that granted, under the appropriation for the same service, of eighteen hundred and thirty-three, thirteen thousand six hundred and fifteen dollars.

James H. Relfe.

For compensation to James H. Relfe, for his services as messenger, in conveying the final report of the commissioners for the adjustment of private land claims, five hundred dollars.

Lt. Col. W. Lawrence.

For the payment of claims of Lieutenant Colonel W. Lawrence and

others, being part of an appropriation made by the act of the fifth of March, one thousand eight hundred and sixteen, for these objects, carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-six, reappropriated on the twentieth of March, one thousand eight hundred and twenty-eight, and again carried to the surplus fund on the thirty-first of December, one thousand eight hundred and thirty, three hundred and forty-seven dollars and sixty-seven cents.

1816, ch. 23.

For the expense of medals and swords for Colonel Croghan and others, five thousand one hundred dollars.

Medal for Col. Croghan, &c.  
Bringing votes of Presidential election.

For the expense of bringing to the seat of Government the votes for President and Vice President of the United States, eight thousand dollars.

Coast survey.

For the survey of the coast of the United States, eighty thousand dollars.

For the Governor, judges, secretary, district attorney, and marshal, and contingent expenses, of the Wisconsin Territory, nine thousand, nine hundred dollars.

Governor, &c. of Wisconsin Territory.

Compensation and mileage of the members of the Legislative Council, and to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses of said Territory, nine thousand four hundred dollars.

For the public buildings and library of said Territory, twenty-five thousand dollars.

For enlarging and repairing the custom-house, and purchasing additional land therefor, at Bath, in the State of Maine, five thousand five hundred dollars.

Custom-house, Bath, Me.

For repairs of public buildings at Staten Island, four thousand five hundred dollars.

For defraying the expenses of a survey of lots in the town of Galena, Illinois, to be made by the Surveyor General of Missouri and Illinois, under an act of Congress, approved the fifth day of February, one thousand eight hundred and twenty-nine, one thousand [dollars].

Survey at Galena.

1829, ch. 15.

For a custom-house in Boston, in addition to a former appropriation, two hundred thousand dollars.

Custom-house, Boston.

For a marble bust of the late Chief Justice Marshall, five hundred dollars.

Bust of C. J. Marshall.

For payment for preparing, printing, and binding the documents ordered to be printed by Gales & 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, fifteen thousand six hundred and six dollars; and the eight volumes of the second series of the said publication shall be distributed in the same manner as were the volumes of the first series by the joint resolution of the tenth of July, eighteen hundred and thirty-two.

Documents printing by Gales & Seaton.

1832, ch. 74.

Vol. 4. p. 606.

SEC. 2. *And be it further enacted*, That it shall be the duties of the Secretaries of State, of the Treasury, of the War and Navy Departments, and of the Postmaster General, and the Secretary of the Senate, and Clerk of the House of Representatives, to lay before Congress, in lieu of the statement now required by law, during the first week in each annual session of Congress, a statement of the expenditures made by them respectively from the contingent funds of their respective departments and offices; that of the Secretary of State to include all the contingent expenses of foreign intercourse, and of all the missions abroad except such expenditures as are settled upon the certificate of the President; said statements to be abstracts of the accounts with the names of all persons to whom payments have been made and the amount paid to each.

Statements to be presented to Congress by the Executive Departments, &c.

APPROVED, May 9, 1836.

## STATUTE I.

May 9, 1836.

CHAP. LX.—*An Act providing for the salaries of certain officers therein named, and for other purposes.*

Translator  
State Depart-  
ment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the translator of foreign languages and the librarian in the Department of State, shall receive a salary of sixteen hundred dollars.

Disbursing  
agent in do.

That the disbursing agent in said Department be allowed a salary, of fourteen hundred and fifty dollars.

Secretary of  
Treasury to  
employ two  
clerks.

That the Secretary of the Treasury be, and he is hereby, authorized to employ two additional clerks, to enable him to carry into effect the provisions of the second section of the act of the third of March, eighteen hundred and thirty-five, one at a salary of eleven hundred and fifty dollars, and the other at a salary of one thousand dollars.

1835, ch. 48.  
1842, ch. 202, § 5.

Assistant  
messenger in  
Treasury, sala-  
ry.

That the assistant messenger in said Department be allowed the sum of six hundred and fifty dollars.

In office of  
First Comp-  
troller.

That the assistant messenger in the First Comptroller's office be allowed the annual compensation of five hundred dollars.

Clerks and  
messengers in  
office of Com-  
missioner of  
Pensions.

For the employment of clerks and messengers for the office of the Commissioner of Pensions, in addition to those authorized by law, twelve thousand two hundred dollars.

Messenger,  
office of Indian  
Affairs.

That the annual compensation of the messenger in the office of the Commissioner of Indian Affairs, be seven hundred dollars.

Additional  
clerk in Navy  
Board.

That the Commissioners of the Navy Board be authorized to employ a clerk in addition to those authorized by law, at the sum of nine hundred dollars.

Surveyor Ge-  
neral of Ohio,  
&c. to employ  
additional  
clerks.

That the Surveyor General of Ohio, Indiana, and Michigan, be authorized to employ two clerks at a sum not exceeding twenty-three hundred dollars, and that he be allowed the further sum of four thousand dollars for additional clerk hire.

Surveyor Ge-  
neral of Illinois  
to employ, &c.

That the Surveyor General of Illinois and Missouri be authorized to employ clerks at a sum not exceeding three thousand eight hundred and twenty dollars.

Surveyor Ge-  
neral of Arkan-  
sas for clerk  
hire.

That the Surveyor General of Arkansas be allowed the sum of two thousand eight hundred dollars, for clerk hire in his office.

Surveyor of  
Louisiana for  
clerk hire.

That the Surveyor of Louisiana be allowed the sum of twenty-five hundred dollars for clerk hire in his office.

Surveyor Ge-  
neral of Missis-  
sippi, clerk hire.

That the Surveyor General of Mississippi be allowed the sum of five thousand dollars for clerk hire in his office.

Surveyor Ge-  
neral of Alaba-  
ma, clerk hire.

That the Surveyor General of Alabama be allowed the sum of two thousand dollars for clerk hire in his office.

Surveyor Ge-  
neral of Florida  
for clerks.

That the Surveyor General of Florida be allowed the sum of three thousand five hundred dollars for clerks in his office.

Clerks to be  
employed in the  
Department of  
War.

That the Secretary of War be, and he is hereby authorized to employ, for the discharge of the various duties of the Department, the following clerks and messengers; one clerk at sixteen hundred dollars, and one clerk at fourteen hundred dollars; to be employed in the business of reservations and grants under Indian treaties: *Provided*, That the said clerks shall not be employed for a longer term than four years. Three clerks for the Pension office at one thousand dollars each, to be continued only during the present year.

Proviso.  
Clerks in the  
Pension Office.

In the Quar-  
ter-master Ge-  
neral's Office.

Six clerks and one messenger, in the Quartermaster General's office, whose compensation shall be as follows; one clerk at sixteen hundred dollars, one clerk at twelve hundred dollars, four clerks at one thousand dollars each, and one messenger at five hundred dollars, one clerk for the Ordnance Office at twelve hundred dollars, and four clerks at one thousand dollars each. One clerk for the Adjutant General's Office at twelve hundred dollars, and three clerks at one thousand dollars each.

One clerk in the Engineer Office at twelve hundred dollars, and one clerk at one thousand dollars. One clerk in the Commanding General's office at one thousand dollars. Six clerks and one messenger in the Emigrating Indian Bureau attached to the Subsistence Department, whose compensation shall be as follows: one clerk at sixteen hundred dollars, one clerk at fourteen hundred dollars, one clerk at twelve hundred dollars, three clerks at one thousand dollars each, and one messenger at five hundred dollars; *Provided*, That the authority claimed under the acts approved March twenty-eighth, eighteen hundred and twelve, and May twenty-second eighteen hundred and twelve, or by any other act for the employment of non-commissioned officers, or the appointment of extra clerks in any of the offices of the War Department be, and the same are hereby repealed. *Provided however*, That where express appropriations are made by law, for the employment of clerks, such employment shall not be deemed to be extra, within the meaning of the above act.

1812, ch. 46.

1812, ch. 92.

Clerk in Topographical Bureau.

Superintendent of Indian Affairs, St. Louis, to employ two clerks.

Superintendent south of Missouri to employ one.

For one clerk in the Topographical Bureau, one thousand dollars.

That the Superintendent of Indian Affairs at St. Louis be authorized to employ two clerks in his office, and no more, one of which shall receive a compensation of one thousand, and the other of eight hundred dollars.

That the Superintendent of Indian Affairs south of the Missouri river be authorized to employ one clerk in his office who shall receive a compensation of one thousand dollars.

SEC. 2. *And be it further enacted*, That the salaries provided for in this act, and payable for the year eighteen hundred and thirty-six, shall be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, May 9, 1836.

STATUTE I.

May 14, 1836.

[Obsolete.]

CHAP. LXI.—*An Act making appropriations for the naval service, for the year one thousand eight hundred and thirty-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 appropriated for the naval service for the year one thousand eight hundred and thirty-six, in addition to the unexpended balances of former appropriations, viz:

For pay of commissioned, warrant, and petty officers, and of seamen, two millions three hundred and eighteen thousand and seventeen dollars and sixteen cents.

Pay of officers and seamen.

For pay of superintendents, naval constructors, and all the civil establishment at the several yards, sixty-eight thousand three hundred and forty dollars.

Superintendents, &c. at navy yards.

For provisions, seven hundred and eighty-two thousand two hundred and sixty-three dollars and seventy-five cents.

Provisions.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million and sixty-five thousand dollars.

Repairs, &c.

For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, forty-one thousand one hundred dollars.

Medicines, &c.

For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, sixty-seven thousand dollars.

Repairs, &c.

navy yard, Portsmouth, N. H.

For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, one hundred and ninety-nine thousand five hundred and seventy-five dollars.

Charlestown, Mass.

For improvement and necessary repairs of the navy yard at Brooklyn, New York, eighty-four thousand three hundred dollars.

Brooklyn, N.Y.

For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, eleven thousand seven hundred and fifty dollars.

Philadelphia.

For improvement and necessary repairs of the navy yard at Washington, thirty-seven thousand five hundred dollars.

Washington.

- Gosport, Vir-  
ginia. For improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred and sixty-seven thousand dollars.
- Pensacola. For improvement and necessary repairs of the navy yard at Pensacola, forty-nine thousand dollars.
- Wharves, &c. For wharves and their appendages at the navy yard at Pensacola, as recommended by the Secretary of the Navy, one hundred and fifty thousand dollars.
- Powder mag-  
azine. For powder magazine, seventeen thousand dollars.
- Brick wall. For wall or enclosure of brick three yards high, and a half yard thick, as recommended by Commodore Dallas, twenty-four thousand dollars.
- Ordnance and  
stores. For ordnance and ordnance stores, sixty-four thousand nine hundred dollars.
- Various con-  
tingent expen-  
ses enumerated. For defraying the expenses that may accrue for the following purposes, viz; for the freight and transportation of materials and stores of every description; for wharfage and dockage, storage and rent; traveling expenses of officers and transportation of seamen; house rent for pursers, when attached to yards and stations where no house is provided; for funeral expenses; for commissions, clerk hire, office rent, stationery and fuel to navy agents; for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per-diem allowance to persons attending courts martial and courts of inquiry; for printing and stationery of every description, and working the lithographic press, and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for the purchase and repair of fire engines and machinery, and for the repair of steam engines; for the purchase and maintenance of oxen and horses, and for carts, timber-wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for cabin furniture for vessels in commission; for taxes and assessments on public property; for assistance rendered to vessels in distress; for incidental labor at navy yards, not applicable to any other appropriation; for coal and other fuel, and for candles and oil; for repairs of magazines or powder-houses; for preparing moulds for ships to be built; and for no other purpose whatever, three hundred and twenty-one thousand six hundred dollars.
- Contingent  
expenses not  
enumerated. For contingent expenses for objects not hereinbefore enumerated, three thousand dollars.
- Steam vessel  
building at  
Brooklyn. For completing the steam vessel now building at the navy yard at Brooklyn, one hundred and fifty thousand dollars.
- Completing  
navy hospitals  
near New York  
and Boston, &c. For completing the navy hospitals near New York and Boston, regulating the grounds, making the necessary enclosures, repairing the naval asylum and all other hospitals, and the buildings wharves, and landings connected with them, and for preparing suitable burying grounds, forty-five thousand four hundred and ten dollars.
- Powder mag-  
azines, &c. For completing the powder magazines near New York and Boston, with the landings, enclosures, and dependancies, nineteen thousand two hundred dollars.
- Pay of marine  
corps. 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-three thousand seventy-seven dollars and twenty-five cents.
- Pay of marine  
corps, &c. on  
shore. For provisions for non-commissioned officers, musicians, and privates of said corps, serving on shore, and for servants and washerwomen, thirty-three thousand five hundred and seventeen dollars and seventy-two cents.
- Clothing.  
Fuel.  
Sites for bar-  
racks, &c. For clothing, thirty-eight thousand six hundred and fifty-five dollars.  
For fuel, fourteen thousand five hundred and eighty-nine dollars.  
For the purchase of sites and the erection of barracks near the navy

yards at Charlestown, Gosport, and Pensacola, one hundred and fifty thousand dollars.

For repair of barracks near Portsmouth, New Hampshire, and for repairs at other stations, eight thousand nine hundred dollars.

For transportation of officers, non-commissioned officers, musicians, and privates, and expenses of recruiting, six thousand dollars.

For medicines, hospital stores, surgical instruments, and pay of matron, four thousand one hundred and thirty-nine dollars and twenty-nine cents.

For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements, and ordnance stores, two thousand dollars.

For contingent expenses of said corps, seventeen thousand nine hundred and seventy-seven dollars and ninety-three cents.

For arrearages for defraying the extra services and expenses of the officers of the navy engaged in the survey of the coasts and harbors of the United States, for the year eighteen hundred and thirty, and prior thereto, being the amount appropriated in eighteen [hundred] and thirty-four, for the same object, but by that act made applicable only to arrearages for the year eighteen hundred and thirty, fifteen hundred dollars.

SEC. 2. *And be it further enacted*, That the President of the United States, be, and he hereby is authorized, to send out a surveying and exploring expedition to the Pacific ocean and [the] South seas, and for that purpose to employ a sloop of war, and to purchase or provide such other smaller vessels as may be necessary and proper to render the said expedition efficient and useful, and for this purpose the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and in addition thereto, if necessary, the President of the United States is authorized to use other means in the control of the Navy Department, not exceeding one hundred and fifty thousand dollars for the objects required.

APPROVED, May 14, 1836.

Repair of barracks.

Transportation of officers, recruiting, &c.

Medicines, hospital stores, &c.

Military stores, armorers, &c.

Contingent expenses.

Services in the coast survey for 1830, and prior thereto.

To enable the President to send out an exploring expedition to the south seas, &c.

Other means to the amount of \$150,000 may be used by him.

STATUTE I.

CHAP. LXII.—*An Act making appropriations for the support of the army, for the year one thousand eight hundred and thirty-six.*

May 14, 1836.

[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 the support of the army for the year one thousand eight hundred and thirty-six; that is to say:

For the pay of the army, nine hundred and eighty-eight thousand three hundred and seventeen dollars.

Pay of the army.

For subsistence of officers, three hundred and fifteen thousand one hundred and eighteen dollars.

Subsistence of officers.

For forage of officers' horses, sixty thousand one hundred and thirty-nine dollars.

Forage.

For clothing for officers' servants, twenty-four thousand nine hundred and thirty dollars.

Clothing officers' servants.

For payments in lieu of clothing to discharged soldiers, thirty thousand dollars.

Discharged soldiers.

For subsistence, exclusive of that of officers, four hundred and ninety-five thousand four hundred dollars.

Subsistence.

For clothing of the army, camp and garrison equipage, cooking utensils, hospital furniture, two hundred and two thousand nine hundred and eighty-two dollars.

Clothing, &c.

For the medical and hospital department, thirty-one thousand five hundred dollars.

Medical and hospital department.



Expenses of  
Quarter-mas-  
ter's depart-  
ment.

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 of March, eighteen hundred and nineteen; expenses of expresses from the frontier posts; of escorts to paymasters; hire of laborers; compensation to extra clerks in the offices of the quartermaster 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, three hundred and thirty-two thousand dollars.

1819, ch. 45.

Transporta-  
tion of officers'  
baggage.  
For transporta-  
tion of cloth-  
ing, &c.

For the allowance made to the officers for the transportation of their baggage when travelling on duty without troops, fifty thousand dollars.

For transportation of clothing from the depot at Philadelphia, to the 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 foundries and arsenals to the frontier posts and the fortifications and lead from the western mines to the several arsenals; and 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 forty-eight thousand dollars.

Contingencies.

For contingencies of the army, three thousand dollars.

Recruiting,  
&c.

For two months' extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, in addition to the sum of twenty thousand seven hundred and sixty dollars and sixty-three cents, being an unexpended appropriation for bounties and premiums, ten thousand five hundred and sixty-four dollars and forty-four cents.

Arrearages.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, payable through the office of the Third Auditor, in addition to an unexpended balance of two thousand one hundred and sixty-six dollars and thirty-one cents, three thousand dollars.

For removal  
of troops and  
building a fort.

For enabling the Secretary of War, under the direction of the President of the United States, to remove the troops from Fort Gibson to some eligible point on or near the western frontier line of Arkansas, and to cause a fort to be built upon the point so selected, for the accommodation of the troops of the United States, and for the better defence of the Arkansas frontier, the sum of fifty thousand dollars.

Post, p. 310.

Barracks at  
Key West, &c.

For completing the barracks, quarters, storehouses, and hospital, at Key West, in the Territory of Florida, ten thousand dollars.

Hospitals, &c.

For hospitals at the various military posts at which they may be required by the proper officers of the medical department, where there are not proper accommodations for the sick, and which may be author-

ized by the Secretary of War to be erected, one hundred thousand dollars.

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

For the armament of the fortifications, two hundred thousand dollars.

For the current expenses of the ordnance service, seventy-five thousand six hundred and seventy dollars.

For the purchase of gunpowder, one hundred thousand dollars.

For arsenals, two hundred and thirty-one thousand five hundred and two dollars.

For supplying the arsenals with certain ordnance stores, one hundred and eighty-eight thousand five hundred and seventy-five dollars.

For the purchase of cannon balls, twenty-nine thousand four hundred and eighty-eight dollars.

For completing the Medal, heretofore ordered by Congress, for General Ripley, three hundred dollars.

APPROVED, May 14, 1836.

National armories.

Fortification.

Ordnance service.

Gunpowder.

Arsenals.

Supplying arsenals.

Cannon balls.

Medal to General Ripley.

STATUTE I.

CHAP. LXXVI.—*An Act to give effect to patents for public lands issued in the names of deceased persons.*

May 20, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where patents for public lands have been or may hereafter be issued, in pursuance of any law of the United States, to a person who had died, or who shall hereafter die, before the date of such patent, the title to the land designated therein shall enure to, and become vested in, the heirs, devisees, or assignees of such deceased patentee, as if the patent had issued to the deceased person during life; and the provisions of this act shall be construed to extend to patents for lands within the Virginia Military District in the State of Ohio.

APPROVED, May 20, 1836.

Patents for public lands to issue to heirs, devisees, and assignees.

STATUTE I.

CHAP. LXXVII.—*An Act explanatory of the act entitled "An act to prevent defalcations on the part of the disbursing agents of the Government, and for other purposes."*

May 20, 1836.

*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 prevent defalcations on the part of the disbursing agents of the Government, and for other purposes," approved the twenty-fifth of January, eighteen hundred and twenty-eight, shall not be construed to authorize the pension of any pensioner of the United States to be withheld.

APPROVED, May 20, 1836.

Act of Jan. 1828, ch. 2, not to apply to pensions.

STATUTE I.

CHAP. LXXIX.—*An Act for the relief of the several corporate cities of the District of Columbia.*

May 20, 1836.

*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 assume, on behalf of the United States, and discharge, to the holders of the evidences of debt contracted and entered into between the cities of Washington, Alexandria, and Georgetown, and certain individuals in Holland, negotiated by Richard Rush, Esquire, on behalf of said corporate bodies, the entire obligation of paying said debts, with the accruing interest thereon, together with the interest now due and remaining unpaid, according to the terms of said contract.

Debt contracted in Holland assumed by the United States.

Corporations to deposit the stock with the Treasurer of the United States, &c.

SEC. 2. *And be it further enacted*, That before the said Secretary of the Treasury, shall execute the duties prescribed by the first section of this act, the said corporate authorities of said cities shall deposit in the hands of the said Secretary of the Treasury, the stock in the Chesapeake and Ohio Canal Company, held by them respectively; and the said Secretary of the Treasury may, at such time within ten years, as may be most favorable for the sale of said stock, dispose thereof at public sale, and reimburse to the United States such sums as may have been paid under the provisions of this act; and if any surplus remain after said reimbursement, he shall pay over said surplus to said cities, in proportion to the amount of stock now held by them respectively.

APPROVED, May 20, 1836.

STATUTE I.

May 23, 1836.

[Expired.]

President may accept the services of ten thousand volunteers, &c.

To do military duty, &c.

To be received in companies, &c.

Proviso.

To be organized by the President.

CHAP. LXXX.—*An Act authorizing the President of the United States to accept the service of volunteers, and to raise an additional regiment of dragoons or mounted riflemen.*

*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 accept volunteers who may offer their services either as infantry or cavalry not exceeding ten thousand men, to serve six or twelve months after they shall have arrived at the place of rendezvous, unless sooner discharged; and the said volunteers shall furnish their own clothes, and, if cavalry, their own horses, and when mustered into service, shall be armed and equipped at the expense of the United States.

SEC. 2. *And be it further enacted*, That the said volunteers shall be liable to be called upon to do military duty only in cases of Indian hostilities, or to repel invasions, whenever the President shall judge proper, and when called into actual service and while remaining therein, shall be subject to the rules and articles of war, and shall be in all respects, except as to clothing, placed on the same footing with similar corps of the United States army, and in lieu of clothing every non-commissioned officer and private, in any company, who may thus offer themselves, shall be entitled, when called into actual service, to receive in money a sum equal to the cost of the clothing of a non-commissioned officer or private (as the case may be) in the regular troops of the United States.

SEC. 3. *And be it further enacted*, That the said volunteers, so offering their services, shall be accepted by the President in companies, battalions, squadrons, regiments, brigades, or divisions, whose officers shall be appointed in the manner prescribed by law in the several States and Territories, to which such companies, battalions, squadrons, regiments, brigades, or divisions, shall respectively belong. *Provided*, That, where any company, battalion, squadron, regiment, brigade, or division, of militia, already organized, shall tender their voluntary service to the United States, such company, battalion, squadron, regiment, brigade, or division, shall continue to be commanded by the officers holding commissions in the same, at the time of such tender; and any vacancy thereafter occurring shall be filled in the mode pointed out by law in the State or Territory wherein the said company, battalion, squadron, regiment, brigade or division, shall have been originally raised.

SEC. 4. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to organize companies, so tendering their services, into battalions or squadrons, battalions or squadrons into regiments, regiments into brigades, and brigades into divisions, as soon as the number of volunteers shall render such organization in his judgment expedient; and the President shall, if necessary, apportion the staff, field and general officers among the respective States or Territories from which the volunteers shall tender their services as

he may deem proper; but, until called into actual service, such companies, battalions, squadrons, regiments, brigades or divisions shall not be considered as exempt from the performance of militia duty as is required by law, in like manner as before the passage of this act.

SEC. 5. *And be it further enacted*, That the volunteers who may be received into the service of the United States, by virtue of the provisions of this act, shall be entitled to all the benefits which may be conferred on persons wounded in the service of the United States.

To be entitled to benefits, &c.

SEC. 6. *And be it further enacted*, That there shall be raised and organized, under the direction of the President of the United States, one additional regiment of dragoons or mounted riflemen, to be composed of the same number and rank of the officers, non-commissioned officers, musicians and privates, composing the regiment of dragoons now in the service of the United States, who shall receive the same pay and allowances, be subject to the same rules and regulations, and be engaged for the like term, and upon the same conditions, in all respects whatever as are stipulated for the said regiment of dragoons now in service.

A regiment of dragoons to be organized.

SEC. 7. *And be it further enacted*, That the President of the United States may disband the said regiment whenever, in his opinion, the public interest no longer requires their services; and that the sum of three hundred thousand dollars, required to carry into effect the provisions of this act is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

President may disband.  
300,000 dollars appropriated.

SEC. 8. *And be it further enacted*, That so much of this act as relates to volunteers shall be in force for two years from and after the passage of this act, and no longer.

Act to remain in force two years.

APPROVED, May 23, 1836.

STATUTE I.

CHAP. LXXXI.—*An Act making appropriation for the suppression of hostilities by the Creek Indians.*

May 23, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of five hundred thousand dollars, be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been, or may be incurred in suppressing hostilities by the Creek Indians, by calling out, by the President, of any part of the militia of the United States, according to the provisions of the constitution and laws; which sum, if expended, shall be expended under the direction of the Secretary of War, conformably to the provisions of the act of Congress, of second of January, seventeen hundred and ninety-five; of the act [of] fifth of April, eighteen hundred and thirty-two, making appropriations for the support of the army; and of the act of the nineteenth March, eighteen hundred and thirty-six, providing for the payment of volunteers and militia corps in the service of the United States.

Appropriation of 500,000 dollars.

Act of Jan. 2, 1795, ch. 9.  
Act of April 5, 1832, ch. 64.  
Act of March 19, 1836, ch. 44.

APPROVED, May 23, 1836.

STATUTE I.

CHAP. LXXXII.—*An Act to provide for the payment of expenses incurred and supplies furnished on account of the militia or volunteers received into the service of the United States for the defence of Florida.*

May 28, 1836.

[Obsolete.]

*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, directed to cause to be paid the expenses that have been incurred, and the supplies that have been furnished, in the States of South Carolina, Georgia, Alabama, Louisiana, and the Territory of Florida, on account of the militia or volunteers received into the service of the United States for the defence of Florida. *Provided*,

Secretary of War to cause expenses incurred to be paid.

Proviso.

That the accounts for these claims shall be examined and audited at the Treasury, as in other cases.

Militia and volunteers regularly discharged, to be paid.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized to cause the militia called out to defend East Florida, by Generals Clinch and Hernandez, or by the Governor in Middle and West Florida, and such other militia and volunteers as have been received and mustered into the service of the United States and regularly discharged, to be paid in like manner with the volunteers and militia ordered into service under orders from the War Department.

APPROVED, May 28, 1836.

STATUTE I.

June 7, 1836.

CHAP. LXXXV.—*An Act to provide for the payment of certain pensioners in the States of Virginia and Ohio.*

A pension agency to be established at Wheeling.

*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 and empowered to establish a pension agency at the city of Wheeling in the State of Virginia, for the payment of pensioners of the United States resident in the counties of Brooke, Ohio, Marshall, Tyler, Wood, Lewis, Harrison, Randolph, Preston, and Monongalia, in Virginia, and Belmont, Jefferson, Guernsey, Harrison, and Monroe, in the State of Ohio: *Provided*, That the establishment of such agency can be made and continued without charge to the United States.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is, authorized to make the necessary arrangement for the payment of said pensioners.

SEC. 3. *And be it further enacted*, That this act shall take effect from and after the first day of August, eighteen hundred and thirty-six.

APPROVED, June 7, 1836.

STATUTE I.

June 7, 1836.

CHAP. LXXXVI.—*An Act to extend the western boundary of the State of Missouri to the Missouri river.*

The western boundary of the State extended. Act of March 6, 1820, ch. 22, sec. 2.

Sec Proclamation, Appendix No. 1.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That when the Indian title to all the lands lying between the State of Missouri and the Missouri river shall be extinguished, the jurisdiction over said lands shall be hereby ceded to the State of Missouri, and the western boundary of said State shall be then extended to the Missouri river, reserving to the United States the original right of soil in said lands, and of disposing of the same: *Provided*, That this act shall not take effect until the President shall by proclamation, declare that the Indian title to said lands has been extinguished; nor shall it take effect until the State of Missouri shall have assented to the provisions of this act.

Proviso.

APPROVED, June 7, 1836.

STATUTE I.

June 7, 1836.

CHAP. LXXXVII.—*An Act to carry into effect a convention between the United States and Spain.*

1837, ch. 37.

A commissioner, secretary, and clerk 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 of the United States, by and with the advice and consent of the Senate, shall appoint one commissioner, whose duty it shall be to receive and examine all claims which may be presented to him under the convention for the settlement of claims between the United States of America, and her Catholic Majesty the Queen of Spain, concluded at Madrid on the seventeenth day of February, one thousand eight hundred and thirty-four, 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 commissioner shall have a secretary, versed in the Spanish and French languages, and a clerk, both to be appointed by the President, by and with the advice and consent of the Senate; and the commissioner, 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 commissioner shall be, and he is 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 his said commission into full and complete effect.

Commissioner to make rules and regulations.

SEC. 3. *And be it further enacted,* That the commissioner, so to be appointed, shall attend at the city of Washington, and his salary shall begin to be allowed within thirty days after his appointment; and within twelve months from the time of his attendance as aforesaid, he shall terminate his duties. And the Secretary of State is required, as soon as the said commissioner shall be appointed, to give notice of his attendance at Washington as aforesaid, to be published in two newspapers in the city of Washington, and in such other newspapers as he may think proper.

Commissioner to attend at the city of Washington.

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 claim, shall be delivered to the commissioner aforesaid.

Records and documents to be delivered to him.

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 the said commissioner, at the rate of three thousand five hundred dollars per annum; to the secretary, 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 commissioner 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.

SEC. 6. *And be it further enacted,* That it shall be lawful for the Secretary of the Treasury to cause the inscription or inscriptions which shall be issued by the Spanish Government, in pursuance of the aforesaid convention, to be deposited in the archives of the Legation of the United States, at Paris, until otherwise ordered by the President of the United States; and it shall also be lawful for the Secretary of the Treasury, and he is hereby authorized and required, to cause the moneys which may from time to time be paid in pursuance of the said convention, to be duly received and accounted for at Paris, and the same to be remitted, on the most advantageous terms, to the United States of America; and the said moneys, so received and remitted, shall be deposited in the Treasury of the United States, and the same are hereby appropriated to be distributed and paid to those authorized to receive them, according [to] the provisions of this act.

Duties of the Secretary of the Treasury.

SEC. 7. *And be it further enacted,* That the commissioner aforesaid shall report to the Secretary of State a list of all the several awards made by him, a certified copy of which shall be by the said Secretary of State transmitted to the Secretary of the Treasury, who shall thereupon distribute in ratable proportions, among the persons in whose favor the award 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

Commissioner to report, &c.

received; first deducting such sums of money as may be due the United States from said persons in whose favor 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 nett proceeds of the general instalments, payable by the Government of Spain, shall have been received, such proportions thereof shall be paid to the legal holders of the said certificates.

Communica-  
tions free of  
postage.

SEC. 8. *And be it further enacted*, That all communications to and from the secretary of the commissioner appointed under this act, on the business of the commission, shall pass by mail free of 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.

APPROVED, JUNE 7, 1836.

STATUTE I.

June 14, 1836.

CHAP. LXXXVIII.—*An Act making appropriations for the current expenses of the Indian Department, for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-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, for the objects hereinafter mentioned, to be paid out of any money in the Treasury not otherwise appropriated; that is to say,

Pay of Super-  
intendent and  
Agents.  
1834, ch. 162.

For pay of the Superintendent of Indian affairs at St. Louis, and the several Indian Agents, as provided for by the act of thirtieth June, one thousand eight hundred and thirty-four, thirteen thousand five hundred dollars.

Pay of clerk  
in Territory of  
Wisconsin.

For the payment of a clerk in the office of Superintendent of Indian Affairs for the Territory of Wisconsin, eight hundred dollars.

Pay of Sub-  
agents.

For the pay of Sub-agents, allowed by same act, ten thousand dollars.

Pay of Inter-  
preters.

For the pay of Interpreters, allowed by same act, seven thousand eight hundred dollars.

Presents to  
Indians.  
Provisions for  
Indians.

For presents to Indians, authorized by same act, five thousand dollars.

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

Buildings and  
repairs.

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

Postage, &c.

For postage, stationery, rent, and fuel, for offices, as authorized by the act of June thirtieth, eighteen hundred and thirty-four, three thousand dollars.

Contingen-  
cies, Indian De-  
partment.

For contingencies, Indian Department, four thousand dollars.

To the Six  
Nations of In-  
dians 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.

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 Seneca-  
s of New  
York.

*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.

To the Otta-  
was.

*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.

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.

To the 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.

To the Wyandots, Munsees and Delawares.

*To the Christian Indians.*—For the permanent annuity, per act of the thirtieth of May, eighteen hundred and twenty-six, four hundred dollars.

To the Christian Indians.

*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.

To the Miamies.

For the purposes of education, during the pleasure of Congress, stipulated in the sixth article of the same treaty, two thousand dollars.

For the pay of eight laborers, stipulated in the fourth article of the 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 article of the treaty with them of the third of August, seventeen hundred and ninety-five, five hundred dollars.

To the Eel Rivers.

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.

*To the Pottawatamies.*—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.

To the Pottawatamies.

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 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 the same, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. stipulated in the 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 the same, three hundred and twenty dollars.

For 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 the same, one thousand dollars.

For the purposes of education, during the pleasure of Congress, stipulated in the same, one thousand dollars.

For the annuity to the principal chief, for life, stipulated in the same, one hundred dollars.

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the purchase of two thousand pounds of tobacco, stipulated in the same, two hundred and forty dollars.

For the pay of three laborers, stipulated in the same, three hundred and sixty dollars.

*To the Pottawatamies 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.

*To the Pottawatamies 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 of three chiefs, for life, stipulated in the same, one thousand dollars.

*To the Pottawatamies 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.

*To the Pottawatamies 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.

For the purpose of education, during the pleasure of Congress, stipulated in the same, two thousand dollars.

For the annuity, stipulated in the third article of the treaty with them, of the tenth of December, eighteen hundred and thirty-four, one thousand dollars.

To the Pottawatamies of Huron.

To the Pottawatamies of the Prairie.

To the Pottawatamies of the Wabash.

To the Pottawatamies of Indiana.

*To the Chippewas, Ottawas and Pottawatamies.*—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. To the Chippewas, Ottawas and Pottawatamies.

For the purchase of iron, 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 the same, two hundred and fifty dollars.

For the limited annuity, stipulated in the third article of the treaty with them, of the twenty-sixth of September, eighteen hundred and thirty-three, fourteen thousand dollars.

For the limited annuity, stipulated in the second article of the supplement to the said treaty, two thousand dollars.

For the annuity, stipulated in the third article of the said treaty, to four chiefs, for life, one thousand one hundred 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. To the Winnebagoes.

For the purchase of fifty barrels of salt, stipulated in the same, two hundred and fifty dollars.

For the purchase of three thousand pounds of tobacco, stipulated in the same, three hundred dollars.

For the support of three blacksmiths and assistant, stipulated in the third article of the same, two thousand one hundred and sixty dollars.

For iron, steel, &c. six hundred and sixty dollars.

For the pay of laborers and for oxen, stipulated in the 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 the same, three thousand dollars.

For the support of six agriculturists, and purchase of oxen, ploughs, and agricultural implements, stipulated in the fifth article of the same, two thousand five hundred dollars.

For the purchase of one thousand five hundred pounds of tobacco, stipulated in the same, one hundred and fifty dollars.

For the services of two physicians, stipulated in the 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. To the Menomonees.

For the support of a miller, stipulated in the same, six hundred dollars.

For the support of three blacksmiths and assistant, stipulated in the same, two thousand one hundred and sixty dollars.

For the purchase of iron, steel, &c. six hundred and sixty dollars.

For the limited annuity, stipulated in the same, six thousand dollars.

For the purposes of education, stipulated in the fifth article of the same, five hundred dollars.

For the purchase of provisions, stipulated in the sixth article of the same, one thousand dollars.

*To the Chippewas.*—For the permanent annuity stipulated in the fourth article of the treaty with them, of the third of August, seven-  
teen hundred and ninety-five, one thousand dollars. To the Chippewas.

For the support of a blacksmith and assistant, at Michilimackinac, seven hundred and twenty dollars.

For the purchase of iron, 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.

To the 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.

To the 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 the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, seven hundred dollars.

To the 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 the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, four hundred dollars.

To the 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 the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, five hundred dollars.

To the 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 the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, two hundred dollars.

To the 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.

To the 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.

*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.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the 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 the same, four hundred and eighty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the 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.

To the 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, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the same, sixty dollars.

For the limited annuity, stipulated in the third article of the treaty with them, 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 same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the purchase of forty barrels of salt, stipulated in the same, two hundred dollars.

For the purchase of forty kegs of tobacco, stipulated in the same, four hundred dollars: *Provided*, that Quassucoma's band of said nation shall receive their proportion of the annuity at Fort Leavenworth.

*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.

To the Sacs, Foxes and Ioways.

*To the Ottos and Missourias.*—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifth of July, eighteen hundred and thirty, two thousand five hundred dollars.

To the Ottos and Missourias

For the support of a blacksmith and assistant, stipulated in the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For agricultural implements, stipulated in the 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.

To the 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, steel, &c. two hundred and twenty dollars.

For agricultural assistance, stipulated in the same, one thousand 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.

To the Osages.

For the limited annuity, stipulated in the third article of the treaty with them, of the second of June, eighteen hundred and twenty-five, seven thousand dollars.

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, steel, &c. two hundred and twenty dollars.

For agricultural assistance, stipulated in the same, one thousand six hundred dollars.

To the 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.

To the 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.

To the 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, steel, &c. two hundred and twenty dollars.

To the 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 the agricultural implements, stipulated in the third article of the treaty of the twenty-ninth of October, eighteen hundred and thirty-two, five hundred dollars.

To the 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.

To the 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, 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 of three chiefs, stipulated in the supplemental treaty of the twenty-sixth of October, eighteen hundred and thirty-two, three hundred dollars.

To the 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 June, eighteen hundred and three, sixty dollars.

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, 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, steel, &c. two hundred and twenty dollars.

For payment of the annuities secured to the Shawanee Indians, by the act of the fourteenth of July, eighteen hundred and thirty-two, deducting the sum of four hundred and fifty-nine dollars, paid to said Indians, and including the annuities under said act from eighteen hundred and thirty-two to eighteen hundred and thirty-six, inclusive, the sum of nine thousand five hundred and forty-one dollars.

*To the Shawanees and Delawares.*—For the support of a miller, stipulated in the second article of the treaty with them, of the twenty-sixth of October, eighteen hundred and thirty-two, five hundred dollars. To the Shawanees and Delawares.

*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. To the 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, steel, &c. two hundred and twenty dollars.

*To the Senecas of Lewistown.*—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-ninth of September, eighteen hundred and seventeen, and the seventeenth of September, eighteen hundred and eighteen, one thousand dollars. To the Senecas of Lewistown.

For the 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, steel, &c. two hundred and twenty dollars.

For the support of a miller, stipulated in the same, six hundred dollars.

*To the Choctaws.*—For the annuity, during the pleasure of the United States, stipulated in the fifth article of treaty with them of the seventeenth of December, eighteen hundred and one, two thousand dollars. To the 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 the 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 the same, six thousand dollars.

For annuity to a chief, stipulated in the tenth article of the 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 the same, twelve thousand five hundred dollars.

For the support of three blacksmiths and assistants, stipulated in the same, two thousand one hundred and sixty dollars.

For the purchase of iron, steel, &c. six hundred and sixty dollars.

For the annuity to the chief, stipulated in the fifteenth article of the same, one thousand one hundred dollars.

For annuity to warriors, stipulated in the same, five hundred dollars.

To the Chick-  
saaws.  
1799, ch. 11.

*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.

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.

To the  
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.

To the 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, 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.

To the Creeks  
west.

*To the Creeks west.*—For the permanent 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, steel, &c. two hundred and twenty dollars.

For the support of a wheelwright, stipulated in the 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, steel, &c. two hundred and twenty dollars.

For the support of a wheelwright, or wagon maker, stipulated in the same, six hundred dollars.

For the purposes of education, during the pleasure of the President, stipulated in the same, one thousand dollars.

To the Che-  
rokees.

*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.

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.

For the payment of interest on an annuity of one thousand dollars, secured to the Cherokees by the treaty of the twenty-fourth October, eighteen hundred and four, and which was not paid till the year eighteen hundred and twenty-five, twelve thousand six hundred dollars, which sum shall be paid in the same manner and in the same proportions to the Cherokees east and west of the Mississippi that the annuity itself is payable.

*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. To the 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 the support of a blacksmith and assistant, stipulated in the third article of the same, seven hundred and twenty dollars.

For the purchase of iron, steel, &c. two hundred and twenty dollars.

For the support of a farmer, stipulated in the same, six 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. To the Florida Indians.

For the support of a blacksmith's establishment, stipulated in the sixth article of the same, one thousand dollars.

For the purposes of education, stipulated in the same, one thousand dollars. *Provided however,* That no part of the appropriation for the Florida Indians shall be paid to any Indians who have been engaged in hostilities against the United States, unless in such change of circumstances as may induce the President of the United States to direct the same to be paid. Proviso.

*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. To the Pawnees.

For agricultural implements, stipulated in the fourth article of the same, two thousand dollars.

For the purposes of education, stipulated in the fifth article of the same, one thousand dollars.

For the support of two blacksmiths' establishments, stipulated in the sixth article of the same, two thousand dollars.

For the support of four farmers, stipulated in the seventh article of the 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. To the Cherokees west.

For the support of four blacksmiths and assistants, stipulated in the fourth article of the treaty with them, of the fourteenth of February, eighteen hundred and thirty-three, two thousand eight hundred and eighty dollars.

For the purchase of iron, steel, &c. eight hundred and eighty dollars.

For the support of a wagon maker and a wheelwright, stipulated in the 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 carrying into effect certain stipulations in the treaties concluded with the Senecas of Sandusky on the twenty-eighth February, eighteen hundred and thirty-one, with the Senecas and Shawanees, on the twentieth July, eighteen hundred and thirty-one, and with the Shawanees



on the eighth August, eighteen hundred and thirty-one, sixteen hundred and ninety-five dollars and sixty-two cents.

For expenses attending the execution of the treaty with the Creeks, of the twenty-fourth of March, eighteen hundred and thirty-two, in relation to locating reservations and certifying contracts, seven thousand dollars.

For expenses attending the execution of the treaty with the Choctaws, of September, eighteen hundred and thirty, in relation to locating reservations, five thousand dollars.

For the purpose of carrying into effect the treaty made with the Caddo Indians on the first day of July, eighteen hundred and thirty-five, forty thousand dollars.

To defray the expense of removing the Winnebago Indians who reside south of the Wisconsin to the "neutral ground," or such other place as may be assigned by treaty, and for their subsistence for five months, forty thousand dollars. *Provided always* that no part of said sum of money shall be used unless the said Indians will agree to remove, and actually do remove to a country to be assigned to them on the south-west side of the river Missouri.

Proviso.

Treaties.

To defray the expense of holding treaties with the Indians in the vicinity of Green Bay, Indians within the State of New York, the Winnebagoes north and south of the Wisconsin; and with the Sacs and Foxes north of Missouri, twenty-two thousand dollars.

Proviso.

For holding a treaty with the Chippewas of Saginaw, five thousand two hundred dollars; *Provided*, That the compensation to the commissioners for holding said treaties, shall be a per-diem allowance only.

"For one hundred and seventy-five rifles for the Pottawatamies, two thousand four hundred dollars."

For the expenses of the Ross delegation of twenty Cherokees, thirteen thousand dollars, to be paid to John Martin.

To defray the expenses of Richard Field, a Cherokee Indian, who attended at the seat of Government, at the request of an agent of the Government, in the winter of eighteen hundred [and] thirty-four [and] thirty-five, four hundred and fifty dollars.

For expenses of three delegates from the Seneca nation of Indians who have attended at Washington during the present winter, six hundred dollars.

Removal of the Creeks.

For the removal of twenty-one thousand Creek Indians and their subsistence for one year, including subsistence of those recently removed, in addition to the balance of one hundred and fifty-five thousand dollars of former appropriations, one million and twenty-three thousand five hundred and fifty dollars. *Provided always*, That it shall not be lawful to make any contract with any person or persons for the removal of said Indians, or any part of them, at the expense of any individual or individuals, except such contract is made in pursuance of reasonable notice, publicly given, and with such person or persons as shall have offered the most favorable terms to the Government.

Removal of the Seminoles.

For the removal of Seminole Indians and their subsistence for one year, in addition to a balance of thirty-three thousand dollars of former appropriations, one hundred thousand dollars.

Treaties.

For holding treaties with the Indian tribes for the purpose of extinguishing the Indian title to the territory between the State of Missouri and the Missouri river, two thousand dollars.

Delegation of the Pottawatamies.

To defray the expenses of a delegation of the Pottawatamie Indians, on a visit to Washington city, two thousand six hundred and thirty dollars.

Secretary of War authorized to close certain accounts,

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized to cause the accounts of the commissioners, appointed under the act of Congress of third March, eighteen hundred

and twenty-five, to be closed by transferring from the appropriation therein made for "defraying the expenses of treating with the Indians," to the appropriation for "making the road from the western frontier of Missouri to the confines of New Mexico," such amount, as may be necessary for this purpose.

1825, ch. 50.

SEC. 3. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized to allow and pay to David Brearily, out of any money in the Treasury, not otherwise appropriated, the amount charged to his account and accounted for by him on a draft drawn by him on the War Department, on the twenty-sixth January, eighteen hundred and twenty-nine, for the sum of two thousand three hundred twenty-seven dollars and twelve cents, for provisions purchased for and applied to the use of certain emigrating Creek Indians.

To be paid to David Brearily.

SEC. 4. *And be it further enacted*, That the Secretary of War be and he is hereby authorized and directed to invest, in a manner which shall be, in his judgment, most safe and beneficial for the fund, the sum of thirty-three thousand nine hundred and twelve dollars and forty cents, being money in the Treasury as the proceeds of lands purchased from the Seneca Indians of Sandusky by a treaty concluded on the twenty-eighth of February, eighteen hundred and thirty-one, from the Senecas and Shawanese by a treaty concluded on the twentieth of July, eighteen hundred and thirty-one, and from the Shawanese, by a treaty concluded on the eighth of August, eighteen hundred and thirty-one, and upon which sum the United States are, by stipulations in the said treaties, bound to pay to the said Indians an annual interest at the rate of five per centum per annum; *Provided*, That the said Secretary shall make no investment of the said sum, or any portion of it, at a lower rate of interest than five per centum per annum.

Secretary of War to invest certain funds. 1837, ch. 1.

Proviso.

SEC. 5. *And be it further enacted*, That it shall be competent for the President to assign to the Indian Agent at Michilimackinac, in addition to his proper duties, the duties of Superintendent of Indian Affairs for all that district of country heretofore constituting the Territory of Michigan and lying east of the line established as the eastern boundary of the Territory of Wisconsin, by the act of Congress of the twentieth April, eighteen hundred and thirty-six; *Provided, however*, That no additional compensation or emolument shall be granted on account of the said duties; and the President may require the said agent to reside at such place as he may think fit, within the said district.

President may assign certain duties to the Indian Agent at Michilimackinac.

Proviso. 1836, ch. 54.

APPROVED, June 14, 1836.

STATUTE I.

CHAP. LXXXIX.—*An Act to establish an arsenal of construction in the State of North Carolina.*

June 14, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of forty-five thousand dollars be, and the same is hereby appropriated, from any money in the Treasury, not otherwise appropriated, towards the purchase of a site and the building of an arsenal of deposite and general construction, near the town of Fayetteville, in the State of North Carolina.

Appropriation for purchase of a site and for building.

APPROVED, June 14, 1836.

## STATUTE I.

June 15, 1836.

CHAP. XCVII.—*An Act repealing the fourteenth section of the "Act to incorporate the subscribers to the Bank of the United States," approved, April tenth, eighteen hundred and sixteen. (a)*

Fourteenth section repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the fourteenth section of the act entitled "An act to incorporate the subscribers to the Bank of the United States," approved April tenth, eighteen hundred and sixteen, shall be, and the same is hereby, repealed.

APPROVED, June 15, 1836.

## STATUTE I.

June 15, 1836.

CHAP. XCVIII.—*An Act to divide the Green Bay land district in Michigan, and for other purposes.*

Division how made.

1834, ch. 76.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the country on the western shore of Lake Michigan, embraced within the limits of the Green Bay land district, as established by the act of Congress, of the twenty-sixth day of June, eighteen hundred and thirty-four, shall be, and is hereby, divided by a line commencing on the western boundary of said district, and running thence, east, between townships ten and eleven north, to the line between ranges seventeen and eighteen, east; thence north, between said ranges of townships, to the line between townships twelve and thirteen north; thence east, between said townships twelve and thirteen, to Lake Michigan; and all the country bounded north by the division line here described, south by the base line, east by Lake Michigan, and west by the division line between ranges eight and nine east, shall constitute a separate district, and be called the Milwaukie land district.

Two additional land districts to be established.

SEC. 2. *And be it further enacted,* That two additional districts shall be, and are hereby established in the peninsula of Michigan, one to be called the Grand river, and the other the Saginaw, land district, the former of which shall be bounded as follows, to wit: beginning at the shore of Lake Michigan, on the line between townships three and four north, and running east on said line to the line between ranges number six and seven west of the principal meridian; thence, on said range line south, to the base line of the public surveys; thence, on said base line east, to the principal meridian line; thence north, on said meridian, to the north boundary of township ten north; thence west, on the line between townships ten and eleven north, to the western boundary of range two west; and thence north, following the line between ranges two and three west, so as to include all that portion of the peninsula of Michigan lying west of said line. The Saginaw district shall embrace all the tract of country bounded on the west by the Grand river district aforesaid; on the south, by the division line, between townships number five and six, north of the base line; on the east by the division line, between ranges eleven and twelve, east of the principal meridian; and on the north and northeast by Saginaw bay and Lake Huron.

Registers and receivers to be appointed in each.

SEC. 3. *And be it further enacted,* That for each of all the aforesaid districts there shall be appointed a register and receiver, who shall reside and superintend the sales of the public lands at such place, in each respective district, as the President of the United States may designate. They shall give security in the same manner and in the same sums, and their compensation, emoluments, duty, and authority, shall, in every respect, be the same, in relation to the lands which may be disposed of at their offices, as are, or may be, provided by law relative to the registers and receivers of public money in the several offices established for the sale of the public lands.

(a) Act of April 10, 1816, ch. 44.

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 proper plats of the surveys of the said districts to be deposited in the land offices intended for them, respectively; and he is hereby authorized to allow and pay out of the proceeds of the sales of the public lands the reasonable expenses which may be incurred in carrying into effect the provisions of this act.

Proper plats and surveys to be deposited in the land offices.

SEC. 5. *And be it further enacted*, That the lands which were ceded to the United States by the treaty made with the confederated tribes of Sac and Fox Indians at Fort Armstrong, in the State of Illinois, on the twenty-first day of September, eighteen hundred and thirty-two, be, and the same are hereby, attached to, and made a part of, the Wisconsin land district, in the Territory of Michigan; and that said lands shall be liable to be surveyed and sold at Mineral Point, or wherever the President may direct, in the same manner as other public lands of the district.

Certain ceded lands to be attached to the Wisconsin land district.

SEC. 6. *And be it further enacted*, That this act shall take effect and be in force from and after the first day of August next.

Act to take effect on the 1st of August, 1836.

APPROVED, June 15, 1836.

STATUTE I.

June 15, 1836.

Act of June 23, 1836, ch. 121.

Northern boundary line. Act of Jan. 26, 1837, ch. 6.

CHAP. XCIX.—*An Act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the northern boundary line of the State of Ohio shall be established at, and shall be a direct line drawn from the southern extremity of Lake Michigan, to the most northerly cape of the Maumee (Miami) bay, after that line, so drawn, shall intersect the eastern boundary line of the State of Indiana; and from the said north cape of the said bay, northeast to the boundary line between the United States and the province of Upper Canada, in Lake Erie; and thence, with the said last mentioned line, to its intersection with the western line of the State of Pennsylvania.

Constitution accepted.

SEC. 2. *And be it further enacted*, That the constitution and State Government which the people of Michigan have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed; and that the said State of Michigan shall be, and is hereby, declared to be one of the United States of America, and is hereby admitted into the Union upon an equal footing with the original States, in all respects whatsoever: *Provided always*, and this admission is upon the express condition, that the said State shall consist of and have jurisdiction over all the territory included within the following boundaries, and over none other, to wit: Beginning at the point where the above described northern boundary of the State of Ohio intersects the eastern boundary of the State of Indiana, and running thence with the said boundary line of Ohio, as described in the first section of this act, until it intersects the boundary line between the United States and Canada, in Lake Erie; thence, with the said boundary line between the United States and Canada through the Detroit river, Lake Huron, and Lake Superior, to a point where the said line last touches Lake Superior; thence, in a direct line through Lake Superior, to the mouth of the Montreal river; thence through the middle of the main channel of the said river Montreal, to the middle of the Lake of the Desert; thence, in a direct line to the nearest head water of the Menomonic river; thence, through the middle of that fork of the said river first touched by the said line, to the main channel of the said Menomonic river; thence, down the centre of the main channel of the same, to the centre of the most usual ship channel of the Green bay of Lake Michigan; thence, through the centre of the most usual

Proviso.

(a) See notes to the act of February 16, 1819, ch. 22, for the acts relating to the Territory of Michigan.

1816, ch. 57.

The boundary  
to receive the  
assent of a con-  
vention.

ship channel of the said bay to the middle of Lake Michigan; thence, through the middle of Lake Michigan, to the northern boundary of the State of Indiana, as that line was established by the act of Congress of the nineteenth of April, eighteen hundred and sixteen; thence, due east, with the north boundary line of the said State of Indiana, to the northeast corner thereof; and thence, south, with the east boundary line of Indiana, to the place of beginning.

1837, ch. 6.

Vacant and  
unsold lands re-  
served to the  
United States.

SEC. 3. *And be it further enacted*, That, as a compliance with the fundamental condition of admission contained in the last preceding section of this act, the boundaries of the said State of Michigan, as in that section described, declared, and established, shall receive the assent of a convention of delegates elected by the people of the said State, for the sole purpose of giving the assent herein required; and as soon as the assent herein required shall be given, the President of the United States shall announce the same by proclamation; and thereupon, and without any further proceeding on the part of Congress, the admission of the said State into the Union, as one of the United States of America, on an equal footing with the original States in all respects whatever, shall be considered as complete, and the Senators and Representatives who have been elected by the said State as its representative in the Congress of the United States, shall be entitled to take their seats in the Senate and House of Representatives respectively, without further delay.

SEC. 4. *And be it further enacted*, That nothing in this act contained, or in the admission of the said State into the Union as one of the United States of America upon an equal footing with the original States in all respects whatever, shall be so construed or understood as to confer upon the people, Legislature, or other authorities of the said State of Michigan, any authority or right to interfere with the sale by the United States, and under their authority, of the vacant and unsold lands within the limits of the said State, but that the subject of the public lands, and the interests which may be given to the said State therein, shall be regulated by future action between Congress, on the part of the United States, and the said State, or the authorities thereof. And the said State of Michigan shall in no case and under no pretence whatsoever, impose any tax, assessment or imposition of any description upon any of the lands of the United States within its limits.

APPROVED, June 15, 1836.

STATUTE I.

June 15, 1836.

Act of June  
23, 1836, ch.  
120.

CHAP. C.—*An Act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States, within the same, and for other purposes.*

Whereas, the people of the Territory of Arkansas, did, on the thirtieth day of January in the present year by a convention of delegates, called and assembled for that purpose, form for themselves a constitution and State Government, which constitution and State Government, so formed, is republican: and whereas, the number of inhabitants within the said Territory exceeds forty-seven thousand seven hundred persons, computed according to the rule prescribed by the constitution of the United States; and the said convention have, in their behalf, asked the Congress of the United States to admit the said Territory into the Union as a State, on an equal footing with the original States:

Arkansas ad-  
mitted into the  
Union.

*Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of Arkansas shall be one, and is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever, and the said State shall consist of all the territory included within the following boundaries, to wit: beginning in the middle of the main channel of the Mis-

Mississippi river, on the parallel of thirty-six degrees north latitude, running from thence west, with the said parallel of latitude, to the Saint Francis river; thence up the middle of the main channel of said river to the parallel of thirty-six degrees thirty minutes north; from thence west to the southwest corner of the State of Missouri; and from thence to be bounded on the west, to the north bank of Red river, by the lines described in the first article of the treaty between the United States and the Cherokee nation of Indians west of the Mississippi, made and concluded at the city of Washington, on the 26th day of May, in the year of our Lord one thousand eight hundred and twenty-eight; and to be bounded on the south side of Red river by the Mexican boundary line, to the northwest corner of the State of Louisiana; thence east, with the Louisiana State line, to the middle of the main channel of the Mississippi river; thence up the middle of the main channel of the said river, to the thirty-sixth degree of north latitude, the point of beginning.

Boundaries.

SEC. 2. *And be it further enacted*, That until the next general census shall be taken, the said State shall be entitled to one representative in the House of Representatives of the United States.

To be entitled to one representative.

SEC. 3. *And be it further enacted*, That all the laws of the United States, which are not locally inapplicable, shall have the same force and effect within the said State of Arkansas, as elsewhere within the United States.

General laws extended.

SEC. 4. *And be it further enacted*, That the said State shall be one judicial district, and be called the Arkansas district; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called a district judge. He shall hold at the seat of Government of the said State, two sessions annually, on the first Mondays of April and November; and he shall, in all things, have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky district under an act entitled "An act to establish the judicial courts of the United States." He shall appoint a clerk for the said district court, who shall reside and keep the records of the court at the place of holding the same; and shall receive, for the services performed by him, the same fees to which the clerk of the Kentucky district is entitled for similar services.

District Court of the United States.

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

SEC. 5. *And be it further enacted*, That there shall be allowed to the judge of the said district court, the annual compensation of two thousand dollars, to commence from the date of his appointment, to be paid quarter-yearly at the Treasury of the United States.

Salary of the judge.

SEC. 6. *And be it further enacted*, That there shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid by the United States two hundred dollars, as a full compensation for all extra services.

Attorney to be appointed.

SEC. 7. *And be it further enacted*, That a marshal shall be appointed for the said district who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as are prescribed to marshals in other districts; and he shall moreover be entitled to the sum of two hundred dollars annually, as a compensation for all extra services.

Marshal.

SEC. 8. *And be it further enacted*, That the State of Arkansas is admitted into the Union upon the express condition, that the people of the said State shall never interfere with the primary disposal of the public lands within the said State, nor shall they levy a tax on any of the lands of the United States within the said State; and nothing in this act shall be construed as an assent by Congress to all or to any of the propositions contained in the ordinance of the said convention of the people of Arkansas, nor to deprive the said State of Arkansas of the

Public lands reserved to the United States.

Act of March  
1820, ch. 22.

same grants, subject to the same restrictions, which were made to the State of Missouri by virtue of an act entitled "An act to authorize the people of the Missouri 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, and to prohibit slavery in certain Territories," approved the sixth day of March, one thousand eight hundred and twenty.

APPROVED, June 15, 1836.

STATUTE I.

June 23, 1836.

[Repealed.]

Act of July 4,  
1836, ch. 354.

Secretary of  
the Treasury to  
select banks.

CHAP. CXV.—*An Act to regulate the depositories of the public money.*(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 Secretary of the Treasury to select as soon as may be practicable and employ as the depositories of the money of the United States, such of the banks incorporated by the several States, by Congress for the District of Columbia, or by the Legislative Councils of the respective Territories for those Territories, as may be located at, adjacent or convenient to the points or places at which the revenues may be collected, or disbursed, and in those States, Territories or Districts in which there are no banks, or in which no bank can be employed as a deposite bank, and within which the public collections or disbursements require a depository, the said Secretary may make arrangements with a bank or banks, in some other State, Territory or District, to establish an agency, or agencies, in the States, Territories or Districts so destitute of banks, as banks of deposite; and to receive through such agencies such deposites of the public money, as may be directed to be made at the points designated, and to make such disbursements as the public service may require at those points; the duties and liabilities of every bank thus establishing any such agency to be the same in respect to its agency, as are the duties and liabilities of deposite banks generally under the provisions of this act: *Provided,* That at least one such bank shall be selected in each State and Territory, if any can be found in each State and Territory willing to be employed as depositories of the public money, upon the terms and conditions hereinafter prescribed, and continue to conform thereto; and that the Secretary of the Treasury shall not suffer to remain in any deposite bank, an amount of the public moneys more than equal to three-fourths of the amount of its capital stock actually paid in, for a longer time than may be necessary to enable him to make the transfers required by the twelfth section of this act; and that the banks so selected, shall be, in his opinion, safe depositories of the public money, and shall be willing to undertake to do and perform the several duties and services, and to conform to the several conditions prescribed by this act.

Proviso.

Where there  
is no bank  
which the Sec-  
retary approves,  
or where banks  
refuse, a selec-  
tion may be  
made at some  
place adjacent.

SEC. 2. *And be it further enacted,* That if, at any point or place at which the public revenue may be collected, there shall be no bank located, which, in the opinion of the Secretary of the Treasury, is in a safe condition, or where all the banks at such point or place shall fail or refuse to be employed as depositories of the public money of the United States, or to comply with the conditions prescribed by this act, or where such banks shall not have sufficient capital to become depositories of the whole amount of moneys collected at such point or place, he shall and may order and direct the public money collected at such point or place to be deposited in a bank or banks in the same State, or in some one or more of the adjacent States upon the terms and conditions hereinafter prescribed: *Provided,* That nothing in this act contained shall be so construed as to prevent Congress at any time from passing any law for the removal of the public money from any of the

Proviso.

(a) See act of July 4, 1840, chap. 41; act of August 13, 1841, chap. 7.

said banks, or from changing the terms of deposit, or to prevent the said banks at any time from declining any longer to be the depositories of the public money upon paying over, or tendering to pay, the whole amount of public moneys on hand, according to the terms of its agreement with the said Secretary.

SEC. 3. *And be it further enacted,* That no bank shall hereafter be selected and employed by the Secretary of the Treasury as a depository of the public money, until such bank shall have first furnished to the said Secretary a statement of its condition and business, a list of its directors, the current price of its stock; and also a copy of its charter; and likewise, such other information as may be necessary to enable him to judge of the safety of its condition.

Banks to furnish certain statements; copy of charter, &c.

SEC. 4. *And be it further enacted,* That the said banks, before they shall be employed as the depositories of the public money, shall agree to receive the same, upon the following terms and conditions, to wit:

*First.* Each bank shall furnish to the Secretary of the Treasury, from time to time, as often as he may require, not exceeding once a week, statements setting forth its condition and business, as prescribed in the foregoing section of this act, except that such statements need not, unless requested by said Secretary, contain a list of the directors, or a copy of the charter. And the said banks shall furnish to the Secretary of the Treasury, and to the Treasurer of the United States, a weekly statement of the condition of his account upon their books. And the Secretary of the Treasury shall have the right, by himself, or an agent appointed for that purpose, to inspect such general accounts in the books of the bank, as shall relate to the said statements: *Provided,* That this shall not be construed to imply a right of inspecting the account of any private individual or individuals with the bank.

Terms to be agreed to by the banks.

*Secondly.* To credit as specie, all sums deposited therein to the credit of the Treasurer of the United States, and to pay all checks, warrants, or drafts, drawn on such deposits, in specie if required by the holder thereof.

*Thirdly.* To give, whenever required by the Secretary of the Treasury, the necessary facilities for transferring the public funds from place to place, within the United States, and the Territories thereof, and for distributing the same in payment of the public creditors, without charging commissions or claiming allowance on account of difference of exchange.

Proviso.

*Fourthly.* To render to the Government of the United States all the duties and services heretofore required by law to be performed by the late Bank of the United States and its several branches or offices.

SEC. 5. *And be it further enacted,* That no bank shall be selected or continued as a place of deposit of the public money which shall not redeem its notes and bills on demand in specie; nor shall any bank be selected or continued as aforesaid, which shall after the fourth of July, in the year one thousand eight hundred and thirty-six, issue or pay out any note or bill of a less denomination than five dollars; nor shall the notes or bills of any bank be received in payment of any debt due to the United States which shall, after the said fourth day of July, in the year one thousand eight hundred and thirty-six, issue any note or bill of a less denomination than five dollars.

Banks issuing notes less than five dollars not to be selected.

1838, ch. 158.

SEC. 6. *And be it further enacted,* That the Secretary of the Treasury shall be, and he is hereby authorized, and it shall be his duty, whenever in his judgment the same shall be necessary or proper, to require of any bank so selected and employed as aforesaid, collateral or additional securities for the safe keeping of the public moneys deposited therein, and the faithful performance of the duties required by this act.

Secretary may require security.



Secretary authorized to enter into contracts.

SEC. 7. *And be it further enacted,* That it shall be lawful for the Secretary of the Treasury, to enter into contracts in the name and for and on behalf of the United States, with the said banks so selected or employed, whereby the said banks shall stipulate to do and perform the several duties and services prescribed by this act.

No bank selected to be discontinued but for certain causes.

SEC. 8. *And be it further enacted,* That no bank which shall be selected or employed as the place of deposite of the public money, shall be discontinued as such depository, or the public money withdrawn therefrom, except for the causes hereinafter mentioned, that is to say: if at any time, any one of said banks shall fail or refuse to perform any of said duties as prescribed by this act, and stipulated to be performed by its contract; or, if any of said banks shall at any time refuse to pay its own notes in specie if demanded; or shall fail to keep in its vaults such an amount of specie as shall be required by the Secretary of the Treasury, and shall be, in his opinion, necessary to render the said bank a safe depository of the public moneys, having due regard to the nature of the business transacted by the bank; in any and every such case it shall be the duty of the Secretary of the Treasury to discontinue any such bank as a depository, and withdraw from it the public moneys which it may hold on deposite at the time of such discontinuance. And in case of the discontinuance of any of said banks, it shall be the duty of the Secretary of the Treasury to report to Congress immediately if in session, and if not in session, then at the commencement of its next session, the facts and reasons which have induced such discontinuance. And in case of the discontinuance of any of said banks as a place of deposite of the public money for any of the causes herein before provided, it shall be lawful for the Secretary of the Treasury to deposite the money thus withdrawn in some other banks of deposite already selected, or to select some other bank as a place of deposite, upon the terms and conditions prescribed by this act. And in default of any bank to receive such deposite, the money thus withdrawn shall be kept by the Treasurer of the United States, according to the laws now in force; and shall be subject to be disbursed according to law.

Banks now employed to be continued until, &c.

SEC. 9. *And be it further enacted,* That until the Secretary of the Treasury shall have selected and employed the said banks as places of deposite of the public money, in conformity to the provisions of this act, the several State and District banks at present employed as depositories of the money of the United States, shall continue to be the depositories aforesaid upon the terms and conditions upon which they have been so employed.

Secretary to lay a statement before Congress.

SEC. 10. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to lay before Congress, at the commencement of each annual session, a statement of the number and names of the banks employed as depositories of the public money, and of their condition, and the amount of public money deposited in each, as shown by their returns at the Treasury; and if the selection of any bank as a depository of the public money be made by the Secretary of the Treasury, while Congress is in session, he shall immediately report the name and condition of such bank to Congress; and if any such selection shall be made during the recess of Congress, he shall report the same to Congress during the first week of its next session.

Bank to pay interest under certain circumstances.

SEC. 11. *And be it further enacted,* That whenever the amount of public deposites to the credit of the Treasurer of the United States, in any bank shall, for a whole quarter of a year, exceed the one-fourth part of the amount of the capital stock of such bank actually paid in, the banks shall allow and pay to the United States, for the use of the excess of the deposites over the one-fourth part of its capital, an interest at the rate of two per centum per annum, to be calculated for each quarter, upon the average excesses of the quarter; and it shall be the duty of the

Secretary of the Treasury, at the close of each quarter, to cause the amounts on deposit in each deposit bank for the quarter, to be examined and ascertained, and to see that all sums of interest accruing under the provisions of this section, are, by the banks respectively passed to the credit of the Treasurer of the United States in his accounts with the respective banks.

SEC. 12. *And be it further enacted*, That all warrants or orders for the purpose of transferring the public funds from the banks in which they now are, or may hereafter be deposited, to other banks, whether of deposit or not, for the purpose of accommodating the banks to which the transfer may be made, or to sustain their credit, or for any other purpose whatever, except it be to facilitate the public disbursements, and to comply with the provisions of this act, be, and the same are hereby, prohibited and declared to be illegal; and in cases where transfers shall be required for purposes of equalization under the provisions of this act, in consequence of too great an accumulation of deposits in any bank, such transfers shall be made to the nearest deposit banks which are considered safe and secure, and which can receive the moneys to be transferred under the limitations in this act imposed: *Provided*, That it may be lawful for the President of the United States to direct transfers of public money to be made from time to time to the mint and branch mints of the United States, for supplying metal for coining.

Transfers under certain cases declared illegal.

SEC. 13. *And be it further enacted*, That the money which shall be in the Treasury of the United States, on the first day of January, eighteen hundred and thirty-seven, reserving the sum of five millions of dollars, shall be deposited with such of the several States, in proportion to their respective representation in the Senate and House of Representatives of the United States, as shall, by law, authorize their Treasurers, or other competent authorities to receive the same on the terms hereinafter specified; and the Secretary of the Treasury shall deliver the same to such Treasurers, or other competent authorities, on receiving certificates of deposit therefor, signed by such competent authorities, in such form as may be prescribed by the Secretary aforesaid; which certificates shall express the usual and legal obligations, and pledge the faith of the State, for the safe keeping and repayment thereof, and shall pledge the faith of the States receiving the same, to pay the said moneys, and every part thereof, from time to time, whenever the same shall be required, by the Secretary of the Treasury, for the purpose of defraying any wants of the public treasury, beyond the amount of the five millions aforesaid: *Provided*, That if any State declines to receive its proportion of the surplus aforesaid, on the terms before named, the same shall be deposited with the other States, agreeing to accept the same on deposit in the proportion aforesaid: *And provided further*, That when said money, or any part thereof, shall be wanted by the said Secretary, to meet appropriations by law, the same shall be called for, in rateable proportions, within one year, as nearly as conveniently may be, from the different States, with which the same is deposited, and shall not be called for, in sums exceeding ten thousand dollars, from any one State, in any one month, without previous notice of thirty days, for every additional sum of twenty thousand dollars, which may at any time be required.

The surplus in the Treasury above 5,000,000 dollars to be deposited with the several States.

Act of Oct. 2, 1837, ch. 1.

SEC. 14. *And be it further enacted*, That the said deposits shall be made with the said States in the following proportions, and at the following times, to wit: one quarter part on the first day of January, eighteen hundred and thirty-seven, or as soon thereafter as may be; one quarter part on the first day of April, one quarter part on the first day of July, and one quarter part on the first day of October, all in the same year.

Proportions in which the deposits shall be made.

SEC. 15. *And be it further enacted*, That to enable the Secretary of the Treasury to carry into effect the provisions of this act, he be author-

Secretary of the Treasury to

appoint three additional clerks.

ized to appoint three additional clerks for his Department, the one at a salary of one thousand six hundred dollars per annum, and the remaining two at a salary of one thousand dollars each per annum, and to pay the said clerks, quarter-yearly, out of any money in the Treasury not otherwise appropriated.

APPROVED, June 23, 1836.

STATUTE I.

June 23, 1836.

CHAP. CXVI.—*An Act authorizing the Secretary of the Treasury to act as the agent of the United States in all matters relating to their stock in the Bank of the United States.*

Secretary of the Treasury to assume and exercise the agency.

*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 Secretary of the Treasury, to assume and exercise the agency and direction in behalf of the United States, over property in the Bank of the United States, whether the same be standing on the books of the bank in the name of the United States, or of the Treasurer of the United States, for the use of the Secretary of the Navy, for the payment of navy pensions; and the Secretary of the Treasury is hereby invested with the authority necessary for carrying into effect the duties of said agency, by voting in behalf of the United States at any meetings of the stockholders, and performing any other act in relation to the same which any stockholder would be authorized to do.

Directors of the bank to furnish statements to him.

SEC. 2. *And be it further enacted,* That, as agent of the United States, as aforesaid, the Secretary of the Treasury, shall be furnished, from time to time, as often as he may require—by the directors of the Bank of the United States, or by the trustees who shall have been, or may be, appointed, either by said directors or the stockholders of said bank, or in their behalf, or by such individuals as may have the custody, control, or possession of the books and effects of the same—with statements of the amount of the capital stock of the said corporation undivided, of the debts due beyond the same on account of said bank, of the moneys remaining on deposit, of the notes of said bank outstanding, and of the specie on hand on account of the same, and said Secretary shall have the same right as any stockholder to inspect and examine, or cause to be inspected and examined, all such accounts in the books of said bank, or of any trust arising out of or holding the effects of said corporation, as shall relate to the statements hereby required to be made.

To receive money from the bank, and deposit the same in the Treasury.

To receive capital stock, &c.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be authorized and directed to receive and deposite in the Treasury of the United States, any dividends which may be made of the capital stock or of the surplus profits of said bank.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury shall be, and he hereby is, authorized and empowered to receive the capital stock belonging to the United States, in the late Bank of the United States, in such instalments, and payable at such times, and with such rates of interest, as he shall see fit to agree to; and also, to settle and adjust the claim for surplus profits, accruing on said capital stock, on such terms as he may think proper, and in like manner to receive the amount thereof in such instalments, and payable at such times, and with such rates of interest, as he may agree to.

APPROVED, June 23, 1836.

STATUTE I.

June 23, 1836.

CHAP. CXVII.—*An Act to settle and establish the northern boundary line of the State of Ohio.* (a)

Act of June 23, 1836, ch. 121.

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

(a) See notes of acts relating to the Territory of Michigan; act of February 16, 1819, chap. 22.

of the State of Ohio shall be established by, and extend to, a direct line running from the southern extremity of Lake Michigan to the most northerly cape of the Miami bay; thence, northeast, to the northern boundary line of the United States; thence, with said line, to the Pennsylvania line.

Northern boundary.

SEC. 2. *And be it further enacted*, That the boundary line surveyed, marked, and designated, agreeably to "An act to authorize the President of the United States to ascertain and designate the northern boundary of the State of Indiana," approved March the second, eighteen hundred and twenty-seven, shall be deemed and taken as the east and west line mentioned in the constitution of the State of Indiana, drawn through a point ten miles north of the southern extreme of Lake Michigan, and shall be and for ever remain the northern boundary of said State.

Which line shall be deemed the east and west line.

Act of March 2, 1827, ch. 57.

SEC. 3. *And be it further enacted*, That the northern boundary line, ascertained, surveyed, and marked, agreeably to a law of Congress entitled "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," approved March second, eighteen hundred and thirty-one, shall be deemed and taken as the line west from the middle of Lake Michigan, in north latitude forty-two degrees thirty minutes, to the middle of the Mississippi river, 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, and for the admission of such State into the Union on an equal footing with the original States," approved eighteenth of April, eighteen hundred and eighteen, and shall be and for ever remain the northern boundary line of said state.

Which line shall be taken as the line west from the middle of Lake Michigan.

Act of March 2, 1831, ch. 86.

Act of April 18, 1818, ch. 67.

APPROVED, June 23, 1836.

STATUTE I.

CHAP. CXVIII.—*An Act to remove the Land Office from Clinton to Jackson, in the State of Mississippi.*

June 23, 1836.

*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 Clinton in the State of Mississippi be hereafter kept at Jackson, in the same State.

APPROVED, June 23, 1836.

STATUTE I.

CHAP. CXIX.—*An Act to amend 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, Cahaba and Black Warrior river.*

June 23, 1836.

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 so much of the second section of the act above recited as restricts the State of Alabama from having the power to sell, dispose of, or grant the residue of the lands granted by the act to which this is a supplement, at a price not less than the minimum price of the public lands, be, and the same is hereby repealed.

Part of the former act repealed.

SEC. 2. *And be it further enacted*, That the assent of the United States is hereby given, to any act which the Legislature of the State of Alabama may pass for imposing a toll on the use of such parts of the canal or canals, which have been or may be, constructed at or around the Muscle and Colbert's shoals of the river Tennessee: *Provided*, That such tolls shall be expended exclusively on the said canals, and shall not exceed in amount, the sum required to keep them in repair, and to defray the expenses of lock tenders, collectors, superintendents, and managers; and that no part of this act shall be construed as a repeal of the exemption, contained in the seventh section of the afore-

State of Alabama may impose tolls on canals, &c.

Proviso.

Proviso. said act, of the property of the United States, and all persons in their service, from any toll whatever: *And provided further*, That an annual report shall be made to the Secretary of the Treasury of the United States, of the rate and amount of tolls charged or collected on said canals, and their application.

APPROVED, June 23, 1836.

STATUTE I.

June 23, 1836.

Act of June 15, 1836, ch. 100.

Propositions offered for the acceptance of the General Assembly of Arkansas.

Sections of land for schools.

Salt springs.

1847, ch. 56, § 3.

Proviso.

Proviso.

1832, ch. 70.

Per centage upon lands sold, to be applied to roads and canals.

Completion of the public buildings.  
1831, ch. 67.  
1832, ch. 172.

CHAP. CXX.—*An Act supplementary to the act entitled "An act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, 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 lieu of the propositions submitted to the Congress of the United States, by an ordinance passed by the convention of Delegates at Little Rock, assembled for the purpose of making a constitution for the State of Arkansas, which are hereby rejected; and that the following propositions be, and the same are hereby, offered to the General Assembly of the State of Arkansas, for their free acceptance or rejection, which if accepted, under the authority granted to the said General Assembly, for this purpose, by the convention which framed the constitution of the said State, shall be obligatory upon the United States:

*First*. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of the inhabitants of such township for the use of schools.

*Second*. That all salt springs not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said State, for the use of said State, the same to be selected by the General Assembly thereof on or before the first day of January, one thousand eight hundred and forty; and the same, when so selected, to be used under such terms, conditions, and regulations, as the General Assembly of the said State shall direct: *Provided*, That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided also*, That the General Assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress; and that nothing contained in the act of Congress entitled "An act authorizing the Governor of the Territory of Arkansas to lease the salt springs in said Territory, and for other purposes," or in any other act, shall be construed to give to the said State any further or other claim whatsoever, to any salt springs or lands adjoining thereto, than to those hereby granted:

*Third*. That five per cent. of the nett proceeds of the sale of lands lying within the said State, and which shall be sold by Congress, from and after the first day of July next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals within the said State, under the direction of the General Assembly thereof.

*Fourth*. That a quantity of land not exceeding five sections be, and the same is hereby, granted to the said State in addition to the ten sections which have already been granted, for the purpose of completing the public buildings of the said State at Little Rock; which said five sections shall, under the direction of the General Assembly of said State, be located, at any time, in legal divisions of not less than one-quarter section, in such townships and ranges as the General Assembly aforesaid may select, on any of the unappropriated lands of the United States within the said State.

*Fifth.* That the two entire townships of land which have already been located by virtue of the act entitled "An act concerning a seminary of learning in the Territory of Arkansas," approved the second of March, one thousand eight hundred and twenty-seven, are hereby vested in and confirmed to the General Assembly by the General Assembly: *Provided*, That the five foregoing propositions herein offered, are on the condition that the General Assembly or Legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide by an ordinance irrevocable without the consent of the United States, that the said General Assembly of said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers thereof; and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents respectively.

APPROVED, JUNE 23, 1836.

Seminary of learning, 1827, ch. 53.

Proviso.

CHAP. CXXI.—*An Act supplementary to the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in lieu of the propositions submitted to the Congress of the United States by an ordinance passed by the convention of delegates at Detroit, assembled for the purpose of making a constitution for the State of Michigan, which are hereby rejected; and that the following propositions be, and the same are hereby offered to the Legislature of the State of Michigan, for their acceptance or rejection, which if accepted, under the authority conferred on the said Legislature by the Convention which framed the constitution of the said State, shall be obligatory upon the United States.

*First.* That section numbered sixteen in every township of the public lands, and where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of schools.

*Second.* That the seventy-two sections of land set apart and reserved for the use and support of a university by an act of Congress approved on the twentieth day of May, eighteen hundred and twenty-six, entitled "An act concerning a seminary of learning in the Territory of Michigan," are hereby granted and conveyed to the State, to be appropriated solely to the use and support of such university, in such manner as the Legislature may prescribe; *And provided, also*, That nothing herein contained shall be so construed as to impair or affect in any way the rights of any person or persons claiming any of said seventy-two sections of lands, under contract or grant from said university.

*Third.* That five entire sections of land, to be selected and located under the direction of the Legislature, in legal divisions of not less than one quarter section, from any of the unappropriated lands belonging to the United States within the said State, are hereby granted to the State for the purpose of completing the public buildings of the said State, or for the erection of public buildings at the seat of Government of the said State, as the Legislature may determine and direct.

STATUTE I.

June 23, 1836.  
Act of June 15, 1836, ch. 99.

Propositions offered for the acceptance of the Legislature of Michigan.

Sections of land for schools.

Sections of land for university.  
Act of May 20, 1826, ch. 90.

Proviso.

Erection of public buildings.

- Salt springs. *Fourth.* That all salt springs within the State, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to the said State for its use, the same to be selected by the Legislature thereof, on or before the first of January, eighteen hundred and forty; and the same, when so selected, to be used on such terms, conditions, and regulations, as the Legislature of the said State shall direct: *Provided*, That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided, also*, That the General Assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress.
- 1852, ch. 87.
- Proviso.
- Proviso.
- Per centage upon lands sold, to be applied to roads and canals.
- Fifth.* That five per cent. of the nett proceeds of the sales of all public lands lying within the said State, which have been or shall be sold by Congress, from and after the first day of July, eighteen hundred and thirty-six, after deducting all the expenses incident to the same, shall be appropriated, for making public roads and canals within the said State, as the Legislature may direct: *Provided*, That the five foregoing propositions herein offered, are on the condition that the Legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide, by an ordinance irrevocable without the consent of the United States, that the said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers thereof: and that no tax shall be imposed on lands the property of the United States; (a) and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents respectively.

APPROVED, June 23, 1836.

STATUTE I.

June 28, 1836. CHAP. CCXXX.—*An Act to provide for the paying of certain pensioners of the United States, at Pulaski, in the State of Tennessee.*

Secretary of War to establish an agency at Pulaski. *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 establish a pension agency, at Pulaski, in the State of Tennessee, for the payment of all pensioners of the United States, resident in the counties of Lincoln, Giles, Lawrence, and Wayne, in said State; *Provided*, That the establishment of such agency can be made without any charge to the United States.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is authorized to make the necessary arrangement for the payment of said pensioners.

(a) Taxes by the laws of Michigan upon lands sold by the United States:

When the purchaser of land from the United States has paid for it, and received a final certificate, it is taxable property, according to the statutes of Michigan; although a patent has not yet been issued. Carroll v. Safford, 3 Howard, 441.

Taxation upon lands so held, is not a violation of the ordinance of 1787, as "an interference with the primary disposition of the soil by Congress;" nor, is it a tax on the lands of the United States. The State of Michigan could rightfully impose the tax. *Ibid.*

It was competent for the State to assess and tax the lands at their full value, as the absolute property of the holder of the final certificate; and in default of payment, to sell them as if the holder of the certificate owned them in fee. *Ibid.*

SEC. 3. *And be it further enacted*, That this act shall take effect from and after the first day of August next.

APPROVED, June 28, 1836.

To take effect  
1st of August.

STATUTE I.

CHAP. CCXXXI.—*An Act to disapprove and annul certain acts of the Territorial Legislature of Florida, and for other purposes.*

July 1, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no act of the Territorial Legislature of any of the Territories of the United States, incorporating any bank or any institution with banking powers or privileges, hereafter to be passed, shall have any force or effect whatever, until approved and confirmed by Congress.

Territorial Legislatures not to grant banking privileges until, &c.

SEC. 2. *And be it further enacted*, That the following acts of the Territorial Legislature of Florida, namely: an act entitled "An act to incorporate the Bank of St. Joseph," passed February twelfth, eighteen hundred and thirty-six; an act entitled "An act to incorporate the Florida Insurance and Banking Company," passed February tenth, eighteen hundred and thirty-six; an act passed February fourteenth, eighteen hundred and thirty-six, entitled "An act to incorporate the St. Joseph Insurance Company," and all other acts and parts of acts, passed by the said Territorial Legislature of Florida, in the year eighteen hundred and thirty-six, creating banks or extending banking corporations, or corporations with banking powers, or conferring banking powers on any corporation or institution whatever, be, and the same hereby are disapproved and annulled.

Acts of Legislature of Florida annulled.

APPROVED, July 1, 1836.

STATUTE I.

CHAP. CCXXXII.—*An Act to change the time of holding the district court of the United States for the western district of Virginia, holden at Clarksburg.*

July 1, 1836.

*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 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 April and September annually.

Courts to be held on the first Mondays of April and September.

APPROVED, July 1, 1836.

STATUTE I.

CHAP. CCXXXIII.—*An Act explanatory of an act entitled "An act to release from duty, iron prepared for, and actually laid on, railways and inclined planes."*

July 1, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act of the fourteenth of July, eighteen hundred and thirty-two, entitled "An act to release from duty, iron prepared for, and actually laid on, railways and inclined planes," shall not be so construed as to include spikes, pins, or chains, as railroad iron.

Construction of the act of July 14, 1832, ch. 250.

APPROVED, July 1, 1836.

STATUTE I.

CHAP. CCXXXIV.—*An Act to provide for the due execution of the laws of the United States within the State of Michigan.*(a)

July 1, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the laws of the United States which are not locally inapplicable, shall have the same force and effect within the State of Michigan, as elsewhere within the United States.

Laws of the United States in force.

(a) Notes of the acts which have been passed relative to Michigan; act of Feb. 16, 1819, chap. 22.



District court.

SEC. 2. *And be it further enacted*, That the said State shall be one district, and be called the District of Michigan; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called a district judge. He shall hold, at the seat of government of the said State, two sessions of the said district court annually on the first Mondays in May and October; and he shall, in all things, have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky district under an act entitled "An act to establish the judicial courts of the United States." He shall appoint a clerk for the said district, who shall reside and keep the records of the said court at the place of holding the same, and shall receive, for the services performed by him, the same fees to which the clerk of the Kentucky district is by law entitled for similar services.

Act of June 15, 1836, ch. 99.

Act of June 23, 1836, ch. 121.

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

Salary to be paid the judge.

SEC. 3. *And be it further enacted*, That there shall be allowed to the judge of the said district court, the annual compensation of fifteen hundred dollars, to commence from the date of his appointment, to be paid quarterly at the Treasury of the United States.

Attorney.

SEC. 4. *And be it further enacted*, That there shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid annually by the United States, two hundred dollars, as a full compensation for all extra services; the said payment to be made quarter-yearly at the Treasury of the United States.

Marshal.

SEC. 5. *And be it further enacted*, That a marshal shall be appointed for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees as are prescribed and allowed to marshals in other districts, and shall, moreover, be entitled to the sum of two hundred dollars annually, as a compensation for all extra services: *Provided, however*, That this act shall not take effect until the State of Michigan shall be admitted into the Union, according to the provisions of the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions."

Proviso.

1836, ch. 99.

APPROVED, July 1, 1836.

STATUTE I.

July 1, 1836.

[Obsolete.]

CHAP. CCXXXV.—*An Act making appropriation for the payment of charges incurred for the support of the Penitentiary in the District of Columbia, for the year eighteen hundred and thirty-five, and for the support of said Penitentiary for the year one thousand eight hundred and thirty-six.*

Pay of officers, &amp;c. for 1835,

*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 six thousand four hundred and seventy-one dollars and fifty-eight cents of a former appropriation, there shall be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of eight thousand eighty-four dollars and seventy-three cents, for the pay of officers, the purchase of materials and implements, the support of prisoners, and other contingent expenses of the said penitentiary, for and during the year eighteen hundred and thirty-five.

for 1836.

SEC. 2. *And be it further enacted*, That, for the support of the penitentiary for the year one thousand eight hundred and thirty-six, including the pay of the officers, the purchase of materials and implements, the support of prisoners, and other contingent expenses of the said penitentiary, the sum of fourteen thousand dollars be, and hereby is, appropriated out of any money in the Treasury not otherwise appropriated.

APPROVED, July 1, 1836.

STATUTE I.

July 1, 1836.

CHAP. CCXXXVI.—*An Act to authorize the Governor and Legislative Council of the Territory of Florida, to sell the lands heretofore reserved for the benefit of a general seminary of learning in said Territory.*

*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 shall be, and they are hereby, authorized to sell and convey, in fee simple, for the benefit of the University of Florida, of which, Joseph M. White, R. K. Call, Thomas Randall, John G. Gamble, Thomas Eston Randolph, Louis M. Goldsborough, Ben. Chaires, Turbutt R. Betton, F. Eppes, E. Loockerman, Fitch W. Taylor, J. Loring Woart, Ashbeel Steel, and J. Edwin Stewart are trustees, any part not exceeding one half of the two townships of land heretofore reserved and appropriated by Congress for the establishment and support of a seminary of learning in the Territory of Florida, and to appropriate so much of the money arising from the sale thereof, as may be deemed expedient for the erection of commodious and durable buildings for said University; for the purchase of apparatus, and whatever else may be suitable for such University; and to invest the remainder in some productive funds, the proceeds of which shall be devoted for ever to the benefit of said University of Florida.

APPROVED, July 1, 1836.

Lands may be sold.

1823, ch. 29, sec. 11.

STATUTE I.

July 1, 1836.

CHAP. CCXLVIII.—*An Act authorizing the Winnisimmet Company to lay out and make a way on lands of the United States, in Chelsea, in the State of Massachusetts.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, the Winnisimmet Company, in the Commonwealth of Massachusetts, be, and they hereby are, authorized and empowered to lay out and make a way or street over lands of the United States situated in Chelsea, in said Commonwealth, in front of the United States marine hospital; said way or street to be in continuation of the marginal street of said company: *Provided,* That said way shall not exceed fifty feet in width, and shall be so constructed, under the supervision of the collector for the district of Boston and Charlestown, as not to injure or prejudice the upland or wharf belonging to said hospital.

APPROVED, July 1, 1836.

A street may be laid out.

Proviso.

STATUTE I.

July 1, 1836.

CHAP. CCXLIX.—*An Act to authorize the Shenandoah Bridge Company, at Harper's Ferry, to erect a bridge on the lands of the United States, at or near the town of Harper's Ferry.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Shenandoah bridge company, at Harper's Ferry, be, and they are hereby, authorized to erect a bridge across the river Shenandoah, on the lands belonging to the United States, at or near the town of Harper's Ferry, and to connect the same, by a sufficient road or passway through the said lands, with the road on the east side of the said river, and the main street of the said town; *Provided,* That in the construction of the said bridge, and the road or passway to and from it, the said company shall not, in virtue of this act, interfere with the rights or privileges of any individuals or existing corporation; *And provided, also,* That the location of the said bridge upon the public lands aforesaid, shall be submitted to and approved by the Secretary of War, prior to the erection thereof.

SEC. 2. *And be it further enacted,* That on the said terms and conditions the said Shenandoah bridge company shall be, and they are hereby, empowered to erect a toll-house adjacent to the said bridge on

A bridge at Harper's Ferry, on the land of the United States.

Proviso.

Proviso.

May erect a toll-house.

Proviso.

the lands, aforesaid of the United States; *Provided*, That should the said bridge never be constructed, or having been constructed, shall be abandoned, by the said company, the rights vested therein, by this act, shall cease and determine.

APPROVED, July 1, 1836.

STATUTE I.

July 1, 1836.

CHAP. CCLII.—*An Act to authorize and enable the President to assert and prosecute with effect, the claim of the United States to the legacy bequeathed to them by James Smithson, late of London, deceased, to found at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men.*

May appoint an agent to prosecute the claim.

*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 and appoint an agent or agents, to assert and prosecute for and in behalf of the United States, and in their name, or otherwise, as may be advisable, in the Court of Chancery, or other proper tribunal of England, the right of the United States to the legacy bequeathed to them by the last will and testament of James Smithson, late of London, deceased, for the purpose of founding, at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men: and to empower such agent or agents, so appointed, to receive and grant acquittances for all such sum or sums of money, or other funds, as may or shall be decreed or adjudged to the United States, for, or on account of, said legacy.

Agent to give bonds.

SEC. 2. *And be it further enacted*, That the said agent or agents shall, before receiving any part of the said legacy, give a bond or bonds, in the penal sum of five hundred thousand dollars, to the Treasurer of the United States, and his successors in office, with good and sufficient securities to the satisfaction of the Secretary of the Treasury, for the faithful performance of the duties of the said agency, and for the faithful remittance to the Treasurer of the United States, of all and every sum or sums of money, or other funds, which he or they may receive, for payment in whole or in part of the said legacy. And the Treasurer of the United States is hereby authorized and required to keep safely all sums of money or other funds which may be received by him in virtue of the said bequest, and to account therefor separately from all other accounts of his office, and subject to such further disposal thereof as may be hereafter provided by Congress.

SEC. 3. *And be it further enacted*, That any and all sums of money, and other funds, which shall be received for, or on account of, the said legacy, shall be applied in such manner as Congress may hereafter direct, to the purpose of founding and endowing at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men; to which application of the said moneys, and other funds, the faith of the United States is hereby pledged.

To defray the expenses.

SEC. 4. *And be it further enacted*, That, to the end that the claim to the said bequest may be prosecuted with effect, and the necessary expenses in prosecuting the same be defrayed, the President of the United States be, and he is hereby, authorized to apply to that purpose, any sum not exceeding ten thousand dollars, out of any moneys in the Treasury not otherwise appropriated.

APPROVED, July 1, 1836.

CHAP. CCLIII.—*An Act to regulate the compensation of certain officers of revenue cutters.*

STATUTE I.

July 2, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in lieu of pay, rations, and all other allowances now authorized by law to the captains and first, second, and third lieutenants of the revenue cutters of the United States, there shall be allowed and paid, quarterly, from and after the passage of this act, to each captain, at the rate of twelve hundred dollars per annum; to each first lieutenant, at the rate of nine hundred and sixty dollars per annum; to each second lieutenant, at the rate of eight hundred and sixty dollars per annum; to each third lieutenant, at the rate of seven hundred and ninety dollars per annum.

Compensation to captains, &c. of revenue cutters.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

CHAP. CCLIV.—*An Act making appropriations for the suppression of Indian hostilities 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 balance of the appropriation of one million of dollars, made by the act of April twenty-nine, eighteen hundred and thirty-six, and now remaining in the Treasury, shall be, and the same is hereby, made applicable to the payment of any expenditures authorized by the said act, and rendered necessary by the calling out by the President of the United States, of any part of the militia or volunteers of the United States for the suppression or prevention of any Indian hostilities.

Balance of appropriation of 1,000,000 dollars of April 29, 1836, ch. 57, applicable to payment, &c.

SEC. 2. *And be it further enacted,* That the sum of two millions four hundred thousand dollars shall be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been or may be incurred in preventing or suppressing the hostilities of any Indians, by calling out, under the direction of the President of the United States, any part of the militia or volunteers according to the provisions of the constitution and laws; which sum, if expended, shall be expended under the direction of the Secretary of War, conformably to the provisions of the act of Congress of January second, seventeen hundred and ninety-five, of the act of April fifth, eighteen hundred and thirty-two, making appropriations for the support of the army, and of the act of March nineteen, eighteen hundred and thirty-six, providing for the payment of volunteers and militia corps in the service of the United States.

To defray expenses, &c.

1795, ch. 9.

1832, ch. 64.

1836, ch. 44.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

CHAP. CCLV.—*An Act to grant to the New Orleans and Nashville Rail-road Company, the right of way through the public 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 there be, and is hereby granted to the New Orleans and Nashville Rail-road Company incorporated by the several States through which the said road is intended to pass, the right of way through such portion of the public lands as remain unsold, *Provided,* That the portion of the public lands occupied therefor, shall not exceed eighty feet in breadth; that the route of the said road shall be surveyed and designated through the public lands, by plain marks, or monuments, and copies of the notes of survey, with a plat or plats thereof, and a description of the said landmarks or monuments and their connection with the prior official surveys of the adjacent lands, be transmitted to the General Land Office in Washington, within sixty days after the said surveys and plats are completed, and that they be completed within two years from the date of this act.

Right of way granted.

Proviso.

Land for workshops, &c.

SEC. 2. *And be it further enacted*, That for such depots, watering places and work-shops as may be essential to the convenient use of the said road; there shall be also granted to the said company, such portions of the public land, as they may, under like restrictions and conditions, select, on either side of the said road: *Provided*, That not more than five acres, to be laid off in a square form, shall be selected for such use or purpose, at any one place; *Provided, also*, That not more than one such square shall be granted for every fifteen miles of the said road lying within the public lands; *And provided, moreover*, That such selections shall be approved by the Secretary of the Treasury for the time being.

Proviso.

Proviso.

Proviso.

Materials may be taken.

SEC. 3. *And be it further enacted*, That so long as the public lands in the vicinity of the said road shall remain unsold, the said company shall have power to take therefrom, such materials of earth, stone, or wood, as may be necessary for the construction of the said road, *Provided*, That the grants herein contained, as well of the use of the public lands, as of the materials for the construction of the said road, shall cease and determine, unless the road be begun within the period of two years from the date of this act, and completed within eight years thereafter. *And provided, moreover*, That if the said road shall, at any time after its completion, be discontinued or abandoned by the said company, the grants, hereby made, shall cease and determine.

Proviso.

Proviso.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

CHAP. CCLVI.—*An Act to renew the gold medal struck and presented to General Morgan, by order of Congress, in honor of the battle of the Cowpens.*

Medal to be struck by the Director of the Mint.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in pursuance of the request of Morgan Neville, in his memorial presented at the present session of Congress, the director of the mint, be and he is hereby, authorized and directed to cause to be struck, a gold medal of the intrinsic value of one hundred and fifty dollars, in honor of the battle of the Cowpens, which was fought on the seventeenth day of January, seventeen hundred and eighty-one, to replace the original medal presented by a resolution of the continental Congress, of March ninth, seventeen hundred and eighty-one, to Brigadier General Daniel Morgan; the said medal to be struck from the original die, and delivered, when executed, to the said Morgan Neville, the lineal heir of General Morgan; the expense of the same to be paid out of any money in the Treasury not otherwise appropriated.

Act of March 3, 1837, ch. 33.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

[Obsolete.]

CHAP. CCLVII.—*An Act to repair and extend the United States Arsenal at Charleston, South Carolina.*

*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 such repairs and improvements to be made to the United States arsenal in Charleston, South Carolina, as may be deemed necessary for the public service; and that the sum of twenty thousand dollars be, and the same is hereby, appropriated for this purpose, out of any moneys in the Treasury not otherwise appropriated.

APPROVED, July 2, 1836.

CHAP. CCLVIII.—*An Act to provide for the better protection of the western frontier.*

STATUTE I.  
July 2, 1836.

*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 surveyed and opened, a military road, from some point upon the right bank of the Mississippi river, between the mouth of the St. Peter's and the mouth of the Desmoines river, upon such route as may appear best calculated to effect the purposes of this act, to Red river.

President to cause a military road to be surveyed.

SEC. 2. *And be it further enacted,* That the said road shall pass west of the State of Missouri and of the Territory of Arkansas, on condition that the assent of the Indian tribes who have not heretofore given their assent, through whose territory said road is to pass, shall be first obtained; and if such assent cannot be obtained, then east of the western boundaries of said State and Territory; and shall be so constructed as to enable troops to move along the same with proper facility. And the following mode of construction shall be adopted, subject to such alterations and additions as the President may, from time to time, direct to be made. The timber shall be cut down to a reasonable width, and the wet and marshy places shall be causewayed or otherwise rendered passable; cheap bridges shall be erected over the smaller streams, not having good fords across them; and, where it may be found necessary, the road may be thrown up in the centre.

To pass west of Missouri and Arkansas, on condition, &c.

SEC. 3. *And be it further enacted,* That the military posts shall be constructed at such places along said road as in the opinion of the President, may be most proper for the protection of the frontier, and for the preservation of the necessary communication.

Military posts to be established.

SEC. 4. *And be it further enacted,* That the troops of the United States shall be employed in performing the labor herein required, whenever, in the opinion of the President, the same can be done with a just regard to their other duties; and the other labor rendered necessary shall be procured in such manner as the President may direct.

Troops of the United States may be employed in the labor, &c.

SEC. 5. *And be it further enacted,* That the sum of one hundred thousand dollars shall be, and the same is hereby, appropriated, to be applied towards the accomplishment of the objects specified by this act.

Appropriation.

APPROVED, July 2, 1836.

STATUTE I.

CHAP. CCLIX.—*An Act making additional appropriations for the Delaware breakwater, and for certain harbors, and removing obstructions in and at the mouths of certain rivers, and for other purposes, for the year one thousand eight hundred and thirty-six.*

July 2, 1836.

[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 :

For continuing the Delaware breakwater, one hundred thousand dollars.

Delaware breakwater.

For continuing the improvement of the harbor of Chicago, Illinois, thirty-two thousand dollars.

For Chicago, Illinois.

For continuing the improvement of Big Sodus bay, twelve thousand six hundred dollars.

Big Sodus bay.

For the continuation of the works for the preservation of the beach at Provincetown harbor, Massachusetts, four thousand four hundred dollars.

Provincetown, Mass.

For the continuation of the works for the preservation of Plymouth beach, Massachusetts, five hundred dollars.

Plymouth beach.

- Mouth of river Raisin. For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan Territory, fifteen thousand dollars.
- Black river, Ohio. For continuing the removal of obstructions at Black river, Ohio, six thousand six hundred and sixty dollars.
- Cleveland harbor. For continuing the permanent improvement of Cleveland harbor, Ohio, fifteen thousand dollars.
- Grand river, Ohio. For continuing the removal of obstructions at Grand river, Ohio, six thousand dollars.
- Cunningham creek. For continuing the removal of obstructions at Cunningham creek, Ohio, one thousand two hundred and seventy-five dollars.
- Conneaut creek. For continuing the removal of obstructions at Conneaut creek, Ohio, two thousand five hundred dollars.
- Presque Isle. For continuing the improvement of the harbor of Presque Isle, Pennsylvania, according to Colonel Totten's recommendation, fifteen thousand dollars.
- Dunkirk, N. Y. For continuing the improvement at Dunkirk harbor, New York, eleven thousand dollars.
- Dredging machine. For a dredging machine on Lake Erie, eight thousand dollars.
- Mouth of Genesee river. For continuing the works at the mouth of Genesee river, New York, twenty thousand dollars.
- Oswego harbor. For continuing the pier and mole at Oswego harbor, New York, twenty thousand dollars.
- Kennebunk. For continuing the pier at Kennebunk, Maine, seven thousand five hundred dollars.
- Hudson river. For continuing the improvement of the navigation of the Hudson river, above and below Albany, in the State of New York, one hundred thousand dollars, to be expended according to the plan and estimate recommended by the Secretary of War.
- Newcastle, Del. For continuing the improvement of the harbor of New Castle, Delaware, twenty-five thousand dollars.
- Ocracock inlet. For continuing the removal of obstructions at Ocracock inlet, North Carolina, nine thousand dollars.
- Cape Fear river. For continuing the improvement of the navigation of the Cape Fear river, below Wilmington, North Carolina, twenty thousand dollars.
- Ohio river. For the improvement of the navigation of the Ohio river, between Pittsburg and the falls of the Ohio, twenty thousand dollars, which, together with the unexpended balance of the appropriation for this purpose by the act of the third of March, A. D. eighteen hundred and thirty-five, shall be expended by direction of the Secretary of War, under the superintendence of the officers of the engineer corps heretofore employed on that service.
- 1835, ch. 26.
- Ohio and Mississippi rivers. For the improvement of the navigation of the Ohio and Mississippi rivers from Louisville to New Orleans, sixty thousand dollars.
- Mississippi and Missouri rivers. For the improvement of the Mississippi river above the mouth of the Ohio river, and for the Missouri river, forty thousand dollars, to be expended in such manner and for the removal of such obstructions as the Secretary of War shall direct.
- Red river. For continuing the removal of obstructions in Red river, Louisiana, and Territory of Arkansas, forty thousand eight hundred dollars.
- Boat, and working it. For constructing a boat to prevent a new accumulation of obstruction in said river, within the old limits of the Great Raft, so called, fifteen thousand dollars, and the additional sum of fifteen thousand dollars to work and support the same.
- Cumberland river, Ky. For continuing the improvement of the Cumberland river, in Kentucky and Tennessee, twenty thousand dollars.
- Chipola river, Florida. For continuing the removal of obstructions in the Chipola river, in the Territory of Florida, four thousand dollars.
- Channel between St. Ma. For completing the inland channel between St. Mary's and St. John's, in the Territory of Florida, in addition to unexpended appropriations,

according to the estimate of the Engineer Department, five thousand dollars.

ry's and St. John's.

For continuing the removal of obstructions in, and improving the navigation of, the Escambia river, in the Territory of Florida, five thousand five hundred dollars.

Escambia river.

For further improvements at the mouth of Huron river, in the State of Ohio, four thousand three hundred dollars.

Huron river.

And the following sums, necessary to close accounts, in the office of the Third Auditor, viz.

To close accounts in the Third Auditor's office.

For removing obstructions at Cunningham creek, Ohio, thirty-two dollars and thirty-six cents.

Cunningham creek.

For completing the pier at La Plaisance bay, Michigan Territory, three hundred and twenty-three dollars and fifteen cents.

Michigan Territory.

For removing obstructions at Cleaveland harbor, Ohio, six dollars and fifty-nine cents.

Cleaveland, Ohio.

For repairing breach in the peninsula at Presque Isle, one hundred and twenty-two dollars and eighty cents.

Presque Isle.

For erecting a beacon light at Erie, Pennsylvania, sixty-nine dollars and sixty-nine cents.

Erie, Pennsylvania.

For erecting a light-house at Buffalo, New York, four hundred and ninety-four dollars and seventy-eight cents.

Buffalo, New York.

For improvement of the navigation of the Ohio and Mississippi rivers from Pittsburg to New Orleans, under the act of second of March, eighteen hundred and thirty-one, seventeen thousand eight hundred dollars and five cents.

Ohio and Mississippi.

For defraying the expenses incidental to making examinations and surveys, under the act of the thirtieth of April, eighteen hundred and twenty-four, of which sum five thousand dollars shall be appropriated and applied to geological and mineralogical surveys and researches in the Indian country on the public lands and in the Territories of the United States, thirty thousand dollars.

Geological and mineralogical surveys.

1824, ch. 46.

APPROVED, July 2, 1836.

STATUTE I.

CHAP. CCLX.—*An Act to extend the charters of certain Banks in the District of Columbia, and for other purposes.*

July 2, 1836.

[Expired.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the charters of the several Banks herein enumerated, namely; the Union Bank, and Farmers and Mechanics Bank of Georgetown; the Bank of the Metropolis, Patriotic Bank of Washington, and Bank of Washington, in the city of Washington; and the Farmers Bank of Alexandria, and Bank of Potomac, in the town of Alexandria, be, and the same are hereby extended till the fourth day of July, eighteen hundred and thirty-eight.

Charters extended to July 4, 1838.

APPROVED, July 2, 1836.

STATUTE I.

CHAP. CCLXI.—*An Act regulating the terms of the superior courts of the middle district of Florida, and for other purposes.*

July 2, 1836.

*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 to alter and change the terms of the superior court for the middle district of Florida," passed by the Governor and Legislative Council of said Territory, and approved February twelfth, eighteen hundred and thirty-six, be, and the same is hereby, approved, so far as it does not interfere with the terms of the court directed to be holden in the county of Franklin, which has been annexed to the said middle district.

Act of Territorial Legislature of 12th Feb. 1836 approved.

SEC. 2. *And be it further enacted,* That if, in any prosecution for piracy, or any other criminal offence against the laws of the United States, or of the Territory of Florida, it shall be found impracticable

Trials may be removed from the southern to the eastern or middle district.



to obtain a sufficient number of jurors for the trial of any person or persons charged with said criminal offences in the southern judicial district of Florida, it shall be lawful for the judge to send said person or persons, with the indictment and other papers, to the eastern or middle district for trial, and to take recognizances from the witnesses to appear in the said eastern or middle district, in the same manner as he is empowered by law to do, in the district of which he is the judge.

Acts relating to Appalchicola and to Franklin county, annulled.

SEC. 3. *And be it further enacted,* That an act to amend the act entitled "An act incorporating the town of Appalchicola," approved twelfth of February, eighteen hundred and thirty-six, and "An act to change the county seat of the county of Franklin," passed January fourteenth, and approved January seventeenth, eighteen hundred and thirty-six, be, and the same are hereby, annulled.\*

Act respecting a superior court, annulled.

SEC. 4. *And be it further enacted,* That so much of the act of the Legislative Council as directs a superior court for the southern judicial district at Indian Key be, and the same is hereby, annulled.

APPROVED, July 2, 1836.

#### STATUTE I.

July 2, 1836.

1853, ch. 67.  
1837, ch. 36.

CHAP. CCLXII.—*An Act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Belleview, Du Buque, and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes.*

Towns of Fort Madison, Burlington, Belleview, Du Buque and Peru, Wisconsin Territory.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the tracts of land in the Territory of Wisconsin including the towns of Fort Madison and Burlington, in the county of Des Moines; Belleview, Du Buque, and Peru, in the county of Du Buque; and Peru, in the county of Du Buque; and Mineral Point, in the county of Iowa, shall, under the direction of the Surveyor General of the public lands, be laid off into town lots, streets, avenues, and the lots for public use called the public squares, 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 for the public good and the equitable rights of the settlers and occupants of the said towns: *Provided,* The tracts of land so to be laid off into town-lots, &c. shall not exceed the quantity of one entire section, nor the town-lots one-half of an acre; nor shall the out-lots exceed the quantity of four 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 six 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 land of proper width, on the river banks, at the towns of Fort Madison, Belleview, Burlington, Du Buque, and Peru, and running with the said rivers the whole length of said towns, shall be reserved from sale, (as shall also the public squares,) for public use, and remain for ever for public use, as public highways, and for other public uses.

Proviso.

Surveyor to class the lots.

SEC. 2. *And be it further enacted,* That it shall be the duty of the said Surveyor to class the lots already surveyed in the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru, and Mineral Point, 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 said lots as aforesaid, each and every person or persons, or his, her, or their legal representatives, who shall heretofore have obtained from the agent of the United States a permit to occupy any lot or lots in the said towns, or who shall have, by building or enclosure, actually occupied

or improved any lot or lots in the said towns, or within the tracts 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 forty dollars per acre; if within the second class, at the rate of twenty 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 acre of ground to embrace improvements already made.

Proviso.

SEC. 3. *And be it further enacted*, 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 expenses of surveying the lands covering the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru, and Mineral Point.

Surveying.

APPROVED, July 2, 1836.

CHAP. CCLXIII.—*An Act for the payment of certain companies of the militia of Missouri and Indiana, for services rendered against the Indians in eighteen hundred and thirty-two.*

STATUTE I.

July 2, 1836.

[Obsolete.]

*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 and directed to ascertain the sums severally due to those persons who performed duty in the companies commanded by Captains Smith Crawford, George Wallis, and Matthew P. Long, of the militia of Missouri, and in the company of Captain D. Siglor, of the militia of Indiana, for the protection of the frontiers of those States against the Indians; and to cause them to be paid for the time they were actually engaged in said service in the year eighteen hundred and thirty-two, at the rate, and according to the principles established for the payment of similar services rendered the United States; for the purpose of effecting which, the sum of four thousand three hundred dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

To be paid to certain militia companies.

APPROVED, July 2, 1836.

CHAP. CCLXIV.—*An act for the continuation of the Cumberland Road in the States of Ohio, Indiana and Illinois.*(a)

STATUTE I.

July 2, 1836.

*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; that the sum of two hundred and fifty thousand dollars be, and the same is hereby appropriated, for continuing the Cumberland Road in the State of Indiana, including materials for erecting a bridge across the Wabash river; and 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 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, Illinois, and Missouri into the Union on an equal footing with the original States: *Provided*, That the expenditure of the appropriation herein made for the State of Illinois shall be limited to the graduation and bridging of the road therein, and shall not be construed as pledging Congress to future appropriations for the purpose of McAdamizing the same.

State of Ohio.

State of Indiana.

State of Illinois.

Proviso.

(a) See notes of the acts which have been passed relating to the Cumberland Road, vol. 2, 357.

SEC. 2. *And be it further enacted*, That the moneys hereby appropriated for the construction of the said road in the States of Ohio and Indiana, be expended in completing the greatest possible continuous portion of said road in the said States, so that such finished parts thereof may be surrendered to the said States, respectively.

APPROVED, July 2, 1836. (a)

STATUTE I.

July 2, 1836.

[Obsolete.]

CHAP. CCLXV.—*An Act making appropriations for the Military Academy of the United States, for the year eighteen hundred and thirty-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 be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy, for the year one thousand eight hundred and thirty-six, viz:

For pay of the officers, cadets, and musicians, fifty-six thousand and twelve dollars.

For subsistence of officers and cadets, thirty-nine thousand five hundred and sixty-six dollars.

For forage of officers' horses, one thousand one hundred and fifty-two dollars.

For clothing of officers' servants, three hundred and thirty dollars.

For defraying the expenses of the Board of Visitors at West Point, two thousand dollars.

For arrearages of the same in eighteen hundred and thirty-four and eighteen hundred and thirty-five, three hundred and eighty-two dollars and forty-eight cents.

For fuel, forage, stationery, printing, transportation, and postage, twelve thousand five hundred and thirty-five dollars.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, and fences, nine thousand and sixty-six dollars.

For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars.

For philosophical apparatus and repairs of the same, three hundred dollars.

For models for the department of engineering, five hundred dollars.

For models for the drawing department, apparatus and contingencies for the department of chemistry, and instruments and repairs for the mathematical department, one thousand two hundred and thirty-five dollars.

For the purchase and repairs of instruments for the band, three hundred and ninety-two dollars.

For incidental expenses of the department of artillery, fifty dollars.

For increase and expenses of the library, eight hundred dollars.

For miscellaneous items and incidental expenses, two thousand two hundred and ninety-three dollars.

For completing the chapel, three thousand five hundred dollars.

For compensation to the acting professor of chemistry for services in his department from September first, eighteen hundred and thirty-five, to September first, eighteen hundred and thirty-six, at twenty-five dollars per month, three hundred dollars; for the ensuing year, three hundred dollars.

APPROVED, July 2, 1836.

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(a) By the act of March 3, 1837, chap. 46, sec. 2, this section is repealed.

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

STATUTE I.  
July 2, 1836.  
[Obsolete.]

*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, taken from the bounds of a former land district, and included within the bounds of a new district, have been sold by the officers of such former district, under the pre-emption laws or otherwise, at any time prior to the opening of the land office in such new district, and in which the Commissioner of the General Land Office shall be satisfied that the proceedings in other respects have been fair and regular, such entries and sales shall be, and are hereby, confirmed; and patents shall be issued thereupon, as in other cases.

Sales confirmed.

SEC. 2. *And be it further enacted,* That in all cases where any entry has been made under the pre-emption laws, pursuant to instructions sent to the Register and Receiver from the Treasury Department, and the proceedings have been in all other respects fair and regular, such entries and sales are hereby confirmed, and patents shall be issued thereon, as in other cases.

APPROVED, July 2, 1836.

CHAP. CCLXVII.—*An Act making further appropriations for carrying into effect certain Indian treaties.*

STATUTE I.  
July 2, 1836.  
[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 out of any money in the Treasury not otherwise appropriated, to carry into effect certain Indian treaties, viz :

Appropriations.

For the amount stipulated to be paid for the lands ceded in the first article of the treaty with the Cherokees of the twenty-ninth of December, one thousand eight hundred and thirty-five, deducting the cost of the land to be provided for them west of the Mississippi, under the second article of said treaty, four million five hundred thousand dollars.

Cherokees.

For extinguishing the title of certain half breeds to reservations, granted them in the treaty with the Osages, in eighteen hundred and twenty-five, according to the fourth article of the aforesaid treaty with the Cherokees, fifteen thousand dollars.

Osages.

For payment for the improvements on the missionary reservations at Union and Harmony, according to the same article of the said treaty with the Cherokees, twenty-five thousand dollars.

Cherokees.

For commutation of the permanent annuity of ten thousand dollars, according to the eleventh article of said treaty, two hundred and four-teen thousand dollars.

For compensation of two commissioners, for two years, to examine claims, according to the seventeenth article of said treaty, at eight dollars per day each, eleven thousand six hundred and eighty dollars.

For compensation to a secretary for two years, at five dollars per day, according to the same article of said treaty, three thousand six hundred and fifty dollars.

For compensation to an interpreter for two years, at two dollars and fifty cents per day, according to the same article of said treaty, one thousand eight hundred and twenty-five dollars.

For the advance of two years' annuity on the fund of seven hundred and fifty thousand dollars, to be invested for the Cherokees according to the eighteenth article of said treaty, seventy-five thousand dollars.

For the removal of the Cherokees and for spoliations, according to the third article of the supplementary treaty with the Cherokees, of the first of March, one thousand eight hundred and thirty-six, six hundred thousand dollars.

(a) See notes to the act of July 4, 1836, chap. 352.

For expenses attending the negotiation of the said treaty, and of the delegation, according to the fifth article of said supplemental treaty, thirty-seven thousand two hundred and twelve dollars.

For surveying the land set apart by treaty stipulations for the Cherokee Indians west of the Mississippi river, seven thousand dollars.

Ottawas and  
Chippewas.

For carrying into effect the stipulations of the fourth article of the treaty concluded with the Ottawa and Chippewa nations of Indians, twenty-eighth March, and an article supplementary thereto, the thirty-first of March, one thousand eight hundred and thirty-six, viz :

For the annuity in specie, thirty thousand dollars.

For education, teachers, and expenses incidental thereto, five thousand dollars.

For missions, three thousand dollars.

For agricultural implements, cattle, mechanics' tools, and such other objects as the President may deem proper, ten thousand dollars.

For vaccine matter, medicines, and services of physicians, three hundred dollars.

For provisions, two thousand dollars.

For six thousand five hundred pounds of tobacco, eight hundred and twenty-five dollars.

For one hundred barrels salt, two hundred and fifty dollars.

For five hundred fish-barrels, four hundred and fifty dollars.

For goods and provisions to be delivered at Michillimackinac, one hundred and fifty thousand dollars.

For interest to be paid annually as annuities, on the sum of two hundred thousand dollars, per resolution of the Senate, appended to the treaty, twelve thousand dollars.

For the payment of the just debts against the Indians, according to the fifth article of said treaty as ratified by the Senate, three hundred thousand dollars.

For carrying into effect the sixth article of said treaty, viz.

For commutation in lieu of reservations to half breeds, one hundred and forty-five thousand dollars.

For taking a census of the Indian half breed population, one thousand two hundred dollars.

For the pay and travelling expenses of a commissioner, one thousand dollars.

For compensation and expenses of clerk, and for stationery, postage, witnesses, messengers to collect Indians, and canoes for them, subsistence for two thousand Indians for twenty days, fuel for them while on the island, and other incidental expenses attending the commission, three thousand dollars.

For carrying into effect the seventh article of said treaty, viz.

For pay of two additional blacksmiths, nine hundred and sixty dollars.

For two strikers, four hundred and eighty dollars.

For building a blacksmith shop on reservation north of Grand river, seven hundred and fifty dollars.

For iron, steel, coal, and tools for two shops, five hundred dollars.

For the purchase of one new set of blacksmith's tools for shop on reservation, one hundred and seventy-five dollars.

For rebuilding shop at Mackinac, and adding an armorer's room, eight hundred and fifty dollars.

For a gunsmith, four hundred and eighty dollars.

For purchasing a set of gunsmith's tools, one hundred dollars.

For two additional interpreters, six hundred dollars.

For building a dormitory at Mackinac, and for stoves and furniture, four thousand eight hundred dollars.

For the keeper of the dormitory, six hundred dollars.

For one hundred and fifty cords of wood for the dormitory, three hundred and seventy-five dollars.

For two farmers, one thousand dollars.

For two assistant farmers, six hundred dollars.

For two mechanics, twelve hundred dollars.

For carrying into effect the eighth article of said treaty, viz.

For the expenses of a delegation of twenty Indians, with an officer, three assistants, an interpreter, a guide with two assistants to explore the country, and for the purchase of horses, and other expenses incidental to the expedition, twelve thousand dollars.

Expenses of a delegation of Indians.

For payment of such improvements as give additional value to the land ceded, twenty thousand dollars.

For payment for the church on the Cheboigan, nine hundred dollars.

For extinguishing the claim of certain half breeds, in lieu of reservations, according to the ninth article of said treaty, viz.

To Rix Robinson, in lieu of a section at thirty-six dollars per acre, twenty-three thousand and forty dollars.

To Leonard Slater, in trust for Chiminoaquat, one section at ten dollars per acre, six thousand four hundred dollars.

To John A. Drew, one and three quarter sections at four dollars per acre, four thousand four hundred and eighty dollars.

To Edward Biddle, one section at three dollars per acre, one thousand nine hundred and twenty dollars.

To John Holiday, five sections at one dollar twenty-five cents per acre, four thousand dollars.

To Eliza Cook, Sophia Biddle, and Mary Holiday, one section each, at two dollars and fifty cents per acre, four thousand eight hundred dollars.

To Augustin Hamelin, Jr. two sections at one dollar and twenty-five cents per acre, one thousand six hundred dollars.

To William Lusley, Joseph Daily, Joseph Trotier, and Henry A. Lenake, two sections each, at one dollar and twenty-five cents per acre, six thousand four hundred dollars.

To Luther Rice, Joseph Leframbois, Charles Butterfield, George Moran, Louis Moran, G. D. Williams, and Daniel Marsac, one section each, at one dollar and twenty-five cents per acre, five thousand six hundred dollars.

For payment to the chiefs on ratification of the treaty, according to the tenth article of the same, thirty thousand dollars.

For life annuity to two chiefs, provided for in the eleventh article of said treaty, one hundred and fifty dollars.

For expenses attending the conclusion of the treaty at Washington, according to the twelfth article of the same, fifteen thousand four hundred and three dollars and twenty-five cents.

Treaty of Washington.

For transportation and other incidental expenses in executing said treaty, two thousand dollars.

*Provided, however,* That no part of the above appropriations for carrying into effect the treaty with the Chippewas and Ottawas, shall be drawn from the Treasury except what may be necessary for the expenses of collecting and subsisting the Indians, and for the expenses of concluding the treaty, heretofore incurred, and to enable a commissioner to proceed to Michillimackinac for the purpose of examining the claims of the half breeds, until the assent of the said Indians shall be given to the change proposed by the resolution of the Senate. Arrangements may be made under the direction of the President for paying to the Indians the money and goods as soon as their assent to such change is given. But no responsibility in relation to such delivery shall be incurred by the United States previous thereto, nor shall the said commissioner enter upon his duties.

Proviso.

Chippewas.

For carrying into effect the stipulations of the third article of the treaty concluded with the Swan creek, and Black river bands of the Chippewa nation, of the ninth of May, eighteen hundred and thirty-six, viz :

For an advance in money on the ratification of the treaty, two thousand five hundred dollars.

For the purchase of goods, four thousand dollars.

Journeys to  
Washington.

For expenses of the treaty, the journeys of the Indians to and from Washington, subsistence and other expenses, three thousand eight hundred and two dollars and sixty-seven cents.

For transportation and incidental expenses, one thousand dollars.

Pottawatamies.

For carrying into effect the stipulations of the treaties concluded with certain bands of the Pottawatamie Indians of Indiana, in March, and April, eighteen hundred and thirty-six, viz :

For payment of the sum stipulated in the second article of the treaty of twenty-sixth March, eighteen hundred and thirty-six, with Mes-quaback and his band, for a cession of land to the United States, two thousand five hundred and sixty dollars.

For payment of the sum stipulated in the third article of the treaty of the twenty-ninth March, eighteen hundred and thirty-six, with Waw-kewa and his band, for a cession of land to the United States, two thousand five hundred and sixty dollars.

For the payment of the sum stipulated in the second article of the treaty of eleventh April, eighteen hundred and thirty-six, with Aub-naub-ba and his band, for a cession of land to the United States, eleven thousand five hundred and twenty dollars.

For payment of the sum stipulated in the second article of the treaty of twenty-second April, eighteen hundred and thirty-six, with Kee-waw-nee and his band, for a cession of land to the United States, six thousand four hundred dollars.

For payment of the sum stipulated in the second article of the treaty of twenty-second April, eighteen hundred and thirty-six, with Nas-waw-bee and his band, for a cession of land to the United States, one thousand nine hundred and twenty dollars.

For expenses attending the negotiation of the said treaties with the Pottawatamies, six hundred and thirty-six dollars and seventy-five cents.

To defray the expense of removing the Choctaw Indians residing in the State of Mississippi to the country provided for them, west of the Mississippi river, thirty thousand dollars.

Secretary of  
War to close  
account, &c.

SEC. 2. *And be it further enacted*, That the Secretary of War is hereby authorized to direct the account to be closed, upon the production of proper vouchers, for blankets delivered to the Cherokees by order of the commissioner.

Pension to  
Col. G. Morgan.

1836, ch. 71.

SEC. 3. *And be it further enacted*, That the pension allowed by an act of the present session of Congress to Colonel Gideon Morgan, shall be paid to him from the date of his disability, to the twenty-seventh of March, eighteen hundred and fourteen, agreeably to the fourteenth article of the said treaty with the Cherokees; and that the sum of eight thousand dollars be appropriated for that purpose.

Money not to  
be paid to hos-  
tile eastern  
Creeks.

SEC. 4. *And be it further enacted*, That no part of the appropriation heretofore made, for the eastern Creeks, shall be paid to any Indians who have been engaged in hostilities against the United States, unless in such change of circumstances as may induce the President of the United States to direct the same to be paid. *Provided, however*, That the whole of the annuity due to the Seminole Indians and to the eastern Creeks may be paid to the friendly portion of those tribes respectively, unless otherwise directed by the President.

Money appro-  
priated for re-

SEC. 5. *And be it further enacted*, That the funds appropriated by the act of June fourteenth, eighteen hundred and thirty-six, entitled "An

act making appropriations for the current expenses of the Indian Department for Indian annuities and other similar objects for the year eighteen hundred and thirty-six, for the removal of the Winnebago Indians, may be expended upon such of the said Indians as actually remove, and upon no others. And the said Indians shall be removed either to the neutral ground or to such country as may be assigned to them by treaty on the southwest side of the river Missouri.

APPROVED, July 2, 1836.

removal of Winnebagoes, how to be expended. 1836, ch. 88.

STATUTE I.

July 2, 1836.

[Obsolete.]

CHAP. CCLXVIII.—*An Act making appropriations for certain fortifications of the United States for the year one thousand eight hundred and thirty-six, 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 be paid out of any unappropriated money in the Treasury, for certain fortifications, viz :

For the preservation of Castle Island and repairs of Fort Independence, Boston harbor, one hundred thousand dollars.

Castle Island, &c.

For Fort Warren, Boston harbor, two hundred thousand dollars.

Fort Warren.

For Fort Adams, Rhode Island, two hundred thousand dollars.

Fort Adams.

For Fort Schuyler, East river, New York, two hundred thousand dollars.

Fort Schuyler.

For repairs of Fort Columbus and Castle Williams, and officers' quarters, on Governor's Island, New York harbor, twenty thousand dollars.

Fort Columbus, &c.

For Fort Delaware, Delaware river, one hundred and fifty thousand dollars.

Fort Delaware.

For Fort Calhoun, Virginia, one hundred and fifty thousand dollars.

Fort Calhoun.

For Fort Caswell, Oak Island, North Carolina, sixty thousand dollars.

Fort Caswell.

For fortifications, Charleston harbor, South Carolina, and preservation of the site of Fort Moultrie, one hundred and fifty thousand dollars.

Forts, Charleston harbor.

For Fort Pulaski, Cockspur Island, Georgia, one hundred and seventy thousand dollars.

Fort Pulaski.

For Fort Pickens, Pensacola, Florida, fifty thousand dollars.

Fort Pickens.

For the fort at Foster's Bank, Florida, one hundred and sixty thousand dollars.

Fort at Foster's Bank.

For incidental expenses attending repairs of fortifications, and for the purchase of additional land in their neighbourhood, one hundred thousand dollars.

Incidental expenses.

For contingencies of fortifications, ten thousand dollars.

Contingencies.

For the purchase of land and the right of way on Throg's Point, in Long Island Sound, being the balance of the appropriation of one thousand eight hundred and twenty-six, carried to the surplus fund the first of January, one thousand eight hundred and twenty-nine, two thousand dollars.

Re-appropriated for Throg's Point. 1826, ch. 73.

And the following sums, necessary to close accounts in the Office of the Third Auditor, viz.

To close accounts in Third Auditor's office.

For a fort on Cockspur Island, Georgia, two thousand three hundred and eight dollars and fifty-six cents.

Fort on Cockspur Island.

For contingencies of fortifications, sixty-one dollars and eight cents.

Contingencies.

For fortifications at Pensacola, one thousand two hundred and twenty-three dollars and thirty-one cents.

Fortifications at Pensacola.

For the armament of fortifications, in addition to the amount included in the bill making appropriations for the support of the army for one thousand eight hundred and thirty-six, including cannon, mortars, howitzers, gun carriages, howitzer carriages, mortar beds, powder, cannon balls, shells, and for the transportation of ordnance and ordnance

Armament of fortifications, &c. Act of 1836, ch. 62.



- Kennebec arsenal, &c. stores; and for the purchase of twenty acres of land adjoining the Kennebec arsenal, Maine; and the purchase of land and enclosing the rear of the public ground with a brick wall and coping at the Frankford arsenal, Pennsylvania; and constructing a forging shop, one story high, seventy-five by forty feet, of brick, at the arsenal, Watertown, Massachusetts; and in the purchase of a steam-engine of eight horse power; and for the quarters of officers at Fort Monroe arsenal, four hundred thousand dollars.
- Fort, &c. near Baltimore. For Fort McHenry, Redoubt Wood, and Covington Battery, near Baltimore, fifty thousand dollars.
- Fort Monroe. For Fort Monroe, one hundred and fifty thousand dollars.
- Fort Marion, &c. For the repairs of Fort Marion, and the sea-wall at St. Augustine, Florida, fifty thousand dollars.
- Knapsacks, &c. For knapsacks and camp equipage, authorized by the act approved nineteenth of March, one thousand eight hundred and thirty-six, for volunteers or militia, fifty-two thousand seven hundred and five dollars.
- Act of 1836, ch. 44. For accoutrements for the army, one hundred and two thousand three hundred and five dollars.
- Accoutrements, &c. For the purchase of sites, and the construction of arsenals, for the deposite of arms in Arkansas, Missouri, and at Memphis, in Tennessee, forty-two thousand two hundred and fifty-six dollars. *Provided*, That the cost of such arsenal shall not exceed fourteen thousand dollars each.
- Purchase of sites, &c. in Arkansas, &c. Proviso.
- Fire engines. For the purchase of twenty-eight fire engines, and the necessary apparatus, twenty-two thousand four hundred dollars.
- Storehouses, Newport, Ken. For storehouses at Newport, Kentucky, one thousand five hundred dollars.
- Purchase of land at St. Louis, Missouri. Proviso. For purchasing seven acres of land, including the site of the powder magazine attached to the arsenal at Saint Louis, Missouri, *Provided* the same shall be ascertained not to be on land of the United States, two thousand one hundred dollars.
- Piazza, Augusta, Ga. For erecting a piazza in front of the building occupied as barracks by the troops at Augusta arsenal, Georgia, four hundred and fifty dollars.
- Fort Jesup. For barracks, quarters, storehouses, hospital, stables, and materials for the same, at Fort Jesup, Louisiana, twenty-five thousand dollars.
- Wharf at Fort Wolcott. For rebuilding the wharf, and materials for the same, at Fort Wolcott, Newport, Rhode Island, five hundred dollars.
- Fort Monroe. For constructing a wood-yard, and a wood-yard wharf, and for materials for the same, at Fort Monroe, Virginia, one thousand dollars.
- Fort Severn. For constructing a wharf, and for materials for the same, at Fort Severn, Maryland, one thousand dollars.
- Fort Brady. For rebuilding and repairing barracks, quarters, hospital, store-houses, and materials for the same, at Fort Brady, Michigan Territory, five thousand dollars.
- Fort Sullivan, &c. For the purchase of land adjoining Fort Sullivan, and the buildings thereon, three thousand seven hundred and fifty dollars.
- For the following objects, in addition to former appropriations for the same:
- Armory, Harper's Ferry. For national armory at Harper's Ferry, seventy-seven thousand eight hundred and ninety-seven dollars.
- Armory at Springfield. For national armory at Springfield, forty-five thousand dollars.
- Light artillery, &c. For the purchase or manufacture of light brass and iron field artillery, and for construction of field artillery carriages, caissons, and travelling forges, one hundred and thirty-seven thousand one hundred and ninety dollars.
- Furnaces. For the construction of furnaces for heating cannon balls, twelve thousand dollars.
- President may make transfers of appropriations. 1820, ch. 52. *Sec. 2. And be it further enacted*, That the President of the United States is hereby authorized, under the restrictions of the act of the first of May, eighteen hundred and twenty, to make transfers from one head

of appropriations for fortifications, to that of another for a like object, whenever, in his opinion, the public interest shall require it.

SEC. 3. *And be it further enacted*, That the several sums of money appropriated by this act and all other sums which have been or may be appropriated during the present session of Congress, shall be drawn from the Treasury, or paid over to the disbursing officers or agents of the Government, only as the same may be required by the several objects of expenditure authorized by law.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

CHAP. CCLXIX.—*An Act to amend an act entitled, "An act authorizing the laying off a town on Bean river, in the State of Illinois, and for other purposes," approved fifth February, eighteen hundred and twenty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all acts and duties required to be done and performed by the surveyor of the States of Illinois and Missouri, and the Territory of Arkansas, under the act to which this is an amendment, shall be done and performed by a board of commissioners of three in number, any two of whom shall form a quorum to do business; said commissioners to be appointed by the President of the United States, and shall, previous to their entering upon the discharge of their duties, take an oath or affirmation to perform the same faithfully and impartially.

Board of Commissioners.

Act of Feb. 5, 1829, ch. 15.

SEC. 2. *And be it further enacted*, That the said commissioners shall also have power to hear evidence and determine all claims to lots of ground arising under the act to which this is an amendment, and for this purpose the said commissioners are authorized to administer all oaths that may be necessary, and reduce to writing all the evidence in support of claims to pre-emption presented for their consideration; and when all the testimony shall have been heard and considered, the said commissioners shall file with the register and receiver of the land office at Galena, the testimony in each case, together with a certificate in favor of each person having the right of pre-emption; and upon making payment to the receiver at Galena, for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and issue certificates of purchase, to be transmitted to the General Land Office, as in other cases of the sale of public land.

Power of commissioners.

SEC. 3. *And be it further enacted*, That the register and receiver at Galena, after the board of commissioners have heard and determined all the cases of pre-emption under the act to which this is an amendment, shall expose the residue of lots to public sale to the highest bidder, after advertising the same in three public newspapers at least six weeks prior to the day of sale, in the same manner as is provided for the sale of the public lands in other cases; and after paying to the commissioners the compensation hereinafter allowed them, and all the other expenses incident to the said survey and sale, the receiver of the land office shall pay over the residue of the money he may have received from the sale of lots aforesaid, by pre-emption as well as at public auction, into the hands of the county commissioners of Jo Daviess county, to be expended by them in the erection of public buildings, and the construction of suitable wharves in the town of Galena.

Duties of Register and Receiver.

SEC. 4. *And be it further enacted*, That the commissioners appointed to carry this act into effect, shall be paid by the receiver six dollars each, per day, for their services, for every day they are necessarily employed.

Commissioners to be paid by the Receiver.

APPROVED, July 2, 1836.

## STATUTE I.

July 2, 1836.

Act of March  
3, 1845, ch. 43.Revenues to  
be paid into the  
Treasury.Postmaster  
General to sub-  
mit estimates,  
&c.Appropriation  
made from rev-  
enues of the  
Post Office De-  
partment.To be paid by  
the Treasurer.

Proviso.

Proviso.

Proviso.

Treasurer to  
give receipts.Payments to  
be made on  
warrants.

CHAP. CCLXX.—*An Act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the revenues arising in the Post Office Department, and all debts due to the same, shall, when collected, be paid, under the direction of the Postmaster General, into the Treasury of the United States.

SEC. 2. *And be it further enacted,* That the Postmaster General shall submit to Congress at the next, and each succeeding annual session, specific estimates of the sums of money expected to be required for the service of the Department in the subsequent year, commencing on the first day of July, under the following heads, viz: "Compensation of postmasters," "Transportation of the mails," "Ship, steam-boat, and way letters," "Wrapping paper," "Office furniture," "Advertising," "Mail bags," "Blanks," "Mail locks, keys, and stamps," "Mail deprecations, and special agents," "Clerks, for offices," and "Miscellaneous." And the Postmaster General shall render an account to Congress, at each succeeding annual session, of the amounts actually expended for each of the purposes above specified.

SEC. 3. *And be it further enacted,* That the aggregate sum required "for the service of the Post Office Department," in each year, shall be appropriated by law out of the revenue of the Department, and that all payments of the receipts of the Post Office Department into the Treasury, shall be to the credit of the said appropriation.

SEC. 4. *And be it further enacted,* That the sums appropriated for the service aforesaid shall be paid by the Treasurer in the manner herein directed: *Provided,* That the compensation of postmasters, the expenses of post offices, and such other expenses of the Department for which appropriations have been made, as may be incurred by postmasters, may be deducted out of the proceeds of their offices, under the direction of the Postmaster General: *And provided, also,* That all charges against the Department by postmasters, on account of such expenses, shall be submitted for examination and settlement, to the auditor herein provided for; and that no such deduction shall be valid, unless the expenditure so deducted, be found to have been made in conformity to law: *And provided, also,* That the Postmaster General shall have power to transfer debts due on account of the Department, by postmasters and others, in satisfaction of the legal demands for which appropriations have been made, of such contractors who may be creditors of the Department, as shall have given bonds, with security, to refund any moneys that may come into their hands over and above the amount which may be found due to them on the settlement of their accounts.

SEC. 5. *And be it further enacted,* That the Treasurer of the United States shall give receipts for all moneys received by him to the credit of the appropriation for the service of the Post Office Department; which receipts shall be endorsed upon warrants drawn by the Postmaster General, and without such warrant, no acknowledgment for money received as aforesaid shall be valid.

SEC. 6. *And be it further enacted,* That the appropriations for the service of the Post Office Department shall be disbursed by the Treasurer out of the moneys paid into the Treasury for the service of the Post Office Department, upon the warrants of the Postmaster General, registered and countersigned as herein provided, and expressing on their faces the appropriation to which they should be charged.

(a) For notes of the decisions of the courts of the United States on the duties and obligations of the Postmaster General, "Postmasters," and "Post Office," see vol. 1, 363.

SEC. 7. *And be it further enacted*, That the Treasurer shall render his accounts of the moneys received and paid by him on account of the Post Office Department, quarterly to the Auditor for the Post Office Department, hereinafter provided for, and shall transmit copies of the same, when adjusted by him, to the two Houses of Congress.

Accounts rendered quarterly to the Auditor.

SEC. 8. *And be it further enacted*, That there shall be appointed by the President, with the consent of the Senate, an Auditor of the Treasury for the Post Office Department, whose duty it shall be to receive all accounts arising in the said Departments, or relative thereto, to audit and settle the same, and certify their balances to the Postmaster General: *Provided*, That if either the Postmaster General, or any person whose account shall be settled, be dissatisfied therewith, he may, within twelve months, appeal to the First Comptroller of the Treasury, whose decision shall be final and conclusive. The said auditor shall report to the Postmaster General, when required, the official forms of papers to be used by postmasters, and other officers or agents of the Department concerned in its receipts and payments, and the manner and form of keeping and stating its accounts. He shall keep and preserve all accounts, with the vouchers, after settlement. He shall promptly report to the Postmaster General all delinquencies of postmasters in paying over the proceeds of their offices. He shall close the accounts of the Department quarterly, and transmit to the Secretary of the Treasury quarterly statements of its receipts and expenditures. He shall register, charge and countersign, all warrants upon the Treasury for receipts and payments issued by the Postmaster General, when warranted by law. He shall perform such other duties, in relation to the financial concerns of the Department, as shall be assigned to him by the Secretary of the Treasury, and shall make to them respectively, such reports as either of them may require respecting the same. The said auditor may frank, and receive, free of postage, letters and packets under the regulations provided by law for other officers of the Government. And all letters and packets to and from the Chief Engineer which may relate to the business of his office shall be free of postage.

Auditor to be appointed; and his duties.

Proviso.

SEC. 9. *And be it further enacted*, That it shall be the duty of the Postmaster General to decide on the official forms of all papers to be used by postmasters, and other officers or agents of the Post Office Department, concerned in its receipts and payments, and the manner and form of keeping and stating its accounts; to enforce the prompt rendition of the returns of postmasters, and of all certificates, acknowledgments, receipts, and other papers, by postmasters and contractors, relative to the accounts of the Department; to control, according to law, and subject to the settlement of the auditor, the allowances to postmasters, the expenses of post offices, and all other expenses incident to the service of the Department; to regulate and direct the payment of the said allowances and expenses for which appropriations have been made; to superintend the disposition of the proceeds of post offices and other moneys of the Department; to prescribe the manner in which postmasters shall pay over their balances; to grant warrants for money to be paid into the Treasury, and out of the same, in pursuance of appropriations by law, to persons to whom the same shall be certified to be due by the said auditor: *Provided*, That advances of necessary sums to defray expenses may be made by the Postmaster General to agents of the Department employed to investigate mail depredations, examine post routes, and post offices, and perform other like services, to be charged by the auditor for the Post Office Department, and be accounted for in the settlement of their accounts.

Duties of Postmaster General.

Proviso.

SEC. 10. *And be it further enacted*, That the auditor for the Post Office Department shall state and certify, quarterly, to the Postmaster General, accounts of the moneys paid pursuant to appropriations, in

Other duties of the Auditor.

each year, by postmasters, out of the proceeds of their offices; towards the expenses of the Department, under each of the heads of the said expenses specified in the second section of this act; upon which the Postmaster General shall issue warrants to the Treasurer of the United States, as in case of the receipt and payment of the said moneys into and out of the Treasury, in order that the same may be carried to the credit and debit of the appropriation for the service of the Post Office Department, on the books of the auditor for said Department.

Duplicates of contracts, &c.

SEC. 11. *And be it further enacted*, That the Postmaster General shall, within sixty days after the making of any contract, cause a duplicate thereof to be lodged in the office of the auditor of the Post Office Department. Upon the death, resignation, or removal of any postmaster, he shall cause his bond of office to be delivered to the said auditor; and shall also cause to be promptly certified to him all establishments and discontinuances of post offices, and all appointments, deaths, resignations, and removals of postmasters, together with all orders and regulations which may originate a claim, or in any manner affect the accounts of the Department.

Accounts, how to be kept.

SEC. 12. *And be it further enacted*, That the accounts of the Post Office Department shall be kept in such manner as to exhibit the amounts of its revenues, derived respectively from "letter postages," "newspapers and pamphlets," and "fines;" and the amount of its expenditures for each of the following objects, namely: "compensation of postmasters," "transportation of the mails," "ship, steamboat, and way letters," "wrapping paper," "office furniture," "advertising," "mail bags," "blanks, mail locks, keys, and stamps," "mail depredations and special agents," "clerks for offices," and "miscellaneous."

Bonds and contracts with the United States, and all suits in its name.

SEC. 13. *And be it further enacted*, That the bonds and contracts of postmasters mail contractors, and other agents of the Post Office Department, shall hereafter be made to and with the United States of America; and all suits to be commenced for the recovery of debts or balances due by postmasters and others, or upon bonds or contracts made to or with the present or any former Postmaster General, or for any fines, penalties, or forfeitures, imposed by the laws respecting the Post Office Department, or by the Postmaster General, pursuant thereto, shall be instituted in the name of the United States of America; and the demands in such suits shall have all the privileges and priorities in adjudication and payment secured to other claims of the United States, by the existing laws: *Provided*, That actions and suits which may have been instituted in the name of the Postmaster General, previous to the passage of this act, shall not be affected by the provisions of this section.

Proviso.

Auditor to superintend collection of debts.

SEC. 14. *And be it further enacted*, That the auditor for the Post Office Department shall superintend the collection of all debts due to the Department, and all penalties and forfeitures imposed on postmasters, for failing to make returns, or pay over the proceeds of their offices; he shall direct suits and legal proceedings, and take all such measures as may be authorized by law, to enforce the prompt payment of moneys due to the Department.

Certified copies of quarterly returns, &c. to be evidence, &c.

SEC. 15. *And be it further enacted*, That copies of the quarterly returns of postmasters, and of any papers pertaining to the accounts in the office of the auditor for the Post Office Department, certified by him under his seal of office, shall be admitted as evidence in the courts of the United States; and in every case of delinquency of any postmaster or contractor, in which suit may be brought, the said auditor shall forward to the attorney of the United States certified copies of all papers in his office, tending to sustain the claim; and in every such case, a statement of the account, certified as aforesaid, shall be admitted as evidence; and the court trying the cause shall be thereupon au-

thorized to give judgment and award execution, subject to the provisions of the thirty-eighth section of the act to reduce into one the several acts establishing and regulating the Post Office Department, approved March third, eighteen hundred and twenty-five. No claim for a credit shall be allowed upon the trial but such as shall have been presented to the said auditor, and by him disallowed in whole or in part, unless it shall be proved to the satisfaction of the court that the defendant is at the time of the trial in possession of vouchers not before in his power to procure, and that he was prevented from exhibiting to the said auditor a claim for such credit, by some unavoidable accident. In suits for balances due from postmasters, interest, at the rate of six per cent. per annum, shall be recovered from the time of the default until payment.

1825, ch. 64.

SEC. 16. *And be it further enacted*, That the attorneys of the United States, in the prosecution of suits for moneys due on account of the Post Office Department, shall obey the directions which may, from time to time, be given to them by the auditor for the Post Office Department; and it shall be the duty of each of the said attorneys, immediately after the end of every term of any court in which any of the suits aforesaid shall have been pending, to forward to the said auditor a statement of all the judgments, orders, and steps which have been made or taken in the same, during the said term, accompanied by a certificate of the clerk, showing the parties to, and amount of, each judgment, with such other information as may be required by the said auditor. The said attorneys shall direct speedy and effectual process of execution upon the said judgments; and it shall be the duty of the marshals of the United States to whom the same shall be directed, to make to the said auditor, at such times as he may direct, returns of the proceedings which have taken place upon the said process of execution.

Duties of U. S. Attorneys.

SEC. 17. *And be it further enacted*, That in all cases where any sum or sums of money have been paid out of the funds of the Post Office Department to any individual or individuals, under pretence that service has been performed therefor when in fact such service has not been performed, or by way of additional allowance for increased service actually rendered, when the additional allowance exceeds the sum which, by the provisions of law, might rightfully have been allowed therefor, and in all other cases where the moneys of the Department have been paid over to any person in consequence of fraudulent representations, or by the mistake, collusion or misconduct of any officer or clerk of the Department, it shall be the duty of the Postmaster General to cause suit to be brought in the name of the United States of America, to recover back the same, or the excess, as the case may be, with interest thereon.

Sums wrongfully paid to be recovered by suit.

SEC. 18. *And be it further enacted*, That the auditor for the Post Office Department shall adjust and settle all balances due from postmasters on account of transactions prior to the first day of July eighteen hundred and thirty-six. He shall, when necessary, institute suits for the same, and cause them to be effectually prosecuted to judgment and execution; and in cases in which proceedings at law for these or any other balances that are or may become due on account of the Post Office Department, have been or shall be fruitless, may direct the institution of suits in chancery, to set aside fraudulent conveyances or trusts, or attach debts due to the defendants, or obtain any other proper exercise of the powers of equity, to have satisfaction of the said judgments; and the courts of the United States, sitting in chancery, shall have jurisdiction to entertain such bills, and make such decrees and orders thereupon as may be consonant to the principles and usages of equity. The said auditor shall report to the Postmaster General, to be by him submitted to Congress, at its next annual session, a statement

Auditor to adjust balances due from postmasters, &c.

of all the balances and debts due to the Post Office Department as aforesaid, by late postmasters, showing, in each case, the name and office of the principal debtor, the names of the sureties, if any, the amount of the debt, the time at which it accrued, the steps taken to collect the same, and whether they have been successful or not. The said statement shall also classify such of the said balances as may then remain due, into such as are considered collectible, and such as are not, with the whole amount of each class.

Auditor, may-  
ors, &c. may  
administer  
oaths, &c.

SEC. 19. *And be it further enacted*, That the auditor for the Post Office Department, or any mayor of a city, justice of the peace, or judge of any court of record in the United States, by him especially designated, shall be authorized to administer oaths and affirmations, in relation to the examination and settlement of the accounts committed to his charge; and if any person shall knowingly swear or affirm falsely, touching the expenditures of the Post Office Department, or in relation to any account of, or claim against, or in favor of, the said Department, he or she shall, upon conviction thereof, suffer as for wilful and corrupt perjury.

Third Assist-  
ant Postmaster  
General.

Clerks, &c.

SEC. 20. *And be it further enacted*, That there shall be employed by the Postmaster General, a third Assistant Postmaster General, who may receive and send letters and packets free of postage, and in lieu of the clerks now employed in the Department, one chief clerk, three principal clerks, and thirty-three other clerks, one messenger, and three assistant messengers, and two watchmen.

Clerks to be  
employed in the  
office of the  
Auditor.

SEC. 21. *And be it further enacted*, That there shall be employed by the Secretary of the Treasury, in the office of the auditor for the Post Office Department, one chief clerk, four principal clerks, and thirty-eight other clerks, one messenger, and one assistant messenger, also three clerks one at a salary of fourteen hundred dollars per annum, one at a salary of twelve hundred dollars, and one at a salary of one thousand dollars, in the office of the Treasurer of the United States, in lieu of the same number of clerks now employed in the office of the Fifth Auditor of the Treasury, in adjusting the accounts of the Post Office Department.

And in that of  
the Treasurer  
of the United  
States.

Reports to be  
made to Con-  
gress by the  
Postmaster Ge-  
neral.

SEC. 22. *And be it further enacted*, That it shall be the duty of the Postmaster General to make to Congress, at each annual session thereof, the following several reports:

*First*, A report of all contracts made for the transportation of the mail within the preceding year, stating in each case of contract its date and duration, the name of the contractor, the route or routes embraced in the contract, with the length of each, with the times of arrival and departure at the ends of each route, the mode of transportation contracted for, and the price stipulated to be paid by the Department; also a statement of all such land and water mails as may have been established or ordered by the Department within the year preceding, other than those let to contract at the annual lettings of mail contracts, specifying, in each case the route or water course on which the mail is established, the name of the person employed to transport it, the mode of transportation, the amount paid or to be paid, and the proposed duration of the order or contract.

*Second*, A report of all allowances made to contractors within the year preceding, beyond the sums originally stipulated in their respective contracts, and the reasons for the same; and of all orders made by the Department, whereby additional expense is, or will be incurred, beyond the original contract price on any land or water route, specifying, in each case, the route to which the order relates, the name of the contractor, the original service provided by the contract, the original price, the date of the order for additional service, the additional service required, and the additional allowance therefor; also, a report of all

curtailments of expenses effected by the Department within the preceding year, specifying, in each case, the same particulars as required in cases of additional allowances.

*Third,* A report of all incidental expenses of the Department for the year ending on the thirtieth day of June preceding, arranged according to their several objects as for "wrapping paper," "office furniture," "advertising," "mail bags," "blanks," "mail locks, keys, and stamps," "mail depreations, and special agents," "clerks for offices," "miscellaneous," showing the sum paid under each head of expenditures, and the names of the persons to whom paid, except only that the names of persons employed in detecting depreations on the mail, and other confidential agents, need not be disclosed in said report.

*Fourth,* A report of the finances of the Post Office Department for the year ending on the thirtieth day of June preceding, showing the whole amount of balances due to the Department at the beginning of the year, from postmasters and all others, the whole amount of postage that accrued within the year, the whole amount of the engagements and liabilities of the Department for mail transportation during the year, the amount actually paid during the year, for and on account of mail transportation, and otherwise, stating separately so much of the said amount as may have been paid on account of the transportation of the mail, and for other debts for the same object, in preceding years.

*Fifth,* A report of all fines imposed, and deductions from the pay of contractors made during the preceding year, for failures to deliver the mail, or for any other cause, stating the names of the delinquent contractors, the nature of the delinquency, the route on which it occurred, the time when it occurred, the time when the fine was imposed, and whether the fine has been remitted, or order for deduction rescinded, and for what reason.

SEC. 23. *And be it further enacted,* That it shall be the duty of the Postmaster General, before advertising for proposals for the transportation of the mail, to form the best judgment practicable as to the mode, time, and frequency of transportation on each route, and to advertise accordingly. No consolidated or combination bid shall be received, and no additional compensation shall be made to any mail contractor, so as that the compensation for additional regular service shall exceed the exact proportion which the original compensation bears to the original services stipulated to be performed: and no extra allowance shall be made to any contractor, by the Postmaster General, for an increase of expedition in the transportation of the mail, unless thereby the employment of additional stock or carriers, by the contractor, shall be rendered necessary; and in such case, the additional compensation shall never bear a greater proportion to the additional stock or carriers rendered necessary, than the sum stipulated in the original contract bears to the stock and carriers necessarily employed in its execution, and when any extra service shall be ordered, the amount of the allowance therefor, in dollars and cents, shall be signified in the order for such service, and be forthwith entered upon the books of the Post Office Department, and no additional compensation shall be paid for any extra regular service rendered before the issuing of such order, and the making of such entry, and every order, entry, or memorandum whatever, on which any action of the Department is to be had, allowance made, or money paid, and every contract, paper or obligation drawn up in said office, by any officer thereof, shall have affixed to it its true date: and every paper relating to contracts or allowances filed in said office shall have the date of its filing endorsed thereon. And whenever it shall become necessary to change the terms of any existing contract in any other manner than that designated in this act, or to enter into a contract for the transportation of the mail at any other time

Advertisements for contracts, and regulations respecting them.

Act of March 3, 1845, ch. 43, sec. 18.



than at the annual letting, the Postmaster General shall give notice in one newspaper published at Washington City, and in one newspaper published as near as may be to the route on which the services are to be performed for at least four weeks before changing or making such contract, inviting proposals therefor; which proposals shall be received and opened, and such proceedings thereon had, in all things, as at the annual lettings. *Provided however*, That the Postmaster General may make temporary contracts until a regular letting can take place.

Proviso.

Proposals for contracts.

SEC. 24. *And be it further enacted*, That proposals for mail contracts shall be delivered to the Department sealed, and shall be kept sealed until the biddings are closed, and shall then be opened and marked in the presence of the Postmaster General and of one of the Assistant Postmasters General, or in the presence of two of the Assistant Postmasters General. And the contracts in all cases shall be awarded to the lowest bidder, except when his bid is not more than five per centum below that of the last contractor, on the route bid for, who shall have faithfully performed his contract. *Provided however*, That the Postmaster General shall not be bound to consider the bid of any person who shall have wilfully or negligently failed to execute or perform a prior contract.

Proviso.

Offers for carrying the mail to be recorded.

SEC. 25. *And be it further enacted*, That it shall be the duty of the Postmaster General to have recorded in a well-bound book, a true and faithful abstract of offers made to him for carrying the mail, embracing as well those which are rejected, as those which are accepted. The said abstract shall contain the names of the party or parties offering; the terms on which he or they propose to carry the mail, the sum for which it is offered to contract; and the length of time the agreement is to continue. And it shall also be the duty of the Postmaster General to put on file and preserve the originals of the propositions of which abstracts are here directed to be made, and to report at each session of Congress a true copy from the said record of all offers made for carrying the mail as aforesaid.

Persons employed in the Post Office not to be interested in contracts.

SEC. 26. *And be it further enacted*, That if any person employed in the Post Office Department or postmaster shall become interested in any mail contract or act as agent, with or without compensation, in any matter or thing relating to business in said Department, for any contractor, or person offering to become a contractor, he shall be forthwith dismissed from office and shall be liable to pay so much money as would have been realized from said contract, to be recovered in an action of debt in any court having jurisdiction thereof, in the name of the United States, for the use of the Post Office Department; and it shall be the duty of the Postmaster General to cause prosecution to be instituted.

Proposals for transporting the mail to be accompanied by a guaranty, &c.

SEC. 27. *And be it further enacted*, That every proposal for the transportation of the mail shall be accompanied by a written guaranty, signed by one or more responsible persons, to the effect that he or they undertake that the bidder or bidders will, if his or their bid be accepted, enter into an obligation in such time as may be prescribed by the Postmaster General, with good and sufficient sureties, to perform the service proposed. No proposal shall be considered, unless accompanied by such guaranty. If, after the acceptance of a proposal, and notification thereof to the bidder or bidders, he or they shall fail to enter into an obligation within the time prescribed by the Postmaster General, with good and sufficient sureties for the performance of the service, then the Postmaster General shall proceed to contract with some other person or persons, for the performance of the said service, and shall forthwith cause the difference between the amount contained in the proposal so guarantied, and the amount for which he may have contracted for the performance of said service, for the whole period of the proposal, to be charged up against the said bidder or bidders, and his or their guarantor

or guarantors, and the same may be immediately recovered by the United States, for the use of the Post Office Department, in an action of debt against either or all of the said persons.

SEC. 28. *And be it further enacted*, That no contract for the transportation of the mail shall knowingly be made by the Postmaster General, with any person who shall have entered into any combination, or proposed to enter into any combination, to prevent the making of any bid for a mail contract by any other person or persons; or who shall have made any agreement, or shall have given or performed, or promised to give or perform, any consideration whatever, or to do or not to do any thing whatever, in order to induce any other person or persons not to bid for a mail contract. And if any person so offending be a mail contractor, he may be forthwith dismissed from the service of the Department: *Provided*, That whenever the Postmaster General shall exercise the power conferred on him by this section, he shall transmit a copy or statement of the evidence on which he acts to Congress, at its next session.

Contracts not to be made with persons who have entered into combination.

Proviso.

SEC. 29. *And be it further enacted*, That no person whose bid for the transportation of the mail may be accepted, shall receive any pay, until he shall have executed his contract according to law and the regulations of the Department; nor shall any payment be made for any additional regular service in the transportation of the mail, unless the same shall have been rendered in obedience to a prior legal order of the Postmaster General.

No payment to be made until after the execution of contract.

SEC. 30. *And be it further enacted*, That so much of the act concerning the Post Office Department; approved March third, eighteen hundred and twenty-five, as directs that duplicates or copies of contracts or orders made by the Postmaster General shall be lodged in the office of the Comptroller of the Treasury, be repealed.

Part of act of March 3, 1825, ch. 65, repealed.

SEC. 31. *And be it further enacted*, That it shall be the duty of the Postmaster General to furnish to the postmasters at the termination of each route, a schedule, specifying the times of arrival and departure at their offices, respectively, of each mail, a copy of which the postmaster shall post up in some conspicuous place in his office; and the Postmaster General shall also furnish a notice in like manner, of any change or alteration in the arrivals and departures which may be ordered by him. And it shall be the duty of every postmaster promptly to report to the Department every delinquency, neglect, or malpractice of the contractors, their agents or carriers, that may come to his knowledge. And the Postmaster General shall cause to be kept, and returned to the Department, at short and regular intervals, by postmasters at the ends of routes, and such others as he may think proper, registers, showing the exact times of the arrivals and departures of the mails.

Postmasters to be furnished with schedule of times of arrival and departure.

SEC. 32. *And be it further enacted*, That if any postmaster shall unlawfully detain in his office any letter, package, pamphlet, or newspaper, with intent to prevent the arrival and delivery of the same to the person or persons to whom such letter, package, pamphlet or newspaper may be addressed or directed in the usual course of the transportation of the mail along the route; or if any postmaster shall, with intent as aforesaid, give a preference to any letter, package, pamphlet, or newspaper, over another, which may pass through his office, by forwarding the one and retaining the other, he shall, on conviction thereof, be fined in a sum not exceeding five hundred dollars, and imprisoned for a term not exceeding six months, and shall, moreover, be for ever thereafter incapable of holding the office of postmaster in the United States.

Penalty for detaining letters, &c. in a post office.

SEC. 33. *And be it further enacted*, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a Deputy Postmaster for each post office at which the

Certain postmasters to be appointed by and with the

consent of the Senate.

commissions allowed to the postmaster amounted to one thousand dollars or upwards in the year ending the thirtieth day of June, one thousand eight hundred and thirty-five, or which may, in any subsequent year, terminating on the thirtieth day of June, amount to or exceed that sum, who shall hold his office for the term of four years, unless sooner removed by the President.

Postmasters and clerks to be exempt from military duty.

SEC. 34. *And be it further enacted*, That assistant postmasters and clerks regularly employed and engaged in post offices, shall be exempt from militia duty, and serving on juries, and from any fine or penalty for neglect thereof.

Advertisements of letters may be made in more than one paper.

SEC. 35. *And be it further enacted*, That advertisements of letters remaining in the post offices may, under the direction of the Postmaster General, be made in more than one newspaper: *Provided*, That the whole cost of advertising shall not exceed four cents for each letter.

Proviso.

Postmasters not to receive or frank any package other than such as contain paper or money.

SEC. 36. *And be it further enacted*, That no postmaster shall receive free of postage, or frank, any letter or packet composed of, or containing any thing other than paper or money; and for a violation of this provision, the offender shall be dismissed from office, and upon conviction in any court of competent jurisdiction, pay a fine of twenty dollars.

Act of March 3, 1845, ch. 43.

And no person shall hold the office of postmaster who shall not be an actual resident of the city or town wherein the office is situated, or the district of country usually supplied by said office.

Release of sureties of a postmaster.

SEC. 37. *And be it further enacted*, That when any one or more of the sureties of a postmaster shall notify to the Postmaster General their desire to be released from their suretyship, or when the Postmaster General shall deem it necessary, he shall require the said postmaster to execute a new bond, with security, which, when accepted by the Postmaster General, shall be as valid as the bond given upon the original appointment of said postmaster, and the sureties in the prior bond shall be released from responsibility for all acts or defaults of said postmaster, which may be done or committed subsequent to the acceptance of the new bond, the date of which shall be endorsed thereon. *Provided*, That payments made subsequent to the execution of the new bond by said postmaster shall be applied first to discharge any balance which may be due on the old bond, unless he shall, at the time of payment, expressly direct them to be applied to the credit of his new account.

Proviso.

Penalty for stealing or taking letters, &c. from the mail.

SEC. 38. *And be it further enacted*, That if any person shall be accessory after the fact, to the offence of stealing or taking the mail of the United States, or of stealing or taking any letter or packet, or enclosure in any letter or packet sent or to be sent in the mail of the United States, from any post office in the United States, or from the mail of the United States, by any person or persons whatever, every person so offending as accessory, shall, on conviction thereof, pay a fine not exceeding one thousand dollars, and be imprisoned for a term not exceeding five years; and such accessory after the fact may be tried, convicted, and punished in the district in which his offence was committed, though the principal offence may have been committed in another district, and before the trial of the principal offender: *Provided*, such principal offender has fled from justice, or cannot be arrested to be put upon his trial.

Proviso.

Express mail.

SEC. 39. *And be it further enacted*, That in case the Postmaster General shall deem it expedient to establish an express mail, in addition to the ordinary mail, on any of the post roads in the United States, for the purpose of conveying slips from newspapers in lieu of exchange newspapers, or letters, other than such as contain money, not exceeding half an ounce in weight, marked "express mail," and public despatches, he shall be authorized to charge all letters and packets carried by such express mail with triple the rates of postage to which letters and packets, not free, may be by law subject, when carried by the ordinary mails.

SEC. 40. *And be it further enacted*, That in case of the death, resignation, or absence of the Postmaster General, all his powers and duties shall devolve, for the time being, on the First Assistant Postmaster General.

Duties of P. M. General to devolve on Assistant P. M. G.

SEC. 41. *And be it further enacted*, That the Postmaster General shall be authorized, whenever the same may be proper for the accommodation of the public in any city, to employ letter carriers for the delivery of letters received at the post office in said city; except such as the persons to whom they are addressed may have requested, in writing, addressed to the postmaster, to be retained in the post office; and for the receipt of letters at such places in the said city as the Postmaster General may direct, and for the deposit of the same in the post office; and for the delivery by a carrier of each letter received from the post office, the person to whom the same may be delivered shall pay not exceeding two cents; and for the delivery of each newspaper and pamphlet, one half cent; and for every letter received by a carrier to be deposited in the post office, there shall be paid to him, at the time of the receipt, not exceeding two cents; all of which receipts, by the carriers in any city, shall, if the Postmaster General so direct, be accounted for to the postmaster of said city, to constitute a fund for the compensation of the said carriers, and be paid to them in such proportions and manner as the Postmaster General may direct. Each of the said carriers shall give bond with sureties, to be approved by the Postmaster General, for the safe custody and delivery of letters, and for the due account and payment of all moneys received by him.

Letter carriers.

SEC. 42. *And be it further enacted*, That the Postmaster General shall be authorized, in his discretion, to contract for carrying the mail on the navigable canals of the several States, in all cases where, in his opinion, the public interests and convenience shall require it, and for the time during which mails may be carried on such canals, or any parts thereof, the same are hereby declared to be post roads.

Carrying the mail on canals.

SEC. 43. *And be it further enacted*, That the following annual salaries shall be allowed to the Assistant Postmasters General, and to the clerks, messengers, and watchmen provided for the service of the Post Office Department, viz :

Salaries of Assistant Postmasters General and others.

To the three Assistant Postmasters General, each twenty-five hundred dollars.

To the chief clerk, two thousand dollars.

To the three principal clerks, each one thousand six hundred dollars.

To ten clerks, each one thousand four hundred dollars.

To fifteen clerks, each one thousand two hundred dollars.

To eight clerks, each one thousand dollars.

To the messenger, seven hundred and fifty dollars.

To the three assistant messengers, each three hundred and fifty dollars.

To the two watchmen, each three hundred dollars.

SEC. 44. *And be it further enacted*, That the following annual salaries shall be allowed to the Auditor of the Post Office Department, and to the clerks and messengers herein provided for the service of his office, viz :

Salaries of Auditors and others.

To the auditor, three thousand dollars.

To the chief clerk, two thousand dollars.

To the four principal clerks, each one thousand six hundred dollars.

To ten clerks, each one thousand four hundred dollars.

To twenty clerks, each one thousand two hundred dollars.

To eight clerks, each one thousand dollars.

To the messenger, seven hundred and fifty dollars, and to the assistant messenger, three hundred and fifty dollars.

Appropriation  
for 1836.

SEC. 45. *And be it further enacted*, That the sum of three millions one hundred and fifty thousand dollars be, and the same is hereby appropriated for the service of the Post Office Department for the year commencing on the first day of July one thousand eight hundred and thirty-six, out of any moneys in the Treasury, arising from the revenues of the said Department, to be accounted for in the manner pointed out in the second section of this act.

Act to go into  
immediate  
effect.

SEC. 46. *And be it further enacted*, That this act shall be in force and take effect from the passage thereof.

APPROVED, July 2, 1836.

STATUTE I.

July 2, 1836.

CHAP. CCLXXI.—*In Act to establish certain post roads, and to alter and discontinue others, 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 be established as post roads;

In Maine.

*In Maine.*—From Lincolnville to Islesborough. From Wilton, through Weld and Byron, to Andover. From Topsham, through Lisbon, by Little River village and Mayalls Factory village, to Lewistown falls. From Dennysville, through Charlotte, Cooper, and Baring, to Calais. From Saco, by Salmon falls, Bar mills, Moderation falls, Bonny Eagle falls, to East Baldwin. From Wayne village, by Norris ferry, Isaac Strickland's, and William H. Britton's, in Livermore, to Hayford's mills, in Canton, and Peru, to East Rumford. From Brunswick to Harpswell. From Portland, by Falmouth Centre, Cumberland, Upper Yarmouth, New Gloucester, East Poland, Minot, West Minot, East Hebron, to Buckfield village. From Calais, through Baleyville and Princeton, to Houlton. From Gardiner, through Pittston, Hallowell, Whitefield, Windsor, Patrickstown, Washington, Liberty, Appleton, Searsmont, and Belmont, to Belfast. From Portland, through Cumberland Centre, Pownal, Durham, Lisbon, Wales, and Winthrop, to Augusta. From Waterville, by China, to Palermo. From North New Portland, through Lexington, to Dead river. From Vinalhaven to Isle of Haute. From Portland, through Stroudwater village, and Buxton, to Salem falls. From Thomaston, via Cushing, to Friendship. From East Thomaston to Owl's Head. From Thomaston to Vinalhaven. From Doughty's falls (or Berwick), to Great Falls, New Hampshire. From Brunswick, by South Durham, Southwest Bend, Goff's corner, East Minot, and East Turner, to Turner. From Warren, by Jefferson, and North Whitfield, to Augusta. From Madison, by Madison Centre and South Anson, to West New Vineyard.

In New Hamp-  
shire.

*In New Hampshire.*—From Guilford, through Meredith, to New Hampton. From Hebron, through Alexandria, to Bristol. From Hillsboro bridge, through the south part of Antrim, and Hancock, to Peterboro. From South Deerfield to Pittsfield. From Ossipee to Tuftenboro. From Groton, Massachusetts, to Dunstable, New Hampshire. From Dunstable, by Hudson, Londonderry, Derry, Hampstead, Hawke, and Kingston, to Exeter, in New Hampshire. From Exeter, by Hampton falls, to Hampton beach. From Dover, by Durham, Lee, Epping, and Chester, to Derry. From Lebanon, by Springfield, New London, and Sutton, to Warner. From Hillsborough bridge, by Antrim, North Branch, Stoddard, and Sullivan, to Keene. From Hillsborough bridge, by South Antrim and Hancock, to Peterborough. From Tuftonborough and Ossipee, in New Hampshire, Newfield, Limerick, Waterborough and Buxton, to Portland, in Maine. From Hillsborough bridge, by Hillsborough centre, Bradford centre, and Sutton, to Sutton village. From Amherst, by Milford, Wilton, and Mason, to New Ipswich. From Windham, via Londonderry, to Hooksett. From Claremont to Cornish flat.

*In Massachusetts.*—From East Middleboro, through Plympton, to Kingston, in Plymouth county. From Taunton to Norton. From Foxboro to Wrentham. From Franklin, through Bellingham, to South Milford. From North Woodstock, through Woodstock, Wilkinson's factory, Killingly, in Connecticut, to Chephetchet, in Rhode Island. From Yarmouth to South Yarmouth. From Sandisfield to Sheffield. From Boston, through Lynn, Danvers, Topsfield, New Rowley, West Newbury, to Amesbury. In Massachusetts.

*In Rhode Island.*—From Woonsocket falls, Rhode Island, through South Bellingham, Massachusetts, to Franklin, and thence to East Wickford. From Newport, Rhode Island, by water, to Wickford. In Rhode Island.

*In Connecticut.*—From Furnace Village, through Lime Rock, and Falls village, to South Canaan. From Worcester, to Charlton, through Southbridge, Massachusetts, through the west part of Woodstock, to Tolland, in Connecticut. From Jewett's city, by Packersville, to Canterbury. From Plainfield, by Mossup and Central village, to Brooklyn. From Hartford, via Windsor, Poconoc, East Granby, West Sheffield, and Feedinghills, to Westfield. From Westport, via the Academy in Weston, Stepney Post Office, and Zoar, to Bennet's bridge. From New Haven, by East Haven, North Branford, North Guilford, North Bristol, and North Killingworth, to Essex. From Essex, by Hamburg, and North Lyme, to Norwich City. In Connecticut.

*In Vermont.*—From Johnston, through Eden, Lowell, Westfield, Troy, and Newport, to Derby. From Bellows falls, through Athens, Brookline, Newfane, and Dover, to Wilmington. From Mount Holly, through Mechanicsville, to Weston. From Alburgh to West Alburgh. From Windsor, by Hartland, Queechey Village, West Hartford, Snow's store, Sharon, and South Stafford, to Stafford. From Practorsville, via Cavendish, Greenbush, and Corner's, in Vermont, to Claremont, in New Hampshire. From Williston to Jericho. In Vermont.

*In New York.*—From Watertown to Rodman, by Burrville, in the county of Jefferson. From Carthage, through the village of Great Bend, Le Raysville, Felt's mills, Lockport, and Huntingdon's mills, to the village of Watertown, in the county of Jefferson. From Theresa, in the county of Jefferson, by the Glass works, and South Hammond, to Hammond, in the county of Saint Lawrence. From Hudson, by Glencoe, Curtis's settlement, North East, to Salisbury, in the State of Connecticut. From Silver creek, in the county of Chautauque, by Versailles, in the county of Cattaraugus, to Angola, in the county of Erie. From Jamaica to Rockaway, in the county of Queens. From Greenfort, across Shelter island, to Sag Harbor, in the county of Suffolk. From Setauket, by Coram, Patchogue, in Suffolk county. From Mayville, in the county of Chautauque, through Panama, to the mouth of Broken Straw creek, in the county of Warren, in the State of Pennsylvania. From Smithsboro to Spencer, in the county of Tioga. From Goshen, in the county of Orange, in the State of New York, through Phillipsburg, Middletown, Mount Hope, Cuddebackville, Clowesville, Forrestburg, Stewartsburg, Half-way brook, Beaver Brook, Ten-mile river, and Narrowsburg, to Honesdale, in the State of Pennsylvania. From Herkimer to Utica, on the south side of the Mohawk river, through the villages of Mohawk, German Flats, and Frankfort, in the county of Herkimer, to the city of Utica, in the county of Oneida. From Lockport, in the county of Niagara, by way of Benedict's bridge, to Akron, in the town of Newstead, in the county of Erie. From Youngstown, in the county of Niagara, by way of Wilson, Kempville, Somerset, Yates, Centre, West Carlton, East Carlton, and Davis' mills, to Gaines' corner, in the county of Orleans. From Preble, in the county of Cortland, through Otisco Hollow, Amber, Marietta, and Marcellus, to Camillus, in the county of Onondaga. From Luzerne, in Warren county, to Caldwell. From Carmel, in Putnam county, to Pawlings, in Dutchess. From In New York.

Franklin, in the county of Delaware, to Oneonta, in the county of Otsego. From Somerset, in Niagara county, by Yates, Centre, West Carlton, East Carlton, and Davis' mills, to Gaines corners, in the county of Orleans. From Groveland, on East road, to Geneseo. From Stan-fordville to Sharon, in Connecticut. From Gibbonsville, by way of Cohoes, to Waterford. From Schenectady, by Princetown and Duaneburg, to Schoharie. From Poughkeepsie, by Pleasant Valley, Dover, Bullsbridge, and Kent Post Office, to Washington, in Connecticut. From Ithaca, through Green, Oxford, Guilford, Mount Upton, Gilbertsville, Otsewa, Oneonta, Davenport Centre, Davenport, West Harpersfield, Harpersfield, and Stamford, to Catskill; and that the post route from Oxford to Gilbertsville, and from Oneonta to Gilbertsville, and from Harpersfield to Oneonta, be, and the same are hereby, discontinued. From Rochester, along the Erie canal, to Brockport and Lockport, in the county of Niagara. From Union village, by the vil-lages of Battenkill, and Shaws mills, to the village of Salem, in the county of Washington; and that the post road from Battenkill to Jack-son be discontinued. From Waterborough, in the county of Chautauque, by Connewango, to Persia, in the county of Cattaraugus. From West-field, in the county of Chautauque, to Columbus, in the county of War-ren, in the State of Pennsylvania. From Sand Bank to Mannsville. From Clintonville to Rhinebeck. From Russia to Moorehouse village.

In New Jer-  
sey.

*In New Jersey.*—From Belvidere, in Warren county, to Port Colden. From Pompton, by Wenokey, Boardsville, Long Pond, and The Green Woods, to the post office, at Warwick, in New York. From Jersey city, in Bergen county, to Belleville. From Princeton, by Hightstown, to Freehold. From Hightstown, by Ewingville, Clarksburg, Horners-town, Cassville, Charlestown, and Smithfield, to Freehold. From Philadelphia, by Camden, Burlington, Hightstown, and South Amboy, to the city of New York. From Dover, by Suckasunny and Flanders, to Hackettstown. From Hamburg, by Franklin furnace and Sparta, to Newton. From Kingston to Somerville, by way of Rocky Hill, Griggstown, Millstone, and Weston. From New Egypt, by Cooks-town, Jacobstown, Recklesstown, Crosswicks, to Bordentown.

In Pennsylva-  
nia.

*In Pennsylvania.*—From Reamstown, in Lancaster county, by the way of Sheonuk, Whitehall, and Springville, in said county, to Shaef-ferstown, in Lebanon county. From Columbus, Luzerne county, Penn-sylvania, by the way of Fairmount, Colesville, in Columbia county, and Davidson, to Taneyville, in Lycoming county. From Chambersburg, Franklin county, Pennsylvania, by way of Mercersburg, to Hancock, Washington county, Maryland. From Karthaus, Clearfield county, to the town of Clearfield, in said county; the route to go on the north side of the west branch of the Susquehanna river. From Hart's cross roads, in Crawford county, Pennsylvania, to Andover, in the State of Ohio. From Oil creek, Crawford county, by the way of Spring creek, in War-ren county, to Sugar grove, in the same county. From the Spring house, Montgomery county, by the way of David Acuff's Gwynedd, Heisler's tavern, Franconia, Gerhart's tavern, Trumbaursville, in Bucks county, Everhart's, Jacob Hertzels, to Coopersburg, in Lehigh county. From Abington centre, in Luzerne county, by the way of Factoryville, Nicholson, to Brooklyn, Susquehanna county. From Wyalusing centre, Bradford county, to Orwell, in the same county. From Erie, Erie county, by the way of McKean, Washington, and Venango, to Rockdale, in Crawford county. From Coatesville, in Chester county, by way of Doe run, Chatham, West Grove, Roscommon, and Boyd's store, to Strickersville. From Florence, in Washington county, by Mill Creek meeting house, East Liverpool, Faulkstown, Clarkson, East Fairfield, and Lima, in Columbiana county, to Poland, in Trumbull county, Ohio. From Cross Creek village, Washington county, to West Liberty, in

Ohio county, Virginia. From West Alexander, Washington county, to West Liberty, in Ohio county, Virginia. From West Alexandria, Washington county, to Waynesburg, in Green county. From Zelenople, Butler county, by Evansburg, Glade Mills, to Freeport. From Beaver, in Beaver county, to Frankfort. From Skinner's Eddy post office, in Luzerne county, by Springhill, and Jones's mills, to intersect the post route from Wyalusing to Rushville, at Stevensville. From Wind gap, in Northampton county, by Fleeksville and Richmond, to Belvidere, in New Jersey. From Ligonier, Westmoreland county, to Johnstown, in Cambria county. From Mahonoy post office, in Northumberland county, by the State road, to Minersville, in Schuylkill county. From Taneyville, in Lycoming county, by Heddlston's to Columbus, in Luzerne county. From Butler, in Butler county, by Whitestown, Zelenople. From Juniata Crossings, in Bedford county, by Brush valley, Whips cove, Warfordsburg, to Hancock, in Maryland. From Wilkesbarre, in Luzerne county, by White Haven, Lowrytown, to Lausanne. From Reading, in Berks county, by Yocums forge, and Bowman's store, to Blue Ball, in Lancaster county. From Smethport, McKean county, by the forks of Tunuangwat creek, to Great valley, in Cattaraugus county, New York. From Butler, in Butler county, to Franklin, in Venango county, by the graded or turnpike road. From Carbondale, in Luzerne county, by the way of Greenville, Wallsville, Abington, and Nicholson, to Tunkhannock. From Kutztown, Berks county, by the way of New Jerusalem, Lobacksville, Klausner's, Shoenersville, Boyertown, New Hanover, to The Trappe, in Montgomery county. From Minersville, in Schuylkill county, by the way of Waynesburg, Klingerstown, to Gratztown, in Dauphin county. From Easton, Northampton county, by the way of William Kessler's, Wootings' mills, Roxbury, to Williamsburg. From Norristown, Montgomery county, by the way of Shannonville and Lumberville, to Phoenixville, in Chester county. From Stoddardsville to Clifton, in Luzerne county. From Honesdale, Wayne county, down the Lackawaxen creek, and along the line of the Delaware and Hudson canal, to the Narrows; thence along the same creek and canal, up the Delaware river, through Big Eddy settlement to Damascus post office; thence through Berlin township to Honesdale. From Venango furnace to Wesley, Venango county. From Damascus to Stockport, via the mouth of the Little Equinunk creek and the English settlement, in Manchester township, and the mouth of the Great Equinunk creek, in Buckingham township, Wayne county. From Liverpool to Mifflintown. From Montrose, through the townships of Lawsville and Franklin, to Binghampton, New York. From Danville to Cattawissa. From York, by Quigley's church, and Strinestown, to Newberrytown.

*In Delaware.*—From Milford, in Delaware, to Easton, in Maryland. In Delaware.

*In Maryland.*—From Davidsonville, via Higgin's store, to Patuxent forge, and thence to Elkridge landing. From Boonsborough, via Rohrersville, Brownsville, Burketsville and Petersville, to Barry. From Port Deposit to North East. From Churchill to Dover, in the State of Delaware. From Cambridge, by Church creek and Tobacco-stick, to Robinson and Griffith's store. From Belle Air, by Hartford Furnace and Abington, to Michaelville. In Maryland.

*In Virginia.*—From Poplar Hill, Giles county, to Sharon, Wythe county. From Waynesboro to Greenville. From Fishing creek, in Tyler county, Pine Grove, and Mount Linnæus, to Polsley's mills, in the county of Monongalia. From Weston, in the county of Lewis, to Charlestown, in the county of Kenawha. From Louisa court-house to Yanceysville. From Prillemon's post office, in the county of Franklin, via Rake's store, and Canada's, in said county, to Floyd court-house. From Marion to Greenville, Grayson court-house. From Charlottesvile, via



Scottsville, to Buckingham court-house. From Belfield, in the county of Greensville, to Newsom's depot, in the county of Southampton. From Polsley's mills, in the county of Monongalia, via Armett's store, to Blacksville. From Staunton, via Buffalo gap, and Joseph Bell's, to Milborough. From the town of Weldon, North Carolina, via Syke's Old Store, Randal's Ordinary, Powellton, James' Square, Gholsonville, Oakgrove, Nicholson's, Wartman's, Charles Ogburn's, Shackelford's, Christiansville, Dupree's Store, Charlotte court-house, Armistead and Fuqua's store, and Brookneal, to Green Hill, Campbell county, Virginia. From Wythe court-house, via James H. Piper's, to Blue Springs, Smythe county. From Bickley's mills, Russel county, via Osborn ford, to Pendleton, Scott county. From Broadford, Smythe county, via Cook's store, to Sharon, Wythe county. From Laurel post office, Washington county, to Captain Levi Bishop's, in the county of Smythe. From Princess Ann, Maryland, via Newtown, Maryland, and Bloxom's tavern, Virginia, Riley's store, Jenkin's bridge, Guilford, and Bagwell's mills, to Drummondtown, in the county of Accomack, Virginia. From Horntown to Bloxom's tavern, Accomack county, Virginia. From Greenville, Virginia, to Jefferson, North Carolina. From Winchester to Staunton, by way of Lane's old works, Huddle's school-house, Columbia furnace, Moore's store, Pennybacker's furnace, Turley's town, and Miller's furnace, and thence to Staunton. From Kingwood to Evansville. From Orange court-house to Stanardville. From Culpeper court-house, via Plain's mills, to Timberville. From Leadsville to Western Fords, in the county of Randolph, in Virginia. From Danville, by Franklin court-house, to Salem. From Jerusalem to Urquhart's store, in Southampton county. From Surry court-house to Wall's bridge, in Surry county. From Richmond, by Bellona arsenal, Sublett's and Jefferson, to Catersville. From Lynchburg, by Pedlar's mills, to Buffalo Spring. From Tye-river warehouse, to Lynchburg. From Littleton to Urquhart's store. From West Alexandria, Pennsylvania, to Grave Creek.

In North Carolina.

*In North Carolina.*—From Franklin, North Carolina, to Jamesville, Grady's store, and Huntington, to Blairsville, Georgia. From Wadesboro', by White's store, Jesse Llewellen's, Hasty's store, Alexander N. Bell's, the Anson Gold mines, and thence by Burns's store and Diamond Hill. From Limestone post office, in Buncomb county, by Edneysville and E. S. Porter's, to Earlsville, Spartansburg district, South Carolina. From Carthage, in Moore county, thence to Eli Phillips's, and Farish and McNeill's store, to Tyson's store. From Morgantown, in Burke county, up John's river, to John Mosts, on Watauga, in Ashe county. From Fallsville, in Lincoln county, to William Oats', Buffaloe post office, Joshua Beam's, Rushy creek, Hamilton's store, and Webb's ford, to Rutherford, Rutherford county. From Bethania, Stokes county, by Vienna and Shores' ferry, to Doweltown, Surry county. From Greensboro', by Thompson's store and David Thomas's, to Mooresville, in Orange county. From Milton, by Sergeantsville, and Blackwell's Store, to Rawlingsburg, in Rockingham county. From Yadkin post office, Stokes county, by William Wolf's, Reeve's and Johnson Clement's, to Rockford, Surry county. From Taylor's bridge, in Sampson county, by The Piney Woods, and the house of Lewis High Smith, to Long Creek bridge, in New Hanover county. From Beatiesford to Sherrillsford post office, and Hokesville, to Fisher's post office; returning, to pass Eavesville, the neighborhood of Thomas L. May's, to the Dry Ponds. For Salisbury, by Mount Pleasant, in Cabarras county, to Cobourn's store, in Mecklenburg county. From Washington to Durham creek. From Newbern to James Riggs', on Bay river, in Craven county. From Beaufort to Portsmouth, and thence to Ocracock. From Kingston, by Hookertown, to Snow Hill. From Mockville to Hunts-

ville. From Franklin, in Macon county, down Valley river, to Huntingdon, thence to Clarksville, Habersham county, Georgia. From New Castle, by Trap Hill, in Wilkes county, to Grayson court house, Virginia. From Greenville, in Pitt county, by Johnson's mills, Scuffletown, in Green county, to Kinston in Lenoir county. From Elizabethtown, by Lennon's Cross Roads, to Fair Bluff, thence by Whiteville and the Prong, at Wooten's back, to Elizabethtown. From Winton, by Gates court-house and Sunbury, to Edenton. From Tomlinson's store to Ashe court-house. From Louisburg, by Lenay's cross roads, Wilton, Melbame's store, Wellborn's meeting-house, Red Mountain, and Turner's Mills, to Hillsboro'. From Germantown to Little Yadkin.

*In South Carolina.*—From Hamburg, via Red hill, to Liberty hill. From Corbettsville to Blacksville, in Orangeburg district. From Greenville court-house, by Liggon's mills, to Mush creek. From Abbeville court-house, by Faggart's store, and Covington's mills, to Maffattsville, in Anderson district. From Greenville court-house, South Carolina, via Sutton's bridge, on Saluda river, Cedar rock, Wolf creek, Pickens court-house, Falls post office, West Union, Earlsford, on Chatuga river, and Warwoman's creek, to Clayton, in the county of Rabun, State of Georgia. From Camden, via Longtown, Winsborough, Bell, Halls, Ashford's ferry, and Baskett's, to Newberry court-house. From Union court-house to Newberry court-house, Young's ferry to Aikin. From Barnwell court-house to Rosney. From Pocotaligo, via Hickory Hill, to the Cross roads, in Prince William's parish. From Draytonville, by Limestone springs, Smith Lipscomb's, Rowland's store, and the Rolling mills, to Spartanburg court-house. From Fishdam post office, on Broad river, to Pinckneyville, in Union district. From Greenville court-house, by Sherman's store, Bouby's store, Line creek, Nealey's ferry, Cambridge, Meeting street, to Edgefield court-house. From Greenville, South Carolina, by Clarksville, Georgia, to Dahlonega.

In South Carolina.

*In Georgia.*—From Franklinville, Lowndes county, Georgia, via Warner's Ferry, to Townsend post office, in Madison county, Territory of Florida. From Carrollton, via Villarica post office, in Carroll county, Georgia, to Paulding court-house, Cassville, in Cass county, and Adairville, in Cass county. From Rome, in Floyd county, Georgia, via Vann's valley, Morgan's cross roads, Jacksonville, in Benton county, Alabama, Alexandria post office, Conner's, Kelly's Spring, Talladega, Mardisville, in Talladega county, Syllacogy post office, Rockford, in Coosa county, to Wetumpka, in Montgomery county, Alabama. From Centreville, Wilkes county, via Wright's store, on the Skull shoal road, Bowling Green, John M. Coxe's store, and Poulain's bridge, to Salem, in Clark county. From Flat shoals, in Pike county, via Perdue's store, Rocky Mount, Carter's store, all in Merriwether county, and Corinth, in Heard county, to Franklin, in Heard county. From Newnan, Coweta county, via Sellman's store, and Turrentine's ferry, on Flint river, to Zebulon, in Pike county. From Auraria, in Lumpkin county, via Coal Mountain post office, Cumming, in Forsyth county, Social Hill, post office, in Cherokee county, Lebanon post office, and Marietta, in Cobb county, Big Spring, and Sweetwater town, in Cobb county, to Campbellton, in Campbell county. From Cassville, via Pine Log post office, and Benton post office, in Cass county, to Ellejay, Gilmer county. From Marietta, via Altoony gold mines, Cassville, Adairsville, Cass county, New Echota, to Springplace, Murray county. From Lumpkin, in Stewart county, to Starkville, in Lee county. From Talbotton, via Boston post office, Uchee village post office, in Marion county, and Pondtown post office, to Americus, in Sumpter county. From Talbotton, via Bellevue post office, Buchanan's store, Warm springs, and Greenville, in Merriwether county, to Newnan, in Coweta county. From Elberton, by Montevideo, in Elbert county, Georgia, to Anderson

In Georgia.

court-house, in South Carolina. From Paulding court-house, via Rome, in Floyd county, Treadway's Island ford, at Story's farm, to Walker court-house. From Clayton, in Rabun county, via Blairsville, in Union county, Ellejay, in Gilmer county, and Spring place, in Murray county, to Walker court-house, in Walker county. From Dahlonega, in Lumpkin county, via Hightower post office, and Canton, in Cherokee county, to Cassville, in Cass county. From Dahlonega, in Lumpkin county, to Blairsville, in Union county. From Canton, in Cherokee county, via Woodstock post office, Marietta, in Cobb county, and Paulding court-house, Paulding county, to Cedar town, in Paulding county. From Hawkinsville, in Pulaski county, to House creek, in Irwin county; the mail to be carried down on the western side of the Ockmulgee river. From Lagrange, Troup county, via Liberty Hill post office, Franklin, in Heard county, and Laurel hill, to Carrollton, in Carroll county. From Franklin, Heard county, Georgia, to Randolph court-house, in Alabama. From Jacksonville, Telfair county, via Holmesville, in Appling county, and Wearesboro', in Ware county, to Franklinville, in Lowndes county. From McDonough, Henry county, via Tucker's cabin, to Decatur, De Kalb county. From Holloca, in Muscogee county, via Pineville and Jenkins's mill, to Americus, Sumpter county. From Drayton, in Dooley county, via Danville, Americus, in Sumpter county, and Lannahassee, in Stewart county, to Columbus, in Muscogee. From Dahlonega, in Lumpkin county, to Ellejay, in Gilmer county. From Wrightsboro', via Raytown, Crawfordsville, Temperance, at Green and Baldwin's store, to Greenboro'. From Decatur, in De Kalb county, via Stone Mountain, Rockbridge, to Monroe, in Walton county. From Fort Gaines, in Early county, to Spring creek post office. From Archibald Hunter's ferry, on Highwassee, North Carolina, to Blairsville, in Union county, Georgia. From Milledgeville, by Monticello, Indian Springs, Greenville, La Grange, Wetumpka, to Tuscaloosa, Alabama. From Decatur, by Key's, Martin's ferry, on the Chattahoochee, to Lebanon, in Cobb county. From Columbus, by Lumpkin, Cuthbert, Fort Gaines, and Blakely, to Bainbridge. From Rome, by Livingston, Pleasant Green, or Gamble's seminary, near the line of Walker and Floyd counties, to Islandtown, on Chatooga river.

In Kentucky.

*In Kentucky.*—From Gainesboro, Tennessee, via Thomas Butler's Salina, mouth of Obed river, Kettle creek, Hanover, near Cary's ferry, to Burkesville, in Kentucky, thence via Creelsborough to Jamestown, in Russel county. From Jamestown, Tennessee, via Abraham Vanwinkle's, to Monticello, in Wayne county, Kentucky. From Louisa, in Lawrence county, to West Liberty, in Morgan county. From Richmond, in Madison county, to London, in Laurel county. From Perry court-house, via the mouth of Leatherwood creek, Hezekiah Bransan's, in Harlam county, and Neal's post office, at Stone gap, to Scott court-house, in Virginia. From Richmond, in Madison county, via Slaughter's salt works, Mount Vernon, Somerset, Faris's stone coal mines, and mouth of Laurel, to Charles Rockholt's, in Whitley county. From Neville, in the State of Ohio, to Falmouth, in Pendleton county, Kentucky. From Bowling Green to Scottsville, via Allen springs. From Stanford, in Lincoln county, via Colonel Jesse Coffee's, and Liberty, in Casey county, to Jamestown, in Russel county. From Covington, in Campbell county, via Taylor's mill, on Banklick Creek, and up the Licking road, to intersect the mail route from Washington, in Mason county, via Falmouth, in Pendleton county, to Gaines's cross roads, on the Dry ridge, in Boon county, at Richard Mullin's on Grassy creek, in said county of Pendleton. From Gallatin, in Tennessee, via Dunn's cross roads, in Smith county, Tennessee, down the Long fork of Barren river, by John B. Lowrey's store, to Tomkinsville, in Kentucky. From Cloverport, in Brackenridge county, via John Haynes's, Taylor's mills, Hartford and

William Browns', in Ohio county, to Worthington, in Muhlenberg county. From Hawesville, in Hancock county, to Nottsville, in Davis county. From the mouth of Sandy, in Henry county, Tennessee, via Concord and Belgrade, to Wadesborough, in Calloway county, Kentucky. From Mount Sterling, via the mouth of Aaron's run, and North Middletown, to Paris. From Cloverport, by the Great falls of Rough creek, to Brownsville. From Tomkinsville, via John Meadow's, on the East fork of Barren river, John Meadow's, on Salt lick of Barren river, Bratton's post office, and Dabney Cooper's, on White oak of Barren river, to Gallatin, in Tennessee. From the town of Bedford, in Oldham county, to the town of Port William, in Gallatin county. From the town of New Castle, in Henry county, to Port Royal, in the same county. From Hartford to V. W. Peyton's, in the county of Ohio. From Hawesville to Viles's, in the county of Hancock.

*In Tennessee.*—From Randolph, by Portersville and Concordia, to Belmont, in Fayette county. From Somerville to Egypt, in Fayette county, and from Mount Pleasant, Murray county, by Rock House creek, J. C. Gullick's, Perrysville, Lexington, and Independence, to Jackson. From Knoxville, via Reed's mill, on Beaver creek, Low's ferry, on Clinch river, Scarborough's mills, Watson's ferry, and from thence to Kingston. From Philadelphia, Monroe county, by Pryse's ferry, on Tennessee river, to Washington, Rhea county. From Leesburg, in Washington county, via Newmansville, in Green county, to Rogersville, in Hawkins county. From Williamsport, by True's store and Snow creek, in Maury county, to Franklin, in Williamson county. From Samuel Wilson's, on Jack's creek, Henderson county, to Burns's store. From McMinnville, Warren county, to Liberty, Smith county. From Columbus, in Hickman county, Kentucky, by Dyersburg, Lauderdale court-house, and Covington, to La Grange, Tennessee. From Jackson, by Mount Pinson, to Purdy, McNairy county. From Durhamville, Lauderdale county, to Ashport, on the Mississippi river. From Ten-mile stand, in Rhea county, by George Gordon's iron works, from thence through Grassy cove to George Dawson's, on Cumberland mountain. From Pikeville, Bledsoe county, by Blythe's ferry, on Tennessee river, to David McNaire's, on Conasauga. From McMinnville, by James Gardiner's, esqr., to Dallas, Hamilton county. From Athens, in McMinn county, by way of Haynes's store, to Mount Vernon, in Monroe county. From Van Buren to Moore's cross roads, in Hardeman county. From Humphrey's court-house, in Humphrey's county, and by Point Mason, to Paris, Henry county. From Brownsville, by Wesley, to Covington. From Perrysville, in Perry county, by Morgan's creek, to Benton county court-house, and to Paris. From Huntingdon, in Carroll county, by Lexington and Jack's creek, to Purdy, in McNairy county. From Bolivar, by Nubbin ridge, Simpson's bridge, on Hatchie river, Cypress, Chamberlain, and Wolf's ferry, on the Tennessee river, to the Brick house, or Cherryville, in Hardin county. From Rogerville, in Hawkins county, by Morgan's mill, to James's store, in Greene county. From Jackson, by Oakland, and Chalk bank and Shiloe, Tennessee, by Trenton, Yorkville and Troy, to Mills point, Kentucky. From Waynesboro', by David Gallaher's, and Pinhook, in Wayne county, to the Brick house, in Hardin county, on the stage road from Savannah, Tennessee, to Florence, Alabama. From La Grange, Tennessee, via Spring Hill, to Walnut grove, Mississippi. From Murfreesboro', by Salem cross roads, to Wilkinson's cross roads, in Rutherford county. From Florence, Alabama, to Waynesboro', Tennessee, via John Spain's, Alabama, and Sessum's store, Tennessee. From East-aula to Wesley. From Monroe, via Locust Shades, in Overton county, by Salina, Jackson county, by Garret Moore's to Tomkinsville, Kentucky. From Elkton, Tennessee, to Decatur, Alabama, and from

In Tennessee.

Franklin, Tennessee, to Charlotte, by Turnbull. From Dover, by Tobaccoport, to Cadiz, in Kentucky. From Purdy, Tennessee, by Colonel John Reeves's, in the Chickasaw cession, to Pontitoc, in the State of Mississippi. From Marysville, in Blount county, by Mount Vail springs, to Chilhowee post office, on the Tennessee river, Monroe county. From Bean's station, Morestown, Colonel McFarland's, mouth of Nolachucky, to Newport. From Campbell's station, Low's ferry, on the Holston river, to Louisville, in Blount county. From Pulaski, by Rogersville, to Courtland, Alabama. From Reedyville, by David Patton's, in Rutherford county, to Beech grove, in Bedford county. From Waynesboro' to Savannah. From Long Savannah, Hamilton county, to Walker court-house, Georgia. From Brownsville, Haywood county, by Cherryville, Lanefield, and Chestnut bluffs, to Dyersburg, in Dyer county. From Nashville, by Ellison's mills, on South Harpeth, to Centreville. From Fayetteville to Robertson's store. From Clarksville, Tennessee, to Cadiz, Kentucky. From seat of justice in Humphreys county to the seat of justice in Benton county. From Clinton, by Oliver's, to Morgan court-house.

In Ohio.

*In Ohio.*—From Perrysburg, in Wood county, through Risdon, and Rome, in Seneca county, and McCutchinville, to Bucyrus, in Crawford county. From Bucyrus, in Crawford county, to Tiffin, in Seneca county. From Finley, in Hancock county, to Lima, in Allen county. From Jeromeville, in Wayne county, by Olivesburg, and Rome, to Runner's, in Richland county. From Plymouth, by Gamble's mills, Martin's mills, and Lexington, in Richland county, to Frederick, in Knox county. From Mount Gilead, in Marion county, by Galeon, and Leesville, to De Kalb, in Richland county. From Cincinnati, by Cummingsville, Vernon, and Bevis in Hamilton county, by Ross, and Millville, to Stilwell, in Butler county. From Finley, in Hancock county, by Mount Blanchard, to Burlington, in Marion county. From Tiffin, in Seneca county, by York Centre, to North Ridge, in Sandusky county. From Finley, in Hancock county, by Big spring, in Seneca county, McCutchinville, and Mexico, in Crawford county, to Mellmore, in Seneca county. From Lower Sandusky, by Rome, in the county of Seneca, and Risdon, to Finley, in the county of Hancock. \*From Bellefontaine, in Logan county, to Roundheads-town, in Hardin county, thence to Lima, in Allen county, thence to Kalida, in Putnam county, and to Sugar Grove. From Dayton, in Montgomery county, by Germantown, and Jacksonborough, to Oxford, in Butler county. From Jefferson to Mechanicsburg. From Urbana to Sidney. From Sidney, by Waupakonetta, to Lima. From Toledo, in Lucas county, to Dundee. From Parkman, in Geauga county, to Auburn. From Lancaster, in Fairfield county, by Bremen, and Bristol, to McConnellsville, in the county of Morgan. From Cadiz, in Harrison county, by Deersville, Shane's mills, to Port Washington, in Tuscarawas county. From Cambridge, in Guernsey county, to Plainfield, Coshocton county. From Saint Clairsville, in Belmont county, by Uniontown, and Moorefield, to Freeport. From Rush to Port Washington, in Tuscarawas county. From New Washington, by New Birmingham, to Port Washington, in Tuscarawas county. From Millersburg, in Holmes county, by Shanesville, to Tuscarawas, in Tuscarawas county. From Jackson court-house, Ohio, by way of Simms's creek and Clark's mills, to Guyandotte, Virginia. From Carrollton, in Carroll county, by Pekin, and Paris, in Stark county, to Randolph, in Portage county. From Finley to Kalida, in Putnam county. From Salem, by Lexington, New Baltimore, Midmay, Green, Manchester, Doylestown, Milton, Jackson, and Canaan, to Waynesburg, in Wayne county. From Fredericktown, in Knox county, to Bucyrus, in Crawford county. From New Hagerstown, by Kilgore, and Shober's mills, in Carroll county, to McCullough's, in Jefferson county. From

Paris, in Stark county, by Brown's post office, and New Harrisburg, to Leesville, in Tuscarawas county. From Waynesburg, in Wayne county, by Perrysburg, and Vermillion, to Paris, in Richland county. From Carrollton, in Carroll county, by Leavitt and New Cumberland, to New Philadelphia, in Tuscarawas county. From New Lancaster, by Baltimore, Grandville, and Homer, to Mount Vernon. From Pickerington, in the county of Fairfield, by Waterloo, Winchester, Middletown, and Kennedy's store, to Circleville, in Pickaway county, Ohio. From New Richmond, via Knoxville, to the mouth of Big Yellow creek. From Canal Dover, to Zoir. From Delaware, in Delaware county, via Rador, Big island, in Marion county, to Upper Sandusky. From Delaware, by Maysville, and Milford, in Union county, to Urbana, in Champaign county. From Sunbury, in Delaware county, by Woodbury and Mount Gilead, in Marion county, to Leesville, in Richland county. From Reynoldsburgh, in Franklin county, by Hedley's mills, Plain four corners, Harlem, and Geneo, to Galena post office, in Delaware county. From Dublin, in Franklin county, up the west side of the Scioto, by Bell Point, to Middletown, in Delaware county, thence to Big island, in Marion county. From Wilkesville, in Gallia county, by Salem, Salisbury, and Lebanon, in Meigs county, crossing the Ohio river near the mouth of Oldtown creek, to Ripley, in Jackson county, Virginia. From Bedford, in the county of Cuyahoga, by Northfield, Brandywine, Boston, Northampton, and Portage, to Akron, in the county of Portage. From Edwardsville, in Warren county, to Cuba, in Clinton county. From Fairview to Smyrna. From Freeport to Shotwell's mills, Shane's mills, Newport, and Waterford, to Eastport. From Minerva, in Stark county, by Franklin, Williamsport, Lexington, Mahoning post office, and Lima, to Atwater, in Portage county. From Chesterville, in Knox county, to Johnstown, in Licking county. From Decatur, in Ohio, to Maysville, in Kentucky. From Plato, in Lorraine county, to Wilhelm. From Bucyrus to Little Sandusky. From New Lisbon, in Columbiana county, to Hanoverton. From Wilmington, in Clinton county, via Cuba, Martinsville, and Lynchburg, to Hillsboro'. From Cedarville, in Brown county, to Cuba, in Clinton county. From Granger, in Medina county, by Sharon, to Wadsworth. From Baker's mills to Millbrook, in Wayne county, to Nashville, in Holmes county. From Saint Clairsville to Port Washington. From Grafton, in Lorraine county, to Lodi, in Medina county. From Athens to McConnellsville. From Edwardsville, in Warren county, to Cedarville, in Brown county. From Wooster to Perrysville, in Richland county. From Defiance, in Williams county, by Evansport, to Lafayette. From Grassy point, by Charleston, to Springfield. From Akron, by Ravenna, in Portage county, to Warren, in the county of Trumbull, by Newton falls. From Winchester to West Union, in Adams county. From Canton, Stark county, by Sandy and North Georgetown, to Salem, in Columbiana county. From Petersburg, by Lima, Greenford, and New Albany, to Salem, in Columbiana county. From New Garden, by Bennett's cross-roads, to Damascus, and from Damascus to Salem. From Wellsville, by Cope's mills and Croxton, to Scroggsfield. From New Hagerstown and West Chester, in Carroll county, to Cambridge, in Guernsey county. From New Lisbon, Columbiana county, by Clarkson and West Salem, to Beavertown, in Pennsylvania. From Russellville, in Brown county, to New Market, in Highland county. From New Lexington to Millfield. From New Richmond, by Coombe's store, Batavia, and Owenville, to Wilmington. From Kenton to Bucyrus. From Hebron, on the national road, to Lockbourne, in Franklin county. From Greenville, Ohio, by Huntington, to Goshen, Indiana.

*In Louisiana.*—From Grand Gulf, in the State of Mississippi, via Lake Saint Joseph, New Carthage, Roundaway, Walnut, and Bushy

*In Louisiana.*

Bayou, to Milligan's bend, in the parish of Carroll. From Drew's landing, in the parish of Claiborne, to the Long Prairie, in the Territory of Arkansas. From Opelousas, via Washington, Holmesville, Prairie Rouge, Bayou Rouge, and Deglaise, and Point Coupee, to St. Francisville. From Lake Providence, in the parish of Carroll, via Monroe, Russellville, and Drew's landing, to the mouth of Loggy Bayou, on Red river. From Calcasieu, in Opelousas county, to Ballew's ferry, on Sabine river. From Harrisburg, in the parish of Catahoola, by Deer creek, and the Bayou Macon, to Lake Providence, in the parish of Carroll. From Port Hudson, by Jackson, Clinton, and Greensburg, to intersect the Holmesville and New Orleans route at or near Colonel Edwards's. From William Faulkner's plantation to Donaldsonville. From Baton Rouge to Clinton. From Campiti, by the Loggy Bayou, up Red river, to Coate's bluff, thence to the settlements on the Grand Cane, in the parish of Natchitoches.

*In Indiana.*

*In Indiana.*—From Strawtown, in Hamilton county, to Kirk's cross roads, in Clinton county. From Martinsville, in Morgan county, via Lyon's mills, Mooresville, Danville, Alexander's tavern, and Lebanon, to Frankfort, in Clinton county. From Shelbyville, in Shelby county, via Manwarring's, on Sugar creek, Greenwood, Farwest, and Mooresville, to Monrovia, Morgan county. From Noblesville, via Westfield, in Hamilton county, Northfield, Lebanon, Jamestown, and Russelville, to Montezuma, in Park county. From Indianapolis to Mooresville. From Rising Sun, in Dearborn county, via Hartford, Guionville, Dillsborough, and Hart's mill, to Versailles, in Ripley county. From Napoleon, in Ripley county, via Harden's store, Wilmington, and Aurora, to Burlington, in Boone county, Kentucky. From Lawrenceburg, in Dearborn county, via Hubbles and McKenzie's cross roads, to Brookville, in Franklin county. From Harrison, in Dearborn county, via Edinburg, to Scipio, in Franklin county. From Napoleon, in Ripley county, via Versailles, Cross plains, Vevay, and Ghent, to Georgetown, in Scott county, Kentucky. From Brookville, in Franklin county, via Sunman's, to Versailles, in Ripley county. From Knightstown, via Greensborough, to Pendleton. From Fort Wayne, via McCormick's, Noblesville, and Allisonville, to Indianapolis. From Toledo, via Whitemansville, Lima, Bristol, Carrollton, Elkhart, Mishawaka, South Bend, Terre Coupee, Kankakee, Laporte, and Morgans prairie, Indiana, to Juliet, in Illinois. From Whitepigeon, in Michigan, via Bristol, to Elkhart, in Indiana. From the town of Elkhart, Indiana, via Adamsville, Casapolis, Whitemansville, and Little Praipree, to Bronson, in Michigan. From Newtown, in Fountain County, via Rob Roy, Attica, Williamsport, Rainesville, and Parish's Grove, to Iroquois, in Illinois. From Indianapolis, via Danville, Bainbridge, Rockville, Montezuma, and Newport, to Danville, in Illinois. From Danville, in Hendricks county, via New Maysville, Bainbridge, Poplar spring, Blakesburg, and Russelville, to Rockville, in Park county. From Rockville, in Park county, via the narrows of Sugar creek and Jacksonville, to Hillsborough, in Fountain county. From Charlestown, Clark county, via Vienna, to the Slate ford, on the Muskatack, to Rockford, Jackson county. From Brownstown, Jackson county, via Sage's ferry, on the Muskatack, to Charlestown, in Clark county. From Peru, in Miami county, to Fulton court-house, in Fulton county. From Evansville, in Vandeburg county, via Diamond island, to Mount Vernon, in Posey county. From New Harmony, in Posey county, via Jesse Nashe's and Blairs Mills, on Big Creek, to Evansville, in Vandeburg county. From New Albany, in Floyd county, via Georgetown, Salisbury, Milltown, Mount Prospect, Jasper, Petersburg, Princeton, and Columbia, to Mount Carmel, in Illinois. From Laporte, in Indiana, via Salt creek, Adela, Vanness, on the Vincennes road, the head of Hickory creek, and down the same to

Juliet, in Illinois. From Bloomington, in Monroe county, via Bloomfield, Fairplay, and New Jerusalem, in Greene county, Merom, in Sullivan county, via Hudsonville, Newtown, Ewington, in Illinois, to Vandalia. From Brownstown, Jackson county, via Vernon, to Marion, in Ripley county. From Greencastle, in Putnam county, via Manhattan, Bowling Green, and Point Commerce, to Bloomfield, in Greene county. From Mount Pleasant, in Martin county, via Scotland and Clark's prairie, to Bloomfield, in Greene county. From Napoleon, in Ripley county, to Lewisville, in Henry county, via Clarksburg, in Decatur county, New Salem and Smelson's mills, in Rush county. From Indianapolis, via Frankfort, Delphi, Monticello, Jasper, Lake court-house, Porter and Laporte counties, to Michigan city. From Leavenworth, in Crawford county, to Mount Prospect, in said county. From Kirk's cross roads, via Frankfort, Delphi, Monticello, and Laporte, to Michigan city. From Prairie river post office, in Branch county, Michigan, to Lima post office, in La Grange county, Indiana. From Burlington to Delphi. From Charlestown, in Clark county, via Sturdevant's store, to Salem, in Washington county. From Indianapolis, via Germantown, in Marion county, Pendleton, and Huntsville, in Madison county, to Strawtown, in Hamilton county. From Strawtown to Peru, in the county of Miami. From Bloomington, in Monroe county, via Baile's bridge, to Salem, in Washington county. From Mount Tabor, in Monroe county, to Stilesville, in Hendricks county. From Thorntown, in Boone county, to Kirk's cross roads, in Clinton county. From Carlisle, via Busron mills, Rawley's mill, to Bowling Green, Clay county. From Indianapolis, along the Cumberland road, to Terre Haute. From Richmond, via Newport and Winchester, to Fort Wayne. From Connersville, via Harrisburg, Louisville, and New Castle, to Munceytown. From Oxford, Ohio, via Bath Springs, in Indiana, Fairfield, via West Union Columbia, and Orange post office, in Fayette county, to Rushville. From Knightstown, via Greenborough, to Pendleton. From Grant court-house to Lagro, in Wabash county. From Peru, and Sparta, to Lima, in La Grange county. From Kirk's cross roads, via Frankfort and Jefferson, to Lafayette. From Fredonia to Mount Prospect, in Crawford county. From Eaton, in Ohio, New Boston, Abington, and Philomith, to Centerville, in Indiana. From Princeton, Indiana, to Mount Carmel, Illinois. From Mooresville, by Bridgeport, Clermont, Picketon, and Westfield, to Strawtown. From Martinsville to Gosport. From Peru, by Wilkinson's settlement on Eel river, Rochester, Chippewa, Plymouth, and Oakland, to Laporte. From Greenville, Ohio, by Huntington, Indiana, Turkey Creek Prairie, to Goshen. From Strawtown to Logansport. From Fort Wayne, by Chippewa, to Ottawa. From Wabash, by Goshen, to Bristol. From White Pigeon, Michigan, to Pulaski, Indiana. From Burlington, Kentucky, by Rising Sun, Hartford, Dillsboro' and Hartville, to Versailles. From Lafayette, by Battle Ground, Pleasant Run, Barnes, and Georgetown, to Logansport. From Crawfordsville to Rob Roy. From Crawfordsville, by Darlington and Thornton, to Frankfort. From South Bend to Edwardsburg. From Michigan City, by Baileytown, Deep river, Robinson's Prairie, and the crossings of Kankakee, to Peoria, Illinois. From Strawtown, by Camden, to Delphi. From Marion, by Lagro, to Goshen. From Fort Wayne, in Indiana, by Turkey Creek Prairie, to Ottawa, in Illinois. From Logansport to Goshen. From Madison, by Marion and Moore's tavern, to Napoleon.

*In Mississippi.*—From Canton, via Warsaw, to Beattie's bluff. From Vicksburg, via Benton, Lexington, Blackhawk, Carrollton, Grenada, Coffeerville, Holly Spring, and Patawpha court-house, via La Grange, to Bolivar, Tennessee. From Madisonville, via Canton and Montgomery, Franklin, to Lexington, in Holmes county. From Memphis,

*In Mississippi.*



via Holly Spring, Chulohomo, Mitchell's bluffs, Sardinia, Pharsalia, Fanning's store, Tillotoba, Tuscahama, Chocchuma, Point Veto, La Flore, Quiela, and Chulah, to Manchester. From La Grange, Tennessee, via Spring hill, Matthew's store, Foster's store, and Pontitoc, to Coffeerville. From Carrolton, via Shongola, Choctaw court-house, Starksville, and Mayheu, to Columbus. From Livingston, Alabama, via Suquancitchee valley, Lauderdale and Scott court-house, and Brandon, to Jackson. From Pickensville, Alabama, via Warlock and Macon, in Noxuba county, Mississippi, to Louisville, in Winston county. From Winchester, via Paulding, Garlandville, Newton, and Neshoba court-house, Louisville. From Paulding, via Smith court-house, Westville, and Georgetown, to Gallatin. From Gallatin, via Holden's store, Hugh's store, and Malcolm, to Fayette. From Lexington, via Attala and Leake court-house, to Scott court-house. From Rodney, via Paine's store, Selsertown. From Columbus, via Macon, Waholock, De Kalb, Lauderdale, and Clark court-house, to Winchester. From De Kalb court-house, in Kemper county, Mississippi, via Yanuaky, Old town, Mozelusha, and Kellings, to Scott court-house, Mississippi. From Clinton, by Spring Branch, and Summerville, to Satartia. From Fort Gibson, by Darwin, Shelby, Lloydsville, and Casey's store, to Raymond. From Jackson, Mississippi, to Memphis, Tennessee. From the Robertson road, by Leake court-house, and Nashoba court-house, to De Kalb. From De Kalb, by Fearn's Spring, Louisville, and Choctaw court-house, to Chocchuma. From Augusta to the Bay of Biloxi. From Columbus to Westport. From Louisville, by Double Springs, to De Kalb. From Fairfield, Alabama, by Knowville, Waholock, Summerville, to Carthage. From Madisonville, by Attala court-house, through Choctaw and Oke-ti-be-ha counties, Plymouth, to Columbus.

In Illinois.

*In Illinois.*—From Pittsfield, in Pike county, by Greggsville and McKee's creek, to Rushville, in Schuyler county, and a post office on said route at Chamberburg, in Pike county. From Desmoines, in Clarke county, Missouri, to Warsaw, in Hancock county, Illinois, thence via Carthage and Smith's store, to Monmouth, in Warren county. From Hennepin, in Putnam county, passing through Boyd's Grove, Spoon river and Knoxville, to Venus, in Hancock county. From Carrolton, in Greene county, to intersect the mail route leading from Springfield, in Sangamon county, to Vandalia, at Hillsboro', in Montgomery county, by the way of Fayette, in Greene county, to Carlinville, in Macoupin county. From Springfield, in Sangamon county, to the Buffalo Hart Grove; thence to Georgetown; thence to Waynesville, Bloomington and Lexington, in McLean county, Dresden, and Mount Juliet, to Chicago, in Cook county. From Laporte, in Indiana, via Hickory creek, Juliet, mouth of the Dupage, Ausable, Nettle creek, and Grand Rapids of Illinois river, to Ottawa. From Beardstown, in Morgan county, to Petersburg, in Sangamon county. From Quincy, in Adams county, via Fairfield, to Carthage, Franklin, and Monmouth, in Warren county. From Mount Carmel, in Illinois, via Albion, Leach's mills, Fairfield, and Malding's mills, to Mount Vernon. From Montezuma, in Indiana, west, to Bloomfield, in Edgar county, Illinois. From Macomb, in McDonough county, via Saint Augustine, to Knoxville. From Crawfordville, Indiana, via Newtown, Rob Roy, Williamsport, Warren post office, and Parish Grove, to Iroquois, in Illinois. From Alton, via Staunton, to Hillsboro. From Paducha, in McCracken county, Kentucky, via Wilcox's ferry to Frankfort, in Illinois. From Peoria, in Peoria county, to Knoxville, in Knox county. From Ottawa, Lasalle county, to Dixon's ferry, on Rock river. From Hennepin, in Putnam county, via Princeton and Windsor, to Rock island, on the Mississippi. From Terre Haute, in Indiana, to Paris, in Illinois, Decatur, Clear creek, Springfield, and Sylvan Grove, to Beardstown. From Michigan

city, Indiana, to Juliet, in Cook county, Illinois, thence to Dixon's ferry, on Rock river, and thence to Savannah, on the Mississippi river. From New Boston, in Mercer county, via the Pine bluffs, in township sixteen north, of range five west, to Rock island. From Canton, in Fulton county, via Farmington, to Peoria, in Peoria county. From Chicago, via Meacham's Grove, Elgin, on the Fox river, Squaw prairie, on the Kishwaka, and Midway, on Rock river, to Galena. From Chicago, northwestwardly, to cross the Duplain river, at Talcott's, via Elk Grove, to Fox river, at George McClure's. From Ottawa, in LaSalle county, up Fox river, until it intersects the State road from Chicago to Galena, at or near Pawpaw. From Lower Alton, via the head of Piasa creek, at Simmon's towns of Delaware, Greenfield, Athens, Brown's point, to Jacksonville. From Charleston, in Coles county, to the town of Greenup. From Frankford, via Brownsville, Gills's ferry, on the Mississippi, to Jackson, Cape Girardeau county, in Missouri. From Danville, via Decatur, to Springfield. From Carrollton and Grafton, to Portage Des Sioux and Saint Charles, in Missouri. From Danville to Ottawa. From Princeton, in Putnam county, via Brigham's and Dimmick's grove, to the Pawpaw grove. From Bayville, Pike county, to Pittsfield. From Knoxville, via Henderson, White Oak grove, Cleveland, and mouth of Plumb river, to Galena. From Mount Carmel, in Wabash, to Maysville, in Clay county. From Fairfield, in Wayne county, to Salem, in Marion county. From Terre Haute, in Indiana, to Vandalia, in Illinois, along the National road. From McLeansboro', in Hamilton county, via Crouch's, to Malden's mills, in Wayne county. From Alton, on the State road, to Carlinville, on the State road. From Carthage, Illinois, to Fort Madison, in Desmoine county, Michigan. From Carlisle, in Clinton county, via Greenville, to Hillsboro'. From Meredosia, in Morgan county, via Vandeventer, to Rushville. From Liberty, in Adams county, to Davidson's, Mount Sterling and Rushville. From Logansport, Cass county, Indiana, to the seat of justice in Iroquois county, in Illinois. From Monmouth, in Warren county, to the Yellow banks, on the Mississippi. From Buffalo grove, in Joe Daviess county, to the mouth of Plumb river, on the Mississippi. From Mount Carmel to Lawrenceville. From Charleston, in Coles county, via Greenup, Newton, and Stringtown, to Lawrenceville, in Lawrence county. From Unity to the mouth of the Ohio river. From Jacksonville, via Havannah, to Pekin. From Pleasant grove, in Tazewell county, via Pekin and Canton, to Lewistown, Fulton county. From Frankfort, via Bainbridge's store, to Jonesboro'. From Frankfort, via Whiteside's, to Golconda. From Unity to Smithfield, on the Mississippi. From Alton, via Terry's landing, on the Illinois river, to Gilead, in Calhoun county. From Belleville to Pinckneyville. From Mount Carmel, by Albion and Fairfield, to Salem. From Vandalia, by Hillsboro', to Carlinville. From Jacksonville to Carlinville. From Danville to Springfield. From Jacksonville, by Pittsfield, to Burnett's ferry. From Golconda, by Frankfort, to Mount Vernon. From St. Louis, Missouri, by Jacksonville, Beardstown, Rushville, Macomb, Monmouth, and Fort Armstrong, to Galena. From Chicago, by Ottawa, Utica, Peoria, Canton, Lewiston, and Rushville, to Quincy. From Carthage, by Commerce, to Fort Desmoines. From Richlandtown, by Burlington, to Macomb. From Stephenson to Davenport, Wisconsin Territory. From Kaskaskia, by Pollocks, to Belleville, and from Nashville to Mount Vernon. From Lawrenceville to Palestine. From Savannah, Illinois, to Bellevue, Wisconsin Territory.

*In Alabama.*—From Columbiana, in the county of Shelby, via Mineral Springs, to Syllacogy, in Talladega county. From Jacksonville, in Benton county, to Bennettville, in St. Clair county. From Tuscaloosa, via Romulus, Mosely and Cook's store, to Pleasant Ridge post office, in Pickens

*In Alabama.*

county. From Livingston, in Sumpter county, via Horner's old store Mount Sterling, McCarty's, and Carrollton, to Washington court-house, Washington county. From Mesopotamia, in Greene county, via Daniel's prairie and Jones' Bluff, to Livingston, in Sumpter county. From Burnt Corn, Monroe county, via Godbold's old store, to Allentown, in Wilcox county. From Linden, in Marengo county, via Flat settlement, Moscow, and Perryman's store, to Livingston, in Sumpter county. From Livingston, in Sumpter county, Alabama, to Marion, in Lauderdale county, Mississippi. From Manningham, in Butler county, to Mount Willing and Haynesville, in Lowndes county, thence to Washington, Autauga county. From Dallas, in Hamilton county, Tennessee, through the Lookout and Wills valleys, via Reason, Rollins, the seat of justice for De Kalb county, to Bennettsville, Saint Clair county, Alabama. From Monticello, in Pike county, to Tuskegee, in Macon county. From Calhoun, McMinn county, Tennessee, via Walker's place, McDaniel's, Richard Taylor's, Walker court-house, Georgia, William Henry's, Charles Price's, Dougherty's mills, Chatooga, or Gaylesville, Smith's ferry, on Coosa river, Francis Adams, and Rawden's store, to Jacksonville, Benton county. From Knoxville, Green county, via Gainesville, in Sumpter county, to Narketa, Kemper county, Mississippi. From Fort Mitchell, via Roanoke post office, Stewart county, Georgia, Irwinton, in Barbour county, Alabama, to Fort Gaines, in Early county, Georgia (the mail to be carried on the west side of the Chattahoochee river). From Uniontown, Perry county, via Athens, Bogue Chitto, to Portland, on Alabama river. From Monticello, in Pike county, to Daleville, in Dale county. From Rockford, in Coosa county, via Montreal, in Tallapoosa county, to Lafayette, in Chambers county. From Irwinton, on the Chattahoochee river, via Clayton, in Barbour county, Midway, and through the southwest part of Macon county, to Mount Meigs, in Montgomery county. From Mount Willing, via Maule's store, to Benton, in Lowndes county. From Montgomery, along the Patsalaggo road, to the nearest point on the route running from Greenville, to Gaines's store, Pike county. From Mount Meigs, in Montgomery county, via Carter's store, to Haynesville, in Lowndes county. From La Grange, in Troup county, Georgia, via Dickson's mills, Randolph court-house, to Talladega, in Talladega county, Alabama. From Haynesville, via Hickory grove, to the nearest point on the road from Montgomery to Palsalaggo, and from thence to the nearest point on the route from Monticello, in Pike county, to Gaines's store. From Vernon, in Troup county, Georgia, via Hurst's store, to Lafayette, in Chambers county, Alabama. From Jacksonville, Benton county, via White plains and Boiling springs, Randolph court-house, Lafayette and Cassitah, to Gerard, thence to Columbus, Georgia. From Talladega court-house to Lafayette, in Chambers county. From West Point, in Troup county, Georgia, via Cassitah and Tallassee, to Wetumpka, in Montgomery county, Alabama. From Tuskeega, in Macon county, via Tuckabatchee, to Tallassee, in Tallapoosa county. From Greensboro' to Candy's landing, on the Black Warrior river. From Washington, Autauga county, via Kingston, Independence, Hamilton, Oakridge, and Valley creek, to Marion, in Perry county. From Rockford, in Coosa county, via Chesnut creek, to Maplesville, in Bibb county. From Greenville, in Butler county, via Robb's store, to Sparta, thence to Pensacola, Florida. From Dale court-house to Valambrosa, in Florida. From Tallahassee, via Tuckabatchee, to Line creek post office. From Bellefonte, in Jackson county, via De Kalb court-house, and Cherokee court-house, to Jacksonville, Benton county. From Lafayette, in Chambers county, via Randolph court-house, crossing Talapoosa river at Sawyers' ferry, via White plains, Jacksonville, in Benton county, thence crossing Coosa river at Walker's ferry, by Double spring, by

Bennettsville, to Ashville, in Saint Clair county. From Greenville, in Butler county, via Fort Dale, to Hayneville, in Lowndes county. From Tuscaloosa to Fairfield. From Mount Meigs to Irwinton. From Pickensville, by Macon and Louisville, to Winston court-house, Mississippi. From Portland, by Athens, to Uniontown. From Manningham to Mount Willing. From New Market, by Madison Springs, to Hazle-green. From Rockford to Mardisville. From Columbus, Georgia, by Chambers court-house, Randolph court-house, and Benton court-house, to Huntsville. From Salina, by Cahawba, Pleasant Hill, and Bragg's store, to Greenville. From Jacksonville, in Benton county, Alabama, to Rome, in Georgia. From Cahawba, by Marion, to Centreville.

*In Michigan.*—From Marshall by way of Lyon lake and West Gerard, to Coldwater. From Elkhart, in Indiana, to Cassapolis, via Adamsville and Edwardsburg. From Niles to New Buffalo, via Hudson. From Battle creek to the county seat of Eaton county, via Verona and Bellevue. From Detroit to Lapeer, via Rochester. From Saline to Grass Lake, via Columbia Lake and Richfield. From St. Clair to Grand Blanc, via Romeo, Bristol, Lapeer, Farmers creek, and Davidson's mills. From Detroit to Fort Gratiot, on the United States road, via Mount Clemens. From Pontiac to Ionia, via White Lake to the county seat of Clinton. From Toledo to Adrian, by Blissfield and Palmyra. From Ypsilanti to Pontiac, via Plymouth. From Adrian to Ionia, via Jonesville and Marshall. From Manhattan to Adrian. From Marshall to Coldwater, via Tekonsha. From Detroit, in Wayne county, to Fort Gratiot, in Saint Clair county, on the United States military road. From Mount Clemens, in Macomb county, to Lapeer, in Lapeer county. From Plymouth, in Wayne county, to Dexter, in Washtenaw county, through Salem, Northfield, and Webster. From Monroe, in Monroe county, to Tecumseh, in Lenawee county, on the Laplaisance bay road. From Toledo, in Monroe county, to Adrian, in Lenawee, through Whiteford and Palmyra. From Maumee, in Ohio, to Jonesville, in Hillsdale county, through Whiteford, Canandagua, and Lanesville. From Saline, in Washtenaw county, to London, in Monroe county, through York. From Detroit, in Wayne county, to Utica, in Macomb county, on the territorial road. From Detroit, in Wayne county, to Kent, in Kent county, by Howell's. From Clinton, in Lenawee county, to Kent, in Kent county, by Napoleon and Jacksonburg. From Coldwater, in Branch county, to St. Joseph, in Berrien county, by Centreville and Cassopolis. From Kalamazoo, in Kalamazoo county, to Kalamazoo, in Allegan county, by Allegan. From Battle creek, in Calhoun county, to Kent, in Kent county, by Geloster. From Ann Arbor, in Washtenaw county, to Pontiac, in Oakland county, by Whitmore's Lake, Green Oak, Lyon and Wall Lake. From Battle creek, in Calhoun county, to Schoolcraft, in Kalamazoo county, by Climax prairie. From Bellevue, in Eaton county, to Middle village, in Barry county, by Hastings. From Fort Defiance, in Ohio, to Adrian, in Lenawee county, by Canandagua. From Michigan city, in Indiana, to Grand Haven, in Ottawa county, by New Buffalo, St. Joseph, Kalamazoo, in Allegan county, to Saugatuck, in Ottawa county. From Ionia, in Ionia county, to Saginaw, in Saginaw county, by the mouth of Maple river. From Schoolcraft, in Geloster, by Kalamazoo, in Kalamazoo county. From Saganaw, by Mackinac, to the Sault St. Marie. From Saganaw to the mouth of the river Saganaw. From Kalamazoo, in Kalamazoo county, to the mouth of North Black river. From Grand River Rapids to Grand Haven. From Kalamazoo to the mouth of the South Black river. From Northfield, by Hamburg, to Howell. From New Buffalo, Michigan, to Laporte, Indiana. From Adrian by Hillsdale, to Coldwater. From Marshall, via Johnson, Athens, and Durham, to White Pigeon. From Kalamazoo to Kent. From Ann Arbor to Ionia.

*In Michigan.*

In Florida. *In Florida.*—From Marianna to Daleville, Alabama. From Marianna to Saint Josephs. From Pensacola, by Florida Town, Pittman's ferry, to Campbelltown.

In Arkansas. *In Arkansas.*—From the mouth of Arkansas river, via mouth of White river, Helena, and mouth of Saint Francis, up the west bank of the Mississippi river, to Greenock, and the county seat of Mississippi county, to New Madrid, in Missouri. From Pine bluffs, by Cabean's, to Monroe, in Louisiana. From Columbia, Ecore a Fabre, to Washington, in Hempstead county. From Batesville, by Clinton, to Lewisburg, and from Clinton, by Glass's village, to Dardanelle, in Pope county. From the county seat, in Izard county, to Dardanelle, and from thence, by the county seat of Scott, to Zebulon, county seat of Pike, and thence to Washington, Hempstead county. From Washington to Miller court-house, and from thence on the south side of Red river, to Lafayette court-house. From Carrollton to Springfield, in Missouri.

In Missouri. *In Missouri.*—From Columbia, by Roacheport, Boonville, and Jonesboro, to Lexington. From Columbia, by Younger's mills, Paris, Richard Sharp's, to Palmyra. From Jefferson city, by Versailles, Benton court-house, Equality, Springfield, to Carroll court-house, in Arkansas. From Benton court-house, by the county seat of Rives and Allensville, to the county seat of Van Buren, and from thence by the county seat of Johnson to Saint Helena. From Jefferson city to Waynesville. From the county seat of Crawford, by Massey's iron works, to Union, in Franklin county. From Greenville to Castor, and thence by Johnson's, in the West prairie, to the Grand prairie, in Stoddard county. From Caledonia, in Washington county, by Van Buren, in Ripley county, to Jackson, in Arkansas Territory. From Jonesboro, by Arrowrock, to Fayette. From Saint Genevieve to Farmington. From the county seat of Morgan to the county seat of Pulaski. From Springfield to the county seat of Barry. From Keytesville to Compton's store, on Grand river. From Fulton, by James Harrison's, in the Grand prairie, to Paris. From Jefferson city to Columbia. From Columbia, by Rock mills, to Nashville, in Boon county. From Jefferson city, by Portland, to Loutre island. From Huntsville, by the county seat of Shelby and Cooper's settlement, to Monticello. From Fulton, by Portland, to Mount Sterling. From McMurtry's, in Callaway county, by Thomas Harrison's, in the Grand prairie, to Huntsville. From Johnson court-house, by Blackwater settlement, to Lexington. From Hannibal, by Florida, Paris, and Huntsville, to Fayette. From Louisiana to Atlas, Illinois. From Old mines, in Washington county, by the Rich woods and Virginia, to Union. From Benton to Commerce. From Bowling Green, by Bandurant's and Cove spring to Florida. From Bolivia, by the cross roads, to Fredericktown. From Monticello, in Lewis county, westwardly, to Sandy Hill. From Richmond to Compton's store, on Grand river. From Liberty to Plattsburg. From Helena to Benton court-house. From Columbus, Kentucky, by Benton, Jackson, Fredericktown, Farmington, Caledonia, seats of justice of Crawford, Pulaski, and Pettis counties to Blackwater, and thence to Independence. From Boonville, by seat of justice of Pettis county, to the seat of justice in Johnson county. From Springfield to Pulaski court-house, Crawford court-house, Massie's iron works, to Union. From Jefferson city, by Mt. Sterling, to Crawford court-house. From Castor to Greenville. From Castor, by Grand Prairie, in Stoddard county.

an Wisconsin. *In Wisconsin.*—From Macomb, county of McDonough, Illinois, by Burlington, to Mount Pleasant, Desmoines county. From Racine, on Root river, by the outlet of Lake Koskenong and Mineral point, to Cassville. From Richlandtown to Burlington, thence to Monmouth, Illinois. From Milwaukee to the outlet of Lake Koskenong. From Galena, via Sinsinawa mound, Sinsinawa post office, Gibraltar, Van Buren, Cass-

ville, and Prairie du Chien, to Fort Snelling. From Bellevue to Galena, Illinois. From Mineral point, by way of T. J. Parish's, to the English prairie. From Galena, Illinois, by way of White Oak springs, Gratiot's Grove, and Wioata, McNutt's Diggings and Wisconsin city, to intersect the Root river and Cassville route. From Coldwater, in Branch county, to Michigan city, in the State of Indiana, via Centreville, Constantine, Mottville, Bristol, Elkhart, Mishawaulkie, South Bend, and Laporte. From Jacksonburg to White Pigeon, via Spring Arbor, Concord, Homer, Tekonsha, Goodwinville, Durham, Nottawa and Centreville. From Warsaw, Illinois, by Keokuck, Fort Desmoines, Fort Madison, Gibson's ferry, Burlington, Iowa, Clark's ferry, Davenport, Parkhurst, Bellevue Du Buque, Peru, Durango, Weyman's, Cassville, and Prairie du Chien, to Fort Snelling. From Du Buque, by Sinsinawa, and Blast Furnace, to Elkgrove. From Mineral point, by Dodgville and Helena, to Arena. From Galena, by Vinegarhill, Elkgrove, and Bellemont, to Mineral point. From Fort Winnebago, by Fond du Lac, Calumet village, to Grand Kalkalin. From Chicago, by Pike river, Racine, Milwaukie, Chebawgan, Pigeon, Manlitowack, to Green bay. From Wisconsin to the city of the Four Lakes. From the city of the Four Lakes, by Fond du Lac, and the city of Winnebago, at the northeast end of Lake Winnebago, to a point of intersection with the route from Prairie du Chien, to Green bay. From Fond du Lac, at the south end of Lake Winnebago, to Milwaukie. From Milwaukie, by the city of the Four Lakes, to the Blue mound, there to intersect the route from Green bay to Prairie du Chien.

Post routes discontinued. Maine. Ohio.

*In Maine.*—From Camden to Vinal Haven.

*In Ohio.*—From Waupakonetta to Sugar Grove. From Piqua to Waupakonetta.

*In South Carolina.*—From Mount Hill to Varennes. From Stauntonville, by Golden Grove, to Greenville court-house.

South Carolina.

APPROVED, July 2, 1836.

CHAP. CCXC.—*An Act to extend the privilege of franking letters and packages to Dolly P. Madison.*

STATUTE I.  
July 2, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all letters and packages to and from Dolly P. Madison, relict of the late James Madison, shall be received and conveyed by post, free of postage, for and during her life.

Act of March 3, 1845, ch. 43.

APPROVED, July 2, 1836.

CHAP. CCCLII.—*An Act to reorganize the General Land Office.*(a)

STATUTE I.  
July 4, 1836.

*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 executive duties now prescribed, or which may hereafter be prescribed by law, appertaining to the surveying and sale

Duties relating to public lands under supervision of the commissioner.

(a) Decisions of the courts of the United States upon land titles from the United States, and titles to the public lands:

Under the act of Congress of March 3, 1803, entitled "An act regulating the grants of land, and providing for the sale of the lands of the United States, south of the State of Tennessee," such lands only were authorized to be sold as had not been appropriated by the previous sections of the law, and certificates granted by the commissioners in pursuance thereof. A right, therefore, to a particular tract of land, derived from a donation certificate given under that law, is superior to the title of any one who purchased the same land at the public sales, unless there is some fatal infirmity in the certificate, which renders it void. *Ross v. Barland et al.* 1 Peters, 666.

An act of Congress requires no precise form for the donation certificate. It is sufficient if the proofs be exhibited to the court of commissioners, to satisfy them of the facts entitling the party to the certificate. It is sufficient if the consideration, to wit, the occupancy, and the quantity granted, appears. Nothing more is necessary to certify to the government the party's right, or to enable him, after it is surveyed by the proper officer, to obtain a patent. *Ibid.*

of the public lands of the United States, or in anywise respecting such public lands, and, also, such as relate to private claims of land, and the issuing of patents for all grants of land under the authority of the Government of the United States, shall be subject to the supervision and control of the Commissioner of the General Land Office, under the direction of the President of the United States.

The second section of the act of Congress of March 3, 1803, was intended to confer a bounty on a numerous class of individuals, and in construing the ambiguous words of the section, it is the duty of the court to adopt that construction which will best effect the liberal intentions of the Legislature. *Ibid.* 667.

The time when the territory over which this law operated was evacuated by the Spanish troops; was very important, as the law was intended to provide for those who were actually at that time inhabitants of, and cultivated the soil within it; but whether it was in 1797 or 1798, was comparatively unimportant. The decision of the commissioners upon the period when the evacuation took place, is sufficient; and the court are disposed to adopt the construction of the act given by the commissioners west of Pearl river; that the evacuation took place on the 30th March 1798, by which persons coming within the objects of the section were entitled to donation certificates. *Ibid.* 667.

Congress have treated as erroneous the construction given to the law by the commissioners to settle claims to lands east of Pearl river, who have decided that only those who were settled on the lands within the territory in the year 1797 were entitled to donation certificates, and who had granted to others pre-emption certificates. *Ibid.* 668.

The commissioners appointed under the act of Congress relative to claims to lands of the United States south of the State of Tennessee, were authorized to hear evidence as to the time of the actual evacuation of the territory by the Spanish troops, and to decide upon the fact. The law gave them power to hear and decide all matters respecting such claims, and to determine thereon, according to justice and equity; and declared their deliberations shall be final. The court are bound to presume that every fact necessary to warrant the certificate, in the terms of it, was proved before the commissioners; and that, consequently, it was shown to them that the final evacuation of the territory by the Spanish troops took place on the 30th of March 1798. *Ibid.*

By the treaty of St. Ildefonso, made on the 1st of October 1800, Spain ceded Louisiana to France; and France, by the treaty of Paris, signed the 30th of April 1803, ceded it to the United States. Under this treaty, the United States claimed the countries between the Iberville and the Perdido. Spain contended that her cession to France comprehended only that territory which at the time of the cession was denominated Louisiana, consisting of the island of New Orleans, and the country which had been originally ceded to her by France, west of the Mississippi. The land claimed by the plaintiffs in error, under a grant from the crown of Spain, made after the treaty of St. Ildefonso, lies within the disputed territory; and this case presents the question, to whom did the country between the Iberville and Perdido belong after the treaty of St. Ildefonso? Had France and Spain agreed upon the boundaries of the retroceded territory before Louisiana was acquired by the United States, that agreement would undoubtedly have ascertained its limits. But the declarations of France, made after parting with the province, cannot be admitted as conclusive. In questions of this character, political considerations have too much influence over the conduct of nations, to permit their declarations to decide the course of an independent government, in a matter vitally interesting to itself. Foster et al. v. Neilson, 2 Peters, 306.

If a Spanish grantee had obtained possession of the land in dispute so as to be the defendant, would a court of the United States maintain his title under a Spanish grant, made subsequent to the acquisition of Louisiana, singly on the principle that the Spanish construction of the treaty of St. Ildefonso was right, and the American construction wrong? Such a decision would subvert those principles which govern the relations between the legislative and judicial departments, and mark the limits of each. *Ibid.* 309.

The sound construction of the eighth article of the treaty between the United States and Spain, of the 22d of February 1829, will not enable the court to apply its provisions to the case of the plaintiff. *Ibid.* 314.

The article does not declare that all the grants made by his catholic majesty before the 24th of January, 1818, shall be valid to the same extent as if the ceded territories had remained under his dominion. It does not say that those grants are hereby confirmed. Had such been its language, it would have acted directly on the subject, and it would have repealed those acts of Congress which were repugnant to it; but its language is, that those grants shall be ratified and confirmed to the persons in possession, &c. By whom shall they be ratified and confirmed? This seems to be the language of contract; and, if it is, the ratification and confirmation which are promised must be the act of the Legislature. Until such act shall be passed, the court is not at liberty to disregard the existing laws on the subject. *Ibid.*

A title to lands, under grants made by Indian tribes or nations, north-west of the river Ohio, to private individuals, in the years 1773 and 1775, cannot be sustained in the courts of the United States. Lessee of Johnson et al. v. McIntosh, 8 Wheat. 543; 5 Cond. Rep. 515.

The title to lands depends entirely upon the law of the nation in which they lie. *Ibid.*

Discovery constitutes the original foundation of title to lands on the American continent, as between the different European nations; the title thus derived, was the exclusive right of acquiring the soil from the natives, and establishing settlements upon it; the title was to be consummated by possession. *Ibid.*

The rights of the original inhabitants were, to a considerable extent, impaired, but in no instance entirely disregarded. The Europeans respected the right of the natives as occupants, but asserted the ultimate dominion to be in themselves; and claimed and exercised, as a consequence of this ultimate dominion, a power to grant the soil while yet in the possession of the natives. *Ibid.*

By the treaty between Great Britain and the United States, which concluded our revolution, the powers of government and the right to soil which had previously been in Great Britain, passed definitively to these States. *Ibid.*

The United States, or the several States, have a clear title to all the lands within the boundary lines described in the treaty, subject only to the Indian right of occupancy; and the exclusive power to extinguish that right was vested in that government which might constitutionally exercise it. *Ibid.*

It is a principle of universal law, that, if an uninhabited country be discovered by a number of indivi-

SEC. 2. *And be it further enacted,* That there shall be appointed in said office, by the President, by and with the advice and consent of the Senate, two subordinate officers, one of whom shall be called Principal Clerk of the Public Lands, and the other Principal Clerk of Private Land Claims, who shall perform such duties as may be assigned to them by the Commissioner of the General Land Office; and in case

A principal clerk of public lands, and one on private land claims, to be appointed.

duals, who acknowledge no connection with, and owe no allegiance to any government whatever, the country becomes the property of the discoverers in common, so far as they can use it. *Ibid.*

If the discovery be made and possession taken under the authority of an existing government, which is acknowledged by the emigrants, the discovery is made for the whole nation; the country becomes a part of the nation; and the vacant soil is to be disposed of by that organ of the government which has the constitutional power to dispose of the national domains. *Ibid.*

According to the theory of the British constitution, all vacant lands are vested in the crown as representing the nation; and the exclusive power to grant them is admitted to reside in the crown as a branch of the royal prerogative. *Ibid.*

Congress, in order to guard against imposition, declared by the law of 1804 that all grants of land made by the Spanish authorities in the territory west of the Perdido, after the treaty of St. Ildefonso, should be null and void, excepting those to actual settlers, acquired before December 20, 1803. *Garcia v. Lee, 12 Peters, 511.*

The controversy relative to the country lying between the Mississippi and the Perdido rivers, and the validity of the grants made by Spain in the disputed territory after the cession of Louisiana to the United States, were carefully examined in the case of *Foster & Elam v. Neilson*. The Supreme Court in that case decided that the question of boundary between the United States and Spain was a question for the political departments of the government: that the legislative and executive branches having decided the question, the courts of the United States are bound to regard the boundary determined by them as the true one; that grants made by the Spanish authorities of lands, which, according to this boundary line, belonged to the United States, gave no title to the grantees in opposition to those claiming under the United States, unless the Spanish grants were protected by the subsequent arrangements made between the two governments; and that no such arrangements were to be found in the treaty of 1819, by which Spain ceded the Floridas to the United States, according to the fair import of its words, and its true construction. *Ibid.*

In the case of *Foster & Elam v. Neilson*, the Supreme Court said that the Florida treaty of 1819 declares that all grants made before the 24th of January 1818, by the Spanish authorities, "shall be ratified and confirmed to the persons in possession of the lands, to the same extent that the same grants would be valid, if the territories had remained under the dominion of his catholic majesty:" and in deciding the case of *Foster & Elam*, the court held, that even if this stipulation applied to lands in the territory in question, yet the words used did not import a present confirmation by virtue of the treaty itself, but that they were words of contract: "that the ratification and confirmation which were promised must be the act of the Legislature; and until such shall be passed, the court is not entitled to disregard the existing laws on the subject." Afterwards, in the case of the *United States v. Percheman, 7 Peters, 86*, in reviewing the words of the eighth article of the treaty, the court, for the reasons there assigned, came to a different conclusion, and held that the words were words of present confirmation, by the treaty, where the land had been rightfully granted before the cession, and that it did not need the aid of an act of Congress to ratify and confirm the grant. This language was, however, applied by the court, and was intended to apply, to grants made in a territory which belonged to Spain at the time of the grant. The case then before the court was one of that description. It was in relation to a grant of land in Florida, which unquestionably belonged to Spain at the time the grant was made, and where the Spanish authorities had an undoubted right to grant, until the treaty of cession in 1819. It is of such grants that the court speak, when they declare them to be confirmed and protected by the true construction of the treaty, and that they do not need the aid of an act of Congress to ratify and confirm the title of the purchaser. The court do not apply this principle to grants made within the territory of Louisiana. The case of *Foster & Elam v. Neilson* must, in all other respects, be considered as affirmed by the case of *Percheman*; as it underwent a careful examination in that case, and as none of its principles were questioned except that referred to. *Ibid.*

The power over the public lands is vested in Congress by the constitution without limitation, and has been considered as the foundation on which the territorial government rests. *The United States v. Gratiot et al., 14 Peters, 529.*

The words "dispose of" the public lands, used in the constitution of the United States, cannot, under the decisions of the Supreme Court, receive any other construction than that Congress has the power in its discretion to authorize the keeping of the lead-mines on the public lands in the territories of the United States. There can be no apprehensions of encroaching on State rights by the creation of a numerous tenantry within the borders of a State, from such reasons. *Ibid.*

The authority as given to the President of the United States to lease the lead-mines, is limited to a term not exceeding five years. This limitation, however, is not to be construed to be a prohibition to renew the leases from time to time, if he thinks proper so to do. The authority is limited to a short period, so as not to interfere with the power of Congress to make other dispositions of the mines, should they think the same necessary. *Ibid.*

The law of 1807, authorizing the leasing of the lead-mines, was passed before Illinois was organized as a State. She cannot now complain of any disposition or regulation of the lead-mines previously made by Congress. She, secondly, cannot claim a right to the public lands within her limits. *Ibid.*

Under the acts of 1805, chap. 26, 1806, chap. 39, 1807, chap. 36, it was necessary to file the evidence of an incomplete claim under French or Spanish authority, which bore date anterior to the 1st of October 1800, as well as those which were dated subsequent to that day; and in cases of neglect, the bar provided in the act applied to both classes. *Ibid.*

A title resting on a permit to settle and warrant of survey, dated before the 1st of October 1800, without settlement or survey of any kind having been made, was an incomplete title within that act. *Ibid.*



of vacancy in the office of the Commissioner of the General Land Office, or of the absence or sickness of the Commissioner, the duties of said office shall devolve upon and be performed, ad interim, by the Principal Clerk of the public lands.

SEC. 3. *And be it further enacted,* That there shall be appointed by the President, by and with the advice and consent of the Senate, an

In making an entry of land, where mistakes occur which are occasioned by the impracticability of ascertaining the relative positions of the objects called for, the court will correct those mistakes, so as to carry out the intentions of the locator. *Croghan's lessee v. Nelson*, 3 Howard, 187.

There is no principle of the common law which forbids individuals from associating together to purchase lands from the United States, on joint account, at public sale. *Olnor v. Pratt*, 3 Howard, 333.

Where the purchaser of land from the United States has paid for it, and received a final certificate, it is taxable property, according to the statute of Michigan, although a patent has not been issued. *Carroll v. Safford*, 3 Howard, 441.

Taxation upon lands so held is not a violation of the ordinance of 1787, as "an interference with the primary disposition of the soil by Congress;" nor is it a tax on the lands of the United States. The State of Michigan could rightfully impose the tax. *Ibid.*

It was competent to the State to assess and tax lands at their full value, as the absolute property of the holder of the final certificate; and, in default of payment, to sell them as if he owned them in fee. *Ibid.*

The act of 26th May 1830, chap. 106, providing for the final settlement of land claims in Florida, must be construed to contain the same limitation of time, within which claims are to be presented, as that provided by the act of May 23, 1828, chap. 70. *The United States v. Marvin*, 3 Howard, 620.

Under the act of Congress providing for the subdivision of the public lands, and the instructions of the Secretary of the Treasury, made under the act of 24th April 1820, chap. 49, entitled, An act making further provision for the sale of the public lands, it is the duty of the Surveyor General to leave out a fractional section in such a manner as that an entire quarter section may be had, if the fraction will admit of it. *Brown's Lessee v. Clements*, 3 Howard, 650.

The Surveyor General has no right to divide a fractional section by arbitrary lines, so as to prevent an entire quarter section from being taken up. *Ibid.*

The treaty by which Louisiana was ceded to the United States, recognised complete grants, issued anterior to the cession; and the decision of a State court against the validity of a grant set up under such a title, would be subject to reversal by the Supreme Court, under the 25th section of the Judiciary Act. *M'Donogh v. Millaudon*, 3 Howard, 693.

But if the State court only applies the laws of the State to the construction of the grant, it is not a decision against the validity of the grant, and the Supreme Court has no jurisdiction. *Ibid.*

Congress, in asking a complete grant, recognised them as they stood; and the act of May 11, 1820, chap. 87, confirming such as were recommended for confirmation by the register and receiver, had no reference to any particular surveys. 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 the Supreme Court has no jurisdiction. *Ibid.*

By the treaty of 1795 between the United States and Spain, by which Spain admitted that she had no title to land north of the 31st degree of north latitude, her previous grants of land so situated were of course void. The country thus belonging to Georgia was ceded to the United States in 1802, with a reservation that all persons who were actual settlers on the 27th October 1795, should have their grants confirmed. Congress provided a board of commissioners to examine these grants, and declared that their decision should be final. The Court of Chancery of Mississippi had no right to establish one of these grants which had not been brought within the provisions of the act of Congress. The claim itself being utterly void, and no power having been conferred by Congress on that court to take or exercise jurisdiction over it, for the purpose of imparting to it legality, the exercise of jurisdiction was a mere usurpation of judicial power, and the whole proceeding of the court void. *Lessor of Hickey, v. Stewart*, 3 Howard, 750.

The Supreme Court has repeatedly declared, and in cases too where the instrument contained clear words of grant, that if the description was vague and indefinite, and there was no official survey to give a certain location, it could give no right of private property in any particular parcel of land, which could be maintained in a court of justice. *The United States v. King et al.* 3 Howard, 773.

An equitable title is no defence in a suit at law 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 29th April 1816, chap. 159, confirming the grant to a league square, restricted it to that quantity, and cannot be construed as confirming the residue. *Ibid.*

The act of Congress, entitled "An act to create additional land districts in the States of Illinois and Missouri, and the territories north of the State of Illinois," approved June 26, 1834, chap. 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 the said act. *United States v. Gear*, 3 Howard, 120.

The lands containing lead-mines in the Indiana territory, or in that part of it made into a new land district by the act of 26th June 1834, chap. 76, are not subject, under any of the pre-emption laws which have been passed by Congress, to pre-emption by settlers upon the public lands. *Ibid.*

Digging lead-ore from the lead-mines upon the public lands of the United States, is such a waste as entitles the United States to a writ of injunction to restrain it. *Ibid.*

The United States now hold the public lands in the new States by force of the deeds of cession, and the statutes connected with them, and not by any municipal sovereignty which it may be supposed they possess or have received, by compact with the new States for that purpose. *Pollard's Lessee v. Hagan*, 3 Howard, 212.

The shores of navigable rivers, and the soil under them, were not granted to the United States, but were reserved to the States respectively; and the new States have the same rights, sovereignty and jurisdiction over this subject, as the original States. *Ibid.*

officer to be styled the Principal Clerk of the Surveys, whose duty it shall be to direct and superintend the making of surveys, the returns thereof, and all matters relating thereto, which are done through the officers of the Surveyor General; and he shall perform such other duties as may be assigned to him by the Commissioner of the General Land Office.

A principal clerk of the surveys.

SEC. 4. *And be it further enacted,* That there shall be appointed by the President, by and with consent of the Senate, a Recorder of the General Land Office, whose duty it shall be, in pursuance of instructions from the Commissioner, to certify and affix the seal of the General Land Office to all patents for public lands, and he shall attend to the correct engrossing, and recording, and transmission of such patents. He shall prepare alphabetical indexes of the names of patentees, and of persons entitled to patents; and he shall prepare such copies and exemplifications of matters on file, or recorded in the General Land Office, as the Commissioner may from time to time direct.

A recorder of the general land office.

SEC. 5. *And be it further enacted,* That there shall be appointed by the President, by and with the advice and consent of the Senate, an officer to be called the Solicitor of the General Land Office, with an annual salary of two thousand dollars, whose duty it shall be to examine and present a report to the Commissioner of the state of facts in all cases referred by the Commissioner to his attention which shall involve questions of law, or where the facts are in controversy between the agents of the Government and individuals, or there are conflicting claims of parties before the Department, with his opinion thereon; and also, to advise the Commissioner, when required thereto, on all questions growing out of the management of the public lands, or the title thereto, private land claims, Virginia military scrip, bounty lands, and pre-emption claims; and to render such further professional services in the business of the Department as may be required, and shall be connected with the discharge of the duties thereof.

A solicitor of the general land office.

1844, ch. 45.

SEC. 6. *And be it further enacted,* 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 fifteen 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 land sold or granted under the authority of the United States.

A secretary to sign patents for lands.

1848, ch. 4.

SEC. 7. *And be it further enacted,* That it shall be the duty of the Commissioner to cause to be prepared, and to certify, under the seal of the General Land Office, such copies of records, books, and papers on file in his office, as may be applied for, to be used in evidence in courts of justice.

Certified copies of records, &c.

1843. ch. 95.

SEC. 8. *And be it further enacted,* That whenever the office of Recorder shall become vacant, or in case of the sickness or absence of the Recorder, the duties of his office shall be performed, ad interim, by the Principal Clerk on Private Land Claims.

Duties of recorder may devolve on principal clerk on private land claims.

SEC. 9. *And be it further enacted,* That the Receivers of the land offices shall make to the Secretary of the Treasury monthly returns of the moneys received in their several offices, and pay over such money pursuant to his instructions. And they shall also make to the Commissioner of the General Land Office like monthly returns, and transmit to him quarterly accounts current of the debits and credits of their several offices with the United States.

Receivers to make monthly returns.

SEC. 10. *And be it further enacted,* That the Commissioner of the General Land Office shall be entitled to receive an annual salary of three thousand dollars; the recorder of the General Land Office, an annual salary of fifteen hundred dollars; the principal clerk of the surveys, an annual salary of eighteen hundred dollars; and each of the said principal clerks an annual salary of eighteen hundred dollars; from

Salary of commissioner and others.

and after the date of their respective commissions; and that the said commissioner be authorized to employ, for the service of the General Land Office, one clerk, whose annual salary shall not exceed fifteen hundred dollars; four clerks, whose annual salary shall not exceed fourteen hundred dollars each; sixteen clerks, whose annual salary shall not exceed thirteen hundred dollars each; twenty clerks, whose annual salary shall not exceed twelve hundred dollars each; five clerks, whose annual salary shall not exceed eleven hundred dollars each; thirty-five clerks, whose annual salary shall not exceed one thousand dollars each; one principal draughtsman, whose annual salary shall not exceed fifteen hundred dollars; one assistant draughtsman, whose annual salary shall not exceed twelve hundred dollars; two messengers, whose annual salary shall not exceed seven hundred dollars each; three assistant messengers, whose annual salary shall not exceed three hundred and fifty dollars each; and two packers, to make up packages of patents, blank forms, and other things necessary to be transmitted to the district land offices, at a salary of four hundred and fifty dollars each.

Provisions of acts inconsistent with this repealed.

1812, ch. 68.

The General Land Office and other offices to be open during certain hours.

SEC. 11. *And be it further enacted*, That such provisions of the act of the twenty-fifth of April, in the year one thousand eight hundred and twelve, entitled "An act for the establishment of a General Land Office in the Department of the Treasury," and of all acts amendatory thereof, as are inconsistent with the provisions of this act, be, and the same are hereby, repealed.

SEC. 12. *And be it further enacted*, That from the first day of the month of October, until the first day of the month of April, in each and every year, the General Land Office and all the bureaus and offices therein, as well as all those in the Departments of the Treasury, War, Navy, State, and General Post Office, shall be open for the transaction of the public business at least eight hours in each and every day, except Sundays and the twenty-fifth day of December; and from the first day of April, until the first day of October, in each year, all the aforesaid offices and bureaus shall be kept open for the transaction of the public business at least ten hours in each and every day, except Sundays and the fourth day of July.

Penalty of Register for false information given by him.

SEC. 13. *And be it further enacted*, That if any person shall apply to any register of any land office to enter any land whatever, and the said register shall knowingly and falsely inform the person so applying that the same has already been entered, and refuse to permit the person so applying to enter the same, such register shall be liable therefor to the person so applying, for five dollars for each acre of land which the person so applying offered to enter, to be recovered by action of debt in any court of record having jurisdiction of the amount.

Officers of the land office prohibited from purchasing, &c. public lands.

SEC. 14. *And be it further enacted*, That all and every of the officers whose salaries are hereinbefore provided for, are hereby prohibited from directly or indirectly purchasing, or in any way becoming interested in the purchase of any of the public land; and in case of a violation of this section by such officer, and on proof thereof being made to the President of the United States, such officer, so offending, shall be forthwith removed from office.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

[Obsolete.]

1836, ch. 7.

CHAP. CCCLIII.—*An Act in addition to the act entitled "An act making appropriations, in part, for the support of Government, for the year eighteen hundred and thirty-six, and for other purposes."*

Appropriations for members of the Senate and House of Rep-

*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 compen-

sation granted by law to the members of the Senate and House of Representatives, in addition to the appropriation heretofore made for that object, seventy-two thousand two hundred and sixteen dollars; for compensation of the Senators and Representatives elected by Michigan, seven thousand seven hundred and seventy-six dollars; for the contingent expenses of Senate, twelve thousand dollars; for allowance for wastage in gold and silver coinage at the mint: for labour and for alloy, in addition to the former appropriation, thirty-three thousand dollars; for extra clerk hire in the General Land Office, for the year eighteen hundred and thirty-six, fourteen thousand six hundred and sixty-six dollars and sixty-four cents; for messengers in the offices of the Chief Engineer, Adjutant General, the commanding General, Surgeon General and Inspector General, and in the Clothing Bureau, Topographical, Ordnance, and Subsistence Departments, two thousand five hundred and sixty-eight dollars; for the assistant messenger in the First Comptroller's Office, in addition to a former appropriation, fifty dollars; for compensation to the surveyor in Alabama, in addition to a former appropriation, five hundred dollars; for compensation to the clerks in the office of the Secretary of the Navy, and in the Navy Commissioner's Office, in addition to the sums already appropriated for the present year, nineteen hundred dollars.

representatives,  
and for various  
other purposes.

SEC. 2. *And be it further enacted,* That so much of the act of the ninth of May, eighteen hundred and thirty-six, "providing for the salaries of certain officers therein named, and for other purposes," as provides for the employment of an additional clerk in the office of the Navy commissioners, and for his compensation for the year eighteen hundred and thirty-six, be, and the same is hereby, repealed.

Provision of  
act of May 9,  
1836, ch. 60, re-  
lating to a clerk  
in Naval Com-  
missioners' of-  
fice, repealed.

SEC. 3. *And be it further enacted,* That the third section of the act making appropriations for the civil and diplomatic expenses of the Government, for the year one thousand eight hundred and thirty-five, is hereby repealed; and that the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, deputy collectors, naval officers, surveyors, and their respective clerks, together with the weighers, gaugers, measurers, and markers, 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-six, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth of 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, naval officers, surveyors, and clerks, 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 those offices in one person, entitle him to receive more than that sum per annum: *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 incidental 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-

Third section  
of act making  
certain appro-  
priations for  
1835 repealed,  
and Secretary  
of Treasury au-  
thorized to pay  
collectors, &c.  
Act of March  
3, 1835, ch. 30.

1832, ch. 227.  
Proviso.

Proviso.

Proviso.

## Proviso.

five, shall not be affected by this section: *Provided, however,* That in the event of any act being passed by Congress at the present session to regulate and fix the salaries or compensation of the respective officers of the customs, then this section shall operate and extend to the time such act goes into effect, and no longer.

Appropriations  
for consulates  
in Turkey, and  
for other pur-  
poses.

SEC. 4. *And be it further enacted,* That the following sums are hereby appropriated to be paid out of any money in the Treasury not otherwise appropriated, for interpreters, guards, and other expenses incidental to the consulates in the Turkish dominions, five thousand five hundred dollars. For refunding the duty paid upon the Belgian vessel *Antonius* and her cargo beyond the amount which would have been paid by a Dutch vessel, fourteen hundred and twenty-six dollars and seven cents. For compensation to the clerks in the office of the Commissioner of Indian Affairs, in addition to a former appropriation, fifty dollars. For an outfit of a Charge d'Affaires to Russia, four thousand five hundred dollars. For compensation to the third Assistant Postmaster General, one thousand two hundred and fifty dollars. For compensation to the clerks, messengers and watchmen in the Post Office Department, as provided by the act to change the organization of the said Department, in addition to the sum heretofore appropriated for compensation to the clerks and messengers in the office of the Postmaster General, four thousand and fifty dollars. For compensation to the Auditor for the Post Office Department, one thousand five hundred dollars; for compensation to the clerks and messengers in the office of the Auditor for the Post Office Department, as provided by the act to change the organization of said Department, twenty-seven thousand seven hundred and fifty dollars. For contingencies in the office of the Auditor for the Post Office Department, fifteen hundred dollars. For alterations and repairs of the Capitol, including repairs of the roof over the principal stairway to the Representatives' hall, and coppering the projecting steps and top surface of the cornice round the base of the dome of the rotunda, six thousand three hundred and eighteen dollars and seventy-five cents. For lighting lamps, and keeping the grounds and walks of the Capitol square in order, including the cost of trees and shrubs, four thousand five hundred dollars. For the gardener employed in superintending the Capitol square and other public grounds, one thousand dollars. For alterations and repairs of the President's house, for the gardener's salary, and for keeping the grounds and walks in order, including the cost of trees and shrubs, three thousand four hundred and sixty dollars. For the annual expenses of two fire engines, two hundred dollars. For gravelling the yard east of the Capitol, two thousand dollars. For repairing culverts, two hundred and thirty-one dollars. For purchase of Smith's spring, including one acre of land, and for enclosing the same, for building culverts and keeping the water-pipes in order, five thousand three hundred dollars. For attendants on the furnaces of the rotunda during the recess, one hundred and fifty dollars. For replanting trees and keeping boxes in order on the Pennsylvania Avenue, purchase of trees and planting in Fountain square, Lafayette square, and across the public reservation at Seventh street, one thousand two hundred dollars. For a workshop, one thousand two hundred dollars. For conveying the surplus water of the Capitol to the Botanic garden, making a basin, and purchasing a fountain of Hiram Powers, five thousand dollars.

For enclosing the garden and grounds of the Magazine and Marine Hospital, near the Eastern Branch, five hundred dollars. For a dwarf wall and fence between the executive buildings and the President's house, one thousand one hundred and sixty-five dollars and fifty cents. For extending the Capitol square, and improving the grounds within and adjacent to the same, as far west as the first street intersecting the Pennsylvania Avenue from the east, the sum of twenty-five thousand

dollars, to be paid out of any money in the Treasury not otherwise appropriated. For enlarging the folding-room of the House, three hundred and fifty dollars.

SEC. 5. *And be it further enacted*, [That] the President of the United States be, and he hereby is authorized to cause to be erected on or near the site of the former treasury building, or on any other public lot which he may select, a fire-proof building of such dimensions as may be required for the present and future accommodations of the Treasury Department, upon such plan and of such materials as he may deem most advantageous; and that for this purpose there be appropriated out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars.

For a treasury building.

SEC. 6. *And be it further enacted*, That the material of which the walls of the Capitol and President's Mansion are constructed, shall be adopted for the construction of the aforesaid building: *Provided*, upon full inquiry, a cheaper and more suitable material cannot be obtained. *And provided always*, That the foundation walls of the said buildings below the surface of the earth and two feet above shall be of the hardest and most solid rock.

Material for the walls.

Proviso.

Proviso.

SEC. 7. *And be it further enacted*, That there be erected, on some appropriate site, under the direction of the President of the United States, a fire-proof building with suitable accommodations for the Patent Office, and to be provided with the necessary cases and furniture; the expense of which shall not exceed one hundred and eight thousand dollars.

Building, &c. for patent office.

SEC. 8. *And be it further enacted*, That there be and hereby is appropriated for defraying the expense of such building and cases, the sum of one hundred and eight thousand dollars, to be paid out of the patent fund in the Treasury not otherwise appropriated.

Appropriation therefor.

SEC. 9. *And be it further enacted*, That the same kind of material of which the walls of the Capitol and the Mansion of the President are constructed shall be adopted for the construction of the aforesaid building: *Provided* a cheaper and more suitable material cannot be procured.

Material for the walls.

Proviso.

SEC. 10. *And be it further enacted*, That the duties and powers of the commissioners of the sinking fund are hereby suspended until revived by law, and that the records of the commissioners be transferred to the custody of the Secretary of the Treasury, who is hereby authorized and directed to pay out of any money in the Treasury not otherwise appropriated any outstanding debts of the United States and the interest thereon.

Duties and powers of the commissioners of the sinking fund transferred to the Secretary of the Treasury.

SEC. 11. *And be it further enacted*, That for the purchase of eight acres of land with the improvements thereon near the Barracks at Key West, if in the opinion of the Secretary of War the public service and health of the troops require it, a sum not exceeding six thousand dollars is hereby appropriated.

For purchase of land, &c. at Key West.

SEC. 12. *And be it further enacted*, That so much of the third section of the act entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year eighteen hundred and thirty-five," as provides that "the whole number of custom-house officers in the United States on the first of January, eighteen hundred and thirty-four, shall not be increased until otherwise allowed by Congress," be and the same is hereby suspended until the fourth day of March next.

Provisions of an act relating to the number of custom-house officers, suspended. March 3, 1835, ch. 30.

1836, ch. 48.

STATUTE I.

July 4, 1836.

[Obsolete.]

Act of June 23, 1836, ch. 115.

APPROVED, July 4, 1836.

CHAP. CCCLIV.—*An Act supplementary to an act entitled "An act to regulate the deposits of the public money," passed twenty-third [of] June eighteen hundred and thirty-six.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That nothing in the act to

Secretary of the Treasury may make transfers from banks in one State or Territory to those in another.

which this is a supplement, shall be so construed as to prevent the Secretary of the Treasury from making transfers from banks in one State or Territory, to banks in another State or Territory, whenever such transfers may be required, in order to prevent large and inconvenient accumulations in particular places, or in order to produce a due equality, and just proportion, according to the provisions of said act.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

1845, ch. 25.  
A sum equivalent to the 5 per cent. &c. reserved from sales of Chickasaw lands in Mississippi.

1817, ch. 23.

Certain lands vested in the State of Mississippi for the use of schools.

1842, ch. 40.

A sum equivalent to the 5 per cent. &c. reserved in Alabama.

1819, ch. 47.

Certain lands vested in the State of Alabama for the use of schools.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Mississippi, ceded by the Chickasaws by the treaty of the twentieth of October, eighteen hundred and thirty-two, which have been or may hereafter be sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner, and for the same uses and purposes, as is designated by the fifth section of the act of Congress of the first of March, eighteen hundred and seventeen.

SEC. 2. *And be it further enacted,* That there shall be reserved from sale, in the State of Mississippi, a quantity of land, equal to one-thirty-sixth part of the lands ceded by said Chickasaws as aforesaid, within said State of Mississippi, which land shall be selected under the direction of the Secretary of the Treasury, in sections, or half sections, or quarter sections, out of any public lands remaining unsold, that shall have been offered at public sale within either of the land districts in said State of Mississippi, contiguous to said lands within said State, so ceded by the Chickasaws as aforesaid; which lands, when so selected as aforesaid, the same shall vest in the State of Mississippi, for the use of schools within said territory in said State, so ceded as aforesaid by the Chickasaws; and said lands, thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State.

SEC. 3. *And be it further enacted,* That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Alabama, ceded by the Chickasaws by the treaty aforesaid, which have been or may hereafter be sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner, and for the same uses and purposes, as is designated by the sixth section of the act of Congress of the second of March, eighteen hundred and nineteen.

SEC. 4. *And be it further enacted,* That there shall be reserved from sale in the State of Alabama, a quantity of land equal to one-thirty-sixth part of the lands ceded by the Chickasaws as aforesaid, within said State of Alabama, which land shall be selected under the direction of the Secretary of the Treasury, in sections, or half sections, or quarter sections, out of any public lands remaining unsold, that shall have been offered at public sale within any land district in said State of Alabama, contiguous to said lands within said State, so ceded by the Chickasaws, as aforesaid; which lands, when so selected, as aforesaid, the same shall vest in the State of Alabama, for the use of schools within said territory, in said State, so ceded, as aforesaid, by the Chickasaws; and said lands thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLVI.—*An Act to authorize the appointment of additional Paymasters, 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 of the United States be and he hereby is authorized and empowered to appoint three additional Paymasters, to be attached to the Pay Department of the army: *Provided,* That the appointments be submitted to the Senate for their confirmation, in the same manner as other officers of the army.

President may appoint three additional paymasters.

Proviso.

SEC. 2. *And be it further enacted,* That the officers appointed in virtue of this act shall perform the same duties and receive the same pay and allowances as the present Paymasters of the army; and shall in like manner be subject to the rules and articles of war; and previous to entering upon the duties of their office shall give such bonds to the United States as the Secretary of War may direct for the faithful performance of their duties.

To perform the same duties and be subject to the same rules as other paymasters.

SEC. 3. *And be it further enacted,* That when volunteers or militia are called into the service of the United States, so that the Paymasters authorized by law shall not be deemed sufficient to enable them to pay the troops with proper punctuality, it shall be lawful for the President to assign to any officer of the army the duty of Paymaster, who, while so assigned, shall perform the same duty, give the same bond, be subject to the same liability and receive the same emoluments as are now provided for Paymaster of the army: *Provided however,* That the number of officers so assigned shall not exceed one for every two regiments of militia or volunteers; *And provided also,* That the whole emoluments of the said officers, including their pay and allowances in the line, shall not exceed the pay and emoluments of a Paymaster.

President, when necessary, may assign the duties of a paymaster to any officer of the army.

Proviso.

Proviso.

SEC. 4. *And be it further enacted,* That the President of the United States be and he hereby is authorized and empowered to appoint three additional Surgeons and five assistant Surgeons, to be attached to the medical staff of the army.

May appoint additional surgeons and assistant surgeons.

SEC. 5. *And be it further enacted,* That during the absence of the Quartermaster General, or the chief of any other military bureau of the War Department, the President be authorized to empower some officer of the Department or corps whose chief is absent to take charge thereof and to perform the duties of Quartermaster General or chief of the Department or corps, as the case may be, during such absence: *Provided,* That no additional compensation be allowed therefor.

In absence of Quartermaster General, &c., President may empower others to perform the duties.

Proviso.

SEC. 6. *And be it further enacted,* That it shall be the duty of the Secretary of the Senate and Clerk of the House of Representatives as soon as may be after the close of the present session, and of each succeeding session, to prepare and publish a statement of all appropriations made during the session, and also a statement of the new officers created and the salaries of each, and also a statement of the offices the salaries of which are increased and the amount of such increase.

Secretary of the Senate, and Clerk of House of Representatives, to prepare and publish statements of appropriations, &c.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLVII.—*An Act to promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be established and attached to the Department of State, an office to be denominated the Patent Office; the chief officer of which shall be called the Commissioner of Patents, to be appointed by the President, by and with the

March 3, 1837, ch. 45.

Commissioner of Patents to be appointed, and his duties.

August 29, 1842, ch. 263.

(a) For notes of the acts relating to patents for useful inventions, see vol. 1, 109, 318. Notes of the decisions of the courts of the United States on patents for useful inventions, vol. 1, 109, 318.



advice and consent of the Senate, whose duty it shall be, under the direction of the Secretary of State, to superintend, execute, and perform, all such acts and things touching and respecting the granting and issuing of patents for new and useful discoveries, inventions, and improvements, as are herein provided for, or shall hereafter be, by law, directed to be done and performed, and shall have the charge and custody of all the books, records, papers, models, machines, and all other things belonging to said office. And said Commissioner shall receive the same compensation as is allowed by law to the Commissioner of the Indian Department, and shall be entitled to send and receive letters and packages by mail, relating to the business of the office, free of postage.

Chief clerk.

Sec. 2. *And be it further enacted*, That there shall be, in said office, an inferior officer, to be appointed by the said principal officer, with the approval of the Secretary of State, to receive an annual salary of seventeen hundred dollars, and to be called the Chief Clerk of the Patent Office; who, in all cases during the necessary absence of the Commissioner, or when the said principal office shall become vacant, shall have the charge and custody of the seal, and of the records, books, papers, machines, models, and all other things belonging to the said office, and shall perform the duties of Commissioner during such vacancy. And the said Commissioner may also, with like approval, appoint an examining clerk, at an annual salary of fifteen hundred dollars; two other clerks at twelve hundred dollars each, one of whom shall be a competent draughtsman; one other clerk at one thousand dollars; a machinist at twelve hundred and fifty dollars; and a messenger at seven hundred dollars. And said Commissioner, clerks, and every other person appointed and employed in said office, shall be disqualified and interdicted from acquiring or taking, except by inheritance, during the period for which they shall hold their appointments, respectively, any right or interest, directly or indirectly, in any patent for an invention or discovery which has been, or may hereafter be, granted.

Examining clerk, and other officers.

Officers to make oath, &c.

Sec. 3. *And be it further enacted*, That the said principal officer, and every other person to be appointed in the said office, shall, before he enters upon the duties of his office or appointment, make oath or affirmation, truly and faithfully to execute the trust committed to him. And the said Commissioner and the chief clerk shall also, before entering upon their duties, severally give bonds with sureties to the Treasurer of the United States, the former in the sum of ten thousand dollars, and the latter in the sum of five thousand dollars, with condition to render a true and faithful account to him or his successor in office, quarterly, of all moneys which shall be by them respectively received for duties on patents, and for copies of records and drawings, and all other moneys received by virtue of said office.

A seal to be provided.

Sec. 4. *And be it further enacted*, That the said Commissioner shall cause a seal to be made and provided for the said office, with such device as the President of the United States shall approve; and copies of any records, books, papers, or drawings, belonging to the said office, under the signature of the said Commissioner, or, when the office shall be vacant, under the signature of the chief clerk, with the said seal affixed, shall be competent evidence in all cases in which the original records, books, papers, or drawings, could be evidence. And any person making application therefor, may have certified copies of the records, drawings, and other papers deposited in said office, on paying, for the written copies, the sum of ten cents for every page of one hundred words; and for copies of drawings, the reasonable expense of making the same.

Patents to be signed by the

Sec. 5. *And be it further enacted*, That all patents issued from said office shall be issued in the name of the United States and under the

seal of said office, and be signed by the Secretary of State, and countersigned by the Commissioner of the said office, and shall be recorded, together with the descriptions, specifications, and drawings, in the said office, in books to be kept for that purpose. Every such patent shall contain a short description or title of the invention or discovery, correctly indicating its nature and design, and in its terms grant to the applicant or applicants, his or their heirs, administrators, executors, or assigns, for a term not exceeding fourteen years, the full and exclusive right and liberty of making, using, and vending to others to be used, the said invention or discovery, referring to the specifications for the particulars thereof, a copy of which shall be annexed to the patent, specifying what the patentee claims as his invention or discovery.

Secretary of State, and by the Commissioner.

SEC. 6. *And be it further enacted,* That any person or persons having discovered or invented any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement on any art, machine, manufacture, or composition of matter, not known or used by others before his or their discovery or invention thereof, and not, at the time of his application for a patent, in public use or on sale, with his consent or allowance, as the inventor or discoverer; and shall desire to obtain an exclusive property therein, may make application in writing to the Commissioner of Patents, expressing such desire, and the Commissioner, on due proceedings had, may grant a patent therefor. But before any inventor shall receive a patent for any such new invention or discovery, he shall deliver a written description of his invention or discovery, and of the manner and process of making, constructing, using, and compounding the same, in such full, clear, and exact terms, avoiding unnecessary prolixity, as to enable any person skilled in the art or science to which it appertains, or with which it is most nearly connected, to make, construct, compound, and use the same; and in case of any machine, he shall fully explain the principle and the several modes in which he has contemplated the application of that principle or character by which it may be distinguished from other inventions; and shall particularly specify and point out the part, improvement, or combination, which he claims as his own invention or discovery. He shall, furthermore, accompany the whole with a drawing, or drawings, and written references, where the nature of the case admits of drawings, or with specimens of ingredients, and of the composition of matter, sufficient in quantity for the purpose of experiment, where the invention or discovery is of a composition of matter; which descriptions and drawings, signed by the inventor and attested by two witnesses, shall be filed in the Patent Office; and he shall moreover furnish a model of his invention, in all cases which admit of a representation by model, of a convenient size to exhibit advantageously its several parts. The applicant shall also make oath or affirmation that he does verily believe that he is the original and first inventor or discoverer of the art, machine, composition, or improvement, for which he solicits a patent, and that he does not know or believe that the same was ever before known or used; and also of what country he is a citizen; which oath or affirmation may be made before any person authorized by law to administer oaths.

Applications, how made.

Specification.

Drawings, &c.

Models.

Oath or affirmation.

SEC. 7. *And be it further enacted,* That, on the filing of any such application, description, and specification, and the payment of the duty hereinafter provided, the Commissioner shall make or cause to be made, an examination of the alleged new invention or discovery; and if, on any such examination, it shall not appear to the Commissioner that the same had been invented or discovered by any other person in this country prior to the alleged invention or discovery thereof by the applicant, or that it had been patented or described in any printed publication in this or any foreign country, or had been in public use or on sale with the applicant's consent or allowance prior to the application, if the

Examination of invention to be made, and proceedings thereon, should it not be deemed new.

Commissioner shall deem it to be sufficiently useful and important, it shall be his duty to issue a patent therefor. But whenever, on such examination, it shall appear to the Commissioner that the applicant was not the original and first inventor or discoverer thereof, or that any part of that which is claimed as new had before been invented or discovered, or patented, or described in any printed publication in this or any foreign country, as aforesaid, or that the description is defective and insufficient, he shall notify the applicant thereof, giving him, briefly, such information and references as may be useful in judging of the propriety of renewing his application, or of altering his specification to embrace only that part of the invention or discovery which is new. In every such case, if the applicant shall elect to withdraw his application, relinquishing his claim to the model, he shall be entitled to receive back twenty dollars, part of the duty required by this act, on filing a notice in writing of such election in the Patent Office, a copy of which, certified by the Commissioner, shall be a sufficient warrant to the Treasurer for paying back to the said applicant the said sum of twenty dollars. But if the applicant in such case shall persist in his claim for a patent, with or without any alteration of his specification, he shall be required to make oath or affirmation anew, in manner as aforesaid. And if the specification and claim shall not have been so modified as, in the opinion of the Commissioner, shall entitle the applicant to a patent, he may, on appeal, and upon request in writing, have the decision of a board of examiners, to be composed of three disinterested persons, who shall be appointed for that purpose by the Secretary of State, one of whom at least, to be selected, if practicable and convenient, for his knowledge and skill in the particular art, manufacture, or branch of science to which the alleged invention appertains; who shall be under oath or affirmation for the faithful and impartial performance of the duty imposed upon them by said appointment. Said board shall be furnished with a certificate in writing, of the opinion and decision of the Commissioner, stating the particular grounds of his objection, and the part or parts of the invention which he considers as not entitled to be patented. And the said board shall give reasonable notice to the applicant, as well as to the Commissioner, of the time and place of their meeting, that they may have an opportunity of furnishing them with such facts and evidence as they may deem necessary to a just decision; and it shall be the duty of the Commissioner to furnish to the board of examiners such information as he may possess relative to the matter under their consideration. And on an examination and consideration of the matter by such board, it shall be in their power, or of a majority of them, to reverse the decision of the Commissioner, either in whole or in part, and their opinion being certified to the Commissioner, he shall be governed thereby in the further proceedings to be had on such application: *Provided, however,* That before a board shall be instituted in any such case, the applicant shall pay to the credit of the Treasury, as provided in the ninth section of this act, the sum of twenty-five dollars, and each of said persons so appointed shall be entitled to receive for his services in each case a sum not exceeding ten dollars, to be determined and paid by the Commissioner out of any moneys in his hands, which shall be in full compensation to the persons who may be so appointed, for their examination and certificate as aforesaid.

Proviso.

Interfering applications.

SEC. 8. *And be it further enacted,* That whenever an application shall be made for a patent which, in the opinion of the Commissioner, would interfere with any other patent for which an application may be pending, or with any unexpired patent which shall have been granted, it shall be the duty of the Commissioner to give notice thereof to such applicants, or patentees, as the case may be; and if either shall be dissatisfied with the decision of the Commissioner on the question of pri-

ority of right or invention, on a hearing thereof, he may appeal from such decision, on the like terms and conditions as are provided in the preceding section of this act; and the like proceedings shall be had, to determine which or whether either of the applicants is entitled to receive a patent as prayed for. But nothing in this act contained shall be construed to deprive an original and true inventor of the right to a patent for his invention, by reason of his having previously taken out letters patent therefor in a foreign country, and the same having been published, at any time within six months next preceding the filing of his specification and drawings. And whenever the applicant shall request it, the patent shall take date from the time of the filing of the specification and drawings, not however exceeding six months prior to the actual issuing of the patent; and on like request, and the payment of the duty herein required, by any applicant, his specification and drawings shall be filed in the secret archives of the office until he shall furnish the model and the patent be issued, not exceeding the term of one year, the applicant being entitled to notice of interfering applications.

SEC. 9. *And be it further enacted*, That before any application for a patent shall be considered by the commissioner as aforesaid, the applicant shall pay into the Treasury of the United States, or into the Patent Office, or into any of the deposit banks to the credit of the Treasury, if he be a citizen of the United States, or an alien, and shall have been resident in the United States for one year next preceding, and shall have made oath of his intention to become a citizen thereof, the sum of thirty dollars; if a subject of the King of Great Britain, the sum of five hundred dollars; and all other persons the sum of three hundred dollars; for which payment duplicate receipts shall be taken, one of which to be filed in the office of the Treasurer. And the moneys received into the Treasury under this act shall constitute a fund for the payment of the salaries of the officers and clerks herein provided for, and all other expenses of the Patent Office, and to be called the patent fund.

Thirty dollars to be paid to the credit of the U. S. Treasurer by a citizen, or, &c.

Five hundred dollars by a subject of Great Britain, and three hundred by other persons.

SEC. 10. *And be it further enacted*, That where any person hath made, or shall have made, any new invention, discovery, or improvement, on account of which a patent might by virtue of this act be granted, and such person shall die before any patent shall be granted therefor, the right of applying for and obtaining such patent shall devolve on the executor or administrator of such person, in trust for the heirs at law of the deceased, in case he shall have died intestate; but if otherwise, then in trust for his devisees, in as full and ample manner, and under the same conditions, limitations, and restrictions, as the same was held, or might have been claimed or enjoyed by such person in his or her lifetime; and when application for a patent shall be made by such legal representatives, the oath or affirmation provided in the sixth section of this act shall be so varied as to be applicable to them.

Inventors dying without taking a patent, their executors, &c. may, &c.

SEC. 11. *And be it further enacted*, That every patent shall be assignable in law, either as to the whole interest, or any undivided part thereof, by any instrument in writing; which assignment, and also every grant and conveyance of the exclusive right under any patent, to make and use, and to grant to others to make and use, the thing patented within and throughout any specified part or portion of the United States, shall be recorded in the Patent Office within three months from the execution thereof, for which the assignee or grantee shall pay to the Commissioner the sum of three dollars.

Assignment of a patent, and record thereof.

SEC. 12. *And be it further enacted*, That any citizen of the United States, or alien who shall have been resident in the United States one year next preceding, and shall have made oath of his intention to become

Caveat may be entered.

a citizen thereof, who shall have invented any new art, machine, or improvement thereof, and shall desire further time to mature the same, may, on paying to the credit of the Treasury, in manner as provided in the ninth section of this act, the sum of twenty dollars, file in the Patent Office a caveat, setting forth the design and purpose thereof, and its principal and distinguishing characteristics, and praying protection of his right till he shall have matured his invention; which sum of twenty dollars, in case the person filing such caveat shall afterwards take out a patent for the invention therein mentioned, shall be considered a part of the sum herein required for the same. And such caveat shall be filed in the confidential archives of the office, and preserved in secrecy. And if application shall be made by any other person within one year from the time of filing such caveat, for a patent of any invention with which it may in any respect interfere, it shall be the duty of the Commissioner to deposit the description, specifications, drawings, and model, in the confidential archives of the office, and to give notice, by mail, to the person filing the caveat, of such application, who shall, within three months after receiving the notice, if he would avail himself of the benefit of his caveat, file his description, specifications, drawings, and model; and if, in the opinion of the Commissioner, the specifications of claim interfere with each other, like proceedings may be had in all respects as are in this act provided in the case of interfering applications: *Provided, however,* That no opinion or decision of any board of examiners, under the provisions of this act, shall preclude any person interested in favor of or against the validity of any patent which has been or may hereafter be granted, from the right to contest the same in any judicial court in any action in which its validity may come in question.

Proviso.

Patents invalid from defective specifications may be surrendered, and new patents may be issued in certain cases.

SEC. 13. *And be it further enacted,* That whenever any patent which has heretofore been granted, or which shall hereafter be granted, shall be inoperative, or invalid, by reason of a defective or insufficient description or specification, or by reason of the patentee claiming in his specification as his own invention, more than he had or shall have a right to claim as new; if the error has, or shall have arisen by inadvertency, accident, or mistake, and without any fraudulent or deceptive intention, it shall be lawful for the Commissioner, upon the surrender to him of such patent, and the payment of the further duty of fifteen dollars, to cause a new patent to be issued to the said inventor, for the same invention, for the residue of the period then unexpired for which the original patent was granted, in accordance with the patentee's corrected description and specification. And in case of his death, or any assignment by him made of the original patent, a similar right shall vest in his executors, administrators, or assignees. And the patent, so reissued, together with the corrected description and specification, shall have the same effect and operation in law, on the trial of all actions hereafter commenced for causes subsequently accruing, as though the same had been originally filed in such corrected form, before the issuing out of the original patent. And whenever the original patentee shall be desirous of adding the description and specification of any new improvement of the original invention or discovery which shall have been invented or discovered by him subsequent to the date of his patent, he may, like proceedings being had in all respects as in the case of original applications, and on the payment of fifteen dollars, as hereinbefore provided, have the same annexed to the original description and specification; and the Commissioner shall certify, on the margin of such annexed description and specification, the time of its being annexed and recorded; and the same shall thereafter have the same effect in law, to all intents and purposes, as though it had been embraced in the original description and specification.

Patentee may make additions to his patent.

SEC. 14. *And be it further enacted*, That whenever, in any action for damages for making, using, or selling the thing whereof the exclusive right is secured by any patent heretofore granted, or by any patent which may hereafter be granted, a verdict shall be rendered for the plaintiff in such action, it shall be in the power of the court to render judgment for any sum above the amount found by such verdict as the actual damages sustained by the plaintiff, not exceeding three times the amount thereof, according to the circumstances of the case, with costs; and such damages may be recovered by action on the case, in any court of competent jurisdiction, to be brought in the name or names of the person or persons interested, whether as patentees, assignees, or as grantees of the exclusive right within and throughout a specified part of the United States.

Courts may render judgment for a sum not exceeding three times the amount of actual damages.

SEC. 15. *And be it further enacted*, That the defendant in any such action shall be permitted to plead the general issue, and to give this act and any special matter in evidence, of which notice in writing may have been given to the plaintiff or his attorney, thirty days before trial, tending to prove that the description and specification filed by plaintiff does not contain the whole truth relative to his invention or discovery, or that it contains more than is necessary to produce the described effect; which concealment or addition shall fully appear to have been made for the purpose of deceiving the public, or that the patentee was not the original and first inventor or discoverer of the thing patented, or of a substantial and material part thereof claimed as new, or that it had been described in some public work anterior to the supposed discovery thereof by the patentee, or had been in public use, or on sale, with the consent and allowance of the patentee before his application for a patent, or that he had surreptitiously or unjustly obtained the patent for that which was in fact invented or discovered by another, who was using reasonable diligence in adapting and perfecting the same; or that the patentee, if an alien at the time the patent was granted, had failed and neglected for the space of eighteen months from the date of the patent, to put and continue on sale to the public, on reasonable terms, the invention or discovery for which the patent issued; in either of which cases judgment shall be rendered for the defendant, with costs. And whenever the defendant relies in his defence on the fact of a previous invention, knowledge, or use of the thing patented, he shall state, in his notice of special matter, the names and places of residence of those whom he intends to prove to have possessed a prior knowledge of the thing, and where the same had been used: *Provided, however*, That whenever it shall satisfactorily appear that the patentee, at the time of making his application for the patent, believed himself to be the first inventor or discoverer of the thing patented, the same shall not be held to be void on account of the invention or discovery or any part thereof having been before known or used in any foreign country, it not appearing that the same or any substantial part thereof had before been patented or described in any printed publication. *And provided, also*, That whenever the plaintiff shall fail to sustain his action on the ground that in his specification of claim is embraced more than that of which he was the first inventor, if it shall appear that the defendant had used or violated any part of the invention justly and truly specified and claimed as new, it shall be in the power of the court to adjudge and award as to costs as may appear to be just and equitable.

Defendant may plead the general issue &c.

Proviso.

Proviso.

SEC. 16. *And be it further enacted*, That whenever there shall be two interfering patents, or whenever a patent on application shall have been refused on an adverse decision of a board of examiners, on the ground that the patent applied for would interfere with an unexpired patent previously granted, any person interested in any such patent, either by assignment or otherwise, in the one case, and any such appli-

Interfering patents, &c.

1839, ch. 33, § 10.

cant in the other case, may have remedy by bill in equity; and the court having cognizance thereof, on notice to adverse parties and other due proceedings had, may adjudge and declare either the patents void in the whole or in part, or inoperative and invalid in any particular part or portion of the United States, according to the interest which the parties to such suit may possess in the patent or the inventions patented, and may also adjudge that such applicant is entitled, according to the principles and provisions of this act, to have and receive a patent for his invention, as specified in his claim, or for any part thereof, as the fact of priority of right or invention shall in any such case be made to appear. And such adjudication, if it be in favor of the right of such applicant, shall authorize the Commissioner to issue such patent, on his filing a copy of the adjudication, and otherwise complying with the requisitions of this act. *Provided, however,* That no such judgment or adjudication shall affect the rights of any person except the parties to the action and those deriving title from or under them subsequent to the rendition of such judgment.

Proviso.

Actions cognizable in circuit courts of United States, &c.

SEC. 17. *And be it further enacted,* That all actions, suits, controversies, and cases arising under any law of the United States, granting or confirming to inventors the exclusive right to their inventions or discoveries, shall be originally cognizable, as well in equity as at law, by the circuit courts of the United States, or any district court having the powers and jurisdiction of a circuit court; which courts shall have power, upon bill in equity filed by any party aggrieved, in any such case, to grant injunctions, according to the course and principles of courts of equity, to prevent the violation of the rights of any inventor as secured to him by any law of the United States, on such terms and conditions as said courts may deem reasonable: *Provided, however,* That from all judgments and decrees, from any such court rendered in the premises, a writ of error or appeal, as the case may require, shall lie to the Supreme Court of the United States, in the same manner and under the same circumstances as is now provided by law in other judgments and decrees of circuit courts, and in all other cases in which the court shall deem it reasonable to allow the same.

Proviso.

Patents may be extended seven years in certain cases.

SEC. 18. *And be it further enacted,* That whenever any patentee of an invention or discovery shall desire an extension of his patent beyond the term of its limitation, he may make application therefor, in writing, to the Commissioner of the Patent Office, setting forth the grounds thereof; and the Commissioner shall, on the applicant's paying the sum of forty dollars to the credit of the Treasury, as in the case of an original application for a patent, cause to be published, in one or more of the principal newspapers in the city of Washington, and in such other paper or papers as he may deem proper, published in the section of country most interested adversely to the extension of the patent, a notice of such application and of the time and place when and where the same will be considered, that any person may appear and show cause why the extension should not be granted. And the Secretary of State, the Commissioner of the Patent Office, and the Solicitor of the Treasury, shall constitute a board to hear and decide upon the evidence produced before them both for and against the extension, and shall sit for that purpose at the time and place designated in the published notice thereof. The patentee shall furnish to said board a statement, in writing, under oath, of the ascertained value of the invention, and of his receipts and expenditures, sufficiently in detail to exhibit a true and faithful account of loss and profit in any manner accruing to him from and by reason of said invention. And if, upon a hearing of the matter, it shall appear to the full and entire satisfaction of said board, having due regard to the public interest therein, that it is just and proper that the term of the patent should be extended, by reason of the

patentee, without neglect or fault on his part, having failed to obtain, from the use and sale of his invention, a reasonable remuneration for the time, ingenuity, and expense bestowed upon the same, and the introduction thereof into use, it shall be the duty of the Commissioner to renew and extend the patent, by making a certificate thereon of such extension, for the term of seven years from and after the expiration of the first term; which certificate, with a certificate of said board of their judgment and opinion as aforesaid, shall be entered on record in the Patent Office; and thereupon the said patent shall have the same effect in law as though it had been originally granted for the term of twenty-one years. And the benefit of such renewal shall extend to assignees and grantees of the right to use the thing patented, to the extent of their respective interest therein: *Provided, however,* That no extension of a patent shall be granted after the expiration of the term for which it was originally issued.

Proviso.

SEC. 19. *And be it further enacted,* That there shall be provided for the use of said office, a library of scientific works and periodical publications, both foreign and American, calculated to facilitate the discharge of the duties hereby required of the chief officers therein, to be purchased under the direction of the Committee of the Library of Congress. And the sum of fifteen hundred dollars is hereby appropriated, for that purpose, to be paid out of the patent fund.

Library of Patent Office.

SEC. 20. *And be it further enacted,* That it shall be the duty of the Commissioner to cause to be classified and arranged, in such rooms or galleries as may be provided for that purpose, in suitable cases, when necessary for their preservation, and in such manner as shall be conducive to a beneficial and favorable display thereof, the models and specimens of compositions and of fabrics and other manufactures and works of art, patented or unpatented, which have been, or shall hereafter be deposited in said office. And said rooms or galleries shall be kept open during suitable hours for public inspection.

Models to be classified and arranged.

SEC. 21. *And be it further enacted,* That all acts and parts of acts heretofore passed on this subject, be, and the same are hereby repealed: *Provided, however,* That all actions and processes in law or equity sued out prior to the passage of this act, may be prosecuted to final judgment and execution, in the same manner as though this act had not been passed, excepting and saving the application to any such action, of the provisions of the fourteenth and fifteenth sections of this act, so far as they may be applicable thereto: *And provided, also,* That all applications or petitions for patents, pending at the time of the passage of this act, in cases where the duty has been paid, shall be proceeded with and acted on in the same manner as though filed after the passage hereof.

Former acts repealed.

Proviso.

Proviso.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLIX.—*An Act to suspend the discriminating duties upon goods imported in vessels of Portugal, and to reduce the duties on wines. (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 several acts of Congress as imposes a discriminating duty upon goods, wares, and merchandise, imported in foreign vessels, be, and hereby is, suspended, so far as respects the produce or manufactures of Portugal proper, including Madeira, Porto Santo, and the Azores, when imported in vessels wholly and truly belonging to the subjects or citizens of said places; so that such produce or manufactures shall be subject to the same duties only as if imported in vessels of the United States: *Provided, however,* And [that] this suspension shall continue no longer than this section remains in force.

Acts suspended.

Proviso.

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



Duties on wines reduced one-half, after 30th July, 1836.

Wines may be put into custom-house stores, &c.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That from and after the thirtieth day of July, eighteen hundred and thirty-six, the duty on all kinds of wine imported into the United States shall be reduced one-half, so that no more than one-half the amount now assessed shall be thereafter assessed.

SEC. 3. *And be it further enacted*, That all kinds of wine, whether imported before or after the passage of this act, may be put into the custom-house stores, under the bond of the importer or owner; and such of the said wines as shall remain under the control of the proper officer of the customs, on the thirtieth day of July, one thousand eight hundred and thirty-six, shall be subject to no other duty than if the same were imported after that day; and if the duties or any part thereof, on the wines deposited, as aforesaid, shall have been paid previous to the said thirtieth day of July, one thousand eight hundred and thirty-six, the amount of excess of duty shall be refunded to the person importing and depositing the same: *Provided*, That no wines shall be so deposited unless in the casks or bottles as imported: *And provided, further*, That the benefit of this act shall not be extended to any wines not entitled to debenture.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLX.—*An act for the purchase of certain rights or inventions of William H. Bell, of North Carolina.*

To be paid to him for his interest in two patent rights.

*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 hereby authorized to pay to Captain William H. Bell, out of any money in the Treasury not otherwise appropriated, the sum of twenty thousand dollars, whenever said Bell shall transfer and convey to the United States all his, said Bell's, right, interest, and title, in and to two certain patents, viz: one called a machine for elevating heavy cannon, the other called a traverse board for pointing cannon; together with all the right to the United States to use every improvement that has been made by said Bell on the said inventions, since patenting the same; *Provided, however*, That said sum of twenty thousand dollars shall be in full for all claims against the United States for using said patents

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLXI.—*An Act confirming claims to land in the State of Missouri, and for other purposes.*

Decisions of the recorder confirmed.

Act of July 9, 1832, ch. 180.

Act of March 2, 1833, ch. 84.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the decisions in favor of land claimants, made by the recorder of land titles in the State of Missouri, and the two commissioners associated with him by virtue of an act entitled "An act for the final adjustment of private land claims in Missouri," approved July ninth, eighteen hundred and thirty-two, and an act supplemental thereto, approved March second, eighteen hundred and thirty-three, as entered in the transcript of decisions transmitted by the said recorder and commissioners to the Commissioner of the General Land Office, and by him laid before Congress at the two last and present sessions, be, and the same are hereby, confirmed, saving and reserving, however, to all adverse claimants, the right to assert the validity of their claims in a court or courts of justice: *Provided*, That nothing in this act contained shall apply to, or be in confirmation of the claim of Don Carlos D. Vilemont, for a tract of land at Point Chicot: *And provided, also*, That nothing in this act contained shall apply to, or be in confirmation of the following claims, to wit: Manuel Liza, six thousand arpens; J. Coontz, and Hempstead,

Proviso.

Proviso.

four hundred and fifty arpens; Matthew Saucier, one thousand two hundred arpens; Charles Tayon, one thousand six hundred arpens; sons of Joseph M. Pepin, five thousand six hundred arpens; Louis Lorimiere, thirty thousand arpens; Bartholomew Cousin, ten thousand arpens; Manuel Gonzales Moro, eight hundred arpens; Seneca Rollins, four hundred arpens; William Long, four hundred arpens; James Journey, four hundred arpens; Joachim Lisa, six thousand arpens; Francois Lacombe, four hundred arpens; Israel Dodge, seven thousand [and] fifty six arpens; Andrew Chevalier, four hundred arpens; Joseph Silvain, two hundred and fifty arpens; John P. Cabanis, two thousand arpens; William Hartly, six hundred and fifty arpens; William Morrison, seven hundred and fifty arpens; Solomon Bellew, three hundred and fifty arpens; Paschal Detchemendez, seven thousand [and] fifty-six arpens; Baptiste Aunure, two hundred and forty arpens; Alexander Maurice, four hundred arpens; Jean Baptiste Valle, twenty thousand arpens; Israel Dodge, one thousand arpens; Walter Fenwick, ten thousand arpens; John Smith T., ten thousand arpens; and Mackey Wherry, sixteen hundred arpens.

SEC. 2. *And be it further enacted*, That if it shall be found that any tract or tracts confirmed as aforesaid, or any part thereof, had been previously located by any other person or persons under any law of the United States, or had been surveyed and sold by the United States, this act shall confer no title to such lands in opposition to the rights acquired by such location or purchase; but the individual, or individuals, whose claims are hereby confirmed, shall be permitted to locate so much thereof as interferes with such location or purchase, on any unappropriated land of the United States within the State of Missouri, or Territory of Arkansas, in whichever the original claim may be, that may be subject to entry at private sale: *Provided*, That such location shall conform to legal divisions and subdivisions, and shall not interfere with the rights of other persons.

SEC. 3. *And be it further enacted*, That the locations authorized by this act, shall be entered with the register of the proper land office, who shall, on application for that purpose, make out for such claimant a certificate of location, which, with the certificate of confirmation, shall be transmitted to the Commissioner of the General Land Office; and if it shall appear to the satisfaction of the said Commissioner that such certificate shall have been fairly obtained, according to the true intent and meaning of this act and the laws of the United States, then, and in that case, patents shall be granted in like manner as is provided by law for the other lands of the United States. And for each certificate of location to be issued as aforesaid, the register shall be entitled to receive from the person applying therefor, the sum of one dollar.

APPROVED, July 4, 1836.

Other land may be located, should any of that be occupied, the title to which is confirmed.

Proviso.

Locations to be entered with the Register, &c.

CHAP. CCCLXII.—*An Act granting half pay to widows or orphans, where their husbands and fathers have died of wounds received in the military service of 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 when any officer, non-commissioned officer, musician or private of the militia, including rangers, sea fencibles, and volunteers, shall have died while in the service of the United States, since the twentieth of April, eighteen hundred and eighteen, or who shall have died in consequence of a wound received whilst in the service, since the day aforesaid, and shall have left a widow, or, if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was

STATUTE I.

July 4, 1836.

1837, ch. 42.

1842, ch. 191.

1848, ch. 108.

Five years' half pay to widows or orphans of those who have died, &c. in the service of United States since 20th April 1818.

1853, ch. 41.

Proviso.

Proviso.

Benefit of the act of 7th June, 1832, extended to widows or children under certain circumstances.

Act of June 7, 1832, ch. 126.

Extended to widows in other cases.

Act of June 7, 1832, ch. 126.

Post, p. 311.

Transfers of any claim under this act declared void.

Secretary of War to adopt forms.

STATUTE I.

July 4, 1836.

[Obsolete.]

Appropriations.

Maine.  
Breakwater in  
Portland har-  
bor.

entitled at the time of his death or receiving such wound, for and during the term of five years; and in case of the death or marriage of such widow before the expiration of said five years, the half pay for the remainder of the time shall go to the said decedent: *Provided*, That the half pay aforesaid shall be half the monthly pay of the officers, non-commissioned officers, musicians and privates of the infantry of the regular army, and no more: *Provided, also*, That no greater sum shall be allowed to the widow or to the child or children of any officer, than the half pay of a lieutenant colonel.

SEC. 2. *And be it further enacted*, That if any officer, non-commissioned officer, musician, soldier, Indian spy, mariner or marine, whose service during the revolutionary war was such as is specified in the act passed the seventh day of June eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," have died since the fourth day of March, eighteen hundred and thirty-one, and before the date of said act, the amount of pension which would have accrued from the fourth day of March, eighteen hundred and thirty-one, to the time of his death, and become payable to him by virtue of that act, if he had survived the passage thereof, shall be paid to his widow; and if he left no widow, to his children, in the manner prescribed in the act hereby amended.

SEC. 3. *And be it further enacted*, That if any person who served in the war of the revolution, in the manner specified in the act passed the seventh day of June, eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," have died, leaving a widow whose marriage took place before the expiration of the last period of his service, such widow shall be entitled to receive, during the time she may remain unmarried, the annuity or pension which might have been allowed to her husband, by virtue of the act aforesaid, if living at the time it was passed.

SEC. 4. *And be it further enacted*, That any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any money or half pay granted by this act, shall be utterly void and of no effect; each person acting for and in behalf of any one entitled to money under this act, shall take and subscribe an oath, to be administered by the proper accounting officer and retained by him and put on file, before a warrant shall be delivered to him, that he has no interest in said money by any pledge, mortgage, sale, assignment or transfer, and that he does not know or believe that the same has been so disposed of to any person whatever.

SEC. 5. *And be it further enacted*, That the Secretary of War shall adopt such forms of evidence, in applications under this act, as the President of the United States shall prescribe.

APPROVED, July 4, 1836.

CHAP. CCCLXIII.—*An Act making appropriations for the improvement of certain harbors therein mentioned, for the year one thousand eight hundred and thirty-six, 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 the security of the navigation and commerce of the United States, the following sums of money 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, for the following objects, viz:

For erecting a breakwater on Stanford ledge, in Portland harbor, according to the plan reported by John Anderson, of the Engineer corps, in the year eighteen hundred and thirty-two, ten thousand dollars.

For the survey of a ledge near Owl's-head harbour, to determine the expediency of erecting thereon a breakwater to improve said harbor, four hundred dollars.

Survey near Owl's head harbor.

For the examination and survey of the passage into Cobscook bay, in the State of Maine, for the purpose of ascertaining the practicability of removing two ledges whereby the navigation of said bay is materially obstructed, three hundred dollars.

Survey at Cobscook bay.

For deepening the channel of the Cochecho branch of the Piscataqua river, leading into Dover harbour, five thousand dollars.

N. Hampshire. Deepening Piscataqua river. Massachusetts. Harbor of Bass river.

For the improvement of the harbor at the mouth of Bass river, ten thousand dollars and forty-one cents.

For removing the wreck in the harbor of New Bedford, ten thousand dollars.

Removing wreck, New Bedford harbor. Breakwater at Sandy bay.

For the construction of a breakwater at Sandy bay, agreeably to the report of a survey made by direction of the Department of War, transmitted to Congress by the President, April twenty-third, eighteen hundred and thirty, ten thousand dollars.

For preserving the point of land leading to the fort and lighthouse at the Gurnet, in Duxbury, by hurdles or double ranges of piles, five thousand dollars.

Point of land in Duxbury.

For the preservation of Rainsford island, in the harbor of Boston, fifteen thousand dollars.

Rainsford island.

For a breakwater at Church's cove harbor, in the town of Little Compton, ten thousand dollars, agreeably to a survey made by Lieutenant Colonel Anderson, of the United States topographical engineers, in eighteen hundred and twenty-seven.

Rhode Island. Breakwater at Church's cove harbor.

For improving the harbor of Saybrook, by removing the bar at the mouth of Connecticut river, twenty thousand dollars.

Connecticut. Saybrook harbor.

For improving the harbor of Westport, agreeably to the report of John Anderson, of the Engineer corps, three thousand dollars.

Westport harbor.

For a sea-wall to preserve Fairweather island, near Black Rock harbor, ten thousand dollars.

Fairweather island.

For securing the public works at the harbor of Southport, one thousand five hundred dollars.

Southport.

For further securing the beach at Cedar point, in Connecticut, one thousand dollars.

Cedar Point.

For deepening the channel leading into Bridgeport harbor, ten thousand dollars.

Bridgeport harbor.

For deepening the channel of the river Thames, leading into Norwich harbor, ten thousand dollars.

Norwich harbor.

For building a breakwater or pier at the harbor of Burlington, ten thousand dollars.

Vermont. Breakwater, Burlington harbor.

For deepening the channel to eight feet between the islands of North and South Hero, near Saint Alban's in Lake Champlain, in Vermont, fifteen thousand dollars.

Channel near St. Albans.

For the improvement of the harbor of Portland, on Lake Erie, ten thousand dollars.

New York. Portland harbor, Lake Erie.

For the improvement of the harbor at the mouth of Salmon river, on Lake Ontario, according to the several plans of said harbor, submitted through the Department of War, five thousand dollars.

Salmon river, Lake Ontario.

For the improvement of the harbor at the mouth of Oak Orchard creek, on Lake Ontario, according to the plan thereof made by Joseph G. Swift, civil engineer, five thousand dollars.

Oak Orchard creek, Lake Ontario.

For the improvement of the harbor at the mouth of Black river, in the county of Jefferson, five thousand dollars.

Black river.

For building a breakwater or pier at the harbor of Plattsburg, ten thousand dollars.

Breakwater at Plattsburg.

For improving the harbor at the mouth of Cattaraugus creek, on Lake Erie, fifteen thousand dollars.

Cattaraugus creek, lake Erie.

- Whitehall harbor. For improving the entrance of Whitehall harbor, on Lake Champlain, eight thousand dollars.
- Ice-breaker, Staten Island. For building an ice-breaker on Staten island, nineteen thousand five hundred dollars.
- New Jersey. New Brunswick harbor. For improving the harbor at New Brunswick, by removing the obstructions in the Raritan river, according to a plan reported to the War Department by Hartman Bache, seven thousand dollars.
- Little Egg harbor. For the protection and improvement of Little Egg harbor, according to the plan reported to the War Department, five thousand dollars.
- Survey of Crow Shoal. For a survey of Crow Shoal in Delaware bay, to ascertain the expediency of constructing a breakwater or artificial harbor, one thousand dollars.
- Pennsylvania. Chester harbor. For repairs at the harbor of Chester, three thousand dollars.
- Delaware river, near Fort Mifflin. For removing the bar on the river Delaware, in the neighborhood of Fort Mifflin, with the view of improving the harbor of Philadelphia, fifteen thousand dollars.
- Delaware. Wilmington harbor. For improving the harbor of Wilmington, by removing the bar at the mouth of Christiana river, according to the plan recommended by Hartman Bache, of the engineer corps, fifteen thousand dollars.
- Maryland. Baltimore harbor. For deepening the harbor of Baltimore, twenty thousand dollars.
- Survey, Chesapeake bay. For a survey of the head waters of Chesapeake bay, pursuant to a resolution of the Legislature of Maryland, five hundred dollars.
- Virginia. Survey of James river. For a survey of James river, with the view of improving the harbor of Richmond, five hundred dollars.
- Channels of Dismal Swamp Canal. For improving the navigation of the natural channels at the northern and southern entrances of the Dismal Swamp canal, fifteen thousand dollars.
- N. Carolina. Shoal in Pamlico river. For removing a sand shoal in Pamlico river, five thousand dollars, by means of the dredging machine now in operation at Ocracock inlet.
- Shoal in New river. For removing the oyster shoal in New river, Onslow county, by means of the dredging machine now in operation in the collection district of Wilmington, five thousand dollars.
- Beaufort harb'r. S. Carolina. To improve the harbor of Beaufort, five thousand dollars.
- Survey Georgetown harbor. Georgia. For a survey of the bar and harbor at Georgetown, one thousand dollars.
- Removing Brunswick bar. Ohio. For the removal of the Brunswick bar, with the view of improving the harbor of Brunswick, ten thousand dollars.
- Mouth of Vermillion river. For constructing two piers and improving the navigation at the mouth of Vermillion river, ten thousand dollars, according to the plan reported to the War Department.
- Indiana. Michigan city harbor. For the construction of a harbor at Michigan city, according to the plan reported to the War Department, twenty thousand dollars.
- Louisiana. Mouth of Mississippi river. For increasing the depth of water in the mouth of the Mississippi river, by closing some of the passages leading out of it, or by cutting a ship channel, or by any other means which shall be deemed expedient by the Secretary of War, with the approbation of the President of the United States, seventy-five thousand dollars; the said sum to be expended in whole or in part, as may be thought proper by the War Department, after the necessary survey shall have been made.
- Missouri. Pier near St. Louis. For a pier to give direction to the current of the Mississippi river, near the city of St. Louis, fifteen thousand dollars.
- Survey of rivers in Arkansas and Missouri. Florida. For the survey of Saint Francis, Black, and White rivers, in Arkansas and Missouri, to determine upon the expediency of removing the natural rafts thereon, one thousand dollars.
- Removing Bulk Head shoal. Michigan. For removing a mud shoal, called the Bulk Head, in the channel from East Pass to Appalachicola, ten thousand dollars.
- Mouth of St. Joseph river. For the construction of a pier or breakwater at the mouth of the river Saint Joseph, twenty thousand dollars.

For the survey of the mouth of Milwaukie river, on Lake Michigan, to determine the practicability of making a harbor by deepening the channel, four hundred dollars.

Wisconsin.  
Survey of Milwaukie river.

SEC. 2. *And be it further enacted*, That the reports upon all the aforesaid surveys shall contain a statement of all such facts within the knowledge of the engineers respectively making the surveys, as are or may be in any way materially connected with the proposed improvements, and also with estimates, in detail, of the sums of money necessary for such improvements, respectively.

Reports upon surveys to contain estimates, &c.

APPROVED, July 4, 1836.

STATUTE I.

July 4, 1836.

CHAP. CCCLXIV.—*An Act to repeal so much of the act of March second, seventeen hundred and ninety-nine, as respects the issuing of certificates on the importation of wines.*

*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 Congress, passed second March, seventeen hundred and ninety-nine, as requires that the surveyor or chief officers of inspection of any port, where wines may be landed, shall give to the proprietor, importer or consignee thereof, or his or her agent, a certificate, as mentioned in the fortieth and forty-first sections of said act, is hereby repealed.

Repeal of sec. 7, act of March 2, 1799, ch. 22.

APPROVED, July 4, 1836.

RESOLUTIONS.

No. 1. *Resolution authorizing the President to furnish rations to certain inhabitants of Florida.*

Feb. 1, 1836.

*Be it 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 authorized to cause rations to be delivered from the public stores to the unfortunate sufferers, who are unable to provide for themselves, and who have been driven from their homes by Indian depredations in Florida, until they can [be] re-established in their possessions, or so long as the President shall consider it necessary.

Rations from the public stores to be delivered, &c.

APPROVED, February 1, 1836.

No. 2. *Resolution to establish certain post roads in Missouri and Arkansas.*

Mar. 19, 1836.

*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 establish the following post roads; From Fort Towson, in the Territory of Arkansas, to Fort Gibson, and from Fort Gibson, by Fayette, in Arkansas Territory, Barry court-house, Van Buren court-house, Jackson court-house, Fort Leavenworth, Liberty, in Clay county, Plattsburgh, in Clinton county, Fort Des Moines, to the town of Dubuque on the Mississippi river. And the same shall be continued until otherwise provided for by law.

Post roads to be established.

APPROVED, March 19, 1836.

No. 3. *Resolution to suspend the sale of a part of the public lands acquired by the treaty of Dancing Rabbit creek.*

May 9, 1836.

*Be it Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the public lands, acquired by the treaty concluded with the Choctaw nation of Indians, at Dancing Rabbit creek, on the twenty-eighth day of September, eighteen hundred and thirty, as has been conditionally, or otherwise located by the locating agent of the United States to persons claiming reservations under the fourteenth article of said treaty, be

Reservations of lands to be withheld from public sale until 1st December, 1836.

Proviso.

withheld from public sale until the first day of December next: *Provided*, That nothing herein contained, shall be taken or construed as indicating any intention on the part of Congress to confirm said claims.

APPROVED, May 9, 1836.

May 14, 1836.

No. 4. *A Resolution to change the time of making contracts for the transportation of the mail.*

The contract year for carrying the mail to end on the 30th of June.

Act of July 2, 1836, ch. 270.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General be authorized, provided the same can be done at the present rates of compensation, to extend the term of the existing contracts for the transportation of the mail, to the thirtieth day of June inclusive, next succeeding the thirty-first day of December, in each year in which said contracts expire, so that the contract year may, after the first day of January next, commence on the first day of July, instead of the first day of January.

APPROVED, May 14, 1836.

May 14, 1836.

No. 5. *A Resolution to authorize the Secretary of War to receive additional evidence in support of the claims of Massachusetts and other States of the United States, for disbursements, services, &c. during the late war.*

Evidence, if satisfactory, to be received, although not conforming to existing rules.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War, in preparing his report pursuant to a resolve of the House of Representatives, agreed to on the twenty-fourth of February, eighteen hundred and thirty-two, be, and he hereby is, authorized, without regard to existing rules and requirements, to receive such evidence as is on file, and any further proofs which may be offered tending to establish the validity of the claims of Massachusetts upon the United States, or any part thereof, for services, disbursements, and expenditures during the late war with Great Britain; and in all cases where such evidence shall in his judgment prove the truth of the items of claim, or any part thereof, to act on the same in like manner as if the proof consisted of such vouchers and evidence, as is required by existing rules and regulations touching the allowance of such claims: And that in the settlement of claims of other States upon the United States for services, disbursements, and expenditures during the late war with Great Britain, the same kind of evidence, vouchers and proof shall be received as is herein provided for in relation to the claim of Massachusetts, the validity of which shall be, in like manner, determined and acted upon by the Secretary of War.

APPROVED, May 14, 1836.

June 7, 1836.

No. 6. *A Resolution authorizing the repair of the bridge across the river Potomac, at Washington.*

Unexpended balance appropriated to repairs.

*Be it 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 he is hereby authorized to have all repairs made to the bridge across the Potomac river, which have become necessary from the late flood, and that the expenses of said repairs be paid out of the money heretofore appropriated for the erection of said bridge, and which is now in the Treasury, unexpended.

APPROVED, June 7, 1836.

No. 7. *A Resolution providing for the distribution of weights and measures.*

June 14, 1836.

*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 he hereby is directed to cause a complete set of all the weights and measures adopted as standards, and now either made or in the progress of manufacture for the use of the several custom-houses, and for other purposes, to be delivered to the Governor of each State in the Union, or such person as he may appoint, for the use of the States respectively, to the end that a uniform standard of weights and measures may be established throughout the United States.

A complete set of such weights and measures as are intended for custom-houses to be delivered to each State.

APPROVED, June 14, 1836.

No. 8. *A Resolution to furnish the Rotundo with paintings.*

June 23, 1836.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That a joint committee be appointed to contract with one or more competent American artists for the execution of four historical pictures upon subjects serving to illustrate the discovery of America; the settlement of the United States; the history of the Revolution; or of the adoption of the Constitution; to be placed in the vacant pannels of the Rotundo; the subjects to be left to the choice of the artists under the control of the committee.

Contract to be made with four American artists.

APPROVED, June 23, 1836.

No. 9. *A Resolution referring the petition and papers of the heirs of Robert Fulton, deceased, to the Secretary of the Navy, to report thereon to Congress.*

June 23, 1836.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the petition and papers of the heirs of Robert Fulton, be referred to the Secretary of the Navy, to state an account between the United States and said heirs, by debiting them with all the moneys paid to the said Robert Fulton, and not settled on the books of the Treasury Department.

Moneys paid to Robert Fulton to be debited to his heirs.

*Second.* To credit the said heirs with all moneys advanced or expended by the said Fulton, in and about the business of the United States, committed to his care, or about which he had an agency.

Moneys expended by R. F. for the U. S. to be credited.

*Third.* To credit the said heirs a compensation commensurate with the value and importance of the services rendered by the said Robert Fulton, to the United States, in inventing a system of coast and harbor defence, and in testing its utility so far as he was employed or engaged to render such services by the authorities of the United States, or when such services were recognised as having been rendered for the United States, previous to, or during, the late war with Great Britain.

A compensation commensurate with the value of his system of harbor defence to be allowed.

*Fourth.* To credit the said heirs with the like compensation, for the services of the said Robert Fulton, for inventing and in superintending the construction of a steam frigate, at New York, during and after said war.

Compensation for inventing and superintending steam frigate.

*Fifth.* To credit the said heirs with a just and equitable compensation, for the detention of the steam-boat Vesuvius, at New Orleans, from the thirtieth of December, eighteen hundred and fourteen, to the twelfth of March, eighteen hundred and fifteen, both days inclusive, being the time the said boat remained aground by reason of her being impressed into the service of the United States, and grounded when in said service.

Allowance to be made for detention of the Vesuvius.

Sec. 2. *Be it further resolved,* That the said Secretary of the Navy be authorized to take such further testimony as he shall think necessary, and that he ascertain what defence was made to the suit in favor of the United States, against the representatives of Robert Fulton in the

Secretary of Navy may take further testimony, &c. relating to a suit in favor



of the United States, and report to Congress.

southern district of New York, and what composed the items of set-off to the claim of the United States; and that said Secretary report his proceedings at the next session of Congress.

APPROVED, June 23, 1836.

July 1, 1836.

No. 10. *A resolution to apply the unexpended balance of the appropriation for the Potomac bridge to the improvement of Maryland avenue leading thereto, and for other purposes.*

The balance of the appropriation to be expended on Maryland avenue.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the balance of the appropriation for the construction of the bridge across the Potomac, at the city of Washington, remaining unexpended after the said bridge shall have been repaired in obedience to the directions contained in the joint resolution passed for that purpose at the present session of Congress, be, and the same hereby is, appropriated, to be applied under the direction of the Commissioner of the Public Buildings, towards the graduation, gravelling and planting of the Maryland avenue, in said city, from its eastern extremity to the said bridge, in equal proportions on the east and west of the Capitol, according to distance.

Commissioner of public buildings to attend to the draws, &c. He may employ three assistants.

SEC. 2. *And be it further resolved,* That it shall be the duty of the Commissioner of Public Buildings to attend to the draws, cause the bridge to be properly lighted, to guard against wanton injuries and obstructions, and to preserve a due police on and near it, so as to ensure the safety of passengers and of the public property; that said Commissioner shall receive for his services the yearly compensation of three hundred dollars, and be authorized to employ three assistants, at a compensation not exceeding one dollar and fifty cents a day.

APPROVED, July 1, 1836.

# ACTS OF THE TWENTY-FOURTH 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 5th day of December, 1836, and ended the 3d day of March, 1837.*

ANDREW JACKSON, President; MARTIN VAN BUREN, Vice President of the United States and President of the Senate; JAMES K. POLK, Speaker of the House of Representatives.

### STATUTE II.

CHAPTER I.—*An Act to regulate, in certain cases, the disposition of the proceeds of lands ceded by Indian tribes to the United States.*

Jan. 9, 1837.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all moneys received from the sales of lands, that have been, or may be hereafter, ceded to the United States by Indian tribes, by treaties providing for the investment or payment to the Indians, parties thereto, of the proceeds of the lands ceded by them, respectively, after deducting the expenses of survey and sale, any sums stipulated to be advanced, and the expenses of fulfilling any engagements contained therein, shall be paid into the Treasury of the United States in the same manner that moneys received from the sales of public lands are paid into the Treasury.

Moneys received to be paid into the Treasury.

SEC. 2. *And be it further enacted,* That all sums that are or may be required to be paid, and all moneys that are or may be required to be invested by said treaties, are hereby appropriated in conformity to them, and shall be drawn from the Treasury as other public moneys are drawn therefrom, under such instructions as may from time to time be given by the President.

Necessary appropriations made to be paid from the Treasury.

SEC. 3. *And be it further enacted,* That all investments of stock, that are or may be required by said treaties, shall be made under the direction of the President; and special accounts of the funds under said treaties shall be kept at the Treasury, and statements thereof be annually laid before Congress.

Investments of stock.

Special accounts of the funds to be kept, and laid before Congress.

SEC. 4. *And be it further enacted,* That the provisions of the 4th section of the act of June 14th, 1836, entitled "An act making appropriations for the Indian Department, &c.," be and are hereby extended, in such manner as to apply to the disposition of all moneys that may hereafter be received under the treaties therein named, or under any others containing similar stipulations for the payment to the Indians, annually, of interest upon the proceeds of the lands ceded by them.

Provisions of sec. 4, act 14th June, 1836, ch. 88, extended.

APPROVED, January 9, 1837.

STATUTE II.

CHAP. II.—*An Act making an appropriation for the suppression of Indian hostilities.*

Jan. 9, 1837.

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

[Obsolete.]  
\$2,000,000 appropriation.

(135)

How to be expended.

millions of dollars shall be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been, or may be incurred in preventing or suppressing the hostilities of any Indians; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March, and the second of July last, and of the acts therein referred to.

APPROVED, January 9, 1837.

STATUTE II.

Jan. 18, 1837.

Act of April 2, 1792, ch. 16.  
Act of March 3, 1835, ch. 39.  
Act of Feb. 27, 1843, ch. 46.  
Act of April 2, 1844, ch. 7.  
Officers.

Duties of.  
Director.

Treasurer.

Assayer.

Melter and refiner.

Chief coiner.

Engraver.

CHAP. III.—*An Act supplementary to the act entitled "An act establishing a mint, and regulating the coins 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 officers of the mint of the United States shall be a director, a treasurer, an assayer, a melter and refiner, a chief coiner and an engraver, to be appointed by the President of the United States, by and with the advice and consent of the Senate.

SEC. 2. *And be it further enacted,* That the respective duties of the officers of the mint shall be as follows:

*First.* The director shall have the control and management of the mint, the superintendence of the officers and persons employed therein, and the general regulation and supervision of the business of the several branches. And in the month of January of every year he shall make report to the President of the United States of the operations of the mint and its branches for the year preceding. And also to the Secretary of the Treasury, from time to time, as said Secretary shall require, setting forth all the operations of the mint subsequent to the last report made upon the subject.

*Second.* The treasurer shall receive, and safely keep all moneys which shall be for the use and support of the mint; shall keep all the current accounts of the mint, and pay all moneys due by the mint, on warrants from the director. He shall receive all bullion brought to the mint for coinage; shall be the keeper of all bullion and coin in the mint, except while the same is legally placed in the hands of other officers, and shall, on warrants from the director, deliver all coins struck at the mint to the persons to whom they shall be legally payable. And he shall keep regular and faithful accounts of all the transactions of the mint, in bullion and coins, both with the officers of the mint and the depositors; and shall present, quarter-yearly, to the Treasury Department of the United States, according to such forms as shall be prescribed by that department, an account of the receipts and disbursements of the mint, for the purpose of being adjusted and settled.

*Third.* The assayer shall carefully assay all metals used in coinage, whenever such assays are required in the operations of the mint; and he shall also make assays of coins whenever instructed to do so by the director.

*Fourth.* The melter and refiner shall execute all the operations which are necessary in order to form ingots of standard silver or gold, suitable for the chief coiner, from the metals legally delivered to him for that purpose.

*Fifth.* The chief coiner shall execute all the operations which are necessary in order to form coins, conformable in all respects to the law, from the standard silver and gold ingots, and the copper planchets, legally delivered to him for this purpose.

*Sixth.* The engraver shall prepare and engrave, with the legal devices and inscriptions, all the dies used in the coinage of the mint and its branches.

(a) See notes of the acts relating to the Mint, and to Coins of the United States, vol. 1, 246.

SEC. 3. *And be it further enacted*, That the director shall appoint, with the approbation of the President, assistants to the assayer, melter and refiner, chief coiner, and engraver, and clerks for the director and treasurer, whenever, on representation made by the director to the President, it shall be the opinion of the President that such assistants or clerks are necessary. And it shall be the duty of the assistants to aid their principals in the execution of their respective offices, and of the clerks to perform such duties as shall be prescribed for them by the director.

Appointment of assistants and clerks.

Their duties.

SEC. 4. *And be it further enacted*, That whenever any officer of the mint shall be temporarily absent, on account of sickness, or any other sufficient cause, it shall be lawful for the director, with the assent of said officer, to appoint some person attached to the mint, to act in the place of such officer during his absence, and that the director shall employ such workmen and servants in the mint as he shall from time [to time] find necessary.

Vacancies in case of temporary absence how filled.

Employment of workmen and servants.

Oath to be taken.

SEC. 5. *And be it further enacted*, That every officer, assistant, and clerk of the mint, shall, before he enters upon the execution of his office, take an oath or affirmation before some judge of the United States, or judge of the superior court or any court of record of any State, faithfully and diligently to perform the duties thereof.

SEC. 6. *And be it further enacted*, That the following officers of the mint, before entering upon the execution of their respective offices, shall become bound to the United States, with one or more sureties, to the satisfaction of the Secretary of the Treasury, in the sums hereinafter mentioned, with condition for the faithful and diligent performance of the duties of their offices, viz: The treasurer in the sum of ten thousand dollars; the assayer in the sum of five thousand dollars; the melter and refiner in the sum of ten thousand dollars; the chief coiner in the sum of ten thousand dollars. And that similar bonds may also be required of the assistants and clerks, in such sums as the director shall determine, with the approbation of the Secretary of the Treasury.

Bonds required.

SEC. 7. *And be it further enacted*, That there shall be allowed to the officers of the mint the following salaries per annum: To the director, for his services, including travelling expenses incurred in visiting the different branches, and all other charges whatever, three thousand five hundred dollars; to the treasurer, assayer, melter and refiner, chief coiner, and engraver, each, two thousand dollars; to the assistants and clerks, such annual salaries shall be allowed as the director may determine, with the approbation of the President: *Provided*, That an assistant shall not receive more than fifteen hundred dollars; and that a clerk shall not receive more than twelve hundred dollars; to the workmen and servants shall be allowed such wages, to be determined by the director, as may be customary and reasonable, according to their respective stations and occupations; and that the salaries provided for in this section shall be payable in quarterly instalments.

Salaries of officers, clerks, and assistants.

Proviso.

Wages of workmen and servants.

SEC. 8. *And be it further enacted*, That the standard for both gold and silver coins of the United States shall hereafter be such, that of one thousand parts by weight, nine hundred shall be of pure metal, and one hundred of alloy; and the alloy of the silver coins shall be of copper; and the alloy of the gold coins shall be of copper and silver, provided that the silver do not exceed one-half of the whole alloy.

Standard for gold and silver coins.

Alloys.

SEC. 9. *And be it further enacted*, That of the silver coins, the dollar shall be of the weight of four hundred and twelve and one-half grains; the half dollar of the weight of two hundred and six and one-fourth grains; the quarter dollar of the weight of one hundred and three and one-eighth grains; the dime, or tenth part of a dollar, of the weight of forty-one and a quarter grains; and the half dime, or twentieth part of a dollar, of the weight of twenty grains, and five-eighths of a grain.

Weight of silver coins.

1853, ch. 79.

Dollars, &c., shall be legal tenders, &c.

Weight of gold coins.

Eagles, &c., shall be a legal tender, &c.

Silver coins heretofore issued, and gold coins issued since 31st July, 1834, shall continue to be legal tenders.

Weight of copper coins.

Proportional value of a dollar.

Devices and legends of coins.

Gold and silver bullion brought for coinage shall be received and coined.

Proviso. Further proviso.

Receipt to be given for bullion.

Proviso.

Bullion deposited for coinage to be assayed.

Assayer to report the quality, &c.

Charges to which the depositor is subjected.

And that dollars, half dollars, and quarter dollars, dimes, and half dimes, shall be legal tenders of payment, according to their nominal value, for any sums whatever.

SEC. 10. *And be it further enacted*, That of the gold coins, the weight of the eagle shall be two hundred and fifty-eight grains; that of the half eagle one hundred and twenty-nine grains; and that of the quarter eagle sixty-four and one-half grains. And that for all sums whatever, the eagle shall be a legal tender of payment for ten dollars; the half eagle for five dollars; and the quarter eagle for two and a half dollars.

SEC. 11. *And be it further enacted*, That the silver coins heretofore issued at the mint of the United States, and the gold coins issued since the thirty-first day of July, one thousand eight hundred and thirty-four, shall continue to be legal tenders of payment for their nominal values, on the same terms as if they were of the coinage provided for by this act.

SEC. 12. *And be it further enacted*, That of the copper coins, the weight of the cent shall be one hundred and sixty-eight grains, and the weight of the half-cent eighty-four grains. And the cent shall be considered of the value of one hundredth part of a dollar, and the half-cent of the value of one two-hundredth part of a dollar.

SEC. 13. *And be it further enacted*, That upon the coins struck at the mint there shall be the following devices and legends: upon one side of each of said coins there shall be an impression emblematic of liberty, with an inscription of the word LIBERTY, and the year of the coinage; and upon the reverse of each of the gold and silver coins, there shall be the figure or representation of an eagle, with the inscription United States of America, and a designation of the value of the coin; but on the reverse of the dime and half dime, cent and half cent, the figure of the eagle shall be omitted.

SEC. 14. *And be it further enacted*, That gold and silver bullion brought to the mint for coinage, shall be received and coined, by the proper officers, for the benefit of the depositor: *Provided*, That it shall be lawful to refuse, at the mint, any deposit of less value than one hundred dollars, and any bullion so base as to be unsuitable for the operations of the mint; *And provided also*, That when gold and silver are combined, if either of these metals be in such small proportion that it cannot be separated advantageously, no allowance shall be made to the depositor for the value of such metal.

SEC. 15. *And be it further enacted*, That when bullion is brought to the mint for coinage, it shall be weighed by the treasurer, in the presence of the depositor, when practicable, and a receipt given which shall state the description and weight of the bullion: *Provided*, That when the bullion is in such a state as to require melting before its value can be ascertained, the weight after melting shall be considered as the true weight of the bullion deposited.

SEC. 16. *And be it further enacted*, That from every parcel of bullion deposited for coinage, the treasurer shall deliver to the assayer a sufficient portion for the purpose of being assayed; but all such bullion remaining from the operations of the assay shall be returned to the treasurer by the assayer.

SEC. 17. *And be it further enacted*, That the assayer shall report to the treasurer the quality or standard of the bullion assayed by him; and he shall also communicate to the treasurer such information as will enable him to estimate the amount of the charges hereinafter provided for, to be made to the depositor, for the expenses of converting the bullion into standard metal fit for coinage.

SEC. 18. *And be it further enacted*, That the only subjects of charge by the mint to the depositor shall be the following: For refining when

the bullion is below standard; for toughening when metals are contained in it which render it unfit for coinage; for copper used for alloy when the bullion is above standard; for silver introduced into the alloy of gold; and for separating the gold and silver when these metals exist together in the bullion: and that the rate of these charges shall be fixed, from time to time, by the director, with the concurrence of the Secretary of the Treasury, so as not to exceed, in their judgment, the actual expense to the mint of the materials and labor employed in each of the cases aforementioned; and that the amount received from these charges shall be accounted for, and appropriated for defraying the contingent expenses of the mint.

Rate of, how fixed.

Disposition of amount received.

Value of deposit, &c., how estimated.

SEC. 19. *And be it further enacted*, That from the report of the assayer, and the weight of the bullion, the treasurer shall estimate the whole value of each deposite, and also the amount of the charges or deductions if any; of all which he shall give a detailed memorandum to the depositor; and he shall also give, at the same time, under his hand, a certificate of the nett amount of the deposite, to be paid in coins of the same species of bullion as that deposited.

SEC. 20. *And be it further enacted*, That parcels of bullion shall be, from time to time, transferred by the treasurer to the melter and refiner; that a careful record of these transfers, noting the weight and character of the bullion, shall be kept; and that the bullion thus placed in the hands of the melter and refiner shall be subjected to the several processes which may be necessary to form it into ingots of the legal standard, and of a quality suitable for coinage.

Transfers of bullion by treasurer to melter and refiner.

SEC. 21. *And be it further enacted*, That the ingots thus prepared shall be assayed by the assayer, and if they prove to be within the limits allowed for deviation from the standard, they shall be transferred by the melter and refiner to the treasurer, accompanied by the assayer's certificate of their fineness; and that a careful record of the transfer shall be kept by the treasurer.

Ingots to be assayed, &c.

SEC. 22. *And be it further enacted*, That no ingots of gold shall be used for coinage of which the quality differs more than two thousandths from the legal standard; and that no ingots of silver shall be used for coinage of which the quality differs more than three thousandths from the legal standard.

Deviation from legal standard allowed in ingots of gold and silver.

SEC. 23. *And be it further enacted*, That in the treasurer's account with the melter and refiner, the melter and refiner shall be debited with the standard weight of all the bullion placed in his hands, that is to say, with the weight of metal of legal standard fineness which it will make; and that he shall be credited by the standard weight of all the ingots delivered by him to the treasurer; and that once at least in every year, at such time as the director shall appoint, the melter and refiner shall deliver up to the treasurer all the bullion in his possession, in order that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of bullion delivered to him, and received from him, since the last settlement, as an allowance for necessary waste: *Provided*, That this allowance shall not exceed two thousandths of the whole amount of gold and silver bullion, respectively, that had been delivered to him by the treasurer.

Treasurer's account with melter and refiner.

Allowance for necessary waste. Proviso.

SEC. 24. *And be it further enacted*, That the treasurer shall, from time to time, deliver over to the chief coiner, ingots for the purpose of coinage; that he shall keep a careful record of these transfers, noting the weight and description of the ingots; and that the ingots thus placed in the hands of the chief coiner shall be passed through the several processes necessary to make from them coins, in all respects conformable to law.

Ingots for coinage.

SEC. 25. *And be it further enacted*, That in adjusting the weights of

Deviation from legal standard allowed in the weights of coins, in single pieces.

In a large number together.

the coins, the following deviations from the standard weight shall not be exceeded in any of the single pieces: In the dollar and half dollar, one grain and a half; in the quarter dollar, one grain; in the dime and half dime, half a grain; in the gold coins, one-quarter of a grain; in the copper coins, one grain in the pennyweight; and that in weighing a large number of pieces together, when delivered from the chief coiner to the treasurer, and from the treasurer to the depositors, the deviations from the standard weight shall not exceed the following limits: Four pennyweights in one thousand dollars; three pennyweights in one thousand half dollars; two pennyweights in one thousand quarter dollars; one pennyweight in one thousand dimes; one pennyweight in one thousand half dimes; two pennyweights in one thousand eagles; one and a half pennyweight in one thousand half eagles; one pennyweight in one thousand quarter eagles.

Coins to be weighed.

SEC. 26. *And be it further enacted*, That the chief coiner shall, from time to time, as the coins are prepared, deliver them over to the treasurer, who shall keep a careful record of their kind, number, and weight; and that, in receiving the coins, it shall be the duty of the treasurer to see whether the coins of that delivery are within the legal limits of the standard weight; and if his trials for this purpose shall not prove satisfactory, he shall cause all the coins of this delivery to be weighed separately, and such as are not of legal weight shall be delivered to the melter and refiner, as standard bullion, to be again formed into ingots and recoinced.

Coins to be preserved for the annual trial.

SEC. 27. *And be it further enacted*, That at every delivery of coins made by the chief coiner to the treasurer, it shall be the duty of the treasurer, in the presence of the assayer, to take indiscriminately, a certain number of pieces of each variety for the annual trial of coins, (the number being prescribed by the director,) which shall be carefully labelled, and deposited in a chest appropriated for the purpose, kept under the joint care of the treasurer and assayer, and so secured that neither can have access to its contents without the presence of the other.

Disposition of clippings, &c.

SEC. 28. *And be it further enacted*, That the chief coiner shall, from time to time, deliver to the treasurer the clippings and other portions of bullion remaining after the process of coining, and that the treasurer shall keep a careful record of their amount.

Treasurer's account with chief coiner.

SEC. 29. *And be it further enacted*, That in the treasurer's account with the chief coiner, the chief coiner shall be debited with the amount in weight of standard metal of all the bullion placed in his hands, and credited with the amount, also by weight, of all the coins, clippings, and other bullion delivered by him to the treasurer; and that once at least in every year, at such time as the director shall appoint, the chief coiner shall deliver to the treasurer all the coins and bullion in his possession, so that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of the ingots delivered to him, and of the coins and bullion received from him, since the last settlement, as an allowance for necessary waste: *Provided*, That this allowance shall not exceed two thousandths of the whole amount of the silver, or one and one-half thousandth of the whole amount of the gold, that had been delivered to him by the treasurer.

Allowance for necessary waste.

Proviso.

Payment for bullion deposited to be coined.

SEC. 30. *And be it further enacted*, That when the coins which are the equivalent to any deposite of bullion are ready for delivery, they shall be paid over to the depositor, or his order, by the treasurer, on a warrant from the director; and the payment shall be made, if demanded, in the order in which the bullion shall have been brought to the mint, giving priority according to priority of deposite only; and that in the denominations of coin delivered, the treasurer shall comply with the

wishes of the depositor, unless when impracticable or inconvenient to do so; in which case, the denominations of coin shall be designated by the director.

SEC. 31. *And be it further enacted*, That for the purpose of enabling the mint to make returns to depositors with as little delay as possible, it shall be the duty of the Secretary of the Treasury to keep in the said mint, when the state of the treasury will admit thereof, a deposite of such amount of public money, or of bullion procured for the purpose, as he shall judge convenient and necessary, not exceeding one million of dollars, out of which those who bring bullion to the mint may be paid the value thereof, as soon as practicable, after this value has been ascertained; that the bullion so deposited shall become the property of the United States; that no discount or interest shall be charged on moneys so advanced; and that the Secretary of the Treasury may at any time withdraw the said deposite, or any part thereof, or may, at his discretion, allow the coins formed at the mint to be given for their equivalent in other money.

Deposit of public money to be kept in the mint by Secretary of Treasury.

SEC. 32. *And be it further enacted*, That to secure a due conformity in the gold and silver coins to their respective standards and weights, an annual trial shall be made of the pieces reserved for this purpose at the mint and its branches, before the judge of the district court of the United States, for the eastern district of Pennsylvania, the attorney of the United States, for the eastern district of Pennsylvania, and the collector of the port of Philadelphia, and such other persons as the President shall, from time to time, designate for that purpose, who shall meet as commissioners, for the performance of this duty, on the second Monday in February, annually, and may continue their meetings by adjournment, if necessary; and if a majority of the commissioners shall fail to attend at any time appointed for their meeting, then the director of the mint shall call a meeting of the commissioners at such other time as he may deem convenient; and that before these commissioners, or a majority of them, and in the presence of the officers of the mint, such examination shall be made of the reserved pieces as shall be judged sufficient; and if it shall appear that these pieces do not differ from the standard fineness and weight by a greater quantity than is allowed by law, the trial shall be considered and reported as satisfactory; but if any greater deviation from the legal standard or weight shall appear, this fact shall be certified to the President of the United States, and if, on a view of the circumstances of the case, he shall so decide, the officer or officers implicated in the error shall be thenceforward disqualified from holding their respective offices.

Annual trial of coins.

Act of March 3, 1823, ch. 42, sect. 2, repealed.

SEC. 33. *And be it further enacted*, That copper bullion shall be purchased for the mint, from time to time, by the treasurer, under instructions from the director; that the cost shall be paid from the fund hereinafter provided for; and that the copper bullion shall be of good quality, and in form of planchets fit for passing at once into the hands of the chief coiner.

Purchase of copper bullion.

SEC. 34. *And be it further enacted*, That the copper planchets shall be delivered, from time to time, by the treasurer to the chief coiner, to be by him coined; and all such copper shall be returned to the treasurer, by the chief coiner, weight for weight, without allowance for waste.

Coinage of copper.

SEC. 35. *And be it further enacted*, That it shall be the duty of the treasurer of the mint to deliver the copper coins, in exchange for their legal equivalent in other money, to any persons who shall apply for them: *Provided*, That the sum asked for be not less than a certain amount, to be determined by the director, and that it be not so great as, in his judgment, to interfere with the capacity of the mint to supply other applicants.

Copper coins may be exchanged for other money. Proviso.



Copper coins transported at expense of the mint.

Disposition of money received in exchange for copper coins.

Former acts repealed.

STATUTE II.

Jan. 18, 1837.

[Obsolete.]

Revolutionary Pensioners, &c.  
May 15, 1828,  
ch. 53.

June 7, 1832,  
ch. 126.

July 4, 1836,  
ch. 362.

Invalid pensioners.

Widows and orphans.

Widows and orphans.

STATUTE II.

Jan. 18, 1837.

[Expired.]

Act of Feb. 19, 1833, ch. 33.

Act of June 30, 1834, ch. 153.

Oct. 14, 1837, ch. 5.

1842, ch. 185.

1843, ch. 103.

1848, ch. 178.

Officers and others to be paid the value of horses lost.

SEC. 36. *And be it further enacted*, That the copper coins may, at the discretion of the director, be delivered in any of the principal cities and towns of the United States, at the cost of the mint for transportation.

SEC. 37. *And be it further enacted*, That the money received by the treasurer in exchange for copper coins shall form a fund in his hands, which shall be used to purchase copper planchets, and to pay the expense of transportation of copper coins; and that if there be a surplus, the same shall be appropriated to defray the contingent expenses of the mint.

SEC. 38. *And be it further enacted*, That all acts or parts of acts heretofore passed, relating to the mint and coins of the United States, which are inconsistent with the provisions of this act, be, and the same are hereby repealed.

APPROVED, January 18, 1837.

CHAP. IV.—*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-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 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-seven:

For the revolutionary pensioners, under the several acts, other than those of the fifteenth of May, one thousand eight hundred and twenty-eight; the seventh of June, one thousand eight hundred and thirty-two; and the fourth of July, one thousand eight hundred and thirty-six, seven hundred and twelve thousand five hundred and sixty dollars;

For the invalid pensioners, under various laws, three hundred and twenty-five thousand three hundred and seventy-six dollars:

For pensions to widows and orphans, under the act of the fourth of July, one thousand eight hundred and thirty-six, five hundred and fifty-two thousand dollars:

For pensions to widows and orphans, payable through the office of the Third Auditor, four thousand dollars.

APPROVED, January 18, 1837.

CHAP. V.—*An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any field, or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalry, engaged in the military service of the United States since the eighteenth of June, eighteen hundred and twelve, or who shall hereafter be in said service, and has sustained or shall sustain damage, without any fault or negligence on his part, while in said service, by the loss of a horse in battle or by the loss of a horse wounded in battle, and which has died or shall die of said wound or being so wounded shall be abandoned by order of his officer and lost; or shall sustain damage by the loss of any horse by death, or abandonment, in consequence of the United States failing to supply sufficient forage, or because the rider was dismounted and separated from his horse, and ordered to do duty on foot at a station detached from his horse; or when the officer in the immediate command ordered or shall order the horse turned out to graze in the woods, prairies, or commons, because the United States failed or shall fail to supply sufficient forage, and the loss was or shall be consequent

thereof; 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 has been, or shall be, made to any one aforesaid, for the use and risk, or for forage, after the death, loss, or abandonment of his horse, said payment shall be deducted from the value thereof, unless he satisfied or shall satisfy the paymaster at the time he made or shall make the payment, or thereafter show, by proof, that he was remounted, in which case the deduction shall only extend to the time he was on foot: *And provided, also*, If any payment shall have been, or shall hereafter be, made to any person above mentioned, on account of clothing, to which he was not entitled by law, such payment shall be deducted from the value of his horse or accoutrements.

Proviso.

Further proviso.

SEC. 2. *And be it further enacted*, That any person who, in the said military service as a volunteer, or draughted militiaman, furnished or shall furnish himself with arms and military accoutrements, and sustained or shall sustain damage by the capture or destruction of the same, without any fault or negligence on his part, or who lost or shall lose the same by reason of his being wounded in the service, shall be allowed and paid the value thereof.

Volunteers or draughted militiamen to be allowed for arms, &c., lost.

SEC. 3. *And be it further enacted*, That any person who sustained or shall sustain damage by the loss, capture, or destruction by an enemy, of any horse, mule, or wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction was without any fault or negligence on the part of the owner; and any person who, without any such fault or negligence, sustained or shall sustain damage by the death or abandonment and loss of any such horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, shall be allowed and paid the value thereof.

Payment for horses, mules, wagons, &c.

SEC. 4. *And be it further enacted*, That the claims provided for under this act shall be adjusted by the Third Auditor, under such rules as shall be prescribed by the Secretary of War, under the direction or with the assent of the President of the United States; as well in regard to the receipt of applications of claimants, as the species and degree of evidence, the manner in which such evidence shall be taken and authenticated, which rules shall be such as, in the opinion of the President, shall be best calculated to obtain the object of this act, paying a due regard, as well to the claims of individual justice as to the interests of the United States, which rules and regulations shall be published for four weeks in such newspapers in which the laws of the United States are published, as the Secretary of War shall direct.

Claims to be adjusted by Third Auditor, under rules prescribed by Secretary of War, &c.

Rules, &c., to be published.

SEC. 5. *And be it further enacted*, That in all adjudications of said Auditor upon the claims above mentioned, whether such judgment be in favor of, or adverse to, the claim shall be entered in a book provided by him for that purpose, and under his direction; and when such judgment shall be in favor of such claim, the claimant, or his legal representative, shall be entitled to the amount thereof upon the production of a copy thereof certified by said Auditor at the Treasury of the United States.

Entry of all adjudications to be made; claimants to be paid on producing certified copies thereof.

SEC. 6. *And be it further enacted*, That in all instances where any minor has been, or shall be, engaged in the military service of the United States, and was or shall be provided with a horse or equipments, or with military accoutrements, by his parent or guardian, and has died or shall die without paying for said property, and the same has been or shall be lost, captured, destroyed, or abandoned in the manner before

Payment for losses by minors to be made to parents or guardians.

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.

Persons other than minors to be paid for property risked by them which has been lost.

SEC. 7. *And be it further enacted*, That in all instances where any person other than a minor has been or shall be engaged in the military service aforesaid, and has been or shall be provided with a horse or equipments, or with military accoutrements by any person, the owner thereof, who has risked or shall take the risk of such horse, equipments, or military accoutrements on himself, and the same has been or shall be lost, captured, destroyed, or abandoned in the manner before mentioned, such owner 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, and having taken the risk on himself.

Acts of 19 February, 1833, ch. 33; and 30 June, 1834, ch. 153, repealed.

SEC. 8. *And be it further enacted*, That the act passed on the nineteenth of February, eighteen hundred and thirty-three, entitled "An act for the payment of horses and arms lost in the military service of the United States against the Indians on the frontier of Illinois and Michigan Territory," and an act passed on the thirtieth of June, eighteen hundred and thirty-four, entitled "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 frontier of Illinois and Michigan Territory," be, and the same are hereby, repealed.

Limitation of act.

SEC. 9. *And be it further enacted*, That this act shall be and remain in force until the close of the next session of Congress.

APPROVED, January 18, 1837.

STATUTE II.

Jan. 26, 1837.

CHAP. VI.—*An Act to admit the State of Michigan into the Union, upon an equal footing with the original States.*

Act of June 15, 1836, ch. 99.  
Act of June 23, 1836, ch. 121. Post, pp. 288, 414, 648.

Whereas, in pursuance of the act of Congress of June the fifteenth, eighteen hundred and thirty-six, entitled "An act to establish the northern boundary of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed," a convention of delegates, elected by the people of the said State of Michigan, for the sole purpose of giving their assent to the boundaries of the said State of Michigan as described, declared, and established, in and by the said act, did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act, therefore :

Admitted into the Union.

Entitled to a deposit of the surplus revenue.

Act of June 23, 1836, ch. 115.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of Michigan shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury, in carrying into effect the thirteenth and fourteenth sections of the act of the twenty-third of June, eighteen hundred and thirty-six, entitled "An act to regulate the deposits of the public money," shall consider the State of Michigan as being one of the United States.

APPROVED, January 26, 1837.

STATUTE II.

Jan. 31, 1837.

CHAP. IX.—*An Act to authorize certain rail-road companies to construct rail-roads through the public lands in the Territory of Florida.*

East Florida Rail-road Company authorized

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the East Florida Rail-road Company, a corporation established by an act of the Governor

and Legislative Council of the Territory of Florida, approved the fourteenth of February, anno Domini eighteen hundred and thirty-five, be, and they hereby are, authorized to locate and construct a rail-road on the following route, to wit: commencing on the St. John's river and thence in the most convenient and suitable direction to Tallahassee or the waters of St. Mark's river or bay, on the Gulf of Mexico, or to any other point east of or between the St. Mark's and Appalachianicola rivers, which may be selected by said company.

to locate and construct a rail-road, commencing on the St. John's river, &c.

SEC. 2. *And be it further enacted*, That the said company is further authorized, wherever said route shall pass over the public lands of the United States, to locate the same thereon, eighty feet wide; which said location, if made according to the true intent and meaning of this act, shall be enjoyed by said company so long as they maintain the said road for the public accommodation.

May pass over the public lands.

SEC. 3. *And be it further enacted*, That the said company shall have the right to take from the said public lands, timber, stone, and earth, whenever it may be convenient for the construction of any part of said way running through the same; also to deposite and leave such materials upon such lands, whenever it may be necessary; also, to cut drains, where necessary, through the same; and during the period of the construction of said way, to occupy said lands along said route, doing as little injury thereto as may be.

Timber, &c., may be used.

SEC. 4. *And be it further enacted*, That to entitle the said company to the enjoyment of the privileges herein provided for, they shall comply with the following conditions, to wit:

Conditions to be complied with by said company.

*First*, They shall cause the said route, whenever it passes over the public lands, to be surveyed, and the location of the way to be accurately delineated in their proper connexion, and a map thereof, and a copy of the locations, to be returned and deposited in the General Land Office, within six months from the date of the final location of the said road.

*Second*, They shall cause permanent monuments to be erected along said route, conforming to such locations and maps, defining the limits of the way.

*Third*, Wherever the said rail-way shall intersect a highway or travelled way on the public lands, that way or ways shall be left unobstructed.

*Fourth*, Wherever it shall cross a stream or low grounds, such provision shall be made for draining off the water as to leave the said public lands uninjured by said rail-way.

*Fifth*, They shall complete the said way within the time provided for in the act of incorporation.

*Sixth*, Said location of said way shall be considered and treated as open way, and be kept up as such, and the lands abutting thereon shall be considered as abutting upon a public way.

SEC. 5. *And be it further enacted*, That the sections and quarter sections of public lands over which the said road may pass, shall be reserved by the United States for two years after the final location of the said way; and to this end the said company shall, as soon as they have resolved to survey or examine any route, give notice to the register of the land district in which the lands may be over which they intend to pass; and when the final location is made, a further notice of that fact shall be given, in like manner, of the lands over which it actually passes, which said last mentioned lands shall be reserved as aforesaid from sale: *Provided*, That neither the said company nor any other person shall be authorized to settle on the said reserved sections or quarter sections; and no person so settling shall acquire thereby a pre-emptive right or claim to the said reserved lands, or to any part thereof;

Public lands to be reserved by the U. S., &c.

Notice to be given by the company of routes to be surveyed, &c.

Proviso.

and if said company shall fail to give prompt and reasonable notice in both the above cases, they shall forfeit their privileges under this act.

Time for making surveys, &c., extended.

SEC. 6. *And be it further enacted*, That the time for making the surveys and commencing the work, as prescribed in the said act of incorporation, be, and the same is hereby, extended for one year after the passage of this act.

Governor, &c. may provide by law for the construction of rail-roads to cross or intersect, &c.

SEC. 7. *And be it further enacted*, That it shall be lawful for the Governor and Legislative Council of the said Territory, or for the Legislature of the State of Florida hereafter, to provide by law for the construction of rail-roads from the Appalachian river, or from any other point, to cross or intersect the abovementioned rail-road, from the Georgia State line to the Gulf of Mexico.

E. F. Rail-road Company may cross proposed rail-road at, &c.

SEC. 8. *And be it further enacted*, That the said East Florida Rail-road Company be, and they are hereby authorized to cross the rail-road proposed to be made at any point between Tallahassee and St. Mark's.

Florida may take stock.

SEC. 9. *And be it further enacted*, That the Territory or State of Florida shall, at the end of twenty years, have the privilege of taking one-fourth of the stock at par, by paying to the company the interest on the investment.

Acts repealed.

SEC. 10. *And be it further enacted*, That all acts or parts of acts of the Legislative Council of the Territory of Florida, inconsistent with the foregoing provisions, be, and the same are hereby annulled.

Pensacola and Perdido Rail-road Company may make rail-road, from, &c.

SEC. 11. *And be it further enacted*, That the Pensacola and Perdido Rail-road Company, organized under acts of the Governor and Legislative Council of the Territory of Florida, and of the State of Alabama, be, and they are hereby, authorized to make a rail-road from Pensacola to the waters of Mobile bay or river; and also, that the Brunswick and Florida Rail-road Company, incorporated by an act of the Legislature of Georgia, be, and they are hereby, authorized to extend their rail-road from the Georgia line to the city of Tallahassee, and thence to the river Appalachian, or St. George's sound, upon the same conditions and limitations contained in the foregoing provisions of this act.

Brunswick and Florida Rail-road Company may extend their rail-road from, &c.

SEC. 12. *And be it further enacted*, That the Lake Winnico and St. Joseph's Canal and Rail-road Company, organized under acts of the Governor and Legislative Council of the Territory of Florida, be, and they are hereby authorized to locate and construct a rail-road from the city of St. Joseph to the city of Tallahassee, in said Territory, upon the same conditions and limitations contained in the foregoing provisions of this act; and in the construction of said road, may cross, or intersect, and form a junction with, any other rail-road which may be made west of the city of Tallahassee.

Lake Winnico and St. Joseph's Canal and Rail-road Company may construct rail-road from St. Joseph to Tallahassee.

APPROVED, January 31, 1837.

STATUTE II.

Feb. 9, 1837.

CHAP. XII.—*An Act to extend the limits of the Port of New Orleans.*

Limits.

*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 port of New Orleans shall extend, on the river, from the lower to the upper corporate limits of the municipalities of the city of New Orleans.

APPROVED, February 9, 1837.

STATUTE II.

Feb. 13, 1837.

CHAP. XIII.—*An Act to change the name of the Collection District of Dighton, in the State of Massachusetts, to Fall River, and for other purposes.*

Name of district changed; made port of entry for ves-

*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, the said District, now known and called by the name of the Dighton District, shall be called the District of Fall River, and as such shall be made a port of entry for vessels arriving from the Cape

of Good Hope, and from places beyond the same, any law now in force to the contrary notwithstanding.

APPROVED, February 13, 1837.

sels from Cape of Good Hope, &c.

CHAP. XIV.—*An Act to amend an act, entitled "An act to establish branches of the mint of the United States," passed the third day of March, one thousand eight hundred and thirty-five. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the officers of the branch mint at New Orleans shall be one superintendent, one treasurer, one assayer, one melter and refiner, and one coiner; and that the officers of the branch mints, at Charlotte and Dahlonega, severally, shall be one superintendent, who shall also perform the duties of treasurer; one assayer, who shall also perform the duties of melter and refiner; and one coiner; and the annual salaries of the said officers shall be as follows: for the branch at New Orleans, to the superintendent, two thousand five hundred dollars; to the treasurer, the assayer, the melter and refiner, and the coiner, each, two thousand dollars; for the branches at Charlotte and at Dahlonega, to the superintendent, two thousand dollars; and to the assayer and the coiner, each, fifteen hundred dollars.

SEC. 2. *And be it further enacted,* That so much of the act entitled "An act, to establish branches of the mint of the United States," approved the third day of March, one thousand eight hundred and thirty-five, as is inconsistent with the provisions of this act, be, and the same is hereby repealed.

APPROVED, February 13, 1837.

STATUTE II.

Feb. 13, 1837.

Act of March 3, 1835, ch. 39.  
Act of Jan. 18, 1837, ch. 3.  
Officers of branch mints at New Orleans, Charlotte and Dahlonega.

Their salaries.

Part of act 3d March, 1835, ch. 39, repealed.

CHAP. XV.—*An Act to suspend certain provisoes 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.*

*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 the fourteenth, eighteen hundred and thirty-two, be, and the same are hereby, suspended, until the close of the next session of Congress.

APPROVED, March 1, 1837.

STATUTE II.

March 1, 1837.

[Obsolete.]

Provisoes of Act July 14, 1832, ch. 227, suspended.

CHAP. XVI.—*An Act to extend the jurisdiction of the District Court of the United States, for the district of Arkansas. (b)*

*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 Arkansas shall have the same jurisdiction and power in all respects whatever that was given to the several district courts of the United States, by an act of Congress, approved March thirtieth, eighteen hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," or by any subsequent acts of Congress, concerning crimes, offences, or misdemeanors, which may be committed against the laws of the United States, in any town, settlement, or territory, belonging to any Indian tribe, in amity with the United States, of which any other district court of the United States may have jurisdiction.

APPROVED, March 1, 1837.

STATUTE II.

March 1, 1837.

To have the same jurisdiction and power as the several district courts, U. S.  
Act of March 30, 1802, ch. 13.

(a) Notes of acts relating to the Mint and Coins of the United States, vol. 1, 246.

(b) Notes of the acts relating to the Territory, afterwards State of Arkansas, vol. 3, 493.

## STATUTE II.

March 1, 1837.

CHAP. XVII.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-seven, 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 be paid out of any money in the Treasury not otherwise appropriated, for the support of the army, during the year one thousand eight hundred and thirty-seven; that is to say;

- Pay of army.** For the pay of the army, one million ninety thousand one hundred and thirteen dollars:
- Subsistence of officers.** For the subsistence of officers, three hundred and thirty-two thousand six hundred and thirty-eight dollars:
- Forage for officers' horses.** For forage of officers' horses, seventy thousand nine hundred and eighty-seven dollars:
- Clothing for officers' servants.** For clothing for officers' servants, twenty-six thousand five hundred and fifty dollars:
- Payments in lieu of clothing.** For payments in lieu of clothing to discharged soldiers, thirty thousand dollars:
- Subsistence, exclusive of that of officers, and including that of volunteers and militia.** For subsistence exclusive of that of officers, nine hundred and thirteen thousand four hundred and forty-five dollars, including the sum of three hundred and five thousand three hundred and seventy-two dollars, for the subsistence of the volunteers and militia called out for preventing or suppressing Indian hostilities:
- Clothing, camp and garrison equipage, &c.** For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, two hundred and six thousand nine hundred and forty dollars:
- Medical and hospital department.** For the medical and hospital department, thirty-eight thousand five hundred dollars:
- Supplies furnished by Quartermaster's Department.** For the regular supplies furnished by the Quartermaster's Department, consisting of fuel, forage, straw, stationery, and printing, two hundred and eight thousand dollars:
- Barracks, quarters, &c.** For barracks, quarters, store-houses, embracing the repairs and enlargement of barracks, quarters, store-houses, and hospitals, at the several posts; the erection of temporary cantonments at such posts as shall be occupied during the year, and of gun-houses for the protection of the cannon at the forts on the seaboard, the purchase of the necessary tools and materials for the objects wanted, and of the authorized furniture for the barrack-rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of store-houses for the safe-keeping of subsistence, clothing, &c., and of grounds for summer cantonments, encampments, and military practice, ninety-five thousand dollars:
- Transportation of officers' baggage.** For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, the sum of fifty thousand dollars:
- Transportation of troops and supplies, &c.** For the transportation of troops and supplies, viz: transportation of the army, including the baggage of troops when moving either by land or water; freight and ferriages; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as, from their situation, require it; the 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 contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the

foundries and arsenals to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of one hundred and seventy-seven thousand dollars :

For the incidental expenses of the Quartermaster's Department, consisting of postage on public letters and packets ; expenses of courts-martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses ; extra pay to soldiers, under an act of Congress of the second of March, eighteen hundred and nineteen ; expenses of expresses from the frontier posts, of the necessary articles for the interment of non-commissioned officers and soldiers ; hire of laborers ; compensation to clerks in the offices of quartermasters and assistant quartermasters, at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works, and in the performance of other duties ; purchase of horses to mount the second regiment of dragoons, and expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses to supply the place of those which may be lost and become unfit for service, and the erection of additional stables, one hundred and ninety-two thousand dollars :

Incidental expenses of the Qr. Mr.'s Department.

For contingencies of the army, three thousand dollars :

Contingencies of army.

For two months' extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, thirty-four thousand three hundred and sixty-two dollars :

Extra pay to re-enlisted soldiers, &c.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, payable through the office of the Third Auditor, one thousand dollars :

Arrearages prior to 1st July, 1815.

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

National armories.

For the armament of the fortifications, two hundred thousand dollars :

Armament of fortifications.

For the current expenses of the ordnance service, one hundred and twenty-three thousand nine hundred and seventy-five dollars :

Current expenses of ordnance service.

For arsenals, three hundred and seventy-three thousand four hundred and twenty-nine dollars :

Arsenals.

For the purchase of percussion cannon locks, fifteen thousand dollars :

Percussion cannon locks.

For the manufacture of elevating machines for barbette and casemate carriages, eight thousand two hundred and fifty dollars :

Elevating machines, &c.

For the manufacture of sponges for field and battery cannon, one thousand nine hundred and sixty dollars :

Sponges for cannon.

For the rifle factory at the Harper's Ferry armory, eight thousand five hundred and sixty-nine dollars :

Rifle factory at Harper's Ferry.

For completing the barracks at Baton Rouge, being an amount expended out of the general appropriation for the Quartermaster's Department, and to enable the accounting officers to close the accounts, twenty-three thousand nine hundred and sixty-nine dollars and five cents :

Completing barracks at Baton Rouge.

For completing the wharf at Fort Monroe, Virginia, five hundred dollars :

Wharf at Fort Monroe.

For constructing a river wall, making the embankment to the same, arching, stone-walling, repairing the embankment of the new canal, and for completing the tilt-hammer shop at Harper's Ferry, fifty-three thousand seven hundred and forty-three dollars :

River wall ; embankment of new canal ; and tilt-hammer shop at Harper's Ferry.

For a magazine at the arsenal at Baton Rouge, Louisiana, five thousand dollars :

Magazine at Baton Rouge.

For the purchase of land, building a brick warehouse, and wharf, and making a turnpike road to the river at the arsenal at Mount Vernon, Alabama, in addition to former appropriations for these objects, six thousand six hundred dollars :

Purchase of land, &c. at the Arsenal at Mt. Vernon.

For enlarging the site at the arsenal at Frankford, Pennsylvania, one thousand dollars :

Arsenal at Frankford, Pa.



Blacksmith's shop, &c., at Watertown, Mass.

Copper rifle flasks.

Money to be paid on the requisition of the Secretary of War.

Pay, &c., of Tennessee volunteers.

Proviso.

Act of May 23, 1836, ch. 80.

Pay, &c., of Tennessee volunteers.

Pay, &c., of Tennessee volunteers.

Liabilities incurred by Gov. Cannon.

Pay due Executive staff of Governor of Tennessee.

One month's pay, &c., to volunteers and militia of Kentucky, Tennessee, Alabama, and Mississippi, &c.

Pay to the Rifle Rangers, Coosada volun-

For a blacksmith's shop, a reservoir, and a gun-carriage house at Watertown, Massachusetts, twenty-three thousand one hundred dollars:

For the purchase of ten thousand copper rifle flasks, seventeen thousand dollars.

SEC. 2. *And be it further enacted*, That the following sums of money be paid, out of any money in the Treasury not otherwise appropriated, on the requisition of the Secretary of War, and, so far as shall be necessary, the same shall be expended for the following purposes, to wit:

For the pay, travelling, clothing for six months, and other legal expenses of the Tennessee volunteers, mustered into the service of the United States under the requisition of General Gaines, under date of April eighth, one thousand eight hundred and thirty-six, and the proclamation of Governor Cannon of twenty-eighth of the same month, and approved by the Secretary of War on the ninth of May, by direction of the President of the United States, one hundred thousand dollars: *Provided*, That such of said volunteers as volunteered under the proclamation of Governor Cannon of the sixth of June or twentieth of July one thousand eight hundred and thirty-six, and were mustered into the service of the United States, and are entitled to clothing under the act of May twenty-third, one thousand eight hundred and thirty-six, shall not be paid for clothing out of the aforesaid appropriation:

For pay, travelling, clothing, and other legal expenses of the Tennessee volunteers, mustered into the service of the United States under the order of the Secretary of War of May twenty-fifth, one thousand eight hundred and thirty-six, and Governor Cannon's proclamation of June sixth, one thousand eight hundred and thirty-six, ninety-five thousand dollars:

For pay, travelling, clothing, and other legal expenses of the Tennessee volunteers, mustered into the service of the United States under General Gaines's requisition, under date of June twenty-eighth, one thousand eight hundred and thirty-six, and Governor Cannon's proclamation of July twentieth, one thousand eight hundred and thirty-six, thirty-five thousand three hundred and ten dollars:

For the liabilities incurred by Governor Cannon in raising money; so far as said money has been properly expended in the service of the United States, on account of the aforesaid volunteers, thirteen thousand five hundred dollars:

For pay due the Executive staff of the Governor of Tennessee, while actually engaged in obtaining, organizing, mustering, or marching volunteers, during the year one thousand eight hundred and thirty-six, to the places of their rendezvous, or making returns of said volunteers, three thousand dollars.

SEC. 3. *And be it further enacted*, That the Secretary at War be and he hereby is directed to cause to be paid to the volunteers and militia of Kentucky, Tennessee, Alabama, and Mississippi, including the companies in Mississippi, mustered into the service, who were duly called into service, and whose service was accepted by the Executives of the States respectively, during the summer of the year one thousand eight hundred and thirty-six, under requisitions from the Secretary at War or from generals commanding the troops of the United States, and who were discharged before marching, the amount of one month's pay, with all the allowances to which they would have been entitled if they had been in actual service during the period of one month; and that the same be paid out of any money in the Treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That eleven thousand six hundred and fifty dollars be appropriated for paying the Rifle Rangers, Coosada volunteers, and the Independence Blues, under the command

of Major Holt, and for the payment of Major Holt and battalion staff or so much of said sum as may be necessary for those purposes be appropriated and paid on the presentation of the rolls of said companies and battalion staff to the Paymaster General, with evidence of the time they were in the service against the Creek Indians in the months of May and June, eighteen hundred and thirty-six.

teers, and Independence Blues, &c.

SEC. 5. *And be it further enacted*, That one hundred thousand dollars be and the same is hereby appropriated for arming and equipping the militia of the United States, in addition to the appropriations heretofore made for that purpose.

Arming and equipping militia U. S.

SEC. 6. *And be it further enacted*, That for paying the claims of the State of Connecticut for the services of her militia during the late war, to be audited and settled by the proper accounting officers of the Treasury, under the superintendence of the Secretary of 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; secondly, 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, the sum of one hundred thousand dollars, if so much be necessary for that purpose, be and the same is hereby appropriated.

Paying claims of Connecticut for services of her militia during late war.

SEC. 7. *And be it further enacted*, That to pay all the claims of North Carolina for the services of her militia during the late war with Great Britain, in the cases enumerated in the act approved the thirty-first May, eighteen hundred and thirty, entitled "An act to authorize the payment of the claims of the State of Massachusetts for certain services of her militia during the late war," and also the claims of said State, for disbursements in the purchase of munitions or other supplies on account of the war, and expended therein, the sum of thirty thousand dollars, be and the same is hereby appropriated.

To pay claims of North Carolina for services of her militia during late war, &c.

1830, ch. 234.

APPROVED, March 1, 1837.

STATUTE II.

CHAP. XVIII.—*An Act to provide for the support of the Military Academy of the United States, for the year eighteen hundred and thirty-seven.*

March 2, 1837.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year one thousand eight hundred and thirty-seven; to wit:

For pay of the officers, cadets and musicians, fifty-six thousand and twelve dollars;

Pay of officers, cadets and musicians.

For subsistence of officers and cadets, thirty-nine thousand five hundred and sixty-six dollars;

Subsistence of officers and cadets.

For forage of officers' horses, one thousand one hundred and fifty-two dollars;

Forage of officers' horses.

For clothing of officers' servants, three hundred and thirty dollars;

Clothing of officers' servants.

For defraying the expenses of the board of visitors at West Point, two thousand and seven dollars and eighty-four cents;

Board of visit ers.

For fuel, stationery, printing, transportation and postage, eight thousand dollars;

Fuel, stationery, &c.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats and fences, ten thousand one hundred and seventy-eight dollars and twenty-five cents;

Repairs and improvements, &c.

For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars;

Pay of adjutant's and quartermaster's clerks.

Philosophical apparatus.

For philosophical apparatus, and repairs of the same, three hundred dollars;

Department of engineering.  
Departments of drawing, chemistry, and mathematics.

For models for the department of engineering, three hundred dollars;  
For models for the drawing department, apparatus and contingencies of the department of chemistry, and instruments and repairs for the mathematical department, eight hundred and fifty dollars;

Department of artillery.

For incidental expenses of the department of artillery, three hundred dollars;

Library.

For increase and expenses of the library, six hundred dollars;

Miscellaneous.

For miscellaneous items and incidental expenses, one thousand seven hundred and seventy-seven dollars and fifty cents;

Completing the chapel.

For completing the chapel, one thousand two hundred and fifty-three dollars and thirty-five cents;

A building for the public stores.

For the erection of a suitable building to contain the public stores, one thousand five hundred dollars;

Construction of workshops, &c.

For the preparation of a yard and construction of permanent shops suitable for carpenters, painters, blacksmiths, and so forth, and for the safe-keeping of implements and materials, eight thousand dollars;

A building for recitation, &c.

For the erection, as per plan, of a building for recitation and military exercises, in addition to amount heretofore appropriated, thirty thousand dollars;

Erection of new barracks.

For the erection of new barracks, for the Military Academy department, to consist of eight buildings, at five hundred dollars each, four thousand dollars;

Grading the grounds, &c.

For grading the grounds about the exercise hall, and removing temporary buildings, three hundred and fifty dollars;

Compensation to the acting professor of chemistry, &c.

For compensation to the acting professor of chemistry, mineralogy, and geology, at the Military Academy, between the first of September one thousand eight hundred and thirty-seven, and the first of September, one thousand eight hundred and thirty-eight, at twenty-five dollars per month, three hundred dollars;

A painting room.

For a painting-room for the professor of drawing, eight hundred dollars.

APPROVED, March 2, 1837.

#### STATUTE II.

March 2, 1837.

CHAP. XIX.—*An Act respecting discriminating duties upon Dutch and Belgian vessels and their cargoes. (a)*

The same duties to be levied on Belgian vessels and their cargoes as are now levied on Dutch vessels and their cargoes.

Act of Jan. 7, 1824, ch. 4.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the same duties shall be levied and collected in the ports of the United States, on Belgian vessels and their cargoes, which are now levied and collected on Dutch vessels and their cargoes; but nothing in this act contained shall be construed to prevent the President of the United States from enforcing, whensoever he may deem proper, both against Dutch and Belgian vessels, or either of them, and their cargoes, the provisions of the third section of the act entitled "An act concerning discriminating duties of tonnage and imposts," approved the seventh day of January, one thousand eight hundred and twenty-four.*

APPROVED, March 2, 1837.

#### STATUTE II.

March 2, 1837.

[Obsolete.]

CHAP. XX.—*An Act making an additional appropriation for the suppression of Indian hostilities, for the year one thousand eight hundred and thirty-seven.*

\$2,000,000 appropriated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the further sum of two millions of dollars shall be, and the same is hereby, appropriated*

(a) Notes of the acts which have been passed relating to discriminating duties, vol. 4, 2.

out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been, or may be incurred, in preventing or suppressing the hostilities of any Indians; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the 19th of March, and the second of July last, and of the acts therein referred to.

How to be expended.

APPROVED, March 2, 1837.

CHAP. XXI.—*An Act to provide for the enlistment of boys for the naval service, and to extend the term of the enlistment of seamen.*

STATUTE II.  
March 2, 1837.

*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 enlist boys for the navy, with the consent of their parents or guardians, not being under thirteen, nor over eighteen years of age, to serve until they shall arrive at the age of twenty-one years; and it shall be lawful to enlist other persons for the navy, to serve for a period not exceeding five years, unless sooner discharged by direction of the President of the United States; and so much of an act entitled "An act to amend the act entitled 'An act to amend the act authorizing the employment of an additional naval force,'" approved fifteenth May, one thousand eight hundred and twenty, as is inconsistent with the provisions of this act, shall be, and is hereby, repealed.

1845, ch. 17.  
Boys may be enlisted.  
Other persons may be enlisted for five years.  
So much of act 15th May, 1820, ch. 132, as is inconsistent with this act, repealed.

SEC. 2. *And be it further enacted,* That when the time of service of any person enlisted for the navy, shall expire, while he is on board any of the public vessels of the United States, employed on foreign service, it shall be the duty of the commanding officer of the fleet, squadron, or vessel, in which such person may be, to send him to the United States in some public or other vessel, unless his detention shall be essential to the public interests, in which case the said officer may detain him until the vessel in which he shall be serving shall return to the United States; and it shall be the duty of said officer, immediately to make report to the Navy Department, of such detention and the causes thereof.

Any person whose time expires while on foreign service, to be sent to U. States, &c. 1845, ch. 77, § 9.

SEC. 3. *And be it further enacted,* That such persons as may be detained after the expiration of their enlistment, under the next preceding section of this act, shall be subject, in all respects, to the laws and regulations for the government of the navy, until their return to the United States, and all such persons as shall be so detained, and all such as shall voluntarily re-enlist to serve until the return of the vessel in which they shall be serving, and their regular discharge therefrom in the United States, shall, while so detained and while so serving under their re-enlistment, receive an addition of one-fourth to their former pay.

Persons detained to be subject to laws, &c., of navy.  
Those who re-enlist to receive additional pay.

APPROVED, March 2, 1837.

CHAP. XXII.—*An Act concerning Pilots. (a)*

STATUTE II.  
March 2, 1837.

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

Upon waters which are the

(a) Cases decided in the courts of the United States, as to Pilots and Pilotage.  
What a pilot does beyond the limits of his duty, as such, may be the foundation of a claim for salvage; but not such acts as were within his duties. *Hand v. The Elvira*, Gilpin's D. C. R. 65.  
Where a steamboat was hired for the purpose of towing a vessel, to which she was fastened, and both were under the direction of a licensed pilot, the owner of the steamboat is not entitled to damages on account of injury sustained in the course of navigation, and not caused by negligence of the pilot. *Reeves et al. v. The Ship Constitution*, Gilpin's D. C. R. 579.  
Assisting vessels in distress, beyond what the mere duty of pilot requires, entitles pilots to compensation. *Delany, a Pilot v. The Sloop Peragio*, Bee's Adm. Rep. 212.  
The brig *Hope*, with a valuable cargo, had been conducted, in the evening, by a pilot inside of Mobile point, where pilots of the outer harbor usually leave vessels which they pilot inside of that bar. The pilot was discharged, and the *Hope* proceeded up the bay of Mobile. The wind soon after changed, blew a violent gale from the northwest, both anchors parted, and the *Hope* was driven on a

boundary of two States, pilots licensed by either may be employed.

be lawful for the master or commander of any vessel coming into or going out of any port situate upon waters, which are the boundary between two States, to employ any pilot duly licensed or authorized by the laws of either of the States bounded on the said waters, to pilot said vessel to or from said port; any law, usage, or custom, to the contrary notwithstanding.

APPROVED, March 2, 1837.

STATUTE II.

March 2, 1837.

CHAP. XXIII.—*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.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, one thousand eight hundred and thirty-one, and an act in addition thereto, passed on the fourteenth day of July, one thousand eight hundred and thirty-two, and an act to revive and amend the said acts, passed on the seventh day of June, one thousand eight hundred and thirty-four, be, and the same are hereby extended and continued in force for three years from and after the passage of this act.

Extended for three years.

Act of March 2, 1831, ch. 62.

Act of July 14, 1832, ch. 230.

Act of June 7, 1834, ch. 45.

Application.

SEC. 2. *And be it further enacted,* That the provisions of the said several acts shall apply to cases of insolvency which shall have accrued [occurred] on or before the first day of January last.

APPROVED, March 2, 1837.

STATUTE II.

March 2, 1837.

CHAP. XXV.—*An Act to provide for the adjustment of title and final disposition of the four reserved sections in the tract of country allotted to the Tombebee Association 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 who

Persons entitled to allot-

shoal outside of the point, among the east breakers. The gale increased to a hurricane, and forced the vessel on her beam ends, and her masts and bowsprit were cut away. The master and crew deserted her to save their lives. After various fruitless efforts to save her, the libellants, all pilots of the outer harbor of Mobile, two days after she was stranded, and while yet in great peril, succeeded: and she was brought up to the city of Mobile by them, towed by their pilot boat, assisted by a steamboat employed by them. On a libel for salvage, the district court of the United States for the district of Alabama allowed, as salvage, one-third of 15,299 dollars and 58 cents, the appraised value of the brig and cargo. The owners of the brig and cargo appealed to the supreme court. By the Court—A pilot, while acting within the strict line of his duty, however he may entitle himself to extraordinary pilotage compensation for extraordinary services, as contradistinguished from ordinary pilotage for ordinary services, cannot be entitled to claim salvage. In this respect he is not distinguished from any other officer, public or private, acting within the appropriate sphere of his duty. But a pilot, as such, is not disabled, in virtue of his office, from becoming a salvor. On the contrary, whenever he performs salvage services beyond the line of his appropriate duties, or under circumstances to which those duties do not justly attach, he stands in the same relation to the property as any other salvor: that is, with a title to compensation to the extent of the merit of his services, viewed in the light of a liberal public policy. *Hobart v. Drogan*, 10 Peters, 108.

Seamen, in the ordinary course of things, in the performance of their duties, are not allowed to become salvors, whatever may have been the perils, or hardships, or gallantry of their services, in saving the ship and cargo. Extraordinary events may occur, in which their connexion with the ship may be dissolved, de facto, or by operation of law; or they may exceed their proper duty, in which cases they may be permitted to claim as salvors. *Ibid.*

It is not within the scope of the positive duties of a pilot to go to the rescue of a wrecked vessel, and employ himself in saving her, or her cargo, when she was wholly un navigable. That is a duty entirely distinct in its nature, and no more belonging to a pilot than it would be to supply such a vessel with masts or sails, or to employ lighters to discharge her cargo in order to float her. It is properly a salvage service, involving duties and responsibilities, for which his employment may peculiarly fit him; but yet in no sense included in the duty of navigating the ship. *Ibid.*

This was a case where the libellants acted as salvors, and not as pilots. They had, at the time, no particular relation to the distressed ship. They proffered useful services as volunteers, without any pre-existing covenant that connected them with the duty of employing themselves for her preservation. The duties they undertook were far beyond any belonging to pilots; and precisely those belonging to salvors. *Ibid.*

Suits for pilotage on the high seas, and on waters navigable from the sea, as far as the tide ebbs and flows, are within the admiralty and maritime jurisdiction of the United States. The service is strictly maritime, and falls within the principles already established by the supreme court in the case of the *Thomas Jefferson*, 10 Wheaton's Rep. 428, and *Peyroux v. Howard*, 7 Peters' Rep. 324. *Ibid.*

became entitled, under the contract entered into on the eighth day 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 Tombebee 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 third March, eighteen hundred and seventeen, to an allotment or share of the four sections of land reserved for the small allotments, and designated as sections, seven, eighteen, nineteen, and thirty in township eighteen, range three east, their heirs, devisees, or assigns, who shall have complied with the conditions of settlement and cultivation on such allotment, as required by said contract, or shall have been in the actual settlement and cultivation of his or her allotment within said four sections, or a part thereof, before or on the thirty-first day of October eighteen hundred and thirty-two, as provided by the act of the nineteenth day of February, eighteen hundred and thirty-three, shall, on producing to the register and receiver of the land district in which said lands are situated, satisfactory evidence of title to such allotment, and of settlement and cultivation on the same as aforesaid, and paying one dollar and twenty-five cents per acre for the land, receive a patent for the same: *Provided*, Such proof shall be filed and payment made within six months from the passage of this act: *And provided further*, That the expense of surveying any such allotment shall be defrayed by the person or persons claiming the same.

ments under contract by Sec. Treas. with Chas. Villar, shall receive patents on certain conditions. Act of March 3, 1817, ch. 61.

Act of Feb. 19, 1833, ch. 30.

Proviso.

Further proviso.

SEC. 2. *And be it further enacted*, That any remainder of said four sections not disposed of by the first section of this act shall be subject to entry at one dollar and twenty-five cents per acre, by the trustees of the Demopolis Female Academy, in trust for the use and benefit of said institution.

Remainder subject to entry, for use of Demopolis Female Academy.

APPROVED, March 2, 1837.

CHAP. XXX.—*An Act making appropriations for the naval service, for the year one thousand eight hundred and thirty-seven.*

STATUTE II.  
March 3, 1837.

*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-seven, in addition to the unexpended balances of former appropriations, to wit:

For pay of commissioned, warrant and petty officers, and of seamen, two million four hundred and fifty-four thousand six hundred and eighty-six dollars;

Pay of navy.

To enable the President, provided he should deem it necessary, to offer a bounty for the purpose of promoting the enlistment of seamen, seventy-two thousand dollars;

Bounty for enlistments.

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, sixty-nine thousand four hundred and seventy dollars;

Pay of superintendents, &c. at yards.

For provisions, seven hundred and sixty-two thousand eight hundred and sixty-five dollars;

Provisions.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million two hundred and fifty thousand dollars;

Repairs of vessels, &c.

For medicines and surgical instruments, hospital stores, and other expenses, on account of the sick, thirty-nine thousand dollars;

Medicines and surgical instruments, &c.

For improvements and necessary repairs of the navy yard at Portsmouth, New Hampshire, forty-seven thousand seven hundred dollars;

Portsmouth navy yard.

For improvements and necessary repairs of the navy yard at Charlestown, Massachusetts, one hundred and twenty-four thousand dollars;

Charlestown navy yard.

Brooklyn navy yard.

For improvement and necessary repairs of the navy yard at Brooklyn, New York, sixty-two thousand five hundred dollars;

Philadelphia navy yard.

For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, thirty-four thousand eight hundred and fifty dollars;

Washington navy yard.

For improvement and necessary repairs of the navy yard at Washington, fifty-two thousand eight hundred and fifty dollars;

Gosport navy yard.

For improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred and forty thousand five hundred dollars;

Pensacola navy yard.

For improvement and necessary repairs of the navy yard near Pensacola, seventy-eight thousand dollars;

Ordnance, &c.

For ordnance and ordnance stores, seventy-two thousand dollars;

Miscellaneous expenses.

For defraying the expenses that may accrue for the following purposes, to wit; for the freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; travelling expenses of officers and transportation of seamen; house rent for pursers when attached to yards and stations where no house is provided; for funeral expenses, for commissions, clerk hire, office rent, stationery, and fuel, to navy agents; for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowance to persons attending courts martial and courts of inquiry; for printing and stationery of every description, and for working the lithographic press, and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for the purchase and repair of fire engines and machinery, and for the repair of steam engines; for the purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for cabin furniture of vessels in commission; taxes and assessments on public property; for assistance rendered to vessels in distress; for incidental labor at navy yards, not applicable to any other appropriation; for coal and other fuel; and for candles and oil; for repairs of magazines or powder houses; for preparing moulds for ships to be built, and for no other purpose whatever, three hundred and thirty-seven thousand six hundred dollars;

Contingent expenses.

For contingent expenses for objects not hereinbefore enumerated, three thousand dollars;

Pay and subsistence of marine corps.

For pay of the officers, non-commissioned officers, musicians, and privates, and subsistence of the officers of the marine corps, one hundred and sixty-three thousand and nineteen dollars and sixty cents;

Provisions for non-commissioned officers, &c., serving on shore.

For the provisions for the non-commissioned officers, musicians, and privates, serving on shore, servants, and washerwomen, thirty-three thousand four hundred and twenty-eight dollars and eighty cents;

Clothing.

For clothing, thirty-eight thousand six hundred and fifty-five dollars;

Fuel.  
Repairs of barracks.

For fuel, fourteen thousand five hundred and eighty-nine dollars;

For keeping the present barracks in repair until new ones can be erected, and for the repairs of barracks at head-quarters and Portsmouth, New Hampshire, ten thousand dollars;

Transportation of officers, &c.

For the transportation of officers, non-commissioned officers, musicians, and privates, and expenses of recruiting, six thousand dollars;

Medicines, hospital stores, &c.

For medicines, hospital stores, surgical instruments, and pay of matron, four thousand one hundred and thirty-nine dollars and twenty-nine cents;

Contingent expenses of said corps, &c.

For contingent expenses of said corps, freight, ferriage, toll, wharfage, and cartage, per diem allowance for attending courts of inquiry, compensation to judge advocates, house rent where there are no public quarters assigned, incidental labor in the quartermaster's department, expenses of burying deceased persons belonging to the marine corps, printing, stationery, forage, postage on public letters, expenses in pur-

suing deserters, candles and oil for the different stations, straw for the men, barrack furniture, bed sacks, spades, axes, shovels, picks, and carpenter's tools, seventeen thousand nine hundred and seventy-seven dollars and ninety-three cents;

For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements, and ordnance stores, two thousand dollars;

For launching and securing the ship of the line Pennsylvania, one hundred thousand dollars;

For building and equipping two sloops of war, from frames already provided under former appropriations, two hundred and eighty thousand dollars; and also six vessels of war, if not less than ten, nor more than eighteen guns, four hundred thousand dollars, in addition to any materials on hand;

For erecting and furnishing a new hospital building, and for a dwelling for an assistant surgeon; for the repairs of the present building, and for all expenses upon their dependencies near Pensacola, forty-seven thousand five hundred dollars;

For erecting a sea-wall to protect the shore; for enclosing the hospital grounds, for completing the basement of south wing; for repairing damages sustained from a recent gale, and for all other expenses upon the dependencies of the hospital near Norfolk, eighteen thousand dollars;

For graduating and enclosing the grounds about the naval asylum near Philadelphia, and for all other expenses upon the building and its dependencies, ten thousand four hundred and sixty dollars;

Towards an extension of the hospital building near Brooklyn, New York, for enclosing the grounds, and for all other expenses upon its dependencies, sixty-six thousand dollars;

For the completion of the present hospital building near Boston, and for all expenses upon its dependencies, one thousand three hundred and fifty dollars;

For the repair of the enclosure, and for the sea-wall of the magazine upon Ellis's island, in the harbor of New York, one thousand two hundred and fifty dollars;

For the completion of the enclosure of the magazine near Boston, the wharf and other dependencies, two thousand seven hundred and fifty dollars;

For the purchase of that portion of land, belonging to the town of Portsmouth, Virginia, enclosed by the walls of the navy yard at Gosport, four thousand seven hundred and seventy-nine dollars;

To defray any additional expense that may be incurred in making an examination and survey of the harbors of Beaufort and Wilmington, in North Carolina, with a view to determine the respective facilities and advantages of the establishment of a navy yard, fifteen hundred dollars;

For the survey of May river, from Tybee bar to the Hunting island, fifteen hundred dollars, for a similar object;

For payment to Thomas J. Harris of his proportion of the sum of two thousand dollars, appropriated by Congress, for the capture of a piratical felucca, in eighteen hundred and twenty-three, twenty-nine dollars and sixteen cents;

To defray the expense of examining the shoals of George's Bank, for the purpose of determining upon the practicability of erecting a light-house upon the same, (in aid of the general appropriations for the navy,) five thousand dollars.

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 money unappropriated in the treasury, viz:

Military stores, pay of armorers, &c. Launching, &c.. ship Pennsylvania.

Building and equipping two sloops of war. Also six vessels of war.

Hospital near Pensacola.

Hospital near Norfolk.

Naval asylum near Philadelphia.

Hospital near Brooklyn.

Hospital near Boston.

Magazine upon Ellis's Island.

Magazine near Boston.

Gosport navy yard

Examination, &c., of Beaufort and Wilmington harbors.

Survey of May river.

Payment to Thomas J. Harris.

Examining the shoals of George's Bank.

Money re-appropriated.

Suppression

For carrying into effect the acts for the suppression of the slave trade,



of the slave trade, &c.

Prize-money to officers, &c. of brig General Armstrong.

Secretary of the Treasury to distribute residue of prize-money belonging to crews of Bon Homme Richard and Alliance.

Enclosure of navy yard at Pensacola.

President to purchase articles of a durable nature for vessels.

including their 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, eleven thousand four hundred and thirteen dollars and fifty-seven cents;

For payment of prize-money to the officers and crew of the late private armed brig General Armstrong, and the legal representatives of such as may be dead, two thousand dollars.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to distribute the residue of the prize-money heretofore deposited in the treasury, belonging to the crews of the men-of-war Bon Homme Richard and Alliance, commanded by John Paul Jones, in the revolutionary war, among the several persons entitled thereto, and to pay them the sums respectively due, out of any money in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted*, That the sum appropriated at the last session for the erection of a brick enclosure of the navy yard at Pensacola, shall be erected to suit the present plan of the yard, and in such manner as the Navy Commissioners shall direct.

SEC. 5. *And be it further enacted*, That under the laws providing for the gradual improvement of the navy, the President be authorized to cause articles of a durable character to be purchased for the armament and equipment, as well as for the building of vessels.

APPROVED, March 3, 1837.

## STATUTE II.

March 3, 1837.

[Obsolete.]

CHAP. XXXI.—*An Act making appropriations for the current expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year eighteen hundred and thirty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and they are hereby, appropriated, for the year one thousand eight hundred and thirty-seven, for the purpose of paying the current expenses of the Indian Department, and of fulfilling treaty stipulations with the various Indian tribes, to be paid out of any money in the Treasury not otherwise appropriated; that is to say;

Pay of superintendent of Indian affairs at St. Louis, &c.

Pay of sub-agents.

Pay of interpreters.

Presents to Indians.

Provisions for Indians.

Buildings at the agencies.

Postages, rents, &c. of Indian Department.

Salary of clerk in office of Gov. of Wisconsin.

Clerk of acting sup't W. Territory. Six Nations of New York.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as provided by the act of June thirtieth, eighteen hundred and thirty-four, twelve thousand dollars;

For the pay of sub-agents, authorized by the same act, ten thousand dollars;

For the pay of interpreters, as authorized by the same act, eight thousand seven hundred dollars;

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

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;

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

For postages, rents, stationery, fuel for offices, and other contingencies of the Indian Department, seven thousand dollars;

For the salary of one clerk in the office of the Governor of Wisconsin Territory, who is ex officio superintendent of Indian affairs, eight hundred dollars;

For the salary of one clerk in the office of the acting superintendent of the Western Territory, one thousand dollars;

For the Six Nations of New York, four thousand five hundred dollars;

For the Senecas of New York, six thousand dollars;	Senecas of N. York.
For the Ottawas, four thousand three hundred dollars;	Ottawas.
For the Wyandots, six thousand eight hundred and forty dollars;	Wyandots.
For the Wyandots, Munsees, and Delawares, one thousand dollars;	Wyandots, Munsees, and Delawares.
For the Christian Indians, four hundred dollars;	Christian Indians.
For the Miamies, thirty thousand one hundred and ten dollars;	Miamies.
For the Eel Rivers, one thousand one hundred dollars;	Eel Rivers.
For the Pottawatamies, twenty thousand eight hundred dollars;	Pottawatamies.
For the Pottawatamies of Huron, four hundred dollars;	Pottawatamies of Huron.
For the Pottawatamies of the Prairie, sixteen thousand dollars;	Pottawatamies of the Prairie.
For the Pottawatamies of the Wabash, twenty thousand dollars;	Pottawatamies of the Wabash.
For the Pottawatamies of Indiana, seventeen thousand dollars;	Pottawatamies of Indiana.
For the Chippewas, Ottawas, and Pottawatamies, thirty-four thousand two hundred and ninety dollars;	Chippewas, Ottawas, and Pottawatamies.
For the Winnebagoes, thirty-seven thousand seven hundred and eighty-five dollars;	Winnebagoes.
For the Menomonies, thirteen thousand nine hundred and twenty dollars;	Menomonies.
For the Chippewas, six thousand seven hundred and forty dollars;	Chippewas.
For the Chippewas, Menomonies, Winnebagoes, and New York Indians, fifteen hundred dollars;	Menomonies, Winnebagoes, and New York Indians.
For the Sioux of Mississippi, three thousand six hundred and forty dollars;	Sioux of Mississippi.
For the Yancton and Santie band of Sioux, four thousand three hundred and forty dollars;	Yancton and Santie bands of Sioux.
For the Omahas, three thousand nine hundred and forty dollars;	Omahas.
For the Sacs of Missouri, one thousand six hundred and forty dollars;	Sacs of Missouri.
For the Sacs, three thousand dollars;	Sacs.
For the Foxes, three thousand dollars;	Foxes.
For the Ioways, five thousand one hundred and forty dollars;	Ioways.
For the Sacs and Foxes, twenty-three thousand nine hundred and twenty dollars;	Sacs and Foxes.
For the Sacs, Foxes, and Ioways, three thousand dollars;	Ioways.
For the Ottoes and Missourias, five thousand six hundred and forty dollars;	Ottoes and Missourias.
For the Kanzas, six thousand and forty dollars;	Kanzas.
For the Osages, eleven thousand and forty dollars;	Osages.
For the Kickapoos, six thousand five hundred dollars;	Kickapoos.
For the Kaskaskias and Peorias, three thousand dollars;	Kaskaskias and Peorias.
For the Kaskaskias, Peorias, Weas, and Piankeshaws, nine hundred and forty dollars;	Kaskaskias, Peorias, Weas, and Piankeshaws.
For the Piankeshaws, thirteen hundred dollars;	Weas.
For the Weas, three thousand dollars;	Delawares.
For the Delawares, ten thousand two hundred and forty dollars;	Shawnees.
For the Shawnees, six thousand nine hundred and forty dollars;	Shawnees and Delawares.
For the Shawnees and Delawares, five hundred dollars;	
For the Shawnees and Senecas of Lewistown, one thousand nine hundred and forty dollars;	Senecas of Lewistown.
For the Senecas of Lewistown, two thousand five hundred and forty dollars;	
For the Choctaws, fifty-four thousand eight hundred and twenty dollars;	Choctaws.
For the Chickasaws, six thousand dollars;	Chickasaws.
For the Creeks, forty-seven thousand eight hundred and sixty dollars;	Creeks.
For the Quapaws, four thousand five hundred and forty dollars;	Quapaws.
For the Florida Indians, nine thousand six hundred and ten dollars;	Florida Indians.
For the Pawnees, twelve thousand dollars;	Pawnees.
For the Cherokees, west, six thousand nine hundred and sixty dollars;	Cherokees.

Ottawas and  
Chippewas.

For the Ottawas and Chippewas, sixty thousand eight hundred and thirty dollars;

Caddoes.

For the Caddoes, ten thousand dollars;

Transporta-  
tion, &c.

For transportation and incidental expenses, twenty-nine thousand five hundred dollars;

Removal and  
subsistence of  
Creeks, &c.

For removal and subsistence of the Creeks, and purchase of articles according to the treaty of the twenty-fourth March, eighteen hundred and thirty-two, for the subsistence of the families of the warriors in the service of the United States, and for the expenses attending the sales of Creek reservations, and investigating the frauds committed on these Indians, and the causes of their hostility, seven hundred and one thousand six hundred and seventy-six dollars;

Removal, &c.  
of Seminoles.

For the removal and subsistence of the Seminoles, one hundred and forty thousand dollars;

Removal, &c.  
of Ottawas of  
Maumee.

For the removal and subsistence of the Ottawas of the Maumee, thirteen thousand dollars;

Removal and  
subsistence of  
Pottawatamies  
of Indiana.

For the removal and subsistence of the Pottawatamies of Indiana, and for locating reservations and incidental expenses, under the treaty with the Pottawatamies of St. Joseph, of the twentieth September, eighteen hundred and twenty-eight, ninety thousand five hundred dollars;

Removal and  
subsistence of  
Chippewas,  
Ottawas, and  
Pottawatamies.

For the removal and subsistence of the Chippewas, Ottawas, and Pottawatamies, under the treaty of twenty-sixth September, eighteen hundred and thirty-three, and for locating reservations, and incidental expenses under the treaty with the same, of the twenty-ninth July, eighteen hundred and twenty-nine, one hundred and thirty-two thousand dollars;

Winnebagoes.

For locating reservations, and incidental expenses under the treaty with the Winnebagoes of the first of August, eighteen hundred and twenty-nine, one thousand dollars;

Sioux.

For carrying into effect the treaty with the Sioux and other tribes of the fifteenth of July, eighteen hundred and thirty, so far as it relates to the Sioux half-breeds, and for compensation to a blacksmith under the act of the thirtieth June, eighteen hundred and thirty-four, one thousand one hundred and twenty dollars;

Omahas, Iow-  
ays, Ottoes,  
and Yancton  
and Santie  
Sioux.

For the Omahas, Ioways, Ottoes, and Yancton and Santie Sioux, under the tenth article of the treaty of the fifteenth of July, eighteen hundred and thirty, in relation to half-breeds of these tribes, one thousand dollars;

Choctaw re-  
servations, &c.

For the various expenses growing out of the location and sale of Choctaw reservations, and perfecting titles to the same, and for additional compensation to blacksmiths, as provided for by the ninth section of the act of June thirty, eighteen hundred and thirty-four, eight thousand eight hundred and sixty dollars;

Osages.

For carrying into effect the fifth and sixth sections of the treaty with the Osages of June second, eighteen hundred and twenty-five, relative to reservations for half-breeds and for schools, two thousand dollars;

Kansas.

For carrying into effect the sixth article of the treaty with the Kansas of the third of June, eighteen hundred and twenty-five, in relation to reservations for half-breeds, five hundred dollars;

Delawares.

For carrying into effect the supplementary article of the treaty with the Delawares of the third of December, eighteen hundred and eighteen, in relation to reservations for schools, five hundred dollars;

Horse-mill for  
Missourias and  
Ottoes.

For the erection of a horse-mill as stipulated in the fifth article of the treaty with the Ottoes and Missourias of the twenty-first of September, eighteen hundred and thirty-three, in addition to a former appropriation, nine hundred dollars;

Blacksmiths  
for Cherokees.  
1834, ch. 162.

For additional compensation to blacksmiths for the Cherokees, as provided for in the ninth section of the act of June thirtieth, eighteen hundred and thirty-four, four hundred and eighty dollars;

For additional compensation to a blacksmith for the Menomonies, as provided for by the ninth section of the act of June thirtieth, eighteen hundred and thirty-four, one hundred and twenty dollars;

Blacksmith for Menomonies. 1834, ch. 162.

For additional compensation to blacksmiths for the Senecas and Shawnees, as provided for by the ninth section of the act of June thirtieth, eighteen hundred and thirty-four, two hundred and forty dollars;

Blacksmiths for Senecas and Shawnees. 1834, ch. 162.

For agricultural assistance for the Sacs and Foxes, in addition to the amount heretofore allowed, and to which they are entitled by an equitable construction of the treaties of the fourth of August, eighteen hundred and twenty-four, and the fifteenth of July, eighteen hundred and thirty, seven hundred and forty dollars;

Agricultural assistance for Sacs and Foxes.

For the purpose of supplying a deficiency in the sum applicable to the payment of annuities for eighteen hundred and thirty-six, caused by the retention, as commissions on disbursement, by Lieutenant N. J. Eaton, United States army, of this amount, two thousand seven hundred and eighty-nine dollars; *Provided always*, That this appropriation shall not be so construed as to give any sanction to any disbursing officer, in retaining commissions on any sum of money paid by him in pursuance of treaty stipulations; but on the contrary it is still considered the duty of the proper officers to use all legal means to compel the payment of said sum of two thousand seven hundred and eighty-nine dollars, retained by Lieutenant N. J. Eaton;

Deficiency in sum applicable to payment of annuities.

Proviso.

For payment of balance due Andrew S. Hughes and Jonathan L. Bean, in compliance with an arrangement made with them, February fourteenth, eighteen hundred and thirty-two, by the Superintendent of Indian Affairs at St. Louis, in pursuance to instructions from the War Department, sixteen hundred dollars;

Payment to Andrew S. Hughes and Jonathan L. Bean.

For the payment to Charles Rodgers the appraised value of a distillery built by him prior to the act of eighteen hundred and thirty-four, and afterwards destroyed by order of the Indian agents, and for which he was promised indemnity, the sum of sixteen hundred and ninety-two dollars;

Payment to Chas. Rodgers.

For the purpose of paying the expenses of two Fox chiefs and their attendants, in coming to the city of Washington, on necessary business, and returning to their nation, the sum of fifteen hundred dollars;

Visit of two Fox chiefs to Washington.

For the purpose of enabling the Secretary of War, to pay a subscription made in eighteen hundred and thirty, for the Indian department, of fifty copies of the History of the Indian Tribes of North America, with biographical sketches, to be composed of, say twenty numbers each, the sum of three thousand dollars;

Fifty copies of History of Indian Tribes.

For the purpose of fulfilling the stipulations in the twentieth article of the treaty with the Choctaws of the twenty-seventh September eighteen hundred and thirty, providing for the education of forty Choctaw youths, in addition to the sum heretofore provided, the sum of two thousand dollars;

Education of Choc'w youths

For holding treaties with the various tribes of Indians east of the Mississippi river, for the cession of lands held by them respectively, and for their removal west of the Mississippi, ten thousand dollars;

Holding treaties with the tribes east of the Mississippi.

For the purpose of defraying the expenses of Eleazer Williams, in coming from Green Bay, and returning home, on business relative to the Oneida Indians, the sum of five hundred dollars;

Expenses of Eleazer Williams.

For carrying into effect the treaty with the Menomonies of the third September, eighteen hundred and thirty-six, two hundred and eighty-eight thousand five hundred and forty dollars;

Menomonies.

For carrying into effect the treaties with the Pottawatamies of the fifth of August, twentieth, twenty-second and twenty-third September, eighteen hundred and thirty-six, and eleventh February, eighteen hundred and thirty-seven, seventy-three thousand four hundred and twenty-three dollars;

Pottawatamies.

- Ioways.** For carrying into effect the treaty with the Ioways of the seventeenth September, eighteen hundred and thirty-six, sixty-five thousand five hundred and ninety dollars;
- Sacs and Foxes.** For carrying into effect the treaties with the Sacs and Foxes of the seventeenth, twenty-seventh and twenty-eighth September, eighteen hundred and thirty-six, one hundred and thirty-eight thousand two hundred and forty dollars;
- Otoes and Missourias.** For carrying into effect the treaty with the Otoes and Missourias of the fifteenth October, eighteen hundred and thirty-six, three thousand dollars;
- Omahas.** For carrying into effect the treaty with the Omahas of the fifteenth October, eighteen hundred and thirty-six, two thousand four hundred and seventy dollars;
- Sioux.** For carrying into effect the treaties with the Sioux of the tenth September, fifteenth October, and thirtieth November, eighteen hundred and thirty-six, one thousand nine hundred and fifty dollars;
- Additional sub-agents.** For pay of four additional sub-agents, three thousand dollars;
- Examination of vacant Indian lands.** For defraying the expenses of a more particular examination of the vacant Indian country, southwest of the Missouri river, with a view to ascertain its adaptation, in quality and extent, to the accommodation of the tribes yet to be removed, three thousand dollars;
- Sioux.** For holding treaties with the Sioux Indians to extinguish their title to that part of their lands lying east of the Mississippi river, five thousand dollars;
- Deputation of New York Indians.** For the expenses of a deputation of the New York Indians to visit the country west of the Mississippi, with a view to the selection of a permanent residence, eight thousand dollars;
- Deputation of Chippewas of Saganaw.** For the expenses of a deputation of the Chippewas of Saganaw for the same object, two thousand dollars;
- Visit of Hendrick and two Ioway chiefs to the seat of Government.** For defraying the expenses of Hendrick, a Stockbridge Indian, and of two Ioway chiefs, and their attendants, who have visited the seat of Government on business during the present winter, one thousand dollars;
- Wyandot Indians.** For defraying the expenses of a treaty with the Wyandot Indians of Upper Sandusky, in the State of Ohio, one thousand dollars;
- Holding treaties with tribes east of the Mississippi, &c.** For holding treaties with the various tribes east of the Mississippi river, for the cession of lands held by them respectively, and for their removal west of said river; and with the Sioux for the cession of their country lying east of the same river, and for defraying the expenses of a more particular examination of the vacant lands, west of the Mississippi, with a view to ascertain, whether it be sufficient to accommodate the tribes remaining east of said river, seventeen thousand dollars.
- To enable the President, by suitable agents, to inquire what depredations were committed by the Seminole and Creek Indians, &c.** SEC. 2. *And be it further enacted,* That the sum of five 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 by suitable agents to inquire what depredations were committed by the Seminole and Creek Indians on the property of citizens of Florida, Georgia, and Alabama, immediately before the commencement of actual hostilities on the part of said respective tribes of Indians; what amount of depredations were committed during the pendency of said hostilities; what portion of the Creek tribe were engaged in such hostilities; and what depredations have been committed by a remnant of said tribe supposed to be friendly and a part of whom were actually employed against the Seminoles, since the removal of the main body of them west of the Mississippi, and that the President report the information so acquired to Congress at its next session; *Provided,* Nothing hereinbefore contained, shall be so construed, as to subject the United States to pay for depredations not provided for, by the act of April ninth eighteen hundred and sixteen, and the acts amendatory
- Proviso.**

thereto, nor by acts regulating the intercourse between the Indian tribes and the United States.

SEC. 3. *And be it further enacted*, That the President may, and he is hereby authorized, to appoint, by and with the consent of the Senate, three additional Indian agents, one for the Creek, one for the Cherokee tribe of Indians, and one for the tribes on the upper Missouri, who shall execute the same duties, possess the same powers, and receive the same pay and emoluments as those now authorized by law, execute, possess and receive, and that the salaries of said agents be paid out of any money in the Treasury not otherwise appropriated.

The President authorized to appoint three additional Indian agents.

APPROVED, March 3, 1837.

STATUTE II.  
March 3, 1837.

CHAP. XXXII.—*An Act to change the titles of certain officers 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 passage of this act all "masters commandant" in the navy shall be taken to be and shall be called "commanders," and all "sailingmasters" shall be taken to be and shall be called "masters;" but such change of title shall not impair or in any way affect the rank, pay, or privileges, of any master commandant or sailingmaster now in the service; and should they receive new commissions or warrants, they shall respectively take rank from the date of their present commissions.

The titles of "masters commandant" changed to "commanders;" and "sailing-masters" to "masters."

APPROVED, March 3, 1837.

STATUTE II.  
March 3, 1837.

CHAP. XXXIII.—*An Act making appropriations for the civil and diplomatic expenses of Government for the year eighteen hundred and thirty-seven.*

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

[Obsolete.]

For pay and mileage of the members of Congress and delegates, three hundred and forty-eight thousand and forty 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 contingent expenses of the Senate, forty-nine thousand five hundred and fifty dollars;

For stationery, fuel, printing, and all other contingent expenses of the House of Representatives, one hundred and fifty 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 salary of the secretary to sign patents for public lands, per act of March second, eighteen hundred and thirty-three, one thousand five hundred dollars;

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

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

For compiling and printing the Biennial Register, one thousand eight hundred dollars;

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

Pay, &c., of members of Congress.  
Pay of officers, &c. of Congress.

Contingent expenses of Senate.

Contingent expenses of House of Repres.

Two last sums applicable only to ordinary expenses.

President, Vice President, and the heads of departments.

Secretary to sign patents.

Office of Secretary of State, Clerks, &c.

Publication. &c. of the laws.

Biennial Register.

Superint't and watchman N.E. exec. building.

Contingent expenses.

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

Office of Sec. of Treasury. Clerks and messengers. Additional clerks.

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

For compensation to the clerks in said office, per act of twenty-third of June, eighteen hundred and thirty-six, three thousand six hundred dollars;

First Comptroller.

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

Clerks and messengers.

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

Second Comptroller.

For compensation to the Second Comptroller, three thousand dollars;

Clerks and messengers.

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

First Auditor.

For compensation to the First Auditor of the Treasury, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the First Auditor, fifteen thousand nine hundred dollars;

Second Auditor.

For compensation to the Second Auditor of the Treasury, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Second Auditor, seventeen thousand nine hundred dollars;

Third Auditor.

For compensation to the Third Auditor, three thousand dollars;

Clerks and messengers.

For compensation to the clerks and messengers in the office of the Third Auditor, twenty-nine thousand six hundred and fifty dollars, including two thousand four hundred dollars for clerk hire to carry into effect an act of the seventeenth [eighteenth] of January last, entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States;"

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

Fourth Auditor.

For compensation to the Fourth Auditor, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Fourth Auditor, fifteen thousand nine hundred and fifty dollars;

Fifth Auditor.

For compensation to the Fifth Auditor, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Fifth Auditor, nine thousand eight hundred dollars;

Treasurer.

For compensation to the Treasurer of the United States, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Treasurer of the United States, including a deficiency of appropriation of two hundred and sixty-four dollars and sixty-four cents, for the year eighteen hundred and thirty-six, eleven thousand and fourteen dollars and sixty-four cents;

Register.

For compensation to the Register of the Treasury, three thousand dollars;

Clerks and messengers.

For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars;

Commissioner of the General Land Office.

For compensation to the Commissioner of the General Land Office, per act of fourth of July, eighteen hundred and thirty-six, three thousand dollars;

Other officers.

For compensation of the recorder, solicitor, draughtsman, and assistant draughtsman, clerks, messengers, and packers, in the office of the Commissioner of the General Land Office, one hundred and eight thousand seven hundred and fifty dollars; and the annual salary of the Recorder of the General Land Office shall be two thousand dollars; and

Salary of Recorder.

<p>the sum of nine hundred dollars shall be paid Charles Gordon for services rendered under the resolution of the Senate of second July eighteen hundred and thirty-six ;</p>	<p>Pay to Charles Gordon.</p>
<p>For deficiency to be appropriated on account of salaries, for the year eighteen hundred and thirty-six, to the Commissioner and other officers in the General Land Office, twenty-seven thousand eight hundred and eighty-six dollars and ten cents ;</p>	<p>Deficiency of salaries for 1836.</p>
<p>For compensation to the Solicitor of the Treasury, three thousand five hundred dollars ;</p>	<p>Solicitor of the Treasury.</p>
<p>For compensation to the clerks and messenger in the office of the Solicitor of the Treasury, three thousand nine hundred and fifty dollars ;</p>	<p>Clerks and messenger.</p>
<p>For expenses of stationery, printing, and all other contingent expenses of the Treasury Department, viz :</p>	<p>Contingent expenses of Treas'ry Dep't. Office Sec'y of Treasury, copying, &amp;c.</p>
<p>For the office of the Secretary of the Treasury, including copying, and expenses incurred in consequence of the burning of the Treasury building, twelve thousand five hundred dollars ;</p>	<p>Translating, &amp;c.</p>
<p>For translating foreign languages, and for receiving and transmitting passports and sea-letters, in the office of the Secretary of the Treasury, three hundred dollars ;</p>	<p>Stating and printing public accounts.</p>
<p>For stating and printing public accounts, one thousand four hundred dollars ;</p>	<p>Off. 1st Comp. Off. 2d Comp.</p>
<p>For the office of the First Comptroller, two thousand dollars ;</p>	
<p>For the office of the Second Comptroller, one thousand five hundred dollars ;</p>	
<p>For the office of the First Auditor, eight hundred dollars ;</p>	<p>Off. 1st Audit.</p>
<p>For the office of the Second Auditor, one thousand dollars ;</p>	<p>Off. 2d Audit.</p>
<p>For the office of the Third Auditor, thirteen hundred dollars ;</p>	<p>Off. 3d Audit.</p>
<p>For the office of the Fourth Auditor, one thousand dollars ;</p>	<p>Off. 4th Audit.</p>
<p>For the office of the Fifth Auditor, one thousand dollars ;</p>	<p>Off. 5th Audit.</p>
<p>For the office of the Treasurer of the United States, one thousand three hundred dollars ;</p>	<p>Office Treasurer.</p>
<p>For the office of the Register of the Treasury, three thousand dollars ;</p>	<p>Office Register.</p>
<p>For the office of the Solicitor of the Treasury, one thousand dollars ;</p>	<p>Office Solicitor.</p>
<p>For the office of the Commissioner of the General Land Office, for one hundred and fifty thousand pieces of parchment for patents ; printing the same ; and, also, the cost of books for patent records, twenty-nine thousand two hundred and fifty dollars ;</p>	<p>Office Commissioner General Land Office, parchments, &amp;c. Books, stationery, &amp;c.</p>
<p>For tract books, other books, and stationery, furniture, expense of advertising land sales, and other contingent expenses, including office rent for an additional building, ten thousand dollars ;</p>	<p>Superintend't and watchmen.</p>
<p>For compensation of superintendent and two watchmen for the additional building for the use of the General Land Office, one thousand and fifty dollars ;</p>	
<p>For salary of the secretary to the Commissioners of the Sinking Fund, from eighth February to eleventh April, eighteen hundred and thirty-six, forty-three dollars and ninety-five cents ;</p>	<p>Secretary to Commissioners of Sinking Fund.</p>
<p>For compensation of the superintendent and watchman of the south-east executive building, two thousand one hundred dollars ;</p>	<p>Superin't and watchman S. E. exec. building.</p>
<p>For contingent expenses of the building occupied by the Treasury, including fuel, oil, labor, repairs, furniture, and for rent, amounting to four thousand four hundred and fifty dollars per annum, twelve thousand dollars ;</p>	<p>Contingent expenses of Treas. building.</p>
<p>For compensation to the clerks and messengers in the office of the Secretary at War, including sixty-five dollars and seventy-one cents, arrearages due Samuel J. Potts, for clerk hire and for messenger in the Bounty Land Bureau, thirteen thousand one hundred and fifteen dollars and seventy-one cents ;</p>	<p>Office Sec. War. Clerks and mess'ng'rs. Arrearages due S. J. Potts.</p>
<p>For contingent expenses of the office of the Secretary at War, three thousand dollars ;</p>	<p>Contingent expenses.</p>



Books, maps, &c.	For books, maps, and plans, for the War Department, one thousand dollars;
Extra clerks.	For compensation of extra clerks, when employed in said office, two thousand five hundred dollars;
Commiss. of Indian Affairs.	For compensation of the Commissioner of Indian Affairs, three thousand dollars;
Clerks and messenger.	For compensation of the clerks and messenger in the office of the Commissioner of Indian Affairs, sixteen thousand four hundred dollars;
Contingent expenses.	For contingent expenses of said office, two thousand dollars;
Commissioner of Pensions.	For compensation of the Commissioner of Pensions, two thousand five hundred dollars;
Clerks.	For compensation of clerks transferred from the office of the Secretary of War to the office of the Commissioner of Pensions, four thousand eight hundred dollars;
Clerks and messengers; act 9th May, 1836, ch. 60.	For compensation to clerks and messengers for the office of the Commissioner of Pensions, authorized by act of ninth of May, eighteen hundred and thirty-six, thirteen thousand four hundred and fifty dollars;
Clerks and messenger.	For compensation to clerks and messenger in the office of the Paymaster General, four thousand six hundred dollars;
Contingent expenses.	For contingent expenses of said office, three hundred dollars;
Clerks and messenger.	For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars;
Cont. expens.	For contingent expenses of said office, three hundred dollars;
Cl'k and messenger.	For compensation to clerks and messenger in the office of the Adjutant General, seven thousand six hundred and fifty dollars;
Cont. expens.	For contingent expenses of said office, one thousand six hundred dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the office of the Quartermaster General, seven thousand three hundred dollars;
Cont. expens.	For contingent expenses of said office, six hundred dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the office of the Commissary General of Purchases, four thousand two hundred dollars;
Cont. expens.	For contingent expenses of said office, eight hundred dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the office of the Commissary General of Subsistence, four thousand three hundred dollars;
Cont. expens.	For contingent expenses of said office, two thousand six hundred dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the office of the Chief Engineer, five thousand six hundred and fifty dollars;
Cont. expens.	For contingent expenses of said office, one thousand dollars;
Cl'k and messenger.	For compensation to clerk and messenger in the office of the Surgeon General, one thousand six hundred and fifty dollars;
Cont. expens.	For contingent expenses of said office, five hundred and fifty dollars;
Cl'ks and messenger.	For compensation of clerks and messenger in the Ordnance Office, eight thousand six hundred and fifty dollars;
Cont. expens.	For contingent expenses of said office, eight hundred dollars;
Cl'ks and messenger.	For compensation of the clerks and messenger in the Topographical Bureau, two thousand five hundred dollars;
Cont. expens.	For contingent expenses of said bureau, one thousand two hundred and thirty-five dollars;
Messenger.	For compensation of the messenger in the Clothing Bureau, per act of July fourth, eighteen hundred and thirty-six, five hundred dollars;
Messenger.	For salary of the messenger in the office of the Inspector General, five hundred dollars;
Sup't and watchmen N. W. exec. build.	For compensation of superintendent and watchmen of the northwest executive building, two thousand two hundred and fifty dollars;
Cont. expens.	For contingent expenses of said building, including rent, furni-

ture, labor, and repairs, three thousand one hundred and eighty-three dollars;

For compensation of the clerks and messengers in the office of the Secretary of the Navy, twelve thousand eight hundred and fifty dollars;

Office Sec'y  
Nav. Clerks  
and messeng'rs.  
Cont. expens.  
Commis. of  
Navy Board.

For contingent expenses of said office, three thousand dollars;

For compensation of the Commissioners of the Navy Board, ten thousand five hundred dollars;

Secretary.

For compensation of the Secretary of the Navy Board, two thousand dollars;

For compensation to the clerks and messenger of the Navy Board, eight thousand four hundred and fifty dollars;

Clerks and  
messengers.

For contingent expenses of said office, one thousand eight hundred dollars;

Contingent  
expenses.

For salary of superintendent and watchman of the southwest executive building, one thousand two hundred and fifty dollars;

Sup't and  
watchman S.  
W. exec. build.  
Contingent  
expenses.

For compensation to three Assistant Postmaster Generals, per act third July, eighteen hundred and thirty-six, seven thousand five hundred dollars;

Assistant  
Postmasters  
General.

For compensation to clerks and messengers in the General Post Office, forty-eight thousand six hundred dollars;

Clerks and  
messengers.

For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;

Contingent  
expenses, &c.

For repairs, books, and stationery, already incurred, over and above the appropriations of former years, in consequence of the re-organization of the Post Office Department, six thousand seven hundred dollars;

Repairs,  
books, station-  
ery, &c.

For compensation to two watchmen, six hundred dollars;

Watchmen.

For compensation to extra clerks, prior to third July eighteen hundred and thirty-six, when the act re-organizing the department went into operation, twenty-two thousand four hundred and nineteen dollars and eighty-one cents;

Extra clerks  
prior to 3d July,  
1836.

For compensation to the Auditor of the Post Office, three thousand dollars;

Auditor of  
Post Office.

For compensation to clerks and messengers in said office, fifty-five thousand five hundred dollars;

Clerks and  
messengers.

For contingent expenses of said office, including books, stationery, printing, and expenses incidental to new offices, eight thousand two hundred dollars;

Contingent  
expenses, &c.

For compensation of the Surveyor General northwest of the Ohio, two thousand dollars;

Surveyor Gen-  
eral N. W. of  
Ohio.  
Clerks.

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

Surveyor Gen-  
eral for Illinois  
and Missouri.  
Clerks.

For compensation to the Surveyor General for Illinois and Missouri, two thousand dollars;

For compensation to clerks in the office of said Surveyor General, per acts of ninth of May, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars;

Surveyor Gen.  
of Arkansas.  
Clerks.

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

Surveyor Gen.  
of Arkansas.

For compensation of clerks in the office of said Surveyor General, three thousand dollars, and for office-rent and fuel, three hundred dollars;

Clerks.

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

Surveyor Gen.  
of Louisiana.

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

Clerks.

- Surveyor Gen. of Mississippi. For compensation to the Surveyor General of Mississippi, two thousand dollars;
- Clerks. For compensation of clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, five thousand dollars;
- Surveyor Gen. for Alabama. For compensation to the Surveyor General for Alabama, two thousand dollars;
- Clerks. For compensation of clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, two thousand dollars;
- Surveyor Gen. of Florida. For compensation of the Surveyor General of Florida, two thousand dollars;
- Clerks. For compensation of clerks in the office of said Surveyor General, three thousand dollars;
- Copies of confirmations and orders of survey, &c. For expenses of completing the copies of confirmations and orders of survey, and procuring from the offices of the registers copies of plats and sketches necessary to a correct location of private claims, explained in the report from the General Land Office, two thousand dollars;
- Commissioner of Public Buildings. For compensation to the Commissioner of Public Buildings in Washington, two thousand four hundred and fifty dollars;
- Assistants. For compensation to three assistants to commissioner, as superintendent at Potomac bridge, two thousand four hundred and sixty-three dollars and seventy-five cents;
- Repairs of Potomac bridge, &c. For repairs of the said bridge, wood for the draw-keepers, and oil for lamps, two hundred and seventy-seven dollars;
- Officers and clerks of Mint. For compensation to the officers and clerks of the Mint, nineteen thousand seven hundred dollars;
- Assistants and laborers. For compensation to assistants and laborers in the various departments of the Mint, twenty-four thousand dollars;
- Wastage of gold and silver, &c. For wastage of gold and silver, and contingent expenses of the Mint, including improvements in machinery, thirty-eight thousand one hundred dollars;
- New machinery, &c. For expenses incident to the introduction of new machinery and apparatus, twenty thousand dollars;
- Governor, &c. of Wisconsin. For compensation of the Governor, Judges, and Secretary of Wisconsin Territory, nine thousand one hundred dollars;
- Contingent expenses, &c. For contingent expenses and compensation of the members of the Legislative Assembly of said Territory, and printing the laws, nine thousand seven hundred and fifty dollars;
- Governor, &c. of Florida. For compensation of the Governor, Judges, and Secretary of the Territory of Florida, eleven thousand seven hundred dollars;
- Contingent expenses, &c. For contingent expenses, pay, and mileage of the members of the Legislative Council of said Territory, stationery, fuel, printing, pay of the officers of the council, and copying laws, ten thousand three hundred and thirty-five dollars;
- Chief Justice, Associate Judges, and District Judges, U. S. For compensation to the Chief Justice, the Associate Judges, and District Judges of the United States, eighty-four thousand nine hundred dollars;
- Chief Justice and Associate Judges, D. C., &c. For compensation of the Chief Justice and Associate Judges of the District of Columbia, and of the Judges of the Orphans' Courts of said District, nine thousand five hundred dollars;
- Attorney General. For compensation to the Attorney General of the United States, four thousand dollars;
- Clerk and messenger. For compensation of clerk and messenger in the office of the Attorney General, one thousand three hundred dollars;
- Cont. expens. Reporter of Supreme C't. For contingent expenses of said office, five hundred dollars;
- Reporter of Supreme C't. For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars;

<p>For compensation to the District Attorneys and Marshals, as granted by law, including those in the several Territories, thirteen thousand two hundred and fifty dollars;</p>	<p>District Attorneys and Marshals.</p>
<p>For defraying the expenses of the Supreme Court and the 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-seven 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 and thirty thousand dollars;</p>	<p>Expenses of the Supreme, Circuit, and District Courts, &amp;c.</p>
<p>For expenses of printing the records of the Supreme Court, three thousand dollars;</p>	<p>Records of Supreme Court.</p>
<p>For the payment of pensions granted by special acts of Congress, one thousand and fifty dollars;</p>	<p>Pensions.</p>
<p>For the support and maintenance of light-houses, floating-lights, beacons, buoys, and stakages, including the purchase of lamps, oil, keepers' salaries, repairs, improvements, and contingent expenses, two hundred and ninety-eight thousand and fifty-five dollars;</p>	<p>Light-houses &amp;c.</p>
<p>For a bell, and fixing the same on the light-house at Cove point in the Chesapeake bay, being the amount of an appropriation for that purpose, which will be carried to the surplus fund, one thousand two hundred dollars;</p>	<p>Bell on light-house at Cove Point.</p>
<p>For a light-house at the mouth of Chefuncte river, being the amount of a former appropriation for that object, which will be carried to the surplus fund, five thousand dollars;</p>	<p>Light-house at mouth of Chefuncte river.</p>
<p>For two small beacon-lights on Cockspur island, at the mouth of Savannah river, including four thousand dollars already appropriated, which will be carried to the surplus fund, seven thousand dollars;</p>	<p>Two small beacon lights on Cockspur Island.</p>
<p>For survey of the coast of the United States including arrears of compensation and expenses of the superintendent, estimating his compensation at three thousand dollars per annum, and his expenses at the same rate from August second eighteen hundred and thirty-two, and including also, such additional payment to the army and navy officers employed upon the survey for their past services and expenses as the President may decide to be just and proper, sixty thousand dollars;</p>	<p>Survey of coast, U. S.</p>
<p>For completing the public warehouse at Baltimore, fifty thousand dollars;</p>	<p>Warehouse at Baltimore.</p>
<p>For the custom-house at Boston, one hundred and fifty thousand dollars;</p>	<p>Custom-house at Boston.</p>
<p>For refunding duties on railroad iron to the Lexington and Ohio Railroad Company, imported in eighteen hundred and thirty-two and eighteen hundred and thirty-three, per act of second July, eighteen hundred and thirty-six, one thousand nine hundred and eighty-four dollars;</p>	<p>Refunding duties on rail-road iron. 1836, ch. 325.</p>
<p>For expense in relation to the relief of certain insolvent debtors of the United States, three thousand dollars;</p>	<p>Insolvent debtors.</p>
<p>For deficiency in the fund for the relief of the sick and disabled seamen as established by act of third May eighteen hundred and two, twenty-five thousand dollars;</p>	<p>Disabled seamen. 1802, ch. 51.</p>
<p>For the compensation to two keepers of the public archives in Florida, one thousand dollars;</p>	<p>Archives in Florida.</p>
<p>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, twelve thousand dollars;</p>	<p>Miscellaneous claims.</p>
<p>For an addition to the existing unexpended balances of appropriation for surveys of the public lands, to be duly apportioned to the several districts, according to the exigencies of the public service, one hundred and fifty thousand dollars;</p>	<p>Surveys of public lands.</p>

Completing surveys.

For completing the surveys of unfinished portions of townships, islands, lakes, &c. viz :

In Ohio, Indiana, Michigan, and Wisconsin.  
In Florida.  
In Louisiana.

In Ohio, Indiana, Michigan, and Wisconsin, not exceeding five dollars per mile, three thousand and forty dollars ;

In Florida, not exceeding five dollars per mile, six thousand dollars ;

In Louisiana, not exceeding eight dollars per mile, twenty thousand dollars ; and

In Alabama.

In Alabama, not exceeding eight dollars per mile, one thousand dollars, in addition to two thousand five hundred dollars already appropriated ;

Ministers to Great Britain, &c.  
Diplomatic agent to Texas.

For salaries of ministers of the United States to Great Britain, France, Spain, and Russia, and outfits and salaries of ministers to Prussia and Austria, and for the outfit and salary of a diplomatic agent to be sent to the Republic of Texas, whenever the President of the United States may receive satisfactory evidence that Texas is an independent power, and shall deem it expedient to appoint such minister, in addition to the balance remaining of the appropriation for eighteen hundred and thirty-six, seventy-two thousand dollars ;

Envoy, &c. to Mexico.

For an outfit and salary for an Envoy Extraordinary, and Minister Plenipotentiary to Mexico, whenever, in the opinion of the Executive, circumstances will permit a renewal of diplomatic intercourse honorably with that power, eighteen thousand dollars ;

Secretaries of legation to Great Britain, &c.

For salaries of the secretaries of legation to Great Britain, France, Spain, Russia, Prussia, Mexico and Austria, fourteen thousand dollars ;

Chargé des Affaires to Portugal, &c.

For salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Chili, Peru, Mexico, Central America, New Grenada, and Venezuela, fifty-eight thousand five hundred dollars ;

Drogoman, &c.

For salary of the drogoman, and for contingent expenses of the legation to Turkey, six thousand five hundred dollars ;

Minister to Russia.

For outfit of a minister to Russia, nine thousand dollars ;

Chargé d'affaires to Belgium.

For outfit of a chargé d'affaires to Belgium, four thousand five hundred dollars ;

Contingent expenses of missions abroad.

For contingent expenses of all the missions abroad, in addition to the balance remaining of a former appropriation, thirty thousand dollars ;

Consuls at London and Paris.

For salaries of the consuls of the United States at London and Paris, four thousand dollars ;

Barbary Powers.

For expenses of intercourse with the Barbary Powers, seventeen thousand four hundred dollars ;

Relief, &c. of American seamen.

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

Contingent expenses of foreign intercourse.

For the contingent expenses of foreign intercourse, in addition to the balance remaining of former appropriations, thirty thousand dollars ;

Expenses in office of American consul in London.

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

Consulates in the Turkish dominions.

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

Librarians to Congress, &c.

For salary of the principal and assistant librarians ; compensation of assistant during the two sessions of the twenty-fourth Congress ; messenger, and contingent expenses of the library, four thousand two hundred and forty-three dollars ;

Purchase of books.

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

Diplomatic correspond.

For furnishing such members of the present House of Representatives as have not received the same, under former orders of the House,

<p>the Diplomatic Correspondence, American State Papers, Register of Debates, Elliot's Debates, and the first volume of the Land Laws, forty-four thousand four hundred and ninety dollars and twenty-eight cents, <i>Provided</i>, That, if there are any surplus books, copies of which have been distributed to former members, in the Library of Congress, they shall be distributed one copy to each of the said members who has not received the same;</p>	<p>ence, &amp;c. to certain members of House of Reps. Proviso.</p>
<p>For the purchase of the manuscripts of the late Mr. Madison referred to in a letter from Mrs. Madison to the President of the United States dated fifteenth November, eighteen hundred and thirty-six, and communicated in his message of sixth December eighteen hundred and thirty-six, thirty thousand dollars;</p>	<p>Manuscripts of the late Mr. Madison.</p>
<p>For the service of the General Post Office, for the year eighteen hundred and thirty-seven, in conformity to the act of the second of July eighteen hundred and thirty-six, viz :</p>	<p>General Post Office.</p>
<p>For transportation of the mails, compensation of postmasters, ship, steam-boat, and way letters, wrapping paper, office furniture, advertising, mail bags, blanks, mail locks and keys, and stamps, mail depredations, and special agents, clerks for offices, and miscellaneous expenses, four millions four hundred and ninety-four thousand dollars;</p>	<p>Transportation of mails, &amp;c.</p>
<p>For payment to A. Fuller, and the rent of the building now occupied as a General Post Office, from the sixteenth December last, and for the year eighteen hundred and thirty-seven, five thousand dollars;</p>	<p>Payment to A. Fuller.</p>
<p>For guarding the site of the old Post Office, and preserving the public property, two thousand dollars;</p>	<p>Site of old Post Office, &amp;c.</p>
<p>For the expenses of the branch mint, at New Orleans, for the year eighteen hundred and thirty-seven, viz :</p>	<p>Branch of mint at New Orleans. Officers.</p>
<p>For salaries of officers and clerks, twelve thousand nine hundred dollars;</p>	<p>Laborers.</p>
<p>For compensation to laborers in the various departments, thirteen thousand dollars;</p>	<p>Completing mint edifice, &amp;c.</p>
<p>For completing the mint edifice, and enclosing the lot, ninety-six thousand five hundred dollars;</p>	<p>Furnishing the establishment.</p>
<p>For furnishing the whole establishment, inclusive of all apparatus, tools, and fixtures, not included in the contracts, fifteen thousand five hundred dollars;</p>	<p>Wastage of gold and silver, &amp;c. Branch mint at Dahlonega.</p>
<p>For wastage of gold and silver, and for the contingent expenses of the mint, eighteen thousand six hundred dollars;</p>	<p>Officers. Laborers.</p>
<p>For expenses of the branch mint at Dahlonega, Georgia, for the year eighteen hundred and thirty-seven, viz :</p>	<p>Furnishing the establishment.</p>
<p>For salaries of officers and clerks, six thousand dollars;</p>	<p>Wastage of gold, &amp;c.</p>
<p>For compensation to laborers, one thousand five hundred dollars;</p>	<p>Edifice and machinery. 1835, ch. 30.</p>
<p>For furnishing the establishment with all the apparatus, tools and fixtures, not included in the contracts, seven thousand dollars;</p>	<p>Branch mint at Charlotte.</p>
<p>For wastage of gold, and for the contingent expenses of the mint, five thousand five hundred dollars;</p>	<p>Officers. Laborers.</p>
<p>For expenses incurred in eighteen hundred and thirty-six, for the edifice and machinery, more than the amount appropriated in the act of eighteen hundred and thirty-five, two thousand dollars;</p>	<p>Furnishing the establishment.</p>
<p>For the expenses of the branch mint at Charlotte, North Carolina, for the year eighteen hundred and thirty-seven, viz :</p>	<p>Wastage of gold, &amp;c.</p>
<p>For salaries of officers and clerks, six thousand dollars;</p>	<p>Enclosing the grounds, &amp;c.</p>
<p>For compensation to laborers, one thousand five hundred dollars;</p>	
<p>For furnishing the establishment with all the apparatus, tools, and fixtures, not included in the contracts, six thousand dollars;</p>	
<p>For wastage of gold, and for the contingent expenses of the mint, five thousand five hundred dollars;</p>	
<p>For enclosing the grounds, repairing a building on the lot, and for out-houses, seven thousand dollars;</p>	

Furniture of the President's house.

Taxes on the arsenal near Philadelphia.

Registers and receivers of land offices.

Construction of Treasury building.

Construction of Patent Office.

Surveying in Arkansas.

Compensation to Geo. Watterston.

Light-house at or near Michigan City.

Lazaretto near Baltimore.

Legislative assembly of Wisconsin.

Expenses of same for 1837.

Chargé d'affaires to Naples.

Alterations, &c. of the capitol.

Lighting lamps, &c. S. W. boundary line.

Commissioner. Surveyor, &c.

Proviso.

North and east boundary line.

Public stable at the capitol.

Improvements of the capitol square.

Alterations,

For furniture of the President's house, twenty thousand dollars ;

For the taxes on the arsenal near Philadelphia, for the years eighteen hundred and thirty-five, and eighteen hundred and thirty-six, one thousand four hundred and fifty dollars and fifty cents ;

For the salaries of the registers and receivers of land offices where there are no sales, including one thousand seven hundred and six dollars and thirty-four cents, carried to the surplus fund, two thousand five hundred dollars ;

For the construction of the Treasury building, for the year eighteen hundred and thirty-seven, in addition to the amount unexpended in eighteen hundred and thirty-six, two hundred and fifty-seven thousand dollars ;

For the construction of the Patent Office, in addition to former appropriations, one hundred thousand dollars ;

For surveying unfinished portions of townships, islands, and lakes, in Arkansas, at the rate of six dollars per mile, six thousand dollars ;

For compensation to George Watterston, for his services in preparing a statement of the persons imprisoned for debt in this District, since one thousand eight hundred and twenty, under a resolution of the House of Representatives, six hundred dollars ;

For building a light-house at or near Michigan City, being an amount heretofore appropriated for the same purpose, and carried to the surplus fund, five thousand dollars ;

For rebuilding the lazaretto and wharf near the city of Baltimore, thirty thousand dollars ;

For arrearages for the expenses of the Legislative Assembly of the Territory of Wisconsin, for the year one thousand eight hundred and thirty-six, fifteen thousand seven hundred and thirty dollars and sixteen cents ;

For the expenses of the same, for the year one thousand eight hundred and thirty-seven, thirty-six thousand seven hundred and sixty-five dollars ;

For an outfit and salary of a chargé d'affaires to Naples, nine thousand dollars ;

For alterations and repairs of the capitol, and incidental expenses, three thousand six hundred dollars ;

For lighting lamps and superintendence of the public grounds around the capitol, five thousand one hundred and sixty-four dollars ;

To enable the President to cause the southwestern boundary line of the United States to be run, the following sums, viz :

For the salary of a commissioner, two thousand five hundred dollars ;

For the salary of a surveyor, two thousand dollars ; and for contingencies, including the purchase of necessary instruments, wages to attendants, and other expenses, ten thousand dollars ; *Provided*, That said commissioner and surveyor be appointed with the advice and consent of the Senate ;

For exploring and surveying the north and east boundary line of the United States, where the same has not already been surveyed, and establishing monuments thereon, agreeably to the definitive treaty of peace of seventeen hundred and eighty-three, to be expended under the direction of the President of the United States, twenty thousand dollars ;

For enlarging the public stable at the capitol, and the erection of a shed for the protection of the tools, implements and materials, twelve hundred dollars ;

For completing the improvements commenced, by extending the capitol square west, forty thousand dollars ;

For alterations and repairs of the President's house, and for super-

intendence of the grounds around the same, seven thousand three hundred dollars;

For compensation to the gardener employed in superintending the capitol square and other public grounds, one thousand dollars;

For clerk hire, mileage, pay of witnesses, serving subpoenas, and other incidental expenses, under the orders of the select committees of inquiry appointed by the House of Representatives, twenty-five thousand dollars, in addition to the contingent fund of said House;

For an outfit of a chargé d'affaires to New Grenada, four thousand five hundred dollars;

For balance due the acting Governor of Michigan, according to an account adjusted by the accounting officers, seven hundred and twenty dollars and fifty-one cents;

For completing surveys of unfinished portions of townships, islands, lakes, &c., in Missouri, not exceeding five dollars per mile, seventeen thousand five hundred dollars;

For completing the light-house at Oswego, New York, seven hundred and fifteen dollars;

For payment of arrearages due contractors on the Cumberland road in Ohio, being the balance of an appropriation carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-six, twelve hundred and twenty-five dollars and forty-one cents;

For compensation to Daniel Graham, late Secretary of the State of Tennessee, for his services, performed at the request of the Commissioner of the General Land Office, in order to answer a call of the House of Representatives, made on twentieth of January eighteen hundred and twenty-nine, two hundred and fifty dollars;

For the expense of bringing to the seat of Government, the votes for President and Vice President of the United States, in addition to a former appropriation, two thousand two hundred dollars;

For compensation of the Senators and Representatives elected by Michigan, twelve hundred and forty-eight dollars;

For the payment of a balance due for the expenses of the Legislative Council of the Michigan Territory, two thousand and fifty-seven dollars and seventy-two cents;

For fulfilling the contracts made with John Vanderlyn, Henry Inman, Robert Wier, and John G. Chapman, by the Joint Committee of Congress under the joint resolution of the twenty-third day of June, one thousand eight hundred and thirty-six, for the execution of four historical paintings for the vacant pannels of the rotundo of the capitol, eight thousand dollars;

To enable the President of the United States to contract for two groups of statues, to adorn the two blockings on the east front of the capitol, eight thousand dollars;

To Mr. Auger for the bust of the late Chief Justice Ellsworth, four hundred dollars;

To enable the Secretary of the Treasury to employ for one year, a competent person to classify and arrange, translate when necessary, and make suitable records of the papers and documents connected with the private land claims, which, at sundry periods, have been presented to, and acted on, by the Commissioner, or the registers and receivers acting as commissioners, on private land claims for the district east of the island of New Orleans, and west of Pearl river, in the State of Louisiana, the sum of two thousand dollars;

For pay and mileage of the members of the Senate for the extra session to commence on the fourth day of March instant, thirteen thousand eight hundred and seventy-five dollars;

For stationery, fuel, printing, and all other contingent expenses of the

&c., of President's house, &c.

Gardener for capitol square, &c.

Incidental expenses of select committee of inquiry.

Chargé to New Grenada.

Balance due the acting Gov. of Michigan.

Surveys in Missouri.

Light-house at Oswego.

Arrearages due contractors on the Cumberland road.

Compensation to Daniel Graham.

Votes of President and Vice President.

Senators and Representatives of Michigan. Legislative Council of Michigan.

Paintings for the rotundo of the capitol.

Ante, p. 133.

Groups of statues for the east front.

Bust of Chief Justice Ellsworth.

Arrangement, &c. of papers connected with private land claims.

Pay and mileage of Senators for the extra session.

Cont. expens.



Senate for the extra session to commence on the fourth day of March instant, five thousand dollars;

Distribution of Gales & Seaton's State Papers.

For the expenses of the distribution in boxes, and by the ordinary modes of transportation, of the compilation of the State Papers printed by Gales and Seaton, as directed by the joint resolution of the tenth day of July, one thousand eight hundred and thirty-two, to the several States, Territories, colleges, and athenæums of the United States, one thousand five hundred dollars;

Purchase of the American State Papers.

For the purchase of nineteen copies of the American State Papers, printed by Gales and Seaton, pursuant to the resolution of the Senate, of the first day of March, instant, four thousand five hundred and eighty-eight dollars and fifty cents;

Debates of the First Congress and Register of Debates.

For two hundred and forty-four copies of the Debates of the First Congress, and of the Register of Debates to the end of the present Congress, as published by Gales and Seaton, to be distributed to the members of the present House, fifteen thousand five hundred dollars;

Commission under the convention with Spain.

For compensation to the commissioner, secretary, and clerk, and the contingent expenses of the commission under the convention with Spain, eight thousand two hundred dollars;

Medal in honor of Brig. Gen. Daniel Morgan.

To authorize the President of the United States to procure new dies to renew the medal directed to be made in honor of Brigadier General Daniel Morgan, by the act of the second day of July one thousand eight hundred and thirty-six, in case the original dies for the said medal cannot be found, one thousand dollars;

1836, ch. 256.

Improving the crypt of the capitol, &c.

For improving the crypt of the capitol, by closing the openings on the east front with sash doors, making double doors to the outer entrances, and repairing furnaces, eleven hundred and fifty dollars;

Making Post Office, &c. of H. R. fire proof.

For making the post office, document, folding, and library rooms of the House of Representatives fire proof, three thousand one hundred and fifty dollars;

Grounds of naval magazine, &c.

To complete the enclosing the garden and grounds of the naval magazine and marine hospital, one hundred dollars;

Conducting water to Treasury and Post Office buildings, &c.

For conducting water along the Pennsylvania avenue from the pipes at the Capitol to the Treasury and General Post Office buildings, with the necessary fire-plugs to water the avenue, ten thousand dollars;

Fire-engine, &c. for War and Navy Departments.

For the purchase of a fire-engine, apparatus, and engine-house for the War and Navy Departments, seven thousand two hundred and twenty-five dollars;

Fire-engine, &c. for Treasury building.

For the purchase of a fire-engine and apparatus for the Treasury building, and the enlargement of the engine-house, five thousand five hundred and twenty-five dollars;

Pay to William P. Elliott.

For paying William P. Elliott, for drawings of the Treasury building and Patent Office, three hundred dollars;

Constructing a dwarf wall and fence in President's square.

For constructing a dwarf wall and fence from the southwest corner of the President's house to intersect the new fence near the north corner of the Navy Department, one thousand three hundred dollars;

Support of the penitentiary.

For the support of the penitentiary for the District of Columbia, for the year eighteen hundred and thirty-seven: for pay of officers and agents; for repairs to buildings; for purchase of raw materials; for rations, clothing, beds, and bedding of prisoners; for purchase of fuel; for purchase of hospital stores and medicines; for purchase of books and stationery; for purchase of horse feed; for allowance to discharge convicts; and for other contingent expenses, the sum of twelve thousand five hundred and five dollars and thirty-nine cents, 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;

Burying ground at Fort Gibson.

For the erection of a plain substantial fence around the burying ground at Fort Gibson in the State of Arkansas, five hundred dollars;

For surveys of the public lands in the district composed of the States

of Illinois and Missouri, in addition to the appropriation herein before made for the surveys of the public lands, thirty-six thousand dollars;

For the compensation of additional clerks and a topographer to be employed in the Post Office Department, ten thousand two hundred dollars;

For the compensation of additional clerks to be employed in the office of the Auditor of the Treasury for the Post Office Department, six thousand dollars;

For law books for the library of Congress, five thousand dollars, to be expended in the purchase of such books, a catalogue of which shall be furnished by the Chief Justice of the United States.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, deputy collectors, naval officers, surveyors, and their respective clerks, together with the weighers, gaugers, measurers, and markers 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-seven, according to the importations of that year, as they would have been entitled to receive if the act of the fourteenth of 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, naval officers, surveyors, and clerks, 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 those offices in one person entitle him to receive more than that sum per annum: *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 incidental to their respective offices; which accounts shall be rendered on oath or affirmation, and shall be in such form, and 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; (a) *Provided, also*, That in the event of any act being passed by Congress at the present session to regulate and fix salaries or compensation of the respective officers of the customs, then this section shall operate and extend to the time such act goes into effect, and no longer; *Provided, however*, That the Secretary of the Treasury be authorized to extend to the collectors at such other ports, where a surplus of emoluments have been accounted for and paid into the Treasury in the year eighteen hundred and thirty-two, the privilege granted to the collector of New York; to take effect from the first day of January last.

SEC. 3. *And be it further enacted*, That the clerks in the Departments of State, Treasury, Navy and War, and of the two Houses of Congress, and the Librarians of Congress, whose salaries are less than two thousand dollars, shall, in addition thereto, be allowed the following increase of annual compensation, from the first day of January last, to the end of the next session of Congress, (b) viz: such of said clerks whose annual compensation does not exceed one thousand dollars, an addition of twenty per cent. thereto; such of said clerks whose annual

Surveys ... Illinois and Missouri. Additional clerks, &c. in Post Office Department. Additional clerks in office of Auditor of Post Office. Law books for the library of Congress.

Pay of collectors, deputy collectors, naval officers, &c.

1832, ch. 227. Proviso.

Further proviso.

Further proviso.

Further proviso.

Increase of salaries of clerks and messengers.

(a) There was no further legislation on this subject during the session.

(b) The act of October 12, 1837, chap. 4, continues to the end of the second session of the twenty-fifth Congress, all the acts which would, otherwise, have expired.

Proviso.

Further proviso.

compensation exceeds one thousand dollars, an addition of ten per cent. thereto; and twenty per cent. in addition to the salaries of messengers and assistant messengers employed in the respective offices, and the library of Congress; the amount of increase of compensation provided for in this section, to be paid out of any money in the Treasury not otherwise appropriated, *Provided*, That nothing in this section shall be so construed as to affect the salaries of any clerks whose salaries have been fixed by any law of the last or present session of Congress, *Provided*, That no further extra allowance be given for any extra services performed by them under any law or resolution of Congress.

APPROVED, March 3, 1837.

STATUTE II.

March 3, 1837.

Act of April 29, 1802, ch. 31.  
Supreme Court to consist of a chief justice and eight associate judges, &c.  
Act of Jan. 21, 1829, ch. 12.

2d circuit.

3d circuit.

4th circuit.

5th circuit.

6th circuit.

7th circuit.

8th circuit.

CHAP. XXXIV.—*An Act supplementary to the act entitled "An act to amend the judicial system 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 Supreme Court of the United States shall hereafter consist of a chief justice, and eight associate judges, any five of whom shall constitute a quorum; and for this purpose there shall be appointed two additional justices of said court, with the like powers, and to take the same oaths, perform the same duties, and be entitled to the same salary, as the other associate judges. Hereafter, the districts of Vermont, Connecticut, and New York, shall constitute the second circuit; the district of New Jersey, the eastern and western districts of Pennsylvania, shall constitute the third circuit; the district of Maryland and the district of Delaware shall constitute the fourth circuit; the districts of Virginia and the district of North Carolina shall constitute the fifth circuit; the districts of South Carolina and Georgia shall constitute the sixth circuit; the districts of Ohio, Indiana, Illinois and Michigan, shall constitute the seventh circuit; and the circuit courts shall be held at Columbus, in the Ohio district, on the third Mondays in May, and December; at Detroit, in the Michigan district, on the fourth Monday in June; at Indianapolis, in the Indiana district, on the first Monday in December; at Vandalia, in the Illinois district, on the last Monday in November, in each year; the districts of Kentucky, east and west Tennessee, and Missouri, shall form and be called the eighth circuit; and the districts

(a) By "an act concerning the Supreme Court of the United States," June 17, 1844, chap. 96, the sessions of the Supreme Court were directed to commence in December in each year. By the second section of the act, the Justices of the Supreme Court were only required to hold one term of the Circuit Court each year. The Justices of the Supreme Court may attend at any of the terms.

An act to abolish the Circuit Court at Huntsville, in the state of Alabama, and for other purposes, February 22, 1838, chap. 12.

An act to require the Judge of the District Court of east and west Tennessee to hold a court at Jackson, in the said state, June 18, 1838, chap. 118.

An act to amend an act entitled "An act to require the Judge of the District Court of east and west Tennessee to hold a court at Jackson in the said state," approved June eighteenth, one thousand eight hundred and thirty-eight, Jan. 18, 1839, chap. 3.

An act to reorganize the District Courts of the United States in the state of Alabama, February 6, 1839, chap. 20.

An act to amend "an act to reorganize the District Courts of the United States in the state of Mississippi," approved June 18, 1839, chap. 27.

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

An act in addition to the acts respecting the judicial system of the United States, July 4, 1840, chap. 42.

An act to amend the act approved May 13, 1800, entitled an act to amend an act entitled an act to establish the judicial courts of the United States, July 20, 1840, chap. 47.

An act changing the time of holding the courts at Clarksburg and at Wheeling in the western district of Virginia, and the Circuit Court of the United States for the district of Arkansas, March 4, 1844, chap. 4.

An act to change the time of holding the Spring term of the District Court of the United States for the eastern district of Virginia, and of the Circuit Court of Alabama, April 12, 1844, chap. 12.

An act to change the time of holding the Federal Courts in Kentucky, North Carolina, South Carolina, Georgia, Alabama and Louisiana, March 1, 1845, chap. 39.

of Alabama, the eastern district of Louisiana, the district of Mississippi, and the district of Arkansas, shall form and be called the ninth circuit.

SEC. 2. *And be it further enacted*, That the sessions of said circuit courts shall be held twice in each year in the following districts, to wit: commencing in the eastern district of Louisiana, at New Orleans, on the third Monday of May and on the third Monday of November, annually; in the district of Mississippi, at Jackson, on the first Monday of May and on the first Monday of November, annually; in the southern district of Alabama, at Mobile, on the second Monday of April and the second Monday of October, annually; in the western district of Pennsylvania, at Pittsburg, on the third Mondays of May and November, annually; in the district of Delaware, 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 in the district of Maryland, at Baltimore, on the first Monday of April and the first Monday of October, annually; in the northern district of New York, at Albany, on the second Tuesday of June and the third Tuesday of October, annually; and there shall be holden a term of said circuit courts, annually, at Lewisburg, in the western district of Virginia, commencing on the first Monday of August; at Huntsville, in the northern district of Alabama, commencing on the first Monday of June; (a) at St. Louis, in the district of Missouri, commencing on the first Monday of April; and at Little Rock, in the district of Arkansas, on the fourth Monday of March; and that no process, recognizance, 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 recognizances returnable to the next term of either of said courts, shall be returnable and returned to the 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 court appointed by this act, and the day herein appointed for the commencement of the next session thereof: *Provided*, That nothing herein contained shall prevent the judge of the northern district of New York from holding the courts at Utica, nor the judge of the western district of Pennsylvania from holding the courts at Williamsport, at the same time and with the same power and jurisdiction as heretofore.

SEC. 3. *And be it further enacted*, That so much of any act or acts of Congress as vests in the district courts of the United States for the districts of Indiana, Illinois, Missouri, Arkansas, the eastern district of Louisiana, the district of Mississippi, the northern district of New York, the western district of Virginia, and the western district of Pennsylvania, and the districts of Alabama, or either of them, the power and jurisdiction of circuit courts, be, and the same is hereby, repealed; and there shall hereafter be circuit courts held for said districts by the chief or associate justices of the Supreme Court, assigned or allotted to the circuit to which such districts may respectively belong, and the district judges of such districts severally and respectively; either of whom shall constitute a quorum; which circuit courts, and the judges thereof, shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof; and the said district courts, and the judges thereof, shall have like powers and exercise like jurisdiction as the district courts, and the judges thereof, in the other circuits. From all judgments and decrees, rendered in the district courts of the United States for the western district of Louisiana, writs of error and appeals shall lie to the circuit court in the other district in said State,

9th circuit.

Districts in which said courts shall be held twice a year; times and places of session.

And dist. in which annually; times and places of sessions.

Process, recognizance, &c., returnable at next term of said courts.

Proviso.

So much of any act or acts as vests the power and jurisdiction of circuit courts in certain district courts repealed; circuit courts to be held, &c. 1838, ch. 46.

Judgments, &c. rendered in district courts

(a) Act of March 3, 1839, chap. 81; act of March 4, 1844, chap. 4; act of April 12, 1844, chap. 12; act of March 1, 1845, chap. 39.

for western district of Louisiana.

Actions, suits, &c., (originally cognizable in a circuit court,) now pending in, &c., certain district courts.

Said circuit courts to be governed by same laws, &c., as apply to the other circuit courts; and clerks to perform same duties, &c.

Allotment of their chief justice, &c.

Acts, &c., repealed.

#### STATUTE II.

March 3, 1836.

[Obsolete.]

The account of the Treasurer to be credited with the amount of unavailable funds.

Secretary of Treasury authorized to settle claims of U. S. of the above description.

Proviso.

1839, ch. 26.

#### STATUTE II.

March 3, 1837.

[Obsolete.]

Act of July 2, 1836, ch. 262.

Acts, &c., required to be

in the same manner as from decrees and judgments rendered in the districts within which a circuit court is provided by this act.

SEC. 4. *And be it further enacted*, That all actions, suits, prosecutions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, (which might have been brought, and could have been, originally, cognizable in a circuit court,) now pending in, or returnable to, the several district courts of Indiana, Illinois, Missouri, Mississippi, Arkansas, Michigan, the eastern district of Louisiana, the districts of Alabama, the northern district of New York, the western district of Pennsylvania, and western district of Virginia, acting as circuit courts on the first day of April next, shall be, and are hereby declared to be, respectively transferred, returnable, and continued to, the several circuit courts constituted by this act, to be holden within the said districts respectively; and shall be heard, tried and determined therein, in the same manner as if originally brought, entered, prosecuted, or had, in such circuit courts. And the said circuit courts shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerks of the said courts, respectively, shall perform the same duties, and shall be entitled to receive the same fees and emoluments, which are by law established for the clerks of the other circuit courts of the United States. The allotment of their chief justice and the associate justices of the said Supreme Court to the several circuits shall be made as heretofore.

SEC. 5. *And be it further enacted*, That all acts and provisions inconsistent with this act be, and the same are hereby, repealed.

APPROVED, March 3, 1837.

CHAP. XXXV.—*An Act to authorize the proper officers of the Treasury Department to credit the account of the Treasurer of the United States with the amount of unavailable funds standing to his debit on the books of the Treasury, to transfer the amount of the debit of banks and individuals indebted for the same, and to authorize the Secretary of the Treasury to compromise and settle said claims.*

*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 to credit the account of the Treasurer of the United States with the amount of the unavailable funds, whether charged to John Campbell, or his predecessors, and to transfer the amount to the debit of the banks and individuals, respectively, that may be indebted for the same.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to compromise and finally settle the claims of the United States, of the above description, against said banks and individuals who have proved insolvent, or failed to make punctual payments, on such terms and conditions as he may deem most conducive to the interests of the United States: *Provided*, That this act shall not authorize any compromise of the debt due from the Alleghany Bank of Pennsylvania.

APPROVED, March 3, 1837.

CHAP. XXXVI.—*An Act to amend an act entitled "An act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Belleview, Du Buque, and Peru, in the county of Du Buque, and Mineral Point, in the county of Iowa, Territory of Wisconsin, and for other purposes," approved July second, eighteen hundred and thirty-six.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all acts and duties required to be done and performed by the Surveyor for the Territory of Wisconsin, under the act to which this is an amendment, shall be done

by a board of commissioners of three in number, any two of whom shall be a quorum to do business; said commissioners to be appointed by the President of the United States, and shall, previous to their entering upon the discharge of their duties, take an oath or affirmation to perform the same faithfully and impartially: *Provided*, That the action of the commissioners appointed under the present act shall not interfere with any of the acts performed by the Surveyor General, prior to the time of the passage hereof, in pursuance of instructions under the act to which this is amendatory.

SEC. 2. *And be it further enacted*, That the said commissioners shall have power to hear evidence and determine all claims to lots arising under the act to which this is an amendment; and for this purpose, the said commissioners are authorized to administer all oaths that may be necessary, and reduce to writing all the evidence in support of claims to pre-emption presented for their consideration; and when all the testimony shall have been heard and considered, the said commissioners shall file with the proper register and receiver for the district within which the towns are situated respectively, the testimony in each case, together with a certificate in favor of each person having the right of pre-emption under the provisions of the act of which this is amendatory; and upon making payment to the proper receiver of public moneys for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and the register issue certificates of purchase, to be transmitted to the Commissioner of the General Land Office, as in other cases of the sale of public lands.

SEC. 3. *And be it further enacted*, That the proper register and receiver of public moneys, after the board of commissioners have heard and determined all the cases of pre-emption under the act to which this is an amendment, shall expose the residue of the lots to public sale to the highest bidder, after advertising the same in three public newspapers at least three months prior to the day of sale, in the same manner as is provided for the sale of public lands in other cases; and after paying the commissioners the compensation hereafter allowed them, and all other expenses incident to the said survey and sale, the receiver of the land office shall pay over the residue of the money he may have received from the sale of lots aforesaid, by pre-emption as well as at public auction, into the hands of the trustees of the respective towns aforesaid, to be expended by them in the erection of public buildings, the construction of suitable wharves, and the improvement of the streets in the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru and Mineral Point.

SEC. 4. *And be it further enacted*, That the commissioners appointed to carry this act into effect, shall be paid by the receiver of public moneys, of the proper land district, six dollars each, per day, for their services, for every day they are necessarily employed.

APPROVED, March 3, 1837.

CHAP. XXXVII.—*An Act to continue in force for a limited time the act entitled "An act to carry into effect a convention between the United States and Spain."*

*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 carry into effect a convention between the United States and Spain," approved on the seventh day of June, one thousand eight hundred and thirty-six, be, and the same are hereby, extended until the first day of February, one thousand eight hundred and thirty-eight; and the commissioner appointed under the said act, shall, on or before the said day, terminate his duties.

APPROVED, March 3, 1837.

done by the surveyor under the act to which this is an amendment shall be done by a board of commissioners, to be appointed by the President, &c.

*Proviso.*

The commissioners to have power to determine all claims to lots, &c.

Upon payment being made to the proper receiver for a lot, he shall grant a receipt, &c.

The proper register and receiver, after the commissioners have determined all cases of pre-emption, shall expose residue of lots at public sale, to the highest bidder, &c.

After paying the commissioners, &c. the receiver shall pay over the residue to the trustees of the towns aforesaid.

The commissioners to be paid six dollars per day.

STATUTE II.

March 3, 1837.

[Obsolete.]

Act of June 7, 1836, ch. 87.

The provisions of the act extended to 1st February, 1838.

## STATUTE II.

March 3, 1837.

1842, ch. 189.

Half-pay to widows and children of officers, seamen, and marines, to commence from the time of death of such officer, &c.

Pensions for wounds, &c. to commence from the time of the officer, &c., being disabled.

Acts repealed.

CHAP. XXXVIII.—*An Act for the more equitable administration of the Navy Pension Fund.*"(a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if any officer, seaman or marine have died, or may hereafter die, in the naval service, leaving a widow, and, if no widow, a child or children, such widow, and, if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased would have been entitled, under the acts regulating the pay of the navy, in force on the first day of January, one thousand eight hundred and thirty-five, to commence from the time of the death of such officer, seaman, or marine; but in case of the death or intermarriage of such widow, the half-pay shall go to the child or children of such deceased officer, seaman, or marine, *Provided,* That the half-pay granted to the child or children shall cease on their death, or on their attaining the age of twenty-one years.

SEC. 2. *And be it further enacted,* That the pensions which may have been granted, or which may hereafter be granted, to officers, seamen, and marines, in the naval service, disabled by wounds or injuries received while in the line of their duty, shall be considered to commence from the time of their being so disabled, and that the amount of pension to which said officers, seamen, and marines, may be entitled, shall be regulated according to the pay of the navy as it existed on the first day of January, one thousand eight hundred and thirty-five.

SEC. 3. *And be it further enacted,* That all acts, and parts of acts, which may be inconsistent with the provisions of this act, be, and the same are hereby repealed, so far as they may relate hereto.

APPROVED, March 3, 1837.

## STATUTE II.

March 3, 1837.

1838, ch. 13.

1842, ch. 187.

[Expired.]  
Three commissioners to be appointed by the President, with the advice and consent of the Senate; their duties.

Vol. vii. p. 333.

CHAP. XXXIX.—*An Act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians.*

*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, by and with the advice and consent of the Senate, three commissioners whose duty it shall be to meet in the State of Mississippi at such time and place, as the President shall appoint and designate, and there proceed to ascertain the name of every Choctaw Indian who was the head of an Indian family at the date of the treaty at Dancing Rabbit Creek, who has not already obtained a reservation under said treaty, and who can show by satisfactory evidence, that he or she complied or offered to comply with all the requisites of the fourteenth article of said treaty, to entitle him or her, to a reservation under said article; and also the number and names of all the unmarried children of such heads of families, who formed a part of the family and were over ten years of age, and likewise the number and names of the children of such heads of families as were under ten years of age, and report to the President, to be, by him, laid before Congress, all the names of such Indians, and the different sections of land to which such heads of families were respectively entitled, together with the opinions of the commissioners, and whether any part of said lands have been sold by the Government, and the proofs applicable to each case.

SEC. 2. *And be it further enacted,* That before entering upon their duties, each of said commissioners shall, before some judge or justice of the peace, take an oath faithfully to discharge the duties imposed by this act.

Commissioners to take an oath, &c.

(a) See an act for the regulation of the Navy and Privateer pensions and Navy Hospital fund. July 10, 1832, chap. 194.

SEC. 3. *And be it further enacted*, That said commissioners are hereby authorized to appoint a secretary whose duty it shall be to record correctly all the proceedings of said Board, and faithfully preserve the same, as well as all depositions and other papers filed before said Board, and who shall take an oath to discharge the duties imposed on him by this act.

Commissioners to appoint a secretary; his duties.

SEC. 4. *And be it further enacted*, That upon the request of the Commissioners it shall be the duty of the District Attorney of the State of Mississippi, to attend said board, and give his assistance in procuring the attendance of witnesses, and his aid and advice in their examination, the better to enable the Commissioners to ascertain the facts correctly in each case.

District Att'y for Mississippi to attend board on request of Commissioners.

SEC. 5. *And be it further enacted*, That each of said Commissioners shall receive, while in the discharge of the duties hereby imposed, a salary at the rate of three thousand dollars per annum, the secretary a salary at the rate of fifteen hundred dollars per annum, and the District Attorney a salary at the rate of two thousand dollars per annum, to be paid quarterly out of any money in the Treasury not otherwise appropriated.

Salaries of Commissioners and Secretary.

SEC. 6. *And be it further enacted*, That said Commissioners shall have full power to summon and cause to come before them, such witnesses as they may deem necessary, and to have them examined on oath, and if any witness shall testify falsely, with an intention to mislead said Commissioners, such witness shall be guilty of wilful and corrupt perjury, and shall, upon conviction before any jurisdiction having cognizance thereof, suffer the punishment by law inflicted on those guilty of that offence.

Commissioners authorized to summon witnesses, &c.

SEC. 7. *And be it further enacted*, That nothing contained in this act shall be so construed as to sanction what is called contingent locations which have been made by George M. Martin for the benefit of such Indians, as were supposed to have been entitled to other lands, which have been sold by the United States: such contingent locations having been made, without any legal authority. It being the true intent of this act to reserve to Congress the power of doing that which may appear just when a correct knowledge of all the facts is obtained.

Nothing in this act to be so construed as to sanction the contingent locations made by G. M. Martin.

SEC. 8. *And be it further enacted*, That this act shall be in force to the first day of March eighteen hundred and thirty-eight next, and no longer.

Act limited to 1st March, 1838.

APPROVED, March 3, 1837.

CHAP. XL.—*An Act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and dolphins, for the year one thousand eight hundred and thirty-seven.*

STATUTE II.  
March 3, 1837.

*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-houses, beacon-lights, and for other purposes hereinafter mentioned.

Appropriations to enable Sec. of Treas. to contract for building light-houses, &c.

*State of Maine.*—For a light-house to be erected on a proper site on Mark island, in Harpswell sound, five thousand dollars; for a light-house to be erected on a proper site on Mount Desert island, at the entrance of Frenchman's bay, five thousand dollars; for a light-house on Ram island, at the mouth of Damariscotta river, five thousand dollars; for a fog-bell, on Seguin island, at the entrance of Kennebec river, fifteen hundred dollars; for placing buoys on West Quaddy bay, and for substituting for the present fog-bell, at the entrance of said passage, a cast-steel

Maine.  
Mark island.  
Mt. Desert island.  
Ram island.  
Seguin island.  
West Quaddy bay.



Spoon isle.  
Saddleback ledge.  
Eagle island point.  
Pleasant river.  
Ft. Point ledge, Adams's and Buck's ledges.  
Half-tide ledge.  
Town of Sullivan.  
York nubble.  
Portersfield's ledge.

New Hampshire.  
Whaleback light-house.  
Sunken rocks.  
Cod rock.

Massachusetts.  
Ipswich harbor.

Ned's point.  
Nanset beach.

Harbors of Lynn, &c.

Aldridge ledge, &c.

Wing's neck, &c.

Bay rock.

Connecticut.  
Lynde point.  
Black Boy reef, &c.

Rhode Island.  
Papoose Squaw Point, &c.

triangular bell, or a bell of the usual form, but increased weight, one thousand five hundred dollars; for a light-house to be erected, on a proper site at Spoon isle, in Penobscot bay, five thousand dollars; for a light-house to be erected, on Saddleback ledge, in Penobscot bay, five thousand dollars; for a light-house to be erected, on Eagle Island point, in Penobscot bay, five thousand dollars; for a light-house to be erected at the mouth of Pleasant river, five thousand dollars; for placing monuments on Fort Point ledge, Adams's ledge, and Buck's ledge, in Penobscot river, three thousand dollars; for erecting a beacon light on Half-tide ledge, and two buoys about a mile and a half from the town of Sullivan, in the county of Hancock, three thousand dollars; for the erection of a light-house on York nubble, in the county of York, five thousand dollars; for a monument on Portersfield ledge, lying between Owlshead and Goose River point, and a spindle on another ledge lying near the Portersfield ledge, two thousand six hundred dollars.

*State of New Hampshire.*—For the erection of a pier on the east side of Whaleback light-house, to secure it from the force of the waves, three thousand dollars; for placing buoys at the entrance of Spruce creek, on the eastern edge of "Sunken rocks," and at the east side of Amazeen island, five hundred dollars; for placing buoys on "Cod rock," near Fort point, four hundred dollars.

*State of Massachusetts.*—For two small light-houses, should two be necessary, on proper sites, at or near Ipswich harbor, seven thousand dollars; for a light-house to be erected on a proper site at or near Ned's point, contiguous to the village of Mattapoisett, five thousand dollars; for three small light-houses on Nanset beach, Cape Cod, fifteen feet high, ten thousand dollars; for the erection of buoys upon the rocks and ledges at the entrance of the harbors of Lynn, Salem, Beverly, Marblehead, and Manchester, two thousand five hundred dollars; for placing buoys on Aldridge ledge, False spit, Hunt's ledge, Hospital Island ledge, Sculpion ledge, Governor's Island point, and Little Farm bar, in Boston harbor, five hundred dollars; for erecting a beacon at the mouth of New Bedford harbor, two thousand dollars; for two small beacon lights near the entrance of Nantucket harbor, five hundred dollars. For placing a spindle in the harbor of Edgartown, and buoys, two hundred dollars; for erecting a light-house at Wing's neck, five thousand dollars; for buoys in the harbor of Mattapoisett, one hundred dollars; for buoys on Bay rock, the ledge on the shoal on the west side of Taunton river, opposite Fall River, six hundred dollars; for buoys at a place called Egypt, in Taunton river, one hundred dollars; for a beacon on Muscle bed, and a beacon on Oyster bed point, in Mount Hope bay, five thousand dollars; for a light-house on Mayo beach, in Wellfleet bay, one thousand dollars; for a buoy at Deep-hole Rock, near Oyster island, on the south side of Barnstable, three hundred dollars.

*State of Connecticut.*—For rebuilding a light-house on a proper site, on Lynde point, at the mouth of Connecticut river, five thousand dollars; for placing buoys on Black Boy reef, Barney's reef, Stony Point reef, and Wheeler's rock in the harbor of Killingworth, three hundred dollars; for a beacon already commenced on Round island, on Saybrook bar, fifteen hundred dollars; nine hundred dollars to meet the expenses of the work as far as executed, the balance to complete and secure the same; for placing buoys on the rocks in the harbor of Greenwich, three hundred dollars; for placing buoys in Mystic harbor, one hundred dollars; for a sea-wall to preserve the light-house and other buildings, on Fairweather island, near Black Rock harbor, five thousand dollars.

*State of Rhode Island.*—For a light-house on Papoose Squaw point, a place near to, but below, the port of Bristol, five thousand dollars; for placing a buoy and beacon on South White rock, and a buoy on Charles rock, near the harbor of Wickford, one hundred dollars; for

rebuilding and changing the location of the light on Block island, five thousand dollars; for eight dolphins and two buoys, northward of Field's point, in Providence river, one thousand dollars.

*State of New York.*—For a light-house on a proper site on Cumberland head, Lake Champlain, five thousand dollars; for the erection of a light-house on a proper site at Split rock point, Lake Champlain, five thousand dollars; for a revolving, or double light upon the south side of Execution rocks, opposite Sand's point, in Long Island sound, five thousand dollars; for a light-house at Big Sandy creek, on Lake Ontario, county of Jefferson, five thousand dollars; for a light-house on Stony point, in the town of Henderson, in the county of Jefferson, three thousand dollars; for buoying out Gedney's channel, three thousand dollars; for a beacon-light at Silver Creek harbor, on Lake Erie, four thousand five hundred dollars; for a light-house on Flynn's Knoll, near Sandy Hook, two hundred thousand dollars; to be built under the direction of the Engineer Department; for a light-boat off Sandy Hook, twenty-five thousand dollars; for placing a beacon on Romer's shoal, near Sandy Hook, fifteen thousand dollars; for the erection of a light-house at Esopus meadows, on the west shore of the Hudson river, three thousand dollars; for placing a buoy on the wreck of a vessel sunk at Tappan bay, one hundred dollars; for a light-house on Cedar island, Sag harbor, one thousand dollars; for placing buoys in Sag harbor, two hundred dollars; for erecting a light-house at Rondout creek, on the Hudson river, five thousand dollars; for erecting a beacon-light at Dunkirk harbor, two thousand seven hundred dollars; for erecting a beacon-light at Van Buren harbor, two thousand seven hundred dollars; for a floating-light, to be stationed on or near the Middle Ground, so called, in Long Island Sound, nearly abreast Straitford point, ten thousand dollars; for a light-house on Robin's reef, in the harbor of New York, fifty thousand dollars; for a light-house at Salmon River harbor, three thousand dollars.

*State of New Jersey.*—For a light-house at the mouth of Cohansey creek, five thousand dollars; for the erection of a light-house at or near Egg island, near the entrance of Maurice river, five thousand dollars; for erecting a light-house near Absecum inlet, on the sea-coast, in the State of New Jersey, to be so constructed as to be distinguished from the other light on the coast, five thousand dollars.

*State of Pennsylvania.*—For completing the beacon-light at the end of the pier which forms the entrance into the harbor of Erie, on Lake Erie, six hundred and seventy-four dollars.

*State of Delaware.*—For a light-house on the lower or southern end of Reedy island, in the Delaware bay, ten thousand dollars; for the erection of a light-house on the Brandywine shoal, in the Delaware bay, in addition to the sum already appropriated, fifteen thousand dollars, agreeably to the plan and estimate made by Hartman Bache, of the engineer corps; for mooring buoys in the harbor of the Delaware breakwater, two thousand dollars.

*State of Maryland.*—For a light-house on a proper site on Sharp's island, in the Chesapeake bay, five thousand dollars; for placing buoys on the rivers Nanticoke, Manokin, Annamessex, Pocamoke, and Wicomico, Hooper's and Cajey's straits, and Tangier and Pocamoke sounds, the sum of two thousand five hundred dollars, in addition to a former appropriation; for erecting a light-house at Love Point, in addition to the sum heretofore appropriated, one thousand dollars.

*State of Virginia.*—For the erection of a light-house on the south end of Hog island, on the Atlantic coast, five thousand dollars; for a light-boat on York River spit, or a light-house, ten thousand dollars. For removing the light-house at Old Point Comfort into Fortress Monroe, six thousand dollars; for a light-house in the Chesapeake, eight

- Block island.
- Field's point.
- New York.
- Cumberland head.
- Split rock.
- Execution rocks.
- Big Sandy creek.
- Stony Point.
- Gedney's Channel, &c.
- Romer's Shoal.
- Esopus Meadows.
- Tappan Bay.
- Cedar island.
- Sag Harbor.
- Rondout creek.
- Dunkirk harbor.
- Van Buren harbor.
- Middle Ground.
- Robin's reef.
- Salmon River harbor.
- New Jersey.
- Cohansey creek.
- Egg Island.
- Absecum inlet.
- Pennsylvania.
- Erie harbor.
- Delaware.
- Reedy island.
- Brandywine shoal.
- Delaware breakwater.
- Maryland.
- Nanticoke, &c.
- Love point, &c.
- Virginia.
- Hog island.
- York river.
- Old Point.
- Chesapeake.

Day's point,  
&c.

thousand dollars; for a light-house at Day's point, on James river, five thousand dollars; for a light-boat, or light-house, in the Potomac river between Mathias point, in Virginia, and Maryland point, in the State of Maryland; *Provided*, On inquiry, the Secretary of the Treasury shall deem such light necessary to the safe and uninterrupted navigation of that section of the river Potomac, ten thousand dollars; for a new light-boat in the Chesapeake bay, eight thousand dollars; for a light-house at the mouth of Potomac creek, five thousand dollars.

Chesapeake  
bay.  
Potomac  
creek.  
N. Carolina.  
Powell's point,  
&c.

*State of North Carolina.*—For a light-house off Powell's point, Albermarle sound, five thousand dollars; for rebuilding a light-house at Federal point, five thousand dollars; for a light-house on Pea island, near New inlet, five thousand dollars; for building a new light-boat at Long shoal, in Pamlico sound, ten thousand dollars.

S. Carolina.  
St. Helena and  
Port Royal.  
Charleston  
harbor.

*State of South Carolina.*—For light-houses or light-boats in the inlets of Saint Helena and Port Royal, twenty thousand dollars; for the construction of five beacon-lights in Charleston harbor, six thousand dollars, in addition to the appropriation of the last session; the location of said lights to be changed, if deemed expedient by the Secretary of the Treasury.

Georgia.  
Little Cum-  
berland island,  
&c.

*State of Georgia.*—For a light-house on the north end of Little Cumberland island, eight thousand dollars; for the erection of a light-house on the north end of Jekyl island, eight thousand dollars. For the placing of buoys, and beacons, to render the entrance to the harbor of Brunswick secure and easy at all times, ten thousand dollars. For a light-house on Sapaelo island and for placing buoys and beacons at Dobby bar, and Sapaelo bar, for the purpose of rendering safe and secure an entrance at all times to the city of Darien, five thousand dollars; for a floating light to be anchored within Martin's Industry, ten thousand dollars.

Alabama.  
Mobile harbor.  
Sand island.

*State of Alabama.*—For placing buoys in the harbor of Mobile, six hundred dollars; for the erection of a light-house on Sand island, opposite Mobile point, ten thousand dollars.

Ohio.  
Turtle island,  
&c.

*State of Ohio.*—For a light-house on Turtle island, at the entrance of Maumee bay, in Lake Erie, eight thousand dollars; for a beacon-light on a proper site near the entrance of the harbor of Sandusky bay, two thousand five hundred dollars; for a beacon-light at or near Manhattan, three thousand dollars; for additional buoys to mark the channel at the mouth of the Miami of Lake Erie, and across Maumee bay, two hundred dollars; for a light-house on the south side of Cunningham island, in Lake Erie, three thousand dollars.

Indiana.  
City West  
harbor, &c.

*State of Indiana.*—For a light-house at City West harbor, five thousand dollars; to complete the light-house at Michigan City, three thousand dollars.

Louisiana.  
Vermillion  
bay.  
Lake Pont-  
chartrain, &c.

*State of Louisiana.*—For a beacon-light at or near the southwest pass of Vermillion bay, five thousand dollars; for erecting a light-house at the pass between Lake Pontchartrain and Lake Maurepas, six thousand dollars; for erecting a light-house, and a house for the keeper, on Saint Joseph's island, in Lake Borgne, twelve thousand dollars; for placing two buoys at Dauphin Island pass, two buoys at Pass Marianne, two buoys at Pass Christian, and two buoys at Heron pass, fifteen hundred dollars; for beacons and light-houses at the entrance of the harbor recently constructed on Lake Pontchartrain, at the canal above New Orleans, twenty-five thousand dollars; for erecting a light-house on Lake Pontchartrain, at the mouth of the Bayou Saint John, ten thousand dollars; for beacons and light-houses at Port Pontchartrain, in addition to the sum heretofore appropriated, twenty thousand dollars.

Bayou St.  
John.  
Port Pont-  
chartrain.  
Mississippi.

*State of Mississippi.*—For the erection of a light-house at the mouth of Pearl river, in addition to the sum heretofore appropriated, five thousand dollars.

*State of Michigan.*—For a light-house on a proper site at the mouth of Grand river, five thousand dollars; for a light-house at a proper site at the mouth of Detroit river, five thousand dollars; for a light-house on Windmill island, at the outlet of Lake St. Clair, five thousand dollars; for erecting a light-house at the mouth of Saginaw river, five thousand dollars; for erecting a light-house at Wagooshance, or Fox point, on the Straits of Michillimackinac, five thousand dollars; for erecting a light-house at the mouth of Kalamazoo river, five thousand dollars.

*Territory of Florida.*—For a light-house on the most suitable site at or near the east entrance from the Gulf of Mexico into Appalachicola bay, to be selected by the Secretary of the Treasury, ten thousand dollars; for a light-house at the entrance of Saint Joseph's bay, ten thousand dollars; for three buoys at the mouth of Saint John's river, one thousand dollars; for buoys to mark the channel from the eastern pass into Appalachicola bay to the town of Appalachicola, one thousand dollars; for a light-boat to be stationed at the northwest passage, twelve miles from Key West, ten thousand dollars; for buoys at the northwest passage and harbor of Key West, eight hundred dollars; for a light-house on the north point of Amelia island, eight thousand dollars; for rebuilding and changing the location of the light-house at Mosquito inlet, seven thousand dollars; for placing buoys on a rock in the outer harbor of Key West, five hundred dollars; for securing the foundation of the light-house on Sand Key, and for the attendance of a boat procured by the lake keeper, one thousand six hundred and twenty dollars; for rebuilding the light-house at Cape Florida, ten thousand dollars; for a light-house on Carryforce reef on the southeastern extremity of the coast of Florida, twenty thousand dollars.

*Territory of Wisconsin.*—For erecting a light-house at the mouth of Milwaukee river, five thousand dollars; for erecting a light-house at the mouth of the Manitowac river, five thousand dollars; for a light-house at Chipewagan, five thousand dollars; for erecting a light-house at the entrance of Green bay, five thousand dollars; for erecting a light-house at Root river, five thousand dollars.

SEC. 2. *And be it further enacted,* That before any of the improvements aforesaid are commenced, the Board of Navy Commissioners shall cause an examination to be made for the purpose of ascertaining whether the safety of navigation requires any additional facilities, and if so what is most suitable for each place needing such additional facilities, and thereupon to report their opinion in regard to all such places as speedily as may be to the Secretary of the Treasury, who shall proceed with the works so recommended. But if the said board, after causing such examination to be made, shall be of opinion that any of said improvements are not needed to facilitate the navigation, or that the navigation is so inconsiderable as not to justify the proposed works, or that the same are inexpedient from any cause, no further proceeding shall be had, and their opinions with the facts shall be reported to Congress.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to adopt the improvements in lamps and lanterns of light-houses, and the mode of warming the same, invented by Isaac Dunham, if, in his opinion, after due examination, and trial thereof, (if necessary,) said improvements shall be deemed of utility in respect to the saving of expense, in repairs and support, or in respect to improving the lights: *Provided,* the right to adopt said improvements in the light-houses and light-boats of the United States can be obtained on terms which the Secretary shall deem reasonable.

APPROVED, March 3, 1837.

Michigan.

Saginaw river.  
Wagooshance,  
or Fox Point.  
Kalamazoo  
river.

Florida.  
Appalachicola  
bay.  
St. Joseph's  
bay.  
St. John's  
river.  
Appalachicola  
bay.

Key West.  
Key West.  
Amelia island.  
Mosquito in-  
let.

Key West.  
Sand Key.

Cape Florida.  
Carryforce  
reef.

Wisconsin.  
Milwaukee  
river.  
Manitowac river.  
Chipewagan.  
Green bay.  
Root river.

Before any of the improvements are commenced, the Board of Navy Commissioners to cause an examination to be made, &c., and report to the Secretary of the Treasury.

Secretary of the Treasury to adopt the improvement in lamps, &c., invented by Isaac Dunham, on certain conditions.

Proviso.

## STATUTE II.

March 3, 1837.

Vol. vii. p. 366.

CHAP. XLI.—*An Act to authorize and sanction the sales of reserves, provided for Creek Indians in the treaty of March twenty-four, eighteen hundred and thirty-two, in certain cases, and for other purposes.*

Those which shall remain unsold on 4th April next, to be sold at public auction, &c.

Confirmation of sales by the widow, &c., of Creek Indians who have or may die before 4th April next, &c.

Proviso.

Payment of money which may be received from purchasers under authority given in preceding sections, &c.

Proviso.

Further proviso.

The President may cause one dollar and a quarter per acre to be paid to certain Creek Indians.

PROVISO.

Further proviso.

Money appropriated to carry this act into effect.

*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 may, and he is hereby authorized to, cause all the reserves belonging to the Creek Indians by virtue of the provisions of the treaty of March twenty-four, eighteen hundred and thirty-two, which shall remain unsold on the fourth day of April next, to be sold at public auction in the Creek country; after giving at least sixty days notice of the time, place and terms of sale in the public prints, and to cause patents to be issued to the purchasers of said reserves.

SEC. 2. *And be it further enacted,* That the President of the United States may, and he is hereby authorized to, confirm the sales by the widow, the widow and children, the children, or the lawful administrator of Creek Indians who have died, or who may die, prior to the fourth day of April next, without having legally disposed of said reserves, and to receive the purchase-money, or such portions of it as may not have been paid to the persons entitled to it, and to cause patents to be issued therefor to the purchasers; "*Provided,* That sales made by lawful administrators shall be entitled to a preference over sales made by widows and children."

SEC. 3. *And be it further enacted,* That the President may, and he is hereby authorized to, pay the persons entitled thereto, the money which may be received from the purchasers of reserves under the authority given in the two preceding sections, at such times and in such amounts as he shall deem best for the parties concerned; or, if he think proper, to invest the whole or any part of said purchase-money in stocks, and pay the interest to the persons entitled, in such amounts, and in such manner, as, in his opinion, will be most advantageous for them: *Provided,* That he may cause the principal of the sum or sums so invested to be paid to the persons entitled thereto, whenever he may think proper: *And provided, further,* That the provisions of this act shall be executed under such regulations and restrictions as the President may prescribe.

SEC. 4. *And be it further enacted,* That it may be lawful for the President of the United States to cause the sum of one dollar and twenty-five cents per acre to be paid to the Creek Indians, whose names were omitted to be entered on the census-roll taken under the treaty of eighteen hundred and thirty-two, and to those whose names appear on said roll, but for whom no locations have been made, who shall appear, from proper evidence, to be justly entitled to reservations under the provisions of said treaty; *Provided,* That the sums thus payable under this section may be invested in stocks upon the same terms and conditions, and under the same regulations and restrictions as are herein before prescribed in respect to moneys payable under the first and second sections of this act; *Provided, further,* That no transfer by the person entitled under this section shall be valid.

SEC. 5. *And be it further enacted,* That, for the purpose of carrying into effect the provisions of the three first sections of this act, the sum of ten thousand dollars be and the same is hereby appropriated, together with such sum as may be necessary to carry into effect the fourth section thereof.

APPROVED, March 3, 1837.

CHAP. XLII.—*An Act explanatory of the act entitled An act granting half-pay to widows and orphans where their husbands and fathers have died of wounds received in the military service of the United States, 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 benefits of the third section of the act entitled "An act granting half-pay to widows and orphans, where their husbands and fathers have died of wounds received in the military service of the United States, and for other purposes," approved the fourth day of July, eighteen hundred and thirty-six, shall not be withheld from any widow, in consequence of her having married after the decease of the husband for whose services she may claim to be allowed a pension or annuity under said act: *Provided,* That she was a widow at the time it was passed.

SEC. 2. *And be it further enacted,* That the widow of any person who continued in the service of the United States until the third day of November, seventeen hundred and eighty-three, and was married before that day, and while her husband was in such service, shall be entitled to the benefits of the third section of the aforesaid act.

APPROVED, March 3, 1837.

STATUTE II.  
March 3, 1837.

The benefits of the act not to be withheld from any widow in consequence of her having married, &c.

Act of July 4, 1836, ch. 362. Proviso.

Widows of persons who continued in service to 3d November, 1783, and were before that day, &c., entitled.

CHAP. XLIII.—*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, until the fourth day of March, eighteen hundred and forty.

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 three thousand dollars; and have the privilege of sending and receiving letters and packets by mail free of postage.

APPROVED, March 3, 1837.

STATUTE II.  
March 3, 1837.

1840, ch. 4. Continued to 4th March, 1840.

A commissioner to be appointed by the President, &c.

His salary, &c.  
Act of March 3, 1845, ch. 43.

CHAP. XLIV.—*An Act to provide for certain harbors, and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes, during the year one thousand eight hundred and thirty-seven.*

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

For continuing the improvement of the harbor of Chicago, Illinois, forty thousand dollars;

For continuing the construction of a harbor at Michigan City, Indiana, thirty thousand dollars;

For continuing the construction of a pier or breakwater at the mouth of the river Saint Joseph, Michigan, fifteen thousand dollars;

For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan, thirty thousand dollars;

For completing the channel of the Cocheco branch of the Piscataqua river, in the State of New Hampshire, five thousand dollars;

STATUTE II.  
March 3, 1837.

[Obsclete.]

Appropriations for carrying on certain works.

Chicago harbor.

Michigan City.

St. Joseph river.

River Raisin.

Cocheco river.

(a) See notes to the Resolution of March 3, 1837, granting a pension to Susan Decatur, widow of Stephen Decatur, post, 199.

- Black river. For continuing the improvement of the harbor at the mouth of Black river, in Jefferson county, State of New York, ten thousand dollars;
- Whitehall harbor. For continuing the improvement of the harbor at Whitehall, in the State of New York, ten thousand dollars;
- Genesee river. For continuing the improvement of the channel at the mouth of Genesee river, in the State of New York, ten thousand dollars;
- Mobile harbor. For improving the harbor of Mobile, in the State of Alabama, by removing the bar of the Choctaw pass and Dog river bar, fifty thousand dollars;
- Black river. For continuing the removal of obstructions at Black river, Ohio, six thousand four hundred and ten dollars;
- Huron river. For continuing the removal of obstructions at the mouth of the Huron river, in Ohio, two thousand five hundred and sixty-five dollars;
- Vermillion river. For continuing the improvement of the navigation at the mouth of Vermillion river, Ohio, twenty thousand dollars;
- Cleveland harbor. For continuing the improvement of Cleveland harbor, Ohio, ten thousand dollars;
- Cunningham creek. For continuing the removal of obstructions at Cunningham creek, Ohio, five thousand dollars;
- Ashtabula creek. For continuing the removal of obstructions at Ashtabula creek, Ohio, eight thousand dollars;
- Conneaut creek. For continuing the removal of obstructions at Conneaut creek, Ohio, five thousand dollars;
- Presque Isle harbor. For continuing the improvement of the harbor of Presque Isle, Pennsylvania, fifteen thousand dollars;
- Dunkirk harbor. For continuing the improvement of Dunkirk harbor, New York, fifteen thousand dollars;
- Portland harbor. For continuing the improvement of the harbor of Portland, Lake Erie, New York, ten thousand dollars;
- Cattaraugus creek harbor. For continuing the improvement of the harbor at Cattaraugus creek, Lake Erie, New York, ten thousand dollars;
- Salmon river harbor. For continuing the improvement of the harbor of Salmon river, Lake Ontario, New York, ten thousand dollars;
- North and South Hero islands. For continuing the improvement of the channel between the North and South Hero islands, Lake Champlain, Vermont, six thousand dollars;
- Plattsburg. For continuing the construction of a breakwater at Plattsburg, New York, ten thousand dollars;
- Oak Orchard creek. For continuing the improvement of the harbor at the mouth of Oak Orchard creek, New York, five thousand dollars;
- Kennebunk. For continuing the pier at Kennebunk, Maine, three thousand dollars;
- Big Sodus bay. For continuing the improvement at Big Sodus bay, New York, twelve thousand dollars.
- Oswego harbor. For continuing the pier and mole at Oswego harbor, New York, fifteen thousand dollars;
- Steele's Ledge. For placing buoys in the vicinity of the monument on Steele's Ledge, Maine, being the unexpended balance of the appropriation of the twenty-eighth of June, eighteen hundred and thirty-four, for rebuilding the monument on Steele's Ledge, four hundred and sixty-six dollars;
- Burlington. For continuing the construction of a breakwater at Burlington, Vermont, ten thousand dollars;
- Stanford's Ledge. For continuing the breakwater on Stanford's Ledge, Portland harbor, Maine, twenty-five thousand dollars;
- Sandy bay. For continuing the breakwater at Sandy bay, Massachusetts, twenty thousand dollars;
- Hyannis harbor. For continuing the breakwater at Hyannis harbor, Massachusetts, five thousand dollars;

For continuing the improvement of the channel of the river Thames, leading into Norwich harbor, Connecticut, twenty thousand dollars;	River Thames.
For continuing the securing of the public works, at the harbor of Southport, Connecticut, one thousand dollars;	Southport harbor.
For improving the harbor of Westport, Connecticut, three thousand seven hundred and thirty-four dollars;	Westport harbor.
For continuing the improvement of the navigation of the Hudson river, above and below Albany, in the State of New York, one hundred thousand dollars; to be expended according to the plan and estimate recommended by the Secretary of War;	Hudson river.
For continuing the repairs at the harbor of Chester, Pennsylvania, two thousand dollars;	Chester harbor.
For continuing the improvement of the harbor of Wilmington, Delaware, eight thousand dollars;	Wilmington harbor.
For continuing the improvement of the harbor of Newcastle, Delaware, ten thousand dollars;	Newcastle harbor.
For continuing the Delaware breakwater, and constructing a wharf or mole pursuant to the report of Captain Delafield, one hundred and forty-one thousand dollars.	Delaware breakwater.
And 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 erection of a marine hospital in the city of New Orleans, in that part of said city which shall be designated by the Secretary of the Treasury, and for the purchase of lands on which to erect said marine hospital; and that the President of the United States, be, and he is hereby authorized to select and cause to be purchased, for the use and benefit of sick seamen, boatmen, and all other navigators on the western rivers and lakes, suitable sites for marine hospitals, <i>Provided</i> that the number thereof shall not exceed for the river Mississippi three, for the river Ohio three, and for Lake Erie one; and to enable the President to make such selection and purchase, he may call to his aid one or more medical men of the army, not exceeding three in all, to examine and report on such sites, and to ascertain at what price the same can be had; and that the sum of fifteen thousand dollars be, and the same is hereby appropriated, to effect the purchase thereof, to be paid out of any money in the Treasury not otherwise appropriated; and that suitable plans and estimates be prepared, under the direction of the Secretary of War, for the construction of said hospitals, and submitted to Congress, at the commencement of the next session thereof; and that the sum of ten thousand dollars be appropriated for the erection of a marine hospital in the city of Mobile; <i>Provided</i> , That the expenditures for the purchase of sites and the erection of hospitals at New Orleans and Mobile shall not exceed the amounts herein appropriated for these purposes; that from and after the first day of April next, all laws enacted whereby seamen are required to pay twenty cents a month, or their employers are required to retain that sum out of their wages, to create a fund for the sick and disabled seamen, shall be suspended for one year, during which no such exaction shall be made; and that instead of said tax there be appropriated, out of any money in the Treasury, not otherwise appropriated, the sum of one hundred and fifty thousand dollars, to be disbursed in the same manner as the sum above mentioned, <i>Provided, however</i> , that seamen and watermen, who have not contributed to said fund, may receive relief to such extent, and under such regulations as the President of the United States shall direct.	Erection of a marine hospital at N. Orleans &c.  Purchase of sites for marine hospitals on the western waters, &c. Proviso.  Erection of a marine hospital at Mobile. Proviso.  After 1st April next all laws requiring seamen to pay 20 cents a month, &c., shall be suspended for 1 year, &c.  Proviso.
For continuing the improvement of the harbor of Baltimore, Maryland, fifteen thousand dollars;	Baltimore harbor.
For continuing the removal of obstructions at Ocracoke inlet, North Carolina, twelve thousand and fifty dollars;	Ocracoke inlet.



Cape Fear river.

Opening passage between the town of Beaufort and Pamlico sound, and improving New river.

Channel between Saint Mary's and St. John's.

Cumberland river.

Red river.

Ohio river.

Ohio and Mississippi rivers.

Mississippi river.

Arkansas river.

Mississippi and Missouri rivers.

Mississippi river.

Ohio, Missouri and Mississippi rivers.

Steam snag-boat Archimedes.

Black and White rivers.

Survey with a view to determine the practicability of an inland communication betw'n the Chesapeake and Charleston, S. C.

New Brunswick harbor.

When the corporate authorities of Alexandria deposit their stock in the Alexandria Canal Company, in the hands of the Secretary of the Treasury, with proper instruments, &c., to vest the same in him, &c., he is authorized to

For continuing the improvement of the navigation of Cape Fear river, below Wilmington, North Carolina, ten thousand dollars;

For opening a passage, of fifty yards wide and seven feet deep, at low water, between the town of Beaufort and Pamlico sound, North Carolina, and for improving New river, in addition to two sums of five thousand dollars each, appropriated at the last session of Congress for the harbor of Beaufort and for New river, twenty thousand dollars;

For continuing the improvements of the inland channel between Saint Mary's and Saint John's, Florida, five thousand dollars;

For continuing the improvement of the Cumberland river in Kentucky and Tennessee, according to the report of Colonel Abert, United States Engineer, dated February twenty-third, eighteen hundred and thirty-five, of the survey of said river, fifty-five thousand dollars;

For continuing the removal of obstructions in the Red river, sixty-five thousand dollars;

For continuing the improvement of the Ohio river between the falls and Pittsburg, sixty thousand dollars;

For continuing the improvement of the navigation of the Ohio and Mississippi rivers, from Louisville to New Orleans, sixty thousand dollars;

For continuing the works for the removal of the obstructions to the navigation of the Mississippi river at its mouth, two hundred and ten thousand dollars;

For continuing the works for the removal of the obstructions to the navigation of the Arkansas river, in addition to the unexpended balance of thirty-five thousand dollars, the sum of twenty-five thousand dollars;

For continuing the improvement of the Mississippi river above the mouth of the Ohio, and of the Missouri river, forty thousand dollars;

For the erection of a pier in the Mississippi river, near Saint Louis, including the sum of fifteen thousand dollars, appropriated for that purpose at the last session of Congress, fifty thousand dollars;

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;

For continuing the survey of Black and White rivers in Arkansas and Missouri, one thousand dollars;

For making a survey from the southern debouche of the Dismal Swamp canal, down the Pasquotank river to Elizabeth, thence to Croatan Sound, Pamlico and other sounds, near the coast of North Carolina; and thence by the most practicable route to Winyaw bay, in South Carolina, with a view to determine the practicability of opening an inland communication for steam navigation, from the Chesapeake bay to Charleston South Carolina, ten thousand dollars;

For improving the harbor of New Brunswick, New Jersey, by removing the obstructions in the Raritan river in addition to the appropriation of July four, eighteen hundred and thirty-six, six thousand nine hundred and sixty-three dollars;

Sec. 2. *And be it further enacted*, That when the corporate authorities of the town of Alexandria shall deposit the stock held by them in the Alexandria Canal Company, in the hands of the Secretary of the Treasury, with proper and competent instruments and conveyances in law to vest the same in the Secretary of the Treasury and his successors in office, for and on behalf of the United States, to be held in trust upon the same terms and conditions in all respects as the stocks held in the Chesapeake and Ohio Canal by the several cities of this District, were required to be held in and by virtue of the act approved on the seventh day of June, eighteen hundred and thirty-six, entitled "An act for the relief of the several corporate cities of the District of Columbia," that the Secretary of the Treasury be, and he is hereby authorized and

directed to advance, out of any moneys in the Treasury not otherwise appropriated, to the Alexandria Canal Company, from time to time, as the progress of the work may require the same, such sums of money, not exceeding three hundred thousand dollars, as may be necessary to complete the said canal to the town and harbor of Alexandria; *Provided*, That the Alexandria Canal Company, in the construction of the remaining piers, abutments and works of their aqueduct over the Potomac river, are hereby prohibited and restrained from throwing earth or clay into the open river, and are required with the money furnished by this bill to remove all earth and clay, heretofore deposited by them in the river.

advance, from time to time, the moneys necessary to complete said canal, not exceeding \$300,000. Proviso.

APPROVED, March 3, 1837.

STATUTE II.

March 3, 1837.

CHAP. XLV.—*An Act in addition to the act to promote the progress of science and useful arts. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person who may be in possession of, or in any way interested in, any patent for an invention, discovery, or improvement, issued prior to the fifteenth day of December, in the year of our Lord one thousand eight hundred and thirty-six, or in an assignment of any patent, or interest therein, executed and recorded prior to the said fifteenth day of December, may, without charge, on presentation or transmission thereof to the Commissioner of Patents, have the same recorded anew in the Patent Office, together with the descriptions, specifications of claim and drawings annexed or belonging to the same; and it shall be the duty of the Commissioner to cause the same, or any authenticated copy of the original record, specification, or drawing which he may obtain, to be transcribed and copied into books of record to be kept for that purpose; and wherever a drawing was not originally annexed to the patent and referred to in the specification, any drawing produced as a delineation of the invention, being verified by oath in such manner as the Commissioner shall require, may be transmitted and placed on file or copied as aforesaid, together with the certificate of the oath; or such drawings may be made in the office, under the direction of the Commissioner, in conformity with the specification. And it shall be the duty of the Commissioner to take such measures as may be advised and determined by the Board of Commissioners provided for in the fourth section of this act, to obtain the patents, specifications, and copies aforesaid, for the purpose of being so transcribed and recorded. And it shall be the duty of each of the several clerks of the judicial courts of the United States, to transmit, as soon as may be, to the Commissioner of the Patent Office, a statement of all the authenticated copies of patents, descriptions, specifications, and drawings of inventions and discoveries made and executed prior to the aforesaid fifteenth day of December, which may be found on the files of his office; and also to make out and transmit to said Commissioner, for record as aforesaid, a certified copy of every such patent, description, specification, or drawing, which shall be specially required by said Commissioner.

Patents issued, and assignments executed and recorded prior to 15th December, 1836, may be recorded anew, &c.

Measures to be taken to obtain patents, &c., to be recorded, &c.

Clerks of the judicial courts, U. S., to transmit statements of authenticated copies of patents, &c., prior to 15th December, 1836, &c.

SEC. 2. *And be it further enacted,* That copies of such record and drawings, certified by the Commissioner, or, in his absence, by the chief clerk, shall be prima facie evidence of the particulars of the invention and of the patent granted therefor, in any judicial court of the United States, in all cases where copies of the original record or specification and drawings would be evidence, without proof of the loss of such originals; and no patent issued prior to the aforesaid fifteenth day of

Certified copies of such record, &c., to be evidence in any judicial court U. S., &c.

No patent, &c

(a) An act to promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose, July 4, 1836, chap. 357.

issued, &c., prior to 15th December, 1836, to be received in evidence in said courts after 1st June next, unless recorded anew.

New patents to be issued for those lost or destroyed on or before 15th December, 1836. 1842, ch. 263, § 2.

Proviso.

Duplicates of certain models to be procured.

Proviso.

Further proviso.

A temporary board of commissioners to be appointed; their duties.

Patents returned for correction. Sec. under 13th section of act to which this is additional, &c.

Act of 1836, ch. 357.

Proviso.

December, shall, after the first day of June next, be received in evidence in any of the said courts in behalf of the patentee or other person who shall be in possession of the same, unless it shall have been so recorded anew, and a drawing of the invention, if separate from the patent, verified as aforesaid, deposited in the Patent Office; nor shall any written assignment of any such patent, executed and recorded prior to the said fifteenth day of December, be received in evidence in any of the said courts in behalf of the assignee or other person in possession thereof, until it shall have been so recorded anew.

Sec. 3. *And be it further enacted*, That whenever it shall appear to the Commissioner that any patent was destroyed by the burning of the Patent Office building on the aforesaid fifteenth day of December, or was otherwise lost prior thereto, it shall be his duty, on application therefor by the patentee or other person interested therein, to issue a new patent for the same invention or discovery, bearing the date of the original patent, with his certificate thereon that it was made and issued pursuant to the provisions of the third section of this act, and shall enter the same of record: *Provided, however*, That before such patent shall be issued, the applicant therefor shall deposit in the Patent Office a duplicate, as near as may be, of the original model, drawings, and description, with specification of the invention or discovery, verified by oath, as shall be required by the Commissioner; and such patent and copies of such drawings and descriptions, duly certified, shall be admissible as evidence in any judicial court of the United States, and shall protect the rights of the patentee, his administrators, heirs, and assigns, to the extent only in which they would have been protected by the original patent and specification.

Sec. 4. *And be it further enacted*, That it shall be the duty of the Commissioner to procure a duplicate of such of the models destroyed by fire on the aforesaid fifteenth day of December, as were most valuable and interesting, and whose preservation would be important to the public; and such as would be necessary to facilitate the just discharge of the duties imposed by law on the Commissioner in issuing patents, and to protect the rights of the public and of patentees in patented inventions and improvements: *Provided*, That a duplicate of such models may be obtained at a reasonable expense: *And provided, also*, That the whole amount of expenditure for this purpose shall not exceed the sum of one hundred thousand dollars. And there shall be a temporary board of commissioners, to be composed of the Commissioner of the Patent Office and two other persons to be appointed by the President, whose duty it shall be to consider and determine upon the best and most judicious mode of obtaining models of suitable construction; and, also, to consider and determine what models may be procured in pursuance of, and in accordance with, the provisions and limitations in this section contained. And said commissioners may make and establish all such regulations, terms, and conditions, not inconsistent with law, as in their opinion may be proper and necessary to carry the provisions of this section into effect, according to its true intent.

Sec. 5. *And be it further enacted*, That, whenever a patent shall be returned for correction and re-issue under the thirteenth section of the act to which this is additional, and the patentee shall desire several patents to be issued for distinct and separate parts of the thing patented, he shall first pay, in manner and in addition to the sum provided by that act, the sum of thirty dollars for each additional patent so to be issued; *Provided, however*, That no patent made prior to the aforesaid fifteenth day of December, shall be corrected and re-issued until a duplicate of the model and drawing of the thing as originally invented, verified by oath as shall be required by the Commissioner, shall be deposited in the Patent Office;

Nor shall any addition of an improvement be made to any patent heretofore granted, nor any new patent be issued for an improvement made in any machine, manufacture, or process, to the original inventor, assignee, or possessor, of a patent therefor, nor any disclaimer be admitted to record until a duplicate model and drawing of the thing originally intended, verified as aforesaid, shall have been deposited in the Patent Office, if the Commissioner shall require the same; nor shall any patent be granted for an invention, improvement, or discovery, the model or drawing of which shall have been lost, until another model and drawing, if required by the Commissioner, shall, in like manner, be deposited in the Patent Office;

No addition, &c. to be made to any patent heretofore granted, &c. until a verified duplicate model, &c. is deposited, &c.

And in all such cases, as well as in those which may arise under the third section of this act, the question of compensation for such models and drawings shall be subject to the judgment and decision of the commissioners provided for in the fourth section, under the same limitations and restrictions as are therein prescribed.

Compensation for models, &c.

SEC. 6. *And be it further enacted,* That any patent hereafter to be issued, may be made and issued to the assignee or assignees of the inventor or discoverer, the assignment thereof being first entered of record, and the application therefor being duly made, and the specification duly sworn to by the inventor. And in all cases hereafter, the applicant for a patent shall be held to furnish duplicate drawings, whenever the case admits of drawings, one of which to be deposited in the office, and the other to be annexed to the patent, and considered a part of the specification.

Patents hereafter to be issued.

SEC. 7. *And be it further enacted,* That, whenever any patentee shall have, through inadvertence, accident, or mistake, made his specification of claim too broad, claiming more than that of which he was the original or first inventor, some material and substantial part of the thing patented being truly and justly his own, any such patentee, his administrators, executors, and assigns, whether of the whole or of a sectional interest therein, may make disclaimer of such parts of the thing patented as the disclaimant shall not claim to hold by virtue of the patent or assignment, stating therein the extent of his interest in such patent; which disclaimer shall be in writing, attested by one or more witnesses, and recorded in the Patent Office, on payment by the person disclaiming, in manner as other patent duties are required by law to be paid, of the sum of ten dollars. And such disclaimer shall thereafter be taken and considered as part of the original specification, to the extent of the interest which shall be possessed in the patent or right secured thereby, by the disclaimant, and by those claiming by or under him subsequent to the record thereof. But no such disclaimer shall affect any action pending at the time of its being filed, except so far as may relate to the question of unreasonable neglect or delay in filing the same.

Whenever any patentee shall, through inadvertence, &c. make his specification too broad, &c. he, &c. may make disclaimer, &c.

SEC. 8. *And be it further enacted,* That, whenever application shall be made to the Commissioner for any addition of a newly-discovered improvement to be made to an existing patent, or whenever a patent shall be returned for correction and re-issue, the specification of claim annexed to every such patent shall be subject to revision and restriction, in the same manner as are original applications for patents; the Commissioner shall not add any such improvement to the patent in the one case, nor grant the re-issue in the other case, until the applicant shall have entered a disclaimer, or altered his specification of claim in accordance with the decision of the Commissioner; and in all such cases, the applicant, if dissatisfied with such decision, shall have the same remedy and be entitled to the benefit of the same privileges and proceedings as are provided by law in the case of original applications for patents.

Applications for additions to newly-discovered improvements to be made to existing patents &c.

When by mistake, &c. any patentee claims to be the original inventor of part of the thing patented, of which he was not, &c.

Proviso.

Further proviso.

Agents to be appointed to receive and forward models, &c.

Two examining and one copying clerk to be appointed.

Temporary clerks may be employed.

Certificate of the commissioner to be sufficient warrant to the Treasurer.

Affirmation may be substituted for an oath.

Moneys paid

SEC. 9. *And be it further enacted*, any thing in the fifteenth section of the act to which this is additional to the contrary notwithstanding, That, whenever by mistake, accident, or inadvertence, and without any wilful default or intent to defraud or mislead the public, any patentee shall have in his specification claimed to be the original and first inventor or discoverer of any material or substantial part of the thing patented, of which he was not the first and original inventor, and shall have no legal or just right to claim the same, in every such case the patent shall be deemed good and valid for so much of the invention or discovery as shall be truly and bona fide his own; *Provided*, it shall be a material and substantial part of the thing patented, and be definitely distinguishable from the other parts so claimed without right as aforesaid. And every such patentee, his executors, administrators, and assigns, whether of the whole or of a sectional interest therein, shall be entitled to maintain a suit at law or in equity on such patent for any infringement of such part of the invention or discovery as shall be bona fide his own as aforesaid, notwithstanding the specification may embrace more than he shall have any legal right to claim. But, in every such case in which a judgment or verdict shall be rendered for the plaintiff, he shall not be entitled to recover costs against the defendant, unless he shall have entered at the Patent Office, prior to the commencement of the suit, a disclaimer of all that part of the thing patented which was so claimed without right: *Provided, however*, That no person bringing any such suit shall be entitled to the benefits of the provisions contained in this section, who shall have unreasonably neglected or delayed to enter at the Patent Office a disclaimer as aforesaid.

SEC. 10. *And be it further enacted*, That the Commissioner is hereby authorized and empowered to appoint agents in not exceeding twenty of the principal cities or towns in the United States as may best accommodate the different sections of the country, for the purpose of receiving and forwarding to the Patent Office all such models, specimens of ingredients and manufactures, as shall be intended to be patented or deposited therein, the transportation of the same to be chargeable to the patent fund.

SEC. 11. *And be it further enacted*, That, instead of one examining clerk, as provided by the second section of the act to which this is additional, there shall be appointed, in manner therein provided, two examining clerks, each to receive an annual salary of fifteen hundred dollars; and also, an additional copying clerk, at an annual salary of eight hundred dollars. And the Commissioner is also authorized to employ, from time to time, as many temporary clerks as may be necessary to execute the copying and draughting required by the first section of this act, and to examine and compare the records with the originals, who shall receive not exceeding seven cents for every page of one hundred words, and for drawings and comparison of records with originals, such reasonable compensation as shall be agreed upon or prescribed by the Commissioner.

SEC. 12. *And be it further enacted*, That, whenever the application of any foreigner for a patent shall be rejected and withdrawn for want of novelty in the invention, pursuant to the seventh section of the act to which this is additional, the certificate thereof of the Commissioner shall be a sufficient warrant to the Treasurer to pay back to such applicant two-thirds of the duty he shall have paid into the Treasury on account of such application.

SEC. 13. *And be it further enacted*, That in all cases in which an oath is required by this act, or by the act to which this is additional, if the person of whom it is required shall be conscientiously scrupulous of taking an oath, affirmation may be substituted therefor.

SEC. 14. *And be it further enacted*, That all moneys paid into the

Treasury of the United States for patents and for fees for copies furnished by the Superintendent of the Patent Office prior to the passage of the act to which this is additional, shall be carried to the credit of the patent fund created by said act; and the moneys constituting said fund shall be, and the same are hereby, appropriated for the payment of the salaries of the officers and clerks provided for by said act, and all other expenses of the Patent Office, including all the expenditures provided for by this act; and, also, for such other purposes as are or may be hereafter specially provided for by law. And the Commissioner is hereby authorized to draw upon said fund, from time to time, for such sums as shall be necessary to carry into effect the provisions of this act, governed, however, by the several limitations herein contained. And it shall be his duty to lay before Congress, in the month of January, annually, a detailed statement of the expenditures and payments by him made from said fund; And it shall also be his duty to lay before Congress, in the month of January, annually, a list of all patents which shall have been granted during the preceding year, designating, under proper heads, the subjects of such patents, and furnishing an alphabetical list of the patentees, with their places of residence; and he shall also furnish a list of all patents which shall have become public property during the same period; together with such other information of the state and condition of the Patent Office, as may be useful to Congress or to the public.

APPROVED, March 3, 1837.

CHAP. XLVI.—*An Act to provide for continuing the construction, and for the repair of certain roads, and for other purposes, during the year eighteen hundred and thirty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of one hundred and ninety thousand dollars be, and the same is hereby, appropriated for the purpose of continuing the Cumberland road in the state of Ohio; That the sum of one hundred thousand dollars be, and the same is hereby appropriated, for the purpose of continuing the Cumberland road in the State of Indiana; And the sum of one hundred thousand dollars be and the same is hereby appropriated for the purpose of continuing the Cumberland road in the State of Illinois; *Provided,* That said road within the State of Illinois, shall not be stoned or gravelled, unless it can be done at a cost, not greater than the average cost, of stoning or gravelling said road, within the States of Ohio and Indiana; which sums shall be paid out of any money in the Treasury not otherwise appropriated; *Provided,* That in all cases where it can be done, it shall be the duty of the superintending officers, to cause the work on said road to be laid off in sections, and let out to the lowest substantial bidder, after due notice.

SEC. 2. *And be it further enacted,* That the second section of an act for the continuation of the Cumberland road in the States of Ohio, Indiana and Illinois, approved the second day of July, eighteen hundred and thirty-six, shall not be applicable to expenditures hereafter to be made on said road.

SEC. 3. *And be it further enacted,* That the following sums be and the same are hereby appropriated, to be paid out of any money in the Treasury, not otherwise appropriated, to wit: For the repairs of the Cumberland road, east of the Ohio river, seven thousand one hundred and eighty-three dollars and sixty-three cents;

For continuing the construction of the road from the northern boundary of the Territory of Florida, by Marianna, to Appalachicola, twenty thousand three hundred and thirteen dollars;

into the Treasury for patents, &c. prior to passage of act to which this is additional, to be carried to credit of patent fund created by said act; and said fund appropriated for salaries, &c.

Commissioner authorized to draw upon same, &c.; and lay before Congress annually a statement of expenditures, &c.; and, also, a list of patents, &c.

STATUTE II.

March 3, 1837.

Continuing the Cumberland road in Ohio, Indiana, and Illinois.

Act of July 2, 1836, ch. 264.

Proviso.

Proviso.

2d section act 2d July, 1836, ch. 264, shall not be applicable, &c.

Repairs on the Cumberland road east of the Ohio river.

Road from northern boundary of Florida to Appalachicola.

Expenses incidental to making examinations, &c., under act 30th April, 1824, ch. 46, &c.

Surveys of a military character, &c.

The sums hereby appropriated for the Cumberland road in Ohio, Indiana, and Illinois, to be replaced by said States, &c.

For defraying the expenses incidental to making examinations and surveys, under the act of the thirteenth of April, eighteen hundred and twenty-four, and for geological and mineralogical surveys and researches in the Indian country, on the public lands, and in the territories of the United States, thirty thousand dollars;

For surveys of a military character, and for the defences of the Atlantic and western frontiers, fifteen thousand dollars.

SEC. 4. *And be it further enacted*, That the several sums hereby appropriated for the construction of the Cumberland road in the States of Ohio, Indiana and Illinois, shall be replaced by said States respectively, out of the fund reserved to each for laying out and making roads under the direction of Congress, by the several acts passed for the admission of said States into the Union, on an equal footing with the original States.

APPROVED, March 3, 1837.

#### STATUTE II.

March 3, 1837.

CHAP. XLIX.—*An Act to grant the Atchafalaya Railroad and Banking Company the right of way through the public lands of the United States.*

The right of way granted through such portions as the road shall pass.

Proviso.

The route of said road to be surveyed and designated through the public lands, &c.

Portions of the public land granted for depots, &c.

Proviso.

Permission to use earth, stone, &c., granted.

The grants contained herein shall cease, &c., unless said road be commenced and completed with-

*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 Atchafalaya Railroad and Banking Company, a corporation created by the Legislature of the State of Louisiana, the right of way through such portions of the public land as the road or roads of said company is authorized by its charter to construct, shall pass: *Provided*, That the portion of the public land occupied thereby shall not exceed eighty feet in width.

SEC. 2. *And be it further enacted*, That the route of said road and its branches, shall, at the expense of the aforesaid company, be surveyed and designated through the public lands by plain marks or monuments, and copies of the field-notes, with plat or plats of the lands, and a description of the said land-marks or monuments, and their connection with the previous official surveys of the adjacent lands, shall be returned to the office of the Surveyor General of the State of Louisiana, and to the General Land Office in Washington, within sixty days after the said surveys or plats are completed, and which shall be within one year from the date of the passage of this act.

SEC. 3. *And be it further enacted*, That for such depots, watering places and workshops, as may be essential to the convenient use of said road, there is also granted to said company such portion of the public land as they may under like restrictions and conditions, select, on either or each side of said road: *Provided*, That not more than four acres, to be laid off in a square form, shall be selected for such use or purpose at any one place, and not more than one such square shall be granted for every ten miles of the said road or its branches, lying within the public lands; which selections shall be surveyed and returned in the manner aforesaid, and approved by the Secretary of the Treasury for the time being.

SEC. 4. *And be it further enacted*, That so long as the public land in the vicinity of said road or its branches shall remain unsold, the said company shall have permission to take therefrom such materials of earth, stone, or wood, as may be necessary for the construction of said road.

SEC. 5. *And be it further enacted*, That the grants herein contained, as well the use of the public lands, as of the materials for the construction of said road and its branches, shall cease and determine and be of no effect, unless the said road be commenced and completed within the periods fixed by the charter of the company; and if the said road shall be, at any time after its completion, or during the time of its construc-

tion, discontinued or abandoned by said company, the grants and privileges hereby made and allowed shall cease and determine and be of no effect.

in the periods fixed by the charter, &c.

APPROVED, March 3, 1837.

CHAP. LI.—*An Act further to amend the act incorporating the Chesapeake and Ohio Canal Company.*(a)

STATUTE II.  
March 3, 1837.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of the General Assembly of Virginia, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," passed the twenty-seventh day of February, eighteen hundred and twenty-nine, be, and the same is hereby assented to and approved.

Act of May 23, 1828, ch. 85. Act of General Assembly of Va., passed 27th Feb., 1829, assented to.

SEC. 2. *And be it further enacted,* That if any person or persons shall, within the District of Columbia, wickedly, or maliciously, do injury to the Chesapeake and Ohio canal, its embankments, walls, moles, tow-paths, bridges, culverts, drains, or to any part necessary to the uses and purposes of said canal, he, she, or they, shall be liable to a fine of not less than five or more than fifty dollars, to be recovered before any justice of the peace of the District of Columbia; and any such justice may, on his own view, or on application verified by affidavit, to said justice made, issue his warrant, describing the injury committed, and, upon conviction, the said justice shall have authority to commit the offender to close jail, without bail or mainprise, until said fine and costs be paid, or until said defendant be discharged by due course of law: *Provided, however,* That nothing in this act contained shall be so construed as to prevent said canal company from recovering damages from any person or persons who may commit any of the trespasses aforesaid.

Persons within the D. C., wickedly, &c., injuring the Chesapeake and Ohio canal, its embankments, &c., liable to fine, &c.

PROVISIO.

SEC. 3. *And be it further enacted,* That all condemnations of land for the use and purposes of said canal company, which have heretofore been made by the marshal of said District, or any lawful deputy marshal, shall be as valid as though the same had been situated in the State of Maryland, and had been condemned in pursuance of the laws of said State, through the action and agency of a sheriff of any of the counties of said State.

Condemnations of land by the marshal of D. C., &c.

APPROVED, March 3, 1837.

CHAP. LII.—*An Act to authorize the New Orleans and Carrollton Railroad Company to construct a railroad from Carrollton to the town of Bayou Sara, in the State of Louisiana.*

STATUTE II.  
March 3, 1837.

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 New Orleans and Carrollton Railroad Company, incorporated by the Legislature of Louisiana, the right of way through such portion of the public lands remaining unsold, for the extension of their railroad from Carrollton to the town of Bayou Sara, in the said State: *Provided,* That the portion of the public lands occupied therefor, shall not exceed eighty feet in breadth; that the route of the said road shall be designated, and marked on the ground by plain landmarks, within the period of eighteen months from the passage of this act, and a copy of the notes of survey and plat thereof, with a description of the said landmarks, be transmitted to the General Land Office, in Washington, within the period aforesaid.

Right of way granted through portions of the public lands remaining unsold.

PROVISIO.

SEC. 2. *And be it further enacted,* That so long as the public lands in the vicinity of the said road shall remain unsold, the said company shall have power to take therefrom such materials of earth, stone, and

Earth, stone, &c., may be used while said lands remain unsold.

(a) See Appendix, No. 2.



Proviso. wood, as may be necessary for the construction of the said road: *Provided*, That the grants herein contained, as well of the use of the public lands as of the materials for the said road, shall cease and determine, unless the same shall be begun within the period of two years from the date of this act, and completed within a period of six years.

APPROVED, March 3, 1837.

STATUTE II.

March 3, 1837. CHAP. LXXV.—*An Act to give the approval and confirmation of Congress to three several acts of the Legislative Assembly of the Territory of Wisconsin incorporating banks.*

Acts confirmed with certain limitations, &c. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following acts of the Territorial Legislature of the Territory of Wisconsin, viz: an act entitled "An act to incorporate the stockholders of the Bank of Milwaukee," an act entitled "An act to incorporate the stockholders of the Miners' Bank of Dubuque," and an act entitled "An act to incorporate the stockholders of the Bank of Mineral Point," be, and the same are hereby severally and respectively approved and confirmed by Congress, with the following limitations and conditions, that is to say: that neither of said banks shall issue bills or notes for circulation, until one-half of the amount of their respective capitals shall have been actually paid in; and that, to enable the directors named in the said charters respectively to comply with this limitation and restriction, they shall be authorized to make calls, according to the provisions contained in the said charters, to an amount not exceeding, at any one time, forty per cent. upon the whole stock subscribed by each stockholder, and shall not be restricted to ten per cent. at any one call, as is provided in the said charters; and that neither of said banks shall have any authority to enlarge or augment its capital, or to make it larger, at any time, than the sum of two hundred thousand dollars, without the consent and approbation of Congress previously obtained; and that neither of the said banks shall, at any time, owe, either by bond, bill, note, or other contract, over and above its actual deposits, an amount to exceed twice the amount of its capital stock actually paid in, instead of the limitation in this respect contained in the said charters respectively; and that each of the said banks shall have complied with all the requirements of their respective charters, as altered, modified, and restricted by this act, so as to enable them to commence the business of banking, and shall actually have commenced banking on or before the first day of January next, or their charters, or the charters of such of them as shall have failed to comply with this limitation, shall be void and of no effect; and the acceptance of said acts of incorporation, by the grantees or stockholders respectively, shall be deemed and taken as acceptances, subject to the conditions and limitations herein prescribed; and any infringement upon, or violation of, the provisions and requirements of this act, or of the limitations and restrictions therein contained, on the part of either of the said institutions, shall forfeit its charter, and put an end to its corporate powers and privileges.

APPROVED, March 3, 1837.

RESOLUTIONS.

March 2, 1837. No. 1. *A Resolution to enable the Postmaster General more readily to change the commencement of the contract year in the Post Office Department.*

Postmaster General author- *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 and empowered to let the contracts for the transportation of the mails in those sections of the United States

where they expire on the thirty-first days of December, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine, respectively, for four years and six months, so as to cause them to terminate on the thirtieth day of June, eighteen hundred and forty-two, eighteen hundred and forty-three, and eighteen hundred and forty-four, to the end that the contract may commence on the first day of July, instead of the first day of January.

APPROVED, March 2, 1837.

No. 2. *A Resolution granting a pension to Susan Decatur, widow of the late Stephen Decatur.*(a) March 3, 1837.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,* That Mrs. Susan Decatur, widow of the late Commodore Stephen Decatur, be paid from the navy pension fund a pension for five years, commencing from the thirtieth of June, eighteen hundred and thirty-four, in conformity with the provisions of the act concerning naval pensions and the navy pension fund, passed thirtieth June eighteen hundred and thirty-four, and that she be allowed from said fund the arrearages of the half-pay of a post captain, from the death of Commodore Decatur to the thirtieth of June, eighteen hundred and thirty-four, together with the pension hereby allowed her, and that the arrearage of said pension be vested in the Secretary of the Treasury in trust for the use of the said Susan Decatur: *Provided,* That the said pension shall cease on the death or marriage of the said Susan Decatur.

APPROVED, March 3, 1837.

To be paid from the navy pension fund, a pension for five years, &c.

Act of June 30, 1834, ch. 134.

Proviso.

(a) On the 3d of March, 1837, Congress passed an act giving to the widow of any officer who had died in the naval service of the United States, authority to receive, out of the navy pension fund, half the monthly pay to which the deceased officer would have been entitled under the acts regulating the pay in the navy, in force on the 1st day of January, 1835. On the same day, a resolution was adopted by Congress, giving to Mrs. Decatur, widow of Captain Stephen Decatur, a pension for five years, out of the navy pension fund, and in conformity with the act of 30th June, 1834, and the arrearages of the half-pay of a post captain, from the death of Commodore Decatur, to the 30th June, 1834; the arrearages to be vested in trust for her by the Secretary of the Treasury. The pension and arrearages, under the act of 3d March, 1837, were paid to Mrs. Decatur on her application to Mr. Dickerson, the Secretary of the Navy, under a protest by her, that by receiving the same she did not prejudice her claim under the resolution of the same date. She applied to the Secretary of the Navy for the pension and arrears, under the resolution, which were refused by him. Afterwards, she applied to Mr. Paulding, who succeeded Mr. Dickerson as Secretary of the Navy, for the pension and arrears, which were refused by him. The Circuit Court of the County of Washington, in the District of Columbia, refused to grant a mandamus to the Secretary of the Navy, commanding him to pay the arrears, and to allow the pension under the resolution of March 3d, 1837. Held, that the judgment of the Circuit Court was correct. *Decatur v. Paulding*, 14 Peters, 497.

In general, the official duties of the head of one of the executive departments, whether imposed by act of Congress or by resolution, are not mere ministerial duties. The head of an executive department of the government, in the administration of the various and important concerns of his office, is continually required to exercise judgment and discretion. He must exercise his judgment in expounding the laws and resolutions of Congress, under which he is from time to time required to act. If he doubts, he has a right to call on the Attorney General to assist him with his counsel; and it would be difficult to imagine why a legal adviser was provided by law for the heads of departments, as well as for the President, unless their duties were regarded as executive, in which judgment and discretion were to be exercised. *Ibid.*

If a suit should come before the Supreme Court which involved the construction of any of the laws imposing duties on the heads of the executive departments, the Court certainly would not be bound to adopt the construction given by the head of a department. And if they supposed his decision to be wrong, they would, of course, so pronounce their judgment. But the judgment of the Court upon the construction of a law, must be given in a case in which they have jurisdiction; and in which it is their duty to interpret the act of Congress, in order to ascertain the rights of the parties in the cause before them. The Court could not entertain an appeal from the decision of one of the Secretaries, nor revise his judgment in any case where the law authorized him to exercise his discretion or judgment. Nor can it, by mandamus, act directly upon the officer, or guide and control his judgment or discretion in the matters committed to his care, in the ordinary discharge of his official duties. The interference of the Court with the performance of the ordinary duties of the executive departments of the government would be productive of nothing but mischief; and this power was never intended to be given to them. *Ibid.*

March 3, 1837.

No. 4. *Resolution authorizing the Secretary of the Treasury to correct a clerical error in the award of the Commissioners under the treaty with France of eighteen hundred and thirty-one.*

In the case of the claim of the Union Bank of Maryland, the error to be corrected.

*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 he hereby is authorized and directed, in making payment of the two last instalments to the claimants under the treaty with France of July four, eighteen hundred and thirty-one, to correct a clerical mistake which occurred in the award of the Commissioners in the case of the claim of the Union Bank of Maryland; by which mistake the sum of ten thousand dollars awarded to said bank, has gone to the use of all the other claimants; and that he correct such mistake by making the proper alteration in the proportion to be paid to the several claimants in the said two last instalments, so that all the claimants shall obtain their just proportion of the whole indemnity and no more.

APPROVED, March 3, 1837.

March 3, 1837.

No. 5. *A Resolution authorizing the Secretary of the Treasury to receive from the Bank of the United States, under the Pennsylvania charter, payment for the stock of the United States, in the late Bank of the United States.*

The terms of settlement proposed by the President and Directors of the Bank of the United States, under the Pennsylvania charter, to be accepted.

Proviso.

*Resolved 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 accept the terms of settlement proposed by the President and Directors of the Bank of the United States, under the Pennsylvania charter, in their memorial to Congress, presented at the present session, for the payment to the United States of the capital stock owned by them in the late Bank of the United States, and the final adjustment and settlement of the claims connected with, or arising out of the same; and to take such obligation for the payment of the several instalments in said proposed terms of settlement mentioned, as he may think proper: *Provided,* That nothing herein contained shall prejudice or affect in any way the question, between the General Government of the United States, and the late Bank of the United States, respecting the claim for damages on account of the protest of the bill of exchange, drawn on the French Government.

APPROVED, March 3, 1837.

# ACTS OF THE TWENTY-FIFTH CONGRESS

OF THE

## UNITED STATES.

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

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

### STATUTE I.

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

Oct. 2, 1837.

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

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

APPROVED, October 2, 1837.

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

STATUTE I.

Oct. 12, 1837.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is hereby authorized to cause Treasury notes for such sum or sums as the exigencies of the Government may require, but not exceeding, in the whole amount of notes issued, the sum of ten millions of dollars, and of denominations not less than fifty dollars for any one note, to be prepared, signed, and issued in the manner hereinafter provided.

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

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

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

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

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

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

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

Those officers to act as checks upon each other.

The Treasurer to account quarterly.

The Treasurer and Register authorized to employ additional clerks.

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

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

The notes transferable by delivery and assignment, &c.

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

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

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

The collector, on payment, &c. to receive credit, &c.

Secretary of the Treasury

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

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

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

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

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

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

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

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

Appropriation to pay Treasury notes.

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

Appropriation.

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

Punishment for forging of notes.

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

Punishment for engraving notes.

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

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

Proviso.

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

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

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

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

APPROVED, October 12, 1837.

STATUTE I.

Oct. 12, 1837.

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

Extension of bonds for duties.

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

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

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

APPROVED, October 12, 1837.

STATUTE I.

Oct. 12, 1837.

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

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

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

APPROVED, October 12, 1837.

STATUTE I.

Oct. 14, 1837.

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

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

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

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

This act ex-

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

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

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

APPROVED, October 14, 1837.

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

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

APPROVED, October 14, 1837.

CHAP. VII.—*An Act making an additional appropriation for the suppression of Indian hostilities. for the year one thousand eight hundred and thirty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the further sum of one million six hundred thousand dollars shall be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been or may be incurred, in preventing or suppressing the hostilities of any Indians: to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March, eighteen hundred and thirty-six, and the second of July, eighteen hundred and thirty-six, and of the acts therein referred to.

APPROVED, October 16, 1837.

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

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

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

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

STATUTE I.  
Oct. 14, 1837.

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

STATUTE I.  
Oct. 16, 1837.

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

STATUTE I.  
Oct. 16, 1837.

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

Proviso.

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



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

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

Proviso.

STATUTE I.

Oct. 16, 1837.

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

Act of June 23, 1836, ch. 115.

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

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

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

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

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

APPROVED, October 16, 1837.

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

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

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

APPROVED, October 16, 1837.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPROVED, October 16, 1837.

RESOLUTION.

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

Oct. 12, 1837.  
[Obsolete.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he is hereby, directed to cause the postage on all letters sent by the Express Mail of the United States to be paid in advance at the time of depositing them for transportation by said mail.

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

APPROVED, October 12, 1837.

# ACTS OF THE TWENTY-FIFTH 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 4th day of December, 1837, and ended July 7, 1838.*

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

### STATUTE II.

Dec. 22, 1837.

CHAP. I.—*An Act to authorize the President of the United States to cause the public vessels to cruise upon the coast in the winter season and to relieve distressed navigators.*

The President authorized to cause the public vessels to cruise upon the coast in the winter for the relief of distressed navigators.

*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 to cause any suitable number of public vessels, adapted to the purpose, to cruise upon the coast, in the severe portion of the season, when the public service will allow of it, and to afford such aid to distressed navigators as their circumstances and necessities may require; and such public vessels shall go to sea prepared fully to render such assistance.*

APPROVED, December 22, 1837.

### STATUTE II.

Jan. 16, 1838.

CHAP. II.—*An Act to ratify and confirm certain official acts of John Pope, late Governor of Arkansas.*

The locations, &c., of John Pope, of ten sections of land granted by Congress to Arkansas for a State-house, under authority vested in him by an act of 4th July, 1832, confirmed.

Act of July 4, 1832, ch. 172. Proviso. Further proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the locations, sales, and transfers of John Pope, late Governor of Arkansas, of a quantity of the public land, not exceeding ten sections, (or six thousand four hundred acres,) which was granted by Congress to Arkansas to build a State-house at Little Rock, the seat of Government of Arkansas, to sundry citizens of Arkansas, in pursuance of an authority vested in him by an act of Congress of the fourth day of July, in the year eighteen hundred and thirty-two, be, and the same are hereby, ratified and confirmed: *Provided* said location, sales, and transfers, were in conformity to legal subdivisions, be those divisions fractional quarter sections or not: *And provided, also,* That the gross amount of acres of land thus located, sold, and transferred, for the purpose aforesaid, does not exceed six thousand four hundred acres; and the President of the United States is hereby authorized and directed to cause patents to issue to said purchasers, their heirs, or their legal representatives, for the late Governor's several locations, sales, and transfers, whenever the applications are properly made by said purchasers or their legal representatives.*

Certain lands in the Mississippi land district, Arkansas,

SEC. 2. *And be it further enacted, That the northeast and southwest quarters of section twenty-seven, township eighteen south, range one west, the southeast quarter of section twenty-eight, same township and*

range, the southwest quarter of section fifteen, township nineteen south, range one west, the northwest and southeast quarters of section nine, same township and range, all in the Mississippi land district, State of Arkansas, be, and the same are hereby, excepted from the provisions of this act.

APPROVED, January 16, 1838.

excepted from the provisions of this act.

CHAP. III.—*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 one thousand eight hundred and thirty-eight, 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 shall cause to be purchased for the use of the Great and Little Osage Indians, such provisions as will in his opinion be most useful to them, to the value of eight thousand five hundred dollars, and when purchased, shall cause said provisions to be distributed among said Indians, by their agent, furnishing to each family, as near as may be, their proper proportion; *Provided always,* That such purchase and distribution shall not be made, unless said Indians agree to receive the same in discharge of the annuities due them for the year one thousand eight hundred and thirty-eight, by virtue of treaties between them and the United States.

SEC. 2. *And be it further enacted,* That the Secretary of War cause as many additional farmers to be employed as may, in the opinion of the President, be deemed necessary to aid and instruct said Indians in clearing and cultivating their lands, and such additional stock, implements of husbandry and seeds to be purchased for the use of said Indians, as the agent or superintendent may judge necessary; *Provided always,* That the whole expense incurred under this section, shall not exceed the sum of three thousand five hundred dollars.

SEC. 3. *And be it further enacted,* That to enable the Secretary of War to carry the provisions of this act into effect, 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, January 16, 1838.

STATUTE II.

Jan. 16, 1838.

[Obsolete.]

Sec. War to cause provisions to the value of \$8500 to be purchased and distributed among the Great and Little Osage Indians.

Proviso.

Sec. War to cause additional farmers to be employed, and additional stock, &c., to be purchased.

Proviso.

\$12,000 appropriated to enable the Sec. War to carry this act into effect.

CHAP. IV.—*An Act making a partial appropriation for the suppression of Indian hostilities for the year eighteen hundred and thirty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of one million of dollars shall be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been, or may be, incurred, in preventing or suppressing the hostilities of any Indians, in the year eighteen hundred and thirty-eight; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March and the second of July, eighteen hundred and thirty-six, and of the acts therein referred to.

APPROVED, January 30, 1838.

STATUTE II.

Jan. 30, 1838.

[Obsolete.]

Appropriation.

To be expended under direction of Sec. War, conformably, &c.

1836, ch. 44.  
1836, ch. 254.

CHAP. V.—*An Act making an appropriation for the protection of the northern frontier 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 sum of six hundred and twenty-five thousand five hundred dollars shall be, and the same is hereby, appropriated, out of any unappropriated money in the

STATUTE II.

Jan. 30, 1838.

[Obsolete.]

Appropriation.

Treasury, to defray any expenses which have been or may be incurred in protecting the northern frontier of the United States, by calling out, under the direction of the President of the United States, any part of the militia or volunteers, according to the provisions of the Constitution and laws; which sum, if required, shall be expended under the direction of the Secretary of War, conformably to the provisions of the act of Congress of January second, seventeen hundred and ninety-five; of the act of April fifth, eighteen hundred and thirty-two, making appropriations for the support of the army; and of the act of March nineteenth, eighteen hundred and thirty-six, providing for the payment of volunteers and militia corps in the service of the United States.

APPROVED, January 30, 1838.

Which sum, if required, shall be expended under the direction of the Secretary of War, conformably, &c.

1795, ch. 9.  
1836, ch. 44.

STATUTE II.  
Feb. 22, 1838.

CHAP. XII.—*An Act to abolish the Circuit Court at Huntsville in the State of Alabama and for other purposes.*

Act of March 3, 1837, ch. 34.  
Act of March 3, 1839, ch. 81.  
The Circuit Court U. S. established at Huntsville by act 3d March, 1837, abolished.

The jurisdiction which belonged to the Dist. Court U. S., of N. Dist. of Ala., at and before the passage of act 3d March, 1837, restored, &c.

All causes pending in Circuit Court to be transferred to Dist. Court, to be proceeded in, &c.

Clerk of Circuit Court to deliver to clerk of Dist. Court, the original papers and records.  
Proviso.

Terms of Dist. Court to be held twice in each year.

Appeals, &c., to lie from Dist. Court to Circuit Court U. S. at Mobile.

All process, &c., returnable to Circuit Court shall be returnable to Dist. Court next held under this act, &c.

*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, established at Huntsville in the State of Alabama, by the act of Congress of the third of March, eighteen hundred and thirty-seven, entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States,'" be, and the same is hereby abolished.

SEC. 2. *And be it further enacted,* That all the jurisdiction which belonged to the District Court of the United States, for the northern district of the State of Alabama, at Huntsville, at and before the passage of the said act of Congress of the third of March, eighteen hundred and thirty-seven, be and the same is hereby restored to and vested again in the said District Court, and every act of Congress upon which the jurisdiction of the said District Court depended at and before the passage of the said act of Congress of the third of March eighteen hundred and thirty-seven, is hereby revived, so far as such act or acts gave jurisdiction as the same existed at the time aforesaid, in the said District Court.

SEC. 3. *And be it further enacted,* That all causes at law or in equity, pending in the said Circuit Court at Huntsville, shall be transferred to the said District Court at Huntsville, and shall be proceeded in and be determined by the said District Court in the same manner as if they had been originally commenced in the said District Court; and it shall be the duty of the clerk of the said Circuit Court to deliver to the clerk of the said District Court, the original papers in all such causes, together with the record of all the proceedings had in the said Circuit Court: *Provided,* That the first term for the trial of the causes hereby transferred shall be the term of the said District Court which will be commenced on the third Monday in May eighteen hundred and thirty-eight.

SEC. 4. *And be it further enacted,* That the terms of the said District Court shall be held at the said town of Huntsville, twice in each year, on the third Monday in May, and the fourth Monday in November, annually.

SEC. 5. *And be it further enacted,* That appeals and writs of error shall lie from the said District Court to the Circuit Court of the United States at Mobile, in the State of Alabama.

SEC. 6. *And be it further enacted,* That all process, bail bonds, and recognizances returnable to the Circuit Court of the United States at Huntsville aforesaid, shall be returnable and returned to the District Court, next held under this act, in the same manner as if so made returnable on the face thereof, and shall have full effect accordingly.

APPROVED, February 22, 1838.

CHAP. XIII.—*An Act to amend an act entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the commissioners provided for in the act hereby amended, or a majority of them, shall have full power and authority to adjourn their sessions to such place or places, within the State of Mississippi, as in their judgment the interest of the Government and of the claimants may require such sessions to be held.

SEC. 2. *And be it further enacted,* That in case of the death, resignation, or absence of any one of the said commissioners, the remaining two commissioners shall have full power and authority to proceed and execute the powers given by this act or the act hereby amended.

SEC. 3. *And be it further enacted,* That the said commissioners shall have all the powers of a court of record, for the purpose of compelling the attendance of witnesses, administering oaths, touching matters depending before them, preserving order, and punishing contempts; and shall have power to make all needful rules for the regulation of the proceedings before them, as well as to employ one or more interpreters, and one or more agents to collect testimony for the United States.

SEC. 4. *And be it further enacted,* That for defraying the contingent expenses of the said commission, the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

SEC. 5. *And be it further enacted,* That the said act shall be and remain in force until the first day of August next.

SEC. 6. *And be it further enacted, by the authority aforesaid,* That the compensation to be made to the district attorney for his services, shall be equal to the compensation allowed to a commissioner under the act hereby amended.

SEC. 7. *And be it further enacted,* That nothing contained in this act, or the act which this is intended to amend, shall be so construed as to embrace the claim of any Indian or head of a Choctaw family, who has removed west of the Mississippi river.

SEC. 8. *And be it further enacted,* That if it shall be proved to the satisfaction of said commissioners that any claimant has attempted, or shall attempt to substitute the child of any other Indian as and for his own, or has attempted or shall attempt, by his testimony, to substitute for the child of any other claimant, the child of another Indian, the name of such claimant so attempting to make such substitution, shall be stricken from the list of claimants.

APPROVED, February 22, 1838.

CHAP. XIV.—*An Act to prevent the abatement of suits and actions now pending, in which the late Bank of the United States may be a party.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no suit, action, judgment or decree, now pending and unsatisfied, in which the late Bank of the United States is a party, plaintiff or defendant, shall abate, or be discontinued or dismissed, by reason of the expiration of the two years after the expiration of the charter, limited by the twenty-first section of the act of incorporation of the said bank, for the use of the corporate name, style, and capacity of said bank, for the purpose of the suits for the final settlement and liquidation of the affairs and accounts of the corporation; but all such suits, actions, judgments and decrees,

STATUTE II.  
Feb. 22, 1838.

1842, ch. 187.

Act of March 3,  
1837, ch. 39.

Commissioners may adjourn their sessions to such places in Miss. as the interest of the government and claimants may require.

In case of the death, &c., of one of the commissioners, the others may act.

Commissioners to have power to compel the attendance of witnesses, &c.; also, to make rules for, &c., to employ interpreters, &c.  
Appropriation.

Act continued till 1st August next.

Dist. Att'y to receive the same compensation as a commissioner.

Claims of Indians who have removed west of the Mississippi not embraced.

Any claimant attempting to substitute the child of any other Indian for his own, &c., shall be stricken from the list.

STATUTE II.  
March 2, 1838.

No suit, &c., in which the late Bank of the U. S. is a party, shall abate, &c., by reason of the expiration of the two years after the expiration of the charter.

shall be allowed to proceed to final judgment, execution, satisfaction and settlement, as if the said two years had not expired.

APPROVED, March 2, 1838.

STATUTE II.  
March 2, 1838.

CHAP. XV.—*An Act to change the time of holding the terms of the Circuit Court of the United States for the eastern district of Virginia, and of the District Court of the United States for the eastern district of Virginia, directed by law to be held in the city of Richmond.* (a)

Spring term of the Circuit Court to commence on 18th May, and the fall term on 18th November, in each year.

Terms of District Court to commence on 12th May and 12th November, in each year.

Proviso.

All proceedings, &c., to be deemed returnable on the days hereinbefore prescribed, for holding said Courts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, hereafter, the spring term of the circuit court of the United States for the eastern district of Virginia shall commence on the eighteenth day of May, and the fall term on the eighteenth of November, in each year, instead of the twenty-second of May and the twenty-second of November, as is now provided by law.

SEC. 2. *And be it further enacted,* That the terms of the district court of the United States for the eastern district of Virginia, which are now directed by law to commence on the fifteenth day of May and the fifteenth [day] of November, in each year, shall hereafter commence on the twelfth day of May and the twelfth day of November, in each year: *Provided, nevertheless,* That, whenever the day on which the terms of either of the said circuit or district court, as herein provided for, shall happen to be Sunday, then the term of said court shall commence on the following day.

SEC. 3. *And be it further enacted,* That all proceedings and process depending in or issuing out of either of the said courts, which are or may be made returnable to any other time appointed for holding the same than that above specified, shall be deemed legally returnable on the days hereinbefore prescribed, and not otherwise. And all suits and other proceedings in either of the said courts which stand continued to any other time than that above specified, shall be deemed continued to the time prescribed by this act, and no other.

APPROVED, March 2, 1838.

STATUTE II.  
March 10, 1838.

[Expired.]

Act of April 20, 1818, ch. 88. Collectors, &c. required to seize any vessel, &c. which may be provided for any military expedition against any foreign Prince, &c. conterminous and at peace with the U. S.

CHAP. XXXI.—*An Act supplementary to an act entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved twentieth of April, eighteen hundred and eighteen.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the several collectors, naval officers, surveyors, inspectors of customs, the marshals, and deputy marshals of the United States, and every other officer who may be specially empowered for the purpose by the President of the United States, shall be, and they are hereby respectively authorized and required to seize and detain any vessel or any arms or munitions of war which may be provided or prepared for any military expedition or enterprise against the territory or dominions of any foreign Prince or State, or of any colony, district or people conterminous with the United States, and with whom they are at peace, contrary to the sixth section of the act passed on the twentieth of April, eighteen hundred and eighteen, entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," and retain possession of the same until the decision of the President be had thereon, or until the same shall be released as hereinafter directed.

(a) See notes of the acts relating to the District Court of Virginia, vol. 3, 479.

SEC. 2. *And be it further enacted,* That the several officers mentioned in the foregoing section shall be, and they are hereby respectively authorized and required to seize any vessel or vehicle, and all arms or munitions of war, about to pass the frontier of the United States for any place within any foreign State or colony, contiguous with the United States, where the character of the vessel or vehicle, and the quantity of arms and munitions, or other circumstances shall furnish probable cause to believe that the said vessel or vehicle, arms, or munitions of war are intended to be employed by the owner or owners thereof, or any other person or persons, with his or their privity, in carrying on any military expedition or operations within the territory or dominions of any foreign prince or State, or any colony, district, or people contiguous with the United States, and with whom the United States are at peace, and detain the same until the decision of the President be had for the restoration of the same, or until such property shall be discharged by the judgment of a court of competent jurisdiction: *Provided,* That nothing in this act contained shall be construed to extend to, or interfere with any trade in arms or munitions of war, conducted in vessels by sea, with any foreign port or place whatsoever, or with any other trade which might have been lawfully carried on before the passage of this act, under the law of nations and the provisions of the act hereby amended.

Said officers required to seize any vessel, &c. about to pass the frontier of the U. S. for any place within a foreign state, &c. contiguous with the U. S. where there is probable cause to believe that said vessel, &c. are intended to be employed in carrying on a military expedition, &c.

Proviso.

SEC. 3. *And be it further enacted,* That it shall be the duty of the officer making any seizure under this act, to make application, with due diligence, to the district judge of the district court of the United States within which such seizure may be made, for a warrant to justify the detention of the property so seized; which warrant shall be granted only on oath or affirmation, showing that there is probable cause to believe that the property so seized is intended to be used in a manner contrary to the provisions of this act; and if said judge shall refuse to issue such warrant, or application therefor shall not be made by the officer making such seizure within a reasonable time, not exceeding ten days thereafter, the said property shall forthwith be restored to the owner. But if the said judge shall be satisfied that the seizure was justified under the provisions of this act, and issue his warrant accordingly, then the same shall be detained by the officer so seizing said property, until the President shall order it to be restored to the owner or claimant, or until it shall be discharged in due course of law, on the petition of the claimant, as hereinafter provided.

Officers making seizures under this act shall apply to the district judge for a warrant to justify the detention of the property seized; which warrant shall be granted on oath, &c.

SEC. 4. *And be it further enacted,* That the owner or claimant of any property seized under this act, may file his petition in the circuit or district court of the United States, in the district where such seizure was made, setting forth the facts in the case; and thereupon such court shall proceed, with all convenient despatch, after causing due notice to be given to the district attorney and officer making such seizure, to decide upon the said case, and order restoration of the property, unless it shall appear that the seizure was authorized by this act: and the circuit and district courts shall have jurisdiction, and are hereby vested with full power and authority, to try and determine all cases which may arise under this act; and all issues in fact arising under it, shall be decided by a jury, in the manner now provided by law.

The owner of property seized may file his petition in the circuit or dist. court U. S. in the dist. where the seizure was made.

The circuit and dist. courts invested with power to try all cases arising under this act, &c.

SEC. 5. *And be it further enacted,* That whenever the officer making any seizure under this act shall have applied for and obtained a warrant for the detention of the property, or the claimant shall have filed a petition for its restoration, and failed to obtain it, and the property so seized shall have been in the custody of the officer for the term of three calendar months from the date of such seizure, it shall and may be lawful for the claimant or owner to file with the officer a bond to the amount of double the value of the property so seized and detained,

Whenever the officer shall have obtained a warrant for the detention of property seized, or the claimant shall not have obtained its restoration by pe-



tion, and it shall have been detained three months, the claimant may file a bond, &c.

**Proviso.**

Persons admitted to bail shall give additional security not to violate the provisions of the act hereby amended.

The President authorized to direct the judge, &c. to attend at such place within the district as he may designate, for the more speedy arrest and examination of persons charged, &c.

The President, &c. may employ the land or naval forces, &c. to prevent the violation, &c. of this act, &c.

This act limited to two years.

STATUTE II.  
March 10, 1838.  
[Obsolete.]

The following sums appropriated.

For Revolutionary pensioners.

For invalid pensioners.

For pensions to widows and orphans.

with at least two sureties, to be approved by the judge of the circuit or district court, with a condition that the property, when restored, shall not be used or employed by the owner or owners thereof, or by any other person or persons with his or their privity, in carrying on any military expedition or operations within the territory or dominions of any foreign prince or State, or any colony, district, or people, contiguous with the United States, with whom the United States are at peace; and thereupon the said officer shall restore such property to the owner or claimant thus giving bond: *Provided*, That such restoration shall not prevent seizure from being again made, in case there may exist fresh cause to apprehend a new violation of any of the provisions of this act.

SEC. 6. *And be it further enacted*, That every person apprehended and committed for trial, for any offence against the act hereby amended, shall, when admitted to bail for his appearance, give such additional security as the judge admitting him to bail may require, not to violate, nor to aid in violating, any of the provisions of the act hereby amended.

SEC. 7. *And be it further enacted*, That whenever the President of the United States shall have reason to believe that the provisions of this act have been, or are likely to be violated, that offences have been, or are likely to be, committed against the provisions of the act hereby amended, within any judicial district, it shall be lawful for him, in his discretion, to direct the judge, marshal, and district attorney, of such district, to attend at such place within the district, and for such time, as he may designate, for the purpose of the more speedy and convenient arrest and examination of persons charged with the violation of the act hereby amended; and it shall be the duty of every such judge, or other officer, when any such requisition shall be received by him, to attend at the place and for the time therein designated.

SEC. 8. *And be it further enacted*, That it shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to prevent the violation, and to enforce the due execution, of this act, and the act hereby amended.

SEC. 9. *And be it further enacted*, That this act shall continue in force for the period of two years, and no longer.

APPROVED, March 10, 1838.

CHAP. XXXII.—*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-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, in addition to former appropriations, to be paid out of any money in the Treasury not otherwise appropriated, for the pensioners of the United States, for the year one thousand eight hundred and thirty-eight:

For the Revolutionary pensioners, under the several acts, other than those of the fifteenth of May, one thousand eight hundred and twenty-eight; the seventh of June, one thousand eight hundred and thirty-two; and the fourth of July, one thousand eight hundred and thirty-six, four hundred and twenty-six thousand seven hundred and seventy-two dollars;

For the invalid pensioners, under various laws, one hundred and thirty-four thousand and seventy-five dollars and sixty-two cents;

For pensions to widows and orphans, under the act of the fourth of July, one thousand eight hundred and thirty-six, one million four hundred and ninety-two thousand six hundred and eighty-five dollars;

For half-pay pensions, payable through the office of the Third Auditor, five thousand dollars.

APPROVED, March 10, 1838.

For half-pay pensions payable through off. Third Auditor.

CHAP. XXXIII.—*An Act to change the times of holding the circuit and district courts of the United States in the seventh circuit.*

*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 shall be held in the district of Indiana, at the seat of Government in said State, on the third Mondays of May and November; at the seat of Government in the district of Illinois, on the first Mondays of June and December; in the district of Michigan, at the seat of Government in said State, on the third Monday in June and the first Monday in November; and in the district of Ohio, at the seat of Government in said State, on the first Monday of July, and the third Monday in December, and all recognizances entered into, and all mesne and final process, which have been issued, or which shall hereafter be issued, shall be returnable in the respective districts to the first term, as above established: And it shall be the duty of the circuit judge, to attend one circuit court in each year, in the districts of Indiana, Illinois, and Michigan, and should any question of law be raised, in any case, in the absence of the circuit judge, the district judge may, at his discretion, adjourn the cause to the succeeding term of the circuit court.

APPROVED, March 10, 1838.

STATUTE II.  
March 10, 1838.

1842, ch. 31.  
Times of holding the circuit and district courts U. S. in the districts of Indiana, Illinois, and Michigan.

Act of March 3, 1837, ch. 34.

All recognizances, &c., shall be returnable to the first term as above established.

Circuit judge shall attend one circuit court every year.

On a question of law, &c., the dist. judge may adjourn the cause.

CHAP. XXXIV.—*An Act to continue in force an act therein mentioned, relating to the port of Baltimore.*

*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 thirty-eight, be, and the same, so far as it relates to the act of Maryland, is hereby revived and continued in force until the third day of March, one thousand eight hundred and forty-three. *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.

APPROVED, March 19, 1838.

STATUTE II.  
March 19, 1838.

[Expired.]

The act passed 17th March, 1800, chap. 15, so far as relates to the act of Maryland, continued to 3d March, 1843.

Proviso.

CHAP. XLVI.—*An Act to restore circuit jurisdiction to the district courts of the western district of Virginia. (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 third section of the act entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States,'" approved March third, eighteen hundred and thirty-seven, as repeals all former acts, or parts of acts, conferring circuit court jurisdiction on certain district courts therein named, be, and the same is hereby, repealed, so far as relates to the courts of the western district of Virginia; and that the district courts of said district exercise the same jurisdiction with which they were invested previous to the passage of said act.

STATUTE II.  
March 28, 1838.

So much of 3d section act 3d March, 1837, ch. 34, as repeals all acts conferring circuit court jurisdiction on certain district courts, repealed, &c.

Act of March 3, 1839, ch. 81.

(a) See notes of the acts relating to the District Courts of Virginia, vol. 3, 479.

All causes transferred from said dist. courts to circuit court at Lewisburg, removed back, &c.

Appellate jurisdiction from said dist. courts to be exercised by circuit court at Lewisburg.

SEC. 2. *And be it further enacted*, That all causes transferred by authority of said act from the said district courts to the circuit court, directed by law to be held in the town of Lewisburg, in the State of Virginia, and which remain undetermined, be removed back to the district courts from whence they were transferred, to be there finally determined.

SEC. 3. *And be it further enacted*, That appellate jurisdiction from the judgments or decrees of the said district courts of the western district of Virginia, as now authorized by law, shall be exercised by the said circuit court at Lewisburg.

APPROVED, March 28, 1838.

STATUTE II.

April 6, 1838.

[Obsolete.]

CHAP. LIV.—*An Act making appropriations for the civil and diplomatic expenses of Government for the year eighteen hundred and thirty-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 be paid out of any unappropriated money in the treasury, viz :

Pay and mileage of members of Congress.

Pay of officers, &c., of Congress.

Contingent exp. of Senate.

Contingent expenses of Ho. Reps.

Two last sums applicable only to ordinary exp.

President, Vice President, and heads of departments.

Secretary to sign patents for lands. 1833, ch. 91.

Off. Sec. State, clerks, &c.

Contingent expenses.

Supdt. and watchman.

Contingent expenses.

Off. S. c. Treas. clerks, &c.

Additional clerks. 1836, ch. 115.

1st Comptroller.

Clerks and messengers.

2d Comptroller.

Clerks and messenger.

For pay and mileage of the members of Congress and delegates, five hundred and sixty-seven thousand six hundred and eighty dollars ;

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

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

For stationery, fuel, printing, and all other contingent expenses of the House of Representatives, two hundred and twenty-five 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 salary of the secretary to sign patents for public lands, per act of March second, eighteen hundred and thirty-three, one thousand five hundred dollars ;

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

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

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

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

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

For compensation to the clerks in said office, per act of twenty-third of June, eighteen hundred and thirty-six, three thousand six 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, three thousand dollars ;

For compensation to the clerks and messenger in the office of the

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

For compensation to the First Auditor of the Treasury, three thousand dollars; 1st Auditor.

For compensation to the clerks and messenger in the office of the First Auditor, fifteen thousand nine hundred dollars. Clerks and messenger.

For compensation to the Second Auditor of the Treasury, three thousand dollars; 2d Auditor.

For compensation to the clerks and messenger in the office of the Second Auditor, seventeen thousand nine hundred dollars; Clerks and messenger.

For compensation to the Third Auditor, three thousand dollars; 3d Auditor.

For compensation to the clerks and messengers in the office of the Third Auditor, twenty-seven thousand two hundred and fifty dollars; Clerks and messengers.

For compensation to two additional clerks, employed under the act of the eighteenth of January, one thousand eight hundred and thirty-seven, for the payment of horses and other property lost or destroyed, two thousand four hundred dollars; Two additional clerks.  
1837, ch. 5.

For compensation to the Fourth Auditor, three thousand dollars; 4th Auditor.

For compensation to the clerks and messenger in the office of the Fourth Auditor, fifteen thousand nine hundred and fifty dollars; Clerks and messenger.

For an additional clerk in the same, to carry into effect the act of the third of March last, for the more equitable administration of the pension fund, one thousand dollars; An additional clerk.

For compensation to the Fifth Auditor, three thousand dollars; 5th Auditor.

For compensation to the clerks and messenger in the office of the Fifth Auditor, nine thousand eight hundred dollars; Clerks and messenger.

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

For compensation to the clerks and messenger in the office of the Treasurer of the United States, ten thousand seven hundred and fifty dollars; Clerks and messenger.

For compensation to the Register of the Treasury, three thousand dollars; Register.

For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars; Clerks and messengers.

For compensation of the Commissioner of the General Land Office, per act of fourth July, eighteen hundred and thirty-six, three thousand dollars; Commissioner of General Land Office.

For compensation of the recorder, solicitor, draughtsman, and assistant draughtsman, clerks, messengers, and packers, in the office of the Commissioner of the General Land Office, one hundred and seven thousand eight hundred and fifty dollars; Other officers in the General Land Office.

For compensation to the Solicitor of the Treasury, three thousand five hundred dollars; Solicitor of the Treasury.

For compensation to the clerks and messenger in the office of the Solicitor of the Treasury, three thousand nine hundred and fifty dollars; Clerks and messenger.

For expenses of stationery, printing, and all other contingent expenses of the Treasury Department, viz: Expenses of Treas. Dept.

For the office of the Secretary of the Treasury, including copying, and expenses incurred in consequence of the burning of the Treasury building, twelve thousand five hundred dollars; Off. Sec. Treas. copying, &c.

For translating foreign languages, and for receiving and transmitting passports and sea letters, in the office of the Secretary of the Treasury, three hundred dollars; Translating, &c.

For stating and printing public accounts, one thousand four hundred dollars; Public accounts.  
Off. 1st Comptroller.

For the office of the First Comptroller, two thousand dollars;

- Off. 2d Comptroller. For the office of the Second Comptroller, one thousand five hundred dollars ;
- Off. 1st Audit. For the office of the First Auditor, one thousand dollars ;
- Off. 2d Audit. For the office of the Second Auditor, one thousand dollars ;
- Off. 3d Audit. For the office of the Third Auditor, including one thousand four hundred and fifty dollars, the estimated amount due to printers for publishing rules and regulations and notices to claimants, under the act of the eighteenth of January, eighteen hundred and thirty-seven, to provide for the payment of horses and other property lost or destroyed in the military service of the United States, two thousand two hundred and fifty dollars ;
- 1837, ch. 5.
- Off. 4th Audit. For the office of the Fourth Auditor, one thousand dollars ;
- Off. 5th Audit. For the office of the Fifth Auditor, one thousand dollars ;
- Off. Treasurer. For the office of the Treasurer of the United States, one thousand three hundred dollars ;
- Off. Register. For the office of the Register of the Treasury, three thousand dollars ;
- Off. Solicitor of the Treasury. For the office of the Solicitor of the Treasury, including five hundred dollars for the purchase of books, one thousand five hundred dollars ;
- Sup't and watchmen for General Land Office. For compensation of superintendent and two watchmen for the additional building for the use of the General Land Office, one thousand and fifty dollars ;
- Supdt. and watchman S. E. Ex. building. For compensation of the superintendent and watchman of the southeast executive building, two thousand one hundred dollars ;
- Contingent expenses of Treas. building. For contingent expenses of the building occupied by the Treasury, including fuel, oil, labor, repairs, furniture, and for rent, amounting to four thousand three hundred and fifty dollars per annum, twelve thousand dollars ;
- Off. Sec. War. For compensation to the clerks and messengers in the office of the Secretary of War, including the messenger in the Bounty Land Bureau, thirteen thousand two hundred and fifty dollars ;
- Contingent expenses. For contingent expenses of the office of the Secretary of War, three thousand dollars ;
- Books, maps, and plans. For books, maps, and plans, for the War Department, one thousand dollars ;
- Extra clerks. For compensation of extra clerks, when employed in said office, three thousand dollars ;
- Commissioner of Indian affairs. For compensation of the Commissioner of Indian Affairs, three thousand dollars ;
- Clerks and messenger. For compensation of the clerks and messenger in the office of the Commissioner of Indian Affairs, sixteen thousand four hundred dollars ;
- Cont. exp. For contingent expenses of said office, two thousand dollars ;
- Commissioner of Pensions. For compensation of the Commissioner of Pensions, including five hundred dollars for deficiency in the appropriation for eighteen hundred and thirty-seven, three thousand five hundred dollars ;
- Clerks transferred from office Sec. War. For compensation of clerks transferred from the office of the Secretary of War to the office of the Commissioner of Pensions, four thousand eight hundred dollars ;
- Clerks and messengers authorized by act 9th May, 1836, ch. 60. For compensation to clerks and messengers for the office of the Commissioner of Pensions, authorized by act of ninth May, eighteen hundred and thirty-six, thirteen thousand four hundred and fifty dollars ;
- Off. Paymaster General. For compensation to clerks and messenger in the office of the Paymaster General, six thousand one hundred dollars ;
- Cont. exp. For contingent expenses of said office, three hundred dollars ;
- Off. Com'g General. For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars ;
- Cont. exp. For contingent expenses of said office, three hundred dollars ;
- Off. Adjutant General. For compensation to clerks and messenger in the office of the Adjutant General, seven thousand six hundred and fifty dollars ;

For contingent expenses of said office, one thousand six hundred dollars;	Cont. exp.
For compensation of clerks and messenger in the office of the Quartermaster General, seven thousand three hundred dollars;	Quartermaster General.
For contingent expenses of said office, six hundred dollars;	Cont. exp.
For compensation of clerks and messenger in the office of the Commissary General of Purchases, four thousand two hundred dollars;	Off. Com'y. Gen'l. of Purchases.
For contingent expenses of said office, eight hundred dollars;	Cont. exp.
For compensation of clerks and messenger in the office of the Commissary General of Subsistence, four thousand three hundred dollars;	Off. Com'y. Gen'l. of Subsistence.
For contingent expenses of said office, two thousand six hundred dollars;	Cont. exp.
For compensation of clerks and messenger in the office of the Chief Engineer, five thousand six hundred and fifty dollars;	Off. Chief Engineer.
For contingent expenses of said office, including one thousand dollars for expenses attending the removal of the office, two thousand dollars;	Cont. exp.
For compensation to clerk and messenger in the office of the Surgeon General, one thousand six hundred and fifty dollars;	Off. Surgeon General.
For contingent expenses of said office, seven hundred dollars;	Cont. exp.
For compensation of clerks and messenger in the Ordnance office, eight thousand six hundred and fifty dollars;	Ordnance Off.
For contingent expenses of said office, nine hundred and fifteen dollars;	Cont. exp.
For compensation of the clerks and messenger in the Topographical Bureau, two thousand five hundred dollars;	Topographical Bureau.
For contingent expenses of said bureau, one thousand two hundred and thirty-five dollars;	Cont. exp.
For compensation of superintendent and watchmen of the northwest executive building, two thousand two hundred and fifty dollars;	Sup't. and watchmen N. W. Ex. Build'g.
For contingent expenses of said building, including rent of Bounty Land office; for improving the grounds for a new building; for land for the engine house, authorized by the act of March three, eighteen hundred and thirty-seven; and for the contingencies of the fire engines and apparatus, five thousand three hundred dollars;	Contingent expenses. 1837, ch. 33.
For compensation of the clerks and messengers in the office of the Secretary of the Navy, twelve thousand eight hundred and fifty dollars;	Off. Sec. Navy clerks and messengers.
For contingent expenses of said office, three thousand dollars;	Cont. exp.
For compensation of the Commissioners of the Navy Board, ten thousand five hundred dollars;	Commission'rs of Navy Board.
For compensation of the Secretary of the Navy Board, two thousand dollars;	Secretary.
For compensation to the clerks and messenger of the Navy Board, eight thousand four hundred and fifty dollars;	Clerks and messenger.
For contingent expenses of said office, one thousand eight hundred dollars;	Cont. exp.
For salary of superintendent and watchman of the southwest executive building, one thousand two hundred and fifty dollars;	Sup't. and watchman S. W. Ex. build'g.
For contingent expenses of said building, three thousand three hundred and fifty dollars;	Cont. exp.
For compensation to three Assistant Postmasters General, per act third [second] July, eighteen hundred and thirty-six, seven thousand five hundred dollars;	Assis't. Postmaster Gen'l., July 2, 1836, ch. 270.
For compensation to clerks and messengers in the General Post Office, forty-eight thousand six hundred dollars;	Clerks and messengers.
For contingent expenses of said office, including four thousand dollars for rent and fuel for the Auditor's office, twelve thousand five hundred dollars;	Cont. exp.

- Arrearages for 1837. For arrearages for the year eighteen hundred and thirty-seven, six thousand seven hundred and forty-nine dollars and ninety-eight cents;
- Watchmen. For compensation of two watchmen, six hundred dollars;
- Auditor of Post Office. For compensation to the Auditor of the Post Office, three thousand dollars;
- Clerks and messengers. For compensation to clerks and messengers in said office, fifty-five thousand five hundred dollars;
- Contingent expenses. For contingent expenses of said office, including the expense of quarterly books, stationery, printing, pay of laborers, and arrearage of expenses incidental to the occupation of the new office, seven thousand four hundred and thirty-seven dollars;
- Surv'r. Gen'l. N. W. of Ohio. For compensation of the Surveyor General northwest of the Ohio, two thousand dollars;
- Clerks, 1836, chap. 60. For compensation to clerks in his office, per acts of ninth May, eighteen hundred and thirty-six, six thousand three hundred dollars;
- Surv'r. Gen'l. for Illinois and Missouri. For compensation to the Surveyor General for Illinois and Missouri, two thousand dollars;
- Clerks. For compensation to clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, three thousand two hundred dollars;
- Surv'r. Gen'l. of Arkansas. For compensation to the Surveyor General of Arkansas, two thousand dollars;
- Clerks. For compensation of clerks in the office of said Surveyor General, three thousand dollars;
- Surv'r. Gen'l. of Louisiana. For compensation of the Surveyor General of Louisiana, two thousand dollars;
- Clerks. For compensation to clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, four thousand three hundred dollars;
- Surv'r. Gen'l. of Mississippi. For compensation of the Surveyor General of Mississippi, two thousand dollars;
- Clerks. For compensation of clerks in the office of said Surveyor General, per acts of the ninth of May, eighteen hundred and thirty-six, five hundred dollars;
- Surv'r. Gen'l. of Alabama. For compensation of the Surveyor General of Alabama, two thousand dollars;
- Clerks, May 9, 1836, ch. 60. For compensation of clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, including one thousand five hundred dollars for additional clerk-hire in preparing the survey and return of the Cherokee cession, two thousand eight hundred and twenty dollars;
- Additional clerk hire.
- Surv'r. Gen'l. of Florida. For compensation of the Surveyor General of Florida, two thousand dollars;
- Clerks. For compensation of clerks in the office of said Surveyor General, two thousand dollars;
- Commissioner of Public Buildings. For compensation to the Commissioner of Public Buildings in Washington, two thousand three hundred dollars;
- Assistants, &c. For compensation to three assistants to the Commissioner, as superintendent of the Potomac bridge; for the expense of oil for the lamps, one thousand nine hundred and forty-two dollars and fifty cents;
- Officers and clerks of Mint. For compensation to the officers and clerks of the Mint, twenty thousand four hundred dollars;
- Laborers and contingent exp. For pay of laborers in the various departments of the Mint, and for contingent expenses, fourteen thousand six hundred dollars;
- Officers and clerks of Mint at Charlotte. For compensation to the officers and clerk of the branch Mint at Charlotte, North Carolina, six thousand dollars;
- Laborers. For pay of laborers in the various departments of the same, three thousand six hundred dollars;

For wastage of gold and for contingent expenses of the same, five thousand four hundred dollars;	Wastage of gold and contingent expenses.
For renewing the roof of the Mint at Charlotte, North Carolina, two thousand dollars;	Renewing the roof.
For compensation to the officers and clerk of the branch Mint at Dahlonega, Georgia, six thousand dollars;	Officers and clerk of the Mint at Dahlonega.
For pay of laborers in the various departments of the same, three thousand eight hundred dollars;	Laborers.
For wastage of gold, and for contingent expenses of the same, four thousand dollars;	Wastage of gold, &c.
For enclosing the Mint lot, and for buildings, seven thousand five hundred dollars;	Enclosing the Mint lot, &c.
For compensation to the officers and clerks of the branch Mint at New Orleans, twelve thousand nine hundred dollars;	Officers, &c., of Mint at New Orleans.
For pay of laborers in the various departments of the same, twenty-two thousand dollars;	Laborers.
For wastage of gold and silver, and for contingent expenses of the same, twenty-seven thousand one hundred dollars;	Wastage of gold and silver, &c.
For compensation of the Governor, Judges, and Secretary of Wisconsin Territory, nine thousand one hundred dollars;	Governor, &c. of Wisconsin.
For contingent expenses, pay, and mileage of the members of the Legislative Assembly; pay of officers of the Council, and taking the census of said Territory, and for printing the laws; for furniture and rent of buildings, twenty-nine thousand six hundred and twenty-five dollars;	Pay and mileage of members of Legislative Assembly, &c.
For compensation of the Governor, Judges, and Secretary of the Territory of Florida, eleven thousand seven hundred dollars;	Governor, &c. of Florida.
For contingent expenses, pay, and mileage of the members of the Legislative Council of said Territory; pay of the officers of the Council, and for copying the laws for the printer, ten thousand dollars;	Pay and mileage of members of Legislative Council, &c.
For compensation to the Chief Justice, the Associate Judges, and district Judges of the United States, one hundred and one thousand four hundred dollars;	Chief Justice, Associates, and Dist. Judges U. States.
For compensation of the Chief Justice and Associate Judges of the District of Columbia, and of the Judge of the Orphans' Courts of said District, nine thousand five hundred dollars;	Chief Justice, Associates, &c. of D. C.
For compensation to the Attorney General of the United States, four thousand dollars;	Attorney General.
For compensation of clerk and messenger in the office of the Attorney General, one thousand three hundred dollars;	Clerk and messenger.
For contingent expenses of said office, five hundred dollars;	Cont. exp.
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, thirteen thousand two hundred and fifty dollars;	District Attorneys and Marshals.
For defraying the expenses of the Supreme Court and the 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-eight 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 and fifty thousand dollars;	Expenses of the Supreme and District Courts U. S., &c.
For expenses of printing the records of the Supreme Court, three thousand dollars;	Records of Supreme Court.
For the payment of pensions granted by special acts of Congress, one thousand and fifty dollars;	Pensions by special acts.
For the support and maintenance of light-houses, floating lights,	Light-houses, &c.



- beacons, buoys, and stakages, including the purchase of lamps, oil, keepers' salaries, repairs, improvements, and contingent expenses, three hundred and fifty-six thousand eight hundred and sixty-three dollars;
- For survey of the coast of the United States, including the compensation of the superintendent and assistants, ninety thousand dollars;
- For completing the public warehouse at Baltimore, twenty-five thousand dollars;
- For completing surveys in Alabama, according to the provision in the appropriation act of third March, eighteen hundred and thirty-seven, twenty-five hundred dollars;
- For surveys in Missouri, in the towns named in the act of twenty-sixth May, eighteen hundred and twenty-four, six thousand dollars;
- For the compensation to two keepers of the public archives in Florida, one thousand dollars;
- For salaries of ministers of the United States to Great Britain, France, Spain, Russia, and Prussia, forty-five thousand dollars;
- For salaries of the secretaries of legation to the same places, ten thousand dollars;
- For salaries of the charges des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Chili, Peru, Central America, New Granada, and Venezuela, and for an outfit to a charge d'affaires to Peru, fifty-eight thousand five hundred dollars;
- For salary of the drogoman, and for contingent expenses of the legation to Turkey, six thousand five hundred dollars;
- For contingent expenses of all the missions abroad, thirty thousand dollars;
- For salaries of the consuls of the United States at London and Paris, four thousand dollars;
- For expenses of intercourse with the Barbary Powers, seventeen thousand four hundred dollars;
- For the relief and protection of American seamen in foreign countries, forty thousand dollars;
- For the contingent expenses of foreign intercourse, fifteen thousand dollars;
- For clerk-hire, office-rent, stationery, and other expenses, in the office of the American consul in London, per act of nineteenth January, eighteen hundred and thirty-six, two thousand eight hundred dollars;
- For interpreters, guards, and other expenses incidental to the consulates in the Turkish dominions, five thousand five hundred dollars;
- For salary of the principal and two assistant librarians; pay of the messenger, and for contingent expenses of the library, four thousand two hundred and ten dollars;
- For the purchase of books for the library of Congress, five thousand dollars;
- For registers for ships and vessels and lists of crews, four thousand dollars;
- For compensation to a person employed in making an abstract of the pension laws, and in preparing the papers for Congress, under the resolution of the House of Representatives of the ninth of October, eighteen hundred and thirty-seven, five hundred dollars;
- For carrying into effect the fourth article of the treaty with Spain, three thousand dollars;
- For alterations and repairs of the Capitol, and incidental expenses, six thousand three hundred and thirty-one dollars;
- For filling up the street in front of carpenter's shop, and conducting water to the public stables, five hundred and fifty dollars;
- For lighting lamps and superintendence of public grounds around the Capitol, five thousand nine hundred and seventy-six dollars;
- For extending Capitol square west, and improving the same south of
- Survey of the coast U. S.
- Warehouse at Baltimore.
- Surveys in Alabama.
- 1837, ch. 33.
- Surveys in Missouri.
- Keepers of archives in Fl'a.
- Ministers of U. S.
- Secretaries of Legation.
- Charges des affaires.
- Drogoman, &c.
- Cont. exp. of missions abroad.
- Consuls at London and Paris.
- Intercourse with Barbary Powers.
- Relief, &c., of Am. Seamen.
- Cont. exp. of foreign intercourse.
- Expenses in office of American consul in London, 1836, chap. 2.
- Interpreters, &c., in consulates in Turkish dominions.
- Librarians, messenger, &c.
- Books for Library of Congress.
- Registers for ships, &c.
- Abstract of the pension laws, &c.
- Fourth art. of treaty with Spain.
- Alterations, &c., of the Capitol, &c.
- Street in front of carpenter's shop; water for stables.
- Lighting lamps, &c., around Capitol.

the centre footway, according to the plan already in part executed, under the provisions of an act of the last Congress, twenty-three thousand one hundred and twenty-seven dollars and eighty-six cents;

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

For salary of the principal gardener, one thousand dollars;

For alterations and repairs of the President's house, and for superintendence of the grounds around the same, four thousand eight hundred and fifteen dollars;

For flag footways across Pennsylvania avenue at Third, Four-and-a-half, Sixth, Seventh, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth streets, and across First street, east of Capitol square, two thousand two hundred and eighty dollars;

For repairing the Marine Hospital at Charleston, South Carolina, two thousand dollars;

For the second payment to Luigi Persico, according to the contract made with him, for a group of statues for the Capitol, four thousand dollars;

For the second payment to the artists engaged in executing paintings for the rotundo of the Capitol, under the joint resolution of the two Houses, eight thousand dollars;

For purchasing eighty thousand pieces of parchment, and the expense of printing the same, thirteen thousand six hundred dollars;

For the service of the General Post Office, for the year eighteen hundred and thirty-eight, in conformity to the act of second July, eighteen hundred and thirty-six, four million six hundred and ninety-four thousand dollars, viz:

For transportation of mails, three million four hundred thousand dollars;

For compensation of postmasters, nine hundred and thirty-five thousand dollars;

For ship, steamboat, and way-letters, thirty-one thousand dollars;

For wrapping paper, twenty thousand dollars;

For office furniture, six thousand dollars;

For advertising, twenty-five thousand dollars;

For mail bags, forty thousand dollars;

For blanks, thirty-six thousand dollars;

For mail locks and keys and stamps, nine thousand dollars;

For mail depredations and special agents, twelve thousand dollars;

For clerks for offices, one hundred and forty thousand dollars;

For miscellaneous, forty thousand dollars.

*Provided*, That there shall exist in the President and in the Postmaster General, the same power to transfer funds from one to another head of appropriation, between the appropriations above made for the service of the General Post Office, as exists in the President and any other head of an executive department to transfer funds appropriated under one head to the service of another, in any other branch of the public service.

SEC. 2. *And be it further enacted*, That the money arising from the sale of the old furniture in the President's house shall be applied to the purchase of new furniture for the same.

SEC. 3. *And be it further enacted*, That the unexpended balances of appropriations for compensation to the clerks in the offices of the surveyors general of public lands be, and the same are hereby, appropriated, in addition to the sums appropriated by this act for the same purpose.

APPROVED, April 6, 1838.

Improving the Capitol square.

Attendance at western gates.

Principal Gardener.

Alterations, &c., of President's house, &c.

Flag footways on Pa. avenue, &c.

Marine Hospital at Charleston.

Second payment to L. Persico.

Second payment to artists executing paintings for the rotundo.

Purchasing and printing parchment.

General Post Office.

1836, ch. 270.

Transportation of mails.

Compensation of postmasters.

Ship, steamboat, and way-letters.

Wrapping paper.

Off. furniture.

Advertising

Mail bags.

Blanks.

Mail locks, &c.

Mail depredations and special agents.

Clerks.

Miscellaneous.

Proviso.

Furniture for the President's house.

Unexpended balances for clerks in offices of surveyors gen'l. appropriated.

STATUTE II.  
April 6, 1838.

[Obsolete.]

CHAP. LV.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-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 be paid out of any money in the Treasury, not otherwise appropriated, for the support of the army during the year eighteen hundred and thirty-eight; that is to say:

Pay of the army.

For the pay of the army, one million and ninety-one thousand one hundred and ninety-three dollars.

Subsistence of officers.

For the subsistence of officers, three hundred and forty-seven thousand seven hundred and forty-nine dollars.

Forage for officers' horses.

For forage of officers' horses, seventy thousand nine hundred and eighty-seven dollars.

Clothing for officers' servants.

For clothing for officers' servants, twenty-six thousand five hundred and fifty dollars.

Payments in lieu of clothing.

For payments in lieu of clothing to discharged soldiers, thirty thousand dollars.

Subsistence, exclusive of that of officers.

For subsistence, exclusive of that of officers, seven hundred and thirty thousand nine hundred and twelve dollars and fifty cents.

Clothing, camp and garrison equipage, &c.

For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, four hundred and thirteen thousand two hundred and ninety-nine dollars.

Medical and hospital dept.

For the medical and hospital department, thirty-nine thousand two hundred dollars.

Supplies furnished by Qr. Mr.'s dept.

For the regular supplies furnished by the Quartermaster's department, consisting of fuel, forage, straw, stationery, and printing, two hundred and three thousand dollars.

Barracks, quarters, store-houses, &c.

For barracks, quarters, store-houses, embracing the repairs and enlargement of barracks, quarters, store-houses, and hospitals, at the several posts; the erection of temporary cantonments at such posts as shall be occupied during the year, and of gun-houses for the protection of the cannon at the forts on the seaboard; the purchase of the necessary tools and materials for the objects wanted, and of the authorized furniture for the barrack rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of store-houses for the safe-keeping of subsistence, clothing, &c., and for grounds for summer cantonments, encampments, and military practice, ninety-five thousand dollars.

Transportation of officers' baggage.

For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, fifty thousand dollars.

Transportation of troops and supplies, &c.

For the transportation of troops and supplies, viz: transportation of the army, including the baggage of troops when moving either by land or water; freight and ferriages; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; hire of teamsters, transportation of funds for the Pay department; expense of sailing a public transport between the posts on the Gulf of Mexico; and of procuring water at such posts as, from their situation, require it; the 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 contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the foundries and arsenals to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of one hundred and ninety-five thousand dollars.

Incidental expenses of Qr. Mr.'s dept.

For the incidental expenses of the Quartermaster's department, consisting of postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge

advocates, members, and witnesses; extra pay to soldiers, under an act of Congress of the second of March, eighteen hundred and nineteen; expenses of expresses from the frontier posts; of the necessary articles for the interment of non-commissioned officers and soldiers; hire of labourers; compensation to clerks in the offices of quartermasters and assistant quartermasters at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works, and in the performance of other duties; expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses to supply the place of those which may be lost and become unfit for service, and the erection of additional stables, ninety-two thousand dollars.

1819, ch. 45

For two months' extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, twenty-four thousand two hundred and sixty-four dollars.

Extra pay to re-enlisted soldiers, &c.  
National armories.  
Armament of the fortifications.  
Ordnance service.  
Arsenals

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

For the armament of the fortifications, one hundred thousand dollars.

For the current expenses of the ordnance service, ninety-eight thousand dollars.

For arsenals, one hundred and fifty thousand dollars, or so much thereof as may suffice to complete the arsenals already commenced, and those on the western frontier.

Elevating machines, &c.

For the manufacture of elevating machines for barbette and casemate carriages, five thousand dollars.

Light field artillery.

For the purchase and manufacture of light field artillery, thirty-nine thousand nine hundred and fifty-three dollars.

For the purchase of gunpowder and grape shot, thirty-seven thousand five hundred dollars.

Gunpowder and shot.

For arrearages payable through the office of the Second Auditor, twelve hundred dollars.

Arrearages payable by Second Auditor.

For arrearages payable through the office of the Third Auditor, three thousand dollars.

Arrearages payable by Third Auditor.

For taxes on the Passyunk arsenal, near Philadelphia, for the years eighteen hundred and thirty-seven and eighteen hundred and thirty-eight, fourteen hundred and fifty dollars.

Taxes on the Passyunk arsenal.

For contingencies of the army, five thousand dollars.

Contingencies of the army.

For paying the balance due the heirs of William Meldrum, one of the commissioners for surveying and marking the road from La Plaisance Bay to Chicago, two hundred and sixty-eight dollars and fifty-five cents.

Balance due the heirs of William Meldrum.

For paying Adam Eckfeldt, for fine gold and other expenses incurred by him in preparing nine medals ordered by Congress for various distinguished officers, one thousand and eight dollars and eighty-six cents.

Adam Eckfeldt, for expenses incurred in preparing medals.

APPROVED, April 6, 1838.

STATUTE II.

CHAP. LVI.—*An Act directing the transfer of money remaining unclaimed by certain pensioners, and authorizing the payment of the same at the Treasury of the United States.*

April 6, 1838.

1842, ch. 189, § 3.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all money which has been, or may hereafter be, transmitted to the agents for paying pensions, which may have remained, or may hereafter remain, in the hands of said agents unclaimed by any pensioner or pensioners for the term of eight months after the same may have or may become due and payable, shall be transferred to the Treasury of the United States; and that all pensions unclaimed as aforesaid, shall be thereafter payable only at the Treasury of the United States, and out of any money not otherwise appropriated.*

All money after having remained in the hands of an agent unclaimed, eight months after having become due, shall be transferred to the Treas., and all pensions unclaimed, &c.

The transfer to be made by the draft of the Commiss'er of Pensions, &c.

SEC. 2. *And be it further enacted*, That the transfer directed by the first section of this act shall be made by the draft of the Commissioner of Pensions upon the agents for paying pensions, and in favour of the Treasurer of the United States; and that the form of said draft shall be prescribed by the Secretary of War.

APPROVED, April 6, 1838.

STATUTE II.

April 20, 1838.

Act of May 31, 1832, ch. 112.

Clerks of circuit court D. C. required to admit to record any conveyance &c. upon certificate of two justices of peace in following form.

Form of certificate.

CHAP. LVII.—*An Act to amend the act for quieting possessions, enrolling conveyances, and securing the estates of purchasers, within the District of Columbia, passed the thirty-first day of May, eighteen 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 clerks of the circuit courts of the District of Columbia, and their deputies, in their respective counties, shall be, and are hereby, authorized and required to admit to record any conveyance whereby a right, title, or interest, in real estate is conveyed, or purports to be, lying within the limits of their respective counties, upon the certificate under seal of any two justices of the peace of any State or Territory of the United States, or of the District of Columbia, annexed to such deed, and to the following effect, to wit:

—County [or Corporation, &c.] to wit:

We, A B and C D, justices of the peace in and for the county [or corporation, or parish, or district,] aforesaid, in the State [or Territory, or district,] of — do hereby certify that E F, a party [or E F and G H, &c. parties,] to a certain deed, bearing date on the — day of — and hereto annexed, personally appeared before us in our county [or corporation, &c.] aforesaid, the said E F [or E F and G H, &c.] being personally well known to us, as [or proved by the oaths of credible witnesses before us to be] the person [or persons] who executed the said deed, and acknowledged the same to be his, [her, or their] act and deed. Given under our hands and seals, this — day of —

A. B. [SEAL.]  
C. D. [SEAL.]

Proviso.

*Provided*, That, when such acknowledgment shall be taken before any justices of the peace beyond the limits of the District of Columbia, there shall accompany such certificate of acknowledgment a certificate of the clerk or other public officer having official cognizance of the fact, under his official seal, that such persons were, at the date of their said certificate, in fact, justices as they purport to be.

All conveyances, &c. (except, delivered to be recorded within six months, shall take effect from the time of acknowledgment, &c.

SEC. 2. *And be it further enacted*, That every conveyance, covenant, agreement and other deed, (except deeds of trust and mortgages,) which shall be acknowledged or proved, and certified, according to law, and delivered to the clerk of the proper court, to be recorded within six months after the sealing and delivery thereof, shall take effect and be valid as to all persons from the time of such acknowledgment or proof; but all deeds of trust and mortgages, whensoever they shall be delivered to the clerk of the proper court to be recorded, and all other conveyances, covenants, agreements, and deeds, which shall not be acknowledged, proved, or certified, and delivered to the clerk of the proper court to be recorded within six months after the sealing and delivering thereof, shall take effect and be valid, as to all subsequent purchasers for valuable consideration, without notice, and as to all creditors, from the time when such deed of trust or mortgage, or such other conveyance, covenant, agreement, or deed, shall have been so acknowledged, proved, or certified, and delivered to the clerk of the proper court to be recorded, and from that time only: *Provided, however*, That if two or more deeds containing the same property, after having been so acknow-

Proviso.

ledged, or proved and certified, be delivered to the clerk to be recorded on the same day, that which shall have been first sealed and delivered shall have preference in law.

SEC. 3. *And be it further enacted*, That every title-bond, or other written contract in relation to land, may be proved, acknowledged, certified, and recorded, in the same manner as deeds for the conveyance of land; and such proof or acknowledgment, and certificate, and the delivery of such bond or contract to the clerk of the proper court, to be recorded, shall be taken and held to be notice to all subsequent purchasers of the existence of such bond or contract.

SEC. 4. *And be it further enacted*, That if any feme covert shall be a party executing such deed and shall only be relinquishing her right of dower in such estate or interest, or when a husband and his wife shall have sealed and delivered a writing purporting to be a conveyance of any estate or interest, and such feme covert shall appear before any two justices of the peace of any State or Territory of the United States, or of the District of Columbia, and, being by them examined privily and apart from her husband, and having the deed fully explained to her, shall acknowledge the same to be her act and deed, and shall declare that she had willingly signed, sealed, and delivered the same, and that she wished not to retract it; and such privy examination, acknowledgment, and declaration, shall be certified by such justices under their hands and seals, by a certificate annexed to such writing, and to the following effect; that is to say:

— county [or corporation, &c.] to wit:

We, A B and C D, justices of the peace in the county [or corporation, &c.] aforesaid, in the State [or Territory, &c.] of —, do hereby certify that E F the wife of G H, party to a certain deed bearing date on the — day of — and hereunto annexed, personally appeared before us in our county [or corporation, &c.] aforesaid, the said E F, being well known to us as [or proved by the oaths of credible witnesses before us to be] the person who executed the said deed, and being by us examined, privily and apart from her husband, and having the deed aforesaid fully explained to her, she, the said E F, acknowledged the same to be her act and deed, and declared that she had willingly signed, sealed, and delivered the same, and that she wished not to retract it. Given under our hands and seals this — day of —.

A. B. [SEAL.]  
C. D. [SEAL.]

And such certificate shall be offered for record to the clerk of the circuit court of the District of Columbia, in that county in which such deed ought to be recorded. It shall be the duty of such clerk to record the same accordingly; and when the privy examination, acknowledgment, and declaration of a married woman, shall have been so taken and certified, and delivered to the clerk to be recorded pursuant to the directions of this act, such deed shall be as effectual in law to pass her right, title, and interest, as if she had been an unmarried woman: *Provided, however*, That no covenant or warranty contained in such deed hereafter executed shall in any manner operate upon any feme covert, or her heirs, further than to convey effectually from such feme covert and her heirs her right of dower or other interest in real estate which she may have at the date of such deed.

SEC. 5. *And be it further enacted*, That all deeds heretofore recorded within the District of Columbia, and in the county wherein any lands, tenements and hereditaments are situated, which are conveyed in or by said deeds, on an acknowledgment before any two justices of the peace for said District, shall be good and effectual for the purpose or purposes therein mentioned, and valid as to all subsequent purchasers, and all creditors, from the passage of this act, *Provided*, said deeds

Title bonds, &c., in relation to land, may be proved, &c., in the same manner as deeds for its conveyance, &c.

If any feme covert, party to a deed relinquishing her right of dower, &c. before two justices of the peace, &c.

Form of certificate.

When said certificate is recorded, such deed shall be as effectual in law to pass her right, &c. as if she was an unmarried woman.

Proviso.

All deeds heretofore recorded, &c. to be good, &c.

Proviso.

were made in good faith, and without an interest to commit a fraud upon creditors or bona fide subsequent purchasers.

APPROVED, April 20, 1838.

STATUTE II.

April 20, 1838.

[Obsolete.]

Appropriation for the removal of the Red river raft.

CHAP. LIX.—*An Act making an appropriation for the removal of the great raft of Red River.*

*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 appropriated, out of any money in the Treasury not otherwise appropriated, for the complete removal of the great raft in Red River, in the States of Louisiana and Arkansas.

APPROVED, April 20, 1838.

STATUTE II.

May 21, 1838.

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

Treasury notes to be issued according to the provisions of act of 12th Oct. 1837, ch. 2, in place of, &c. 1839, ch. 37.

CHAP. LXXXII.—*An Act to authorize the issuing of Treasury notes to meet the current expenses of the Government. (a)*

*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, with the approbation of the President of the United States, is hereby authorized to cause Treasury notes to be issued, according to the provisions of, and subject to, all the conditions, limitations and restrictions contained in an act entitled "An act to authorize the issuing of Treasury notes," approved the Twelfth day of October last, in place of such notes as have been, or may be, issued under the authority of the act aforesaid, and which have been, or may hereafter be, paid into the Treasury and cancelled.

APPROVED, May 21, 1838.

STATUTE II.

May 25, 1838.

Act of March 3, 1837, ch. 46.

CHAP. LXXXIV.—*An Act making appropriations for the continuation of the Cumberland road in Ohio, Indiana, and Illinois, 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 of money be, and the same are hereby, appropriated, to be paid out of any moneys in the Treasury unappropriated, to wit:

In Ohio.

For the continuation of the Cumberland road in the State of Ohio, the sum of one hundred and fifty thousand dollars.

In Indiana.

For the continuation of the Cumberland road in the State of Indiana, the sum of one hundred and fifty thousand dollars, including bridges.

In Illinois.

For the continuation of the Cumberland road in the State of Illinois, the sum of one hundred and fifty thousand dollars.

Bridge over Dunlap's creek.

Terms of the appropriation.

1837, ch. 46.

For the completion of the bridge over Dunlap's creek, on the Cumberland road, in the State of Pennsylvania, the sum of nine thousand dollars; which said appropriations are made upon the same terms, and shall be subject to all the provisions, conditions, restrictions, and limitations, touching appropriations for the Cumberland road, contained in the act entitled "An act to provide for continuing the construction, and for the repair of certain roads, and for other purposes, during the year eighteen hundred and thirty-seven," approved on the third day of March, one thousand eight hundred and thirty-seven.

APPROVED, May 25, 1838.

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

CHAP. LXXXV.—*An Act supplementary to the act entitled "An act concerning the District of Columbia."*

STATUTE II.  
May 25, 1838.  
1801, ch. 15.  
Preamble.

Whereas the present Judge of the Orphan's Court, in and for the county of Washington, in the District of Columbia, is, by reason of age and infirmity, disqualified for the due and proper discharge of the duties of his office :

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, there shall be appointed in and for the county of Washington, an additional Judge of the Orphan's Court, who shall take an oath for the faithful and impartial discharge of the duties of his office; and who shall have the same powers, perform the same duties and receive the same salary, as are exercised, performed and received by the present Judge of the said Orphan's Court.

An additional judge to be appointed for the Orphans' Court of Washington; his powers.

SEC. 2. *And be it further enacted,* That during the life or continuance in office of the present Judge of the said Orphan's Court, the powers of the said Orphan's Court shall be vested in the said two Judges jointly, or may be exercised by the said additional Judge separately, as provided in the foregoing section; and that after the death or resignation of the present Judge, the said Orphan's Court shall consist of a single Judge as heretofore.

The powers of the Orphans' Court, how vested. After the death, &c. of the present judge, the court to consist of one judge.

APPROVED, May 25, 1838.

CHAP. LXXXVIII.—*An Act to extend the charter of the Union Bank of Georgetown, in the District of Columbia. (a)*

STATUTE II.  
May 25, 1838.  
1847, ch. 38.  
Preamble.  
Act of Aug. 25, 1841, ch. 12, § 8.  
1840, ch. 40.

Whereas, it appears that an extension of the charter of the Union Bank of Georgetown beyond the first day of July, eighteen hundred and thirty-eight, together with some amendment thereof, is necessary to enable the said corporation the better to close its concerns, redeem its obligations, and collect its debts; and the extension and amendment as aforesaid have been asked by the said corporation for the purposes above specified and for none other: Now therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the charter of the said corporation be extended until the first of July, eighteen hundred and forty-two, so as further to grant, continue, and reassure to said corporation the rights and privileges thereof, upon the conditions and with the limitations in said charter specified, and with certain exceptions and other conditions and limitations hereinafter to be named, until the day and year last mentioned.

Charter of the Union Bank of Georgetown extended to the 1st July 1842.

SEC. 2. *And be it further enacted,* That on the first Monday in April next, and thereafter, the number of directors of the Union Bank shall be reduced to four, together with a president, to be elected as now provided by the charter of said bank, any one of which directors, together with the president, shall constitute a board to do the business of the bank.

Number of directors reduced.

SEC. 3. *And be it further enacted,* That the president and directors of said bank may call a meeting of the stockholders of said bank, in such manner as shall be prescribed by the laws and ordinances of said corporation, and at such time as they may select, for the purpose of electing a trustee or trustees, (not exceeding three,) to whom shall be granted, until the first of July, eighteen hundred and forty-two, (should a majority of the votes present so decide,) the management of the concerns of said bank, together with the powers relating thereto, as fully and with the same limitations, together with others hereinafter to be

The president and directors may call a meeting of the stockholders for the election of a trustee or trustees, &c.



named, as they are now given to the president and directors of the said corporation. And should it be the pleasure of the said stockholders, signified as aforesaid, to make the said change in the direction and management of the said bank, the trustee or trustees shall be elected in the same manner as is prescribed by the charter of said corporation for the election of directors. In such case as made and provided, the president and directors then being shall select a commissioner to convey to such trustee or trustees all the property, real and personal, of said corporation, and all its choses in action, its rights and interests of every description, whether in litigation or not, upon the condition, first, of discharging all the debts due from said corporation; and, after the satisfaction of this trust, upon such other trusts, conditions and limitations, not inconsistent with the general laws for the government of the District of Columbia, or with their said charter, as herein amended, as they may see fit to prescribe in the conveyance by which they appoint the said trustee or trustees: *Provided, however,* That the charter of the said corporation, as now amended, shall be voidable, upon any act of the said trustee or trustees, for which it might be avoided if it had been committed by the president and directors of said corporation: *And provided also,* That nothing herein contained shall be so construed as to incapacitate the president and directors of said bank in being at the time of said election, from receiving at that election the appointment of trustee or trustees, and taking to him or them the deed of trust aforesaid, which may provide, if three trustees be selected, that any one or two may act in the case of the death or removal from the trust of the others.

And the president shall select a commissioner to convey to the trustee or trustees all the property, &c.

Proviso.

Further proviso.

After 1st July 1838, no bills, &c. payable to bearer, shall be issued; no deposits, except from a stockholder, received; and no obligations entered into, except, &c.

SEC. 4. *And be it further enacted,* That the said corporation shall not, after the first day of July, eighteen hundred and thirty-eight, issue or reissue any bills, notes, or checks, payable to bearer; nor shall they issue certificates of deposit, payable to bearer; nor shall they receive any money or other property from any other corporation or from any person other than one of its stockholders, on deposit, and under an obligation to return it; nor shall the said corporation at any time after the first of July, eighteen hundred and thirty-eight, receive or enter into any new obligations or liabilities other than such deeds or assignments as may be necessary to convey away absolutely the property, real or personal, of the said bank, or other than the renewal from time to time of existing debts due said corporation on the receipt of partial payments, and the taking of such obligations, additional assurances, new liens, or new sureties, as may be necessary and proper for securing the collection of debts due to the said bank on the first of July, eighteen hundred and thirty-eight, and for enforcing the performance of obligations created on or before the day and year last aforesaid: *Provided, however,* That nothing herein contained shall prevent the said corporation from employing such officers and agents as may be necessary for transacting its affairs.

Proviso.

Nothing herein contained shall be so construed as to impair the obligations, &c. of the corporation; but all suits, &c. shall proceed without abatement, &c.

SEC. 5. *And be it further enacted,* That nothing herein contained shall be so construed as to destroy or in any manner impair the force of the obligations, rights, and liabilities, to or from the said corporation; but, on the contrary, all suits, bills, plaints, informations, actions, whether legal or equitable, judgments, decrees, and executions, by or against said corporation, shall proceed without abatement, discontinuance, or necessity for revivor, in due course of law, as if no change had been hereby made in the affairs of said corporation, and as if the charter by original creation had extended to the first of July, eighteen hundred and forty-two; and in all actions, legal or equitable, and in all process by or against said corporation, the name and style thereof shall remain the same: *Provided, however,* That, if a trustee or trustees should be elected, all summons, notices, and other process, legal or equitable,

Proviso.

shall afterwards be served upon him or them in the same manner as before they were served upon the president and other officers of said bank; but all acquittances for debts due to the said corporation, in any manner whatsoever, must be given by the said trustee or trustees after their appointment by deed as aforesaid; and in that case, and after that event, no payment, except to him or them, or to his or their authorized agents, shall operate as a discharge of the obligation or debt due to said corporation. Any creditor of said corporation who shall obtain executions or attachments upon any decree or judgment, may levy the same upon any property, real or personal, subject in its nature to such execution or attachment, and conveyed by the said corporation, as herein-after mentioned, to such trustee or trustees; and if not enough of such property be found to satisfy the debt, then the said trustee or trustees shall be personally liable for the same, to the extent to which he or they may have received property, real, personal, or mixed, from said corporation, (estimated at the time of conveyance without interest,) and may not have applied the same to the payment of debts due from said corporation.

SEC. 6. *And be it further enacted*, That the said trustee or trustees, should they be appointed, may prosecute, after the first day of July, eighteen hundred and forty-two, any action, legal or equitable, or judgment, decree, attachment, and execution, then in existence, or then pending in any court having competent jurisdiction of the subject, without abatement, discontinuance, or necessity for revivor, in the same manner as if such corporation were still in existence for the uses and trusts of the deed hereinbefore mentioned, and under which they derive this authority. Any person purchasing from the trustees their rights and interests in said actions, legal or equitable, judgments, decrees, or executions, shall be substituted in the said privilege of prosecuting their claims in manner aforesaid, in the name of the said corporation, and for his own benefit. And all actions, legal or equitable, judgments, decrees, attachments, and executions, against said corporation, which may be pending in any court having competent jurisdiction of the subject, on the first of July, eighteen hundred and forty-two, may proceed according to the forms of law, without abatement, discontinuance, or necessity for revivor, in the same manner as if said corporation were still in existence: *Provided, however*, That the said trustee or trustees, after the first of July, eighteen hundred and forty-five, shall not be liable for any debt due from the said corporation to others than stockholders, except in those cases in which judgments, decrees, attachments, or executions are obtained upon them in actions, whether legal or equitable, which were instituted before the day and year last mentioned.

SEC. 7. *And be it further enacted*, That in the event of a selection of a trustee or trustees as aforesaid, it shall be their duty to advertise the fact for eight weeks successively in two of the newspapers published in the District, one of which shall be selected in Washington, and the other in Alexandria. And it shall also be the duty of the said trustee or trustees to cause a copy of the deed conveying to them in trust as aforesaid to be recorded in the clerk's office of the court for the county of Washington, District of Columbia, and also to forward a copy of the same to the Secretary of State for the United States.

SEC. 8. *And be it further enacted*, That unless the president and directors for the time being of the said corporation shall, on behalf of the stockholders, and in virtue of an authority from them, or from a majority in interest and number of them, file their declaration, in writing, in the office of the Secretary of the Treasury, within six months from the passage of this act, assenting to and accepting the extension of the charter hereby granted, under the terms, conditions, and limita-

Trustee or trustees, if appointed, may, after 1st July 1842, prosecute any action, &c. without abatement, &c.

Persons purchasing the rights. &c. of the trustees in said actions, &c. may prosecute, &c.

All actions, &c. against said corporation, which may be pending on 1st July 1842, may proceed, &c. Proviso.

In the event of a selection of a trustee or trustees, they shall advertise the fact, &c.

Unless the President, &c. file with the Secretary of the Treasury, within six months, a declaration assenting to the charter, the corporation shall

forfeit all right to the extension.

This act to be considered a public act; and acts repugnant hereto, repealed.

STATUTE II.  
May 31, 1838.

[Expired.]

Charters of Farmers' and Mechanics' Bank. Bank of the Metropolis, &c. extended to 4th July, 1840, &c.

Proviso.

tions contained in this act, then [the] said corporation shall forfeit all right to an extension of charter.

SEC. 9. *And be it further enacted*, That this act shall be considered a public act; and so much and such parts of any act or acts heretofore passed in relation to said corporation as may be repugnant to this act, be, and the same are hereby, repealed and annulled.

APPROVED, May 25, 1838.

CHAP. XCI.—*An Act to continue the corporate existence of the Banks 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 charters of the Farmers' and Mechanics' Bank of Georgetown, the Bank of the Metropolis, Patriotic Bank of Washington, and Bank of Washington, in the city of Washington, and the Farmers' Bank of Alexandria, and Bank of Potomac, in the town of Alexandria, be, and the same are hereby, extended to the fourth day of July, in the year eighteen hundred and forty: *Provided*, The said banks, each for itself, shall conform to the following conditions:

First. To cease receiving or paying out all paper currency of less denomination than five dollars, on or before the day of the promulgation of this act.

Second. To redeem all their notes of the denomination of five dollars in gold or silver, from and after the first day of August, in the present year.

Third. To resume specie payments in full, on or before the first day of January, in the year one thousand eight hundred and thirty-nine, or sooner, if the principal banks of Baltimore and Richmond should sooner resume specie payments in full.

APPROVED, May 31, 1838.

STATUTE II.

May 31, 1838.

[Obsolete.]

CHAP. XCII.—*An Act making appropriations for the naval service for the year one thousand eight hundred and thirty-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 appropriated, in addition to the unexpended balances of former appropriations, out of any unappropriated money in the Treasury, for the naval service, for the year eighteen hundred and thirty-eight, viz:

Pay of officers and seamen.

For the pay of commissioned, warrant, and petty officers, and of seamen, one million three hundred and twelve thousand dollars;

Pay of superintendents, &c. at yards.

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, sixty-nine thousand seven hundred and seventy dollars;

Provisions.

For provisions, six hundred thousand dollars;

Repairs, &c.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million two hundred thousand dollars;

Medicines, &c.

For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, seventy-five thousand dollars;

Portsmouth navy yard.

For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, twenty thousand dollars;

Charlestown navy yard.

For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, seventy-four thousand dollars;

Brooklyn navy yard.

For improvement and necessary repairs of the navy yard at Brooklyn, New York, sixty-one thousand dollars;

(a) An act to revive and extend the charters of certain banks in the District of Columbia, August 25, 1841, chap. 12.

An act to extend the charters of the District banks, June 17, 1844, chap. 98.

For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, twenty-one thousand five hundred dollars;	Philadelphia navy yard.
For improvement and necessary repairs of the navy yard at Washington, thirty thousand dollars;	Washington navy yard.
For improvement and necessary repairs of the navy yard at Gosport, Virginia, seventy-seven thousand five hundred dollars;	Gosport navy yard.
For improvement and necessary repairs of the navy yard near Pensacola, seventy-six thousand five hundred dollars;	Pensacola navy yard.
For ordnance and ordnance stores, sixty-five thousand dollars;	Ordnance, &c
For defraying the expenses that may accrue for the following purposes, viz; for the freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; traveling expenses of officers and transportation of seamen; house rent for pursers when attached to yards and stations where no house is provided; for funeral expenses; for commissions, clerk hire, office rent, stationery, and fuel to navy agents; for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowance to persons attending courts martial and courts of inquiry; for printing and stationery of every description, and for working the lithographic press; for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for the purchase and repair of fire engines and machinery, and for the repair of steam engines; for the purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for cabin furniture of vessels in commission; taxes and assessments on 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, and for candles and oil; for repairs of magazines or powder-houses; for preparing moulds for ships to be built, and for no other purpose whatever, four hundred and fifty thousand dollars;	Miscellaneous expenses.
For contingent expenses for objects not hereinbefore enumerated, three thousand dollars;	Contingent expenses.
For pay of the officers, non-commissioned officers, musicians, and privates, and subsistence of the officers of the marine corps, one hundred and sixty-two thousand and nineteen dollars;	Pay, &c. of the marine corps.
For provisions for the non-commissioned officers, musicians, and privates serving on shore, servants and washerwomen, forty-nine thousand eight hundred and forty dollars;	Provisions for non-commissioned officers, &c. serving on shore.
For clothing, forty-three thousand six hundred and ninety-five dollars;	Clothing.
For fuel, fifteen thousand eight hundred and four dollars;	Fuel.
For keeping the present barracks in repair until new ones can be erected, and for the rent of temporary barracks at New York, ten thousand dollars;	Repair of barracks, &c.
For transportation of officers, non-commissioned officers, musicians, and privates, and expenses of recruiting, six thousand dollars;	Transportation.
For medicines, hospital stores, surgical instruments, and pay of matron, four thousand one hundred and thirty-nine dollars;	Medicines, &c.
For contingent expenses of said corps, freight, ferriage, toll, wharfage, and cartage, per diem allowance for attending courts of inquiry, compensation to judge advocates, house rent where there are no public quarters assigned, incidental labour in the quartermaster's department, expenses of burying deceased persons belonging to the marine corps, printing, stationery, forage, postage on public letters, expenses in pursuing deserters, candles and oil for the different stations, straw for the men, barrack furniture, bed sacks, spades, axes, shovels, picks, and carpenters' tools, seventeen thousand nine hundred and seventy-seven dollars and ninety-three cents;	Contingent expenses.

Military stores, &c.

For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements, and ordnance stores, two thousand dollars;

Hospital near Pensacola.

For erecting and furnishing a new hospital building, and for a dwelling for an assistant surgeon; for the repairs of the present building, and for all expenses upon their dependencies near Pensacola, thirty-one thousand five hundred dollars;

Hospital near Norfolk.

For erecting a sea-wall to protect the shore, for enclosing the hospital grounds, for completing the basement of south wing, and for all other expenses upon the dependencies of the hospital near Norfolk, nine thousand dollars;

Naval asylum near Philada.

For graduating and enclosing the grounds about the naval asylum near Philadelphia, and for all other expenses upon the building and its dependencies, two thousand six hundred dollars;

Hospital near Brooklyn.

For extending the hospital building near Brooklyn, New York, for enclosing the grounds, and for all other expenses upon its dependencies, sixty thousand dollars;

Hospital near Boston.

For completing the present hospital building near Boston, and for all expenses upon its dependencies, three thousand five hundred dollars;

Magazine upon Ellis's Isl'd.

For repairing the enclosure, and for the sea-wall of the magazine upon Ellis's island, in the harbor of New York, three thousand eight hundred dollars;

Magazine, &c. at Norfolk.

For repairing the magazine, filling house, wharf, and railway, at Norfolk, Virginia, seven hundred and fifty dollars;

Magazine at Pensacola.

For building a wall round the magazine at Pensacola, three thousand dollars;

Naval asylum at Philada.

For fixtures, furniture, and other incidental expenses at the naval asylum, at Philadelphia, being a balance carried to the surplus fund on the thirty-first December last, twelve hundred and forty-one dollars and thirty-seven cents;

Appropriations for the navy. Act of March 2, 1833, ch. 67.

SEC. 2. *And be it further enacted*, That of the amount heretofore appropriated, under the act of the second of March, eighteen hundred and thirty-three, entitled "An act in addition to the act for the gradual improvement of the navy of the United States," and remaining unexpended, the sum of one million five hundred thousand dollars be carried to the surplus fund; and that the sum of one million five hundred thousand dollars is hereby appropriated, out of any unappropriated money in the Treasury, to be paid one half in the year eighteen hundred and thirty-nine, and the other half in the year eighteen hundred and forty, for the purpose of completing contracts now existing, or which may be hereafter made, according to the provisions of the said act of the second of March, eighteen hundred and thirty-three.

APPROVED, May 31, 1838.

## STATUTE II.

May 31, 1838.

CHAP. XCIII.—*An Act to repeal 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.*

The proviso of the 10th and 12th clauses of the 2d section of the act of July 14, 1832, ch. 227, repealed.

*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 the fourteenth, eighteen hundred and thirty-two, be, and the same are hereby, repealed.

APPROVED, May 31, 1838.

STATUTE II.

June 12, 1838.

CHAP. XCVI.—*An Act to divide the Territory of Wisconsin and to establish the Territorial Government of Iowa.* (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 July next, all that part of the present Territory of Wisconsin which lies west of the Mississippi river, and west of a line drawn due north from the head waters or sources of the Mississippi to the Territorial line, shall, for the purposes of temporary government, be and constitute a separate Territorial Government by the name of Iowa; and that from and after the said third day of July next, the present Territorial Government of Wisconsin shall extend only to that part of the present Territory of Wisconsin which lies east of the Mississippi river. And after the said third day of July next, all power and authority of the Government of Wisconsin in and over the Territory hereby constituted shall cease: *Provided*, That nothing in this act contained shall be construed to impair the rights of person or property now appertaining to any Indians within the said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to impair the obligations of any treaty now existing between the United States and such Indians, or to impair or anywise to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty or law, or otherwise, which it would have been competent to the Government to make if this act had never been passed: *Provided*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing the Territory hereby esta-

What part of the present territory of Wisconsin shall constitute the territory of Iowa.

The authority of Wisconsin over the territory thus constituted, to cease. Proviso.

Proviso.

(a) Acts relating to the territory of Iowa:

An act to divide the territory of Wisconsin, and to establish the territorial government of Iowa, June 12, 1838, chap. 96.

An act to authorize the President of the United States to cause the southern boundary line of the territory of Iowa to be ascertained and marked, June 18, 1838, chap. 116.

Appropriation for erecting public buildings in the territory of Iowa; act of July 7, 1838, chap. 169, sec. 5.

Post-routes in Iowa; act of July 7, 1838, chap. 172.

An act making a donation of land to the territory of Iowa for the purpose of erecting public buildings thereon, March 3, 1839, chap. 77.

An act granting to the Judges of the Supreme Court of Iowa, the same compensation as by law is given to the Judges of the Supreme Court of Wisconsin; March 3, 1839, chap. 79.

Appropriation for the survey of the southern boundary of Iowa; act of March 3, 1839, chap. 81.

An act to alter and amend the organic law of the territories of Wisconsin and Iowa, March 3, 1839, chap. 90.

An act granting two townships of land for the use of a university in the territory of Iowa; July 20, 1840, chap. 90.

Appropriations for the Iowa Territory. Proviso that the Legislative Assembly of the territory shall exceed the amount appropriated by Congress for its annual expenses; act of May 18, 1842, chap. 29.

An act to authorize the county commissioners of Linn county, in the territory of Iowa, to enter, by legal subdivisions, a quarter section of land, upon which the county seat has been located; July 27, 1842, chap. 104.

An act regulating the services of the several judges of the territory of Iowa; Aug. 11, 1842, ch. 129, § 117.

An act to grant pre-emption rights to settlers on the "Dubuque claim," so called, in the territory of Iowa; August 16, 1842, chap. 182.

An act to authorize the selection of school lands in lieu of those granted to the half-breed of the Sac and Fox Indians; August 23, 1842, chap. 194.

An act giving the assent of Congress to the holding of an extra session of the Legislative Assembly of the territory of Iowa; April 30, 1844, chap. 16.

An act making appropriations for certain improvements in the territory of Iowa; June 15, 1844, chap. 66.

An act respecting the northern boundary of the state of Missouri; June 17, 1844, chap. 97.

An act to authorize the selection of certain school lands in the territories of Florida, Iowa, and Wisconsin; June 15, 1844, chap. 55.

An act granting to the county of Dubuque certain lots of ground in the town of Dubuque; June 15, 1844, chap. 56.

An act for the admission of the states of Iowa and Florida into the Union; March 3, 1845, chap. 48.

An act supplemental to the act for the admission of Florida and Iowa into the Union, and for other purposes; March 3, 1845, chap. 75.

An act supplemental to the act for the admission of the states of Iowa and Florida into the Union; March 3, 1845, chap. 76.

blished into one or more other Territories, in such manner and at such times as Congress shall, in its discretion, deem convenient and proper, or from attaching any portion of said Territory to any other state or Territory of the United States.

Executive power vested in a governor; his powers and duties.

SEC. 2. *And be it further enacted,* That the executive power and authority in and over the said Territory of Iowa shall be vested in a Governor, who shall hold his office for three years, unless sooner removed by the President of the United States. The Governor shall reside within the said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve of all laws passed by the Legislative Assembly before they shall take effect; he may grant pardons for offences against the laws of the said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

A Secretary of the Territory to be appointed. His duties.

SEC. 3. *And be it further enacted,* That there shall be a Secretary of the said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor in his executive department; he shall transmit one copy of the laws and one copy of the executive proceedings, on or before the first Monday in December in each year, to the President of the United States, and, at the same time, two copies of the laws to the Speaker of the House of Representatives, for the use of Congress. And in case of the death, removal, resignation, or necessary absence of the Governor from the Territory, the Secretary shall have, and he is hereby authorized and required to execute and perform all the powers and duties of the Governor during such vacancy or necessary absence, or until another Governor shall be duly appointed to fill such vacancy.

Secretary to act as governor in case of a vacancy.

Legislative power, how vested.

SEC. 4. *And be it further enacted,* That the legislative power shall be vested in the Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The House of Representatives shall consist of twenty-six members possessing the same qualifications as prescribed for the members of the Council, and whose term of service shall continue one year. An apportionment shall be made as nearly equal as practicable, among the several counties, for the election of the Council and Representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the said members of the council and House of Representatives shall reside in and be inhabitants of the district for which they may be elected. Previous to the first election, the Governor of the Territory shall cause the census or enumeration of the inhabitants of the several counties in the Territory to be taken, and made by the sheriffs of the said counties, respectively, unless the same shall have been taken within three months previous to the third day of July next, and returns thereof made by said sheriffs to the Governor. The first election shall be held at such time and place, and be conducted in such manner as the Governor shall appoint and direct; and he shall at the same time, declare the number of members of the Council and House of Representatives to which each of the counties or districts are entitled under this act. The number of persons authorized to be elected having the greatest number of votes in each of the said counties or districts for the Council, shall be declared by the said Governor to be duly elected to the said Council;

Apportionment of representation.

Members to be inhabitants of the district for which elected.

First election.

Gov'r to declare the persons having the greatest number of votes to be elected.

and the person or persons having the greatest number of votes for the House of Representatives, equal to the number to which each county may be entitled, shall also be declared by the Governor to be duly elected: *Provided*, The Governor shall order a new election when there is a tie between two or more persons voted for, to supply the vacancy made by such tie. And the persons thus elected to the Legislative Assembly shall meet at such place, and on such day as he shall appoint; but thereafter the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties to the Council and House of Representatives, according to population, shall be prescribed by law, as well as the day of the annual commencement of the session of the said Legislative Assembly; but no session in any year shall exceed the term of seventy-five days.

Proviso.

SEC. 5. *And be it further enacted*, That every free white male citizen of the United States, above the age of twenty-one years, who shall have been an inhabitant of said Territory at the time of its organization, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters at all subsequent elections, shall be such as shall be determined by the Legislative Assembly: *Provided*, That the right of suffrage shall be exercised only by citizens of the United States.

Qualifications of voters.

Proviso.

SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws of the Governor and Legislative Assembly shall be submitted to, and if disapproved by, the Congress of the United States, the same shall be null and of no effect.

Powers of the Legislature. Restrictions.

SEC. 7. *And be it further enacted*, That all township officers, and all county officers, except judicial officers, justices of the peace, sheriffs, and clerks of courts, shall be elected by the people, in such manner as is now prescribed by the laws of the Territory of Wisconsin, or as may, after the first election, be provided by the Governor and Legislative Assembly of Iowa Territory. The Governor shall nominate and by and with the advice and consent of the Legislative Council, shall appoint all judicial officers, justices of the peace, sheriffs, and all militia officers, except those of the staff, and all civil officers not herein provided for. Vacancies occurring in the recess of the Council, shall be filled by appointments from the Governor, which shall expire at the end of the next session of the Legislative Assembly; but the said Governor may appoint, in the first instance, the aforesaid officers, who shall hold their offices until the end of the next session of the said Legislative Assembly.

Laws to be submitted to Congress for approval. Officers to be elected by the people.

Officers, how appointed.

Vacancies.

SEC. 8. *And be it further enacted*, That no member of the Legislative Assembly shall hold, or be appointed to, any office created, or the salary and emoluments of which shall have been increased, whilst he was a member, during the term for which he shall have been elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, or any of its officers, except as a militia officer, shall be a member of the said Council or House of Representatives, or shall hold any office under the Government of the said Territory.

Disqualifications for office.

SEC. 9. *And be it further enacted*, That the judicial power of the said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice, and two associate judges, any two of whom shall be a quorum, and who shall hold a term at the seat of Government of the

Judicial power, how vested. Supreme court.



District courts.

Jurisdiction of the several courts.

Proviso.

said Territory annually, and they shall hold their offices during the term of four years. The said Territory shall be divided into three judicial districts; and a district court or courts shall be held in each of the three districts, by one of the judges of the supreme court, at such times and places as may be prescribed by law; and the said judges shall, after their appointment, respectively, reside in the districts which shall be assigned to them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts, and of the justices of the peace, shall be as limited by law: *Provided, however,* That justices of the peace shall not have jurisdiction of any matter of controversy, when the title or boundaries of land may be in dispute, or where the debt or sum claimed exceeds fifty dollars. And the said supreme and district courts, respectively, shall possess a chancery as well as common law jurisdiction. Each district court shall appoint its clerk, who shall keep his office at the place where the court may be held, and the said clerks shall also be registers in chancery; and any vacancy in said office of clerk happening in the vacation of said court, may be filled by the judge of said district, which appointment shall continue until the next term of said court. And writs of error, bills of exception, and appeals in chancery causes, shall be allowed in all cases, from the final decisions of the said district courts to the supreme court under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court may appoint its own clerk, and every clerk shall hold his office at the pleasure of the court by which he shall have been appointed. And writs of error and appeals from the final decision of the said supreme court shall be allowed and taken 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 value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, shall exceed one thousand dollars. And each of the said district courts shall have and exercise the same jurisdiction in all cases arising under the constitution and laws of the United States, as is vested in the circuit and district courts of the United States. And the first six days of every term of the said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws. And writs of error and appeals from the final decisions of the said courts, in all such cases, shall be made to the supreme court of the Territory, in the same manner as in other cases. The said clerks shall receive in all such cases, the same fees which the clerk of the district courts of Wisconsin Territory now receives for similar services.

An attorney to be appointed for four years; his fees, &c.

A marshal to be appointed for four years; his duties, fees, &c.

SEC. 10. *And be it further enacted,* That there shall be an attorney for the said Territory appointed, who shall continue in office four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States, for the present Territory of Wisconsin. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, who shall execute all process issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States. He shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as the marshal of the district court of the United States for the present Territory of Wisconsin; and shall, in addition, be paid the sum of two hundred dollars annually, as a compensation for extra services.

Officers to be appointed by the President, with the advice

SEC. 11. *And be it further enacted,* That the Governor, secretary, chief justice, and associate judges, attorney and marshal, shall be nominated, and by and with the advice and consent of the senate, appointed by the President of the United States. The Governor and

secretary to be appointed as aforesaid, shall, before they act as such, respectively, take an oath or affirmation, before some judge or justice of the peace, in the existing Territory of Wisconsin, duly commissioned and qualified to administer an oath or affirmation, [or] before the chief justice, or some associate justice of the Supreme Court of the United States, to support the constitution of the United States, and for the faithful discharge of the duties of their respective offices, which said oaths when so taken, shall be certified by the person before whom the same shall have been taken, and such certificate shall be received and recorded by the said Secretary among the executive proceedings. And, afterwards, the chief justice and associate judges, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said Governor or secretary, or some judge or justice of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the Secretary, to be by him recorded as aforesaid; and, afterwards, the like oath or affirmation, shall be taken, certified, and recorded, in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of fifteen hundred dollars as Governor, and one thousand dollars as superintendent of Indian affairs. The said chief justice and associate judges shall each receive an annual salary of fifteen hundred dollars. The secretary shall receive an annual salary of twelve hundred dollars. The said salaries shall be paid quarter-yearly at the Treasury of the United States. The members of the Legislative Assembly shall be entitled to receive three dollars each per day, during their attendance at the sessions thereof; and three dollars each for every twenty miles travel in going to and returning from, the said sessions, estimated according to the nearest usually travelled route. There shall be appropriated, annually, the sum of three hundred and fifty dollars, to be expended by the Governor to defray the contingent expenses of the Territory; and there shall also be appropriated, annually, a sufficient sum, to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses; and the Secretary of the Territory shall annually account to the Secretary of the Treasury of the United States, for the manner in which the aforesaid sum shall have been expended.

SEC. 12. *And be it further enacted,* That the inhabitants of the said Territory shall be entitled to all the rights, privileges and immunities heretofore granted and secured to the Territory of Wisconsin and to its inhabitants; and the existing laws of the Territory of Wisconsin shall be extended over said Territory, so far as the same be not incompatible with the provisions of this act, subject, nevertheless, to be altered, modified, or repealed, by the Governor and Legislative Assembly of the said Territory of Iowa; and further, the laws of the United States are hereby extended over, and shall be in force in said Territory, so far as the same, or any provisions thereof, may be applicable.

SEC. 13. *And be it further enacted,* That the Legislative Assembly of the Territory of Iowa shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said session, or as soon thereafter as may by them be deemed expedient, the said Governor and Legislative Assembly shall proceed to locate and establish the seat of Government for said Territory, at such place as they may deem eligible, which place, however, shall thereafter be subject to be changed by the said Governor and Legislative Assembly. And the sum of twenty thousand dollars, out of any money in the Treasury not otherwise appropriated, is hereby granted to the said Territory of Iowa, which shall be applied by the Governor and Legislative

and consent of the Senate.  
Governor and Secretary to take an oath, &c.

Chief justice and associate judges, &c. to take an oath, &c.

Salary of the Governor.  
Salary of the chief judge and associate justices.

Salary of the secretary.  
Salaries how paid.

Pay of members of Legislative Assembly.

Contingent expenses of the Territory, &c.

Rights, &c. same as granted to Wisconsin.

Existing laws of Wisconsin extended over Iowa, &c.

Laws U.S. extended over Iowa.

First session of Legislative Assembly held where Governor shall direct.

Seat of Gov't.

\$20,000 appropriated for erection of public buildings at seat of government.

Assembly thereof to defray the expenses of erecting public buildings at the seat of Government.

Delegates to House of Representatives U. S. how elected, &c.

SEC. 14. *And be it further enacted*, That a delegate to the House of Representatives of the United States to serve for the term of two years, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as have been granted to the delegates from the several Territories of the United States, to the said House of Representatives. The first election shall be held at such time and place or places, and be conducted in such manner as the Governor shall appoint and direct. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given to the person so elected.

Suits, &c. undetermined on 3d July next in dist. courts of Wisconsin, west of the Mississippi, shall be transferred, &c. Judicial officers in office on 3d July next, shall act temporarily until their places are filled by Gov't of Iowa.

SEC. 15. *And be it further enacted*, That all suits, process, and proceedings, and all indictments and informations, which shall be undetermined on the third day of July next, in the district courts of Wisconsin Territory, west of the Mississippi river, shall be transferred to be heard, tried, prosecuted and determined in the district courts hereby established, which may include the said counties.

Proviso.

SEC. 16. *And be it further enacted*, That all justices of the peace, constables, sheriffs, and all other executive and judicial officers, who shall be in office on the third day of July next, in that portion of the present Territory of Wisconsin which will then, by this act, become the Territory of Iowa, shall be, and are hereby authorized and required to continue to exercise and perform the duties of their respective offices, as officers of the Territory of Iowa, temporarily and until they, or others, shall be duly appointed to fill their places by the Territorial Government of Iowa, in the manner herein directed: *Provided*, That no officer shall hold or continue in office by virtue of this provision, over twelve months from the said third day of July next.

Causes removed from the courts of Wisconsin, west of the Mississippi, into supreme court of Wisconsin.

SEC. 17. *And be it further enacted*, That all causes which shall have been or may be removed from the courts held by the present Territory of Wisconsin, in the counties west of the Mississippi river, by appeal or otherwise, into the supreme court for the Territory of Wisconsin, and which shall be undetermined therein on the third day of July next, shall be certified by the clerk of the said supreme court, and transferred to the supreme court of said Territory of Iowa, there to be proceeded in to final determination, in the same manner that they might have been in the said supreme court of the Territory of Wisconsin.

Library to be kept at seat of government.

SEC. 18. *And be it further enacted*, That the sum of five thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be expended by, and under the direction of, the Governor of said Territory of Iowa, in the purchase of a library, to be kept at the seat of Government, for the accommodation of the Governor, Legislative Assembly, judges, secretary, marshal, and attorney of said Territory, and such other persons as the Governor and Legislative Assembly shall direct.

Term of members of council and House of Reps. of Wisconsin to expire, &c.

SEC. 19. *And be it further enacted*, That from and after the day named in this act for the organization of the Territory of Iowa, the term of the members of the Council and House of Representatives of the Territory of Wisconsin shall be deemed to have expired, and an entirely new organization of the Council and House of Representatives of the Territory of Wisconsin as constituted by this act shall take place as follows: As soon as practicable after the passage of this act, the Governor of the Territory of Wisconsin shall apportion the thirteen members of the Council and twenty-six members of the House of Representatives among the several counties or districts comprised within said Territory, according to their population, as nearly as may be (Indians excepted). The first election shall be held at such time as the Go-

Apportionment of members of Council and Ho. Reps.

vernor shall appoint and direct; and shall be conducted, and returns thereof made, in all respects, according to the provisions of the laws of said Territory, and the Governor shall declare the persons having the greatest number of votes to be elected, and shall order a new election when there is a tie between two or more persons voted for, to supply the vacancy made by such tie. The persons thus elected shall meet at Madison, the seat of Government, on such day as he shall appoint, but thereafter the apportioning of the representation in the several counties to the Council and House of Representatives according to population, the day of their election, and the day for the commencement of the session of the Legislative Assembly, shall be prescribed by law.

First election, when held, how conducted, &c.

Time and place of meeting.

Sec. 20. *And be it further enacted*, That temporarily, and until otherwise provided by law of the Legislative Assembly, the Governor of the Territory of Iowa may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times for holding courts in the several counties in each district, by proclamation to be issued by him; but the Legislative Assembly, at their first, or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges and alter the times of holding the courts or any of them.

Gov. of Iowa may temporarily define the judicial districts, assign the judges, and appoint the times of holding the courts.

APPROVED, June 12, 1838.

STATUTE II.

June 12, 1838.

[Obsolete.]

CHAP. XCVII.—*An Act making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-eight, and for arrearages for the year eighteen hundred and thirty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses which have been, or may be, incurred, in preventing or suppressing the hostilities of any Indians, in the year eighteen hundred and thirty-eight; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March and the second of July, eighteen hundred and thirty-six, and of the acts therein referred to; and for arrearages of the same for the year eighteen hundred and thirty-seven:

1836, ch. 44.

1836, ch. 254.

To be expended under direction of Sec'y. War, conformably, &c.

For forage for the horses of the dragoons, volunteers, officers, and in the service of the trains, four hundred thousand dollars;

Forage for horses.

For freight or transportation of military supplies sent into Florida and the Cherokee country, three hundred and fifty thousand dollars;

Freight, &c. of military supplies.

For wagons, carts, ambulances, and harness, and for boats and lighters, one hundred and fifty thousand dollars;

Wagons, carts, &c.

For the transportation of supplies from the principal depots to the points of consumption, including the hire of steamboats and other vessels, and the expense of public steamers and transport schooners, seven hundred thousand dollars;

Transportation of supplies from principal depots, &c.

For the hire of a corps of mechanics, laborers, mule-drivers, teamsters, wagon-masters, and other assistants, two hundred and fifty thousand dollars;

Hire of mechanics, &c.

For transportation and other expenses of four thousand volunteers, one hundred thousand dollars;

Transportation, &c. of volunteers.

For miscellaneous and contingent charges of all kinds, not embraced under the foregoing heads, seven hundred and fifty thousand dollars;

Miscellaneous and contingent expenses.

For drafts lying over, and arrearages for services and supplies in Florida and the Cherokee country, one million forty-eight thousand six hundred dollars;

Drafts lying over, and arrearages.

For pay of four thousand volunteers, for the year eighteen hundred and thirty-eight, including one hundred and fifty-three thousand four

Pay of volunteers for 1838.

including arrearages for 1837.

Subsistence for militia, &c.

Purchase of powder, &c.

Tents, knapsacks, &c.

Correcting an error in paying the Indians employed in Florida.

Objects specified in 3d art. of supplementary articles of treaty of 1835 with Cherokees, &c.

Proviso.

Further proviso.

For satisfying all claims for annuities, &c.

hundred and fifteen dollars arrearages for eighteen hundred and thirty-seven, one million four hundred and sixteen thousand two hundred and fifty dollars and thirty-two cents;

For subsistence for militia, volunteers, and friendly Indians, three hundred and sixty-five thousand and forty dollars;

For the purchase of powder and other materials for cartridges, together with the repairs of gun-carriages, small-arms, and accoutrements, thirty-five thousand dollars;

For tents, knapsacks, and other supplies furnished by the clothing bureau, twenty thousand six hundred and seventy-seven dollars and fifty-six cents;

For correcting an error in paying the Indians employed in the public service in Florida, seven thousand seven hundred and seventy-five dollars and fifty-three cents;

Sec. 2. *And be it further enacted*, That the further sum of one million forty-seven thousand and sixty-seven dollars be appropriated, out of any money in the Treasury not otherwise appropriated, in full, for all objects specified in the third article of the supplementary articles of the treaty of eighteen hundred and thirty-five, between the United States and the Cherokee Indians, and for the further object of aiding in the subsistence of said Indians for one year after their removal west: *Provided*, That no part of the said sum of money shall be deducted from the five millions stipulated to be paid to said tribe of Indians by said treaty: *And provided, further*, That the said Indians shall receive no benefit from the said appropriation, unless they shall complete their emigration within such time as the President shall deem reasonable, and without coercion on the part of the Government.

Sec. 3. *And be it further enacted*, That, for satisfying all claims for arrearages of annuities, for supplying blankets and other articles of clothing for the Cherokees who are not able to supply themselves, and which may be necessary for their comfortable removal, and for medicines and medical assistance, and for such other purposes as the President shall deem proper to facilitate the removal of the Cherokees, one hundred thousand dollars be appropriated out of any money in the Treasury not otherwise appropriated.

APPROVED, June 12, 1838.

## STATUTE II.

June 12, 1838.

[Obsolete.]

Commissions to collectors on bonds postponed by act of Oct. 16, 1837. ch. 8.

Proviso.

CHAP. XCVIII.—*An Act to secure the payment of certain commissions on duty bonds to collectors of customs.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, on all bonds for duties, taken by any collector of the customs, the payment whereof has been at any time postponed by virtue of "An act authorizing a further postponement of payment upon duty bonds," passed on the sixteenth day of October last, the collectors who took said bonds, respectively, or their legal representatives, shall be allowed by the Secretary of the Treasury, and entitled to receive, the same commissions, whenever and as fast as the sums secured by such bonds shall be paid into the Treasury, as they would respectively have been entitled to be allowed and receive had the said bonds been paid at maturity and without such postponement; and no part of such commissions shall be claimed by or allowed to the successor in office of any such collector, in any case in which such successor would not have been entitled by law to a portion thereof, if such postponement of the payment of said bonds had not taken place: *Provided*, That nothing in this act shall be so construed as to give to any collector of the customs, or to the representatives of any such collector, a sum greater than the compensation he would have been entitled to receive in case the law therein referred to, for the suspension of pay-

ment upon revenue bonds, had not been passed, and the said commissions had been paid to the collector, to whom the same are hereby given, during his continuance in office, and at the first maturity of the said bonds.

APPROVED, June 12, 1838.

STATUTE II.

CHAP. XCIX.—*An Act to create the office of Surveyor of Public Lands in the Wisconsin Territory. (a)*

June 12, 1838.

*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 Wisconsin 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 Wisconsin, as are now vested in and required of the Surveyor of the lands of the United States in Ohio.

A Surveyor to be appointed, who shall have the same authority, &c.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Surveyor for Ohio to deliver to the Surveyor for Wisconsin Territory, all the maps, papers, records, and documents relating to the public lands and private land claims in the said Territory of Wisconsin, 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 for Wisconsin Territory; which copies shall be of the same validity as the originals. And the Secretary of the Treasury is hereby authorized to cause the expense attending the transfer of the records to be paid out of the appropriation for surveying the public lands.

Surveyor for Ohio to deliver to Surveyor for Wisconsin all maps, &c. in his office, relating to lands in Wisconsin; or certified copies.

Expense of the transfer to be paid, &c.

SEC. 3. *And be it further enacted,* That the Surveyor for Wisconsin Territory, to be appointed in pursuance of this act, shall establish his office at the town of Du Buque, in the Territory of Wisconsin; and that he shall be allowed an annual salary of fifteen hundred dollars, to commence at such period as his office shall be in readiness for operation; and he shall be authorized to employ one draughtsman and clerk, whose aggregate compensation shall not exceed sixteen hundred dollars per annum. He shall also be allowed the sum of three hundred and fifty dollars per annum, for office-rent, fuel, and other incidental expenses of his office; to be paid out of any money appropriated for surveying the public lands.

Surveyor of Wisconsin to establish his office at Dubuque. Salary.

Authorized to employ a draftsman and clerk—their salaries. Office rent. &c.

APPROVED, June 12, 1838.

STATUTE II.

CHAP. C.—*An Act to establish two additional land offices in that part of Wisconsin Territory west of the river Mississippi. (b)*

June 12, 1838.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the sale of the public lands in that part of the Territory of Wisconsin situate west of the river Mississippi, two land districts are hereby created; one of which comprising all the lands south of the east and west line which forms the northern boundary of the township adjoining to, and immediately south of, the township in which the town of Davenport is situate, shall be called the Des Moines land district, the land office for which shall be established at the town of Burlington; and the other district, comprising the lands north of the said east and west line, shall be called the Du Buque land district, the office for which shall be established at the town of Du Buque.

Two land districts created for the sale of the public lands.

Des Moines.

Du Buque—land office at.

SEC. 2. *And be it further enacted,* That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of

President to appoint a regis-

(a) See notes to the act establishing the territorial government of Wisconsin, April 20, 1836, chap. 54.

(b) See notes to the act of June 12, 1838, chap. 96.

ter and receiver for each district. Powers, duties, and compensation.

Public lands in said districts, except, &c. to be exposed to sale.

President authorized to remove the said land offices.

the Senate, a register and receiver of public moneys for each of the said districts, and who shall, respectively, be required to reside at the site of their offices, and have powers, perform the same duties, and be entitled to the same compensation, as are or may be prescribed by law in relation to the other land officers of the United States.

SEC. 3. *And be it further enacted*, That the President is authorized to cause the public lands in the said districts with the exception of section numbered sixteen in each township, reserved for the use of schools, or such other lands as may by law be selected in lieu thereof, and of such other tracts as he may select for military or other purposes, to be exposed to sale in the same manner, and upon the same terms and conditions, as the other public lands of the United States.

SEC. 4. *And be it further enacted*, That whenever the President may deem it expedient, he is hereby authorized to remove the said land offices to such other places within those districts as he may judge proper.

APPROVED, June 12, 1838.

STATUTE II.

June 12, 1838.

CHAP. CI.—*An Act to ascertain and designate the boundary line between the State of Michigan and the Territory of Wisconsin. (a)*

The boundary line between Michigan and Wisconsin, as established by act 15 June 1836, ch. 99, to be surveyed, marked, and designated.

A plat to be made, &c.

Appropriation. Proviso.

*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 Ohio, Indiana, Michigan and Wisconsin land districts, 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 boundary line between the State of Michigan and the Territory of Wisconsin, agreeably to the boundary as established by the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union, upon the conditions, therein expressed," approved June fifteenth, eighteen hundred and thirty-six; and to cause to be made a plat or plan of the boundary between the said State of Michigan and the said Territory of Wisconsin, and return the same to Congress at its next annual session, and that the sum of three thousand dollars be, and the same is hereby appropriated to carry into effect this act: *Provided*, That the whole expense of surveying, marking and designating the said boundary line shall not exceed that sum.

APPROVED, June 12, 1838.

STATUTE II.

June 12, 1838.

1846, ch. 89, § 7.

CHAP. CX.—*An Act concerning a seminary of learning in the Territory of Wisconsin.*

Sec. Treas. to set apart not exceeding two townships of land for the use of a university.

*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 Wisconsin, 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 a 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.

APPROVED, June 12, 1838.

(a) See notes to the act of June 12, 1838, chap. 96.

STATUTE II.

June 18, 1838.

CHAP. CXIV.—*An Act to grant a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock river. (a)*

*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 Territory of Wisconsin, for the purpose of aiding in opening a canal to unite the waters of Lake Michigan, at Milwaukee, with those of Rock river, between the point of intersection with said river, of the line dividing townships seven and eight and the Lake Koshkonong, all the land heretofore not otherwise appropriated or disposed of in those sections and fractional sections which are numbered with odd numbers on the plats of the public surveys, within the breadth of five full sections, taken in north and south, or east and west tiers, on each side of the main route of said canal, from one end thereof to the other, and reserving the even numbered sections and fractional sections, taken as above, to the United States; and the said land, so granted to aid in the construction of said canal, shall be subject to the disposal of the Legislature of the said Territory, for the purpose aforesaid, and no other: *Provided,* That the said canal, when completed, and the branches thereof, shall be, and for ever 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 main canal shall be commenced within three years, and completed in ten years, or the United States shall be entitled to receive the amount for which any of said land may have been previously sold, and that the title to purchasers under the Territory shall be valid.

Certain lands granted to Wisconsin to aid in opening a canal, &c.

Lands so granted shall be subject to the disposal of the Legislature. *Provido.*

*Provido.*

SEC. 2. *And be it further enacted,* That so soon as the route of the said main canal shall be definitively located and established, agreeably to an act of the Legislature of said Territory, incorporating the Milwaukee and Rock river Canal Company, approved January fifth, 1838, it shall be the duty of the Governor thereof, to transmit a plat of the same, showing its terminations and its connections with the section-corners of the public surveys, to the Commissioner of the General Land Office, whose duty it shall be to ascertain, under the direction of the President of the United States, the particular lands herein granted to said Territory; and shall cause duplicate lists of the same to be prepared from the plats on file in his office, one of which he shall transmit to the Governor of said Territory, who, or such other person or persons as shall be appointed for the purpose, under the authority of the Legislature of the said Territory, or of the State which may be erected out of the same, after the admission of such State, shall have power to sell or convey the whole, or any part of said land, at a price not less than two dollars and fifty cents per acre, and to give a title in fee simple therefor, to whomsoever shall purchase the whole or any part thereof.

The Governor shall transmit a plat of the route, &c. to the Com. of the Gen. Land Off., who shall ascertain the lands herein granted, and cause lists of them to be prepared, &c.

SEC. 3. *And be it further enacted,* That the alternate sections and fractional sections which shall remain to the United States, agreeably to the first section of this act, shall not be sold for a less sum than two dollars and fifty cents per acre, nor be subject to pre-emption.

Prices of the land.

SEC. 4. *And be it further enacted,* That in reference to the provisions of the first section of this act, where a section shall be divided by the route of the main canal, such section shall be counted (in fixing the lateral limits of said grant) as being on or towards that side of the line next the larger portion of said section, ascertained by reference to the mile-lines and corners of the sections, and the land and water thereby included.

Sections divided by route of main canal, how to be counted.

(a) See notes of the acts relating to the territory of Wisconsin, April 20, 1836, chap. 54.



Whenever the Terr. of Wisconsin shall become a State, such part of the lands hereby granted as may not have been sold shall vest in the State, &c.

Number of shares the State of Wisconsin may hold in said canal, &c.

Provisions relating to the claims of stock, &c.

Proviso.

Wisconsin responsible to the U.S. for all moneys received, &c. if, &c.

Assent of the Legislature required.

The Legislature of Wisconsin may borrow upon a pledge of said lands.

SEC. 5. *And be it further enacted,* That whenever the Territory of Wisconsin shall be admitted into the Union as a State, the lands hereby granted for the construction of the said canal, or such part thereof as may not have been already sold, and applied to that object, under the direction of the Territorial Government, shall vest in the State of Wisconsin, to be disposed of under such regulations as the Legislature thereof may provide, the proceeds of sale to be applied to the construction of the said canal, or of such part thereof as may not have been completed; and the State of Wisconsin shall be entitled to hold, in virtue of the grant hereby made, as many shares of the stock of the said canal as shall be equivalent to the aggregate of all the sums of money arising from the nett proceeds of the sales of the said lands, and applied to the construction of the canal, any thing in the charter of the Milwaukee and Rock river Canal Company to the contrary notwithstanding, and shall be entitled to the same dividends on said stock as any other stockholder; and in the event that the said State shall make no other adequate provision for purchasing out the residue of the stock of the said canal, the dividends of the State stock hereby acquired, and all other proceeds of the sales of the lands hereby granted, shall constitute a fund, and be applied to the extinguishment of the claims of all other stockholders, until the entire stock vested in the canal shall have been acquired by the State: after which, and after the said State shall have been reimbursed for all expenses incurred out of her own proper funds in the construction and repairs of said canal, no other tolls or charge whatever, for the use or navigation of the said canal shall be levied, except to such amount as may be required to keep the said canal and the works appurtenant thereto in good repair, and provide for the collection of the tolls and the superintendence of said canal: *Provided, moreover,* That no part of the said lands shall be sold for less than two dollars and a half per acre, nor any sale made until after three months' public notice thereof, and to the highest bidder; but in case such price cannot be obtained therefor, within five years from the first sale attempted to be made, it shall and may be lawful for the Territorial or State Legislature of Wisconsin to reduce the minimum price of the said lands.

SEC. 6. *And be it further enacted,* That the said State of Wisconsin shall be held responsible to the United States, and for the payment into the Treasury thereof, of the amount of all moneys received upon the sale of the whole or any part of said land, at the price at which the same shall be sold, not less than two dollars and fifty cents per acre, if the said main canal shall not be commenced within three years, and completed within ten years, pursuant to the provisions of the act creating said canal corporation.

SEC. 7. *And be it further enacted,* That, in order to render effectual the provisions of this act, the Legislature of the State to be erected or admitted out of the territory now comprised in Wisconsin Territory, east of the Mississippi, shall give their assent to the same by act to be duly passed.

SEC. 8. *And be it further enacted,* That, for the purpose of securing a better price for the lands hereby granted, and expediting the construction of the said canal, the Territorial Legislature of Wisconsin may borrow, upon a pledge of the said lands, such sum or sums of money as they may think expedient, and defer the sale of said lands, or any part thereof, until such time or times, not exceeding two years beyond the period of the completion of said canal, as they may deem expedient; and for such sum or sums as may be so borrowed, and applied to the construction of said canal, the State of Wisconsin shall be entitled to such interest in the stock of said canal as shall be equivalent thereto in

amount, and the interest so acquired shall be subject to all the obligations and restrictions provided in the last section of this act.

SEC. 9. *And be it further enacted*, That the assent of Congress is hereby given to the act of the Territorial Legislature of Wisconsin entitled an act to incorporate the Milwaukee and Rock river Canal Company, subject to the preceding modifications and to the following provision; that in estimating the principal sum and interest to be paid by the said Territory or the future State of Wisconsin to the stockholders of the said canal, a credit shall be given to the Territory or State for all dividends received by the said stockholders prior to the extinguishment of their interest in the said canal, in the mode provided by the twenty-third section of the said act of incorporation.

Assent of Congress hereby given to the act of the Legislature of Wisconsin, incorporating the Milwaukee and Rock river canal company.

SEC. 10. *And be it further enacted*, That Congress may, at any time until said Territory shall be admitted as a State, prescribe and regulate the tolls to be received by said company; and after said Territory shall be admitted as a State, the Legislature thereof shall possess the like power; and said act of incorporation is hereby approved, subject to the modification and conditions aforesaid.

Tolls.

SEC. 11. *And be it further enacted*, That the Secretary of the Treasury shall reserve from sale the lands probably falling within the limits of said grant, and the lands which, by the first section, were reserved to the United States, until the said canal can be located and the lands selected as contemplated by this act, and no pre-emption right shall attach thereto.

Lands probably falling within limits of said grant, &c., to be reserved from sale.

APPROVED, June 18, 1838.

CHAP. CXV.—*An Act to reorganize the district courts of the United States in the State of Mississippi. (a)*

STATUTE II.  
June 18, 1838.  
1839, ch. 27.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of Mississippi shall be, and the same is hereby, divided into two districts, in the following manner, to wit: The counties of Noxubee, Winston, Attala, Carrol, Bolivar, Coahoma, Tunica, De Soto, Marshal, Tippah, Tishomingo, Itawamba, Monroe, Lowndes, Oaktibbeha, Choctaw, Yalobusha, Tallehatcha, Pcnola, Lafayette, Pontotoc, and Chickasaw, in said State, shall compose one district, to be called the northern district, and a court shall be held for the said district, at the town of Pontotoc, and the residue of the counties of the said State shall hereafter compose the southern district of Mississippi, and a court shall be held for the same, as heretofore, at the city of Jackson.

Mississippi divided into two districts.

Northern district.

Southern dist.

SEC. 2. *And be it further enacted*, That there shall be two terms of the district court, for the northern district, held at Pontotoc, in each year, to begin on the first Monday of June and December, and the district judge of the United States for the State of Mississippi is hereby required to hold the courts aforesaid.

U. S. district judge for Miss. to hold two terms a year in northern dist.

SEC. 3. *And be it further enacted*, That all causes at law or in chancery, and all indictments pending in the district court at Jackson, in which the defendant or defendants resided in the northern district (hereby established) at the time of serving process or the finding of a bill of indictment, shall be transferred for trial to the district court for the said northern district, and be proceeded in, heard, adjudged, and determined, in the same manner as though originally commenced or prosecuted in the said court; and it shall be the duty of the clerk of the district court at Jackson, safely to transmit to the clerk of the district court at Pontotoc, the original papers in all cases and prosecutions hereby ordered to be transferred, together with a transcript of all orders and other proceedings had thereon.

All cases pending in the dist. court at Jackson, &c. to be transferred for trial, &c.

The original papers to be transferred.

(a) See notes of acts relating to the district court of Mississippi, vol. 3, 611.

All suits, not of a local nature, shall hereafter be brought to the court of the district, &c.

The judge of said courts to appoint a clerk for the northern district—his duties, fees, &c.

A marshal and dist. atty. to be appointed for the northern dist.—their duties and liabilities.

Marshal and dist. atty. of the northern dist. to have the same salaries, &c.

SEC. 4. *And be it further enacted*, That all suits hereafter to be brought in either of said courts not of a local nature, shall be brought in the court of the district where the defendant resides; but if there be more than one defendant, and they reside in different districts, the plaintiff may sue in either, and send a duplicate writ against the defendant, directed to the marshal of the other district, on which the plaintiff or his attorney shall endorse that the writ thus sent is a copy of a writ sued out of the district court of the proper district; and the said writs, when executed and returned into the office from which they issued, shall constitute one suit, and be proceeded in accordingly.

SEC. 5. *And be it further enacted*, That the judge of the 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 courts; said clerk shall be entitled to the same fees allowed by law to the clerk of the other district of the State of Mississippi, perform the like duties, and be subject to the same liabilities and penalties.

SEC. 6. *And be it further enacted*, That a marshal and district attorney shall be appointed in the northern district of the State aforesaid, having the same duties and liabilities, in all respects, as are now possessed by the marshal and district attorney, respectively, in the State of Mississippi; and the said marshal is hereby required to give the same bonds that other marshals are required to give under the laws of the United States, to be approved of and recorded as now directed by law.

SEC. 7. *And be it further enacted*, That the marshal and district attorney for the northern district, shall have the same salaries, fees and compensation, as are allowed and paid to the other marshal and district attorney for the State of Mississippi, under the laws of the United States.

APPROVED, June 18, 1838.

## STATUTE II.

June 18, 1838.

Act of June 12, 1838, ch. 96. President to cause southern boundary of Iowa to be ascertained and marked.

President to appoint a commissioner to act, &c. in running, &c. the line.

Three maps of the line, &c.

Said line to be run according to acts of 6th March 1820, ch. 22, and 7th June 1836, ch. 85.

CHAP. CXVI.—*An Act to authorize the President of the United States to cause the southern boundary line of the Territory of Iowa to be ascertained and marked.*

*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, ascertained and distinctly marked, the southern boundary line of the Territory of Iowa, west of the Mississippi river, which divides said Territory from the State of Missouri; and that, for that purpose he shall appoint a commissioner on the part of the United States, who (with the aid of such surveyor or surveyors as may be necessary) shall unite or act in conjunction with a commissioner to be appointed by the State of Missouri and a commissioner to be appointed by the Governor of the Territory of Iowa, in running, marking, and ascertaining said boundary line; and that it shall be the duty of the commissioner so to be appointed by the President as aforesaid, after he shall have ascertained, run, and marked said boundary line, to make three maps or plats thereof, with a description or survey-bill thereof appended to each map or plat; one of which shall be returned to the office of Secretary of State for the United States, one to the office of Secretary of State for the State of Missouri, and one to the Secretary of the Territory of Iowa, and the said commissioner on the part of the United States shall also make a full report of his proceedings in the premises to the Secretary of State for the United States.

SEC. 2. *And be it further enacted*, That the said boundary line shall be run or surveyed, ascertained, and marked in all respects according to, and in pursuance of the provisions of the following acts, wherein the said boundary line is defined and described, to wit: an act of Congress

of the sixth March, eighteen hundred and twenty, entitled, "An act to authorize the people of Missouri 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, and to prohibit slavery in certain Territories;" and an act of the seventh June, eighteen hundred and thirty-six, entitled "An act to extend the western boundary of the State of Missouri to the Missouri river:" *Provided, however,* That if either or both of said commissioners to be appointed on the part of the State of Missouri and Territory of Iowa should fail to attend to the aforesaid duty, after reasonable notice by the commissioner on the part of the United States, or if the State of Missouri, or Governor of Iowa, or either of them, should fail to appoint such commissioner on their part, respectively, after reasonable notice from the President of the United States, then, and in that case, the commissioner appointed on the part of the United States shall proceed to execute the duties enjoined by this act with either of said commissioners who may attend, or without the attendance of either or both of said commissioners, as the case may be.

Proviso.

SEC. 3. *And be it further enacted,* That the line to be so run, ascertained, and marked, shall not be deemed to be finally established and ratified by the United States, until the map or plat, and description aforesaid, and also the said report of the commissioner shall be submitted to, and the boundary, as thus ascertained and marked, approved of and ratified by the Congress of the United States.

To be approved by Congress.

SEC. 4. *And be it further enacted,* That, for the purpose of carrying into effect the provisions of this act, the sum of four thousand dollars, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

Appropriation.

APPROVED, June 18, 1838.

STATUTE II.  
June 18, 1838.

CHAP. CXVII.—*An Act making an appropriation for completing the public buildings in Wisconsin.*

[Obsolete.]

*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, granted and appropriated, out of any unappropriated money in the Treasury, to defray the expenses of completing the public buildings in the Territory of Wisconsin, which are now commenced and partially completed; which said sum, or so much thereof as may be necessary for that purpose, shall be expended according to the act of the Legislative Assembly of Wisconsin, entitled "An act to establish the seat of Government of the Territory of Wisconsin, and to provide for the erection of public buildings," approved December thirty, eighteen hundred and thirty-six: *Provided,* That the commissioners elected in pursuance of the third section of said act, shall cause the said money to be so expended as to accomplish the completion or finishing of said buildings without further expense to the United States.

Appropriation for completing public buildings.

How to be expended.

Proviso.

APPROVED, June 18, 1838.

STATUTE II.  
June 18, 1838.

CHAP. CXVIII.—*An Act to require the judge of the district courts of East and West Tennessee to hold a court at Jackson, in said state. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a district court of the United States be, and the same is hereby, established in the western district of the State of Tennessee, for the counties of Benton, Carroll, Henry, Obion, Dyer, Gibson, Lauderdale, Haywood, Tipton, Shelby,

A district court U. S. established in the western district of Tennessee.

(a) See notes to the act of January 13, 1831, chap. 1.

Fayette, Hardeman, McNairy, Hardin, and Perry; and that the said court be holden annually on the third Monday in September, at the town of Jackson, in the county of Madison, in said State.

**Jurisdiction.**

SEC. 2. *And be it further enacted*, That the said district court shall be invested with, and exercise, all and every species of jurisdiction now exercised by the district courts of East and West Tennessee.

**To be holden by, &c.**

SEC. 3. *And be it further enacted*, That the said court shall be holden by the judge of the said district courts of East and West Tennessee.

**Concurrent jurisdiction in all civil cases now exercised by the U. S. circuit courts.**

SEC. 4. *And be it further enacted*, That in addition to the jurisdiction hereby invested in said court, it be invested with the exercise of concurrent jurisdiction in all civil cases now exercised by the circuit courts of the United States; and that in all cases where said court shall exercise such jurisdiction, appeals may be taken from the judgments, orders, or decrees of said court to the Supreme Court of the United States, in the same manner, and upon the same conditions, as appeals may be taken from the circuit courts.

**Appeals to the U. S. Supreme Court.**

**Judge to appoint a clerk.**

SEC. 5. *And be it further enacted*, That at the first term of said court, the judge thereof shall appoint a clerk, in manner, and upon such conditions, as like officers are required by law to be appointed for the said district courts of East and West Tennessee; and that the said clerk perform such duties in regard to the proceedings, orders, judgments, and decrees of said court, as are required by law to be performed by the same officers in the said district courts of East and West Tennessee.

**Duties of the clerk.**

**Process.**

SEC. 6. *And be it further enacted*, That all laws now in force regulating the emanation, execution, and return of the process of said district courts of East and West Tennessee shall, in all things, regulate the emanation, execution, and return of process in the said district court.

**Adjournment.**

SEC. 7. *And be it further enacted*, That if from any cause the judge of said court shall fail to attend and open said court on the first day thereof, then, and in that case, the said court shall stand adjourned from day to day, until four o'clock of the third; and in case he shall fail to attend and open said court by that time, the said court shall stand adjourned until the first day of the next term.

**Intermediate term.**

SEC. 8. *And be it further enacted*, That in case the judge of said court, from any cause, shall fail to hold a regular term of said court, it shall be his duty, if in his opinion the business in said court shall require, to hold an intermediate term of said court, at such time as he shall, by his order, under his hand and seal, direct, addressed to the clerk and marshal of said court, at least thirty days previous to the commencement of said term, and to be published in the several newspapers published in the bounds of said district the same length of time.

**Clerk's fees.**

SEC. 9. *And be it further enacted*, That the clerk of said court shall be entitled to receive such fees and emoluments for his services as are now allowed by law for like services to the clerks of said district courts of East and West Tennessee.

**A marshal to be appointed—his duties, salary, and fees.**

SEC. 10. *And be it further enacted*, That a marshal shall be appointed for said court, whose duty it shall be to execute all orders, judgments, and decrees of said court now authorized by law, and that he receive for his services the sum of two hundred dollars, to be paid out of the public Treasury; and that he be allowed the same fees as are allowed for the same services in the courts of East and West Tennessee.

**A district attorney to be appointed. Salary and fees.**

SEC. 11. *And be it further enacted*, That a district attorney of the United States be appointed for said court, who shall receive in addition to the usual fees of office, the sum of two hundred dollars annually, to be paid out of the public Treasury of the United States

APPROVED, June 18, 1838.

CHAP. CXIX.—*An Act to grant pre-emption rights to settlers on the public lands.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every actual settler of the public lands, being the head of a family, or over twenty-one years of age, who was in possession and a housekeeper, by personal residence thereon, at the time of the passage of this act, and for four months next preceding, shall be entitled to all the benefits and privileges of an act entitled "An act to grant pre-emption rights to settlers on the public lands," approved May twenty-ninth eighteen hundred and thirty, and the said act is hereby revived and continued in force two years: *Provided*, That where more than one person may have settled upon and cultivated any one quarter section of land, each one of them shall have an equal share or interest in the said quarter section, but shall have no claim, by virtue of this act, to any other land: *And provided, always*, That this act shall not be so construed as to give a right of pre-emption to any person or persons, in consequence of any settlement or improvement made before the extinguishment of the Indian title to the land on which such settlement or improvement was made, or to the lands lately acquired by treaty with the Miami tribe of Indians, in the State of Indiana, of which proclamation was made by the President of the United States, on the twenty-second day of December, eighteen hundred and thirty-seven, or to any sections, or fractions of sections, of land included within the location of any incorporated town, or to the alternate sections to other alternate sections granted to the use of any canal, railroad, or other public improvement on the route of such canal, railroad, or other public improvement, or to any portions of public lands, surveyed or otherwise, which have been actually selected as sites for cities or towns, lotted into smaller quantities than eighty acres, and settled upon and occupied for the purposes of trade, and not of agricultural cultivation and improvement, or to any land specially occupied or reserved for town lots, or other purposes, by authority of the United States: *And provided further*, That nothing herein contained shall be construed to affect any of the selections of public lands for the purposes of education, the use of salt-springs, or for any other purpose which may have been or may be made by any State, under existing laws of the United States: but this act shall not be so construed as to deprive those of the benefits of this act, who have inhabited, according to its provisions, certain fractions of the public lands within the land district of Palmyra, in the State of Missouri, which were reserved from sale in consequence of the surveys of Spanish and French grants, but are found to be without the lines of said grants. That before any person claiming the benefit of this law shall have a patent for the land which he may claim by having complied with its provisions, he shall make oath before some person authorized by law to administer the same, which oath with the certificate of the person administering it, shall be filed with the register of the proper land office when the land is applied for, and by said register sent to the office of the commissioner of public lands, that he entered upon the land which he claims, in his own right, and exclusively for his own use and benefit, and that he has not, directly or indirectly, made any agreement or contract, in any way or manner, with any person or persons whatever, by which the title which he might acquire from the Government of the United States should inure to the use or benefit of any one except himself, or to convey or transfer the said land, or the title which he may acquire to the same, to any other person or persons whatever, at any subsequent time; and if such per-

STATUTE II.

June 22, 1838.

1840, ch. 32.

Qualifications necessary to entitle settlers to the benefits of act of 29th May 1830.

Act of 29th May 1830, ch. 208, revived and continued for two years.

Proviso.

Proviso.

Proviso.

(a) See notes to the act of May 29, 1830, chap. 208, for the acts which have been passed relating to pre-emption rights. 1843, ch. 86.

son, claiming the benefit of this law as aforesaid, shall swear falsely in the premises, he shall be subject to all the pains and penalties for perjury, forfeit the money which he may have paid for the land, and all right and title to the said land, and any grant or conveyance which he may have made in pursuance of such agreement or contract, as aforesaid, shall be void, except in the hands of a purchaser in good faith, for a valuable consideration without notice. And the certificate which shall be filed with the commissioner as aforesaid, shall be taken to be conclusive evidence that the oath was legally administered: *And provided, further*, That it shall be the duty of the President of the United States to cause to be reserved from sale or entry, under the provisions of this or any other law of the United States, any tract or tracts of land reserved to any Choctaw, under the provisions of the treaty of Dancing Rabbit Creek, of one thousand eight hundred and thirty, and also to reserve from sale or entry, a sufficient quantity of the lands acquired by said treaty, upon which no such settlement or improvement has been made, as would entitle the settler or improver to a right of pre-emption under this act, to satisfy the claims of such Indians as may have been entitled to reservations under the said treaty, and whose lands may have been sold by the United States, on account of any default, neglect, or omission of duty on the part of any officer of the United States; such reservation from sale to continue until the claims to reservations under said treaty, shall be investigated by the board of commissioners appointed for that purpose, and their report finally acted on by Congress.

APPROVED, June 22, 1838.

Further provided.  
Act of Sept. 4,  
1841, § 16.

STATUTE II.

June 28, 1838.

Act of March  
3, 1843, ch. 94,  
sec. 5.

President authorized to appoint three persons.

CHAP. CXLVII.—*An Act authorizing the appointment of persons to test the usefulness of inventions to improve and render safe the boilers of steam engines against explosions. (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 appoint three persons, one of whom at least shall be a man of experience and practical knowledge in the construction and use of the steam engine, and the others, by reason of their attainments in science, shall be competent judges of the usefulness of any invention designed to detect the causes of explosion in the boilers; which said persons shall jointly examine any inventions made for the purpose of detecting the cause, and preventing the explosion of boilers, that shall be presented for their consideration; and, if any one or more of such inventions or discoveries justify, in their judgment, the experiment, and the inventor desires that his invention shall be subjected to the test, then the said persons may proceed and order such preparations to be made, and such experiments to be tried, as, in their judgment, may be necessary to determine the character and usefulness of any such invention.

The board to give notice of the time and place of their meeting.

SEC. 2. *And be it further enacted*, That the said board shall give notice of the time and place of their meeting to examine such inventions, and shall direct the preparations to be made, and the experiments to be tried, at such place as they shall deem most suitable and convenient for the purpose; and shall make full report of their doings to Congress at their next session.

Appropriation.

SEC. 3. *And be it further enacted*, That, to carry into effect the foregoing objects, there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of six thousand dollars; and so much thereof as shall be necessary for the above purposes shall be subject to the order of the said board, and to defray such

(a) An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam; July 7, 1838, chap. 191. Act of July 7, 1838, ch. 163. 1852, ch. 106.

expenses as shall be incurred by their direction, including the sum of three hundred dollars, to each, for his personal services and expenses; *Provided, however,* That their accounts shall be settled at the Treasury, in the same manner as those of other public agents.

Allowance to each of said board.  
Proviso.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

CHAP. CXLVIII.—*An Act relating to the Orphans' Court of Alexandria county, in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, from and after the passage 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 one thousand dollars per annum, in lieu of all other compensation for his services as judge of said court.

Pay of the Judge.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

CHAP. CL.—*An Act to confirm the act of the Legislative Council of Florida, incorporating the "Florida Peninsula Railroad and Steamboat Company," and granting the right of way to said company through the public lands, 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 passed by the Legislative Council of Florida, entitled "An act to incorporate the Florida Peninsula Railroad and Steamboat Company," approved eighth January, eighteen hundred and thirty-eight, be, and the same is hereby, ratified and confirmed: *Provided, however,* That the said company shall not be deemed to have, nor shall they exercise, banking privileges; nor shall the said act be so construed as to give or grant banking privileges to said company; and in case the said company shall exercise banking privileges, of any description, in any way or manner, then this confirmation or ratification of said act of incorporation shall be void and of no effect.

Act of the Legislature of Florida, incorporating, &c. confirmed.

Proviso.

SEC. 2. *And be it further enacted,* That the right of way shall be, and is hereby, granted to said company over and through any of the public lands of the United States over which the said road may pass: *Provided,* That the said land to be used and occupied by said company for the line or route of such road shall not exceed eighty feet in width.

Right of way through the public lands, granted.  
Proviso.

SEC. 3. *And be it further enacted,* That the said company shall have the right to take from the public lands in the vicinity of said road and within twenty rods of the centre thereof, on each side, all such materials of earth, stone, or wood as may be necessary or convenient for the actual construction of said road or any part thereof; and, during the construction of said road, to occupy said lands to the width aforesaid, so far as may be necessary to the convenient performance of said work: *Provided, however,* That the rights and privileges granted by this section shall be so exercised as to cause as little damage as possible to the public lands adjacent to said road; and proper drains or sluices shall be constructed by the said company so as to prevent the obstruction of any streams or water-courses which may be crossed by said road.

Right to take from the public lands earth, stone, or wood.

Proviso.

SEC. 4. *And be it further enacted,* That there shall be, and are hereby, granted to the said company all necessary sites for watering-places, depots, and workshops, along the line of road: *Provided,* That no one depot or watering place shall contain over four square acres, to be laid off in a square form; and not more than one of said squares shall be granted to or taken by said company for each ten miles of said road.

Sites granted for watering places, &c.  
Proviso.

SEC. 5. *And be it further enacted,* That the said company shall, with



Route to be surveyed, &c.

as little delay as may be convenient, and at all events within one year from the passage of this act, and at their own expense, cause the route of said road and the sites which they may select for depots, watering-places, or workshops, to be surveyed and designated through said public lands by plain marks and monuments; and copies of the field-notes of the survey, with a map or plat of the said route and of said sites and of the connection of said route with the previous official surveys of the adjacent lands, shall be returned to the office of the Surveyor General of that land district and to the General Land Office at Washington.

If the road shall be abandoned, this act to be void.

SEC. 6. *And be it further enacted*, That if the said road shall be abandoned or discontinued, or if the route shall cease to be used by said company for the purposes of a railroad, then and in that case this act and the privileges hereby granted shall cease and be void, and the land occupied by said road shall revert to the United States.

Tolls.

SEC. 7. *And be it further enacted*, That Congress may at any time, until said Territory shall be admitted as a State, prescribe and regulate the tolls to be received by said company, and after said Territory shall be admitted as a State, the Legislature thereof shall possess the like power, and said act of incorporation is hereby approved, subject to the modifications and conditions aforesaid.

APPROVED, June 28, 1838.

STATUTE II.

June 28, 1838.

CHAP. CLIII.—*An Act to provide for paying certain pensions at Tuscaloosa, in the State of Alabama.*

Sec. War authorized to establish a pension agency at Tuscaloosa.

*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 and empowered to establish a pension agency at Tuscaloosa, in the State of Alabama, for the payment of pensioners of the United States resident in the counties of Pickens, Sumter, Green, Marengo, Perry, Bibb, Tuscaloosa, Jefferson, Walker, Fayette, Shelby, Randolph, and Talladega, in the State of Alabama: *Provided*, That no additional expense shall be incurred in the establishment of said pension agency.

Proviso.

Sec. Treas. to make arrangement for said payment.

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.

APPROVED, June 28, 1838.

STATUTE II.

July 5, 1838.

CHAP. CLIV.—*An Act to extend the charter of the Bank of Alexandria, in the city of Alexandria. (a)*

So much of act 25th Feb. 1836, ch. 40, as relates to the Bank of Alexandria, extended, &c.

*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 extend the charters of the Bank of Columbia, in Georgetown, and the Bank of Alexandria, in the city of Alexandria," approved the twenty-fifth February, eighteen hundred and thirty-six, as relates to the Bank of Alexandria in the city of Alexandria, be, and the same is hereby, extended in its duration to the fourth of March, eighteen hundred and forty-one.

APPROVED, July 5, 1838.

STATUTE II.

July 5, 1838.

CHAP. CLVII.—*An Act to grant to Cherokee county, Alabama, the tract of land on which the seat of justice of said county has been located.*

A tract of land on the Coosa river granted to

*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 county of Cherokee, in the State of Alabama,

(a) See notes to the act of May 31, 1838, chap. 91.

the tract of land lying on the Coosa river, whereon the town of Jefferson is situated, in said county, containing one hundred and fifty acres, according to the survey of S. R. Russell, county surveyor for the seat of justice of said county, instead of the quarter section allowed by law for the same purpose; the commissioners of said county paying for the same the minimum price as in other cases.

APPROVED, July 5, 1838.

Cherokee county, &c.

CHAP. CLVIII.—*An Act to modify the last clause of the fifth section of the deposit act of the twenty-third of June, eighteen hundred and thirty-six.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last clause of the fifth section of the act entitled "An act to regulate the deposits of the public money," approved on the twenty-third day of June, eighteen hundred and thirty-six, declaring that the notes or bills of no bank shall be received in payment of any debt due to the United States, which shall, after the fourth day of July, in the year one thousand eight hundred and thirty-six, issue any note or bill of a less denomination than five dollars, shall be, and the same is hereby, so far modified as that the interdiction as to the reception of the bills and notes shall not continue against any bank which has, since the said fourth day of July, in the year one thousand eight hundred and thirty-six, issued bills or notes of a less denomination than five dollars, or which shall issue any such bills or notes prior to the first day of October, in the year eighteen hundred and thirty-eight, but that from and after the said last mentioned day, the bills or notes of no bank shall be received in payment of any debt due to the United States, which bank shall, after that date, issue, re-issue, or pay out any bill or note of a denomination less than five dollars.

APPROVED, July 5, 1838.

STATUTE II.

July 5, 1838.

[Obsolete.]

Act of June 23, 1836, ch. 115, last clause, modified as to issues of notes under five dollars.

CHAP. CLIX.—*An Act to amend "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 payment of certain pensioners in the said town of 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 is hereby, authorized, if in his opinion necessary, to remove and establish said pension agency in the town of Huntsville, Alabama; and, in the event of said removal, the pensioners described in said act shall be paid in Huntsville.

APPROVED, July 5, 1838.

STATUTE II.

July 5, 1838.

Act of June 27, 1834, ch. 91.

Sec. War empowered to remove pension agency at Decatur to Huntsville Ala.

CHAP. CLX.—*An Act to authorize vessels bound for the ports of Mexico, and prevented from completing the voyages in consequence of the existing blockade of those ports, to enter and store their cargoes 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 any vessel which may have been turned off from her port of destination in Mexico, by the blockading squadron, may land and store her cargo in any port of the United States into which she may first enter, to be kept under the custody of the custom-house, free from duty or any other charge except the usual storage: *Provided,* The said cargo be re-exported within twelve months from the time of its being so stored, and the provisions of the existing laws relating to the importation of goods, with the privilege of re-exportation without the payment of duty, or with the

STATUTE II.

July 5, 1838.

Vessels turned off from their destination in Mexico by the blockading squadron, may, &c.  
PROVISO.

privilege of a drawback of duty, shall be applicable to goods entered and stored under the provisions of this act, except as is herein otherwise provided.

APPROVED, July 5, 1838.

STATUTE II.

July 5, 1838.

CHAP. CLXI.—*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 twenty-fourth of March, eighteen hundred and thirty-two.*

The President to cause patents to issue to the last purchasers, &c. of Indian selections, &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 and required to cause patents to be issued to such person or persons as may be the bona fide purchaser, owner, assignee, or transferee of any selection or reservation which has been made to, or in behalf of, any chief or head of an Indian family, under a treaty concluded between the United States and the Creek tribe of Indians, at Washington city, on the twenty-fourth day of March, eighteen hundred and thirty-two, whatever may be the number of intermediate transfers or assignments: *Provided,* The person or persons applying for such patent or patents shall adduce satisfactory proof to the Commissioner of the General Land Office of the fairness of said several preceding transfers or assignments.

Proviso.

APPROVED, July 5, 1838.

STATUTE II.

July 5, 1838.

Act of May 23, 1836, ch. 80.

CHAP. CLXII.—*An Act to increase the present military establishment of the United States, and for other purposes. (a)*

One company to be added to each of the regiments of artillery, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be added to each of the four regiments of artillery, one company, to be organized in the same manner as authorized by existing laws, with the exceptions hereafter mentioned; that there be added to every company of artillery sixteen privates, and to every company of infantry one sergeant and thirty-eight privates, and that the number of second lieutenants of a company of artillery be reduced to one, and that this reduction be so made in connection with the appointment of officers to the four additional companies authorized as aforesaid, and the transfer to the Ordnance Department hereafter directed, that all the present second lieutenants shall be retained in service; and there shall be raised and organized under the direction of the President of the United States, one regiment of infantry, to be composed of the same number and rank of officers, non-commissioned officers, musicians, and privates, composing the regiments of infantry now in the service of the United States, who shall receive the same pay and allowances, and be subject to the same rules and regulations which now apply to other regiments of infantry, as provided for in this act.

Organization.

A regiment of infantry to be raised.

The President authorized to increase the corps of engineers.

SEC. 2. *And be it further enacted,* That the President of the United States be and he is hereby, authorized to add to the corps of engineers, whenever he may deem it expedient to increase the same, one lieutenant colonel, two majors, six captains, six first and six second lieutenants; and that the pay and emoluments of the said corps shall be the same as those allowed to the officers of the regiment of dragoons.

Pay and emoluments.

(a) An act supplementary to an act entitled, An act to increase the present military establishment of the United States, and for other purposes; July 7, 1838, chap. 194.

An act to amend an act regulating the pay and emoluments of brevet officers, passed April 16, 1818; March 3, 1839, chap. 85.

An act regulating the organization of the army, and for other purposes; August 23, 1842, chap. 186. An act to repeal so much of the act approved the twenty-third of August, one thousand eight hundred and forty-two, as requires the second regiment of dragoons to be converted into riflemen, after the fourth day of March, one thousand eight hundred and forty-three; April 4, 1844, chap. 11.

SEC. 3. *And be it further enacted*, That so much of the act passed the twenty-ninth day of April, one thousand eight hundred and twelve, entitled "An act making further provision for the corps of engineers," as provides that one paymaster shall be taken from the subalterns of the corps of engineers, be, and the same is hereby repealed; and that the paymaster so authorized and provided be attached to the pay department, and be in every respect, placed on the footing of other paymasters of the army.

Act of April 29, 1812, ch. 72.

Paymaster to be attached to pay dep't., &c.

SEC. 4. *And be it further enacted*, That the corps of topographical engineers shall be organized and increased by regular promotions in the same, so that the said corps shall consist of one colonel, one lieutenant colonel, four majors, ten captains, ten first lieutenants, and ten second lieutenants.

Corps of topographical engineers.

Vacancies in, how to be filled.

SEC. 5. *And be it further enacted*, That vacancies created by said organization, over and above those which can be filled by the present corps, shall be taken from the army, and from such as it may be deemed advisable of the civil engineers employed under the act of the thirtieth of April, eighteen hundred and twenty-four; that the pay and emoluments to the officers of said corps shall be the same as are allowed to officers of similar rank in the regiments of dragoons.

Act of April 30, 1824, ch. 46. Pay and emoluments.

SEC. 6. *And be it further enacted*, That the authority to employ civil engineers, in the act of the thirtieth of April, eighteen hundred and twenty-four, be and the same is hereby repealed after the passage of this act.

Authority given in act of 30th April, 1824, ch. 46, to employ civil engineers, repealed.

SEC. 7. *And be it further enacted*, That the President of the United States shall be and he is hereby, authorized to appoint so many assistant adjutants general, not exceeding two, with the brevet rank, pay, and emoluments of a major, and not exceeding four, with the brevet rank, pay and emoluments of a captain of cavalry, as he may deem necessary; and that they shall be taken from the line of the army, and in addition to their own, shall perform the duties of assistant inspectors general when the circumstances of the service may require.

The President authorized to appoint so many assistant adjutants general as he may deem necessary, &c.

SEC. 8. *And be it further enacted*, That the officers to be taken from the line and transferred to the staff, under the last preceding section, shall receive only the pay and emoluments attached to their rank in the staff; but their transfer shall be without prejudice to their rank and promotion in the line, according to their said rank and seniority; which promotion shall take place according to usage, in the same manner as if they had not been thus transferred.

Pay and emoluments of officers taken from the line and transferred to the staff.

Their rank and promotion.

SEC. 9. *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 add to the quartermaster's department not exceeding two assistant quartermasters general with the rank of colonel, two deputy quartermasters general, with the rank of lieutenant colonel, and eight assistant quartermasters with the rank of captain; that the assistant quartermasters now in service shall have the same rank as is provided by this act for those hereby authorized; and that the pay and emoluments of the officers of the quartermaster's department, shall be the same as are allowed to officers of similar rank in the regiments of dragoons: *Provided*, That all appointments in the quartermaster's department shall be made from the army, and when officers taken for such appointments hold rank in the line, they shall thereupon relinquish said rank, and be separated from the line of the army; and that promotion in said department shall take place as in regiments and corps.

The President authorized to add to the quartermaster's department.

Rank. Pay and emoluments.

Proviso.

1838, ch. 194.

SEC. 10. *And be it further enacted*, That the quartermaster general be and he is hereby authorized from time to time, to employ as many forage-masters and wagon-masters as he may deem necessary for the service, not exceeding twenty in the whole, who shall be entitled to receive each forty dollars per month, and three rations per day, and forage

Qr. Mr. Gen. authorized to employ forage-masters and wagon-masters.

for one horse; and neither of whom shall be interested or concerned, directly or indirectly, in any wagon or other means of transport employed by [the] United States, nor in the purchase or sale of any property procured for or belonging to the United States, except as an agent for the United States.

Increase of the commissariat of subsistence.

SEC. 11. *And be it further enacted,* That there be added to the commissariat of subsistence one assistant commissary general of subsistence, with the rank, pay and emoluments of a lieutenant colonel of cavalry, one commissary of subsistence with the rank, pay and emoluments of a quartermaster of the army; and three commissaries of subsistence with the rank, pay and emoluments of assistant quartermasters.

Pay of stewards of hospitals.

SEC. 12. *And be it further enacted,* That the stewards of hospitals at posts of more than four companies be hereafter allowed the pay, clothing and rations of a sergeant of ordnance, and, at all other posts, the pay, clothing and rations of the first sergeant of a company of infantry.

The President authorized to increase the ordnance dep't. 1838, ch. 194.

SEC. 13. *And be it further enacted,* That the President of the United States, be and he is hereby authorized to add to the ordnance department, whenever he may deem it expedient to increase the same, by and with the advice of the Senate, two majors, and that he be further authorized to transfer ten first lieutenants and ten second lieutenants from the artillery to the ordnance department, and that the pay and emoluments of the officers of the said department shall be the same as those allowed to the officers of the regiment of dragoons.

Pay and emoluments.

SEC. 14. *And be it further enacted,* That so much of the fourth section of the act passed fifth of April eighteen hundred and thirty-two for the organization of the ordnance department, as authorizes the officers of ordnance to receive the same pay and emoluments now allowed artillery officers, shall be construed to include the ten dollars per month additional pay to every officer in the actual command of a company, as compensation for the duties and responsibilities with respect to clothing, arms, and accoutrements of the company, under the authority of the second section of the act passed second of March eighteen hundred and twenty-seven, giving further compensation to the captains and subalterns of the army of the United States in certain cases: *Provided,* That the officers of the ordnance department claiming the compensation for such duties and responsibilities shall have been actually in the command of enlisted men of the ordnance equal to a company of artillery, and thereby incurred the aforesaid responsibilities.

Construction to be given to 4th sec. act 5th April 1832, ch. 67.

1827, ch. 42. Proviso.

SEC. 15. *And be it further enacted,* That every commissioned officer of the line or staff exclusive of general officers shall be entitled to receive one additional ration per diem for every five years he may have served or shall serve in the army of the United States: *Provided,* That in certain cases where officers are entitled to and receive double rations, the additional one allowed in this section shall not be included in the number to be doubled.

All commissioned officers, &c. to receive an additional ration for every five years' service. Proviso.

Period of enlistments.

SEC. 16. *And be it further enacted,* That from and after the passing of this act, all enlistments in the Army of the United States shall be for five years, and that the monthly pay of non-commissioned officers and soldiers shall be as follows: to each sergeant major, quartermaster sergeant, and chief musician, seventeen dollars, to each first sergeant of a company, sixteen dollars; to all other sergeants, thirteen dollars; to each artificer, eleven dollars; to each corporal, nine dollars; and to each musician and private soldier, eight dollars; *Provided,* that two dollars per month of said pay be retained until the expiration of his term of service.

Pay of non-commissioned officers and soldiers.

Proviso.

1838, ch. 194.

Allowance of sugar and coffee in lieu of spirit or whiskey.

SEC. 17. *And be it further enacted,* That the allowance of sugar and coffee to the non-commissioned officers, musicians and privates, in lieu of the spirit or whiskey component part of the army ration, now

directed by regulation, shall be fixed at six pounds of coffee and twelve pounds of sugar to every one hundred rations, to be issued weekly when it can be done with convenience to the public service, and, when not so issued, to be paid for in money.

SEC. 18. *And be it further enacted*, That it shall be lawful for the officers composing the council of administration at any post, from time to time, to employ such person as they may think proper to officiate as chaplain who shall also perform the duties of schoolmaster at such post; and the person so employed shall, on the certificate of the commanding officer of the post, be paid such sum for his services, not exceeding forty dollars per month, as may be determined by the said council of administration, with the approval of the Secretary of War; and, in addition to his pay, the said chaplain shall be allowed four rations per diem, with quarters and fuel.

Employment of persons to act as chaplains. 1838, ch. 194.

Pay, &c.

SEC. 19. *And be it further enacted*, That an additional professor be appointed to instruct in the studies of chemistry, mineralogy, and geology with the pay and emoluments now allowed to the professor of mathematics; and that the Secretary of War may assign to the said professor an assistant, to be taken from the officers of the line or cadets: which assistant professor will receive the pay and emoluments allowed to other assistant professors.

An additional professor of chemistry, &c.

Assistant to said professor.

SEC. 20. *And be it further enacted*, That whenever suitable non-commissioned officers or privates cannot be procured from the line of the army to serve as paymasters' clerks, paymasters be and hereby are authorized and empowered by and with the approbation of the Secretary of War to employ citizens to perform that duty, at salaries not to exceed five hundred dollars per annum, each.

Paymaster's clerks.

SEC. 21. *And be it further enacted*, That all letters and packages on public business, to and from the commanding general, the colonel of ordnance, the surgeon general, and the head of the topographical corps, shall be free from postage.

Letters and packages on public business to be free of postage.

SEC. 22. *And be it further enacted*, That the President shall be and he is hereby authorized, whenever he may deem the same expedient, to cause not exceeding two of the regiments of infantry to be armed and equipped and to serve as regiments of riflemen, and one other of the regiments of infantry to be armed and equipped and to serve as a regiment of light infantry.

Regiment of riflemen. Regiment of light infantry.

SEC. 23. *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.

Acts inconsistent with this act repealed.

SEC. 24. *And be it further enacted*, That hereafter the officers of the pay and medical departments of the army shall receive the pay and emoluments of officers of cavalry of the same grades respectively, according to which they are now paid by existing laws.

Pay of officers of the pay and medical department.

SEC. 25. *And be it further enacted*, That when volunteers or militia are called into the service of the United States, so that the paymasters authorized by law shall not be deemed sufficient to enable them to pay the troops with proper punctuality, it shall be lawful for the President to appoint as many additional paymasters as he shall deem necessary, who shall perform the same duty, give the same bond, be subject to the same liability, and receive the same pay and emoluments, as are now provided for paymasters of the army: *Provided, however*, That the number so appointed shall not exceed one for every two regiments of militia or volunteers: *And provided also*, That the persons so appointed shall continue in service only so long as their services are required to pay militia and volunteers.

The President authorized to appoint additional paymasters.

Their duties, &c.

Proviso.

Proviso.

SEC. 26. *And be it further enacted*, That the compensation hereafter to be allowed to such ordnance storekeepers as shall be designated as

Compensation of ordnance

storekeepers designated as paymasters.  
Duties of engineers.

Compensation therefor.  
1838, ch. 194.  
Proviso.

Time of service of cadets increased.

Three months' extra pay given in lieu of the bounty, &c.

1838, ch. 194.

Land granted for ten consecutive years' service.

Repealed,  
1838, ch. 194.  
So much of acts 16th March, 1802, ch. 9, and 12 April, 1808, ch. 43, as fix the height of enlisted men, repealed.

Officers not to be separated from their regiment to engage in civil works, &c.

Proviso.

Pay, &c. of superintendents of armories.

Seven additional surgeons to be appointed.

Pay, &c.

paymasters, shall not exceed the pay and emoluments of a captain of ordnance.

SEC. 27. *And be it further enacted*, That it shall be the duty of the engineer superintending the construction of a fortification, or engaged about the execution of any other public work, to disburse the moneys applicable to the same; and as a compensation therefor, may be allowed by the Secretary of War at the rate of two dollars per diem, during the continuance of such disbursements: *Provided*, That the whole amount of emolument shall not exceed one per cent. on the sum disbursed.

SEC. 28. *And be it further enacted*, That the term for which cadets hereafter admitted into the Military Academy at West Point shall engage to serve, be and the same is hereby increased to eight years, unless sooner discharged.

SEC. 29. *And be it further enacted*, That in lieu of the bounty now provided by law for re-enlistment, every able-bodied non-commissioned officer, 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 three months' extra pay; and also any non-commissioned officer or soldier who shall serve ten consecutive years, and shall obtain from the commanding officer of his company, battalion or regiment, a certificate that he had faithfully performed his duty whilst in service, shall be allowed one hundred and sixty acres of land, to be designated, surveyed, and laid off at the public expense, in such manner and upon such conditions as may be provided by law, which land shall be patented to the soldier or his heirs, and be not assignable until patented.

SEC. 30. *And be it further enacted*, That so much of the eleventh section of the act of the sixteenth March, eighteen hundred and two, and so much of the fifth section of the act of the twelfth of April, eighteen hundred and eight, as fix the height of enlisted men at five feet six inches, be and the same are hereby repealed.

SEC. 31. *And be it further enacted*, That the officers of the army shall not be separated from their regiments and corps for employment on civil works of internal improvement, or be allowed to engage in the service of incorporated companies, and no officer of the line of the army shall hereafter be employed as acting paymaster, or disbursing agent for the Indian department, if such extra employment require that he be separated from his regiment or company, or otherwise interfere with the performance of the military duties proper: *Provided*, That where officers of the army are now employed on civil works or in the Indian or pay departments as contemplated in this section, they may be continued therein not exceeding one year, unless the convenience of the service will admit of their withdrawal sooner.

SEC. 32. *And be it further enacted*, That the superintendents of the armories at Springfield and Harper's Ferry shall hereafter receive each the sum of fifteen hundred dollars, and rations, fuel, and quarters, as at present authorized; and that the master armorers of the same shall each receive the sum of twelve hundred dollars, and fuel, and quarters, as at present authorized; and that the aforesaid sums and allowances to the officers aforesaid shall be in full compensation for their services respectively.

SEC. 33. *And be it further enacted*, That the President be, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint seven additional surgeons; and that the officers whose appointment is authorized in this section, shall receive the pay and allowances of officers of the same grades respectively.

APPROVED, July 5, 1838.

CHAP. CLXIII.—*An Act supplementary to the act entitled "An act authorizing the appointment of persons to test the usefulness of inventions to improve and render safe the boilers of steam engines against explosions," approved twenty-eighth day of June, eighteen hundred and thirty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That nothing in the act to which this is additional shall be construed to exclude from the consideration and examination of the commissioners, any plan of a steam engine, for propelling boats constructed without a boiler.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

Act of June 28, 1838, ch. 147—supplement.

CHAP. CLXIV.—*An Act making appropriations for certain roads 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 following sums of money be, and the same are hereby, appropriated, for repairing and opening certain roads in the Territory of Florida, viz :

For opening and constructing a road from Tallahassee to Iola, on the river Appalachicola, the sum of ten thousand dollars.

For repairing the road, and reconstructing the bridges and causeways thereon, from St. Augustine to Picolata, seventeen thousand three hundred dollars.

For repairing the road from Jacksonville, by the Mineral Springs, to Tallahassee, the sum of ten thousand dollars: the said sums to be expended under the direction of the Secretary of War, out of any money in the Treasury not otherwise appropriated.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

[Obsolete.]

Appropriation.

From Tallahassee to Iola.

From St. Augustine to Picolata.

From Jacksonville to Tallahassee.

CHAP. CLXV.—*An Act to authorize the sale of certain public lands of the United States near the Wabash and Erie canal, 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 after the State of Ohio shall have completed the selection of lands authorized by an act entitled "An act authorizing the selection of certain Wabash and Erie canal lands, in the State of Ohio, approved June thirty, eighteen hundred and thirty-four, the President of the United States shall be, and he hereby is, authorized to proclaim for public sale the residue of the lands reserved from sale by said act; which sale shall be governed by the same rules and regulations, impose the same duties, and give the same rights, which are provided by the existing laws in relation to other sales of the public lands by proclamation of the President: *Provided, however,* That no lands shall be sold at such sale for a less price than two dollars and fifty cents per acre.

SEC. 2. *And be it further enacted,* That after the expiration of the time fixed in the proclamation of the President for the sale authorized in the first section of this act, any lands which may then remain unsold shall be subject to sale at private entry, at the price of two dollars and fifty cents per acre, and not less; and no lands hereby authorized to be sold shall be subject to entry under any pre-emption law of Congress.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

The President authorized to proclaim for public sale the residue of lands reserved by act of June 30th, 1834, ch. 137.

Act of March 2, 1827, ch. 56.

Act of March 3, 1845, ch. 42.

Proviso.

Afterwards, any lands unsold shall be subject to private entry, &c.

Not subject to entry under pre-emption laws.



## STATUTE II.

July 7, 1838.

CHAP. CLXVI.—*An Act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office. (a)*

Time extended to August 10, 1840, and by Act of Aug. 19, 1841, ch. 10, further extended.

All entries and surveys heretofore made, &c. shall be good, &c.

Proviso.

Proviso.

No patent shall issue for a greater quantity of land than the rank or term of service of the officer or soldier, to whom said warrant issued, would have entitled him to, under the laws of Virginia.

1839, ch. 73.

Proviso.

*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 continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Scioto rivers, northwest of the river Ohio, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed until the tenth day of August, in the year one thousand eight hundred and forty, to complete their locations and surveys, and return their surveys and warrants, or certified copies thereof, to the General Land Office; and all entries and surveys which may have heretofore been made within the said reservation, in satisfaction of any such warrants, on lands not previously entered or surveyed, or on lands not prohibited from entry and survey, shall be held to be good and valid, any omission heretofore to extend the time for the making of such entries and surveys to the contrary notwithstanding: *Provided,* That no locations as aforesaid, within the abovementioned tract, shall, after the passage of this act, be made on tracts of land which may have been previously patented, or which may have been surveyed in satisfaction of warrants granted for the legal bounties of said officers and soldiers: *And provided, also,* That no locations as aforesaid shall be made on any lands lying upon the west side of Ludlow's line; and any patent which may nevertheless be obtained for land located contrary to the provisions of this act, shall be held and considered as null and void.

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 laws of Virginia and of the United States regulating the issuing of such warrants; and whenever it appears to the Secretary of War that the survey made by 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 resurvey his location, excluding such surplus quantity, in one body, from any part of his resurvey, and a patent shall issue upon such resurvey as in other cases: *Provided, however,* That no patent shall be obtained on any warrant under this act, 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 Northwestern 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 other warrant has issued from the said land office for the same services.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CLXVII.—*An Act for the erection of a court-house in Alexandria, in the District of Columbia.*

[Obsolete.]  
Com. of Public Buildings to cause a court-house to be erected in Alexandria, &c.

*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 in the city of Washington be, and he is hereby, authorized and directed to cause to be erected in the town of Alexandria, in the District of Columbia, a court-house, to contain

(a) See notes of the acts relating to Virginia land warrants, vol. 1, 464.

all the offices and accommodations necessary for the court, clerk, marshal, and jurors of the county of Alexandria, and for the accommodation of the orphans' court for the said county of Alexandria; the plan of which building shall be submitted to and approved by the President of the United States before the commencement and operation thereon; or, if the President of the United States deems it more conducive to the public interest, he is hereby authorized to purchase the building owned by the late Bank of Alexandria, and convert it into a court-house and offices for the county of Alexandria. And there is hereby appropriated, for the purpose of erecting said court-house, the sum of not exceeding fifteen thousand dollars; to be paid out of any moneys in the Treasury not otherwise appropriated: *Provided*, That no greater sum than is appropriated by this act shall be expended in the erection of said court-house or the purchase of the building aforesaid.

Appropriation.

Proviso.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CLXVIII.—*An Act to reorganize the Legislative Council of Florida and for other purposes. (a)*

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the legislative power of the Territory of Florida shall be vested in the Governor and the Legislative Council. The Legislative Council shall consist of two houses, to be called the Senate and House of Representatives. The House of Representatives shall be organized and the members thereof shall be chosen as is now prescribed by law for the present Legislative Council; and in addition to the present number, there shall be one member chosen for the county of Calhoun, one for the county of Dade, and an additional member for the county of Duval. The Senate shall consist of eleven members, to be chosen as follows: three shall be chosen from the western judicial district, including the county of Franklin, by general ticket of the qualified voters of the counties of said district, including the said county of Franklin; four from the middle judicial district, east of the Appalachian river, to be chosen also by general ticket of the qualified voters of the counties of said district, so limited as aforesaid; three from the eastern judicial district, to be chosen also by general ticket of the qualified voters of the counties of said district; and one from the southern judicial district, to be chosen also by general ticket of the qualified voters of the counties for said district. Said Senators shall be elected for the term of two years.

Legislative power of Florida, how vested.

Legislative Council.

Senate—how chosen, &c.

Term of election.

SEC. 2. *And be it further enacted*, That the members of said Legislative Council shall receive each four dollars per diem during the session thereof, and four dollars for every twenty miles' travel to and from the seat of Government; the distance to be computed by the most direct route from the member's place of residence to the place where the session [is held.]

Pay and mileage of Legislative Council.

SEC. 3. *And be it further enacted*, That the said Senators shall be elected in October next, at the same time, in the same manner, and by the same qualified voters as is now prescribed by law for the election of members of the present Legislative Council, and biennially thereafter, in the manner that may be prescribed by the said Legislative Council; and the returns of the election of said Senators shall be made by the marshals of each of said districts to the Governor, in such manner as shall be prescribed by the Governor.

Senators, when to be elected, &c.

SEC. 4. *And be it further enacted*, That the Legislative Council, by and with the consent of the Governor, are hereby vested with full power, at their first session or at any time thereafter, to apportion the representatives of either House of said Legislative Council as to them may

Legislative Council vested with power to apportion the

(a) For the acts relating to the territory of Florida, see vol. 3, 523, 654.

representation of either House. Senate limited to 15 members. Sessions limited to 75 days.

All acts and parts of acts inconsistent with this act, repealed.

seem best and proper, according to the population of the Territory; and may, for the purpose of more effectually equalizing said representation, increase the Senate to any number not exceeding fifteen in the whole.

SEC. 5. *And be it further enacted*, That no session of the Legislative Council in any year shall exceed the term of seventy-five days.

SEC. 6. *And be it further enacted*, That all acts and parts of acts heretofore passed in relation to the Legislative Council of Florida which are inconsistent with or repugnant to the provisions of this act shall be, and the same are hereby, repealed.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CLXIX.—*An Act to provide for the support of the Military Academy of the United States for the year eighteen hundred and thirty-eight, 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 be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year one thousand eight hundred and thirty-eight, viz :

Pay of officers, &c.

For the pay of officers, cadets, and musicians, fifty-six thousand and twelve dollars;

Subsistence of officers, &c.

For subsistence of officers and cadets, thirty-nine thousand five hundred and sixty-six dollars;

Forage.

For forage of officers' horses, one thousand one hundred and fifty-two dollars;

Clothing of officers' servants.

For clothing of officers' servants, three hundred and thirty dollars;

Expenses of board of visitors.

For defraying the expenses of the board of visitors at West Point, one thousand nine hundred and ninety-eight dollars and eighty-four cents;

Fuel, forage, &c.

For fuel, forage, stationery, printing, transportation and postage, fifteen thousand two hundred and ninety-five dollars;

Repairs, &c.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats and fences, seven thousand two hundred and fifty-seven dollars and fifty cents;

Pay of adjutant's and Qr. Mr.'s clerks.

For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars;

Library. Miscellaneous items, &c.

For increase and expenses of the library, eight hundred dollars;

For miscellaneous items and incidental expenses, one thousand five hundred and seventy-seven dollars and fifty cents;

Building for recitation, &c.

For the erection, as per plan, of a building for recitation and military exercises, in addition to amount heretofore appropriated, eighteen thousand two hundred and fifty-four dollars and sixty cents;

A barn and stables.

For the erection of a barn and public stables, one thousand dollars;

Compensation to professor of chemistry, &c.

For compensation to the acting professor of chemistry, mineralogy, and geology, at the Military Academy, three hundred dollars;

Printing, &c. the regulations.

For printing and binding the regulations of the Military Academy, three hundred and sixty dollars;

Reconstruction of buildings for library, &c.

SEC. 2. *And be it further enacted*, That the sum of twenty-six thousand dollars be, and the same is hereby appropriated for the reconstruction of the buildings for the library, engineer, chemical and philosophical departments at the Military Academy at West Point, destroyed by fire in February last.

Compensation of custom-house officers for 1838.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, deputy collectors, naval officers, surveyors, and their respective clerks, together with the weighers, gaugers, measurers, and markers, 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-eight, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth of July, one thousand eight hundred and thirty-two, had 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, naval officers, surveyors, and clerks, 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 those officers in one person, entitle him to receive more than that sum per annum; *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 incidental to their respective offices; which accounts shall be rendered on oath or affirmation, and shall be in such form, and 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, in the event of any act being passed by Congress at the present session to regulate and fix sala[ries] or compensation of the respective officers of the customs, then this section shall operate and extend to the time such act goes into effect, and no longer: *Provided, however*, That the Secretary of the Treasury be authorized to extend to the collectors at such other ports where a surplus of emoluments have been accounted for and paid into the Treasury, in the year eighteen hundred and thirty-two, the privilege granted to the collector of New York, to take effect from the first day of January last: *Provided, nevertheless*, That no collector shall receive more than four thousand dollars, and no naval officer shall receive more than three thousand dollars, and no surveyor shall receive more than twenty-five hundred dollars per annum.

Act of July 14, 1832, ch. 227.

Proviso.

Proviso.

Proviso.

Proviso.

Proviso.

SEC. 4. *And be it further enacted*, That the sum of nine thousand two hundred dollars be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the compensation of a Topographer and clerks employed in the Post Office Department, in conformity with the appropriation act of March third, eighteen hundred and thirty-seven, and for one additional clerk to keep an appropriation account until the first of January, eighteen hundred and thirty-nine; and that the sum of ten thousand five hundred dollars be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the compensation of clerks employed in the Auditor's Office of the Treasury, for the Post Office Department, from the first of January, eighteen hundred and thirty-eight, till the first of January, eighteen hundred and thirty-nine.

Compensation of Topographer and clerks employed in Post Office Dep't. Act of 1837, ch. 33.

Compensation of clerks in office of Auditor of Post Office.

SEC. 5. *And be it further enacted*, That the following sums be, and the same are hereby appropriated, out of any unappropriated money in the Treasury, viz.:

Appropriations.

For the Documentary History of the Revolution, the amount heretofore appropriated for that object and carried to the surplus fund;

Documentary History of Am. Revolution. Mars Hill military road.

For the Mars Hill military road, three hundred and sixty-four dollars and three cents, to enable the Treasury officers to close the account of Charles Thomas, being part of an amount heretofore appropriated and carried to the surplus fund;

To the State of Maine to reimburse the expense of said State for allowances to Ebenezer S. Greely for his sufferings and losses, attendant upon his arrest and imprisonment in the jail at Frederickton, New Brunswick, in consequence of taking the census at Madawaska, and to John Baker, and others, for sufferings and losses in relation to certain

To reimburse the State of Maine for allowances to E. S. Greely and John Baker.

proceedings in said town, the sum of eleven hundred and seventy-five dollars;

Patent Office Building.

For continuing the construction of the Patent Office, fifty thousand dollars;

Outfit of the branch mints.

For furnishing machinery and for other expenses incident to the outfit of the branch mints at New Orleans, Charlotte, and Dahlonega, two thousand eight hundred dollars;

Salaries of the officers of the Terr. of Iowa, pay of the Legislature, &c.

For salaries of the Governor, Secretary, Chief Judge, Associate Justices, District Attorney, and Marshal, and pay and mileage of the members of the Legislative Assembly of the Territory of Iowa, and the expenses thereof, printing of the laws, taking the census, and other incidental and contingent expenses of said Assembly and Territory, twenty-four thousand six hundred and seventy-five dollars;

Public buildings in Iowa.

For erecting public buildings in the Territory of Iowa, twenty thousand dollars;

Contingent exp. of Senate.

For contingent expenses of the Senate, not anticipated when the ordinary estimate of the year was prepared, being principally for engraving and printing maps, and other printing, the purchase of books and book-cases for the Senate committee rooms, the expenses of committees of investigation, and the pay of clerks of committees, fifty thousand dollars.

Military surveys, &c.

For an outstanding balance of expenditures under the head of military surveys, and to enable the Department to settle and close that account, ten thousand dollars.

Surveys by civil engineers.

For an outstanding balance of expenditure for surveys by the civil engineers, to enable that Department to settle and close the account for those surveys, two thousand dollars.

Mail routes, &c. through Creek country, Ala.

To close the account for the laying out and construction of a mail route and post road through the Creek country, in the State of Alabama, and to pay the balances due to contractors and workmen upon the said road, the sum of nineteen hundred and forty-five dollars and fifty cents.

Salary of additional Judge of Orphan's Court Washington co. D. C.

For the salary of the additional Judge of the Orphans' Court of Washington county in the District of Columbia, the office having been created by a law of the present session of Congress, one thousand dollars.

Salary of Judge of the Criminal Court, D. C.

For the salary of the Judge of the Criminal Court of the District of Columbia, the said court having been established by a law of Congress of the present session, two thousand dollars.

To carry into effect resolution in relation to steam engines, &c.

For enabling the Secretary of the Treasury to carry into effect the resolution of the twenty-ninth ultimo, on the subject of steam engines and steam boats, and the loss of life and property which has been suffered in their use, the sum of six thousand dollars, or so much thereof as he may find necessary for the purpose.

To defray exp. of marshals, and other civil officers of the U. S. under amendment to act 20th April, 1813, ch. 88—how to be paid, &c.

For defraying the expenses of the marshals, deputy marshals, and other civil officers of the United States, in executing the provisions of an act passed at the present session of Congress, entitled "An act to amend an act entitled 'An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned, approved April twentieth, one thousand eight hundred and eighteen,'" the sum of twenty thousand dollars, to be paid out of the appropriation of three hundred and fifty thousand dollars for defraying the expenses of the courts of the United States, made in the "act making appropriations for the civil and diplomatic expenses of Government, for the year one thousand eight hundred and thirty-eight, approved April sixth, one thousand eight hundred and thirty-eight," to be expended by the Secretary of the Treasury, under the direction of the President, upon the certificate of the Judge of the Circuit or District Court of the United States of the circuit or district where the expenditure may have been made or the services rendered.

Act of April 6, 1838, ch. 54.

For carrying into effect the act for the increase of the army, to wit :	Act to increase the army.
For pay, three hundred and seventy-nine thousand five hundred and twenty dollars and fifty cents.	Pay.
For clothing, two hundred and sixteen thousand seven hundred and thirty dollars.	Clothing.
For subsistence, seventy-four thousand six hundred and forty-five dollars.	Subsistence.
For contingent expenses for recruiting, fifty-three thousand eight hundred and eighty dollars.	Cont. exp. for recruiting.
For defraying the expenses of the board of visitors at the Military Academy, in addition to the sum contained in the annual appropriation for that object, six hundred and ninety-eight dollars and seventy-five cents.	Exp. of board of visitors at Military Academy.
SEC. 6. <i>And be it further enacted</i> , That all the money arising from the bequest of the late James Smithson, of London, for the purpose of founding at Washington, in this District, an institution to be denominated the Smithsonian Institution, which may be paid into the Treasury, is hereby appropriated and shall be invested by the Secretary of the Treasury, with the approbation of the President of the United States, in stocks of States, bearing interest at the rate of not less than five per centum per annum, which said stocks shall be held by the said Secretary in trust for the uses specified in the last will and testament of said Smithson, until provision is made by law for carrying the purpose of said bequest into effect ; and that the annual interest accruing on the stock aforesaid shall be in like manner invested for the benefit of said institution.	All money arising from bequest of James Smithson, &c. shall be invested in State stocks, &c.  1841, ch. 25.
For procuring new machinery for the Harper's Ferry Armory, the sum of twenty thousand dollars.	Machinery for Harper's Ferry Armory.
SEC. 7. <i>And be it further enacted</i> , That the Secretary of the Treasury cause to be made, under the superintendence of Mr. Hassler, one standard balance for each State, and when completed that he cause them to be delivered to the respective Governors for the use of the respective States.	Standard balance for each State, &c.
For the paper and printing of a complete catalogue of the books of the Congress Library heretofore ordered, fourteen hundred dollars.	Catalogue of Congress Library.
For compensation to Ferdinando Pettrich, for models of statues for blocking to the western front of the Capitol, six hundred dollars.	Compensation to F. Pettrich.
For enlarging the contingent fund of the House of Representatives, to provide for the payment for certain expenses incurred by the House by resolution of twenty-seventh January, eighteen hundred and thirty-eight, forty-eight thousand nine hundred and sixty dollars.	For enlarging contingent fund of House of Reps., &c.
For laborers and horse, cart and driver, employed at the President's square, two thousand and fifteen dollars.	Laborers, &c. the President's square.
For repairs of the Potomac bridge, two thousand and fifty dollars ; for three hundred feet of suction hose for the Capitol and Capitol grounds, two hundred dollars ; for cast iron settees and chairs for the public grounds, one hundred and fifty dollars.	Repairs of Potomac bridge, &c.
SEC. 8. <i>And be it further enacted</i> , That a collector shall be appointed at the port of Vicksburg who shall give the usual bonds required by such officers in the penal sum of ten thousand dollars, and be entitled to a salary of five hundred dollars per annum, and that the salary for the present year be paid out of any money in the Treasury not otherwise appropriated.	A collector to be appointed at Vicksburg.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

[Obsolete.]

Sec. War to  
cause New  
York to be paid  
such amount as  
the Paymaster  
Gen'l. and ac-  
count'g officers  
of the Treasury  
shall certify,  
&c.

CHAP. CLXX.—*An Act to provide for the settlement of the claim of the State of New York for the services of her militia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause to be reimbursed and paid to the State of New York, on the order of the Governor of said State, out of the appropriation for the prevention of hostilities on the northern frontier, such amount as the Paymaster General of the United States army and the accounting officers of the Treasury shall ascertain and certify would have been due from the United States to the volunteers and militia called into the service of the State, in the latter part of the year eighteen hundred and thirty-seven and the first part of the year eighteen hundred and thirty-eight, for the protection of said frontier, by the Governor, if said volunteers had been duly called into the service of the United States and regularly received and mustered by officers of the United States army, according to the laws and regulations which have governed in the payment of the volunteers and militia of other States: *Provided,* That the accounts of the agent employed by the State of New York to make said payments, be submitted to the Paymaster General and the accounting officers for their inspection: *And provided also,* That no reimbursement shall be made on account of the payment of any volunteers or militia who refused to be received and mustered into the service of the United States or to serve under the officers of the United States army appointed by the President to command on the northern frontier.

Proviso.

Proviso.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

[Obsolete.]

CHAP. CLXXI.—*An Act to provide for certain harbors and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes, during the year one thousand eight hundred and thirty-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 be paid out of any money in the Treasury not otherwise appropriated, for carrying on and completing certain works heretofore commenced, viz:

Chicago harbor.

For continuing the improvement of the harbor of Chicago, Illinois, thirty thousand dollars;

Michigan City harbor.

For continuing the construction of a harbor at Michigan City, Indiana, sixty thousand seven hundred and thirty-three dollars and fifty-nine cents;

St. Joseph pier or breakwater.

For continuing the construction of a pier or breakwater at the mouth of the river Saint Joseph, Michigan, fifty-one thousand one hundred and thirteen dollars;

Harbor near the mouth of the river Raisin.

For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan, fifteen thousand dollars;

Harbor at the mouth of Black river.

For continuing the improvement of the harbor at the mouth of Black river, in Jefferson county, State of New York, twenty-two thousand four hundred and one dollars;

Whitehall harbor.

For continuing the improvement of the harbor at Whitehall, in the State of New York, fifteen thousand dollars;

Genesee river.

For continuing the improvement of the channel at the mouth of Genesee river, in the State of New York, twenty-five thousand dollars;

Black river.

For continuing the removal of obstructions at Black river, Ohio, five thousand dollars;

Huron river.

For continuing the removal of obstructions at the mouth of the Huron river, in Ohio, five thousand dollars;

For continuing the improvement of the navigation at the mouth of Vermillion river, Ohio, twenty-three thousand six hundred and twenty-six dollars and fifty-seven cents;	Vermillion river.
For continuing the improvement of Cleaveland harbor, Ohio, fifty-one thousand eight hundred and fifty-six dollars;	Cleaveland harbor.
For continuing the removal of obstructions at Cunningham creek, Ohio, five thousand dollars;	Cunningham creek.
For continuing the removal of obstructions at Ashtabula creek, Ohio, eight thousand dollars;	Ashtabula creek.
For continuing the removal of obstructions at Conneaut creek, Ohio, eight thousand dollars;	Conneaut creek.
For continuing the improvement of the harbor of Presque isle, Pennsylvania, thirty thousand dollars;	Presque isle harbor.
For continuing the improvement of Dunkirk harbor, New York, ten thousand dollars;	Dunkirk harbor.
For continuing the improvement of the harbor of Portland, Lake Erie, New York, thirty-five thousand four hundred and sixty-six dollars;	Portland harbor, N. Y.
For continuing the improvement of the harbor at Cattaraugus creek, Lake Erie, New York, thirty-two thousand four hundred and ten dollars;	Cattaraugus creek harbor.
For continuing the improvement of the harbor of Salmon river, Lake Ontario, New York, thirty thousand dollars;	Salmon river harbor.
For continuing the construction of a breakwater at Plattsburg, New York, twenty-seven thousand five hundred dollars;	Plattsburg breakwater.
For continuing the improvement of the harbor at the mouth of Oak Orchard creek, New York, five thousand dollars;	Oak Orchard creek harbor.
For continuing the pier at Kennebunk, Maine, eight thousand dollars;	Pier at Kennebunk.
For continuing the improvement of Big Sodus bay, New York, ten thousand dollars;	Big Sodus bay.
For continuing the pier and mole at Oswego harbor, New York, forty-six thousand and sixty-seven dollars;	Oswego harbor.
For continuing the construction of a breakwater at Burlington, Vermont, fifty thousand dollars;	Breakwater at Burlington.
For continuing the breakwater on Stanford's Ledge, Portland harbor, Maine, twenty-six thousand three hundred and sixty-six dollars;	Breakwater on Stanford's Ledge.
For continuing the breakwater at Hyannis harbor, Massachusetts, eight thousand seven hundred and sixty-four dollars;	Breakwater at Hyannis.
For continuing the breakwater at Sandy Bay, Massachusetts, twenty thousand dollars;	Breakwater at Sandy Bay.
For continuing the improvement of the channel of the river Thames, leading into Norwich harbor, Connecticut, ten thousand dollars;	River Thames.
For improving the harbor of Westport, Connecticut, four thousand seven hundred and eighty-two dollars;	Westport harbor.
For continuing the improvement of the navigation of the Hudson river, above and below Albany, in the State of New York, one hundred thousand dollars; to be expended according to the plan and estimate recommended by the Secretary of War;	Hudson river.
For continuing the improvement of the harbor of Wilmington, Delaware, nine thousand three hundred and fifty-six dollars;	Wilmington harbor.
For continuing the improvement of the harbor of New Castle, Delaware, eleven thousand five hundred and seventy-three dollars;	New Castle harbor.
For continuing the Delaware breakwater, one hundred and fifty thousand dollars;	Delaware breakwater.
For continuing the improvement of the harbor of Baltimore, Maryland, twenty thousand dollars;	Baltimore harbor.
For continuing the improvement of the navigation of Cape Fear river, below Wilmington, North Carolina, twenty thousand dollars;	Cape Fear river.
For opening a passage of fifty yards wide, and seven feet deep, at low	



Opening passage between Beaufort and Pamlico sound.

Tar river.  
Inland channel between St. Mary's and St. John's.

Dog river bar and Choctaw pass.

Cumberland river.  
Ohio river.

Ohio and Mississippi rivers.

Mississippi and Missouri rivers.

Grand river.

Works at Buffalo harbor, &c.

Plymouth beach.

Provincetown harbor.

Rainsford island.

Fairweather island.

Harbor at the mouth of Bass river.

Breakwater of Church's cove.

Little Egg harbor.

Entrances of Dismal Swamp canal.

Savannah river.

Arkansas river.

Removal of sand-bar in New Bedford harbor.

1836. ch. 363.

Deepening of shoal in Appalachicola harbor, &c.

Disposal of appropriations.

water, between the town of Beaufort and Pamlico sound, North Carolina, and for improving New river, twenty-five thousand dollars;

For continuing the improvement of Pamlico, or Tar river, below Washington, North Carolina, five thousand dollars;

For continuing the improvements of the inland channel between St. Mary's and St. John's, Florida, twenty-nine thousand dollars;

For continuing the improvements at Dog river bar, and Choctaw pass, in Mobile harbor, fifty thousand dollars;

For continuing the improvement of the Cumberland river, in Kentucky and Tennessee, below Nashville, twenty thousand dollars;

For continuing the improvement of the Ohio river, between the falls and Pittsburgh, fifty thousand dollars;

For continuing the improvement of the navigation of the Ohio and Mississippi rivers, from Louisville to New Orleans, seventy thousand dollars;

For continuing the improvement of the Mississippi river, above the mouth of the Ohio, and of the Missouri river, twenty thousand dollars;

For continuing the removal of obstructions in Grand river, Ohio, ten thousand dollars;

For continuing the works at Buffalo harbor, twenty thousand five hundred dollars; and for erecting a mound or sea-wall along the peninsula which separates Lake Erie from Buffalo creek, to prevent the influx at the lake over said peninsula, forty-eight thousand dollars;

For continuing the preservation of Plymouth beach, two thousand four hundred dollars;

For continuing the preservation of Provincetown harbor, four thousand five hundred dollars;

For continuing the preservation of Rainsford island, seven thousand three hundred and fifty-three dollars;

For continuing the sea-wall for the preservation of Fairweather island, and repairing the breakwater near Black Rock harbor, Connecticut, eleven thousand five hundred and fifty dollars;

For continuing the improvement of the harbor at the mouth of Bass river, Massachusetts, ten thousand dollars;

For continuing the breakwater of Church's cove, town of Little Compton, Rhode Island, eighteen thousand dollars;

For the protection and improvement of Little Egg harbor, ten thousand dollars;

For improving the natural channels at the northern and southern entrances of the Dismal Swamp canal, ten thousand dollars;

For the improvement of the navigation of Savannah river, Georgia, fifteen thousand dollars;

For the improvement of the Arkansas river, forty thousand dollars;

For removing the sand-bar occasioned by the wreck in the harbor of New Bedford, the unexpended balance of an appropriation of ten thousand dollars, made July four, eighteen hundred and thirty-six, being seven thousand six hundred and ninety-one dollars and thirty-seven cents.

SEC. 2. *And be it further enacted*, That the appropriation heretofore made of ten thousand dollars, for removing the mud shoal, called the Bulkhead, in the harbor of Appalachicola, be, and the same is hereby, transferred to the deepening of the straight channel in the same harbor.

SEC. 3. *And be it further enacted*, That of the several sums appropriated by the first section of this act, which exceed twelve thousand dollars each, one half thereof, if the public service require it, shall be paid out during the year eighteen hundred and thirty-eight, to be applied to the objects as above specified, and the other half in like manner, in the year eighteen hundred and thirty-nine.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

CHAP. CLXXII.—*An Act to establish certain post routes and to discontinue others.*

*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.

In Maine—es-  
tablished.

*Maine.*—From Unity to Thorndike. From West Eddington to East Eddington. From Gardiner, via Light's Corners and Searsmont, to Belfast. From Saco, by Goodwin's Mills, to Alfred. From Acton corners, via Milton Mills and Union village, to Middleton corner, New Hampshire. From Alfred to Newfield. From Eden to Bar Harbor. From Waterville, via Clinton, Troy, North Dixmont, and Hermon, to Bangor. From Dover, via Lower village, Atkinson, Wingate's corner and Milo village, to Killmarnock. From Fish's Mills (in township number four, in the sixth range west from the east line of the State) to Mattawamkeag point. From Bangor, via South Levant, to Stetson. From Machias to Westley. From Lewiston falls, at Danville, by the river road, to Livermore falls.

*New Hampshire.*—From Lancaster, via Whitefield and Carroll, to White Mountain. From Colebrook, via Errol and Letter B, to Andover, Maine. From North Haverhill, via Woodville, West Bath, Lyman, North Lyman, West Littleton, and Lower Waterford, to Pingreeville. From Peterborough, via Jaffrey, Factory village and Rindge, to Winchendon. From Union village, via Brookfield, North Wolfsborough, and Water village, to Tuftonborough. From Exeter, via East Kingston, South Hampton and Newtown, to Haverhill, Massachusetts. From Concord, via Bow, East Dunbarton and Centre Goffstown, to Piscataquog village. From Bedford, via Goffstown, Hopkinton, Warner, and New London, to Hanover. From Eaton, via Freedom, North Parsonfield and Limerick, to Hollis, Maine. From Kingston, via Brentwood, Epping, Nottingham, Northwood, Pittsfield, Barnstead, and Gilmanton iron works, to Guilford. From Landaff, over Sugar hill, to Franconia. From the centre of Washington by East Washington, to the Upper village, in Hillsborough. From Pittsfield, by the store of George Nutter in Barnstead, over new Durham Bridge, by Middletown, Wakefield, Union village, Milton Mill, and Alton, to Alfred, in Maine.

In New Hamp-  
shire—esta-  
blished.

*Vermont.*—From Barton, via Irasburg, Coventry, and Troy, to Richford. From Finneyville, via Clarendon and Clarendon Springs, to West Rutland. From Jeffersonville, via Waterville and Belvidere, to Montgomery. From Wilmington to Greenfield, Massachusetts.

In Vermont—  
established.

*Massachusetts.*—From Adamsville, Rhode Island, via Hick's bridge, to Dartmouth. From Washington, via North Becket, to Middlefield. From Northborough, via Marlborough, Stow, Acton, and Chelmsford, to Lowell. From Norton, via Attleborough and Pawtucket, to Providence. From Barre, via Hardwick, to Ware. From Westfield, via Montgomery, Norwich bridge, and North Chester, to Worthington. From East Bridgewater, via John A. Conant's and J. W. Jenkins' stores, and East Abington, to South Weymouth. From Worcester, via Milbury, Sutton, West Sutton, and East Douglass, to Douglass.

In Massachu-  
setts—esta-  
blished.

*Connecticut.*—From Hebron, via Exeter meeting-house and over Goshen hill, to Bozrahville. From West Hartland, Connecticut, to Tolland, Massachusetts. From New Haven, via Fair Haven, North Branford, North Guilford, North Madison, North Killingsworth, Chester Hadlyme, and Salem, to Norwich. From the house of Robins Tracy, on the Colchester and Middletown turnpike, thence to the East Haddam and Colchester turnpike, by the store of H. and B. Palmer, and from thence through Mechanicsville, to East Haddam landing.

In Connecti-  
cut—establis-  
hed.

*New York.*—From Salubria, via West Catlin and Hornby, to Painted Post. From New Haven, via Port Ontario and Lindseyville, to Ellis-

In New York  
—established.

burg. From Colden, via Waterville corners, to Springville. From North Blenheim, via Gilboa and Prattsville, to Clovesville. From Granville four corners to Middle and West Granville. From Schenectady, via Rotterdam, the church in the centre of Princeton, and Mariasville, to Braman's corners. From Flushing to Manhassit. From Poughkeepsie, via Crum Elbow, Pleasant plains, Clinton hollow, Shultz's store, Clintonville, Milan, and Rock city, to Red hook. From Castile, via Portageville and Mixville, to Hume. From the store of Charles F. and J. C. Hammond and Company, Essex county, via Samuel Murdock's at Long point, to the old fort at Crown point; then across Lake Champlain, to Chimney point, in Addison, and through Addison and Panton, to Vergennes, Vermont. From Malden, via Wynkoopsville, to Irvingsville. From Attica, via Orangeville and Wethersfield springs, to Pike. From Pine plains, via Gallatin, Ancram, and Copake, to Hillsdale. From Angola, via Collins centre, to Springville. From Aurora, via Griffin's mills, to Springville. From Clay, via Phœnix, to Fulton. From Somers, via Southeast and Patterson, to Pawlings. From Bouckville, via Pratt's hollow, Stockbridge and Bennett's corners, to Oneida castle. From Troy, via Pøstenkil, to Berlin. From Ellenville, via Greenfield, Southwick's settlement, Wakeman's settlement, and Miller's settlement, to Monticello. From Harpersfield centre, via North Harpersfield, to South Worcester. From Lexington to West kill. From East Hampton to Amogansett. From Clermont, via Elizaville and Jackson corners, to Montrose. From Norwich, in Chenango county, by Smyrna, Earlville, Poolville, East Hamilton, North Brookfield, and Sangerfield centre, to Waterville, in Oneida county. From Ephrata, via Pleasant valley, to Newkirk's mills, Fulton county. From Berne and Waldenville to Gallupville. From Mexicoville to Colosse. From Enfield to Newfield. From East Solon, via Truxton, Fabius, Pompey, and Jamesville, to Syracuse. From Darien centre, via Pembroke, to Alabama. From Lowville, Lewis county, New York, via Daysanville, Bellfort, Indian river, Diana and Harrisville, to South Edwards, St. Lawrence county. *Discontinue as follows*:—From Hyde Park to Stanfordville, and from Rhinebeck to Clintonville. From Lodi (Persia post office) to Collins centre.

Discontinued.

In New Jersey  
—established.

In Pennsylvania  
—established.

*New Jersey*.—From Tom's river, via Dover furnace, New Egypt, Jacobstown, and Recklesstown, to Bordentown. From New Brunswick, by Millstone, to Flemington. From Hackettsville to Belvidere.

*Pennsylvania*.—From Hulingsburg, via Michael Traverse's, Ross Corbett's mills, R. D. Lawson's mills, Orr's tavern, Kittaning, and George Ross's mills, to Leechburg. From Apollo, via McAllister's, Pitt's mills, Lower Crooked-creek, salt-works, and Kittaning, to Ors-ville. From Reading, via Mollstown, Hunter's forge, Klinessville, Michael Shaffer's and Featherolfsville. From Shelocta, via Warren and North Washington, to Pittsburg. From New Alexandria, via New Derry, to Johnstown. From Greensburg, via Murraysville, Logan's ferry, Alter's store, North Washington, McIlvaine's store, and Congruity meeting-house, to Greensburg. From Browns-ville, via Greenfield and Columbia, to Monongahela city. From Cannonsburg, via Venice and Webster's, to Raccoon. From Stump-town, via Mount Zion, to Lebanon. From Mexico, through Tuscarora valley, to Waterford. From Mercer to Westley. From Newcastle, via Eastbrook, to Harlansburg. From Newcastle, by Pulaski, Sharon, and Clarksville, to West Greenville. From Shamokin, via Coal post office, to Fountain springs, Schuylkill county. From Montoursville to John Barber's mills, Plunket-creek township. From Caledonia, via the first fork of Bennett's branch of the Sinnemahoning-creek, to Coudersport. From Hazleton, via East Sugarloaf, to Wilkesbarre. From Cumberland, Maryland, via Wellersburg, to Berlin. From Bath to Kleckners-ville. From Philadelphia, via Frankford, Fox Chase, Huntington, Sorrel horse, Davisville, Springville, Richborough, Newtown, Dolington,

and Taylorsville, to Pennington, New Jersey. From Shippensville, by Fitzer's mill, Lucinda Furnace, and John Walter's settlement, to Tionesta. From Polsley's mills, via Blacksville, to Waynesburg. From Forest Lake, by the Choconut-creek road, to Union, New York. From Leroy, via Granville and Leonard's hollow, to Springfield. From Sweden, via Ulysses, to Harrison valley. From Wrightsville, via Yoholi, Grahamville, and McCall's ferry, to Peach bottom. From Hart's cross roads, by Lines's mills, to Conneautville. From Blakely to Thompson, Susquehanna county. From Butler, via Prospect and Portersville, to Newcastle. From Mauch Chunk to Nesquehoning. From Mauch Chunk to Stroudsburg. From Honesdale, by Cherry-ridge, Purdy settlement, Paupock settlement, and East Sterling, to Labor's post office, Monroe county. From Unity, by Petersburg, Ohio, and Mount Jackson, Pennsylvania, to Newcastle. From Elkland, Tioga county, to Addison, New York. From Pittsburg, by Ellicott's store, Clinton, and Murdocksville, to Fair View. From Florence, in Washington county, Pennsylvania, via Commettsburg and Fair View, to Welshville, Columbiana county, Ohio. From Abington centre to Providence, in Luzerne. From Margaretta Furnace to Bangor Forge, in the county of York. From Le Roy Post Office, by Calvin W. Churchill's in Greenville, Nathaniel Albin's in Troy, to the Post Office in Troy, to the Post Office in Springfield, Bedford county. From Steventville, in Pike, to the Post Office kept by William Warfield in Orwell, Bradford county.

*Delaware.*—From Smyrna, in Kent county, to the village of Leipsic. From Milford to Cambridge, in Maryland, passing through Williams-ville, Marshyhope bridge, Collin's cross roads, Lowe Hunting creek and Newmarket. In Delaware—  
established.

*Maryland.*—From Queenstown, via Centreville, Ruthsburg, Nine Bridges, Greensborough, and Willow Grove, to Dover, Delaware. From Mann's post office, via mouth of Sidelinghill creek and Tunnell, to Oldtown. From Elkton to Warwick. From Princess Anne, via Todd's store, to S. Mister's, Somerset county. From Princess Anne, via Kingston, to Rehoboth. In Maryland—  
established.

*Virginia.*—From Chamblysburg to the Big Lick, Botetourt county. From Fincastle to Giles court-house. From Mount Airy to Meadville. From Froadford to Marion. From Charlotte court-house, via Watkin's store, Wyliesburg, Jeffries's store, and Oakley, to Clarksville. From Lowmans, via the forks of Hughs river, Preble's mills, and Creel's mills, to Parkersburg. From Belleville, via Muses' bottom, mouth of Sandy creek, and Ripley, to Point Pleasant. From Morgantown, via Dent's mills, and David Snider's, to Riversville. From Newbern, via High rock, to Cranberry Plains. From Floyd court-house to Cranberry Plains. From Winchester to Parkersburg, along the northwestern turnpike road. From German settlement, via Westernford, to Glady creek cross-roads. From Rye valley to Sinclair's bottom, Smyth county. From Jonesville to Turkey cove, Lee county. From Alexandria, via Winter-hill, to Drainsville. From Lockhart's tavern, Frederick county, to Wardensville, Hardy county. From Salem, North Carolina, via Madison, to Martinsville. From Salem, Virginia, via Newcastle, to the Sweet Springs. From Gauley bridge, via Fayetteville, to Beckley. From Rye valley, Smyth county, to the mouth of Wilson creek, Grayson county. From Lebanon, Russell county, via Nashford Hanaker's store, to Richland, Tazewell county. From Patrick court-house to Mount Airy, North Carolina. From Liberty, Bedford county, via Buchanan, to Pattonsburg. From Parkersburg to Belpre, Ohio. From Somerfield, Pennsylvania, to Brandonville, Virginia. From Grayson court-house to Grayson Sulphur springs. From Speedwell, via Cripple creek, to Austinville, Wythe county. From Timberville to Brock's gap. From the northwestern turnpike, at or in the vicinity of

In Virginia—  
established.

James Curry's, to Booth's ferry, on Tygart-valley river. From Middle-island bridge, on the northwestern turnpike, to Lowan, Lewis county. From Bulltown, down the valley of the Little Kenawha, to Elizabethtown. From Drummondtown, Accomack county, by Locustville and Smithsville, on the seaside road of said county, to Pungoteague. From Hillsborough to Harper's Ferry. From Lovesville to Berlin, in the State of Maryland. From Clarksburg, via Ten-mile, to Shinston, in the county of Harrison. From Logan court-house to Red Sulphur Springs. From the Natural Bridge post office, in Rockbridge county, via Daggart's springs, to Clifton forge. From Brandonville, in Virginia, to Bryant's post office, in Fayette county, in the State of Pennsylvania. From Beckley's mills to Reuben Stut's. From Covesville to Fobes's mill. From Blue Sulphur Springs, via Gwinn's springs, thence down Lick creek to New river, up same to the mouth of Greenbrier river, to Palestine, thence to Lewisburg.

In North Carolina—established.

*North Carolina.*—From Ford creek, via Fishdam, Hancock's store, or Leather's cross-roads, to Chapel hill. From Weldon to Halifax; thence to or near Enfield, Waynesborough, and South Washington, to Wilmington; thence to Charleston, South Carolina. From Lincolnton, via Hoylesville, Spring mills, and Erasmus, to Yorkville, South Carolina, and returning via Catawba creek. From Waynesborough, via Whitfield mills and Jericho, to Strabane. From Pickens court-house, South Carolina, through Macon and Haywood counties, and down the Tuskegee river, by John B. Love's and Scroop Euloe's to Sevierville, Tenn. From Falls post office to Catawba creek post office. From Statesville to Mount Airy, Surry county. From Middletown, Hyde county, to some point on the Chickamacomica banks, in said county. From Hillsdale to Madison, on Dan river. From Hillsborough, by Samuel N. Fate's store and Mount Willing, to Rock creek or Fogleman's post office. From either Fair Bluff or Porter Swamp's offices to either Leesville or Lumberton. From Shallotte, by Dred Boazman's to White Marsh office. From Norwood's store, via Rocky river springs and Jacob Eford's, to Mount Comfort. From Beatty, on Black river, via James Allen's to J. R. Corbett's. From Carthage to Greensborough. From Newcastle, by Brier creek, Mulberry gap, Laurel spring, and John Williams's, in Ashe county, North Carolina, to the mouth of Wilson creek, Virginia. From Pleasant garden, by Turkey cove, through Yancy county, North Carolina, to Elizabethtown, Tennessee. From Washington to Portsmouth and Ocracoke. From Fayetteville, up the Cape Fear river, on the west side, to McNiell's ferry, Blalock's store, Raleigh, Johnson's store, and Draughn's store, to Fayetteville. From Raleigh to Gray Sill's. From Hillsborough to Boxborough. From Gaston, via Henderson, to Raleigh. From Henderson to Williamsborough. From Pittsborough to Chapel hill. From Seagle's store, via Peter Warlick's store, to Mull grove.

In South Carolina—established.

*South Carolina.*—From Damascus to Mooresborough, North Carolina. From Athens, Georgia, to Lauren's court-house. From Stantonsville to Pendleton. From Sumterville, by Plowden's mills, and Brewington, to Jacksonville, South Carolina. From Younguesville, via Hazlewood, Pedensville, and Torbert's, to Chester court-house. From Marion court-house, by Allen's bridge (on Little Pedee,) Harleesville, and Clio, to Bennettsville. From King's tree, by Murray's and Lenud's ferries on the Santee river, to Georgetown. From Lynch's creek post office to Conwayborough. From Mount Willing to Lexington court-house. From Picken's court-house, Mullen's fort, Aquilla, Georgia; thence by Clearmont, Bachelor's Retreat, and Pendleton, to Pickens court-house. From Union court-house, via Hancockville, to Limestone springs in Spartanburg district. From Charleston to Walterborough, by the way of the South Carolina railroad and George's station. From Pinckney-

ville, by Goudysville, to Hancockville. *Discontinue as follows*:—  
From Walter's ford to Mullen's ford. So much of route number two thousand two hundred and fifty-five as extends from Leesville to Mount Willing. From Lexington Court House to Doctor W. W. Guger's store, in Edgefield District.

Discontinued

*Georgia*.—From Camack, via Double-wells, Crawford, Irville, Green, and Baldwin's store, to Greensborough. From Danielsville, via Maryville, Winn's mills, or Amandaville, and Pierman's, to Montevideo. From Gainsville to Clarksville. From Cherokee court-house, Alabama, via Chatooga, Oldtown, Hopkinsville, Beavers, and Pleasant Green, to Island town. From Treadway's post office, via Beavers, to Almon's, in Broomtown valley. From Campbelltown, via Huntsville, Parlier's cross-roads, (on the High-tower river,) to Cassville. From Elberton to Carnesville. From Macon, Bibb county, Georgia, via Pine-level, Fort Valley, Bartlett, and Macon court-house, to Americus. From Sparta, via Powellton, to Double-wells. From McDonough, via Chamber's store and Hancock's, to Sandtown. From Lombardy, via Sweet-water iron works, Willis Howard's, and James Stone's, to Louisville. From Forsyth, via Van Buren and Herrington's store, to Fayetteville. From Decatur, De Kalb county, by Pace's ferry, on the Cattauchie, to Marietta, Cobb county, Georgia. From Brunswick, via Benjamin Lile's and Wayne court-house, to Holmesville. From Macon, Georgia, by Lumpkin, in Stewart county, to Irwinton, Alabama. From Lafayette, in Walker, Georgia, to Rossville, in the same county. From Athens, in Georgia, via Monroe, Walton county, Lawrenceville, Gwinnett county, Canton, Cherokee county, Cassville, in Cass county, Rome, in Floyd county, to Somerville, Morgan county, Alabama, and Hume to Decatur, in said State. From Columbus, Georgia, via Fort Mitchell, Florence, Georgia, and to intersect the steamboat mail line Bainbridge, Georgia, for Appalachicola and St. Joseph's in Florida.

In Georgia—  
established.

*Florida*.—From Tallahassee, via Alligator, to Jacksonville. From Monticello, Jefferson county, through Hamilton county, to the Gadsden Spring, Suwannee river. From Langsbury, Camden county, Georgia, via Burnt-fort ferry, to Haddock's, Florida. From Tallahassee, via Iola, to St. Joseph. From Haddock's to Jefferson, Georgia. From Monticello, via the Mineral springs, to Jacksonville.

In Florida—  
established.

*Kentucky*.—From Jeffersontown to Harrodsburg, by Chaplin and Taylorsville. From Shelbyville to Harrisonville. From Piketon, by the mouth of Pond creek, to Logan court-house, Virginia. From Springfield, Tennessee, by Keysburg and Trenton, to Hopkinsville. From Graysville to Nashville, Tennessee. From Columbia, via Alexander Walker's and Joseph Nelson's, jr., to Edmonton. From Somerset to Jamestown. From Newcastle to Wallaceville, Henry county. From Greenville, by the mouth of Muddy river, to Morgantown. From Waidsboro to Paducah. From Stephensport to Boonsport. From Princeton, by Cold Springs and Montezuma, to Providence. From Princeton, by Millville and Ferry corner, to Canton. From Williamstown to Warsaw. From Flag spring, by Motier and Locust grove, on the Ohio river, to Augusta. From Burkesville to Livingston, Tennessee. From Poplar flat, Lewis county, to Mount Carmel, Fleming county. From Little Sandy Saline, Greenup county, by Charles N. Lewis's, to Blanisville, Lawrence county. From West Liberty, by Joseph Adkin's, to Little Sandy Saline. From Greensburg to Edmonton. From Bowling Green, by the lock and dam on Big Barren first below Bowling Green, by the lock and dam on Green river next below the mouth of Barren river, by Morgantown, and by the lock and dam near the mouth of Muddy river, to Hartford. From Chaplin, by Hobb's mill and Paoli, to Maxville. From Witcher's cross-roads, by the houses of Isaac Pipkin and Reuben Roark and Grey Cook, to Tompkinsville. From Henderson to Carlow. From Monroe, Hart County, by Salt-works, on Littl Barren river, to Ed

In Kentucky  
—established.

monton. From Lawrenceburg, by the way of Van Buren, to Taylorsville. From Chaplain to Harrodsburg. From Monticello, via Albany, to Burksville. From Glasgow, Kentucky, to Hartsville, Tennessee.

In Tennessee  
—established.

*Tennessee.*—From Lynchburg, by W. W. Gill's store, Elijah Flack's and Petersburg, to Cornersville. From Eaton, by Forked Deer Turnpike and Ripley, to Fulton. From Paris, by Caledonia, Fleming's, Christmasville and Shady Grove, to South Gibson. From Pikeville, by James L. Loyd's, Thomas's cross-roads, Wheeler Hanson's, Kirkland's, Hilliard's, and Shelton's, to Oatt's landing. From Purdy, by Rosson's bridge and Metamora, to Ripley. From Savannah, by Cedar hill and Hawkins's ferry, to Carrollsville. From Sevierville to Sweden furnace. From Gallatin, by Cross-plains, Keasburg and Allinsville, to Elkton. From Masts, by Shady, crossing the Stone mountain at Bakers' gap, thence by Elijah Dougherty's, in Johnson county; thence to Roane's creek, and up the same to Taylorsville, Ashe county, North Carolina, to Taylorsville, Tennessee. From Lagrange to Tuscumbia, Alabama. From Sulphur springs, by Horseby's ferry, to Decatur. From Mount Pleasant, via Napier and Catron's iron-works, Lawrence county, via Buckner and Dixon's store, to Waynesborough. From Somerville, by Brown's store, Starky Hare's, Littlejohn's, Germantown and Titus bridge, to Hernando, Mississippi. From Carrollsville to Lexington. From Liberty, by Short mountain, to Manchester. From Cox's creek, Knox county, to Mount Bethel, Roane county. From Perryville, by Cub-creek springs, to Lexington. From Ball-play, Monroe county, to Austin Glenn's on Cane creek, same county. From Red bridge, Hawkins county, to Allen's station, same county. From Kingsport, along the Stanly-valley road, to Rogersville. From Maryville, by Montvale springs, Cheoee, Valley river, and Blairsville, to Dahlonega, Georgia. From Knoxville, by Louisville, Unita, Morgantown, Eve's mills, Rockville and Midway, to Athens. From Kellysville, via Lourass old ferry, Nickajack, across Raccoon mountain, to Squirreltown, in Georgia. From Dallas to Spring place. From Kingston to Oliver's house, in Anderson county. From Ross landing to Cleveland. From Gallatin, by Lagado Academy, to Murfreesborough. From Perryville, by New Madrid to Waverly. From Kingston, Tennessee, via Ten-mile stand, Decatur, Kincannon's ferry, Ross's landing, and Turkeytown, to Jacksonville. From Standing-rock post-office, Stuart county, via Lagrange and Fairchance furnace, to Waverley, Humphrey county. From Charlotte, via Point Mason, on Tennessee river, to Paris, Tennessee. From Elizabethton, up Stony creek, through Shady, to Abingdon, Virginia. From Dresden, via Hunter and Pound's store, Winton, and Ridley Jones's, to Dyersburg. From McMinnville to Jasper. From De Kalb court-house, via Short mountain, to Manchester. From Millersburg, in Rutherford county, via White's store, to Shelbyville. From Nashville down the south side of Cumberland river by William Shelton's to the mouth of Syracuse creek, thence to crossing at Gibb's ferry, by Braxton Lee's, Wilson Crockett's and the Sulphur springs, to Nashville. From Sevierville, Tennessee, via Smoky mountain, Shoal creek store, Scott's creek post-office, to Pendleton, South Carolina.

In Ohio—esta-  
blished.

*Ohio.*—From Greenville, via Fort Recovery, Grantville, Montezuma, St. Mary's and Guilford, to Van Wert. From Russellville, through Arnheim, to Sardinia, in Brown county. From Georgetown, in Brown county, through Freesburg and New Boston, to Felicity, in Clermont county. From Williamsburg, through Bethel, via Sharpsburg, to Felicity, in Clermont county. From West Union, in Adam's county, to Hillsborough, in Highland county. From Greenville, via Montezuma, Celina, Mercer, and Van Wert, to Defiance. From Van Wert, via Judge Cochran's, to Kalida. From Wapaukonetta, via Hartford and Judge Cochran's, Putnam county, to Franconia. From Kenton, via Lima, Shawnee, Amanda, and Guilford, to Mercer. From Troy to Covington. From Sidney,

via Harden, to Houston. From Defiance, via Brunnersburg, Washington centre, St. Joseph, and Denmark, in Ohio, and Perseverance, Steubenville, Little prairie, and Pretty prairie, to Lima, Indiana. From Perrysburg, via Waterville, Benton, Gilead, and Ottawa, to Lima, Ohio. From Maumee city, via Swanville, Granville, Turkeyfoot prairie, and Eatonsburg, to Lafayette, (on the Little St. Josephs) Williams county. From Melmore, via Attica, to New Haven. From Tiffin to Fort Findley. From Norwalk, via centre of Bronson, to Truxville. From Lower Sandusky to Montgomery cross-roads, Wood county. From Tiffin, via Rome, to Ridsen, Seneca county. From Nashport, via Perryton and rallsbury, to Martinsburg, Knox county. From Zanesville, via Samuel Beaver's, George Smyth's, and John G. Pigman's, to Coshocton. From Senecaville, via Johnson's Mills, Bye's Mills, Cambridge, Mackey's and Adamsville, to Dresden. From Eaton, via Castine, to Greenville. From Cadiz, via Leesburg and Sandyville, to Bethlehem. From Sinking Spring, Highland county, via Jasper and Picketon, to Jackson court-house. From Witten's post office, via Graysville, Van Buren, Carlisle, and Pereopolis, to Cumberland. From Sunfish, down the Ohio river, via Witten's post office, to Woodfield. From Wheelersburg, via Charles Kelly's Mills, Pine Grove Ætna Furnace, Patriot, Ridgeway's, Vinton, and Wilkesville, to Smithfield. From Pennsville, via Chesterfield, to Bartlett. From Wilkesville, via Rutland, Chester, Buffington's island, and the Great Bend, in Meigs county, to Ripley, Virginia. From Wilmington, via Oakland, Howeysburg, Franklin, and Winchester, to Eaton. From Wilmington, via Burlington, to Xenia. From Painesville, in Geauga county, along the north ridge road, to Ashtabula, by North Perry, Arcole, and Geneva. From Zanesfield to Downingsville, Logan county. From Franklin, Portage county, via Streetsborough, Aurora, Bainbridge, Russell, Chester, Kirkland, and Mentor, to Richmond city, Geauga county. From Akron, via Copley centre, Sharon centre, and Montville, to Medina. From Burnett's corners, via Chagrine Falls and Bainbridge, to Auburn. From Coshocton, via Roscoe, Warsaw, Mohican, and Rochester, to Danville. From Millersburg, via Nashville, to Loudonville, Richland county. From Chesterville, via Woodbury and McClure's cross-roads, to Shelby, Richland county. From Leavitt to Waynesburg. From Croxton to McCaig's. From West Jefferson, via West Canaan, Darby Creek, Alvin Randall's, in Union county, and Bellepont, to Delaware. From Lower Salem, Washington county, via Moses T. Spencer's, on Duck creek, and Bethel, to Woodfield. From Copley, by Western Star, to Clinton. From Windham, by Garrettsville, to Hiram. From McConnellsville to Francis, Treblecock's, thence to Peter Keith's, thence to Olive post office. From Reynoldsburg, via Pickerington and West Carrollton, to Lancaster. From Bellefontaine, in Logan county, to Wapakonetta, in Allen county, by the way of Lewistown, in Logan county, and St. Johns, in Allen county. From Bellefontaine, in Logan county, to St. Mary's, in Mercer county, by the way of the crossings at Plum's on the Great Miami and St. John's, and Wapakonetta, in Allen county. From Springfield, in Clark county, to New Carlisle, in the same county, by the way of Clarksburg and Northampton. From Springfield, in Clark county, to Chillicothe, by the way of South Charleston, Grassy Point, Bloomingburg, and Frankfort. From Hartford, in Trumbull county, to Greenville, in Mercer county, Pennsylvania, through the village of Orangeville. From Unionville to Ellensburg, in Geauga county. From Southington, through the centre of Farmington, to Mesopotamia in Trumbull county. From Deerfield, in Portage county, Ohio, to Edinburg in the same county. From Leavitt, by Dallas, to Waynesburg. From Ravenna, in Portage county, Ohio, to Twinsburg, in the same county, through Streetsborough. From Lafayette, on the Little St. Joseph's,



Williams county, Ohio, to Fort Wayne, Indiana. From New Lisbon, through Salem, to Benton. From Osnaburg, in Stark county, to New Cumberland, in Tuscaroras county. From Xenia, in Green county, to Dayton, in Montgomery county, on the direct route.

In Indiana—  
established.

*Indiana.*—From Monticello, via White Post, to Winamac, in Pulaski county, Indiana. From Fort Wayne, via Whitley court-house and Warsaw, to Plymouth. From Goshen to Middlebury, in Elkhart county. From Rockville, by Annapolis, West Union Westport, and Johnson's mills, to Covington. From Huntersville, by Concord, and Point Pleasant, to Attica. From Greensburg, by Hartsville and Newbern, to Columbus. From Columbus, by Mount Sidney, to Flatrock post office. From Danville, by North Salem, Carrollton, and Ladoga, to Crawfordsville. From Shelbyville, by Black-hawk, to Edinburg. From Livonia to Hardinsburg, (on the great western mail route from Louisville to St. Louis.) From Lexington, by Albion, to Slateford. From Leesville, by Baile's mills and Nashville, to Morgantown. From Spencer, by New Brunswick and Lebanon, to Merom. From Bedford, by elder John Short's (on Indian creek,) Bloomfield, and Scaffold prairie, to Bowling green. From Bedford, by Spice Valley, to Mount Pleasant. From Westfield, by Farmington, to Strawtown. From Fairfax, by Marysville and Springville, to Frasier's store. From Bedford, by Frasier's store and Hammersly's mills, to Mount Pleasant. From Vincennes, by James Stewart's and Ramsey's store, (at the rapids of the Wabash,) to Mount Carmel. From Springville, by Point Commerce and Rawley's mills, to Terre Haute. From Vincennes, by Petersburg, to Boonville. From Edwardsport, by Stafford's Bridge, to Fairplay. From Defiance, Ohio, along the Bellefontaine State road, to Mongoquining. From Muncietown, by Granville, Mount Pellicer, and Murray, to Huntington. From Marion, by Wabash town and Laketon, to Warsaw. From Fort Wayne, by Cedarville, Auburn, and Angola, to Branch court-house, Michigan. From Fort Wayne, by Orange and Vienna, to Denmark. From Centreville, by Philometh, to Brownville. From Centreville, by Greensfork, Bloomingsport, Winchester, Spartanburg, Republican and Whitewater, to Richmond. From Logansport to Sparta, in Noble county, Indiana. From Logansport, via Winamot, in Pulaski county, and Sherwood's ferry on the Kankakee and Valparaiso, to City West, in Porter county, Indiana. From Green Castle, Indiana, via New Maysville, North Salem and Jamestown, to Lebanon, Boone county, Indiana. From Merom, in Sullivan county, via Lehi, to Rawling's mill, in the county of Clay, Indiana. From Fredonia, by Princeton, Indiana, to Mount Carmel, Illinois. From Logansport, Indiana, by Leesburg, Milford, Goshen, and Middlebury, to White Pigeon.

In Illinois—  
established.

*Illinois.*—From Coles court-house, by Independence and New Albany, to Urbana. From Hillsborough to Shelbyville. From Montgomery, by Middleport, to Levi Thompson's on Spring creek. From Maysville, by Louisville and Ewington, to Shelbyville. From Marshal to Charleston. From Paris, by Urbana, to Montgomery. From Montgomery, by Parish's grove, to Williamsport, Indiana. From Danville to Williamsport, Indiana. From Equality, by Carmi and Williams's ferry, to Mount Vernon, Indiana. From Williams's ferry to New Haven. From Savannah, by Cherry grove and Crane's grove, to the mouth of the Pekatonica. From Milon to St. Charles, Missouri. From Black Partridge, by Lacon, to Hennepin. From Iroquois, by Plato and Pontiac, to Hennepin. From Pontiac, by Josephine and Holland's grove, to Tremont. From Hennepin, by Princeton, the seat of justice of Henry county, and the seat of justice of Mercer county, to New Boston. From Bloomington, by Hudson, Josephine, Black Partridge, Lacon, Wyoming, and the seat of justice of Henry county, to Stephenson. From Warsaw, Hancock county, to Augusta. From Dixon's ferry, by Harrisburg, Round grove, Whiteside county, and Union grove,

to Fulton city, on the Mississippi river. From Henderson, by Berlin, and Richland grove, Mercer county, to Stephenson. From Grafton to St. Charles, Missouri. From Grafton, by the house of J. M. Hurd, Jerseyville and Delaware, to Carlinville. From Urbana, by Clinton and Waynesville, to Havana, (on the Illinois river.) From Decatur, by Salt creek, (near the mouth of the lake fork of said creek,) to Tremont. From Danville, by Pontiac, to Ottawa. From Fort Madison, Wisconsin Territory, by Appanooe, La Houpe, Ellisville, Farmington, and Harkness, to Peoria. From Chicago, by Brush hill, Napierville, Little Rock, Pawpaw grove, and Inlet, to Dixon's ferry. From Ewington, by Salem and Martin's ferry, to Greenville. From Jonesborough, by the way of Whitaker's landing, mouth of the Muddy, and Breeseville, to Liberty. From Geneva, in Kane county, by Charleston, Elgin, McClure's grove, McHenry, Foxville, and Rochester, to Prairie village, in Wisconsin Territory. From Stephenson, in Rock Island county, up Rock river to Rockford, in Winnebago county. From Knoxville, by Lafayette, Oceola, Providence, and Windsor to Enterprise, near the termination of the Illinois and Michigan canal, on the Illinois river. From Canton, in Fulton county, by Cuba and Travis, to Macomb, in McDonough county. From Peoria, by Oceola, Thermopylæ, to Savannah, in Jo Daviess county. From Madison, the permanent seat of justice of the Wisconsin Territory, by St. George's rapids on Rock river in said Territory, and from thence down on the eastern side of said river, to Dixonville, in Ogle county. From Juliet, in Will county, by Du Page, Napierville, Geneva, Sycamore, Gatt's Mills, Sayer's Mills, Winnebago, Trask's Ferry on the Peekatonokee, Rock Grove, and Hamilton's Diggings, to Mineral Point, in Wisconsin Territory. From Lasalle, in Lasalle county, by Grand Detour, on Rock river, Freeport, and Brewster's Ferry, on the Peekatonokee, to Mineral Point, in the Wisconsin Territory. From Aurora, in Kane county, by Cottonville and Kingston, to Rockford in Winnebago county. From Macomb, in McDonough county, by Muddy Lane post office, La Harpe, Hartford and Appanooce, to Fort Madison in Iowa Territory. From Ottawa, in Lasalle county, by Dayton, Lorain, Rockville, Bristol and Hartford, to Geneva in Kane county. From St. Mary's, in Hancock county, by Hill's grove, to Macomb, in McDonough county. From Lafayette, in the state of Indiana, thence down along the Vermilion of the Illinois river to Lasalle, in Lasalle county, Illinois. From Lafayette post office, in Greene county, by Oceola and Waverley, to Springfield in Sangamon county. From Jonesborough, in Union county, by Willard's and Smith's Ferries on the Mississippi river, to Jackson, in the state of Missouri. From Liberty, in Jackson county, down along the bottom of the Mississippi river, by Breeseville, and Willard's ferry, to Clear Creek Landing, in Alexander county. From Iroquois, in Iroquois county, by Lorain, on the Kankakee river, Thornton and Portland, to Chicago. From Griggsville, in Pike county, by Worcester, to Kinderhook, in the same county. From McClure's Grove, in Kane county, by Denney's Ferry, on Fox river, Crystal Lake, Walkups in the Virginia settlement, passing the head of Geneva Lake, and Conlogi's settlement, to Janesville, on Rock river, in the Wisconsin Territory. From Springfield, in Sangamon county, by Athens and New Market, to Havana, on the Illinois river. From Dixonville in Ogle county to Savannah on the Mississippi river, in Jo Daviess county. From Pittsfield in Pike county, by Worcester and Payson, to Quincy, in Adams county. From Mendozia, in Morgan county, by Versailles post office, Mount Sterling, Clayton, Houston, and Chili post office, to Warsaw, in Hancock county. From Peoria, by Wyoming, Oceola, the Narrows of Green river, Thermopylæ, on Rock river, to Savannah in Jo Daviess county. From Lewistown, in Fulton county, by Cuba, Ellisville, and

Troy, to St. Augustine. From Manchester in Morgan county, by Linnville, Bethel, and Arenz's Mills, to Beardstown in Cass county. From Quincy, in Adams county, to Macomb, in McDonough county. From Lewistown, in Fulton county, by the Table Grove, Rall's Mills, Huntsville, Indian Point Camp and Gilmer's farm, to Quincy. From Chicago, by Geneva, the seat of justice of De Kalb county, and Oregon city, to Hitt's farm, on the road from Dixon's Ferry to Galena.

In Louisiana—  
established.

*Louisiana.*—From Vicksburg, Mississippi, by Walnut and Roundway bayous, across Tuecas and bayou Macon, to Monroe. From Harrisonburg, by Funne Louis and Dugdemonia, to Natchitoches. From Vicksburg, Mississippi, by New Carthage, Hardy hills, Bœuf prairie, and Columbia, to Dugdemonia. From Shreveport, by Epps's settlement and Caddo prairie, to Long prairie, Arkansas. From Alexandria, by Hineston, to Jenkin's and Droddey's ferry, on the Sabine. From Thibadeauxville to Knoblock's in the parish of La Fourche interior. From Madisonville, in the parish of St. Tammany, to Warners, in the parish of Washington. From Natchitoches to Grand Cane.

In Alabama—  
established.

*Alabama.*—From Columbus, Georgia, via Mount Ararat, Salem and Coleman's, to Tallapoosa court-house. From Spring Hill, in Marengo county, via Boston, Dayton and Whitehall, to McKinley. From Cussetta, Chambers county, via Mount Jefferson and Auburn, to Tuskegee. From Benton to Selma. From Suggsville, via Gainestown, to Mount Pleasant. From Montreal, via Wedowee, to Carrollton. From Talladega, via Abney's old ferry, on the Coosa river, to Ashville. From Jacksonville, via Alexandria, to Ashville. From Jacksonville, via White Plains, Lackey's store, on Cane creek, N. Pond's in Tallapoosa, to Carrollton, Georgia. From Salem, via Larkin's fork, Trenton, Larkinsville, Santa, Langston, Wyatt, Coffee's, to Van Buren, and from Bellefonte to Scrapper. From Nanafalia, in Marengo county, via Hosea's store, Rawl's store, Dumas settlement, Upper and Lower Peach tree and Packer's settlement, to Monroeville, Monroe county. From Rome, Georgia, Gaylesville, Alabama, Lynchburg, Warrenton, White Sulphur springs and Sommerville, to Decatur. From Pineville, via Tuscahooa and Mount Sterling to Quitnam, Mississippi. From Florence to Buz-zard roost. From Marion, Mississippi, via Alamucha, to Gaston. From Blountsville to Ashville. From Demopolis, by Longdon's store, Daniel's prairie and Clinton, to Pickensville. From Fayette court-house, by Millport, to Columbus, Mississippi. From Walker court-house, by Chilton's mills, R. J. Murphee's and R. Cameron's, to Blount's springs. From Russellville, by Heshbon, to Itawamba court-house. From Winchester, by Crow creek, Coon creek and Bolivar, to Loving's, in Wills valley. From Hickory level, by Adrian's ferry, on the Coosa river, Abacooche Gold mines, and Canal Gold mines, to Franklin, Georgia. From Fayette, Georgia, by Hopkinsville, through the Chatooga valley, by Chatooga old court-house and Jeffersonville, to Jacksonsville. From Somerville, by head of Cotoco creek and Brooksville, to Bennettsville. From Clayton, by Fagan's store and Crockettville, to Salem, Russell county. From Rockford, by Socapatoy, to the Georgia store, in Tallapoosa county. From Columbus, Georgia, by Fort Mitchell, the Natural bridge, Sand fort, Uchee post office and Fort Bainbridge, to Feagan's store. From Irwinton to Stockton. From Wetumpka, by Nixburg, Socapatoy, and Hatchet creek, to Talladega. From Columbus, Georgia, by Greenville, to Irvington, in Alabama. From Springfield by Benevola, Bonners' Mills, Carrollton and Yorkville to Columbus in Mississippi. From Bellefonte by Langston and De Kalb court-house to Paris in De Kalb county. *Discontinue as follows:* From Bellefonte, by Larkinsville, Trenton, Loweville, Hazle green and Madison cross-roads, to Athens. From Winchester, Tennessee, to Bellefonte. From Bellefonte to Rawlingsville.

Discontinued.

*Mississippi*.—From Holly springs, Marshall county, via Ripley, Tiphah county, Jacinto, Tishamingo county, to Tuscombua, Alabama. From Holly springs to Hernando, De Soto county. From Pontotoc, via Oxford, to Panola. From Coffeeville, via Oakland, to Charleston, Tallahatchie county. From Brandon, via Raleigh and Garlandsville, to Quitman. From Carrollton to Douglass, on the Yazoo river. From Granada, by Preston, Oakland and Ragbourn's to Panola. From Wyatt, in the county of Lafayette, by Chulahoma, Hancock's, Labeau's, and Hernando, to Memphis, Tennessee. From Ripley, in Tippah county, via Cornersville, to Oxford, Lafayette county. From Jackson, Mississippi, to Memphis, Tennessee, via Canton, Bole's ferry, on the Big Black river, Franklin, Lexington, Carrollton, Grenada, Belmont and Jefferson. From Carrollton, via Grenada to Coffeeville, Oxford, Wyatt, Chulahoma and Holly springs, to Lagrange, in Tennessee. From Jackson, via Madisonville, Doak's old stand, Kusciusko, Greensboro, Houston, Pontotoc, and Ripley to Bolivar in Tennessee. From Fulton, in Itawamba county, via Pontotoc, Ponola, or Belmont, to Tunica court-house. From Ellisville, via Paulding, to Quitman. From Quitman to Washington court-house, Alabama. From Columbus, by Winstonville, Somerville, Philadelphia, and Dixon, to Hillsboro. From Madisonville, by Densonville, Ludlow and Hillsboro, to Carthage. From Houston, by Grenada and Middleton to Louisville. From Pontotoc, by Red Land (Williams,) to Houston. From Chulahoma, by Oak Hill, and Castlehill, to Memphis, Tennessee. From Ponola court-house, by Peyton, to Helena, Arkansas. From Helena, Arkansas, by Powhattan, Coahoma county, to White river, Arkansas. From Stackville, by Lafayette and Bell Fontaine, to Greensboro. From Hardin court-house, Tennessee, by Nashobee, Jacinto and Carrollsville, to Pontotoc. From Aberdeen, by Fulton, to Jacinto. From Fulton to Russellville, Alabama. From Tuscaloosa, Alabama, by Jamestown, Brooklyn, Mount Pleasant, Mo-za-bu-sha to Hillsborough. From Greensboro, by Graysport to Grenada. From Panola court-house by Sardinia, Oakland, Preston and Troy to Grenada. From Kennedy's store, in Clopiah county, Mississippi, by Haley's ferry, Concord, Steen's creek, Brandon and Densonville to Carthage, in Leoki county. From Mobile the nearest and most direct route to Winchester in Mississippi. From Columbus by Waverley or Mullin's bluff in Lowndes county, to Colbert. From Hernando, by way of Castleville, Oak Hill and Chulahoma, to the town of Wyatt. From Manchester by Benton, Montgomery, Franklin, Lockhart's store, Wheeling and Shongola, to Greensboro in Mississippi. From Pontotoc, via Houston to Greensboro in the State of Mississippi. From Montgomery, via Selma, Marion, Greensboro, Erie, Jones's Bluff, and Livingston, Alabama, Marion, Decatur, Hillsboro, and Brandon, to Jackson, in Mississippi. From Panola court-house to Grenada, via Gen. John Raybourn's, Caledonia, Yokanapatalpho, Oakland and Preston.

In Mississippi  
—established.

*Missouri*.—From Bailey's landing, on the Mississippi, in Lincoln county, by Troy, Thomas Glover's, Dutton's, and Anderson's, to Danville. From Columbia to Mexico. From Carrollton to Far West. From St. Francisville to Farmington, Iowa Territory. From Richmond to Camden, thence to Liberty, Clay county, via Smith's mills, Camden point, and Blacksnake hills, to the mouth of Nodaway river. From Martin's, Clay county, at the falls of the Platte, to the Blacksnake hills. From Plattsburg to the Blacksnake hills. From Lexington, by Greenton, Cool spring, and Lone Jack, to Harrisonville. From Georgetown, by Rives court-house, Ocoela, Henry Clement's and Sarcoxie, Barry county, to Mount Pleasant, Barry court-house. From Warrenburg, Johnson county, by Rives court-house, to Bolivar. From Meramee iron works to Jefferson city. From Columbia, by Mount Vernon, Pisgah, Palestine, Mount Carmel, and Arraton, to Georgetown. From Jonesborough, by Salt-

In Missouri—  
established.

pond grove, and Johnson's grove, to Lexington. From Jonesborough to Georgetown. From Mount Pleasant, by Cowskin, Beatty's prairie, and Vineyard, Arkansas, to Fort Smith. From Rocheport, by Connor's mills, Cooper county, and Pisgah, to Round-hill post-office. From Bloomfield, Stoddard county, by the lower end of West prairie, to the house of Martin Wood. From Van Buren, by Charles Huddleston's, to Izard court-house, Arkansas. From Jefferson city, by California, to the Round-hill post-office. From Carrollton, by Utica and Naves's store, to Thompson's settlement, in the territory attached to Livingston county. From Richmond to Utica. From Glasgow, Howard county, to Four-mile prairie. From Woodville, Macon county, to Newark, Lewis county. From Huntsville, by Johnson Wright's, to Macon court-house. From Sand Hill, Lewis county, to St. Francisville. From Mexico, Audrain county, by Bowling Green, to Clarksville. From Keytersville to Macon court-house. From Keytersville to Linn court-house. From Jefferson city, by Miller court-house, to Versailles. From Jonesborough to Johnson court-house. From Arrow Rock, to old Jefferson, Saline county. From the city of St. Louis, to Portage Desseaux, by the way of the mouth of the Missouri river and Bellefontaine. From Clarksville, in Missouri, to Phillip's ferry, on the Illinois river, in the State of Illinois. From Palmyra to Shelbyville. From Springfield, Missouri, to Fayetteville, Arkansas. From St. Louis, by Springfield, to Cane-hill, in Arkansas. From Palmyra to Shelbyville.

In Arkansas—  
established.

*Arkansas.*—From Dwight, Pope county, to Crooked creek, Carroll county. From Dardanelles, Pope county, to Fort Smith, on the south side of Arkansas river. From Little Rock, by Clinton and Marion court-house, to Springfield, Missouri. From the mouth of Cache, by Pine Bluffs, to Ecore a Fabre. From Little Rock, by Erwin's settlement, White county court-house, Litchfield, and Powhattan, to Jackson. From Ozark, Franklin county, by Huntsville, Madison county, to Osage, Benton county. From the Mouth of Cache, by Searcy, White county, to Clinton. From Helena, by Tunica court-house, Mississippi, Panola court-house, and Oxford, Lafayette county, to Pontitoc. From Athens, Izard county, to Springfield, Missouri. From Pocahontas, through the northern part of Green county, to Stoddart court-house, Missouri. From Jackson, by Long's on Strawberry river, to Athens, Izard county. From Fayetteville, by Ozark, to Scott court-house. From Fort Smith to Scott court-house. From Clarksville to Carrollton, in Carroll county. From Lake Port G. Bayou Moses Hill, to Bayou Bartholomew. From Ecore a Fabre to the Union court-house. From Scott court-house, Hot Springs and Coddoo Cave, to Paracrafta. From Conway, Long Prairie, to Natchitoches, in Louisiana.

In Michigan—  
established.

*Michigan.*—From Battle creek to Hastings. From Whitmansville, by Charleston, to Lafayette. From Belvidere to Mount Clemens. From Detroit, through Greenfield, to Southfield. From Marshall, by Verona, to Hastings. From Paxton, by Howell, to Owasco. From Granville to Port Sheldon, in Ottawa county. From Jackson, by Ingham and Howell, to Flint. From Pontitoc, by Howell, to Jackson. From Flint, Genesee county, by Bearsleyville, to Lapier. From Cassopolis, by Whitmansville, to Keelersville. From Monroe, by Stony Creek, Exeter, Huron, and Rosou's mill, to Ypsilanti. From Flat-rock, in Brownstown township, to Gibraltar. From Lapier, by Langdon and Mount Pleasant, to Grand Blanc. From Ingham to Jefferson. From Saranac to Ionia. From Springville, by Brooklyn, Jefferson, Spring Arbor, Concord, Albion, and Berne, to Marshall. From Concord, Jackson county, to John Wilbur's, in the town of Pulaski. From Battle creek, Calhoun county, to Cold water, via Goodwinsville. From Battle creek to Galesburg, via Augusta. From Bellevue, by Vermonticello, to Ionia. From Jackson to Gamblesville. From Galaston, by Otsego, to Allagan. From

Jonesville, in Michigan, to Evansport, in Ohio. From Ingham to the mouth of North black river. From the county seat of Van Buren county to the mouth of South Black river. From Monroe to Adrian. From Adrian to Springville. From Marshal to Ingham.

*Wisconsin.*—From Janesville, by New Albany, mouth of Picatonica, and Rockford, to Dixon's ferry, Illinois. From Rockford, by Brewster's ferry, to Wiota. From Chicago, by McHenry, Fontana, (at the head of Lake Geneva, Turtle creek, Janesville, Hume, and Madison, to Wisconsin city, on the Wisconsin river. From Southport, by Pleasant prairie and Geneva, to the county seat of Walworth county. From Milwaukee, by New Berlin, Springfield, and Troy, to Janesville. From Green Bay, by Depere, La Fontaine, Calumet village, Fond du Lac, and Fox lake, to Madison, and from Fox lake to Fort Winnebago. From Fond du Lac, by the mouth of Fox river, to Little Butte des Morts. From Fond du Lac to Sheboygan. From Green Bay, by Neeshoto, to Twin river. From Milwaukee, by Lisbon, Belletere, and Watertown, to Kentucky city. From Janesville, by Jefferson, to Watertown. From White-oak springs, by New Diggings and Milseat bend, to [Elk Grove.] From Duck creek to Green Bay. From Helena, via English prairie, to Prairie du Chien. From Galena, Illinois, by Sinsinawa mound, to Du Buque. *Discontinue as follows:*—From Milwaukee to the outlet of Lake Koshkenong. From the outlet of Lake Koshkenong to the city of the Four Lakes. From Little Butte des Morts to Fort Winnebago. From Fond du Lac to the city of the Four Lakes. From Fond du Lac to Fort Winnebago.

In Wisconsin—established.

Discontinued.

*Iowa.*—From Dubuque to the county seat of Delaware county. From Dubuque, by the county seat of Jones county, and Rochester, on the Red Cedar, to West Liberty. From Dubuque, by Richfield, Point Pleasant, and Davenport, to Stephenson, Illinois. From Davenport, by Centreville and Moscow, to Rochester on the Red Cedar river. From Fort Madison, by West Point and Tuscarora, to Bentonport. From New Boston, Illinois, by Blackhawk and Wappello, to Mount Pleasant. From Fort Madison, Iowa, to Carthage, Illinois. From Bloomington, by Cedarville, and West Liberty, to Napoleon. From Wappello, by Catesse and Sissinamo, to Napoleon. From Wapesequinon to Bellevue; the present route to be changed so as to run by Camanche, New York, Lyons, and Charleston. From Burlington, via Ellison's creek, Illinois, St. Augustine and Middle grove, to Peoria.

In Iowa—established.

SEC. 2. *And be it further enacted,* That each and every railroad within the limits of the United States which now is, or hereafter may be made and completed, shall be a post route, and the Postmaster General shall cause the mail to be transported thereon, provided he can have it done upon reasonable terms, and not paying therefor in any instance more than twenty-five per centum over and above what similar transportation would cost in post coaches.

All railroads shall be post-routes, and the Postmaster General cause the mail to be transported thereon.

1839, ch. 4.

SEC. 3. *And be it further enacted,* That the above post routes shall go into operation on the first of July, eighteen hundred and thirty-nine, or sooner, should the funds of the Department justify the same; *Provided,* That as soon as a responsible contractor shall offer to transport the mails over any portion of the above routes for the revenue derived from the new offices to be established thereon, until the first of July, eighteen hundred and thirty-nine, the Postmaster General shall forthwith put them into operation.

The above routes shall go into operation on 1st July 1839, or sooner, &c. Proviso.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

[Obsolete.]

Fort Warren,  
Castle Island  
and Fort Independence.  
Fort Adams.  
New London  
harbor.  
Fort Schuyler.

Ft. Delaware.  
Fort McHenry,  
Redoubt  
Wood, and Covington  
battery.  
Fort Monroe.  
Fort Calhoun.  
Charleston  
harbor.  
Fort Moultrie,  
Fort Pulaski.

Fort at Foster's  
bank.  
Fort Marion,  
and sea-wall at  
St. Augustine.  
Bridge at Fort  
Monroe.  
Fort Caswell.

Old fort at the  
Barancas.

Fort Niagara.

Contingencies.  
How to be expended.

CHAP. CLXXIII.—*An Act making appropriations for certain fortifications of the United States for the year one thousand eight hundred and thirty-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 be paid out of any unappropriated money in the Treasury, for certain fortifications, viz :

For Fort Warren, Boston harbor, one hundred thousand dollars;  
For the preservation of Castle island, and repairs of Fort Independence, Boston harbor, fifty thousand dollars;

For Fort Adams, Rhode Island, one hundred thousand dollars;  
For fortifications at New London harbor, Connecticut, twenty-five thousand dollars;

For Fort Schuyler, East river, New York, one hundred thousand dollars;

For Fort Delaware, Delaware river, forty thousand dollars,  
For Fort McHenry, Redoubt Wood, and Covington Battery, near Baltimore, thirty-two thousand four hundred and fifteen dollars;

For Fort Monroe, Virginia, one hundred thousand dollars;  
For Fort Calhoun, Virginia, thirty thousand dollars;

For fortifications in Charleston harbor, and for the preservation of the site of Fort Moultrie, one hundred and seventy-five thousand dollars;

For Fort Pulaski, Cockspur Island, Georgia, one hundred thousand dollars;

For the fort at Foster's bank, Florida, thirty-three thousand dollars;  
For repairs of Fort Marion and of the sea-wall at St. Augustine,

twenty-nine thousand five hundred dollars;  
For the purchase of the charter right to the bridge across Mill creek, at Fort Monroe, four thousand dollars;

For securing the site of Fort Caswell, Oak Island, North Carolina, eight thousand five hundred dollars;

For repairs of the Old Fort at the Barancas, Pensacola, seventy-five thousand dollars;

For repairing Fort Niagara in the State of New York, three thousand dollars;

For contingencies of fortifications, ten thousand dollars.

SEC. 2. *And be it further enacted,* That of the sums appropriated by this bill a portion not to exceed fifty per centum upon all the items above fifteen thousand dollars, shall be drawn from the Treasury during the present year, and the balance of the said appropriations shall be expended for the objects designated, during the year one thousand eight hundred and thirty-nine.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

[Obsolete.]

The Collector,  
Naval Officer,  
and District Attorney  
of New York to constitute  
a commission to ascertain  
the amount of goods destroyed  
by the great conflagration in  
New York, &c.

CHAP. CLXXIV.—*An Act to remit the duties upon certain goods destroyed by fire at the late conflagration in the city of New York.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the collector of the customs for the port of New York, the naval officer of the said port, and the district attorney for the southern district of the State of New York, be, and they are hereby, constituted a commission to ascertain the amount of duties paid, or secured to be paid, upon all goods, wares, and merchandise destroyed, in unbroken and original packages as imported, by the great conflagration which took place in the city of New York on the sixteenth and seventeenth days of December in the year one thousand eight hundred and thirty-five, and the name or names and places of residence of the several persons entitled, as owners of the said goods, or otherwise, to receive or have remitted to them the amount

of the duties so paid or secured to be paid, upon the several parcels and packages of goods so destroyed, pursuant to the provisions of this act.

SEC. 2. *And be it further enacted*, That the said commissioners shall meet at such time and place in the city of New York, as shall be appointed by the Secretary of the Treasury by a notice for that purpose, to be published in at least five of the public newspapers printed in the said city, for the period of at least ten days before the time appointed for the said meeting; and, when so convened, shall proceed to take testimony in relation to the goods so destroyed, and the amount of duties paid, or secured to be paid, to the United States thereupon, and to the persons entitled to receive or have remitted to them the amount of such duties; and shall continue the examination and investigation as constantly as their other official duties will permit, until all the claims presented to them for the remission or refunding of duties provided for by this act, which may be presented to them, shall be examined to their satisfaction; but no claim shall be received which shall not be presented within four months from and after the time appointed by the Secretary for the first meeting of the commissioners; and each of the said commissioners shall be, and is hereby, authorized to administer the necessary oaths to all persons who are to give testimony in the premises; and all the testimony presented to or taken before the said commission, shall be committed to writing, and signed by the respective witnesses giving the same; and any wilful false swearing before the said commission, or in any affidavit or deposition taken before any one of the said commissioners, shall subject the person guilty of the offence, upon conviction before any court of competent jurisdiction, to the punishment prescribed by the laws of the United States for wilful perjury.

SEC. 3. *And be it further enacted*, That, as soon as the said commissioners shall have finally closed the taking of testimony in relation to any one or more claims, they shall cause to be made a full and perfect statement of the goods, wares, and merchandises proved in said claim or claims, to their satisfaction, to have been destroyed at the conflagration aforesaid, in the unbroken and original packages in which the same were imported, designating in such statement the number of packages, the rate and amount of duty upon each, and the name of the person or persons entitled to receive or have remitted to him or them the duties paid, or secured to be paid, upon each package, and the fact whether such duty has been paid or remains unpaid and secured in the ordinary manner, and shall ascertain and report whether any and what part of the merchandise so destroyed was insured or sold, what proportion of the insurance has been paid, or is secured to be paid in consequence of its destruction by the conflagration aforesaid, and shall deduct from the certificate to be granted under the provisions of this act, the amount paid on such insurance and the amount of duties paid on the goods sold. And the said commissioners shall cause three fair copies of such statement to be made and certified by themselves to be the true and correct results of their investigations, one of which copies they shall file with the collector of the customs for the port of New York, another with the naval officer of the said port, and the third together with the testimony taken before the said commission they shall transmit to the Secretary of the Treasury, to be by him kept on file in his Department.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, with as little delay as practicable, to examine the testimony taken before the said commission, from time to time, as the same shall be returned to him, to compare the same with the said statement and adjudications of the said commissioners, and to signify to them his approval or disapproval of their determination as to each claim; and as soon as the determination of the Secretary shall be

Time and place of meeting of said commissioners.

Notice of to be given.

Duty of the commissioners.

Claims must be presented within four months.

Commissioners empowered to administer oaths.

Testimony to be committed to writing.

Penalty for false swearing.

Commissioners to make a full statement of their investigation.

Three copies of said statement to be made and certified by the commissioners.

Sec. Treas. to examine the testimony from time to time, and signify his approval or disapproval of the determination of the commis-



sioners as to each claim. Commissioners to deliver the approval, with a certificate, to each claimant. Proviso.

Proviso.

1836, ch. 42.

Certificates to be received in payment of duties.

Certificates, after being cancelled, shall be transmitted to the Secretary of the Treasury.

Proportionate remission on packages only partially destroyed.

A clerk may be employed—his salary.

officially communicated to the said commissioners, as to any one or more of the said claims, they shall forthwith execute and deliver to each claimant, whose claim has received the approval of the Secretary, a certificate, signed by them, and stating the amount of duties which the claimant has paid, and is entitled to have refunded to him, and the amount he has secured to be paid, and is entitled to have remitted upon his bonds: *Provided*, That no such certificate shall be delivered to any claimant, his agent or attorney, or to his order, until he, or some person on his behalf, shall have executed and delivered to the collector of the customs for the port of New York, a bond, with sureties to the satisfaction of the said collector, in a penalty of double the sums to be refunded or remitted, as shown by the said certificate, and conditioned for the repayment, to the United States, of the whole amount refunded or remitted to such claimant, with interest from the date of the said bond, in case it shall thereafter be made to appear that the goods upon which the duties so remitted or refunded were chargeable, were not in fact destroyed at the conflagration aforesaid. *Provided*, That in all cases when the applicant for relief under this act shall have had bonds other than those given for duties on goods destroyed by said fire, suspended under the act entitled "An act for the relief of the sufferers by fire in the city of New York," approved nineteenth March eighteen hundred and thirty-six, the amount of twenty-four per cent. on the amount of duties secured by such bonds shall be deducted from the sum which would otherwise be remitted to such applicants under this act.

SEC. 5. *And be it further enacted*, That upon the presentation by any person to the collector of New York, of any certificate so issued by the said commissioners, showing that a remission is to be made upon any unpaid bond given to secure duties, and then in the hands of the said collector, it shall be his duty to make the requisite endorsement upon the said bond or bonds, and likewise so far to cancel the said certificate by a proper endorsement thereon as his endorsement upon the bond or bonds shall require, and so far as any such certificate shall show that duties paid are to be refunded, the said collector of the port of New York shall receive such certificate in lieu of money for the payment of duties at all times endorsing upon the certificate the amount of duties thus cancelled by its presentation; and as fast as the said certificates shall be thus fully cancelled the said collector shall retain and transmit [them] to the Secretary of the Treasury to be by him placed upon the files of the Department, with the statement from which they were issued, and the testimony upon which the duties are refunded or remitted.

SEC. 6. *And be it further enacted*, That in all cases where any article or package, as imported, shall have been partially and not entirely destroyed by the said conflagration, the remission or refunding of duties upon such article or package shall be in proportion to the destruction by the said fire, as that proportion shall be ascertained and certified to the said commissioners by the appraisers for the port of New York; but this section shall not be so construed as to extend to any merchandise or property destroyed or damaged other than in the original and unbroken packages as imported.

SEC. 7. *And be it further enacted*, That the said commissioners may employ a clerk who shall be paid for his services out of any unappropriated money in the Treasury such reasonable compensation as the Secretary of the Treasury shall allow, which payment the said Secretary is hereby authorized and directed to make, not to exceed the rate of two thousand dollars per annum.

APPROVED, July 7, 1838.

CHAP. CLXXV.—*An Act to establish a new collection 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 all that part of the State of Mississippi north of the point where the range line strikes the Mississippi river, between townships thirteen and fourteen, of the Washington land district, is hereby created a collection district, to be called the Vicksburg district, whereof Vicksburg shall be the port of entry, subject to all the regulations and duties prescribed in regard to the district of Mississippi, by an act passed the thirtieth of June, eighteen hundred and thirty-four, entitled "An act to establish a port of entry at Natchez, in Mississippi, and creating certain other ports of delivery, and for other purposes;" and that Grand Gulf shall be a port of delivery within said district of which Natchez is the port of entry.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

Collection district to be established, &c.

Vicksburg to be a port of entry.

1834, ch. 135.

Grand Gulf to be a port of delivery.

CHAP. CLXXVI.—*An Act to establish additional land offices in the States of Louisiana and Arkansas.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the disposal of that portion of the lands belonging to the United States in the State of Louisiana, within the following boundaries, to wit: beginning at the point on the Sabine river, where the base line or thirty-first degree of north latitude strikes the same; thence up said river to the point where the boundary line between the United States of Mexico and the aforesaid State of Louisiana shall leave the same; thence with said boundary, when the same shall be finally fixed, to the northern boundary of the State; thence east with said northern boundary to the dividing line between ranges three and four west; thence with said dividing line south to the base line or thirty-first degree of north latitude; thence with said line to the beginning: a land office shall be established and kept in the town of Natchitoches, to be known as the office for the Northwestern land district in the State of Louisiana.

SEC. 2. *And be it further enacted,* That a register and receiver of public moneys shall be appointed for said land district in the manner required by law, who shall reside in the town of Natchitoches; they shall give bond and security in the same manner and in the same sums, as other registers and receivers in said State; and their salaries, emoluments, duties and authority shall in every respect be the same, in relation to the lands in the aforesaid district as are now given or granted to the registers and receivers in the other land offices in said State.

SEC. 3. *And be it further enacted,* That during the continuance of the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved June twenty-second, in the year eighteen hundred and thirty-eight, the register and receiver of the aforesaid land district shall attend at least once in two months if necessary at Shreveport in said district for the purpose of receiving proof of and acting on such claims for pre-emption rights, as may be presented to them under said act, and remain at said place as long as may be necessary not exceeding two weeks at a time, and said register and receiver shall give public notice for at least two weeks of the time they will attend at said place.

SEC. 4. *And be it further enacted,* That the Commissioner of the General Land Office is hereby invested with authority to direct in what manner and on what conditions the said land office shall be supplied with plats and copies of plats and surveys from the offices now establish-

STATUTE II.

July 7, 1838.

A land office to be established in Natchitoches.

Register and Receiver to be appointed; their bonds, salaries and duties.

During the continuance of act of 22d June, 1838, ch. 119, the register and receiver shall attend at Shreveport, &c.

Commissioners of General Land Office to direct how the office shall be

supplied with  
plats, &c.

What portion  
of Fayetteville  
district shall be  
called the West-  
ern district.

Register and  
receiver to be  
appointed.  
Their compen-  
sation.

The necessary  
books, plats,  
&c. of the pub-  
lic lands to be  
filed in said of-  
fice.

STATUTE II.

July 7, 1838.

[Expired.]

Act of 18th  
January, 1837,  
ch. 5, continued  
for two years.  
Act of Feb. 27,  
1841, ch. 13.

STATUTE II.

July 7, 1838.

Captains of  
steamboats ar-  
riving in the U.  
S. with coal on  
board, may pro-  
ceed with the  
same to foreign  
ports without  
paying duty  
thereon. Acts  
repealed.

STATUTE II.

July 7, 1838.

[Obsolete.]

Appropriation.

ed at Monroe and Opelousas, and the office of the Surveyor General of Louisiana.

SEC. 5. *And be it further enacted*, That all that portion of the present Fayetteville district which lies south of the line between townships eleven and twelve north of the principal base line, shall form a separate land district, and be called the Western land district, and the land office for said district shall be established at the county seat of Johnson county or such other place as the President of the United States shall designate.

SEC. 6. *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; 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; and all applications for entries in said district shall be made as heretofore prescribed by law at the land offices now established, until the first day of June next.

APPROVED, July 7, 1838.

CHAP. CLXXVII.—*An Act to continue in force the act for the payment of horses and other property lost in the military service 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 act approved January eighteen, one thousand eight hundred and thirty-seven, entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States," be, and the same is hereby, continued in force for two years from the end of the present session of Congress.

APPROVED, July 7, 1838.

CHAP. CLXXXVIII.—*An Act exempting from duty the coal which may be on board of steamboats or vessels propelled by steam on their arrival at any port in the United States.*

*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 lawful for the captain or master of any steamboat or vessel propelled by steam, arriving at any port in the United States, to retain all the coal such boat or vessel may have on board at the time of her arrival, and may proceed with said coal to a foreign port, without being required to land the same in the United States, or to pay any duty thereon; and all acts inconsistent with the provisions of this act, shall be, and the same are hereby repealed.

APPROVED, July 7, 1838.

CHAP. CLXXXIX.—*An Act making appropriation for the compilation of the laws of Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of two thousand dollars be, and the same hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended in compiling the statutes and other laws of the Territory of Florida; the same to be placed for that purpose under the control of the Governor of said Territory.

APPROVED, July 7, 1838.

CHAP. CLXXX.—*An Act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and making surveys, for the year one thousand eight hundred and thirty-eight.*

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 cause to be erected and established, the light-houses, beacon-lights, buoys, and to make the surveys herein provided for, to wit:

*State of Maine.*—For the erection of two buoys near the entrance of Portland harbor, viz: one on Taylor's ledge, and one on Broadcove rock, five hundred dollars.

Maine.  
Taylor's ledge  
and Broadcove  
rock.

Wood island.

For rebuilding the light-house on Wood island, five thousand dollars.  
For placing monuments on Fort-point ledge, Adam's ledge, and Buck ledge, in Penobscot river, one thousand three hundred dollars, in addition to the former appropriation for that purpose.

Fort-point  
ledge, Adam's  
ledge, and Buck  
ledge.

For placing a monument on Bulwark ledge, about seven miles east-southeast of Portland light-house, three thousand dollars.

Bulwark  
ledge.

For placing one buoy on Drummer's ledge, south of Mark island, and one buoy on Mark island ledge, five hundred dollars.

Drummer's  
ledge and Mark  
island ledge.  
Bear island.

For erecting a light-house on Bear island, at the entrance of Mount Desert harbor, three thousand dollars.

Bunker's  
ledge.

For erecting a monument on Bunker's ledge, outside of said island, one thousand dollars.

Mount Desert  
harbor, and  
Bass harbor.

For placing one buoy at the southwest entrance of said Mount Desert harbor, and two buoys on the reef in the middle of Bass harbor, one hundred and fifty dollars.

For placing a buoy on Bantam ledge, outside of Ram island, two hundred dollars.

Bantam ledge.

For erecting a stone beacon and a buoy on Half-tide ledge in the county of Hancock, twelve hundred dollars.

Half-tide  
ledge.

For placing a spar buoy on a ledge in the vicinity of Crab-tree's point, about four miles below Sullivan harbor, in said county, one hundred and fifty dollars.

Crab-tree's  
point

For the erection of a monument or beacon on York ledge, off the entrance of York harbor, ten thousand dollars.

York ledge.

For erecting a light-house and sea-wall at Saddle-back ledge, in Penobscot bay, ten thousand dollars in addition to the former appropriations.

Saddle-back  
ledge.

*State of New Hampshire.*—For the erection of a pier on the east side of Whaleback light-house, to protect the same, seventeen thousand dollars, in addition to the appropriation already made for that purpose.

New Hamp-  
shire.

Whale-back  
light-house.

*State of Massachusetts.*—For the erection of two small beacon-lights, on the north side of Nantucket island, in addition to a former appropriation for that purpose, two thousand one hundred dollars.

Massachusetts.  
Nantucket isl-  
and.

For completing the light-house on Mayo beach, in Welfleet bay, two thousand dollars.

Mayo beach.

For a monument, in the place of one carried away, on Bowditch's ledge, in the harbor of Salem, five thousand dollars.

Bowditch's  
ledge.

For a monument on Bowbill ledge, in the harbor of Manchester, or for removing the same, at the discretion of the Secretary of the Treasury, five thousand dollars.

Bowbill ledge.

For rebuilding the two light-houses on Plumb island, near Newburyport, four thousand dollars.

Plumb Island.

*State of Rhode Island.*—For buoys or dolphins in Providence river, six hundred dollars.

Rhode Island.  
Providence ri-  
ver.

For placing two spindles at the mouth of Paucatuck river, the sum of four hundred dollars.

Paucatuck ri-  
ver.

Connecticut.  
Mystic river.

*State of Connecticut.*—For placing six buoys in the western, and six in the eastern entrance of Mystic river, from Fisher's island sound, in the State of Connecticut, according to the survey and estimate of F. H. Gregory, reported to the Board of Navy Commissioners on the seventh day of August last, four hundred and thirty-five dollars; and for buoys on the rock in the channel east of Ram island, and upon Turner's reef, according to said survey and report, one hundred dollars.

Ram island  
and Turner's  
reef.

For the erection of a light-house on Lynde point, at the mouth of Connecticut river, in addition to the sum of five thousand dollars already appropriated, two thousand five hundred dollars.

Lynde point.

Fairweather  
island.

To complete a sea-wall, to preserve the light-house and other buildings on Fairweather island, near Blackrock harbor, pursuant to the report of Captain Gregory, one thousand five hundred dollars.

Milford harbor.

Shoal ledge.  
Pond reef.  
Cornfield point  
rock, Adams  
rock, and Oys-  
ter Pond point  
rock.

For the erection of buoys on such of the rocks in the harbor of Milford as may be designated by the Superintendent of Light-houses for that district, three hundred dollars; for one buoy on a ledge called the Shoal, west of Black point, and one buoy on Pond reef in the bay of Niantick, one hundred and sixty dollars; for buoys on Cornfield point rock, Adams rock, and Oyster Pond point rock, near Plum island, in Long Island sound, two hundred and forty dollars.

New York.  
Romer's  
shoals.

*State of New York.*—For completing a beacon on Romer's shoals, in addition to the appropriation heretofore made, ten thousand dollars; to be expended under the direction of a competent engineer, to be selected by the Secretary of the Treasury.

Esopus mea-  
dows.

To complete a light-house on Esopus meadows, on the western shore of the Hudson river, three thousand dollars, in addition to the sum heretofore appropriated.

Cedar island.

To complete a light-house on Cedar island, Sag Harbor, two thousand five hundred dollars, in addition to the sum heretofore appropriated.

Fisher's  
sound.

For the erection of a light-house on the northern islet in Fisher's sound, near the northwest end of Fisher's island, three thousand dollars.

Gedney's  
channel.  
New Jersey.  
South Amboy.  
Great Beds.  
Billop's Point  
shoal.

For the payment of the balance remaining due for the expenses of procuring and locating buoys in the new channel in the port of New York, lately discovered and called Gedney's channel, eight hundred and seventy dollars and thirty-six cents.

Middle  
Ground.  
Old Orchard  
shoal.  
Great Kill  
shoals.

*New Jersey.*—For erecting a small beacon-light at South Amboy, and putting down the following buoys, to wit: One on the tail of the Great Beds; one off Billop's Point shoal, southwest part of Staten island; one on the Middle Ground, near Prince's bay; one on the Old Orchard shoal; one off the point of the Great Kill shoals, one thousand and fifty dollars.

Corner Stake.  
Shorter's is-  
land.

For the erection of a beacon-light at the Corner Stake so called, between Elizabethtown point, and Shorter's island; also another small light or lantern on Shorter's island; also for buoys, &c. at the following places: A spar buoy at Bergen point; a spar buoy at the Mill Rocks, in Newark bay; a spar buoy on the first oyster bed or point of the bar between the Hackensack and Passaic channels, one and a half mile below the crossing place; a spar buoy at the Corner Stake, so called; a spar buoy at the crossing place, on the north side; a spar buoy at the elbow; all pursuant to the report of Captains Kearney, Sloat, and Perry, thirty-four hundred dollars.

Bergen point.  
Mill rocks.  
The first oys-  
ter bed.  
Corner Stake.  
The crossing  
place.  
The elbow.

Delaware.  
Five Fathom  
Bank.

*State of Delaware.*—For rebuilding a floating-light on Five Fathom Bank, at the entrance of the Delaware Bay, the sum of fifteen thousand dollars.

Maryland.  
Pool's island.

*State of Maryland.*—For placing four buoys at or near Pool's Island channel, the sum of one thousand two hundred dollars.

Virginia.  
James river.

*State of Virginia.*—For placing spar-buoys in James river, between Day's point and Richmond city, on such ledges and shoals as may be selected, two thousand dollars.

Potomac.

For building a light-boat to take place of the one in the narrows of the Potomac, eight thousand dollars

For placing three or more buoys at the entrance of Onancock creek, in the county of Accomac, three hundred dollars.

Onancock creek.

*State of North Carolina.*—For marking, staking out, and placing buoys or other such monuments as are most suitable to designate the channels in Crowatan sound, and at the outlets of Pasquotank, Little and Perquimans rivers, one thousand dollars.

North Carolina.  
Crowatan sound.  
Pasquotank,  
Little, and Per-  
quimans rivers.  
Wade's point.

For the construction of a new light-boat in lieu of that now stationed off Wade's point, eight thousand dollars.

For a light-house on Pea island or Boddy's island as the Secretary of the Treasury shall deem to be most for the public interest, five thousand dollars.

Pea island or  
Boddy's island.

For three buoys or such marks, designating Chickama-comico channel in Hyde county, as shall be found most suitable for that purpose, one hundred and fifty dollars. For placing buoys at the mouth of Shallote river, five hundred dollars.

Chickama-co-  
mico channel.  
Shallote river.

*State of Ohio.*—For securing or rebuilding on a better site, the light-house on Turtle island, at the entrance of Maumee bay, in Lake Erie, six thousand seven hundred dollars.

Ohio.  
Turtle island.

For completing a beacon-light near the entrance of Sandusky bay, three thousand dollars, in addition to the sum heretofore appropriated for that purpose.

Sandusky bay.

For the construction of a light-house on the northwest end of Bass island, commonly called Put-in-bay, in Lake Erie, instead of one on Cunningham's island, three thousand dollars.

Bass island.

For placing buoys on a shoal or sunken island, near the western Sister island, and to the southward thereof, in Lake Erie, five hundred and fifty dollars.

Sister island

*State of Georgia.*—For constructing a floating-light, to be stationed in Tybee channel, ten thousand dollars, in lieu of an appropriation of that sum heretofore made for a similar light on Martin's Industry shoal.

Georgia.  
Tybee channel

For placing three buoys at the entrance of St. Andrew's inlet, five hundred and forty dollars.

St. Andrew's  
inlet.

For placing beacons or buoys at the entrance of Brunswick harbor, the sum of one thousand dollars.

Brunswick  
harbor.

*State of Alabama.*—For the construction of a light-house on Dauphin island, eight thousand dollars.

Alabama.  
Dauphin isl

*State of Louisiana.*—For marking the entrance and the channel of Atchafalaya bay, one thousand five hundred dollars.

Louisiana.  
Atchafalaya  
bay.

For rebuilding the light-house at the southwest pass of the Mississippi river, twenty thousand dollars.

Mississippi r.

For completing a light-house at or near the southwest pass on the Vermilion bay, eight thousand dollars, in addition to the sum heretofore appropriated.

Vermilion bay.

*State of Michigan.*—For rebuilding a light-house on Bois Blanc island, if a suitable site for the same can be found on said island, five thousand dollars.

Michigan.  
Bois Blanc isl.

For erecting a light-house at New Buffalo, on Lake Michigan, five thousand dollars.

New Buffalo.

For erecting a light-house on South Manitou island, Lake Michigan, five thousand dollars.

South Manitou  
island.

For erecting a light-house on the ledge or reef near Wagooshance, in the Straits of Michillimackinac, twenty-five thousand dollars.

Ledge near  
Wagooshance.

For erecting a light-house at Presque isle, Lake Huron, five thousand dollars.

Presque isle.

For erecting a light-house on Point aux Barques, Sagana bay, Lake Huron, five thousand dollars.

Point aux  
Barques.

*Territory of Wisconsin.*—For the construction of a light-house on Grassy island, at the head of Green bay, near the mouth of Fox river, four thousand dollars.

Territory of  
Wisconsin.  
Grassy island.

*Territory of Florida.*—For placing buoys at the mouth of St. John's, in addition to the appropriation heretofore made for the purpose, eight hundred and fifty dollars.

Territory of  
Florida.  
St. John's

Cary's Fort reef.

Great Cumberland island.

Two sets of dioptric or lenticular apparatus and one set of the reflector apparatus to be imported, and their merits tested.

E. Blunt's apparatus, &c.

A. Morse's fog bell.

Measures to be taken by the President in order that Congress may be furnished with more exact information in regard to light-houses, &c.

1852, ch. 112, § 12.

Sec. Treas. to instruct officers to examine and determine whether it be expedient to construct the following works,

Maine.  
Western point.  
Heron's neck.

Saddle-back ledge.

Little river harbor.

Sail rock.

For erecting a light-house on Cary's Fort reef, forty thousand dollars in addition to the appropriation already made for that purpose.

And so much of the appropriation heretofore made and unexpended for a light-house on Amelia island, be, and hereby is, appropriated, for the removal of the light-house situated on the southern end of Great Cumberland island to the said site on Amelia island.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, directed to cause two sets of dioptric or lenticular apparatus, one of the first, the other of the second class, and also one set, if he deems it expedient, of the reflector apparatus, all of the most improved kinds, to be imported, and to cause the said several sets to be set up, and their merits, as compared with the apparatus in use, to be tested by full and satisfactory experiments; and the sum of fifteen thousand dollars, out of any money in the Treasury not otherwise appropriated, is hereby appropriated for that purpose; and the Secretary of the Treasury is also further authorized to ascertain, by suitable and proper experiments, the merits of the apparatus lately invented by Mr. E. Blunt, of New York; and if, in his judgment, it has merits which justify the adoption of it, he is hereby authorized to contract with Mr. Blunt, to light any light-house on the coast with it; and the sum of one thousand dollars is hereby appropriated for the above purposes. And the Secretary of the Treasury is hereby further authorized to ascertain the merits of the patent fog-bell of Andrew Morse junior, and if he deems it expedient to establish one on the coast, the sum of twenty-five hundred dollars is hereby appropriated for that purpose, out of any money not otherwise appropriated.

SEC. 3. *And be it further enacted*, That in order that Congress may be furnished with more exact information in regard to light-houses, the light-house system, the President is hereby authorized to divide the Lake and Atlantic coasts into such districts as he may deem expedient; and he shall appoint a naval officer or officers, if the public service will allow of it, to survey and examine each district, with reference to all the objects aforesaid; and it shall be their further duty to inspect all the light-houses, light-boats, buoys, beacons, &c. and to report upon their present condition and usefulness; also to inquire and report whether the present public emergencies require any, and if any, what, further additional works and improvements of the above description, and of what kind; and, also, further, to report whether, in their judgment, the public interest requires any modification of the system of erecting, superintending, and managing the light-houses, light-boats, &c.; and if so, in what particulars; and each board shall report separately on all these matters; which reports shall be laid before Congress.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is, directed to instruct such officers to examine and determine whether it be expedient to construct light-houses, or beacon-lights, and other works hereinafter described, at the following places, viz:

*In the State of Maine.*—A light-house on the Western point, so called, at the entrance of York harbor.

A light-house at Heron's neck, on Green's island, in the town of Vinalhaven.

A sea-wall to protect a light-house heretofore authorized to be erected, on Saddle-back ledge, in Penobscot bay, and the expediency of erecting said light-house provided such wall be necessary to its security.

A light-house on the island at the entrance of Little-river harbor, in the town of Cutler.

A light-house on "Sail rock" off West Quoddy head, and the removal to said site of the fog-bell now located on West Quoddy head.

A monument on Fiddler's ledge, near the mouth of Penobscot bay. Fiddler's ledge.

A light on the Southern island at the mouth of Tennant's harbor, at St. George. Southern island.

Buoys at the following places, to wit: On Jacknife ledge; on White's ledge; off Lee's island; all near the mouth of Kennebec river. Jacknife ledge, White's ledge, Lee's island.

*In the State of Massachusetts.*—A bridge to connect Plum island with the mainland near Newburyport. Massachusetts Plum island.

A light-house or beacon on or near a point called the Point of Rocks, at the mouth of Wesport harbor. Point of Rocks.

A light-boat between Suconnesett point and a shoal called the Horse-shoe, in the northern channel of Vineyard sound. Vineyard Sound.

*In the State of Connecticut.*—For a light-boat of increased size on Bartlett's reef, and a light-boat in lieu of the one stationed at said island. Connecticut. Bartlett's reef

*In the State of New York.*—A light-house on Teller's point, in the Hudson river. A light-house on the pier at the mouth of Genesee river. A light-house on Bartlett's point, at the mouth of the bay formed by the entrance of French creek into the river St. Lawrence. A light-house on the west end of Fisher's island, at a place called Race point. A light-house on the Hudson river, at a point about one mile south of the village of Athens. A light-house on the northwest point of Gardiner's island, Suffolk county. New York. Teller's point. Genesee river. Bartlett's point. Race point. Hudson river. Gardiner's island.

A light-house or light-boat on Execution rock, Long Island sound. Execution rock.

*In the State of Ohio.*—A beacon-light on a point near Delaware flats, so called, in the Maumee bay. Ohio. Delaware flats.

A beacon-light on the lower end of Big island, near the foot of the rapids of the Maumee river. Big island.

*In the State of North Carolina.*—A light-boat with one or more lights, on the shoals below, or in the vicinity of, Tar river. N. Carolina. Tar river.

A light-boat of increased size at Brant island, in lieu of the one now stationed at said island. Brant island.

A light-boat to be stationed off Bluff point in Albemarle sound. Bluff point.

*In the State of South Carolina.*—A light-boat on Port Royal bar; two buoys in Port Royal sound; a light-house on the south point of Otter island, in St. Helena sound; a beacon-light on Marsh island, at the head of said sound; and such beacons and buoys as may be necessary in the North and South Edisto sounds. For erecting buoys on St. Helena bar, one thousand dollars. S. Carolina. Port Royal bar. Port Royal sound. Otter island. Marsh island, &c.

*In the State of Alabama.*—A light-house on Cedar point, and buoys between Cedar point and Lake Borgne. Alabama. Cedar point.

*In the State of Kentucky.*—A light-house at the port of Louisville. Kentucky.

*In the State of Illinois.*—A light-house at the mouth of Little Calumet river. Illinois.

*In the State of Michigan.*—A beacon-light on a point near the town of Mackinac. Michigan.

A light-house at the mouth of the river Maskegon, Lake Michigan.

A light-house at the mouth of St. Mary's river, on Lake Huron.

A light-house at Stony Point, on Lake Erie.

A light-house at the mouth of Clinton river, on Lake St. Clair. Clinton river.

A light-house at the mouth of North Black river, Lake Michigan.

A light-house at the mouth of South Black river, Lake Michigan.

*In the Territory of Wisconsin.*—A light-house at the mouth of Sauk river, in Lake Michigan. Wisconsin.

A light-house at Southport, on Lake Michigan.

A light-house at the mouth of Kewaunee river, on Lake Michigan.

*In the Territory of Florida.*—Two light-houses on the two Totugas islands, as substitutes for the present light-house on Bush key. Florida. Tortugas isl.

A light-house at Cape St. Blas, near the entrance to the Saint Joseph bay. Cape St. Blas.

A light-house on Egmont key, Tampa bay. Egmont Key.

Sec. 5. And be it further enacted, That in all cases where appro-  
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All places for which appropriations are made, &c. shall be examined, &c.

Sec. Treas. to pay the expense of surveys, &c.

Light-houses to be discontinued, &c.

Appropriation for two additional clerks.

Appropriation for examination of the coast between the Mississippi and Sabine rivers.

priations are made in this act for the erection of new light-houses, or new light-boats to be established at places not before authorized by law, all such places shall first be carefully examined, and the most suitable site selected; and the persons making the surveys for proposed works in the last preceding section of this act, shall report to the Secretary of the Treasury upon which of said sites, if any, the safety of navigation and the public interests require the work proposed for it, and also, a plan and estimate in detail of the expense of each work so required, including the necessary buildings to be connected therewith. And it shall be the duty of said Secretary to communicate the reports thus made to Congress within the first week of the session thereof in December next. And the expense of said surveys is hereby authorized to be paid by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated, the same having been first adjusted and allowed by the Secretary of the Treasury.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is, authorized to discontinue at his discretion, the old light-houses at Oswego, Dunkirk and Cleveland, and cause the sites belonging to the United States of the old light-houses at Cleveland, on Lake Erie, and at Buffalo, in the State of New York, to be sold for such prices, respectively, as he shall deem the same to be worth, and the proceeds of such sales to be paid into the Treasury.

SEC. 7. *And be it further enacted*, That the sum of two thousand dollars be, and hereby is, appropriated to enable the Secretary of the Treasury to employ two additional clerks in the Fifth Auditor's office.

SEC. 8. *And be it further enacted*, That the sum of fifteen hundred dollars be and is hereby appropriated, to enable the Secretary of the Navy to cause such a special examination of the coast between the mouths of the Mississippi and Sabine rivers, and the intermediate harbors, bays, and bayous as may be necessary to fix suitable locations for light-houses and other improvements, which may give a more safe and ready access to the said harbors, bays, bayous, and rivers.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CLXXXI.—*An Act to establish a new judicial district in the Territory of Florida. (a)*

New judicial district.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the territory included within the present boundaries of the counties of Franklin, Washington, and Jackson, in the Territory of Florida, shall constitute a new judicial district, to be called the Appalachicola district, the judge of which shall reside at the town of Appalachicola, or at the town of St. Joseph's, in said district.

Judge, &c. to be appointed. Jurisdiction, powers, &c.

SEC. 2. *And be it further enacted*, That a judge, marshal, and district attorney shall be appointed in said district, having the same jurisdiction, powers, duties, and liabilities, in all respects, as are now possessed by the judges of the superior courts, respectively, in the Territory of Florida, and the said marshal is hereby required to give the same bonds that other marshals are required to give under the laws of the United States and the Territory of Florida, to be approved of and recorded as now directed by law.

Time of holding courts. Process already issued.

SEC. 3. *And be it further enacted*, That the said courts shall be holden at the times and places now established by law in said district, until changed by the Legislative Council of said Territory; and all process, executed by and returnable to said courts as a part of the district of West Florida, as heretofore organized, shall be as effectual in law as if the said district had not been changed; and it shall be the duty of

(a) See notes of the acts relating to Florida, vol. 3, 654.

the present marshal of the district of West Florida, to execute all process now in his hands, and he shall be responsible in like manner as if this act had not passed.

SEC. 4. *And be it further enacted*, That the judge, marshal, and district attorney shall have the same salaries, fees, and compensation as are allowed and paid to the other judges, marshals and district attorneys in said Territory under the laws of the United States, or the Territory of Florida, out of any money in the Treasury not otherwise appropriated.

Salary, &c. of the judge, &c.

APPROVED, July 7, 1838.

STATUTE II.

CHAP. CLXXXII.—*An Act to increase and regulate the terms of the circuit and district courts for the northern district of the State of New York. (a)*

July 7, 1838.

1846, ch. 98.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be four regular terms of the district court of the United States for the northern district of the State of New York in each year; one of which, to commence on the third Tuesday in January, shall be held in the city of Albany; and one to commence on the second Tuesday in July, shall be held at the city of Utica; and one to commence on the third Tuesday of May, shall be held at the city of Rochester; and one to commence on the second Tuesday of October, shall be held at the city of Buffalo. And there shall also be held one other term annually, at such time and in such place within the counties of St. Lawrence, Clinton, or Franklin, as the judge of said district shall from time to time appoint, by a notice of at least forty days, to be published in the State paper of the State of New York, which latter term shall be held only for the trial of issues of fact arising within the said three last mentioned counties; but nothing herein contained shall prevent the judge of said court from holding special terms thereof at the places above specified, or at any other places in said district, in addition to said regular terms, when he shall deem it necessary.

Four regular terms of the district court in each year.

At Albany.

At Utica.  
At Rochester.  
At Buffalo.  
One other term.

SEC. 2. *And be it further enacted*, That the term of the circuit court for the said northern district, now required by law to be held annually at Albany on the second Tuesday of June, be hereafter held at Canandaigua, in the county of Ontario, on the Tuesday next after the third Monday of June in each year.

The circuit court to be held at Canandaigua.

SEC. 3. *And be it further enacted*, That, for the purpose of trying all issues of fact, triable by a jury in the district court of the United States for the northern district of New York, the said district shall be subdivided into three divisions, as follows, to wit: all that part of said district lying westward of the west lines of the counties of Cayuga, Tompkins, and Tioga, shall constitute the western division; the counties of St. Lawrence, Franklin, and Clinton, shall constitute the northern division; and all the remainder of the district shall constitute the eastern division. And all such issues of fact shall be tried at a term of said court to be held in the division where the cause of action may have arisen, unless the said court, for good cause shown, shall order such issue to be tried elsewhere. And all issues of fact in the said circuit court to be tried by a jury, where the cause of action may have arisen in the northern or eastern division aforesaid, shall be tried at the term of said circuit court to be held at Albany, and all other issues of fact in said circuit court to be tried by a jury, where the cause of action may have arisen in the western division of said district, shall be tried at the term of said circuit court to be held at Canandaigua. But nothing herein contained shall prevent either of said courts, by general

The district to be subdivided into three divisions.

The western division.  
Northern division.  
Eastern division.

Where the issues of fact shall be tried.

(a) See vol. 3, 120, 414.

Venue of transitory actions.

All issues now pending, where they shall be tried, &c.

rule, from regulating the venue of transitory actions, and from changing the same for a good cause to be shown.

SEC. 4. *And be it further enacted*, That all issues now pending in either of said courts shall be tried at the places above prescribed for holding such court, unless otherwise ordered by said court, in pursuance of the authority given in the last section; and no process issued or proceedings pending in either of said courts shall be avoided or impaired by this change of the time and place of holding such court; but all process, bail bonds, and recognizances, returnable at 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 all continuances may be made to conform to the provisions of this act.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CLXXXIII.—*An Act ceding to the State of Ohio the interest of the United States in a certain road within that State.*

Title of the U. S. in a certain road granted to the State of Ohio.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all right or title of the United States, acquired by the treaty of Brownstown, in a certain road from the foot of the rapids of the Miami of the Lake to the western line of the Connecticut Western reserve be, and the same is hereby, granted to the State of Ohio.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CLXXXIV.—*An Act to authorize the sale of certain bonds belonging to the United States.*

[Obsolete.]

Sec. Treas. authorized to sell the two bonds held by the U. S. against "the president, directors, and company of the Bank of the U. S." chartered by Pennsylvania, &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, authorized to sell upon the best terms he can command for money in hand in the markets of this or of any foreign country, as upon inquiry he shall find most for the interest of the United States, the two bonds held by the United States against "the president, directors, and company of the Bank of the United States," chartered by the State of Pennsylvania, which will fall due in the month of September, in the year one thousand eight hundred and thirty-nine, and one thousand eight hundred and forty, being the two last of four several bonds, dated on the tenth day of May, one thousand eight hundred and thirty-seven, given to secure the payment of the sum of one million nine hundred and eighty-six thousand, five hundred and eighty-nine dollars and four cents each, with interest upon each bond, at the rate of six per centum per annum, from the third day of March, one thousand eight hundred and thirty-six until paid, the said four bonds having been received by the United States as security for the final payment of the stock held by the United States, in the late Bank of the United States, chartered by Congress, and to execute under his hand and the seal of his office, to the purchaser or purchasers of the said bonds, suitable and proper assignments to transfer to the said purchaser or purchasers, his, her, or their representatives, or assigns, all the right, title and interest of the United States, of, in, and to the money due and to become due upon the bonds sold and assigned in pursuance of this act: *Provided*, That no sale of either of the said bonds shall be made upon terms less favorable to the United States than the par value of the bond sold, at the time of sale, calculated according the rules for estimating the par value of securities upon which interest has run for a time, but which securities have not reached maturity.

To execute assignments.

Proviso.

SEC. 2. *And be it further enacted*, That all money received upon the

sale of the said bonds, shall be immediately paid into the Treasury of the United States, or placed to the credit of the Treasurer thereof in some proper depository, in the same manner that other moneys, received for dues to the Government, are by law directed to be paid into the Treasury.

APPROVED, July 7, 1838.

Disposal of money received therefrom.

STATUTE II.

July 7, 1838.

CHAP. CLXXXV.—*An Act to prevent the issuing and circulation of the bills, notes and other securities of corporations created by acts of Congress which have expired*

*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 charter of any corporation which has been or may be created by act of Congress of the United States shall have expired or may hereafter expire, if any director, officer or agent of the said corporation or any trustee thereof, or any agent or officer of such trustee, or any person having in his possession or under his control the property of the said corporation for the purpose of paying or redeeming its notes and obligations, shall knowingly issue, re-issue, or utter as money or in any other way knowingly put in circulation, any bill, note, check, draft, or other security purporting to have been made by any such corporation whose charter has expired or by any officer thereof, or purporting to have been made, under authority derived therefrom, or if any person or persons shall knowingly aid and assist in any such act; every person so offending, shall be deemed guilty of a high misdemeanor, and on conviction thereof shall be punished, by a fine not exceeding ten thousand dollars, or by imprisonment and confinement not less than one year nor exceeding five years, or by both such fine and imprisonment: *Provided,* That nothing herein contained shall be construed to make it unlawful for any person not being such director, officer or agent of the said corporation, or any trustee thereof, or any agent or officer of such trustee, or any person having in his possession or under his control the property of the corporation for the purpose aforesaid who shall have received or may hereafter receive such bill, note, check, draft or other security, bona fide and in the ordinary transactions of business, to utter as money or otherwise circulate the same.

Any director, &c. who shall put in circulation any bill, &c. purporting to have been made by any corporation whose charter shall have expired, shall be deemed guilty of a high misdemeanor.

Penalty.

Proviso.

SEC. 2. *And be it further enacted,* That in all cases in which any corporation has been or may be created by acts of Congress of the United States, and in which the United States shall have been interested as a stockholder the term of which corporation has expired, and in which any bills, notes, checks, drafts or other securities, made under authority derived, or alleged to have been derived from such act, shall be in the possession or under the control of any director, officer or agent of the said expired corporation, or any trustee thereof, or any agent or officer of such trustee, or any person having in his possession or under his control, the property of the said corporation, for the purpose of paying or redeeming its notes and obligations, the several circuit courts of the United States shall have jurisdiction on the bill or petition of the United States to grant injunctions to prevent the issuing, reissuing, or transfer of any such bills, notes, checks, drafts, or other securities; and also to cause such of the said bills, notes, checks, drafts, or other securities, as have been redeemed, to be delivered up and cancelled; and the said several courts shall have power to make all necessary decrees and orders for the purpose of carrying into effect the jurisdiction hereby conferred, and to execute the same by due process of law.

All corporations created by act of Congress, or in which the U. S. was a stockholder, whose charters have expired, and which have any bills or notes in their possession, may be prevented from issuing or re-issuing said bills, &c.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

[Obsolete.]

CHAP. CLXXXVI.—*An Act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and thirty-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, for the year one thousand eight hundred and thirty-eight, for the purpose of paying the current expenses of the Indian department, fulfilling treaty stipulations with the various Indian tribes, and contingent expenses, to be paid out of any money in the Treasury not otherwise appropriated :

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

Sup't. of Indian affairs at St. Louis, and Indian agents.

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

Pay of sub-agents.

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

Pay of interpreters.

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

Presents to Indians.

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

Provisions for Indians.

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

Buildings at the agencies.

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

Cont. exp. of Indian dep't.

Clerk in office of Governor of Wisconsin.

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

Clerk in office Sup't Western Territory.

For the salary of one clerk in the office of the Governor of Wisconsin Territory, who is ex-officio superintendent of Indian affairs, eight hundred dollars ;

Carrying into effect treaty stipulations, &c.

Six Nations of New York.

For the salary of one clerk in the office of the acting superintendent of the Western Territory, one thousand dollars ;

Senecas of New York.

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

Ottawas,

For the Six Nations of New York, four thousand five hundred dollars ;

Wyandots,

For the Senecas of New York, six thousand dollars ;

Munsees, and Delawares.

For the Ottawas, twenty-six thousand eight hundred dollars ;

Christian Indians.

For the Wyandots, six thousand eight hundred and forty dollars ;

Miamies.

For the Munsees, and Delawares, one thousand dollars ;

Eel Rivers.

For the Christian Indians, four hundred dollars ;

Pottawatamies.

For the Miamies, one hundred and fifty-four thousand one hundred and ten dollars ;

Pottawatamies of Huron.

For the Eel Rivers, one thousand one hundred dollars ;

Pottawatamies of the Wabash.

For the Pottawatamies, eighty-eight thousand one hundred and twenty dollars ;

Pottawatamies of Indiana.

For the Pottawatamies of Huron, four hundred dollars ;

Chippewas,

For the Pottawatamies of the Wabash, twenty thousand dollars ;

Ottawas, and Pottawatamies.

For the Pottawatamies of Indiana, seventeen thousand dollars ;

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

For the Winnebagoes, thirty-seven thousand eight hundred and sixty dollars ;	Winnebagoes.
For the Menomonies, thirty-two thousand six hundred and fifty dollars ;	Menomonies.
For the Chippewas of Swan creek and Black river, one thousand dollars ;	Chippewas of Swan creek and Black river.
For the Chippewas of Saginaw, six thousand five hundred dollars ;	Chippewas of Saginaw.
For the Chippewas, Menomonies, Winnebagoes and New York Indians, fifteen hundred dollars ;	Chippewas, Menomonies, &c.
For the Sioux of the Mississippi, seven thousand seven hundred and sixty dollars ;	Sioux of the Mississippi.
For the Yancton and Santie Sioux, four thousand three hundred and forty dollars ;	Yancton and Santie Sioux.
For the Omahas, three thousand nine hundred and forty dollars ;	Omahas.
For the Sacs and Foxes of the Missouri, four thousand seven hundred dollars ;	Sacs and Foxes of the Missouri.
For the Iowas, eight thousand nine hundred and fifty dollars ;	Iowas.
For the Sacs and Foxes of the Mississippi, forty-one thousand nine hundred and twenty dollars ;	Sacs and Foxes of the Mississippi.
For the Sacs, Foxes, Sioux, Iowas, Omahas and Ottoes and Missouri-rias, three thousand dollars ;	Sacs, Foxes, Sioux, Iowas, &c.
For the Ottoes and Missouri-rias, five thousand six hundred and forty dollars ;	Ottoes and Missouri-rias.
For the Kansas, six thousand and forty dollars ;	Kansas.
For the Osages, seventeen thousand and forty dollars ;	Osages.
For the Kickapoos, five thousand five hundred dollars ;	Kickapoos.
For the Kaskaskias and Peorias, three thousand dollars ;	Kaskaskias and Peorias.
For the Piankeshaws, eight hundred dollars ;	Piankeshaws.
For the Weas, three thousand dollars ;	Weas.
For the Delawares, eight thousand one hundred and forty dollars ;	Delawares.
For the Shawnees, seven thousand one hundred and eighty dollars ;	Shawnees.
For the Senecas and Shawnees, two thousand two hundred and forty dollars ;	Senecas and Shawnees.
For the Senecas, two thousand six hundred and sixty dollars ;	Senecas.
For the Choctaws, seventy-two thousand six hundred and twenty-five dollars ;	Choctaws.
For the Chickasaws, six thousand dollars ;	Chickasaws.
For the Creeks, four hundred and thirteen thousand nine hundred and forty dollars ;	Creeks.
For the Quapaws, four thousand six hundred and sixty dollars ;	Quapaws.
For the Florida Indians, two hundred and eighty thousand six hundred and ten dollars ;	Florida Indians.
For the Pawnees, twelve thousand dollars ;	Pawnees.
For the Cherokees, fifteen thousand one hundred and forty dollars ;	Cherokees.
For the Ottawas and Chippewas, sixty-five thousand four hundred and sixty-five dollars ;	Ottawas and Chippewas.
For the Caddoes, ten thousand dollars ;	Caddoes.
For various miscellaneous expenses, viz. :	Miscellaneous.
For completing payments for subscription to "Indian Biography," three thousand dollars ;	Indian Biography.
For expenses of casting dies and striking off medals for Indians, two thousand five hundred dollars ;	Casting dies, &c.
For expenses of mission of A. P. Chouteau among the wild tribes of the Southwest, including his outfit, and the expenditures growing out of and connected with bringing on deputations of said tribes, which he has been authorized to do, twenty thousand dollars ;	Mission to the tribes of the Southwest, &c.
For deficiency in the appropriation of eighteen hundred and thirty-four for running the boundary line between the Choctaws and Chickasaws, one thousand and eighty-five dollars ;	Boundary line between the Choctaws and Chickasaws.

Provisions to the Seneca, Seneca and Shawnee, and Osage Indians.

For cost of sundry articles of provisions furnished to the Seneca, Seneca and Shawnee, and Osage Indians, while in a destitute condition, in eighteen hundred and thirty-four, by the commissioners west, &c., as per statement rendered and on file in the office of the Second Auditor, to reimburse the appropriation for Indian annuities out of which the same was paid, one thousand seven hundred and fifty dollars;

Visit of delegations of Ioways, &c.

For expenses of delegations of Ioways, Yancton Sioux, and Sacs and Foxes of Missouri, who visited this and the Northern cities in eighteen hundred and thirty-seven, by invitation, including the usual presents and contingent expenditures, nine thousand dollars;

Visit of delegations of Pawnees, Ottoes, &c.

For expenses of delegations of Pawnees, Ottoes and Missourias, and Omahas, who visited this and the Northern cities in eighteen hundred and thirty-seven, by invitation, including the usual presents and contingent expenditures, twelve thousand five hundred dollars;

Visit of delegations of Choctaws, Creeks, and Osages.

For expenses of delegations of not exceeding three Choctaws, three Creeks, and five Osages, who have obtained permission to visit this city, including the usual presents and contingent expenditures, five thousand dollars;

Buildings and improvements on lands ceded by the Miamies.

For the value of the buildings and improvements of the Miamies on the lands ceded by them in the treaty of twenty-third October, eighteen hundred and thirty-four, per sixth article, as ratified by the Senate, five thousand six hundred and seven dollars;

Treaties with the Chippewas of Saganaw.

For carrying into effect the treaties with the Chippewas of Saganaw, of the fourteenth January, and twentieth December, eighteen hundred and thirty-seven, and twenty-third January, eighteen hundred and thirty-eight, eighty-one thousand dollars;

Treaty with the Chippewas of the Mississippi.

For carrying into effect the treaty with the Chippewas of the Mississippi of the twenty-ninth July, eighteen hundred and thirty-seven, two hundred and eight thousand five hundred dollars;

Treaty with the Sioux of the Mississippi.

For carrying into effect the Treaty with the Sioux of the Mississippi of the twenty-ninth September, eighteen hundred and thirty-seven, as ratified by the Senate, two hundred and fifty-eight thousand two hundred and fifty dollars;

Treaty with the Sacs and Foxes of the Mississippi.

For carrying into effect the treaty with the Sacs and Foxes of the Mississippi of the twenty-first October, eighteen hundred and thirty-seven, as ratified by the Senate, one hundred and eighty-four thousand three hundred and fifty dollars;

Treaty with the Sacs and Foxes of the Missouri.

For carrying into effect the treaty with the Sacs and Foxes of the Missouri of the twenty-first October, eighteen hundred and thirty-seven, twelve thousand nine hundred and seventy dollars;

Treaty with the Yancton and Santie Sioux.

For carrying into effect the treaty with the Yancton and Santie Sioux of the twenty-first October, eighteen hundred and thirty-seven, seven thousand dollars;

Treaty with the Winnebagoes.

For carrying into effect the treaty with the Winnebagoes of the first November, eighteen hundred and thirty-seven, four hundred and forty-five thousand five hundred dollars;

Treaty with the Iowas.

For carrying into effect the treaty with the Iowas of the twenty-third November, eighteen hundred and thirty-seven, five thousand dollars;

Treaty with the Oneidas at Green Bay.

For carrying into effect the treaty with the Oneidas at Green Bay of the third February, eighteen hundred and thirty-eight, thirty-seven thousand and forty-seven dollars;

Appropriation to the Osages.

To the Osages for interest at five per cent. on sixty-nine thousand one hundred and twenty dollars, being the value of the fifty-four sections of land set apart by the treaty of eighteen hundred and twenty-five, for education purposes, and for which they have agreed to accept two dollars per acre, as authorized by the Senate, in its resolution of the nineteenth January last, which resolution also provides for the investment of the amount, three thousand four hundred and fifty-six dollars;

To the Delawares for interest at five per cent. on forty-six thousand and eighty dollars, being the value of thirty-six sections of land set apart by the treaty of eighteen hundred and thirty-two, for education purposes, and for which they have agreed to accept two dollars per acre, as authorized by the Senate, in its resolution of the nineteenth January last, which resolution also provides for the investment of the amount. two thousand three hundred and four dollars;

Appropriation to the Delawares.

For holding a treaty with the Creeks for the purpose of adjusting their claims for property and improvements abandoned or lost in consequence of their emigration West of the Mississippi, two thousand dollars;

Treaty with the Creeks.

For payment of the amount of depredations committed by the Osage and Camanche Indians on the property of the Choctaw Indians, eight hundred and twenty-five dollars;

Depredations by the Osage and Camanche Indians.

For expenses of holding a treaty with the Wyandot Indians of the State of Ohio, one thousand five hundred dollars;

Treaty with the Wyandots of Ohio.

For payment of the expense of a delegation from the Seneca Indians who visited Washington, to protest against the ratification of a late treaty entered into with them by a commissioner acting under the authority of the United States, seven hundred eighty-nine dollars and twenty-three cents;

Visit of a delegation from the Seneca Indians.

For the expenses of the delegation of the Senecas, who visited Washington to urge the ratification of the late treaty with them and the other New York Indians, and the expenses of negotiating that Treaty with the Senecas and the other bands of New York Indians, including all the expenses incident thereto, nine thousand five hundred dollars.

Visit of a delegation of the Senecas.

For the expenses of submitting again to those Indians the Treaty as amended and ratified by the Senate for the purpose of obtaining their assent to the amended Treaty, four thousand dollars.

Resubmitting to those Indians the treaty as amended.

For holding a treaty with the Osages for the extinguishment of their title to reservations in lands within other tribes and for other purposes, two thousand dollars.

Treaty with the Osages.

For defraying the expenses of fourteen Sac and Fox Indians, who were induced to visit Washington by the false representations of their conductor, two hundred and twenty-one dollars and fifty cents.

Visit of Sac and Fox Indians to Washington.

For the purposes of defraying expenses of negotiations with the Miami Indians, eight hundred and sixty dollars, to be paid to the following persons in the following proportions, to wit:

Negotiations with the Miamies.

To William Marshall for forty-two days' service as Commissioner, three hundred and thirty-six dollars.

W. Marshall for service.

To Henry L. Ellsworth for fifty-four days' service as Commissioner, four hundred and thirty dollars, and to Allen Hamilton for seventeen days' services as Secretary, one hundred and two dollars.

H.L. Ellsworth for service.

A. Hamilton for service.

To defray the expenses of an exploring party of Miamies Indians, the sum of nineteen hundred and ninety dollars.

Exploring party of Miamies.

For affording temporary subsistence to such Indians west of the Mississippi, who, by reason of their recent emigration or the territorial arrangements incident to the policy of setting apart a portion of the public domain west of the Mississippi, for the residence of all the tribes residing east of that river, as are unable to subsist themselves, and for the expenses attending the distribution of the same, one hundred and fifty thousand dollars, to be expended under the direction of the Secretary of War.

Temporary subsistence to certain Indians west of the Mississippi.

APPROVED, July 7, 1838.



STATUTE II.

July 7, 1838.

CHAP. CLXXXVII.—*An Act to repeal, in part, the act entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes."*

So much of act Sept. 15, 1789, ch. 14, as requires the Sec. of State to have the laws recorded, 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 entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes," approved fifteenth of September, one thousand seven hundred and eighty-nine, as directs the Secretary of State to cause to be recorded, in his office, the acts and resolutions of Congress, be, and the same is hereby, repealed.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CLXXXVIII.—*An Act to encourage the introduction and promote the cultivation of tropical plants in the United States.*

Preamble.

Whereas in obedience to the Treasury circular of the sixth of September, eighteen hundred and twenty-seven, Doctor Henry Perrine, late American Consul at Campeachy, has distinguished himself by his persevering exertions to introduce tropical plants into the United States: and whereas he has demonstrated the existence of a tropical climate in southern Florida, and has shown the consequent certainty of the immediate domestication of tropical plants in tropical Florida, and the great probability of their gradual acclimation throughout all our southern and southwestern States, especially of such profitable plants as propagate themselves on the poorest soils; and whereas, if the enterprise should be successful, it will render valuable our hitherto worthless soils, by covering them with a dense population of small cultivators and family manufacturers, and will thus promote the peace, prosperity, and permanency of the Union: Therefore,

Grant of land to H. Perrine.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a township of land is hereby granted to Doctor Henry Perrine and his associates, in the southern extremity of the peninsula of East Florida, to be located in one body of six miles square, upon any portion of the public lands below twenty-six degrees north latitude.

When to be located, &c.

SEC. 2. *And be it further enacted,* That the said tract of land shall be located within two years from this date, by said Henry Perrine, and shall be surveyed under his direction, by the surveyor of Florida, *Provided,* That it shall not embrace any land having sufficient quantities of naval timber to be reserved to the United States, nor any sites for maritime ports or cities.

Proviso.

When a patent shall issue.

SEC. 3. *And be it further enacted,* That whenever any section of land in said tract, shall be really occupied by a bona fide settler, actually engaged in the propagation or cultivation of valuable tropical plants, and upon proof thereof being made to the Commissioner of the General Land Office, a patent shall issue to the said Henry Perrine and his associates.

How and when it shall be forfeited to the U. S.

SEC. 4. *And be it further enacted,* That every section of land in the tract aforesaid, which shall not be occupied by an actual settler, positively engaged in the propagation or cultivation of useful tropical plants within eight years from the location of said tract, or when the adjacent territory shall be surveyed and offered for sale, shall be forfeited to the United States.

APPROVED, July 7, 1838.

CHAP. CLXXXIX.—*An Act granting half pay and pensions to certain widows.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if any person who served in the war of the Revolution, in the manner specified in the act passed the seventh day of June, eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the Revolution," have died, leaving a widow, whose marriage took place after the expiration of the last period of his service, and before the first day of January, seventeen hundred and ninety-four, such widow shall be entitled to receive, for and during the term of five years from the fourth day of March, eighteen hundred and thirty-six, the annuity or pension which might have been allowed to her husband in virtue of said act, if living at the time it was passed; *Provided,* That in the event of the marriage of such widow, said annuity or pension shall be discontinued.

SEC. 2. *And be it further enacted,* That no pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest, in any annuity, half pay, or pension, granted by this act, shall be valid, nor shall the half pay, annuity, or pension, granted by this act, or any former act of Congress, be liable to attachment, levy, or seizure, by any process in law, or equity, but shall enure wholly to the personal benefit of the pensioner or annuitant entitled to the same; and that before a warrant shall be delivered to any person acting for or in behalf of any one entitled to money under this act, such person shall take and subscribe an oath or affirmation, to be administered by the proper accounting officer, and put on file, that he has no interest in said money, by any pledge, mortgage, transfer, agreement, understanding, or arrangement, and that he does not know or believe that the same has been so disposed of to any other person.

SEC. 3. *And be it further enacted,* That the Secretary of War shall adopt such regulations and forms of evidence, in relation to applications and payments under this act as the President of the United States may prescribe.

APPROVED, July 7, 1838.

CHAP. CXC.—*An Act making appropriations for certain roads in the Territory of Wisconsin.*

*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 the construction of roads in the Territory of Wisconsin, to wit: For the construction of a road from Fort Howard at Green Bay, by Milwaukee and Racine, to the Northern boundary line of the State of Illinois, in the direction of Chicago in that State, to be expended in the Territory of Wisconsin, fifteen thousand dollars. For the construction of a road from the town of Milwaukee on Lake Michigan, by way of Madison, the permanent seat of Government of the said Territory, to a point opposite the town of Dubuque on the Mississippi river, ten thousand dollars. For the construction of the necessary bridges and removing obstructions in the mail road from the northern line of Missouri, through the original counties of Des Moines and Dubuque, to some suitable point on the Mississippi river between Prairie du Chien and Dubuque, ten thousand dollars. For the completion of the military road from Fort Crawford, by Winnebago, to Fort Howard at Green Bay, five thousand dollars. The said roads shall be constructed under the direction of the Secretary of War, pursuant to contracts to be made by him:

STATUTE II.

July 7, 1838.

Post, p. 584.  
Five years' pension granted to certain widows of officers and soldiers, &c.

Act of June 7, 1832, ch. 126.

Proviso.  
1842, ch. 191.

No pledge, mortgage, &c. of the half pay or pension to be valid.

Not liable to be seized or attached.

Oath to be taken by an attorney before the delivery of the warrant.

Regulations.

STATUTE II.

July 7, 1838.

[Obsolete.]

From Fort Howard to the northern boundary line of Illinois.

From Milwaukee to the Mississippi.

From the northern line of Missouri to the Mississippi.

Fort Crawford to Ft. Howard.  
To be constructed under direction, &c.

Proviso.

Survey for improvement of navigation of Rock river.

Survey of Des Moines and Iowa rivers.

A railroad from Milwaukee to Dubuque.

*Provided always*, That nothing contained in this act shall be so construed as to imply that the United States are pledged or in any manner bound to make any appropriation in future, to make, or construct, said roads, or any part or portion of them. For the survey, with the view to the improvement of the navigation of Rock river, from the Illinois line, as far up the same as the contemplated point of intersection with the Milwaukee and Rock river canal, and also of the Haven of the said river, next below Lake Kushkenong to Madison, the seat of Government of the Territory of Wisconsin, a sum not exceeding one thousand dollars. For the survey of the Des Moines and Iowa rivers, with a view to the improvement of their navigation, a sum not exceeding one thousand dollars. For a survey and estimate of the cost of a railroad from Milwaukee to Dubuque, a sum not exceeding two thousand dollars.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CXCI.—*An Act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam.* (a)

Owners of steamboats to make a new enrolment and take out a new license.

*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 all owners of steamboats, or vessels propelled in whole or in part by steam, on or before the first day of October, one thousand eight hundred and thirty-eight, to make a new enrolment of the same, under the existing laws of the United States, and take out from the collector or surveyor of the port, as the case may be, where such vessel is enrolled, a new license, under such conditions as are now imposed by law, and as shall be imposed by this act.

Shall not transport goods, &c. or passengers, without a new license.

SEC. 2. *And be it further enacted*, That it shall not be lawful for the owner, master, or captain of any steamboat or vessel propelled in whole or in part by steam, to transport any goods, wares, and merchandise, or passengers, in or upon the bays, lakes, rivers, or other navigable waters of the United States, from and after the said first day of October, one thousand eight hundred and thirty-eight; without having first obtained, from the proper officer, a license under the existing laws, and without having complied with the conditions imposed by this act; and for each and every violation of this section, the owner or owners of said vessel shall forfeit and pay to the United States the sum of five hundred dollars, one-half for the use of the informer; and for which sum or sums the steamboat or vessel so engaged shall be liable, and may be seized and proceeded against summarily, by way of libel, in any district court of the United States having jurisdiction of the offence.

Penalty for violation of this section.

How recoverable.

District judge to appoint persons to inspect the boilers and machinery.

SEC. 3. *And be it further enacted*, That it shall be the duty of the district judge of the United States, within whose district any ports of entry or delivery may be, on the navigable waters, bays, lakes, and rivers of the United States, upon the application of the master or owner of any steamboat or vessel propelled in whole or in part by steam, to appoint, from time to time, one or more persons skilled and competent to make inspections of such boats and vessels, and of the boilers and machinery employed in the same, who shall not be interested in the manufacture of steam engines, steamboat boilers, or other machinery belonging to steam vessels, whose duty it shall be to make such inspection when called upon for that purpose, and to give to the owner or master of such boat or vessel duplicate certificates of such inspection;

Their qualifications and duties.

(a) An act authorizing the appointment of persons to test the usefulness of inventions to improve and render safe the boilers of steam engines against explosions; June 23, 1838, chap. 147.

An act to modify the act entitled, "An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam," approved July 7, 1838; March 3, 1843, chap. 94. Additional act. 1852, ch. 106.

such persons, before entering upon the duties enjoined by this act, shall make and subscribe an oath or affirmation before said district judge, or other officer duly authorized to administer oaths, well, faithfully, and impartially to execute and perform the services herein required of them.

SEC. 4. *And be it further enacted*, That the person or persons who shall be called upon to inspect the hull of any steamboat or vessel, under the provisions of this act, shall, after a thorough examination of the same, give to the owner or master, as the case may be, a certificate, in which shall be stated the age of the said boat or vessel, when and where originally built, and the length of time the same has been running. And he or they shall also state whether, in his or their opinion, the said boat or vessel is sound, and in all respects seaworthy, and fit to be used for the transportation of freight or passengers; for which service, so performed upon each and every boat or vessel, the inspectors shall each be paid and allowed by said master or owner applying for such inspection, the sum of five dollars.

SEC. 5. *And be it further enacted*, That the person or persons who shall be called upon to inspect the boilers and machinery of any steamboat or vessel, under the provisions of this act, shall, after a thorough examination of the same, make a certificate, in which he or they shall state his or their opinion whether said boilers are sound and fit for use, together with the age of said boilers; and duplicates thereof shall be delivered to the owner or master of such vessel, one of which it shall be the duty of the said master and owner to deliver to the collector or surveyor of the port whenever he shall apply for a license, or for a renewal of a license; the other he shall cause to be posted up, and kept in some conspicuous part of said boat, for the information of the public; and for each and every inspection so made, each of the said inspectors shall be paid by the said master or owner applying, the sum of five dollars.

SEC. 6. *And be it further enacted*, That it shall be the duty of the owners and masters of steamboats to cause the inspection provided under the fourth section of this act to be made at least once in every twelve months; and the examination required by the fifth section, at least once in every six months; and deliver to the collector or surveyor of the port where his boat or vessel has been enrolled or licensed, the certificate of such inspection; and, on a failure thereof, he or they shall forfeit the license granted to such boat or vessel, and be subject to the same penalty as though he had run said boat or vessel without having obtained such license, to be recovered in like manner. And it shall be the duty of the owners and masters of the steamboats licensed in pursuance of the provisions of this act to employ on board of their respective boats a competent number of experienced and skilful engineers, and, in case of neglect to do so, the said owners and masters shall be held responsible for all damages to the property of any passenger on board of any boat occasioned by an explosion of the boiler or any derangement of the engine or machinery of any boat.

SEC. 7. *And be it further enacted*, That whenever the master of any boat or vessel, or the person or persons charged with navigating said boat or vessel, which is propelled in whole or in part by steam, shall stop the motion or headway of said boat or vessel, or when said boat or vessel shall be stopped for the purpose of discharging or taking in cargo, fuel or passengers, he or they shall open the safety-valve, so as to keep the steam down in said boiler as near as practicable to what it is when the said boat or vessel is under headway, under the penalty of two hundred dollars for each and every offence.

SEC. 8. *And be it further enacted*, That it shall be the duty of the owner and master of every steam vessel engaged in the transportation of freight or passengers, at sea or on the Lakes, Champlain, Ontario, Erie, Huron, Superior, and Michigan, the tonnage of which vessel shall

Inspectors of the hulls to give the owners or masters a certificate, stating the age of the boat, &c.

Also a certificate as to the soundness of the vessel.  
Fee for inspection.

Inspectors of the boilers to make a certificate as to the soundness, &c. of said boilers.

Duplicates of said certificate to be given to the master or owner, &c.

Fee for inspection.

Hulls to be inspected, how often.

Boilers inspected, how often.

Penalty.

Competent number of experienced and skilful engineers to be employed.

Penalty for failing to do so.

Safety-valve to be opened when the vessel stops for any purpose whatever.

Penalty.

Long-boats or yawls, when and where to be carried by steam-vessels.

not exceed two hundred tons, to provide and to carry with the said boat or vessel, upon each and every voyage, two long-boats or yawls, each of which shall be competent to carry at least twenty persons; and where the tonnage of said vessel shall exceed two hundred tons, it shall be the duty of the owner and master to provide and carry, as aforesaid, not less than three long-boats or yawls, of the same or larger dimensions; and for every failure in these particulars, the said master and owner shall forfeit and pay three hundred dollars.

**Penalty.**

Vessels at sea or on the lakes aforesaid to carry suction-hose, fire engine, &c.

Iron rods or chains to be used instead of wheel or tiller ropes.

**Penalty.**

Signal lights to be carried by vessels running at night.

**Penalty.**

How all penalties shall be recovered.

Any person employed on board a boat in which life or lives are lost by inattention, &c. shall be guilty of manslaughter.

**Punishment.**

What shall be sufficient evidence to charge the defendant, in case of the bursting of a boiler, &c.

**STATUTE II.**

July 7, 1838.

Court to be established in the District of Columbia for the trial of crimes.

To be composed of one judge, and styled the criminal court of the D. C.

**SEC. 9.** *And be it further enacted,* That it shall be the duty of the master and owner of every steam vessel employed on either of the lakes mentioned in the last section, or on the sea, to provide, as a part of the necessary furniture, a suction-hose and fire engine and hose suitable to be worked on said boat in case of fire, and carry the same upon each and every voyage, in good order; and that iron rods or chains shall be employed and used in the navigating of all steamboats, instead of wheel or tiller ropes; and for a failure to do which, they, and each of them, shall forfeit and pay the sum of three hundred dollars.

**SEC. 10.** *And be it further enacted,* That it shall be the duty of the master and owner of every steamboat, running between sunset and sunrise, to carry one or more signal lights, that may be seen by other boats navigating the same waters, under the penalty of two hundred dollars.

**SEC. 11.** *And be it further enacted,* That the penalties imposed by this act may be sued for and recovered in the name of the United States, in the district or circuit court of such district or circuit where the offence shall have been committed, or forfeiture incurred, or in which the owner or master of said vessel may reside, one-half to the use of the informer, and the other to the use of the United States; or the said penalty may be prosecuted for by indictment in either of the said courts.

**SEC. 12.** *And be it further enacted,* That every captain, engineer, pilot, or other person employed on board of any steamboat or vessel propelled in whole or in part by steam, by whose misconduct, negligence, or inattention to his or their respective duties, the life or lives of any person or persons on board said vessel may be destroyed, shall be deemed guilty of manslaughter, and, upon conviction thereof before any circuit court in the United States, shall be sentenced to confinement at hard labor for a period not more than ten years.

**SEC. 13.** *And be it further enacted,* That in all suits and actions against proprietors of steamboats, for injuries arising to person or property from the bursting of the boiler of any steamboat, or the collapse of a flue, or other injurious escape of steam, the fact of such bursting, collapse, or injurious escape of steam, shall be taken as full prima facie evidence, sufficient to charge the defendant or those in his employment, with negligence, until he shall show that no negligence has been committed by him or those in his employment.

APPROVED, July 7, 1838.

CHAP. CXCII.—*An Act to establish a criminal court 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 from and after the passage of this law, a court shall be established in the District of Columbia, for the trial of all crimes and offences against the laws now in force in the said District, and such as may be hereafter enacted, to be composed of one judge, to be appointed by the President of the United States, by and with the consent of the Senate, and to receive, as compensation for his services, an annual salary of two thousand dollars,

(a) An act to amend "An act to establish a criminal court in the District of Columbia;" February 20, 1839, chap. 31.

which court shall be styled the criminal court of the District of Columbia.

SEC. 2. *And be it further enacted,* That the said court shall hold four terms in each year, on the first Mondays of December, March, June, and September, in the city of Washington, for the county of Washington, and two terms in each year, on the first Mondays of April and November, in the town of Alexandria, for Alexandria county; and that the judge of said court shall have power to hold special terms of said court in each county whenever it shall seem to him necessary to order the same, of which order ten days' previous public notice shall be given.

Four terms in the city of Washington.

Two terms in the town of Alexandria. Power to hold special terms.

SEC. 3. *And be it further enacted,* That the district attorney, and marshal of the said District, and the clerks of the circuit court in the said District, for the counties of Washington and Alexandria, respectively, shall attend the said criminal court in said counties, and perform all the duties now by law required of them, respectively, in relation to the criminal business of the circuit court in the said counties, and shall, respectively, receive the same fees and compensation therefor. And the jurors and witnesses attending said court in the said counties shall be entitled to the same compensation they now receive for their attendance in the said circuit court in the said counties respectively.

District attorney, marshal, and clerks of the circuit court to attend and perform their duties.

Compensation of jurors and witnesses.

SEC. 4. *And be it further enacted,* That all recognizances, presentments, indictments, pleas, and criminal prosecutions, and proceedings whatsoever, and all suits and proceedings for fines and forfeitures and on forfeited recognizances, now pending in the said circuit court for the said counties of Washington and Alexandria, respectively, shall be transferred to the said criminal court in the said counties, respectively, and be there proceeded on as they would have been in the said circuit court for said counties, respectively, if this act had not been passed; and all process hereafter issued, or now issued from the said circuit court, for the said counties, respectively, shall be returnable and returned to the said criminal court at the next succeeding term and terms thereof, in the said counties, respectively, and the said criminal court shall have all the jurisdiction in the said counties, respectively, now held by the said circuit court in the said counties, respectively, for the trial and punishment of all crimes and offences, and the recovery of all fines, forfeitures, and recognizances.

All cases now pending to be transferred.

Jurisdiction.

SEC. 5. *And be it further enacted,* That the circuit court of the District of Columbia, or any judge thereof, during the vacation of the court, shall have power to award a writ of error, in any criminal case whatever, wherein final judgment shall have been pronounced by the criminal court for either county in the said District, returnable to the circuit court of that county in which said judgment may be rendered, convicting any person of any crime or misdemeanor, and to reverse said judgment, or remand the case, and order a new trial, or such other proceeding therein, as the nature of the case may require.

Writ of error may be awarded, returnable to the circuit court.

SEC. 6. *And be it further enacted,* That to enable the person so convicted by the judgment of the said criminal court, to apply for a writ of error, in all cases when the judgment shall be death, or confinement in the penitentiary, the said criminal court shall, on application of the party accused, postpone the final execution thereof, to a reasonable time beyond the next term of said circuit court, not exceeding in any case thirty days after the end of such term of the circuit court.

When execution may be postponed.

SEC. 7. *And be it further enacted,* That the said criminal court, in any case, may with the consent of the person accused, adjourn any question of law to the circuit court of that county, in the District aforesaid, in which the case is depending, which may be there argued and decided, though such accused person be not present.

When question of law may be adjourned, &c.

SEC. 8. *And be it further enacted,* That there shall be hereafter paid

Fees to the coroners, jurors, and witnesses.

to the coroners of the counties of Washington and Alexandria in the said district, and to the jurors and witnesses, who may be lawfully summoned by them in any inquest, the same fees and compensation as are now paid to the marshal of the said District, and the jurors attending the circuit court in the said county for similar services.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CXCIH.—*An Act to change the time of holding the United States Circuit Court in the District of East Tennessee and the District of Maryland.*

Circuit Court for East Tennessee.

1839, ch. 3.  
1843, ch. 74.

Circuit Court for Maryland.

*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 for the District of East Tennessee, shall be held at Knoxville, on the third Monday in October, in each and every year, and the Circuit Courts of the United States for the District of Maryland shall be held at Baltimore on the first Monday of November annually.

Recognizances entered into, and process issued, when and where returnable.

SEC. 2. *And be it further enacted,* That all recognizances entered into, and all mesne and final process which have been issued, or which shall hereafter be issued, returnable to the first term of said Court, shall be returnable to the term hereby established, and shall have the same effect as though the said process had originally been made returnable to the term hereby established.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CXCV.—*An Act supplementary to an act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July fifth, eighteen hundred and thirty-eight.*

Act of July 5, 1838, ch. 162.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act to which this is a supplement shall be, and the same hereby is explained, limited, and modified as follows:

No back rations shall be allowed.

*First.* Nothing contained in said act shall be so construed as to allow to any officer additional rations for time past, commonly called back rations.

Chaplains allowed on only twenty posts. Assistant quartermasters not required to be separated from the line.

*Second.* The posts at which chaplains shall be allowed shall be limited to the number of twenty, and shall be first approved by the Secretary at War, and shall be confined to places most destitute of instruction.

*Third.* That so much of said act as requires assistant quartermasters to be separated from the line, shall be, and the same is hereby, repealed.

Twelve lieutenants only to be added.

*Fourth.* That the number of lieutenants authorized by said act to be added and transferred to the Ordnance Department, shall be limited to twelve.

Pay of a private soldier.

*Fifth.* That the monthly pay of a private soldier, raised by said act to eight dollars, shall be limited and fixed at seven dollars a month; one dollar thereof shall be retained, as provided for in said act.

Compensation to officers of the Engineer Dept. Commissaries not to be separated from the line.

*Sixth.* That no compensation shall be allowed to officers of the Engineer department for disbursement of public money, while superintending public works.

Bounty to soldiers repealed.

*Seventh.* That the three assistant commissaries of subsistence authorized by said act, shall not be separated from the line of the army.

*Eighth.* That so much of said act as allows one hundred and sixty acres of land to soldiers who shall have served ten consecutive years be, and the same is hereby, repealed.

Paymaster-General and Surgeon-General entitled to additional rations.

*Ninth.* That the said act shall be so construed as to allow to the Paymaster General and Surgeon General of the army, the additional rations therein granted to officers of the line and staff for every five years' service.

APPROVED, July 7, 1838.

CHAP. CCXII.—*An Act to restrain the circulation of small notes, as a currency, 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, after the tenth day of April next, it shall be unlawful for any individual, company, or corporation, to issue, pass, or offer to pass, within the District of Columbia, any note, check, draft, bank-bill, or any other paper currency, of a less denomination than five dollars, and if any person or corporation shall violate the provisions of this section, the person so offending, or, in case of any corporation so offending, the officers of any such corporation for the time being, shall be liable to indictment by the grand jury of the county within the District where the offence shall have been committed; and the person so offending, or the officers of the corporation so offending, shall, on conviction thereof, be fined in a sum not exceeding fifty dollars, at the discretion of the court, for every offence; one half of said fine shall be paid to the prosecutor, the other half shall be for the use of the county where the offence shall have been committed: *Provided,* That should the prosecutor offer himself, or be admitted, as a witness for the prosecution, he shall forfeit all claim to any part of the penalty, and the whole shall go to the county, and the court shall give judgment accordingly; and the person so offending, and the officers of any corporation, shall also be liable to pay the amount of any note, bill, check, draft, or other paper, constituting part of such currency, to any holder thereof, with all costs incident to the protest and legal collection thereof, with fifty per cent. damages for non-payment on demand, to be recovered by action of debt; and in case of judgment for the plaintiff, execution thereon shall be had forthwith; and it shall be the duty of the district attorney of the District of Columbia to commence prosecutions against all persons and every corporation offending against this section, of which he shall have knowledge or probable information; and, in case of corporations, the prosecution shall be against the president or any director or cashier thereof, for the time being; and it shall be the duty of the grand jurors to present all such offences of which they shall have knowledge or probable information; and, that no member of a grand jury shall be ignorant of his duty in this particular, it shall be the duty of the court having cognizance of all offences against this section to give the same in charge to the grand juries at the commencement of the term after the passage of this act.

SEC. 2. *And be it further enacted,* That from and after the passage of this act, it shall be unlawful for any individual, company, or corporation, to issue, de novo, or knowingly to pass, or procure to be issued, passed or circulated, within the District aforesaid, any note, check, bank-bill, or other paper medium, of the denomination aforesaid, evidently intended for common circulation, as for and in lieu of small change in gold or silver, or for any other pretence whatever, and which shall be issued and circulated for the first time after the period above limited in this section, under the penalties provided in the foregoing section.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

Act of July 7, 1838, ch. 185.

Unlawful, after 10th April next, to issue, &c. in the D. C., any note, &c. less than \$5.  
Violations of this section to render the offenders liable to indictment.

Penalty.

Disposition of the fine.

Proviso.

Unlawful, after the passage of this act, to issue, de novo, or knowingly to pass, &c. any note &c. of less than \$5.

STATUTE II.

July 9, 1838.

CHAP. CCLXIV.—*An Act authorizing the printing of the Madison papers.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Joint Committee on the Library be authorized to cause the Madison papers to be printed and published; and that a sum not exceeding five thousand dol-

Madison papers.  
Act of Oct. 14, 1837, ch. 6.



lars be appropriated for that purpose out of any money in the Treasury not otherwise appropriated.

APPROVED, July 9, 1838.

### RESOLUTIONS.

March 19, 1838. No. 1. *Joint Resolution, authorizing the Commissioner of the Public Buildings to cause the removal of the walls of the late Post Office Building.*

The walls of the late Post Office building to be taken down, &c.

Expenses, how paid.

*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 hereby is, authorized and directed to cause the walls of the late Post Office building to be taken down, and the materials secured for use in the construction of any of the public buildings authorized by law, and to which they may be advantageously applied; and to defray the expenses of the work, he be authorized to apply any unexpended balances of appropriations in his hands, but not exceeding in amount the sum of five hundred dollars.

APPROVED, March 19, 1838.

April 4, 1838. No. 2. *A Resolution to authorize the Secretary of War to purchase a site for a fort at or near the western boundary of Arkansas.*

Appropriation for the purchase of a site for a fort.  
1836, ch. 62.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That out of the appropriation of fifty thousand dollars, made in the year eighteen hundred and thirty-six, to remove the United States troops from Fort Gibson, the Secretary of War be authorized and directed to take a sum not exceeding fifteen thousand dollars to purchase for the United States a site for a fort at or near the western boundary of Arkansas.

APPROVED, April 4, 1838.

May 31, 1838. No. 4. *A Resolution relating to the public revenue and dues to the Government.*

No difference to be made between the different branches of the revenue, as to the money of payment.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall not be lawful for the Secretary of the Treasury to make or to continue in force, any general order, which shall create any difference between the different branches of revenue, as to the money or medium of payment, in which debts or dues, accruing to the United States, may be paid.

APPROVED, May 31, 1838.

June 12, 1838. No. 5. *A Resolution to disapprove and disaffirm an act of the Legislative Council of the Wisconsin Territory chartering a bank.*

Congress dissent from, disapprove, and disaffirm the act of the Legislative Council of Wisconsin, incorporating the State Bank of Wisconsin.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress do, hereby, dissent from, disapprove, and disaffirm the act of the Legislative Council of Wisconsin, entitled "An act to incorporate the stockholders of the State Bank of Wisconsin at Prairie du Chien," a copy of which said act has, during the present session of Congress, been presented for its action, and for confirmation or disapproval; and the said act of the Legislative Council of the said Territory is hereby declared to be null and void, and to have no force or effect whatsoever as a law of the said Territory.

APPROVED, June 12, 1838.

No. 6. *Joint Resolution in favor of the authorities of the city of Savannah, in the State of Georgia.*

June 18, 1838.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the authorities of the city of Savannah, in the State of Georgia, be, and they are hereby, authorized to reopen Reynolds and Wright streets, where they were closed by the works of Fort Wayne; and, also, to continue Bay street through the lands belonging to the United States in said city, and which form the site of Fort Wayne.

The city authorities of Savannah authorized to reopen Reynolds and Wright streets, and to continue Bay street.

APPROVED, June 18, 1838.

No. 7. *A Resolution for the benefit of the widows of certain revolutionary officers and soldiers.*

July 7, 1838.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the benefits of the third section of an act entitled "An act granting half pay to widows or orphans where their husbands and fathers have died of wounds received in the military service of the United States in certain cases, and for other purposes," approved the fourth day of July, eighteen hundred and thirty-six, shall not be withheld from any widow whose husband has died since the passage of the said act, or who shall hereafter die, if said widow shall otherwise be entitled to the same.

The benefits of 3d section of act of 4th July, 1836, ch. 362, extended to widows whose husbands have died, or shall die since the passage of said act.

APPROVED, July 7, 1838.

# ACTS OF THE TWENTY-FIFTH CONGRESS

OF THE

## UNITED STATES,

*Passed at the third session, which was begun and held at the City of Washington, in the district of Columbia, on Monday, the 3d day of December, 1838, and ended the 3d day of March, 1839.*

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

### STATUTE III.

Dec. 22, 1838. CHAP. I.—*An Act making appropriations, in part, for the support of Government, for the years eighteen hundred and thirty-eight and eighteen hundred and thirty-nine.*  
[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 :*

Pay and mileage of members of Congress. For pay and mileage of members of Congress and Delegates, three hundred and seventy thousand nine hundred and forty-four dollars;

Pay of officers of Congress. For pay of the officers and clerks of the Senate and House of Representatives, forty-three thousand four hundred dollars;

Cont. exp. of Senate. For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, thirty-five thousand dollars;

Cont. exp. of House of Representatives. 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 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, December 22, 1838.

### STATUTE III.

Jan. 11, 1839. CHAP. II.—*An Act to provide for carrying into effect the convention between the United States of America and the Republic of Texas for marking the boundary between them. (a)*

Commissioner and surveyor, how appointed. *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 first article of the convention between the United States of America and the Republic of Texas for marking the boundary between them, concluded April twenty-fifth, eighteen hundred and thirty-eight, 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 said first article of said convention,*

A clerk to be appointed in the same manner.

(a) An act for the relief of persons residing within the reputed limits of the States of Arkansas or Louisiana, and beyond the boundary line between the United States and the republic of Texas, as established by the commissioners appointed to ascertain the same; June 15, 1844, chap. 75.

A joint resolution for annexing Texas to the United States, March 1, 1845.

there be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums:

For the salary of the commissioner, two thousand five hundred dollars;

Commissioner's salary.

For the salary of the surveyor, two thousand dollars;

Surveyor's salary.

For the salary of the clerk, one thousand two hundred dollars: *Provided*, That the salaries of the said officers shall not commence until they shall be ordered into service.

Clerk's salary.  
Salaries when to commence.

For other expenses of the survey of boundary required by said convention, including the purchase of instruments, wages to persons employed, and other contingencies, ten thousand dollars.

Contingent expenses.

APPROVED, January 11, 1839.

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

STATUTE III.

Jan. 18, 1839.

Act of June 18, 1838, ch. 118.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That to the counties specified in the first section of the act to which this is an amendment, the counties of Madison, Henderson, and Weakly, are hereby added to compose the district of West Tennessee, and the residue of the counties of the said State of Tennessee, formerly composing the district of West Tennessee, shall compose one district, to be called the Middle District of Tennessee.

District of West Tennessee.

Middle dist. of Tennessee.

SEC. 2. *And be it further enacted*, That the court to be held at Jackson, in addition to the ordinary jurisdiction and power of a district court, shall, within the limits of its district, have jurisdiction of all causes, except appeals and writs of error, which now are, or hereafter may by law be, made cognizable in a circuit court, and shall proceed therein in the same manner as a circuit court.

The court to be held at Jackson.

SEC. 3. *And be it further [enacted]*, That the said court shall be held annually on the first Monday in April, at the town of Jackson, in the county of Madison, in said State, and all writs and other process may be returnable to such court on the first Monday in April, and also at rules on the first Monday in October, in the same manner as to the regular sessions of said court; and the said writs and other process may also bear test on the first Monday in October, as though a session of the court was held on that day at Jackson; and writs and other process issued previously to the first Monday in April next may bear test as on the first Monday in October last.

Said court to be held annually.

Writs, &c. when and how returnable.

SEC. 4. *And be it further enacted*, That the marshal appointed by virtue of the act to which this is an amendment, shall execute throughout his district all lawful precepts directed to him, and issued under the authority of the United States, and shall have the same power, perform the same duties, and be under the same liabilities within his district as is conferred by law upon the other marshals of the United States within their respective districts; *Provided*, That the marshal of the Middle District, formerly termed the district of West Tennessee, shall have power and authority to collect the executions issued or to be issued upon judgments and decrees heretofore rendered in the circuit court of the United States, at Nashville, and to serve and execute all process necessary to enforce such judgments, orders, or decrees, as if this act, or the act to which this is an amendment, had not passed; and all writs of scire facias and other process upon the said judgments and decrees, or upon suits now pending in said circuit court, at Nashville, shall also be

Duties and liabilities of the marshal, &c.

Proviso.

(a) Circuit courts in Tennessee, vol. 2, pages 420, 477, 516, 693; act of March 3, 1839, chap. 80, sec. 2; act of July 4, 1840, chap. 42, sec. 3; act of April 14, 1842, chap. 20; act of May 18, 1842, chap. 30; act of March 3, 1843, chap. 74.

issued from said circuit court and returned to the same, to be proceeded in as would have been done before the passage of said act to which this is an amendment.

An additional term of Middle Dist. to be held, &c.

SEC. 5. *And be it further enacted*, That there shall be an additional term of the circuit court for the Middle District held at Nashville, in each year, on the first Monday of March, which shall be held by the district judge of the United States for the State of Tennessee, and should any question of law be raised in any cause, the said district judge may, at his discretion, adjourn the cause to the succeeding term of the circuit court.

Rules of U. S. circuit courts in W. Tennessee to be enforced in the court established by this act, &c.

SEC. 6. *And be it further enacted*, That the rules of the circuit courts of the United States in West Tennessee, heretofore adopted, shall be in full force and effect in the court established by this act, and the act to which this is an amendment, until the same are altered by law or by the judges of said court.

Suits, not of a local nature, to be brought in the court of the dist. where the defendant resides, &c.

SEC. 7. *And be it further enacted*, That all suits hereafter to be brought in either of the courts of the United States in the State of Tennessee, not of a local nature, shall be brought in the court of the district where the defendant resides or may be found at the time of the service of the writ; but if there be more than one defendant, and they reside in different districts, the plaintiff may sue in either, and send a duplicate writ against the defendant, directed to the marshal of the other district, on which the plaintiff or his attorney shall endorse, that the writ thus sent is a copy of the writ sued out of the circuit or district court of the proper district; and the said writs, when executed and returned into the office from which they issued, shall constitute one suit, and be proceeded in accordingly; and executions may issue thereon to the marshals of either district where the defendant or defendants may reside, or their or either of their property may be situated.

A special term of the U. S. circuit court for the dist. of E. Tennessee to be held, &c.

SEC. 8. *And be it further enacted*, That there shall be held at Knoxville, on the third Monday of April next, a special term of the circuit court of the United States for the District of East Tennessee, by the district judge of said district, at which term shall be heard and tried all issues and matters cognizable at the regular term of said court.

Whenever there is a dangerous and general disease at the place where the court is usually holden, the court may adjourn, &c.

SEC. 9. *And be it further enacted*, That the judges or some one of them, of the circuit courts of the United States, shall have power to direct said courts to be adjourned over, to some future day, designated in a written order to the clerk of either of said courts, whenever there is a dangerous and general disease at the place where said court is usually holden; and the adjournment over, by the clerk, in the absence of the judges, shall have the same force and effect as if the judges had been present.

APPROVED, January 18, 1839.

### STATUTE III.

Jan. 25, 1839.

CHAP. IV.—*An act further to regulate the transportation of the mail upon railroads.*

Act of March 3, 1845, ch. 43, sec. 19.

Allowance to railroad companies for carrying mails, under act July 7, 1838, ch. 172, sec. 2.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General shall not, by virtue of the authority vested in him by the second section of the "Act to establish certain post routes and to discontinue others," approved July seventh, eighteen hundred and thirty-eight, allow more than three hundred dollars per mile per annum to any railroad company in the United States for the conveyance of one or more daily mails upon their roads: *Provided*, That nothing in this act contained shall be construed so as in any way to remove or impair the limitations upon the power of the Postmaster General imposed by that section.

APPROVED, January 25, 1839.

STATUTE III.  
Feb. 6, 1839.

CHAP. XX.—*An Act to reorganize the district courts of the United States in 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 three districts, in manner following, to wit: The counties of Walker, Pickens, Sumter, Marengo, Green, Perry, Bibb, Autauga, Coosa, Tallapoosa, Chambers, Shelby, Jefferson, and Tuscaloosa, shall compose one district, to be called the middle district; and a court shall be held for the said district at Tuscaloosa. The counties of Jackson, Madison, Limestone, Lauderdale, St. Clair, Marion, Fayette, Randolph, Taladega, Franklin, Lawrence, Morgan, Benton, Marshall, De Kalb, Cherokee, and Blount, shall hereafter compose one district, to be called the northern district; and a court shall be held for the same, as heretofore, at Huntsville: and the residue of the counties of said State shall hereafter compose the southern district of Alabama; and a court shall be held for the same, as heretofore, at Mobile.

Alabama divided into three districts.  
Middle district.

Northern district.

Southern district.

SEC. 2. *And be it further enacted,* That there shall be two terms of the district court for the middle district held at Tuscaloosa, in each year, to begin on the fourth Monday in May, and the first Monday after the fourth Monday in November; 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 Tuscaloosa in each year, if, in his opinion, the business of the court shall require it to be done.

District judge to hold two annual terms, &c.

SEC. 3. *And be it further enacted,* That the fourth Monday in May, and first Monday after the fourth Monday in November, in each year, shall be return days for writs and executions returnable to the said district court at Tuscaloosa; 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 of readiness for trial at the succeeding regular term.

Return days of the court at Tuscaloosa.

SEC. 4. *And be it further enacted,* That all causes at law or in chancery, pending in the said district courts at Mobile and Huntsville, or in the circuit court of the United States at Mobile, in which the defendant or defendants resided in the middle district (as hereby established) at the time of serving process shall be transferred for trial to the district court for the said middle district, and be proceeded in, heard, adjudged, and determined, in the same manner as though originally commenced or prosecuted in the said court; and it shall be the duty of the clerks of the said courts at Huntsville and Mobile safely to transmit to the clerk of the district court at Tuscaloosa the original papers in all cases hereby ordered to be transferred, together with a transcript of all orders and other proceedings had thereon.

All causes pending in district courts to be transferred for trial to said middle district.

Clerks to transmit the papers in said cases.

SEC. 5. *And be it further enacted,* That all suits hereafter to be brought in either of said courts, not of a local nature, shall be brought in a court of the district where the defendant resides; but if there be more than one defendant, and they reside in different districts, the plaintiff may sue in either, and send duplicate writ or writs to the other defendants; on which the plaintiff or his attorney shall endorse that the writ thus sent is a copy of a writ sued out of a court of the proper district; and the said writs, when executed and returned into the office from which they issued, shall constitute one suit, and be proceeded in accordingly.

Suits not of a local nature, where to be brought.

SEC. 6. *And be it further enacted,* That the judge of said district courts shall appoint a clerk of the district court of the middle district,

Judge to appoint a clerk—his fees, &c.

(a) Notes of the acts relating to the district court of Alabama, vol. 3, 564.

who shall reside and keep his office, and the records and documents appertaining thereto, at the place of holding said court; said clerk shall be entitled to the same fees allowed by law to the clerks of the other districts of said State, perform the like duties, and be subject to the same liabilities and penalties.

The Attorney for the northern and the Marshal for the southern district to perform certain duties.

SEC. 7. *And be it further enacted*, That the district attorney of the northern, and the marshal of the southern, district of Alabama shall respectively perform the duties of district attorney and marshal of and for the middle district hereby established; and the said marshal shall keep an office at the city of Tuscaloosa, and his charges for mileage in the execution of the duties of his office within said middle district shall be computed from the said city of Tuscaloosa.

Jurisdiction of court for the middle district.

SEC. 8. *And be it further enacted*, That the said district court for the middle district of Alabama, in addition to the ordinary jurisdiction and powers of a district court of the United States, shall, within the limits of said middle district, have jurisdiction of all causes, except appeals and writs of error, which now are or hereafter may by law be made, cognizable in a circuit court of the United States, and shall proceed therein in the same manner as a circuit court.

Appeals, &c. to lie to U. S. circuit court at Mobile.

SEC. 9. *And be it further enacted*, That appeals and writs of error in the nature of appeals, shall lie and may be sued from the said district court at Tuscaloosa to the circuit court of the United States at Mobile in the State of Alabama.

Adjournment of the court.

SEC. 10. *And be it further enacted*, That should the judge of the district courts aforesaid fail to attend at the time and place of holding the court for the said middle district, at any one of its terms aforesaid, before the close of the fourth day of any such term, the business pending in such court shall stand adjourned to the next term thereof.

Laws contravening this act repealed.

SEC. 11. *And be it further enacted*, That all laws contravening or opposed to the provisions of this act be, and the same are hereby repealed.

APPROVED, February 6, 1839.

STATUTE III.  
Feb. 13, 1839.  
[Obsolete.]

CHAP. XXIV.—*An Act to provide for the location and temporary support of the Seminole Indians removed from Florida.*

Appropriation for the Seminoles.

*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 to provide a suitable location, west of the States of Missouri or Arkansas, for the Seminole Indians who have been or may be removed from Florida; and to provide for their support until they shall be removed to such location; and that, for these purposes, 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.

APPROVED, February 13, 1839.

STATUTE III.  
Feb. 13, 1839.  
[Obsolete.]

CHAP. XXV.—*An Act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year eighteen hundred and thirty-nine.*

Appropriations. Revolutionary pensioners under acts other than those of May 15, 1828, ch. 53, June 7, 1832, ch. 126, and July 4, 1836, ch. 362.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, in addition to former appropriations, to be paid out of any money in the Treasury not otherwise appropriated, for the pensioners of the United States, for the year one thousand eight hundred and thirty-nine:

For the revolutionary pensioners, under the several acts, other than those of the fifteenth of May, one thousand eight hundred and twenty-eight; the seventh of June, one thousand eight hundred and thirty-two;

and the fourth of July, one thousand eight hundred and thirty-six, three hundred and twenty-six thousand two hundred and fifty dollars :

For the invalid pensioners, under various laws, three hundred thousand six hundred and eighty-five dollars and sixty-three cents :

For pensions to widows and orphans under the act of the fourth of July, one thousand eight hundred and thirty-six, four hundred and ninety thousand and eighty-four dollars and fifty-two cents :

For five years' pensions to widows, per act seventh July, one thousand eight hundred and thirty-eight, one million three hundred and seventy-two thousand dollars :

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

APPROVED, February 13, 1839.

Invalid pensioners.  
Pensions to widows and orphans under act July 4th, 1836, ch. 362.  
Pensions to widows under act July 7th, 1838, ch. 189.  
Half-pay pensions payable through office Third Auditor.

STATUTE III.

Feb. 16, 1839.

CHAP. XXVI.—*An Act to repeal the proviso to the second section of an act approved the third of March, eighteen hundred and thirty-seven, which authorized the Secretary of the Treasury to compromise the claims of the United States against certain banks.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proviso to the second section of "An act to authorize the proper officers of the Treasury Department to credit the account of the Treasurer of the United States with the amount of unavailable funds standing to his debit on the books of the Treasury, to transfer the amount to the debit of banks and individuals indebted for the same, and to authorize the Secretary of the Treasury to compromise and settle said claims," approved 3d of March, eighteen hundred and thirty-seven, which prohibits the Secretary of the Treasury from compromising the claims of the United States against the Alleghany Bank of Pennsylvania, be, and the same is hereby repealed; and that the Secretary of the Treasury is hereby authorized to compromise and settle the claim of the United States against said bank.

The 2d section act 3d March, 1837, ch. 35, repealed, &c.

APPROVED, February 16, 1839.

CHAP. XXVII.—*An Act to amend "An act to reorganize the district courts of the United States in the State of Mississippi," approved June eighteenth, eighteen hundred and thirty-eight. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the court of the northern district of Mississippi, besides the ordinary jurisdiction of a district court, shall have jurisdiction of all causes, except appeals and writs of error, cognizable by law in a circuit court, and shall proceed therein in the same manner as a circuit court.

STATUTE III.

Feb. 16, 1839.

Act of June 18, 1838, ch. 115.

The court of the N. dist. of Mississippi shall have jurisdiction, &c.

SEC. 2. *And be it further enacted,* That defendants residing in said northern district shall not be sued in the circuit court held at Jackson, except in the cases and in the mode prescribed by the fourth section of the act to which this is an amendment.

SEC. 3. *And be it further enacted,* That all appeals and writs of error from the decisions of the said district court, when exercising the powers of a circuit court, shall be directly to the Supreme Court of the United States, in the same manner and under the same limitations and restrictions that they are now allowed by law from the circuit court.

Appeals and writs of error shall be to supreme court U. S.

SEC. 4. *And be it further enacted,* That the Marshal of the several districts in the State of Mississippi, in addition to the several sale days now allowed by law, may be authorized to sell property at the court-house of each county on Monday of each week, and on the first and second

The marshal for the several districts of Mississippi, in addition to the sale days

(a) See notes of acts relating to the district court of Mississippi, vol. 3, 611.



now allowed by law, authorized to sell property on certain other days.  
Proviso.

days of each term of the district court; and that he may, at the written request of the defendant, change the sale of property to the place where the United States court for his district is holden: *Provided*, in the opinion of the Marshal, the interest of the plaintiff would not be compromised thereby.

APPROVED, February 16, 1839.

STATUTE III.

Feb. 16, 1839.

[Obsolete.]

Appropriations.

CHAP. XXVIII.—*An Act making an appropriation for the support of the penitentiary in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in addition to the unexpended balance of appropriations of eighteen hundred and thirty-seven, now subject to the order of the inspectors, there shall be, and hereby is, appropriated, for the support of the penitentiary in the District of Columbia, for the year eighteen hundred and thirty-eight, and for the payment of claims not settled, as follows: For pay of officers and agents; for repairs to buildings; for purchase of raw materials; for rations, clothing, beds, and bedding of prisoners; for purchase of fuel; for purchase of hospital stores and medicines; for purchase of books and stationery; for purchase of horse food; for allowance to discharged convicts; for pay of the inspectors for the years eighteen hundred and twenty-nine and eighteen hundred and thirty; for compensation to the secretary to the board of inspectors, from the date of his appointment, at two hundred dollars per annum, for keeping the books, records, and papers of the inspectors, as required by law; and for other contingent expenses of the institution, the sum of eight thousand six hundred and eighty-nine dollars, and forty cents; 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.

APPROVED, February 16, 1839.

STATUTE III.

Feb. 20, 1839.

Any person challenging another, &c.

CHAP. XXX.—*An Act to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That if any person shall, in the District of Columbia, challenge another to fight a duel, or shall send or deliver any written or verbal message, purporting or intended to be such challenge, or shall accept any such challenge or message, or shall knowingly carry or deliver any such challenge or message, or shall knowingly carry or deliver an acceptance of such challenge or message to fight a duel in or out of the said District, and such duel shall be fought in or out of the said District, and either of the parties thereto shall be slain or mortally wounded in such duel, the surviving party to such duel, and every person carrying or delivering such challenge or message, or acceptance of such challenge or message as aforesaid, and all others aiding or abetting therein, shall be deemed guilty of felony, and upon conviction thereof, in any court competent to the trial thereof, in the said District, shall be punished by imprisonment and confinement to hard labor in the penitentiary, for a term not exceeding ten years, in the discretion of the court.

Any person giving, or sending, or causing a challenge to be given or sent, &c.

SEC. 2. *And be it further enacted*, That if any person shall give or send, or cause to be given or sent, to any person in the District of Columbia, any challenge to fight a duel, or to engage in single combat with any deadly or dangerous instrument or weapon whatever, or if any person in said District shall accept any challenge to fight a duel, or to engage in single combat with any deadly or dangerous instrument or weapon whatever, or shall be the bearer of any such challenge, every

person so giving or sending, or causing to be given or sent, or accepting such challenge or being the bearer thereof, and every person aiding or abetting in the giving, sending, or accepting such challenge, shall be deemed guilty of a high crime and misdemeanor, and on conviction thereof in any court competent to try the same in the said District, shall be punished by imprisonment and confinement to hard labor in the penitentiary, for a term not exceeding five years, in the discretion of the court.

SEC. 3. *And be it further enacted,* That if any person shall assault, strike, beat, or wound, or cause to be assaulted, stricken, beaten, or wounded, any person in the District of Columbia, for declining or refusing to accept any challenge to fight a duel, or to engage in single combat with any deadly or dangerous instrument or weapon whatever, or shall post or publish, or cause to be posted or published, any writing charging any such person so declining or refusing to accept any such challenge, to be a coward, or using any other opprobrious or injurious language therein, tending to degrade and disgrace such person for so declining or refusing such challenge, every person so offending, on conviction thereof, in any court competent to the trial thereof, in the said District, shall be punished by confinement to hard labor in the penitentiary, for a term not exceeding three years, in the discretion of the court.

Any person assaulting, striking, beating, or wounding another, &c.

SEC. 4. *And be it further enacted,* That, if any person or persons, for the purpose of evading the provisions of this act, shall leave the District of Columbia, by previous arrangement or concert within the same, with intent to give or receive any such challenge without said District, and shall give or receive any such challenge accordingly, the person or persons so offending shall be deemed guilty of a misdemeanor, and be subject to the same penalties as if such challenge had been given and received within said district.

Any person giving or receiving a challenge after having left the District by previous arrangement, &c.

SEC. 5. *And be it further enacted,* That every offender may plead a former conviction or acquittal for the same offence in any State or country; and the same, being established, shall be a bar to any further proceedings against such person under the next preceding section of this act.

Bar to further proceedings, by pleading a former conviction.

SEC. 6. *And be it further enacted,* That any person offending against the provisions of this act may be a competent witness against any other person offending in the same transaction, and may, at the discretion of the court, be compelled to give evidence before any grand jury, or on any trial in court; but the person so testifying shall not thereafter be liable to prosecution for the same matter, nor shall the testimony so given be used against him in any case whatsoever.

Evidence, &c.

SEC. 7. *And be it further enacted,* That, in addition to the oath now prescribed by law to be administered to the grand jury in the District of Columbia, they shall be sworn faithfully and impartially to inquire into, and true presentment make of all offences against this act.

Grand jury to be sworn, &c.

APPROVED, February 20, 1839.

STATUTE III.

CHAP. XXXI.—*An Act to amend an act entitled "An act to establish a criminal court in the District of Columbia."*

Feb. 20, 1839.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever the judge of the said criminal court, from sickness, or any other legal cause, shall be unable to hold the said court, he shall give notice thereof to the chief judge of the circuit court of the District of Columbia, who, if not prevented by sickness or other legal cause, on receiving such notice, shall hold the said court during the temporary inability of the judge of the said court; and if the chief judge of the said circuit

Act of July 7, 1838, ch. 192.

In case of inability of the judge of the criminal court, from sickness, &c.

court shall not be able to hold the said criminal court, then the senior assistant judge of the said circuit court shall hold the same.

All writs, &c. to be tested in the name of the judge.

SEC. 2. *And be it further enacted*, That all writs and process which shall issue from the said court, shall be tested in the name of the judge of the said court.

Powers of the judge.

SEC. 3. *And be it further enacted*, That the judge of the said court shall, out of court, in all criminal matters, and breaches of the peace and good behavior, have and exercise all the powers by law vested in the circuit court of the United States, and the judges thereof, and which were vested by the acts establishing the circuit court of the District of Columbia, and judges of the same.

The judge to take an oath of office, &c.

SEC. 4. *And be it further enacted*, That the judge of the said criminal court shall take the oath of office, provided by law to be taken by the judges of the circuit court of the District of Columbia; and shall have power to make all needful rules of practice for the orderly and speedy administration of the business of the same, as he shall deem expedient, not inconsistent with the laws and Constitution of the United States; and the said court is hereby authorized to provide a seal for the same; and he shall have the same power and authority as is exercised by the judges of the circuit court of the District of Columbia, to require bail in all cases when by law bail may be required.

In order to prevent delay, &c.

SEC. 5. *And be it further enacted*, In order to prevent the delay and long confinement in the jails of said district, of prisoners sentenced to be executed, or to the penitentiary, when the party claims the right to have the sentence suspended, to give an opportunity of applying for a writ of error: *Be it enacted*, That all writs of error which may be granted to the judgment of the criminal court of either county, shall be returned to the circuit court which may be in session, or to the next circuit court which may be held at the stated times fixed by law for the meeting of the same; and that so much of the fifth section of the act establishing the criminal court as requires the writ of error to be returned to the circuit court of the county in which said judgment may be rendered, be, and the same is hereby repealed. The judgment of the circuit court shall be certified to the clerk of the criminal court, and preserved among the original papers in the case.

Writs of error to be returned, &c.

Such part of sec. 5th of the former act as is inconsistent with this, repealed.

Days on which the criminal court for Washington county shall be held.

SEC. 6. *And be it further enacted*, That the said criminal court for Washington county, in said District, shall hereafter commence and be held on the last Monday in December and on the second Monday in March and the fourth Monday of October, instead of the first Monday in December and the first Monday in March and the first Monday of September, the days now fixed by law for holding three of the terms of said court. All process whatsoever now issued, or which may be issued in the county of Washington, in said District, returnable to the days now fixed by law for said county, shall be returnable and returned on the days prescribed by this statute.

Process in Washington county.

Adjournment of the court, &c.

SEC. 7. *And be it further enacted*, That if, after the said court shall have commenced its session, the judge should be taken sick, so as not to be able to continue the session of the court from day to day until the business of the term is disposed of, it shall be lawful for him, or in his absence for the clerk of the said court to adjourn the same from day to day or week to week until such time as he shall be able to attend to the business of the said court, when the same shall be resumed as if the session had not been interrupted. But if the sickness of the said judge shall continue longer than the space of one month, then the chief judge of the circuit court of the District of Columbia shall hold the said court and continue the session; and if the said chief judge shall be unable from sickness or other disability to hold the said court, then the senior assistant judge of the said circuit court shall hold the same.

Cases wherein

SEC. 8. *And be it further enacted*, That in any case wherein the

parties or any of them may be related to the said judge of the criminal court, then such case and the record thereof may be sent to the next circuit court of the District of Columbia for the county in which the said case shall have arisen, to be there tried and determined, and sentence passed and executed, as if this act and the act to which this is supplemental had never been passed.

any of the parties are related to the judge.

SEC. 9. *And be it further enacted*, That all causes, indictments, writs, process, and proceedings which were pending in the criminal court of the District of Columbia for the county of Washington, at the time appointed by law for holding a session thereof, on the first Monday of December last past, or which were returnable to the session of said court which ought to have been holden on said first Monday of December, shall be, and the same are hereby, revived, reinstated, and continued over to the next stated session of said court for said county, to be holden on the second Monday of March next, in the same manner and condition, and the same further proceedings may be had therein as if a session of the said court had been held, according to law, on the said first Monday of December, and as if a regular continuance of all said causes, indictments, writs, process, and proceedings, had been duly entered upon the records of the said court.

All cases, &c. which were pending in Washington co. revived, &c.

APPROVED, February 20, 1839.

STATUTE III.

CHAP. XXXIII.—*An Act to prevent the abatement of suits and actions now pending, in which the Bank of Columbia, in Georgetown, may be a party.*

Feb. 28, 1839.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no suit, action, judgment, or decree, now pending and unsatisfied, in which the Bank of Columbia, in Georgetown, is party, plaintiff or defendant, shall abate, or be discontinued or dismissed by reason of the expiration of the term for which the said bank is chartered, but all such suits, actions, judgments, and decrees shall be allowed to proceed to final judgment, execution, satisfaction, and settlement; and for that purpose it shall be lawful to use the corporate name, style and capacity, notwithstanding the expiration of the term of its incorporation.

No suit, &c. now pending, shall abate, &c.

APPROVED, February 28, 1839.

STATUTE III.

CHAP. XXXV. —*An Act to abolish imprisonment for debt in certain cases. (a)*

Feb. 28, 1839.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no person shall be imprisoned for debt in any State, on process issuing out of a court of the United States, where by the laws of such State, imprisonment for debt has been abolished; and where by the laws of a State, imprisonment for debt shall be allowed, under certain conditions and restrictions, the same conditions and restrictions shall be applicable to the process issuing out of the courts of the United States; and the same proceedings shall be had therein, as are adopted in the courts of such State.

Imprisonment for debt abolished. Act of Jan. 14, 1841, ch. 2.

APPROVED, February 28, 1839.

STATUTE III.

CHAP. XXXVI.—*An Act in amendment of the acts respecting the Judicial System of the United States. (b)*

Feb. 28, 1839.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That where, in any suit at law or in equity, commenced in any court of the United States, there shall be several defendants, any one or more of whom shall not be inhabitants

The court may entertain jurisdiction in certain cases.

(a) See notes of acts relating to imprisonment for debt, vol. 1, 265.

(b) An act concerning the Supreme Court of the United States, June 17, 1844, chap. 96. VOL. V.—41

of or found within the district where the suit is brought or shall not voluntarily appear thereto, it shall be lawful for the court to entertain jurisdiction, and proceed to the trial and adjudication of such suit, between the parties who may be properly before it; but the judgment or decree rendered therein shall not conclude or prejudice other parties, not regularly served with process, or not voluntarily appearing to answer; and the nonjoinder of parties who are not so inhabitants, or found within the district, shall constitute no matter of abatement, or other objection to said suit.

Appointment of clerks—how made.

SEC. 2. *And be it further enacted*, That all the circuit courts of the United States shall have the appointment of their own clerks; and in case of a disagreement between the judges the appointment shall be made by the presiding judge of the court.

Pecuniary penalties, &c. where sued for and recovered.

SEC. 3. *And be it further enacted*, That all pecuniary penalties and forfeitures accruing under the laws of the United States may be sued for and recovered in any court of competent jurisdiction in the State or district where such penalties or forfeitures have accrued, or in which the offender or offenders may be found.

No suits, &c. to be maintained for penalties, &c. unless commenced within five years. Proviso.

SEC. 4. *And be it further enacted*, That no suit or prosecution shall be maintained, for any penalty or forfeiture, pecuniary or otherwise, accruing under the laws of the United States, unless the same suit or prosecution shall be commenced within five years from the time when the penalty or forfeiture accrued; *Provided*, The person of the offender or the property liable for such penalty or forfeiture shall, within the same period, be found within the United States; so that the proper process may be instituted and served against such person or property therefor.

Certain punishments abolished.

SEC. 5. *And be it further enacted*, That the punishment of whipping and the punishment of standing in the pillory, so far as they now are provided for by the laws of the United States, be, and the same are hereby, abolished.

Penalties, for the forfeiture of recognizance, &c. may be remitted.

SEC. 6. *And be it further enacted*, That, in all cases of recognizances in criminal causes taken for, or in, or returnable to, the courts of the United States, which shall be forfeited by a breach of the condition thereof, the said court for or in which the same shall be so taken, or to which the same shall be returnable, shall have authority in their discretion to remit the whole or a part of the penalty, whenever it shall appear to the court that there has been no wilful default of the parties, and that a trial can notwithstanding be had in the cause, and that public justice does not otherwise require the same penalty to be exacted or enforced.

Sec. 2 of act of 29th April 1802, ch. 31, repealed.

SEC. 7. *And be it further enacted*, That the second section of the act of Congress, passed the twenty-ninth day of April, one thousand eight hundred and two, which makes it the duty of the associate justice of the Supreme Court, resident in the fourth circuit, to attend in the city of Washington, on the first Monday of August annually, to make orders respecting the business of the Supreme Court, be, and the same is, hereby, repealed.

In suits and actions in which the judges are in any way concerned, &c.

SEC. 8. *And be it further enacted*, That in all suits and actions in any circuit court of the United States in which it shall appear that both the judges thereof or the judge thereof, who is solely competent by law to try the same, shall be any ways concerned in interest therein, or shall have been of counsel for either party, or is, or are so related to or connected with either party as to render it improper for him or them, in his or their opinion, to sit in the trial of such suit or action, it shall be the duty of such judge or judges, on application of either party to cause the fact to be entered on the records of the court; and also to make an order that an authenticated copy thereof, with all the proceedings in such suit or action, shall be forthwith certified to the most convenient circuit court in the next adjacent State, or in the next adjacent circuit; which circuit court shall, upon such record and order being filed with the clerk there-

of, take cognizance thereof in the same manner as if such suit or action had been rightfully and originally commenced therein, and shall proceed to hear and determine the same accordingly, and the proper process for the due execution of the judgment or decree rendered therein, shall run into and may be executed in the district where such judgment or decree was rendered, and also, into the district from which such suit or action was removed.

APPROVED, February 28, 1839.

CHAP. XXXVII.—*An Act to revise and extend "An act to authorize the issuing of Treasury notes to meet the current expenses of the Government," approved the twenty-first of May, eighteen hundred and thirty-eight. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury, with the approbation of the President of the United States, is hereby authorized to cause to be issued the remainder of the Treasury notes authorized to be issued by the act to authorize the issuing of Treasury notes to meet the current expenses of the Government," approved the twenty-first day of May, eighteen hundred and thirty-eight, according to the provisions of said act, at any time prior to the thirtieth day of June next, any limitation in the act aforesaid or in the act "to authorize the issuing of Treasury notes," approved the twelfth day of October, eighteen hundred and thirty-seven, to the contrary notwithstanding.

APPROVED, March 2, 1839.

CHAP. LXX.—*An Act to provide for the erection of public buildings 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 sum of twenty thousand dollars be, and the same is hereby, granted to the Territory of Florida, out of any money in the Treasury not otherwise appropriated, for the purpose of defraying the expenses of erecting a suitable State House or public buildings in the Territory of Florida, for the use and accommodation of the Territorial Legislature of said Territory; and in which building, when erected and completed, the office of the Secretary of said Territory shall be kept, and also the public records and archives of said Territory.

SEC. 2. *And be it further enacted,* That the said sum of money appropriated by the first section of this act shall be paid over to the Treasurer of said Territory on the order of the Governor, and shall be expended for the purpose aforesaid, under the direction of the Governor and Legislative Council, and in such way and manner and at such times as they shall, by law or resolution for that purpose, prescribe: *Provided,* That the passage of this law shall not at any time be held as an engagement on the part of the United States for any further appropriation to the objects hereinbefore mentioned.

APPROVED, March 3, 1839.

CHAP. LXXI.—*An Act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and thirty-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, appropriated, for the year one thousand eight hundred and thirty-nine, for the purpose of paying the current

STATUTE III.

March 2, 1839.

Act of May 21, 1838, ch. 82.

Sec. Treas. to cause to be issued the remainder of the Treasury notes authorized by act of 21st May 1838, ch. 82.

1837, ch. 2.

STATUTE III.

March 3, 1839.

[Obsolete.]

Appropriation to Florida for the erection of public buildings.

To be paid to the Treasurer of the Territory on the order of the Governor, &c.

Proviso.

STATUTE III.

March 3, 1839.

[Obsolete.]

(a) Notes of the acts which have been passed relative to the issuing of Treasury notes, vol. 3, 100.

expenses of the Indian department, fulfilling treaty stipulations with the various Indian tribes, and contingent expenses; to be paid out of any money in the Treasury not otherwise appropriated:

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

Pay of superintendent and agents.

1834, ch. 162.

1837, ch. 31.

Sub-agents.

1834, ch. 162.

Interpreters.

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

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

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

Presents to Indians.

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

Provisions for Indians.

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

Buildings at the agencies.

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

Expenses of Indian dep't.

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

Clerk to superintend Indian affairs.

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

Six Nations of New York.

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

Senecas of New York.

For the Six Nations of New York, four thousand five hundred dollars;

Ottawas.

For the Senecas of New York, six thousand dollars;

Wyandots.

For the Ottawas, four thousand three hundred dollars;

Munsees and Delawares.

For the Wyandots, six thousand eight hundred and forty dollars;

Christian Indians.

For the Wyandots, Munsees, and Delawares, one thousand dollars;

Miamies.

For the Christian Indians, four hundred dollars;

Eel Rivers.

For the Miamies, forty thousand one hundred and ten dollars;

Pottawatamies.

For the Eel Rivers, one thousand one hundred dollars;

Pottawatamies of Huron.

For the Pottawatamies, twenty thousand two hundred dollars;

Pottawatamies of the Prairie.

For the Pottawatamies of Huron, four hundred dollars;

Pottawatamies of the Wabash.

For the Pottawatamies of the Prairie, sixteen thousand dollars;

Pottawatamies of Indiana.

For the Pottawatamies of the Wabash, twenty thousand dollars;

Chippewas, Ottawas, and Pottawatamies.

For the Pottawatamies of Indiana, seventeen thousand dollars;

Winnebagoes, Menomonies, Chippewas of the Mississippi.

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

Chippewas, Ottawas, and Pottawatamies.

For the Winnebagoes, ninety-two thousand eight hundred and sixty dollars;

Winnebagoes, Menomonies, Chippewas of the Mississippi.

For the Menomonies, thirty-two thousand six hundred and fifty dollars;

Chippewas of Saginaw.

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

Chippewas, Menomonies, &c.

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

Sioux of the Mississippi.

For the Chippewas, Menomonies, Winnebagoes, and New York Indians, fifteen hundred dollars;

Yancton and Santie Sioux.

For the Sioux of the Mississippi, forty-two thousand five hundred and ten dollars;

Omahas.

For the Yancton and Santie Sioux, four thousand three hundred and forty dollars;

Sacs and Foxes of the Missouri.

For the Omahas, three thousand nine hundred and forty dollars;

For the Sacs and Foxes of the Missouri, twelve thousand five hundred and seventy dollars;

For the Iowas, eight thousand nine hundred and fifty dollars;	Iowas.
For the Sacs and Foxes of the Mississippi, fifty-four thousand five hundred and forty dollars;	Sacs and Foxes of the Mississippi.
For the Sacs, Foxes, Sioux, Iowas, Omahas, and Ottoes and Missouriias, three thousand dollars;	Sacs, Foxes, Sioux, Iowas, &c.
For the Ottoes and Missouriias, five thousand six hundred and forty dollars;	Ottoes and Missouriias.
For the Kansas, six thousand and forty dollars;	Kansas.
For the Osages, fourteen thousand four hundred and ninety-six dollars;	Osages.
For the Kickapoos, five thousand five hundred dollars;	Kickapoos.
For the Kaskaskias and Peorias, three thousand dollars;	Kaskaskias and Peorias.
For the Piankeshaws, eight hundred dollars;	Piankeshaws.
For the Weas, three thousand dollars;	Weas.
For the Delawares, ten thousand four hundred and forty-four dollars;	Delawares.
For the Shawnees, seven thousand one hundred and eighty dollars;	Shawnees.
For the Senecas and Shawnees, two thousand and sixty dollars;	Senecas and Shawnees.
For the Senecas, two thousand six hundred and sixty dollars;	Senecas.
For the Choctaws, fifty-seven thousand six hundred and twenty-five dollars;	Choctaws.
For the Chickasaws, six thousand dollars;	Chickasaws.
For the Creeks, forty-six thousand four hundred and forty dollars;	Creeks.
For the Quapaws, four thousand six hundred and sixty dollars;	Quapaws.
For the Florida Indians, nine thousand six hundred and ten dollars;	Florida Indians.
For the Pawnees, twelve thousand dollars;	Pawnees.
For the Cherokees, seven thousand six hundred and forty dollars;	Cherokees.
For the Ottawas and Chippewas, sixty-two thousand four hundred and sixty-five dollars;	Ottawas and Chippewas.
For the Caddoes, ten thousand dollars;	Caddoes.
For the following expenditures in the Indian Department, the appropriations having been carried to the surplus fund on the thirty-first December last, viz :	Re-appropriations.
For blacksmiths' establishments, twenty-seven thousand five hundred and eight dollars and sixty-six cents;	Blacksmiths' establishment.
For treaty stipulations, fifteen thousand four hundred and thirty-two dollars and eighty-four cents;	Treaty stipulations.
For the expenses of treating with the Chippewas of Saganaw, ninety-seven dollars and thirteen cents;	Treaty with the Chippewas of Saganaw.
For the expenses of Indian deputations, two thousand six hundred and thirty dollars;	Indian deputations.
For the education of Indian youths, twenty thousand five hundred and forty-one dollars and twenty-five cents;	Education of Indian youths.
For holding treaties with certain Indian tribes, four hundred and forty-seven dollars and fifty cents;	Holding treaties.
For locating reservations, two hundred and five dollars and thirteen cents;	Locating reservations.
For purchase of rifles for the Pottawatamies, one hundred and twelve dollars and thirty-eight cents;	Rifles for Pottawatamies.
For carrying into effect the treaty with the Ottawas and Chippewas, forty-three thousand seven hundred and four dollars and twenty-four cents;	Treaty with Ottawas and Chippewas.
For the removal of the Choctaws from Mississippi, nineteen thousand nine hundred and ten dollars;	Removal of Choctaws.
For the removal and subsistence of Indians, seventy-seven thousand eight hundred and fifty-five dollars and seventy cents.	Removal and subsistence of Indians.
For carrying into effect the treaty with the Miami Indians of the sixth of November, eighteen hundred and thirty-eight, viz :	Treaty with the Miamies.
For the payment to be made upon the ratification of the treaty by a provision contained in the third article of the same, sixty thousand dollars;	Payment upon ratification.



First annual instalment.

For the first of ten annual instalments stipulated to be paid by the same article, twelve thousand five hundred and sixty-eight dollars;

Payment of claims.

For the payment of claims provided for in the fourth and fifth articles, one hundred and fifty thousand dollars;

Valuing buildings, &c.

For the expenses of valuing buildings and improvements upon the ceded lands, and for the erection of others, as stipulated by the seventh article, three thousand three hundred dollars;

Surveying and marking boundary lines.

For the expenses of surveying and marking the boundary lines of the Miami lands in the State of Indiana, as stipulated by the ninth article, two hundred dollars;

Examination of claims.

For the expenses attending the examination of claims which have accrued since the twenty-third day of October, eighteen hundred and thirty-four, two thousand five hundred dollars;

Claims under treaty of 10th Nov. 1837.

For the expenses of the commission to examine claims under the treaty with the Miamies of the tenth day of November, eighteen hundred and thirty-seven, not covered by the former appropriation for that object, two thousand dollars;

Corn crop abandoned by Pottawatamies.

For the payment to the Pottawatamies of Indiana for the corn crop abandoned by them upon their emigration west of the Mississippi, which was appraised by agents appointed by the Government, seven hundred and forty-two dollars and fifty cents;

Log houses of Pottawatamies.

For the payment to the same Indians of the value of twelve log houses, appraised in the same manner, and destroyed before their removal, six hundred dollars;

Removal, &c. of Pottawat's.

For the expenses of the removal and subsistence of these Indians, fifty thousand dollars;

Fencing, &c. for the Omahas.

For the expense of fencing and breaking up ground for tillage for the Omaha Indians, as stipulated by the third article of the treaty with them of eighteen hundred and thirty-six, in addition to the sum of twelve hundred dollars appropriated in the year eighteen hundred and thirty-seven, eight hundred dollars;

Farmer for the Omahas.

For the salary of the farmer to be supported among the said Indians, as stipulated by the same article of the same treaty, eight hundred dollars;

Claims under the treaty with the Sacs and Foxes of Mississippi.

For the balance of the expenses incurred by the commission for the examination of claims under the second article of the treaty with the Sacs and Fox Indians of Mississippi, of October eighteen hundred and thirty-seven, over and above the former appropriation for that object, one thousand five hundred dollars;

A miller for the Sacs and Foxes of Mississippi.

For the support of a miller for the Sacs and Fox Indians of Mississippi, as stipulated by the third article of the treaty of September eighteen hundred and thirty-six, six hundred dollars;

Procuring rations.

For the expenses of procuring rations for these Indians for one year, as stipulated by the third article of the same treaty, over and above the provision heretofore made for that object, fourteen thousand six hundred and fifty-seven dollars and thirty-seven cents;

Examination of claims, &c.

For the balance of the expenses incurred in examining claims under the second article of the treaty of September eighteen hundred and thirty-seven, with the Sioux Indians, by the commission appointed for that purpose, over and above the former appropriation for that object, five hundred dollars;

Commissioner and clerk to re-examine claims.

For compensation to a commissioner and clerk to be appointed to re-examine the claims under the last mentioned treaty, the re-examination to be made in the Indian country, five thousand five hundred dollars;

Frauds in Creek reservations.

For the payment of the expenses of the investigation into frauds practised in the reservations of the Creek Indians for the year eighteen hundred and thirty-nine, five thousand dollars;

Removal and subsistence of Creeks.

For the payment of the expenses of the removal and subsistence of the Creek Indians, to be applied in payment of claims settled by the

accounting officers, and to reimburse to other appropriations funds used for the removal and subsistence of these Indians, including outstanding claims not yet settled, eighty-five thousand dollars;

For carrying into effect the treaty with the Creek Indians of the twenty-third day of November, eighteen hundred and thirty-eight, viz :

To make the payment in stock animals, stipulated to be made by the second article of the said treaty, fifty thousand dollars;

To pay the interest at five per cent. for one year, upon the sum of three hundred and fifty thousand dollars, pursuant to the stipulations of the third article of the said treaty, seventeen thousand five hundred dollars;

To pay the claims of the McIntosh party, pursuant to the stipulations in the fifth article of the said treaty, twenty-one thousand one hundred and three dollars and thirty-three cents ;

To purchase stock animals for the Creeks removed as hostiles, as stipulated by the sixth article of the treaty, ten thousand dollars ;

To meet the expenses of the purchase and distribution of the stock animals, according to the requirements of the second and sixth articles, three thousand dollars ;

For the payment to the Cherokee Indians of the value of the improvements upon the Missionary reservations, pursuant to a stipulation in the fourth article of the treaty of December eighteen hundred and thirty-five, in addition to the former appropriation for that object, fifteen thousand one hundred and eleven dollars and seventy-five cents ;

For compensation to the commissioners under the above treaty, in addition to the appropriations of eighteen hundred and thirty-six and eighteen hundred and thirty-eight for that object, eight thousand dollars ; to be applied only to the payment of expenses incurred prior to the twenty-third day of May, eighteen hundred and thirty-eight ;

For carrying into effect the treaty of the seventh day of February eighteen hundred and thirty-nine, with the Chippewas of Saganaw, viz :

For the payment of the purchase money of forty acres of land ceded by the first article of the treaty, three hundred and twenty dollars ;

For the expenses incurred in the negotiation of the treaty, one hundred and twenty-five dollars ;

For carrying into effect the treaty with the Great and Little Osages of the eleventh day of January eighteen hundred and thirty-nine, viz :

For the payment of the annuity stipulated in the second article, twenty thousand dollars ;

For the support of two blacksmith establishments, building a grist and saw mill, pay of attendants and assistants, tools for the mills, and the erection of mill-houses, seven thousand eight hundred dollars ;

For furnishing cows, calves, hogs, ploughs, harnesses, axes, and hoes, as stipulated by the treaty, seven thousand three hundred dollars ;

For the erection of houses for chiefs, and furnishing wagons, carts, oxen, and chains, as stipulated by the treaty, six thousand nine hundred and eighty dollars ;

For the payment of claims for depredations, thirty thousand dollars ;

For the expenses of a commissioner to examine and settle those claims, two thousand five hundred dollars ;

For the payment of the purchase money for reservations, forty-three thousand five hundred and twenty dollars ;

For the reimbursement of the annuity deducted in the year eighteen hundred and twenty-five, three thousand dollars ;

For the reimbursement to the Clermont band of the annuity deducted in the year eighteen hundred and twenty-nine, three thousand dollars ;

For the payment to the Ioway Indians of the interest at five per cent. for one year, upon the sum of one hundred and fifty-seven thousand five

Treaty with the Creeks.

Payment in stock animals.

Interest.

Claims of the M'Intosh party.

Stock animals for hostile Creeks.

Purchase and distribution of stock animals.

Payment to Cherokees.

Compensation to commiss'rs.

Treaty with the Chippewas of Saganaw.

Payment for land.

Expenses of treaty.

Treaty with the Great and Little Osages.

Payment of annuity.

Blacksmith establishments, grist-mill, &c.

Cows, &c.

Erection of houses, &c.

Claims for depredations.

Commissioner to examine and settle those claims.

Payment for reservations.

Reimbursement of an annuity.

Reimbursement to the Clermont band of an annuity.

Interest to be paid to the Iowas.

hundred dollars, seven thousand eight hundred and seventy-five dollars;

Houses for Iowa chiefs.

For building ten houses for the Ioway chiefs as per stipulation of the treaty, two thousand dollars;

Surveys under treaty with Delawares—locating Miamies and Winnebagoes.

For the completion of the surveys under the treaty with the Delaware Indians, and for the expenses of locating the Miamis and Winnebagoes, two thousand dollars;

Purchase of a reservation to Wa-pan-seh.

To enable the Executive to purchase from Wa-pan-seh, a Pottawatomie, five sections of land reserved for him by the second article of the treaty of the twentieth of October, eighteen hundred and thirty-two, four thousand dollars;

Expenses of treaty with Stockbridge Indians.

For defraying the expenses of holding a treaty, under the direction of the Secretary of War, with the Stockbridge Indians, two thousand dollars;

Vaccination of Indians.

For the employment of physicians to vaccinate the Indians, to be expended under the direction of the Secretary of War, five thousand dollars;

Expenses of delegations from the Stockbridge, Munsee, and Seneca Indians.

For paying the travelling expenses and board while detained in the city of Washington, of the delegations of the Stockbridge, Munsee, and Seneca tribes of Indians, in proportion to the distance they have travelled or may travel in returning to their respective tribes, a sum not exceeding two thousand dollars;

Making maps showing the position of lands of Indians at amity with U.S.

To enable the Secretary of War to have executed under his direction twelve maps for the use of the War Department and of the Senate, showing the position of the lands of each Indian tribe in amity with the United States, one thousand dollars;

Boundaries between Indian tribes west of the Mississippi.

For defraying the expenses of surveying and marking the boundaries between the Indian tribes west of the Mississippi, ten thousand dollars.

2d section act 28th May, 1830, ch. 148, repealed.

SEC. 2. *And be it further enacted*, That the second section of an act passed the twenty-eighth day of May, eighteen hundred and thirty, entitled "An act to provide for an exchange of lands with the Indian tribes residing within any of the States or Territories, and for their removal west of the river Mississippi," be, and the same is hereby, repealed.

APPROVED, March 3, 1839.

### STATUTE III.

March 3, 1839.

[Obsolete.]

For the further survey, &c. of the Neenah and Wisconsin.

CHAP. LXXII.—*An Act to authorize the construction of certain improvements in the Territory of Wisconsin 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 the further survey and estimate of the cost of improving the navigation of the Neenah and Wisconsin rivers and connecting the same by a navigable canal or water communication, two thousand dollars be, and the same are hereby appropriated; and that the following sums of money be, and the same are hereby, appropriated for the construction of roads in the Territory of Wisconsin, to wit:

Appropriations for roads.

For the construction of a road from Racine, by Janesville, to Sinipee, on the Mississippi, ten thousand dollars;

For the survey and construction of a road from Sauk harbor, on Lake Michigan, to Dekorree, on the Wisconsin river, five thousand dollars;

From Fond du Lac to Wisconsin river.

For the construction of a road from Fond du Lac, on lake Winnebago, by Fox lake, to the Wisconsin river, five thousand dollars.

Appropriation by act 7th July, 1838, ch. 190, for a railroad,

SEC. 2. *And be it further enacted*, That the sum of two thousand dollars, appropriated by the act of the seventh of July, eighteen hundred and thirty-eight, entitled "An act making appropriations for certain roads in the Territory of Wisconsin" for a railroad, shall be applied by

the Secretary of War to the survey of the most eligible route for a railroad from the town of Milwaukee, on lake Michigan, to such point on the Mississippi river as may be deemed most expedient.

APPROVED, March 3, 1839.

to be applied to the survey for a railroad from Milwaukee to the Mississippi.

CHAP. LXXIII.—*An Act to repeal the second section of "An act to extend the time for locating Virginia military land warrants and returning surveys thereon to the General Land Office," approved July seventh, eighteen hundred and thirty-eight. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of "An act to extend the time for locating Virginia military land warrants and returning surveys thereon to the General Land Office," approved July seventh, eighteen hundred and thirty-eight, be, and the same is hereby repealed.*

APPROVED, March 3, 1839.

STATUTE III.  
March 3, 1839.

Second section act 7th July, 1838, ch. 166, repealed.

CHAP. LXXIV.—*An Act for the relief of umbrella-makers.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be refunded, out of the Treasury, to such umbrella-makers as have imported umbrella-stretchers since the passage of the act entitled "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth day of July, A. D. eighteen hundred and thirty-two, all excess of duty, beyond what such importers would have been required to pay, if the provisoes contained in the tenth and twelfth clauses of the second section of said act had at all times since its passage been suspended in their operation in the same manner as they were suspended by the act of the second of March, A. D. eighteen hundred and thirty-three, entitled "An act to explain and amend the several acts imposing duties on imports, passed the fourteenth of July, one thousand eight hundred and thirty-two, so far as relates to hardware and certain manufactures of copper and brass and other articles," and by other subsequent acts of like character.*

APPROVED, March 3, 1839.

STATUTE III.  
March 3, 1839.

[Obsolete.]  
All excess of duty beyond what would have been required if the provisoes of 10th and 12th clauses of 2d sec. act 14th July, 1832, ch. 227, had at all times been suspended in their operation, as they were by act 2d March, 1833, ch. 62, refunded, &c.

CHAP. LXXV. — *An Act to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy yard in Charlestown, Massachusetts. (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 Navy be and he hereby is authorized and required to purchase certain lands situated within the limits of the navy yard in Charlestown, in the*

STATUTE III.  
March 3, 1839.  
[Obsolete.]

Sec. Navy to purchase certain lands in Charlestown.

(a) See notes of the acts which have been passed relating to Virginia military land warrants, vol. 1, 464, vol. 3, 612.

(b) Certain streets were laid out by the town of Charlestown, Massachusetts; and the proceedings relative to the same were afterwards confirmed by an act of the Legislature. The streets passed over the land of John Harris; and he afterwards received a compensation from the town for taking the land occupied by the streets. In 1800, the United States, under the authority of an act of the Legislature of Massachusetts, purchased of Mr. Harris several parcels of land, now occupied as a navy yard. And in 1801, by an arrangement between the town of Charlestown and the United States, the streets, so far as they were within the limits of the navy yard, were closed up, and have ever since been discontinued, and have been used as a part of the navy yard. The agent of the United States and Mr. Harris, not agreeing as to the value of the land taken for the navy yard, the value was ascertained and determined by a jury proceeding under a law authorizing the same, and the amount of the valuation paid to Mr. Harris by the United States. The jury did not appraise the land on which the streets were laid out. One lot of ground was appraised "with the appurtenances." This action was instituted by the heirs of Mr. Harris claiming to be paid the value of the land on which the streets had been laid out, but which had been discontinued. The defendant was the commandant of the navy yard.

By the Court. The term "appurtenances," in common parlance, and in legal acceptation, is used to signify something appertaining to another thing as principal, and which passes as incident to the principal

State of Massachusetts, said land being the property of the heirs of John Harris, late of said Charlestown, deceased.

Appraisers to be selected.

SEC. 2. *And be it further enacted*, That the price and value of said land may be fairly and justly estimated, the Secretary of the Navy is hereby authorized to agree with said heirs in selecting and choosing three disinterested, discreet, suitable men, who, after being sworn, and having fully examined said land, shall estimate and appraise the same: *Provided*, It can be purchased for a reasonable sum.

Proviso.

Good and sufficient deed to be given to the United States.

SEC. 3. *And be it further enacted*, That, when the appraisal shall be made known to the Secretary aforesaid, and a good and sufficient deed of the same land shall be tendered or given to the United States by the said heirs, then the Secretary of the Navy shall pay said heirs the amount of said appraisal, being the consideration for the premises, out of any money in the Treasury not otherwise appropriated.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

[Obsolete.]

Appropriations.

CHAP. LXXVI.—*An Act making appropriations for building a pier at the northern extremity of Winnebago lake, 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 the security of the navigation of the commerce of the United States, the following sums be, and the same hereby are, appropriated to be paid out of any money in the Treasury not otherwise appropriated, and to be applied to the following objects:

Pier at northern extremity of Winnebago lake.

For building a pier at the northern extremity of Winnebago lake, in the Territory of Wisconsin, the sum of five hundred dollars;

Buoys at the mouth of Neenah river.

For placing buoys at the mouth of Neenah river, at the head of Green bay, in said Territory, to mark the channel thereof, the sum of five hundred dollars.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

CHAP. LXXVII.—*An Act making a donation of land to the Territory of Iowa, for the purpose of erecting public buildings thereon.*

Grant of land to Iowa for the erection of public buildings.

*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 and granted to the Territory of Iowa, one entire section of land, of any of the surveyed public lands in said Territory, for the purpose of erecting thereon the public buildings for the use of the Executive and Legislative departments of the Government of the said Territory: *Provided*, That the said section of land shall be selected under the authority of the Territorial Legislature, the seat of Government located thereon, and notice of said selection officially returned to the register of the land office in the district in which the land is situated within one year from the passing of this act: *And provided, further*, That nothing herein contained shall authorize the selection of the sixteenth section in any township reserved for the use of schools, nor of any lot reserved for public purposes; and that in the selection to be made as aforesaid, no pre-existing improvement or right to pre-emption recognized by law, shall be prejudiced thereby.

Proviso.

Further proviso.

Lands reserved, &c.

SEC. 2. *And be it further enacted*, That if, at the time of the selection of the section of land to be made as aforesaid, the contiguous sec-

thing. Land cannot be appurtenant to land. The soil and freehold of the streets did not pass to the United States, under and by virtue of the term "appurtenances."

The right of the plaintiffs to the freehold of the streets is not barred by the first section of the act of the Legislature of Massachusetts of 30th October, 1781.

The law in Massachusetts is well settled, that where a mere easement is taken for a public highway, the soil and freehold remain in the owner of the land, encumbered only with the easement; and that upon the discontinuance of the highway, the soil and freehold revert to the owner of the land. *Harris and others v. Elliott*, 10 Peters, 25.

tions thereto have not been made subject to public sale, or being so subject have not been sold at public sale or by private entry, then each and every section contiguous to said selected section, and not so sold, shall be thereafter reserved and withheld from sale in any manner, until the further order of Congress thereon. But nothing herein expressed shall be construed to restrain the said Territory of Iowa, after appropriating a sufficient quantity of land within said selected section for the site and accommodation of the public buildings, from selling and disposing of the residue of said section in lots or otherwise, for the use of said Territory, in the erection and completion of said buildings.

APPROVED, March 3, 1839.

1842, ch. 110.

Iowa may dispose of such part of said land as is more than sufficient, &c.

CHAP. LXXVIII.—*An Act for the improvement and survey of certain rivers, and the repair of certain roads in Florida.*

*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 paid out of any money in the Treasury, not otherwise appropriated, for the purposes herein specified, that is to say,

For the removal of obstructions at the mouth of the Suwannee river, and for the survey of the said river, with a view to its improvement, fifteen thousand dollars;

For the survey of Yellow river, Florida, to ascertain the practicability and cost of removing the rafts which obstruct its navigability, five hundred dollars;

For the repair, including the alteration if necessary, of the road from Jacksonville, by the way of Garey's ferry, to Newmansville, Florida, five thousand dollars;

For the construction of a road from Jacksonville to St. Mary's, Florida, in part or in whole upon the route of the existing road, as may be found expedient, seven thousand five hundred dollars; all which sums shall be expended under the direction of the Secretary of War.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

[Obsolete.]

Removal of obstructions and survey of Suwannee riv. Survey of Yellow river.

Repair of road from Jacksonville, by Garey's ferry. Road from Jacksonville to St. Mary's.

CHAP. LXXIX. — *An Act granting to the judges of the supreme court of Iowa the same compensation as by law is given to the judges of the supreme court of Wisconsin.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the commencement of the next quarter, after the passage of this act, the judges of the supreme court of the Territory of Iowa shall receive the same salary as is now received by the judges of the Territory of Wisconsin.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

[Obsolete.]

Act of April 20, 1836, ch. 54, sec. 11.

STATUTE III.

March 3, 1839.

CHAP. LXXX. — *An Act to provide for taking the sixth 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 Wisconsin, Iowa, 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

Act of Feb. 26,

1840, ch. 3.

Act of Jan. 14,

1841, ch. 3.

Act of Sept. 1,

1841, ch. 15.

Resolution of

Sept. 1, 1841.

Resolution of

April 14, 1842.

Number of inhabitants to be taken, &c.

(a) Notes of acts providing for the enumeration of the inhabitants of the United States, vol. 1, 101.

such enumeration, Indians not taxed) to be taken according to the directions of the 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 and upwards; and shall further distinguish the number of those free white persons included in such enumeration who are blind; and also in like manner of those who are insane, or idiots, distinguishing further such of the insane and idiots as are a public charge. The said enumeration shall distinguish the sexes of all free colored persons, and of all other colored persons bound to service for life or for a term of years and the ages of such free and other colored 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 hundred and upwards: and shall further distinguish the number of those free colored and other colored persons included in the foregoing who are deaf and dumb, without regard to age, and those who are blind and also in like manner of those who are insane or idiots, distinguishing further such of the insane and idiots as are a public charge. 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 sixth 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 taking the sixth census or enumeration of the inhabitants of the United States,' according to the best of my

Whites.  
Age and sex.

Deaf and  
dumb.

Blind.

Insane and  
idiots.  
Colored.

Age and sex of  
free and slaves.

Deaf and  
dumb.

Blind.

Insane and  
idiots.

Marshals may  
appoint assist-  
ants.

Enumeration  
to be made by  
actual inquiry.

Marshals and  
assistants to  
take an oath,  
&c.

Form of mar-  
shal's oath.

Form of assist-  
ants' oath.

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 forty, and shall be completed and closed within ten calendar months thereafter. The several assistants shall, within nine months, and on or before the first day of October, one thousand eight hundred and forty, 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, 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 the head thereof.

Enumeration, when to commence.

Form of return.

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 hereof.

Penalty.

SEC. 3. *And be it further enacted*, That the marshals 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 districts 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 December, in the year one thousand eight hundred and forty, 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 to file one copy of returns, &c.

Forfeit for neglect. Where recoverable.

The judges shall give this act in charge to grand juries, &c.

Clerks to transmit to the Dep't of State.

SEC. 4. *And be it further enacted*, That every assistant shall receive at the rate of two dollars for every hundred persons by him returned, where such persons reside in the country; and where such persons re-

Compensation of assistants.



	side 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 two dollars 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, two dollars 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: <i>Provided</i> , The same does not exceed two dollars and fifty cents, for every fifty persons by them returned: <i>Provided, further</i> , 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 provision of the act entitled 'An act to provide for taking the sixth 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."
Proviso.	
Further proviso.	
Form of oath.	
Compensation to marshals.	The compensation of the several marshals shall be as follows:
Maine.	The marshal of the district of Maine, four hundred dollars;
N. Hampshire.	The marshal of the district of New Hampshire, four hundred dollars;
Massachus' ts.	The marshal of the district of Massachusetts, four hundred and fifty dollars;
Rhode Island.	The marshal of the district of Rhode Island, two hundred and fifty dollars;
Vermont.	The marshal of the district of Vermont, four hundred dollars;
Connecticut.	The marshal of the district of Connecticut, three hundred and fifty dollars;
New York, Southern dist.	The marshal of the southern district of New York, four hundred and fifty dollars;
New York, Northern dist.	The marshal of the northern district of New York, four hundred and fifty dollars;
New Jersey.	The marshal of the district of New Jersey, three hundred and fifty dollars;
Pennsylvania, Eastern dist.	The marshal of the eastern district of Pennsylvania, four hundred dollars;
Pennsylvania, Western dist.	The marshal of the western district of Pennsylvania, four hundred dollars;
Delaware.	The marshal of the district of Delaware, two hundred and twenty-five dollars;
Maryland.	The marshal of the district of Maryland, four hundred and fifty dollars;
Virginia, Eastern district.	The marshal of the eastern district of Virginia, four hundred dollars;
Virginia, Western dist.	The marshal of the western district of Virginia, four hundred dollars;
Kentucky.	The marshal of the district of Kentucky, four hundred and fifty dollars;
N. Carolina.	The marshal of the district of North Carolina, four hundred and fifty dollars;
S. Carolina.	The marshal of the district of South Carolina, four hundred and fifty dollars;
Georgia.	The marshal of the district of Georgia, four hundred and fifty dollars;
E. Tennessee.	The marshal of the district of East Tennessee, two hundred dollars;

The marshal of the district of West Tennessee, two hundred dollars;	W. Tennessee
The marshal of the middle district of Tennessee, two hundred dollars;	Tennessee Middle dist.
The marshal of the district of Ohio, five hundred dollars;	Ohio.
The marshal of the district of Indiana, four hundred and fifty dollars;	Indiana.
The marshal of the district of Illinois, three hundred dollars;	Illinois.
The marshal of the northern district of Mississippi, two hundred dollars;	Mississippi, Northern dist.
The marshal of the southern district of Mississippi, two hundred dollars;	Mississippi, Southern dist.
The marshals of the districts of Louisiana, two hundred dollars each;	Louisiana.
The marshal of the northern district of Alabama, two hundred dollars;	Alabama, Northern dist.
The marshal of the southern district of Alabama, two hundred dollars;	Alabama, Southern dist.
The marshal of the District of Columbia, one hundred and fifty dollars;	District of Co- lumbia.
The marshal of the district of Michigan, two hundred and fifty dollars;	Michigan.
The marshal of the district of Arkansas, two hundred and fifty dollars;	Arkansas.
The marshals of the Territory of Florida, respectively, fifty dollars;	Florida.
The marshals of the Territory of Wisconsin, two hundred and fifty dollars;	Wisconsin.
The marshals of the Territory of Iowa, two hundred and fifty dollars.	Iowa.
SEC. 5. <i>And be it further enacted,</i> That every person whose usual place of abode shall be in any family on the said first day of June, one thousand eight hundred and forty, 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 of January, 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.	Returning transient per- sons.
SEC. 6. <i>And be it further enacted,</i> 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.	Information to be given, under penalty.  How recover- able, &c.
SEC. 7. <i>And be it further enacted,</i> 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: <i>Provided,</i> 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.	Assistants to set up a correct copy of sche- dule, &c.  Proviso.
SEC. 8. <i>And be it further enacted,</i> 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,	Sec. of State to transmit in- structions, &c. to marshals.

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.

Where a county is in two districts, &c.

SEC. 9. *And be it further enacted*, That, in those States composing two districts, where a part of a county may be in each district, such county shall be considered as belonging to that district in which the court-house of said county may be situate.

Further compensation.

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.

Proviso.

Aggregate to be printed.

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, ten 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.

Proviso.

Penalty.

Marshals to be allowed the postage incurred, &c.

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.

A census of pensioners to be taken, &c.

SEC. 13. *And be it further enacted*, That the aforesaid marshals and their assistants shall also take a census of all persons receiving pensions from the United States for revolutionary or military services, stating their names and ages: and also shall collect and return in statistical tables, under proper heads, according to such forms as shall be furnished, all such information in relation to mines, agriculture, commerce, manufactures, and schools, as will exhibit a full view of the pursuits, industry, education and resources of the country, as shall be directed by the President of the United States. And it shall be the duty of the Secretary of State, under the direction of the President, to prepare such forms, regulations, and instructions, as shall be necessary and proper to comply with the provisions of this act.

Forms, &c. to be prepared by Sec. of State.

Appropriation.

SEC. 14. *And be it further enacted*, That the sum of twenty thou-

sand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying this act into effect.

APPROVED, March 3, 1839.

CHAP. LXXXI.—*An Act to amend the act of the third of March, eighteen hundred and thirty-seven, entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States,' and for other purposes."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be the duty of the district judge of Missouri to attend at St. Louis, on the first Monday of October annually, who shall have power to make all necessary orders touching any suit, action, appeal, writ of error, process, pleadings, or proceedings returned to the circuit court, or depending therein, 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 be returnable to the said courts on the first Monday of October, in the same manner as to the sessions of the circuit courts directed to be held by the said act of third March, eighteen hundred and thirty-seven; and the said writs returnable to the circuit courts may also bear teste on the said first Monday of October, as though a session of said court was holden on that day. (a)

SEC. 2. *And be it further enacted,* That the district court of the United States for the district of East Tennessee shall, hereafter, be holden on the third Monday of October in each year, instead of the second Monday of October, as now prescribed by law; and that the district court of the Middle District of Tennessee shall be holden on the first Mondays of March and September, in each year; and all causes and processes shall be continued over, and be returnable to, the respective terms of said courts as hereby established; and said courts shall be holden at the places now prescribed by law, and exercise all the powers and jurisdiction they now enjoy. (b)

SEC. 3. *And be it further enacted,* That from and after the first day of June next the circuit court of the United States for the southern district of Alabama shall commence its terms on the second Monday of March and the fourth Monday of November, in each and every year; and the circuit court for the eastern district of Louisiana shall commence its terms on the first Monday of April and the third Monday of December in each and every year; and all writs, pleas, suits, recognizances, indictments and all other proceedings, civil and criminal, shall be heard, tried and proceeded with by said court, at the times herein fixed, in the same manner as if no change in the times of holding said courts had taken place.

SEC. 4. *And be it further enacted,* That the circuit and district courts of the United States for the district of Michigan, shall be held at Detroit, on the second Monday of October, instead of the first Monday in November, as heretofore established; and that all writs, pleas, suits, recognizances, indictments and all other proceedings, civil and criminal, shall be heard, tried, and proceeded with by the said court, at the times herein fixed, in the same manner as if no change in the times of holding the said court had taken place.

SEC. 5. *And be it further enacted,* That the district court of the United States for the district of Arkansas, shall be held at Little Rock on the first Monday of October, instead of the first Monday in November

STATUTE III.

March 3, 1839.

Act of March 3, 1837, ch. 34.

District judge for Missouri shall attend at St. Louis, &c.

District court for East Tennessee.

District court for Middle dist. Tennessee. All causes, &c. continued over, &c.

Circuit court for Southern dist. Alabama.

Circuit court for Eastern dist. Louisiana.

Writs, pleas, &c. how to be proceeded in.

Circuit and district courts for Michigan.

Writs, pleas, &c. how to be proceeded in.

District court for Arkansas.

(a) See notes to act of April 29, 1824, chap. 45, vol. 4, for a reference to the acts passed relating to the district court of Missouri.

(b) Act of July 4, 1840, chap. 42, sec. 3; act of April 14, 1842, chap. 20; act of May 18, 1842, chap. 30; act of March 3, 1843, chap. 74.

annually as heretofore established; and that all writs, pleas, suits, recognizances, indictments, and all other proceedings, civil and criminal, shall be heard, tried, and proceeded with by the said court, at the times herein fixed, in the same manner as if no change in the times of holding the said court had taken place.

Circuit court for Southern district of New York.

SEC. 6. *And be it further enacted*, That the circuit court of the United States for the southern district of New York, shall hereafter be held on the last Monday in November instead of the last Monday in October, the time heretofore established by law; that all indictments, informations, suits or actions, and proceedings of every kind, whether of a civil or criminal nature, depending in the said court, on the first day of October next, shall thereafter have day in court, and be proceeded in, heard, tried, and determined, at the time herein appointed for holding the said court, in the same manner as they might and ought to have been done had the said court been holden at the time heretofore directed by law.

Writs, suits, &c. returnable to, &c.

SEC. 7. *And be it further enacted*, That all writs, suits, actions or recognizances, or other proceedings which are or shall be, instituted, served, commenced, or taken to the said Circuit Court to have been holden as heretofore directed by law, shall be returnable to, entered in, heard, tried, and have day in court, to be holden at the time by this act directed, in the same manner as might and ought to have been done had the said court been holden at the time heretofore directed by law.

Clerk district court of Southern dist. N. Y. to transmit certified copy of dockets, &c. 1840, ch. 43, § 4.

SEC. 8. *And be it further enacted*, That it shall be the duty of the clerk of the district court of the southern district of New York, within six months after the passage of this act, to transmit a certified copy of the dockets of all judgments rendered in that court, or in the circuit court of the United States for that district, since the fourth day of March, eighteen hundred and twenty-nine, to the clerk of the supreme court of said state, in the city of New York; and on the tenth and twenty-fifth days of each month thereafter, to transmit a like certificate of all dockets of judgments as may have been rendered in either of said courts since the last certificate was transmitted.

Clerk Northern dist. N. Y. to transmit, &c. 1840, ch. 43, § 4.

SEC. 9. *And be it further enacted*, That it shall be the duty of the clerk of the northern district of said State within six months after the passage of this act to transmit a certified copy of all judgments rendered and docketed in that court, either as a district court, or as a circuit court, and of all judgments in the circuit court of the United States for that district, docketed since the fourth day of March, eighteen hundred and twenty-nine, to the clerk of the supreme court of said State at Utica; and on the tenth and twenty-fifth days of each month thereafter, to transmit a like certificate of all such dockets of judgments as may have been rendered in either of said courts since the last certificate was transmitted.

Judgments. 1840, ch. 43, § 4.

SEC. 10. *And be it further enacted*, That every judgment which shall have been rendered either in the district or circuit courts aforesaid, previous to the passage of this act, shall, as against subsequent purchasers or incumbrances, cease to be a lien upon the real estate or chattels real of the person or persons against whom such judgments may have been rendered respectively, at the expiration of five years from the passage of this act; and every judgment to be hereafter rendered in either of said courts, shall, as against subsequent purchasers or incumbrances, cease to be a lien upon the real estate or chattels real of any person or persons against whom such judgment shall be rendered at the expiration of ten years, from and after the day of docketing such judgments respectively.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

CHAP. LXXXII.—*An Act making appropriations for the civil and diplomatic expenses of Government for the year eighteen hundred and thirty-nine.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the 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 salary of the Secretary to sign patents for public lands, per act of March second, eighteen hundred and thirty-three, one thousand five hundred dollars ;

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

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

For compiling and printing the Biennial Register, one thousand eight hundred dollars : *Provided*, That the printing of the said Biennial Register and the job printing, stationery and binding of each of the Executive Departments, shall be furnished by contract, proposals for which shall regularly be advertised for in the public prints. The classes, character, and description of the printing being specified in each advertisement, as far as that can be done, and it being made a condition in all cases, unless otherwise specifically stated in the advertisement, that the work shall be done in the city of Washington ; and the contract shall in each case so far as the proposals and acceptance shall enable the contract to be made, to be given to the lowest bidder, whose bid shall be accompanied with the proper testimonials of the ability of the bidder to fulfil his contract ;

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

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

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

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

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, three thousand dollars ;

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

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, fifteen 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, three thousand dollars ;

President,  
Vice President,  
and heads of departments.

Secretary to  
sign patents for  
lands.

Off. Sec. State.  
Clerks and  
messengers.  
Cont. exp. of  
department.  
Compiling and  
printing Biennial  
Register.  
Proviso.

Superint't and  
watchman N.E.  
Ex. building.  
Contingent expenses  
of said  
building.  
Office Sec.  
Treasury.  
Clerks and  
messengers.  
Clerks per act  
23d June 1836,  
ch. 115.

First Comptroller.

Clerks and  
messengers.  
Second Comptroller.  
Clerks and  
messenger.

1st Auditor.

Clerks and  
messenger.

2d Auditor.

Clerks and  
messenger.

3d Auditor.

Clerks and messenger.

For compensation to the clerks and messengers in the office of the Third Auditor, twenty-seven thousand two hundred and fifty dollars;

Additional clerks under act 20th April 1818, ch. 87.

For three additional clerks, under the act of the twentieth of April, eighteen hundred and eighteen, to enable the Third Auditor to execute the act of sixth April, eighteen hundred and thirty-eight, two thousand four hundred dollars;

Additional clerks under act 18th Jan. 1837, ch. 5.

For compensation to two additional clerks, employed under the act of the eighteenth January, one thousand eight hundred and thirty-seven, for the payment of horses and other property lost or destroyed, two thousand four hundred dollars;

4th Auditor.

For compensation to the Fourth Auditor, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Fourth Auditor, fifteen thousand nine hundred and fifty dollars;

Additional clerk under act 3d March 1837, ch. 38.

For an additional clerk in the same, to carry into effect the act of the third of March, eighteen hundred and thirty-seven, for the more equitable administration of the pension fund, one thousand dollars;

5th Auditor.

For compensation to the Fifth Auditor, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Fifth Auditor, nine thousand eight hundred dollars;

Clerks according to act 7th July 1838.

For compensation of two clerks in the office of the Fifth Auditor, according to the act of the seventh of July, eighteen hundred and thirty-eight, two thousand dollars;

Treasurer of United States.

For compensation to the Treasurer of the United States, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Treasurer of the United States, one or more of which clerks may be employed in the other offices of the Treasury Department, ten thousand seven hundred and fifty dollars;

Register of the Treasury.

For compensation to the Register of the Treasury, three thousand dollars;

Clerks and messengers.

For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars;

Commissioner of General Land Office.

For compensation of the Commissioner of the General Land Office, per act of fourth July, eighteen hundred and thirty-six, three thousand dollars;

Act of July 4, 1836, ch. 352.

Other officers in the General Land Office.

For compensation of the recorder, solicitor, draughtsman and assistant draughtsman, clerks, messengers, and packers in the office of the Commissioner of the General Land Office, one hundred and seven thousand eight hundred and fifty dollars;

Solicitor of the Treasury.

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

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Solicitor of the Treasury, three thousand nine hundred and fifty dollars;

Contingent expenses of Treasury Dep't. Office Sec. Treasury, copying, &c.

For expenses of stationery, printing, and all other contingent expenses of the Treasury Department, viz :

Translating, &c.

For the office of the Secretary of the Treasury, including copying, and expenses incurred in consequence of the burning of the Treasury building, twelve thousand five hundred dollars;

Stating and printing acc'ts.

For translating foreign languages, and for receiving and transmitting passports and sea-letters, in the office of the Secretary of the Treasury, three hundred dollars;

Office 1st Comptroller.

For stating and printing public accounts, one thousand four hundred dollars;

Off. 2d Comptroller.

For the office of the First Comptroller, two thousand dollars;

Off. 1st Auditor.

For the office of the Second Comptroller, one thousand five hundred dollars;

Off. 2d Auditor.

For the office of the First Auditor, one thousand dollars;

For the office of the Second Auditor, one thousand dollars;

For the office of the Third Auditor, one thousand dollars ;	Off. 3d Auditor.
For the office of the Fourth Auditor, one thousand dollars ;	Off. 4th Auditor.
For the office of the Fifth Auditor, one thousand dollars ;	Off. 5th Auditor.
For the office of the Treasurer of the United States, one thousand five hundred dollars ;	Off. Treasurer.
For the office of the Register of the Treasury, three thousand dollars ;	Off. Register.
For the office of the Solicitor of the Treasury, one thousand dollars ;	Off. Solicitor.
For parchments, books, stationery, advertising, rent of an additional building, and contingent expenses of the General Land Office, and for books and blanks for the district land offices, nineteen thousand seven hundred and fifty-three dollars ;	General Land Office.
For compensation of superintendent and two watchmen for the additional building for the use of the General Land Office, one thousand and fifty dollars ;	Superint't and watchmen for the additional building.
For compensation of the superintendent and watchman of the south-east executive building, two thousand one hundred dollars ;	Superint't and watchman S. E. exec. building.
For contingent expenses of the building occupied by the Treasury, including fuel, oil, labor, repairs, furniture, and for rent, amounting to three thousand two hundred and fifty dollars per annum, twelve thousand dollars ;	Contingent expenses of building occupied by the Treasury.
For compensation to the clerks and messengers in the office of the Secretary of War, including the messenger in the Bounty Land Bureau, thirteen thousand three hundred dollars ;	Office Secretary of War. Clerks and messengers.
For contingent expenses of the office of the Secretary of War, three thousand dollars ;	Contingent expenses.
For books, maps, and plans for the War Department, one thousand dollars ;	Books, &c.
For compensation of extra clerks, when employed in said office, three thousand dollars ;	
For compensation of the Commissioner of Indian Affairs, three thousand dollars ;	Commissioner of Ind. affairs.
For compensation of the clerks and messenger in the office of the Commissioner of Indian Affairs, sixteen thousand four hundred dollars ;	Clerks and messenger.
For contingent expenses of said office, two thousand dollars ;	Contingent expenses.
For compensation of the Commissioner of Pensions, three thousand dollars ;	Commissioner of Pensions.
For compensation of clerks transferred from the office of the Secretary of War to the office of the Commissioner of Pensions, four thousand eight hundred dollars ;	Clerks transferred from office Sec. War.
For compensation to clerks and messengers for the office of the Commissioner of Pensions, authorized by act of ninth May, eighteen hundred and thirty-six, thirteen thousand four hundred and fifty dollars ;	Clerks and messengers authorized by act 9th May 1836, ch. 60.
For contingent expenses of said office, three thousand dollars ;	Expenses.
For compensation to clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars ;	Off. Paymaster General.
For contingent expenses of said office, including two hundred dollars for arrears, seven hundred dollars ;	Clerk and messenger. Expenses.
For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars ;	Off. Comm'dg General. Clerk and messenger. Expenses.
For contingent expenses of said office, three hundred dollars ;	Expenses.
For compensation to clerks and messenger in the office of the Adjutant General, seven thousand six hundred and fifty dollars ;	Off. Adj. Gen. Clerks and messenger. Expenses.
For contingent expenses of said office, one thousand six hundred dollars ;	Expenses.
For compensation of clerks and messenger in the office of the Quartermaster General, seven thousand three hundred dollars ;	Off. Q. M. Gen. Clerks and messenger. Expenses.
For contingent expenses of said office, one thousand dollars ;	Expenses.



- Off. Commissary General of Purchases. Clerks and messenger. Expenses. Off. Commissary General of Subsistence. Clerks and messenger. Expenses. Off. Chief Engineer. Clerks and messenger. Expenses. Off. Surg. Gen. Clerk and messenger. Expenses. Ordnance Office. Clerks and messenger. Expenses. Topographical Bureau. Clerks and messenger. Expenses.
- Superint't and watchmen N. W. executive building. Expenses of said building, &c. Off. Sec. Navy. Clerks and messengers. Expenses.
- Commiss'rs of Navy Board. Secretary.
- Clerks and messenger. Expenses.
- Superint't and watchman, S. W. executive building. Repairs. Expenses.
- Assistant Postmasters Gen'l. Act of July 2, 1836, ch. 270. Clerks and messengers. Topographer and additional clerks. Expenses.
- Watchmen. Auditor Post Office.
- For compensation of 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 of clerks and messenger in the office of the Commissary General of Subsistence, four thousand three hundred dollars;  
 For contingent expenses of said office, three thousand two hundred dollars;  
 For compensation of clerks and messenger in the office of the Chief Engineer, five thousand six hundred and fifty dollars;  
 For contingent expenses of said office, including one thousand dollars for expenses attending the removal of the office, fifteen hundred dollars;  
 For compensation to clerk and messenger in the office of the Surgeon General, one thousand six hundred and fifty dollars;  
 For contingent expenses of said office, five hundred dollars;  
 For compensation of clerks and messenger in the Ordnance Office, eight thousand six hundred and fifty dollars;  
 For contingent expenses of said office, one thousand dollars;  
 For compensation of clerks and messenger in the Topographical Bureau, two thousand five hundred dollars;  
 For contingent expenses of said bureau, one thousand two hundred and thirty-five dollars;  
 For compensation of superintendent and watchmen of the northwest executive building, two thousand two hundred and fifty dollars;  
 For contingent expenses of said building, including rent of Bounty Land Office, for labor, fuel, oil, and repairs, and for the contingencies of the fire engines and apparatus, four thousand seven hundred dollars;  
 For compensation of the clerks and messengers in the office of the Secretary of the Navy, twelve thousand eight hundred and fifty dollars;  
 For contingent expenses of said office, including three thousand dollars for extra clerk hire, six thousand dollars;  
 For compensation of the Commissioners of the Navy Board, ten thousand five hundred dollars;  
 For compensation of the Secretary of the navy board, two thousand dollars;  
 For compensation to the clerks and messenger of the navy board, eight thousand four hundred and fifty dollars;  
 For contingent expenses of said office, including seven hundred dollars for arrearages of extra clerk hire, two thousand five hundred dollars;  
 For salary of superintendent and watchman of the southwest executive building, one thousand two hundred and fifty dollars;  
 For altering and painting passages in said building, one thousand eight hundred dollars;  
 For contingent expenses of said building, three thousand three hundred and fifty dollars;  
 For compensation to three Assistant Postmasters General, per act third [second] July, eighteen hundred and thirty-six, seven thousand five hundred dollars;  
 For compensation to clerks and messengers in the General Post office, forty-eight thousand six hundred dollars;  
 For topographer and additional clerks in said office, and a clerk to keep the appropriation account, eleven thousand six hundred dollars;  
 For contingent expenses of said office, including four thousand dollars for rent, and fuel for the Auditor's office, twelve thousand five hundred dollars;  
 For compensation of two watchmen, six hundred dollars;  
 For compensation to the Auditor of the Post Office, three thousand dollars;

For compensation to clerks and messengers in said office, fifty-five thousand five hundred dollars ;	Clerks and messengers.
For eleven additional clerks in said office, thirteen thousand two hundred dollars ;	
For contingent expenses of said office, including the expense of quarterly books, stationery, printing, and pay of laborers, four thousand seven hundred dollars ;	Expenses.
For compensation of the surveyor general northwest of the Ohio, two thousand dollars ;	Surveyor Gen. north-west of the Ohio.
For compensation to clerks in his office, per acts of ninth May, eighteen hundred and thirty-six, six thousand three hundred dollars ;	Clerks.
For compensation to the surveyor general for Illinois and Missouri, two thousand dollars ;	Act of May 9, 1836, ch. 60.
For compensation to clerks in the office of said surveyor general, per acts of ninth May, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars ;	Surveyor Gen. for Illinois and Missouri.
For compensation to the surveyor general of Arkansas, two thousand dollars ;	Clerks. 1836, ch. 60.
For compensation of clerks in the office of said surveyor general, two thousand eight hundred dollars ;	Surveyor Gen. of Arkansas.
For compensation of the surveyor general of Louisiana, two thousand dollars ;	Clerks.
For compensation to clerks in the office of said surveyor general, per acts of ninth May, eighteen hundred and thirty-six, two thousand five hundred dollars ;	Surveyor Gen. of Louisiana.
For compensation of the surveyor general of Mississippi, two thousand dollars ;	Clerks.
For compensation of clerks in the office of said surveyor general, per acts of ninth May, eighteen hundred and thirty-six, five thousand dollars ;	Surveyor Gen. of Mississippi.
For compensation of the surveyor general of Alabama, two thousand dollars ;	Clerks.
For compensation to clerks in the office of said surveyor general, per acts of ninth May, eighteen hundred and thirty-six, two thousand two hundred dollars ;	Surveyor Gen. of Alabama.
For compensation of the surveyor general of Florida, two thousand dollars ;	Clerks.
For compensation of clerks in the office of said surveyor general, three thousand five hundred dollars ;	Act of May 9, 1836, ch. 60.
For compensation of the surveyor general of Wisconsin, and of the clerks in his office, per act of twelfth June, eighteen hundred and thirty-eight, three thousand one hundred dollars ;	Surveyor Gen. of Florida.
For extra clerks and draughtsmen in the offices of the surveyors general, to be apportioned according to the exigencies of the service, eight thousand dollars ;	Clerks.
For extra clerks to transcribe field notes of survey, for the purpose of having them preserved at the seat of Government, to be expended in case fire-proof vaults are not furnished for their preservation, at the following offices, viz :	Surveyor Gen. of Wisconsin.
Of the surveyor general northwest of the Ohio, four thousand five hundred dollars ;	Clerks.
Of the surveyor general of Illinois and Missouri, three thousand eight hundred and eighty dollars ;	Act of June 12, 1838, ch. 96.
Of the surveyor general of Arkansas, three thousand dollars ;	Extra clerks and draughtsmen in offices of surveyors general.
Of the surveyor general of Louisiana, four thousand five hundred dollars ;	Extra clerks to transcribe field notes.
Of the surveyor general of Mississippi, four thousand two hundred and ninety dollars ; and	Surveyor Gen. north-west of the Ohio.
Of the surveyor general of Wisconsin, three thousand dollars ;	Surveyor Gen. of Illinois and Missouri.
	Surveyor Gen. of Arkansas.
	Surveyor Gen. of Louisiana.
	Surveyor Gen. of Mississippi.
	Surveyor Gen. of Wisconsin.

- Commissioner of public buildings. For compensation to the Commissioner of public buildings in Washington, two thousand three hundred dollars;
- Assistants, &c. For compensation to three assistants to the commissioner, as superintendent of the Potomac bridge, and for the expense of oil for the lamps, one thousand nine hundred and fifty dollars;
- Officers of the mint. For compensation to the officers and clerks of the mint, twenty thousand four hundred dollars;
- Laborers, &c. For pay of laborers in the various departments of the mint, and for contingent expenses, twenty-three thousand dollars;
- Expenses. For incidental and contingent expenses, including the wastage of gold and silver, fuel, materials, stationery, water, rent, and taxes, eighteen thousand three hundred dollars;
- New machinery. For new machinery, three thousand dollars;
- Specimens of ores, &c. For specimens of ores and coins to be reserved at the mint, one thousand dollars;
- Branch mint at Charlotte. For compensation to the officers and clerk of the branch mint at Charlotte, North Carolina, six thousand dollars;
- Laborers. For pay of laborers in the various departments of the same, three thousand six hundred dollars;
- Expenses. For wastage of gold, and for contingent expenses of the same, five thousand one hundred dollars;
- Branch mint at Dahlonega. For compensation to the officers and clerk of the branch mint at Dahlonega, Georgia, six thousand dollars;
- Laborers. For pay of laborers in the various departments of the same, three thousand eight hundred dollars;
- Expenses. For wastage of gold, and for contingent expenses of the same, four thousand one hundred dollars;
- Branch mint at N. Orleans. For compensation to the officers and clerks of the branch mint at New Orleans, twelve thousand nine hundred dollars;
- Laborers. For pay of laborers in the various departments of the same, twenty-two thousand dollars;
- Expenses. For wastage of gold and silver, and for contingent expenses of the same, seventeen thousand one hundred dollars;
- Governor, &c. of Wisconsin. For compensation of the Governor, judges, and secretary of Wisconsin Territory, nine thousand one hundred dollars;
- Expenses, pay of Legislature, &c. For contingent expenses, pay, and mileage of the members of the Legislative Assembly, pay of officers of the Council, printing, furniture, stationery, fuel, and other incidental expenses, twenty-five thousand dollars;
- Governor, &c. of Florida. For compensation of the Governor, judges, and secretary of the Territory of Florida, fourteen thousand three hundred and seventy dollars;
- Expenses, pay of Legislature, &c. For contingent expenses, pay, and mileage of the members of the Legislative Council of said Territory, pay of the officers of the Council, printing, furniture, rent, stationery, fuel, and other incidental expenses, twenty-eight thousand two hundred and fifteen dollars;
- Governor, &c. of Iowa. For compensation to the Governor, judges, and secretary of the Territory of Iowa, eight thousand two hundred dollars;
- Expenses, pay of Legislature, &c. For contingent expenses, pay, and mileage of the Legislative Assembly, pay of officers, printing, furniture, stationery, fuel, and all other incidental expenses, including an arrearage of sixteen thousand three hundred and fifty-four dollars, for eighteen hundred and thirty-eight, thirty-seven thousand one hundred and four dollars;
- Chief justice, &c. For compensation to the chief justice, the associate judges, and district judges of the United States, ninety-three thousand nine hundred dollars;
- Judges of District Columbia. For compensation of the chief justice and associate judges of the District of Columbia, and of the judges of the criminal and orphans' courts of said district, twelve thousand seven hundred dollars;

For compensation to the Attorney General of the United States, four thousand dollars;	Attorney Gen.
For compensation of clerk and messenger in the office of the Attorney General, one thousand three hundred dollars;	Clerk and Messengers.
For contingent expenses of said office, five hundred dollars;	Expenses.
For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars;	Reporter Supreme Court.
For compensation to the district attorneys and marshals, as granted by law, including those in the several Territories, and arrearages, fourteen thousand eight hundred and forty-two dollars;	Dist. attorneys and marshals.
For defraying the expenses of the Supreme Court, and the 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-nine, and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe keeping of prisoners, in addition to former appropriations, one hundred and twenty-eight thousand dollars;	Expenses of Supreme Court, &c.
For the payment of pensions granted by special acts of Congress, one thousand and fifty dollars;	Pensions by special acts.
For the support and maintenance of light-houses, floating lights, beacons, buoys, and stakeages, including the purchase of lamps, oil, keepers' salaries, repairs, improvements, and contingent expenses, three hundred and ninety-four thousand three hundred and thirty-one dollars;	Support of Lighthouses, &c.
For survey of the coast of the United States, including the compensation of the superintendent and assistants, ninety thousand dollars;	U. S. coast survey.
For compensation of two keepers of the public archives in Florida, one thousand dollars;	Keepers of archives.
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, twelve thousand dollars;	Miscellaneous.
For salaries of ministers of the United States to Great Britain, France, Spain, Russia, Prussia, and Austria, fifty-four thousand dollars;	Ministers.
For salaries of the secretaries of legation to the same places, twelve thousand dollars;	Secretaries of legation.
For salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Belgium, Brazil, Chili, Peru, Central America, New Grenada, Venezuela, Texas, and Naples, including an arrearage to the charge d'affaires to Texas of one thousand two hundred and eighty-four dollars, fifty-nine thousand seven hundred and eighty-four dollars;	Chargés des affaires.
For salary of a minister, resident of the United States, to Turkey, six thousand dollars;	Minister to Turkey.
For salary of the drogoman, and for contingent expenses of the legation to Turkey, six thousand five hundred dollars;	Drogoman, expenses, &c.
For contingent expenses of all the missions abroad, thirty thousand dollars;	Expenses of missions.
For salaries of the consuls of the United States at London and Paris, four thousand dollars;	Consuls at London and Paris.
For expenses of intercourse with the Barbary powers, seventeen thousand four hundred dollars;	Barbary powers.
For the relief and protection of American seamen in foreign countries, forty thousand dollars;	Relief, &c. of Am. seamen.
For the contingent expenses of foreign intercourse, twenty-five thousand dollars;	Expenses of foreign intercourse.
For clerk hire, office rent, stationery, and other expenses in the office of the American consul in London, per act of nineteenth of January, eighteen hundred and thirty-six, two thousand eight hundred dollars;	Expenses in office of Am. consul at Lond. Act of Jan. 19, 1836, ch. 2.

- Consulates in Turkish dominions. For interpreters, guards, and other expenses incidental to the consulates in the Turkish dominions, five thousand five hundred dollars;
- Library of Congress. For salary of the principal and two assistant librarians, pay of the messenger, and for contingent expenses of the library, three thousand nine hundred and fifty dollars;
- Purchase of books. For the purchase of books for the library of Congress, five thousand dollars;
- Expenses of Senate. For stationery, fuel, printing, and all other contingent expenses of the Senate, in addition to former appropriations, forty thousand dollars;
- Expenses of House of Representatives. For stationery, fuel, printing, and all other contingent expenses of the House of Representatives, in addition to former appropriations, one hundred thousand dollars;
- The two sums last mentioned to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose.
- Principal gardener. For salary of the principal gardener, one thousand two hundred dollars;
- House and grounds. For alterations and repairs of the President's house and furniture, and for superintendence of the grounds, three thousand four hundred and sixty-five dollars;
- Preparing, &c. documents. For preparing, printing, and binding documents ordered by the resolutions of the Senate of the second of July, one thousand eight hundred and thirty-six, and second March, one thousand eight hundred and thirty-seven, relating to the establishment of the seat of Government; plans, and surveys for the improvement of harbors and rivers, roads and canals; to be disbursed under the direction of the committee to audit and control the contingent expenses of the Senate, fifteen thousand dollars;
- Relief of insolvent debtors. For expenses arising under the act for the relief of certain insolvent debtors of the United States, three thousand dollars;
- Wall at New Orleans. For an appropriation carried to the surplus fund on the thirty-first of December, one thousand eight hundred and thirty-six, for a brick wall around the custom-house at New Orleans, five thousand five hundred dollars;
- Marine hospital at Mobile. For completing the marine hospital authorized to be erected in the city of Mobile, fifteen thousand dollars;
- Repair of pier, &c. on Staten Island. For an appropriation carried to the surplus fund on the thirty-first of December, eighteen hundred and thirty-seven, for the repair of the pier and wharves at the public stores on Staten island, two thousand three hundred and thirteen dollars and seventy-five cents;
- Custom-house at Boston. For constructing the custom-house at Boston, seventy-five thousand dollars;
- Custom-house at New York. For constructing the custom-house at New York, one hundred and fifty thousand dollars;
- Furniture. For furnishing one hundred and fifty-six rooms in the new Treasury building, including one thousand dollars for shelves and cases in the various rooms occupied by the Register, sixteen thousand six hundred dollars;
- Smithsonian legacy. For carrying into effect the acts relating to the Smithsonian legacy, ten thousand dollars, to be paid out of the fund arising from that legacy.
- Surveying the public lands. For surveying the public lands, in addition to the unexpended balance of former appropriations, fifteen thousand dollars;
- Surveying the public lands in Louisiana. 1837, ch. 33. For surveying the public lands in Louisiana, at a rate not exceeding eight dollars per mile, in addition to the special appropriation for this purpose, per act of the third of March, eighteen hundred and thirty-seven, fifteen thousand dollars;
- New Treasury building. For the construction of the new Treasury building, one hundred thousand dollars;
- Patent Office. For the construction of the Patent Office, fifty thousand dollars;

For alterations and repairs of the Capitol and incidental expenses, one thousand one hundred and ninety-eight dollars;	Capitol.
For lighting lamps and keeping in order the public grounds around the Capitol, the iron waterpipes, and wooden fences, six thousand three hundred and six dollars;	Lighting lamps, &c.
For attendance on the western gates of the Capitol, five hundred and forty-seven dollars and fifty cents;	Attendance at western gates.
For removing a light-house on Goat island, being the balance of former appropriations carried to the surplus fund, eight thousand seven hundred and six dollars and seventy-five cents;	Lighthouse on Goat Island.
For deepening the straight channel of the east pass to Appalachicola, Florida, being the balance of an appropriation transferred to this improvement, and since carried to the surplus fund, nine thousand nine hundred dollars;	East pass to Appalachicola.
For improving the harbor of Saybrook, by removing the bar at the mouth of Connecticut river, being the balance of an appropriation carried to the surplus fund, fifteen thousand seven hundred and ten dollars;	Saybrook harbor.
For an outfit of a charge d'affaires to Holland, four thousand five hundred dollars;	Charge d'affaires to Holland.
For completing the warehouse at Baltimore, thirty thousand dollars;	Warehouse at Baltimore.
For the balance due on account of the first volume of the Documentary History of the United States, five thousand six hundred and two dollars; and the Secretary of State is hereby authorized to deliver to the Clerk of the House of Representatives, three hundred and sixty-eight copies of said work, to be distributed to each of the members of the House of Representatives of the twenty-third, twenty-fourth and twenty-fifth Congresses, who are not entitled to receive the same under former resolutions or acts of Congress.	Documentary History.
For the balance due H. Randall for a lot of ground upon which the engine-house of the Union Fire Company has been erected, three hundred dollars;	H. Randall.
For surveying the public lands in the State of Illinois, and for surveys not yet completed, twelve thousand dollars;	Surveying public lands in Illinois.
For repairs of the custom-house at Key West, one thousand six hundred and twenty-five dollars;	Custom-house at Key West.
For the third payment to Luigi Persico, under the contract with him for a group of statues for the Capitol, four thousand dollars;	Group of statues.
For the third payment to the artists engaged in executing paintings for the rotundo of the Capitol, eight thousand dollars;	Paintings for the rotundo.
For engraving a chart of the bay and harbor of New York, five thousand dollars;	Chart of bay, &c. New York.
For paying the clerks in the custom-house at Philadelphia, the arrears of their salaries from eighteen hundred and thirty-two, to eighteen hundred and thirty-seven, so as to make the same equal to what they received in the last mentioned year, on the same principle as has been applied at New York, fifteen thousand dollars, or so much thereof as may be necessary;	Arrears to clerks at Philadelphia.
For procuring such books and papers relating to Spanish grants of land, formerly belonging to the late Spanish surveyors in the Territories of Orleans or Florida, as may be useful to protect the interests of the United States, and to be expended only with the approbation of the Secretaries of the State and Treasury Departments, after an inspection and examination of said books and papers by a competent person or persons, at the General Land Office, a sum not exceeding twenty thousand dollars;	Books and papers relating to Spanish grants, &c.
For support of the United States Penitentiary in the city of Washington for the year eighteen hundred and thirty-nine, including the pay of officers and agents, rations, clothing, beds and bedding, hospital stores and medicines, repairs to buildings, fuel, raw materials to be	Support of U. S. penitentiary in Washington.

worked up, allowance to discharged convicts and other contingencies as per estimate of board of inspectors, twelve thousand five hundred and thirty-seven dollars and thirty-six cents;

South'n boundary of Iowa. [For] the survey of the southern boundary of the Territory of Iowa, nine hundred and sixty-nine dollars and five cents;

Public lands in Wisconsin. For the surveys of public lands north of the Wisconsin and Neenah rivers in Wisconsin, the sum of five thousand dollars;

New cupolas. For three new cupolas over the Library of Congress, one thousand four hundred and eighty-two dollars and twenty-four cents;

Pipes to water Capitol gro'ds. For branch-pipes and stop-cocks to water the Capitol grounds, three hundred and fifty dollars and thirty cents;

Repairing water pipes. For repairing the water-pipes from the Tiber, north of the Capitol, to the Capitol, five hundred dollars;

C. Gordon. For compensating Charles Gordon for services rendered under the resolutions of the Senate of the second of July, eighteen hundred and thirty-six, and the twenty-eighth of June, eighteen hundred and thirty-eight, one thousand eight hundred dollars;

President's house. For completing the special repairs heretofore proposed in the President's house, including a deficiency in a former appropriation, one thousand five hundred and eleven dollars and twenty-two cents;

Purchase of fire engines, &c. For the purchase of two fire engines for the Capitol, the Marine Barracks, and the Navy Yard, including apparatus and for suction and hose for the Perseverance fire company, ten thousand one hundred dollars;

General Post Office. Act of July 2, 1836, ch. 270. For the service of the General Post Office, for the year eighteen hundred and thirty-nine, in conformity to the act of second July, eighteen hundred and thirty-six, five million one hundred thousand dollars;

Transportation of the mails. For the transportation of the mails, three million five hundred and twenty-nine thousand dollars;

Compensation of postmasters. For compensation of postmasters, one million and ninety-one thousand dollars;

Ship letters, &c. For ship, steamboat, and way letters, thirty-five thousand dollars;

Wrapping paper. For wrapping-paper, twenty-five thousand dollars;

Office furniture. For office furniture, six thousand dollars;

Advertising. For advertising, thirty-eight thousand dollars;

Mail bags. For mail-bags, forty-eight thousand dollars;

Blanks. For blanks, thirty-four thousand dollars;

Mail locks, &c. For mail locks, and keys, and stamps, twelve thousand dollars;

Mail depredations, &c. For mail depredations and special agents, fifteen thousand dollars;

Clerks. For clerks for offices, two hundred thousand dollars;

Miscellaneous. For miscellaneous, sixty-seven thousand dollars; *Provided*, That the President and the Postmaster General shall have the same power to transfer funds from one to another head of appropriation, between the foregoing appropriations made for the service of the General Post Office, as the President and any other head of an Executive department now have to transfer funds appropriated under one head to the service of another, in any other branch of the public service.

Money paid to collectors, &c. for unascertained duties, &c. **SEC. 2.** *And be it further enacted*, That from and after the passage of this act, all money paid to any collector of the customs, or to any person acting as such, for unascertained duties or for duties paid under protest against the rate or amount of duties charged, shall be placed to the credit of the Treasurer of the United States, kept and disposed of as all other money paid for duties is required by law, or by regulation of the Treasury Department, to be placed to the credit of said Treasurer, kept and disposed of; and shall not be held by the said collector, or person acting as such, to await any ascertainment of duties, or the result of any litigation in relation to the rate or amount of duty legally chargeable and collectable in any case where money is so paid; but whenever it shall be shown to the satisfaction of the Secretary of the

Treasury, that in any case of unascertained duties or duties paid under protest more money has been paid to the collector or person acting as such than the law requires should have been paid, it shall be his duty to draw his warrant upon the Treasurer in favor of the person or persons entitled to the over-payment, directing the said Treasurer to refund the same out of any money in the Treasury not otherwise appropriated. (a)

SEC. 3. *And be it further enacted*, That no officer in any branch of the public service, or any other person whose salaries, or whose pay or emoluments is or are fixed by law and regulations, shall receive any extra allowance or compensation in any form whatever for the disbursement of public money, or the performance of any other service, unless the said extra allowance or compensation be authorized by law; nor shall any executive officer, other than the heads of departments, apply more than thirty dollars, annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office.

No person, whose salary, &c. shall receive any extra allowance, unless authorized by law.

APPROVED, March 3, 1839.

CHAP. LXXXIII.—*An Act for the relief of the Brothertown Indians, in the Territory of Wisconsin.*

STATUTE III.  
March 3, 1839.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the township of land containing twenty-three thousand and forty acres, lying on the east side of Winnebago lake, in the Territory of Wisconsin, which, by the proviso of a treaty made with the Menomonic Indians on the seventeenth February, eighteen hundred and thirty-one, and ratified on the ninth July 1832, was reserved for the use of the Brotherton or Brothertown Indians, and which by a subsequent treaty with the Menomonic tribe, bearing date 27th October 1832, and ratified 13th March 1833, was further secured to the said Brothertown Indians, may be partitioned and divided among the different individuals composing said tribe of Brothertown Indians, and may be held by them separately and severally in fee simple, after such division shall have been made in the manner hereafter mentioned.

A township of land, lying, &c. may be divided among, &c.

(a) Since the passage of the act of Congress of March 3, 1839, chap. 82, sec. 2, which requires collectors of the customs to place to the credit of the Treasurer of the United States all moneys which they receive for unascertained duties, or for duties paid under protest, an action of assumpsit for money had and received will not lie against the collector for the return of such duties so received by him. *Carey v. Curtis*, 3 Howard, 236.

In what other modes the claimant can have access to the courts of justice this court is not called upon to decide in this case. *Ibid.*

[Congress being in session when the decision of the court in the case of *Carey v. Curtis*, 3 Howard, 236, was made, the following act was passed.]

CHAP. XXII.—*An Act explanatory of an act entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-nine."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*. That nothing contained in the second section of the act entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-nine," approved on the third day of March, one thousand eight hundred and thirty-nine, shall take away, or be construed to take away or impair, the right of any person or persons who have paid or shall hereafter pay money, as and for duties, under protest, to any collector of the customs, or other person acting as such, in order to obtain goods, wares, or merchandise, imported by him or them, or on his or their account, which duties are not authorized or payable in part or in whole by law, to maintain any action at law against such collector, or other person acting as such, to ascertain and try the legality and validity of such demand and payment of duties, and to have a right to a trial by jury, touching the same, according to the due course of law. Nor shall any thing contained in the second section of the act aforesaid be construed to authorize the Secretary of the Treasury to refund any duties paid under protest; nor shall any action be maintained against any collector, to recover the amount of duties so paid under protest, unless the said protest was made in writing, and signed by the claimant, at or before the payment of said duties, setting forth distinctly and specifically the grounds of objection to the payment thereof.

APPROVED, February 26, 1845.



Said division to be made by a board of commissioners.

SEC. 2. *And be it further enacted*, That, for the purpose of making partition and division of said lands among the individuals of said tribe of Brothertown Indians, a board of commissioners shall be constituted, to consist of five of the principal or head men of said tribe, a majority of whom shall constitute a quorum to do business, whose duty it shall be to make a just and fair partition and division of said lands among the members of said tribe, or among such of them as, by the laws and customs and regulations of said tribe, are entitled to the same, and in such proportions and in such manner as shall be consistent with equity and justice, and in accordance with the existing laws, customs, usages, or agreements of said tribe.

A meeting to be held for the election, &c.

SEC. 3. *And be it further enacted*, That, for the purpose of electing or choosing said board of commissioners, a meeting of said tribe shall be held at their church, or principal place, on the reservation of land aforesaid, on the first Monday in July next, at which all the male members of said tribe over the age of twenty-one years shall be allowed to vote for such commissioners; and the said five commissioners shall then and there be chosen or elected by the said tribe, by a majority of the whole number of such voters then present. And the judge of the district in which said lands are situated (or in his absence the register of the land office at Green Bay, or the commanding officer of the United States troops at Fort Howard) shall attend at the time and place aforesaid, and preside at said meeting, superintend the said election, and see that the proceedings are fairly conducted: and the said presiding officer may, in his discretion, prescribe whether the said election shall be by ballot or viva voce; and shall in other respects cause the proceedings to be conducted in such manner as to ensure a fair and proper choice or election; and after the said commissioners shall have been so chosen or elected, the said presiding officer shall immediately certify that fact, setting forth the names of the commissioners who shall be elected, and shall make two copies of said certificate, one of which he shall file in the office of the register of the land district at Green Bay, and the other he shall transmit by mail to the President of the United States.

Division, how to be made.

SEC. 4. *And be it further enacted*, That after the said commissioners shall have been elected or chosen as above prescribed, and as soon thereafter as conveniently may be, they shall proceed to make partition and division of all the lands aforesaid among the individual members of said tribe, or among such of them as, by the laws, customs, usages, or agreements of said tribe are justly entitled to the same, and in such way and manner, and upon such principles and in such proportions as shall be agreeable to equity and justice, and consistent with the laws, usages, customs, and agreements of said tribe: *Provided, however*, That the buildings and improvements, and the farms on which the same are situated, which are now held or possessed in severalty by the members of said tribe, shall, so far as the same can consistently be done, be allotted or apportioned to the present occupants; and that no person or individual of said tribe shall be dispossessed or deprived of the improvements or land which they now occupy, unless it shall be found by the said commissioners that such person or persons are in the possession of and occupying more land than they are justly entitled to, and then the overplus may be apportioned to others.

Proviso.

Commissioners to report their proceedings, &c.

SEC. 5. *And be it further enacted*, That after the said commissioners shall have made such partition and division as aforesaid, they shall make, or cause to be made, a full report of their proceedings in the premises, setting forth the name of each person to whom they have apportioned any part of said land, the quantity apportioned or allotted to each, with the metes and bounds, or other definite description of each several piece or parcel of land; and they shall accompany the said report with a fair and accurate map of the whole, showing the divisions and partitions

A map to accompany the report, &c.

aforesaid; which report and map, or a copy thereof, shall be deposited with the town clerk of said tribe, on or before the first day of October next, and shall remain open for inspection to all, for the space of twenty days thereafter; and if any member or members of said tribe shall object to the partition or division so made by the said commissioners, or shall deem himself or themselves aggrieved thereby, he or they may, within ten days thereafter, give notice thereof to the said commissioners, who shall, within twenty days thereafter, meet to hear and determine such grievances, and take testimony if necessary; and after such hearing, shall have power to alter or modify such partition, if, in their judgment, any alteration or modification is necessary, in order to do equal and exact justice to all parties in interest.

Proceedings to be had if objection is made.

SEC. 6. *And be it further enacted*, That, after the said report shall be finally completed, the commissioners shall cause [three copies] of the said report, and of the map accompanying the same, as finally agreed upon and settled, to be made and signed by said commissioners, one copy of which shall be deposited in the office of the secretary of said Territory, one copy in the office of the clerk of the county within which said lands are situated, and the other shall be transmitted to the President of the United States, who shall thereupon cause patents to be issued to the several individuals named in said report, for the lands so apportioned to them respectively, by which the said persons shall be authorized to hold the said lands in fee simple to themselves and their heirs and assigns.

Copy of report and map to be deposited, &c.

SEC. 7. *And be it further enacted*, That the said report and map shall be filed with the secretary of said Territory, and in the clerk's office of said county, and shall also be transmitted to the President on or before the first day of January next; and after the same shall have been filed and transmitted to the President, as aforesaid, the said Brothertown Indians, and each and every of them, shall then be deemed to be, and from that time forth are hereby declared to be, citizens of the United States to all intents and purposes, and shall be entitled to all the rights, privileges, and immunities of such citizens, and shall, in all respects, be subject to the laws of the United States and of the Territory of Wisconsin, in the same manner as other citizens of said Territory; and the jurisdiction of the United States and of said Territory shall be extended over the said township or reservation now held by them in the same manner as over other parts of said Territory; and their rights as a tribe or nation, and their power of making or executing their own laws, usages, or customs, as such tribe, shall cease and determine: *Provided, however*, That nothing in this act shall be so construed as to deprive them of the right to any annuity now due to them from the State of New York or the United States, but they shall be entitled to receive any such annuity in the same manner as though this act had not been passed.

Said Indians shall be citizens of the United States, &c.

Proviso.

APPROVED, March 3, 1839.

STATUTE III.

CHAP. LXXXIV.—*An Act making an appropriation for the protection of the Northern and Northwestern frontier of the United States.*

March 3, 1839.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of five hundred thousand dollars, in addition to a former appropriation, shall be, and the same is hereby, appropriated, out of any unappropriated money in the Treasury to defray any expenses which have been or may be incurred in protecting the Northern and Northwestern frontier of the United States, by the employment of steamboats, the transportation of troops and supplies, or any other extraordinary expenses attending the operations of the army in the defence of that frontier, and by calling out, under the direction of the President of the United States, any part of the militia or volunteers, according to the provisions of the constitution

Appropriation.

How to be expended.

Act of Jan. 2, 1795, ch. 9.

Act of April 5, 1832, ch. 64.

Act of March 19, 1836, ch. 44.

and laws; and such part of said sum as may be required for the latter purpose, shall be expended under the direction of the Secretary of War, conformably to the provisions of the act of Congress of January the second, seventeen hundred and ninety-five; of the act of April the fifth, eighteen hundred and thirty-two, making appropriations for the support of the army; and of the act of March the nineteenth, eighteen hundred and thirty-six, providing for the payment of volunteer and militia corps in the service of the United States.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

Act of April 16, 1818, ch. 64.

Construction of act.

CHAP. LXXXV.—*An Act to amend an act entitled "An act regulating the pay and emoluments of brevet officers," passed April 16, 1818.*

*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 act entitled "An act regulating the pay and emoluments of brevet officers," approved April sixteenth, eighteen hundred and eighteen, be, and the same shall be, so construed, as to include the case of the Adjutant General of the United States.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

[Obsolete.]

Appropriation for opening a road.

Proviso.

Survey of Red Cedar river.

Appropriation.

Opening and constructing a road from Burlington, &c.

Improving the

CHAP. LXXXVI.—*An Act to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, 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 twenty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the opening and construction of a road in the Territory of Iowa, from Dubuque, on the river Mississippi, to such point in the northern boundary of the State of Missouri as may be best suited for its future extension by that State to the cities of Jefferson and St. Louis, within the same; that the Secretary of War be empowered and directed to cause such road to be constructed by contract or otherwise: *Provided,* That the said road shall be opened throughout, and so far completed as to be capable of use, without exceeding in cost the sum hereby appropriated; and in laying down the route thereof respect be paid, so far as the same may be practicable, without greatly increasing the length thereof, to the accommodation of the seats of justice of the several counties in Iowa through which it may pass, and to the best sites for bridges or ferries over the several rivers which the said road must cross.

SEC. 2. *And be it further enacted,* That the Secretary of War be, and he is hereby, empowered to cause a survey of Red Cedar river, within the said Territory, and an estimate to be made, with a view to the improvement of the navigation thereof above the town of Moscow, and the connection of the said navigation with the river Mississippi by a canal, extending from the vicinity of said town to some suitable point in or near the town of Bloomington; and to defray the expense of said survey and estimate, the sum of fifteen hundred dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

SEC. 3. *And be it further enacted,* That the following sums are hereby appropriated to several objects respectively, which are hereinafter described:

For the opening and construction of a road from Burlington through the counties of Des Moines, Henry and Van Buren, towards the seat of Indian agency on the river Des Moines, five thousand dollars;

For the improvement of the road from Burlington, in the Territory of Iowa, to De Hagues, in Illinois, the sum of twenty-five hundred dol-

lars, in aid of a like sum contributed towards the same object by the town of Burlington.

road from Burlington to De Hagues.

APPROVED, March 3, 1839.

CHAP. LXXXVII.—*An Act providing for the erection of a fire-proof building for the use of the General Post Office Department.*

STATUTE III.  
March 3, 1839.

[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 hereby is, authorized to cause to be erected a fire-proof building, of such dimensions and upon such plan of arrangement as may be required for the use and accommodation of the General Post Office Department, on the site of the Post Office building recently destroyed by fire; and, for this purpose, that he be authorized to appoint a skilful architect to prepare and submit to him the necessary plans for the proper construction of such building, which being approved by him shall be conformed to in the erection of the structure; and the said architect may be continued in the superintendence of the construction of the building, or another employed in that service, as the President may deem best. *Provided,* that not more than one architect shall be kept in the employment of the Government at Washington.

Fire-proof building to be erected.

SEC. 2. *And be it further enacted,* That the principal material of which the exterior walls of such building shall be constructed shall be such as the President of the United States shall direct, and shall be jointed, and laid in regular courses, in the most approved mode of such construction.

Proviso.

Material—how to be laid, &c.

SEC. 3. *And be it further enacted,* That, for the erection of the building authorized by the first section of this act, there be, and hereby is, appropriated, the sum of one hundred and fifty thousand dollars, out of any money in the Treasury not otherwise appropriated by law.

Appropriation.

APPROVED, March 3, 1839.

CHAP. LXXXVIII.—*An Act in addition to "An act to promote the progress of the useful arts." (a)*

STATUTE III.  
March 3, 1839.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be appointed, in manner provided in the second section of the act to which this is additional, two assistant examiners, each to receive an annual salary of twelve hundred and fifty dollars.

Act of July 4, 1836, ch. 357.  
Act of Aug. 29, 1842, ch. 263.

SEC. 2. *And be it further enacted,* That the Commissioner be authorized to employ temporary clerks to do any necessary transcribing whenever the current business of the office requires it; *Provided, however,* That instead of salary, a compensation shall be allowed, at a rate not greater than is charged for copies now furnished by the office.

Two assistant examiners to be appointed—how their salaries.

Temporary clerks.

Proviso.

SEC. 3. *And be it further enacted,* That the Commissioner is hereby authorized to publish a classified and alphabetical list of all patents granted by the Patent Office previous to said publication, and retain one hundred copies for the Patent Office and nine hundred copies to be deposited in the library of Congress, for such distribution as may be hereafter directed; and that one thousand dollars, if necessary, be appropriated, out of the patent fund, to defray the expense of the same.

List of patents to be published.

SEC. 4. *And be it further enacted,* That the sum of three thousand six hundred and fifty-nine dollars and twenty-two cents be, and is hereby, appropriated from the patent fund, to pay for the use and occupation of rooms in the City Hall by the Patent Office.

Pay for use of rooms in City Hall.

Purchase of books.

SEC. 5. *And be it further enacted,* That the sum of one thousand dol-

(a) See notes of the acts granting patents for useful inventions, and of the decisions of the courts of the United States on the patent laws, vol. 1, 318.

lars be appropriated from the patent fund, to be expended under the direction of the Commissioner, for the purchase of necessary books for the library of the Patent Office.

No person to be debarred from receiving a patent, &c.

SEC. 6. *And be it further enacted*, That no person shall be debarred from receiving a patent for any invention or discovery, as provided in the act approved on the fourth day of July, one thousand eight hundred and thirty-six, to which this is additional, by reason of the same having been patented in a foreign country more than six months prior to his application: *Provided*, That the same shall not have been introduced into public and common use in the United States, prior to the application for such patent: *And provided, also*, That in all cases every such patent shall be limited to the term of fourteen years from the date or publication of such foreign letters patent.

Proviso.

Proviso.

Persons, &c. having purchased or constructed any newly invented machine, &c.

SEC. 7. *And be it further enacted*, That every person or corporation who has, or shall have, purchased or constructed any newly invented machine, manufacture, or composition of matter, prior to the application by the inventor or discoverer for a patent, shall be held to possess the right to use, and vend to others to be used, the specific machine, manufacture, or composition of matter so made or purchased, without liability therefor to the inventor, or any other person interested in such invention; and no patent shall be held to be invalid by reason of such purchase, sale, or use prior to the application for a patent as aforesaid, except on proof of abandonment of such invention to the public; or that such purchase, sale, or prior use has been for more than two years prior to such application for a patent.

So much of 11th sec. act 4th July 1836, ch. 357, as requires payment for recording assignments, repealed.

SEC. 8. *And be it further enacted*, That so much of the eleventh section of the above recited act as requires the payment of three dollars to the Commissioner of Patents for recording any assignment, grant, or conveyance of the whole or any part of the interest or right under any patent, be, and the same is hereby, repealed; and all such assignments, grants, and conveyances shall, in future, be recorded without any charge whatever.

Agricultural statistics, &c.

SEC. 9. *And be it further enacted*, That a sum of money not exceeding one thousand dollars, be, and the same is hereby, appropriated, out of the patent fund, to be expended by the Commissioner of Patents in the collection of agricultural statistics, and for other agricultural purposes; for which the said Commissioner shall account in his next annual report.

Provisions 16th sec. act 4th July 1836, ch. 357, extended.

SEC. 10. *And be it further enacted*, That the provisions of the sixteenth section of the before recited act shall extend to all cases where patents are refused for any reason whatever, either by the Commissioner of Patents or by the chief justice of the District of Columbia, upon appeals from the decision of said Commissioner, as well as where the same shall have been refused on account of, or by reason of, interference with a previously existing patent; and in all cases where there is no opposing party, a copy of the bill shall be served upon the Commissioner of Patents, when the whole of the expenses of the proceeding shall be paid by the applicant, whether the final decision shall be in his favor or otherwise.

Appeals.

1862, ch. 107.

SEC. 11. *And be it further enacted*, That in all cases where an appeal is now allowed by law from the decision of the Commissioner of Patents to a board of examiners provided for in the seventh section of the act to which this is additional, the party, instead thereof, shall have a right to appeal to the chief justice of the district court of the United States for the District of Columbia, by giving notice thereof to the Commissioner, and filing in the Patent Office, within such time as the Commissioner shall appoint, his reasons of appeal, specifically set forth in writing, and also paying into the Patent Office, to the credit of the patent fund, the sum of twenty-five dollars. And it shall be the duty of said

chief justice, on petition, to hear and determine all such appeals, and to revise such decisions in a summary way, on the evidence produced before the Commissioner, at such early and convenient time as he may appoint, first notifying the Commissioner of the time and place of hearing, whose duty it shall be to give notice thereof to all parties who appear to be interested therein, in such manner as said judge shall prescribe. The Commissioner shall also lay before the said judge all the original papers and evidence in the case, together with the grounds of his decision, fully set forth in writing, touching all the points involved by the reasons of appeal, to which the revision shall be confined. And at the request of any party interested, or at the desire of the judge, the Commissioner and the examiners in the Patent Office, may be examined under oath, in explanation of the principles of the machine or other thing for which a patent, in such case, is prayed for. And it shall be the duty of said judge, after a hearing of any such case, to return all the papers to the Commissioner, with a certificate of his proceedings and decision, which shall be entered of record in the Patent Office; and such decision, so certified, shall govern the further proceedings of the Commissioner in such case; *Provided, however,* That no opinion or decision of the judge in any such case, shall preclude any person interested in favor or against the validity of any patent which has been or may hereafter, be granted, from the right to contest the same in any judicial court, in any action in which its validity may come in question.

Proviso.

SEC. 12. *And be it further enacted,* That the Commissioner of Patents shall have power to make all such regulations in respect to the taking of evidence to be used in contested cases before him, as may be just and reasonable. And so much of the act to which this is additional, as provides for a board of examiners, is hereby repealed.

Commissioner may make regulations respecting contested cases.

SEC. 13. *And be it further enacted,* That there be paid annually, out of the patent fund, to the said chief justice, in consideration of the duties herein imposed, the sum of one hundred dollars.

Compensation of chief justice.

APPROVED, March 3, 1839.

STATUTE III.

CHAP. LXXXIX. — *An Act giving to the President of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes.*

March 3, 1839.

[Expired.]

*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 resist any attempt on the part of Great Britain, to enforce, by arms, her claim to exclusive jurisdiction over that part of the State of Maine which is in dispute between the United States and Great Britain; and for that purpose, to employ the naval and military forces of the United States and such portions of the militia as he may deem it advisable to call into service.

Disputed territory in Maine.

SEC. 2. *And be it further enacted,* That the militia when called into the service of the United States by virtue of this act, or of the act 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 these purposes," may, if in the opinion of the President of the United States the public interest require it, be compelled to serve for a term not exceeding six months after the arrival at the place of rendezvous, in any one year unless sooner discharged.

Militia, when called into service.

1795, ch. 36.

SEC. 3. *And be it further enacted,* That in the event of actual invasion of the territory of the United States by any foreign power, or if imminent danger of such invasion discovered, in his opinion, to exist before Congress can be convened to act upon the subject, the President be, and he is hereby, authorized if he deem the same expedient, to ac-

In event of actual invasion, &c.

Act of 1836, ch. 80.

cept the services of any number of volunteers not exceeding fifty thousand, in the manner provided for by an act entitled "An act authorizing the President of the United States to accept the service of volunteers and to raise an additional regiment of dragoons or mounted riflemen, approved May twenty-third, eighteen hundred and thirty-six."

The President authorized to complete the public armed vessels now authorized, &c.

SEC. 4. *And be it further enacted*, That in the event of either of the contingencies provided for in this act the President of the United States shall be authorized to complete the public armed vessels now authorized by law, and to equip, man, and employ, in actual service, all the naval force of the United States, and to build, purchase, or charter, arm, equip, and man, such vessels and steamboats on the Northern lakes and rivers, whose waters communicate with the United States and Great Britain as he shall deem necessary to protect the United States from invasion from that quarter.

Appropriation.

SEC. 5. *And be it further enacted*, That the sum of ten millions of dollars is hereby appropriated, and placed at his disposal for the purpose of executing the provisions of this act; to provide for which the Secretary of the Treasury is authorized to borrow money on the credit of the United States, and to cause to be issued certificates of stock signed by the Register of the Treasury, for the sum to be borrowed, or any part thereof; and the same to be sold upon the best terms that may be offered after public notice for proposals for the same: *Provided*, That no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed after the expiration of five years from the first of January next; and that the rate of interest shall not exceed five per cent., payable semi-annually.

Proviso.

Outfit, &c. of special minister to Gr. Britain.

SEC. 6. *And be it further enacted*, That the sum of eighteen thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury, not otherwise appropriated, for outfit and salary of a special minister to Great Britain: *Provided*, The President of the United States shall deem it expedient to appoint the same.

Proviso.

President authorized to apply \$1,000,000 to repairing fortifications, &c.

SEC. 7. *And be it further enacted*, That in the event of either of the contingencies provided for in the first and third sections of this act, the President of the United States shall be authorized to apply a part not exceeding one million of dollars of the appropriation made in this act to repairing or arming fortifications along the seaboard and frontier.

Militia or volunteers, when called into service of the United States, &c.

SEC. 8. *And be it further enacted*, That whenever militia or volunteers are called into the service of the United States they shall have the organization of the army of the United States, and shall receive the same pay and allowances.

To continue in force until, &c.

SEC. 9. *And be it further enacted*, That the several provisions of this act shall be in force until the end of sixty days after the meeting of the first session of the next Congress, and no longer.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

CHAP. XC. — *An Act to alter and amend the organic law of the Territories of Wisconsin and Iowa.*

Act of April 20, 1836, ch. 54.

Act of April 12, 1838, ch. 96.

Bills passed by Council, &c. of Iowa and Wisconsin, before becoming laws, to be approved by the govern'r.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every bill which shall have passed the Council and House of Representatives of the Territories of Iowa and Wisconsin shall, before it become a law, be presented to the Governor of the 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, together with the objections, to the other House, by which it shall likewise be reconsidered; and if approved by two thirds of that House it

shall become a law. But, in all such cases, the votes of both Houses 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. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Assembly by adjournment prevent its return, in which case it shall not be a law.

SEC. 2. *And be it further enacted*, That this act shall not be so construed as to deprive Congress of the right to disapprove of any law passed by the said Legislative Assembly, or in any way to impair or alter the power of Congress over laws passed by said Assembly.

Limitation of the act.

APPROVED, March 3, 1839.

CHAP. XCI.—*An Act to define and establish the eastern boundary line of the Territory of Iowa.*

STATUTE III.  
March 3, 1839.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the middle or centre of the main channel of the river Mississippi shall be deemed, and is hereby declared, to be the eastern boundary line of the Territory of Iowa, so far or to such extent as the said Territory is bounded eastwardly by or upon said river: *Provided, however*, That the said Territory of Iowa shall have concurrent jurisdiction upon the said Mississippi river with any other conterminous State or Territory so far or to such extent as the said river shall form a common boundary between the aforesaid Territory of Iowa and any other such conterminous State or Territory.

Eastern boundary of Iowa.

Proviso.

APPROVED, March 3, 1839.

CHAP. XCII.—*An Act to authorize the election or appointment of certain officers in the Territory of Iowa, and for other purposes.*

STATUTE III.  
March 3, 1839.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Legislative Assembly of the Territory of Iowa shall be, and are hereby, authorized to provide by law for the election or appointment of sheriffs, judges of probate, justices of the peace, and county surveyors, within the said Territory, in such way or manner, and at such times and places as to them may seem proper; and after a law shall have been passed by the Legislative Assembly for that purpose, all elections or appointments of the above-named officers thereafter to be had or made shall be in pursuance of such law.

Legislative Assembly of Iowa authorized to provide by law for the election of sheriffs, &c.

SEC. 2. *And be it further enacted*, That the term of service of the present Delegate for said Territory of Iowa shall expire on the twenty-seventh day of October, eighteen hundred and forty; and the qualified electors of said Territory may elect a Delegate to serve from the said twenty-seventh day of October to the fourth day of March thereafter, at such time and place as shall be prescribed by law by the Legislative Assembly, and thereafter a Delegate shall be elected, at such time and place as the Legislative Assembly may direct, to serve for a Congress, as members of the House of Representatives are now elected.

Election of delegate.

APPROVED, March 3, 1839.

CHAP. XCIII.—*An Act making appropriations for preventing and suppressing Indian hostilities, for the year eighteen hundred and thirty-nine.*

STATUTE III.  
March 3, 1839.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums, amounting to one million eight hundred and four thousand seven

Appropriation.



- hundred and seventy-four dollars, be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses which have been, or may be, incurred, in preventing or suppressing the hostilities of any Indians, in the year eighteen hundred and thirty-nine; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March and the second of July, eighteen hundred and thirty-six, and of the acts therein referred to :
- How to be expended.**  
1836, ch. 43.  
1836, ch. 254.
- Forage.** For forage for the horses of the second dragoons, mounted volunteers and militia officers entitled to forage in kind, and for horses, mules, and oxen, in the service of trains, three hundred and ninety-two thousand eight hundred and thirty-one dollars ;
- Freight, &c.** For freight or transportation of military supplies of every description from the places of purchase to Florida, two hundred and fifty-four thousand six hundred and twenty-eight dollars ;
- Purchase of wagons, &c.** For the purchase of wagons, harness, boats and lighters, horses to keep up the trains, tools, leather and other materials for repairs, ninety-two thousand dollars ;
- Transportation.** For the transportation of supplies from the principal depots to the several posts, as well as troops, when they move by water, including hire of steamboats and other vessels for the service in the rivers and on the coasts, and the expenses of maintaining and sailing the several steamers and transport schooners connected with the operations of the army, three hundred thousand dollars ;
- Hire of mechanics, &c.** For the hire of mechanics, laborers, mule-drivers, teamsters, and other assistants, including their subsistence, and for soldiers on extra duty, conformably to law, one hundred thousand dollars ;
- Transportation of militia or volunteers.** For the transportation of the militia or volunteers while marching to and from the scene of operations, thirty thousand dollars ;
- Miscellaneous.** For miscellaneous expenses of all kinds, not embraced under the foregoing heads, and which, from their contingent character, cannot be specified, four hundred thousand dollars ;
- Accoutrements, &c.** For accoutrements and arms for infantry and cavalry, including militia infantry and cavalry, ammunition for men and field artillery, and repairs of arms, and for contingencies, seventy-one thousand dollars ;
- Pay of militia and volunteers.** For the pay of such militia and volunteers as may have been or may be called into the service of the United States, in addition to the unexpended balance of the appropriation for the payment of four thousand volunteers, for the year eighteen hundred and thirty-eight, one hundred and fourteen thousand three hundred and fifteen dollars ;
- Treaty with the Seminoles.** For the purpose of holding a treaty with the Seminole Indians, five thousand dollars ;
- Vessels to cruise along the coast of Florida.** For the purchase and maintaining in active service three vessels of light draught of water, to cruise along the coast of Florida, for the protection of the lives and property of the citizens, fifty thousand dollars ;
- Paying value of horses and equipage of Tennessee and other volunt'rs.** For paying the value of the horses and equipage of the Tennessee and other volunteers who have at any time been in the service of the United States in the Territory of Florida, and which were turned over to the Government, by the order of the commanding general or other commanding officer, said value to be ascertained by the appraisement of said value when the volunteers entered the service, fifty-two thousand dollars. And the provisions of acts approved and in force at various periods since eighteen hundred and twelve, authorizing payment for horses lost in the service of the United States by rangers, militia, and volunteers, are hereby revived and extended for two years from and after the passage of this act, and under the action of the Third Auditor, shall be deemed to embrace all cases not already satisfied, of horses lost to their owners in service as aforesaid, in battle or otherwise, when care
- Value, how to be ascertained.  
All acts since 1812, authorizing payment for horses, revived and extended for two years.

and diligence be rendered manifest on the part of the owner; and if the death or loss of rangers' horses shall have occurred for want of forage, it be at places where, acting in obedience to the orders of commanding officers, forage could not have been procured by proper vigilance on the part of the owner: No payment however shall be made for horses or other property lost or destroyed, when the loss or destruction shall have been occasioned by the fault or neglect of the owner, or where by the terms of the contract, the risk was upon the owner of the property: and no greater sum of money than the fifty-two thousand dollars appropriated by this section, shall be drawn from the Treasury by reason of its provisions.

SEC. 2. *And be it further enacted*, That no part of the money appropriated by this act shall be applied to the payment of any volunteers, except for arrearages, or for any expenses growing out of the employment of any volunteers for the year eighteen hundred and thirty-eight.

APPROVED, March 3, 1839.

No money appropriated by this act to be applied, &c.

CHAP. XCIV.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-nine.*

STATUTE III.  
March 3, 1839.

[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 the support of the army during the year one thousand eight hundred and thirty-nine, that is to say:

For the pay of the army, one million five hundred and thirty-four thousand eight hundred and thirty-two dollars;

Pay.

For the subsistence of officers, four hundred and seventy thousand seven hundred and fifty-four dollars;

Subsistence of officers.

For forage of officers' horses, one hundred and eleven thousand one hundred and fifteen dollars;

Forage for officers' horses.

For payments in lieu of clothing to discharged soldiers, and to officers, in lieu of clothing for their servants, fifty-nine thousand four hundred dollars;

Payments in lieu of clothing.

For subsistence, exclusive of that of officers, one million one hundred and twenty-two thousand eight hundred and thirty-one dollars;

Subsistence.

For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, four hundred and seventy-three thousand four hundred and thirty-five dollars;

Clothing, &c.

For the medical and hospital department, twenty-four thousand four hundred dollars;

Medical and hospital department.  
Supplies by Q. Master's dep't.

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

Barracks, &c.

For barracks, quarters, store houses, embracing the repairs and enlargement of barracks, quarters, store houses, and hospitals, at the several posts; the erection of temporary cantonments at such posts as shall be occupied during the year, and of gun houses for the protection of the cannon at the forts on the seaboard; the purchase of the necessary tools and materials for the objects wanted, and of the authorized furniture for the barrack rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of store houses for the safe keeping of subsistence, clothing, and other military supplies, and of grounds for summer cantonments, encampments, and military practice, one hundred thousand dollars;

For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, sixty thousand dollars;

Transportation of officers' baggage.

Transportation of troops and supplies.

For the transportation of troops, and supplies, viz : transportation of the army including the baggage of troops, when moving either by land or water ; freight and ferriages ; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation, or for the use of garrison ; drayage and cartage at the several posts ; hire of teamsters ; transportation of funds for the pay department ; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as, from their situation, require it ; the 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 contracts, to such places as the circumstances of the service may require it to be sent ; of ordnance from the foundries and arsenals to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of two hundred and five thousand dollars ;

Quartermaster's department.

Act of March 2, 1819, ch. 45.

For the incidental expenses of the quartermaster's department, consisting of postage on public letters and packets ; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses ; extra pay to soldiers, under an act of Congress of the second of March, eighteen hundred and nineteen ; expenses of expresses from the frontier posts ; of the necessary articles for the interment of non-commissioned officers and soldiers ; hire of laborers ; compensation to clerks in the offices of quartermasters and assistant quartermasters at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works, and in the performance of other duties ; expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses to supply the place of those which may be lost and become unfit for service, and the erection of additional stables, one hundred and two thousand dollars ;

Contingencies.

Extra pay.

For contingencies of the army, seven thousand dollars ;

For two months' extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, thirty thousand nine hundred and twenty-seven dollars ;

National armories.

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

Armament of fortifications.

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

Ordnance service.

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

Ordnance, &c.

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

Arsenals.

For arsenals, one hundred and fifty thousand dollars ;

Springfield armory.

For new machinery at the Springfield armory, twenty thousand dollars ;

Allegany and Watertown arsenals.

For the purchase of land at the Allegany and Watertown arsenals, three thousand five hundred dollars ;

Drawing, &c.

For the expense of preparing drawings of a uniform system of artillery, and for other supplies in the Ordnance Department, three thousand eight hundred dollars ;

Arrearages.

For arrearages prior to the 1st of July, eighteen hundred and fifteen, per act of the first of May, eighteen hundred and twenty, payable through the Third Auditor's Office, three thousand dollars ;

Surveying, &c. military road.

For surveying and opening of the western frontier military road, being the balance of an appropriation carried to the surplus fund, fifty-two thousand one hundred and twenty-five dollars and sixty-seven cents.

Appropriations for fortifications.

SEC. 2. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the preservation, repairs, and construction of certain fortifications and incidental expenses for the year eighteen hundred and thirty-nine, viz :

For preservation of Castle island, and repairs of Fort Independence, at Boston, twenty-five thousand dollars;	Castle island and Fort Independence.
For Fort Warren, at Boston, forty thousand dollars;	Fort Warren.
For Fort Adams, at Newport, ten thousand dollars;	Fort Adams.
For the fort at New London harbor, five thousand dollars;	New London harbor.
For Fort Schuyler, at New York, ten thousand dollars;	Fort Schuyler.
For repairs of Castle William and Fort Columbus, and officers' quarters, at New York, two thousand dollars;	Castle William, &c. at New York.
For Fort Delaware, ten thousand dollars. <i>Provided</i> , That no part of this appropriation shall be applied till the title of the said fortification shall be decided to be in the United States.	Ft. Delaware.
For Fort Monroe, ten thousand dollars;	Fort Monroe.
For Fort Calhoun, fifteen thousand dollars;	Fort Calhoun.
For Fort Caswell, five thousand dollars;	Fort Caswell.
For fortification in Charleston, South Carolina, and for the preservation of the site of Fort Moultrie, ten thousand dollars.	Fortification at Charleston, Fort Moultrie.
For Fort Pulaski, at Savannah, fifteen thousand dollars.	Fort Pulaski.
For Fort Marion and sea-wall at St. Augustine, ten thousand dollars.	Fort Marion.
For fort on Foster's Bank, Pensacola, five thousand dollars.	Fort on Foster's bank.
For contingencies of fortifications, ten thousand dollars.	Contingencies.
For incidental expenses attending the repairs of fortifications, and for the purchase of additional land in the neighbourhood, fifty thousand dollars;	Incidental expenses, &c.
For the fort at Grande Terre, being the amount of a former appropriation carried to the surplus fund, fifteen thousand dollars;	Ft. at Grande Terre.
For the preservation and repair of Fort Niagara, thirty thousand dollars;	Fort Niagara.
For repairing and rebuilding the old fort at Oswego, including the construction of the necessary barracks, twenty thousand dollars;	Fort at Oswego.
For barracks and other buildings at Sackett's Harbor, ten thousand dollars;	Sackett's Harbor.
For barracks and other buildings at Plattsburg, twenty thousand dollars;	Plattsburg.
For the construction of barracks, quarters, store-houses, hospitals and stable, and the necessary defences of the posts it may be deemed proper to establish for the better protection of the Western frontier, eighty thousand dollars.	Western frontier.
SEC. 3. <i>And be it further enacted</i> , That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year one thousand eight hundred and thirty-nine, viz :	Military Academy.
For pay of officers, cadets, and musicians, fifty-nine thousand two hundred and twenty-eight dollars;	Pay.
For subsistence of officers and cadets, forty thousand and four dollars;	Subsistence.
For forage of officers' horses, three thousand nine hundred and thirty-six dollars;	Forage of officers' horses.
For clothing of officers' servants, three hundred and ninety dollars;	Clothing of officers' servants.
For defraying the expenses of the board of visitors at West Point, two thousand dollars;	Board of visitors.
For fuel, forage, stationery, printing, transportation, and postage, twelve thousand five hundred and eighty-one dollars and forty-five cents;	Fuel, &c.
For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, and fences, seven thousand two hundred and twenty-one dollars and sixty cents;	Repairs, &c.
For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars;	Adjutant's and quartermaster's clerks.
For increase and expenses of the library, one thousand dollars;	Library.

Miscellaneous.	For miscellaneous items and incidental expenses, seven hundred and thirty-one dollars and fifty cents;
Engineering.	For the department of engineering, three hundred dollars;
Philosophy.	For the department of philosophy, twelve hundred dollars;
Mathematics.	For the department of mathematics, ninety-seven dollars and fifty-four cents;
Chemistry.	For the department of chemistry, eight hundred and twenty-seven dollars and fifty cents;
Drawing.	For the department of drawing, two hundred and eighty-five dollars;
Tactics.	For the department of tactics, three hundred and sixty dollars;
Artillery.	For the department of artillery, two hundred and seventy-five dollars;
Reservoir.	For a reservoir, three thousand one hundred and eighteen dollars;
Fire engines, &c.	For two fire-engines, with hose complete, one thousand nine hundred dollars;
Completion of buildings.	For the completion of the buildings, for the library and the engineering, philosophical, and chemical departments, in addition to the appropriation of eighteen hundred and thirty-eight, sixteen thousand six hundred and forty-nine dollars and fifty cents.

Payment for horses of Missouri volunteers.

SEC. 4. *And be it further enacted*, That payment shall be made, under the directions of the Third Auditor, to the Missouri volunteers, whose horses were lost, or cast away at sea, or which perished or died in consequence of suffering at sea, in the voyage from New Orleans to Tampa Bay, in the year eighteen hundred and thirty-seven; and that the sum of thirty-five thousand dollars, out of any money in the Treasury not otherwise appropriated, be, and the same hereby is, appropriated, to make said payments.

In cases of erroneous valuation, payment to be suspended.

And when it shall appear that erroneous valuations have been made of such property with a view to defraud the Government, the Secretary of War shall suspend payment therefor until a satisfactory investigation can be made, and it shall be made to appear that such valuation was made in good faith.

APPROVED, March 3, 1839.

### STATUTE III.

March 3, 1839.

[Obsolete.]

CHAP. XCV.—*An Act making appropriations for the naval service for the year one thousand eight hundred and thirty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-nine in addition to the unexpended balances of former appropriations, viz:

Pay of officers and seamen.	For pay of commissioned, warrant, and petty officers, and of seamen, two millions three hundred and fifty-two thousand six hundred and twenty-five dollars and sixty-four cents;
Pay of sup'dts &c. at yards.	For pay of superintendents, naval constructors, and all the civil establishments at the several yards, forty-four thousand dollars;
Provisions.	For provisions, six hundred thousand dollars;
Repairs, &c.	For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million of dollars;
Medicines, &c.	For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, seventy-five thousand dollars;
Portsmouth navy yard.	For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, thirty thousand dollars;
Charlestown navy yard.	For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, twenty-six thousand dollars;
Brooklyn navy yard.	For improvement and necessary repairs of the navy yard at Brooklyn, New York, seven thousand five hundred dollars;
Philadelphia navy yard.	For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, eight thousand dollars;

For the improvement and necessary repairs of the navy yard at Washington, twenty-six thousand dollars ;	Washington navy yard.
For improvement and necessary repairs of the navy yard at Gosport, Virginia, sixty-four thousand dollars ;	Gosport navy yard.
For improvement and necessary repairs of the navy yard near Pensacola, twenty-five thousand dollars ;	Pensacola navy yard.
For ordnance and ordnance stores, sixty-five thousand dollars .	Ordnance, &c.
For defraying the expenses that may accrue for the following purposes, viz : for the freight and transportation of materials and stores of every description ; for wharfage and dockage ; storage and rent ; traveling expenses of officers and transportation of seamen ; house-rent for pursers when attached to yards and stations where no house is provided ; for funeral expenses ; for commissions, clerk-hire, office-rent, stationery, and fuel to navy agents ; for premiums and incidental expenses of recruiting ; for apprehending deserters ; for compensation to judge advocates ; for per diem allowance to persons attending courts-martial and courts of inquiry ; for printing and stationery of every description, and for working the lithographic press ; and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings ; for the purchase and repair of fire-engines and machinery, and for the repair of steam-engines in navy yards ; for the purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description ; for postage of letters on public service ; for pilotage and towing ships of war ; for taxes and assessments on public property ; for assistance rendered to vessels in distress, for incidental labor at navy yards, not applicable to any other appropriation ; for coal and other fuel, and for candles and oil for the use of navy yards and shore stations ; for repairs of magazines or powder-houses ; and for no other purpose whatever, four hundred and fifty thousand dollars ;	Miscellaneous expenses.
For contingent expenses for objects not hereinbefore enumerated, three thousand dollars ;	Expenses.
For pay of the officers, non-commissioned officers, musicians, and privates, and subsistence of the officers of the marine corps, one hundred and seventy-four thousand three hundred dollars ;	Pay of marine corps, &c.
For the provisions of the non-commissioned officers, musicians, and privates serving on shore, servants and washerwomen, forty-five thousand and fifty dollars ;	Provisions.
For clothing, forty-three thousand six hundred and sixty dollars ;	Clothing.
For fuel, sixteen thousand two hundred and seventy dollars ;	Fuel.
For keeping the present barracks in repair until new ones can be erected, and for the rent of temporary barracks at New York, ten thousand dollars ;	Repair of barracks, &c.
For the transportation of officers, non-commissioned officers, musicians and privates, and expenses of recruiting, six thousand dollars ;	Transportation.
For medicines, hospital stores, surgical instruments, and pay of mar- tron ; four thousand one hundred and thirty-nine dollars ;	Medicines, &c.
For contingent expenses of said corps, freight, ferriage, toll, wharfage, and cartage, per diem allowance for attending courts of inquiry, compensation to judge advocates, house rent where there are no public quarters assigned, incidental labor in the quartermaster's department, expenses of burying deceased persons belonging to the marine corps, printing, stationery, forage, postage on public letters, expenses in pursuing deserters, candles and oil for the different stations, straw for the men, barrack furniture, bed-sacks, spades, axes, shovels, picks, and carpenter's tools, seventeen thousand nine hundred and seventy-seven dollars ;	Expenses.
For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements, and ordnance stores, two thousand dollars ;	Military stores, &c.
For completing the hospital at New York, twenty thousand dollars ;	Hospital at New York.

Naval asylum  
at Philadelphia.

For conveying Schuylkill water to the naval asylum at Philadelphia, and for all necessary repairs, nine thousand seven hundred and sixty dollars;

Hospital near  
Norfolk.

For current expenses of the hospital and its dependencies near Norfolk, one thousand five hundred dollars;

Hospital at  
Pensacola.

For completing the hospital buildings at Pensacola, and building a wharf for landing the sick, four thousand dollars.

Steam vessels  
of war.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Navy, under the direction of the President, to make preparations for, and to commence, the construction of three steam vessels of war, on such models as shall be most approved, according to the best advices they can obtain, or to complete the construction of one such vessel of war, upon a model so approved, as in the opinion of the President shall be best for the public interest, and most conformable to the demands of the public service; and that to enable the Department to carry into effect this requirement, a part of the sum already appropriated for the gradual improvement of the navy, equal to the sum of three hundred and thirty thousand dollars, shall be, and is hereby, directed to be subject to the disposition of the Department for this object, in case that amount can be diverted from that appropriation without a violation of existing contracts, and if that cannot be done consistently with the rights of contractors and the public interests, then so much of the said sum of three hundred and thirty thousand dollars as can be so diverted to this object, from the appropriation referred to, shall be subject to the disposition of the Secretary of the Navy for this purpose, and the residue of the said sum of three hundred and thirty thousand dollars shall be, and the same is hereby, appropriated, and shall be paid, out of any money in the Treasury not otherwise appropriated: and the said sum of three hundred and thirty thousand dollars, to be expended in the manner in this section prescribed, shall be in addition to any materials now on hand, applicable to the construction of the said steam vessels of war.

Appropriation.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

CHAP. CCXXVI.—*An Act to provide for the erection of a new jail in the city of Washington, District of Columbia.*

New jail to be  
erected.

*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 cause a new jail to be erected for the county of Washington, in the District of Columbia, on such site as he may select; and that, for the purpose of carrying this act into effect, the sum of thirty-one thousand dollars be, and is hereby, appropriated out of any money in the Treasury not otherwise appropriated: *Provided always*, That the said jail shall be built by contract, under the superintendence of the architect of public buildings, and that the cost shall in no event exceed the said sum of thirty-one thousand dollars.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

CHAP. CCXXIX.—*An Act to extend the jurisdiction of the corporation of the city of Washington over the Potomac bridge.*

Bounds ex-  
tended. Corpo-  
ration empow-  
ered to adopt  
rules, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the bounds of the county of Washington, and of the corporation of the city of Washington, be, and the same are hereby, extended so far as to comprehend the causeway and bridge lately constructed from the said city across the river Potomac, to the opposite shore: and the said corporation are

hereby empowered to adopt and enforce such rules and regulations as they may deem necessary for the safety and security of property and of the persons passing the said causeway and bridge.

APPROVED, March 3, 1839.

RESOLUTIONS.

No. 1. *Resolution authorizing an examination and payment of the claims of the workmen upon the public buildings.* Jan. 18, 1839.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the commissioners appointed by the President of the United States to superintend the prosecution of the work in the construction of the new Treasury building, be, and they are hereby, authorized to examine the claims of the workmen to indemnity for the loss of their time during the suspension of the work upon said building, by order of the President of the United States, pending the question before Congress upon the bill reported by the Committee on Public Buildings, providing "for the removal of the walls of the Treasury building, and for the erection of a fire-proof building for the Post Office Department;" and that the said commissioners allow to such of said workmen, respectively, as were suspended from labor, during the pendency of said bill, with the encouragement and under an authorized assurance that, upon the decision thereof, their labor would again be required by the Government, and who, intermediately, had no opportunity of obtaining employment in the city of Washington, such reasonable indemnity for loss of wages for labor, during the suspension of the work, as, under the circumstances of their respective cases, justice and equity may require, not exceeding, however, in any case, the average rate of the earnings of such workmen in the employment of the Government for a like preceding period of time.

The commissioners appointed to superintend the construction of the new Treasury building, shall examine the claims of the workmen to indemnity, &c.

SEC. 2. *And be it further resolved,* That the Commissioner of Public Buildings be, and he hereby is, authorized to pay to the workmen respectively such sums of money as the commissioners aforesaid shall allow and certify pursuant to the foregoing resolution, out of any money in his hands appropriated by law to the construction of the new Treasury building.

Commissioner of public buildings to pay such sums, &c.

APPROVED, January 18, 1839.

No. 2. *A Resolution for the purchase of the island at the confluence of the St. Peters and Mississippi rivers.* Feb. 13, 1839.

*Resolved 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 contract with J. B. and J. Ferribault, for the purchase of the island at the confluence of the St. Peters and Mississippi rivers, and to report his proceedings to Congress, subject to their approbation or rejection.

Sec. War to contract for the purchase, &c.

APPROVED, February 13, 1839.

No. 3. *A Resolution directing the manner in which certain laws of the District of Columbia shall be executed.* Feb. 16, 1839.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the acts of the State of Maryland for securing titles to vacant land, which were continued in force by the act of Congress of the twenty-seventh of February, eighteen hundred and one, in that part of the District of Columbia which was ceded to the United States by that State, and which have heretofore been inoperative for the want of appropriate officers or authority in the

The acts of Maryland for securing land titles to vacant land, shall be executed, &c. by the Secretary of the Treasury, &c.



1801, ch. 15. said District for their due execution, shall hereafter be executed, as regards lands in the county of Washington and without the limits of the city of Washington, by the Secretary of the Treasury through the General Land Office, where applications shall be made for warrants, which warrants shall be directed to the surveyor for the county of Washington; who shall make return to the Commissioner of the General Land Office; and payment for said land, according to the said laws of Maryland, shall be made to the Treasurer of the United States, whose certificate of such payment shall be presented to the Commissioner of the General Land Office, who shall thereupon issue in the usual form of patents for lands by the United States, a patent for such land to the person entitled thereto; and the Secretary of the Treasury shall make such regulations as he may deem necessary, and shall designate the officers who shall carry the said acts into effect: *Provided*, That any land which may have been ceded to, or acquired by the United States for public purposes shall not be affected by such acts.

Proviso.

APPROVED, February 16, 1839.

Feb. 28, 1839. No. 4. *A Resolution authorizing certain certificates of deposit to be cancelled and reissued.*

Preamble. Whereas sundry persons have deposited sums of money in the Treasury of the United States, under the provisions of the second section of the act making further provision for the sale of the public lands, approved twenty-fourth of April, eighteen hundred and twenty, and received certificates therefor, and, supposing the same to be assignable, have assigned the same, for a valuable consideration, to other persons; and whereas the said section is so construed by the Treasury Department, that such receipts or certificates are not available to the assignees; be it, therefore,

1820, ch. 51.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Treasurer of the United States be, and he is hereby, authorized and required, on the presentation of any such certificate by an assignee or bona fide holder thereof, to allow said assignee or holder to surrender the same to be cancelled, and to issue a new certificate in the name of said assignee or holder, in lieu of the one so surrendered; which new certificate shall be received in payment for public lands, in the same manner as the original would have been had it not been transferred by the person who made the deposit; but the certificates to be issued under this resolution shall not be assignable.

Certificates, on presentation, to be cancelled, and new ones issued.

APPROVED, February 28, 1839.

March 3, 1839. No. 9. *A Resolution to authorize the purchase of an island in the river Delaware, called the Pea Patch, 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 War be, and he is hereby authorized and required to take all necessary measures to try the title of the United States to the island in the Delaware commonly called the Pea Patch, by submitting all the questions growing out of the conflicting claims of the United States and the individual claimants, to the courts of law; and if it shall appear to the satisfaction of the said Secretary, that the title is not vested in the United States, and that the possession thereof is indispensable to the public interests, he is hereby authorized to purchase the same from the legal owner or owners thereof, either by appraisement or such other manner as he may deem most expedient; subject to the approval of Congress.

Sec. War to take measures to try the title of the U. S. to Pea Patch island—how.

If not in the U. S., authorized to purchase—how.

APPROVED, March 3, 1839.

# ACTS OF THE TWENTY-SIXTH CONGRESS

OF THE

## UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the district of Columbia, on Monday, the 2d day of December, 1839, and ended the 21st day of July, 1840.*

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

### STATUTE I.

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

Jan. 8, 1840.

[Obsolete.]

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

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

Members of Congress.

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

Officers of the Senate and H. of Reps.

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

Expenses of Senate.

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

Expenses of H. of Reps.

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

Arrears for printing, &c.

APPROVED, January 8, 1840.

STATUTE I.

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

Feb. 22, 1840.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, in addition to former appropriations, to be paid out of any money in the Treasury not otherwise appropriated, for the pensioners of the United States, for the year one thousand eight hundred and forty.

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

Revolutionary pensioners.  
1818, ch. 19.

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

Widows and orphans.  
1836, ch. 362.

Five years' pensions to widows.

Half-pay pensioners.

Arrearages.

Pension agents authorized to administer oaths.

Compensation.

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

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

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

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

APPROVED, February 22, 1840.

STATUTE I.

Feb. 26, 1840.

Act of March 3, 1839, ch. 80.

Act of Sept. 1, 1841, ch. 15.

Resolution, Sept. 1, 1841.

Resolution, April 14, 1842.

Enumeration, when to commence.

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

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

One copy to be transmitted to Sec. of State.

Transient persons.

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

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

Compensation to assistants.

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

Allowance to assistants for making returns.

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

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

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

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

All clerical errors to be noted.

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

Postage.

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

Marshals to take part in the enumeration of their districts.

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

Compensation.

Salaries when to commence.

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

Acts, &c. inconsistent with this, repealed.

APPROVED, February 26, 1840.

STATUTE I.

March 4, 1840.

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

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the office of Commissioner of Pensions shall be and the same is hereby continued, until the fourth day of March, eighteen hundred and forty-three.

Office of Com. of Pensions continued.

SEC. 2. *And be it further enacted*, That a Commissioner of Pensions shall be appointed by the President of the United States, by and with the advice and consent of the Senate; and that he shall execute, under the direction of the Secretary of War and the Secretary of the Navy, such duties in relation to the various pension laws as may be prescribed by the President.

Commissioner to be appointed — his duties.

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

Salary.

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

Pension business transferred to office Com. of Pensions.

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

APPROVED, March 4, 1840.

STATUTE I.

March 31, 1840.

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

Treasury notes may be issued in lieu of others redeemed.

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

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

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

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

APPROVED, March 31, 1840.

STATUTE I.

April 4, 1840.

Registers sufficient papers for vessels engaged in the whale fishery.

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

Forfeitures remitted.

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

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

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

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

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

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

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

APPROVED, April 4, 1840.

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

STATUTE I.  
May 8, 1840.

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

For pay and mileage of the members of Congress and delegates, two hundred and sixty-eight thousand nine hundred and forty-four dollars;

Members of Congress.

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

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

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

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

Expenses of House of Reps.

The two sums last mentioned to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose;

For compensation to the President and Vice-President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars;

President, Vice President, and heads of departments.

For salary of the Secretary to sign patents for public lands, per act of March second, eighteen hundred and thirty-three, one thousand five hundred dollars;

Secretary to sign patents for lands.

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

1833, ch. 91. Off. Sec. State. Clerks and messengers.

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

Cont. exp. of department.

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

Superint't and watchmen N.E. Ex. building.

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

Contingent expenses of said building.

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

Office Sec. Treasury. Clerks and messengers.

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

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

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

First Comptroller.

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

Clerks and messengers.

For compensation to the Second Comptroller, three thousand dollars;

Second Comptroller.

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

Clerks and messengers.

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

For the office of the Fifth Auditor, one thousand dollars;	Off. 5th Audi- tor.
For the office of the Treasurer of the United States, two thousand dollars;	Off. Treasurer.
For the office of the Register of the Treasury, three thousand dol- lars;	Off. Register.
For the office of the Solicitor, one thousand dollars;	Off. Solicitor.
For eighty-three thousand pieces of parchment and printing, books and stationery, advertising, and contingent expenses of the General Land office, and for books and blanks for the district land offices, eigh- teen thousand four hundred and seventeen dollars;	General Land Office.
For compensation of the superintendent and watchmen of the south- east executive building, two thousand one hundred dollars;	Superint't and watchmen S. E. exec. building.
For contingent expenses of the building occupied by the Treasury, including fuel, labor, oil, carrying the department mails, and sealing ships' registers, in one thousand eight hundred and thirty-nine, and one thousand eight hundred and forty, etc., twelve thousand dollars;	Contingent ex- penses of build- ing occupied by the Treasury.
For compensation to the clerks and messengers in the office of the Secretary of War, including the messenger in the bounty land bureau, thirteen thousand three hundred and fifty dollars;	Office Secre- tary of War. Clerks and messengers.
For contingent expenses of the office of the Secretary of War, three thousand dollars;	Contingent expenses.
For books, maps, and plans for the War Department, one thousand dollars;	Books, &c.
For compensation of extra clerks, when employed in said office, three thousand dollars;	Extra clerks.
For compensation of the Commissioner of Indian Affairs, three thou- sand dollars;	Commissioner of Ind. affairs.
For compensation of the clerks and messenger in the office of the Commissioner of Indian Affairs, sixteen thousand four hundred dol- lars;	Clerks and messenger.
For contingent expenses of said office, two thousand dollars;	Contingent expenses.
For compensation of the Commissioner of Pensions, two thousand five hundred and eighty-four dollars and fifty-seven cents;	Commissioner of Pensions.
For compensation of clerks transferred from the office of the Secre- tary of War to the office of Commissioner of Pensions, four thousand eight hundred dollars;	Clerks trans- ferred from of- fice Sec. War.
For compensation to clerks and messengers for the office of the Com- missioner of Pensions, authorized by [the] act of ninth May, eighteen hundred and thirty-six, thirteen thousand four hundred and fifty dol- lars;	Clerks and messengers au- thorized by act 9th May 1836, ch. 60.
For contingent expenses of said office, three thousand dollars;	Expenses.
For compensation to clerks and messenger in the office of the Pay- master General, seven thousand one hundred dollars;	Off. Paymas- ter General.
For contingent expenses of said office, eight hundred dollars;	Clerks and messengers.
For compensation of clerk and messenger in the office of the Com- manding General, one thousand five hundred dollars;	Expenses.
For contingent expenses of said office, three hundred dollars;	Off. Comm'dg General. Clerk and messenger.
For compensation to clerks and messenger in the office of the Adju- tant General, seven thousand six hundred and fifty dollars;	Expenses.
For contingent expenses of said office, one thousand six hundred dollars;	Off. Adj. Gen. Clerks and messenger.
For compensation of clerks and messenger in the office of the Quar- termaster General, seven thousand three hundred dollars;	Expenses.
For contingent expenses of said office, one thousand dollars;	Off. Com. Gen. Purchases.
For compensation of clerks and messenger in the office of the Com- missary General of Purchases, four thousand two hundred dollars;	Clerks and messenger.
For contingent expenses of said office, eight hundred dollars;	Expenses.
For compensation of clerks and messenger in the office of the Com- missary General of Subsistence, four thousand three hundred dollars;	Off. Com. Gen. Subsistence. Clerks and messenger.



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

For compensation to clerks in his office, per act of ninth of May, eighteen hundred and thirty-six, six thousand three hundred dollars;	Clerks. 1836, ch. 60.
For compensation to the Surveyor General for Illinois and Missouri, two thousand dollars;	Surveyor Gen. for Illinois and Missouri.
For compensation to clerks in the office of said Surveyor General, per act of May ninth, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars;	Clerks. Act of May 9, 1836, ch. 60.
For compensation to the Surveyor General of Arkansas, two thousand dollars;	Surveyor Gen. of Arkansas.
For compensation of clerks in the office of said Surveyor General, two thousand eight hundred dollars;	Clerks.
For compensation of the Surveyor General of Louisiana, two thousand dollars;	Surveyor Gen. of Louisiana.
For compensation to clerks in the office of said Surveyor General, per act of May ninth, eighteen hundred and thirty-six, two thousand five hundred dollars;	Clerks.
For compensation of the Surveyor General of Mississippi, two thousand dollars;	Surveyor Gen. of Mississippi.
For compensation of clerks in the office of said Surveyor General, per act May ninth, eighteen hundred and thirty-six, five thousand dollars;	Clerks. Act of May 9, 1836, ch. 60.
For compensation of the Surveyor General of Alabama, two thousand dollars;	Surveyor Gen. of Alabama.
For compensation of clerks in the office of said Surveyor General, per act ninth May, eighteen hundred and thirty-six, two thousand two hundred dollars;	Clerks. Act of May 9, 1836, ch. 60.
For compensation of the Surveyor General of Florida, two thousand dollars;	Surveyor Gen. of Florida.
For compensation of clerks in the office of said Surveyor General, three thousand five hundred dollars;	Clerks.
For compensation of the Surveyor General of Wisconsin, fifteen hundred dollars;	Surveyor Gen. of Wisconsin.
For compensation of the clerks in his office, per act twelfth June, eighteen hundred and thirty-eight, sixteen hundred dollars;	Clerks. Act of June 12, 1838, ch. 99.
For compensation of the late Surveyor General of Illinois and Missouri to the twenty-sixth September, eighteen hundred and thirty-six, the same having been carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-six, four hundred and seventy-eight dollars twenty-six cents;	Surveyor Gen. of Illinois and Missouri.
For compensation of the Surveyor General of Wisconsin, for payment of his salary for the fractional part of fourth quarter of eighteen hundred and thirty-eight, one hundred and ninety-eight dollars and ninety-seven cents;	Surveyor Gen. of Wisconsin.
For extra clerks and draughtsmen in the offices of the Surveyors General, in addition to the unexpended balances of former appropriations, to be apportioned to them according to the exigencies of the public service, nine thousand dollars;	Extra clerks and draughts- men in offices of surveyors ge- neral.
For extra clerks in the offices of the Surveyors General to transcribe field notes of survey, for the purpose of preserving them at the seat of Government, in addition to the unexpended balances of former appropriations, viz :	Extra clerks to transcribe field notes.
Office of the Surveyor General northwest of the Ohio, four thousand five hundred dollars;	Surveyor Gen. north-west of the Ohio.
Office of the Surveyor General of Illinois and Missouri, two thousand two hundred dollars;	Surveyor Gen. of Illinois and Missouri.
Office of the Surveyor General of Arkansas, one thousand dollars;	Surveyor Gen. of Arkansas.
Office of the Surveyor General of Mississippi, five hundred and fifty dollars;	Surveyor Gen. of Mississippi.
Office of the Surveyor General of Wisconsin, one thousand dollars;	Surveyor Gen. of Wisconsin.

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

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

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

New Patent  
Office building.

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

New General  
Post Office  
building.  
Capitol.

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

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

Grounds  
around Capitol.

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

Attendance at  
western gates.

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

Gardener.

For salary of the principal gardener, twelve hundred dollars;

President's  
house, &c.

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

Paintings for  
the Capitol.

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

Statues for the  
Capitol.

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

Penitentiary  
of D. C.

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

Sixth census.

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

Surveying  
public lands.

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

Closing sur-  
veys in Missis-  
sippi.

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

Retracing cer-  
tain old surveys  
in Mississippi.

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

Completing  
surveys in Flo-  
rida.

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

Surveying, &c.  
in Louisiana.

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

For completing the custom-house building at New York, one hundred and eighteen thousand seven hundred and forty-three dollars;	Custom-house at New York.
For the construction of a new custom-house at Boston, one hundred and twenty-one thousand dollars;	Custom-house at Boston.
For repairing the public works at Staten Island, twenty-nine thousand seven hundred and twenty dollars;	Public works at Staten island.
For repairs of the custom-house building at New Bedford, five hundred dollars;	Custom-house at N. Bedford.
For repairs of the custom-house building at New London, one thousand seven hundred dollars;	Custom-house at N. London.
For repairs of the marine hospital at Norfolk, four thousand dollars;	Marine hospital at Norfolk.
For the payment of expenses incurred by the collector of New York, under the act of seventh July, eighteen hundred and thirty-eight, to remit the duties upon certain goods destroyed by fire at the late conflagration at the city of New York, one thousand three hundred and fifty dollars;	Expenses under act to remit certain duties, 1838, ch. 174.
For salaries of the Ministers of the United States to Great Britain, France, Spain, Russia, Prussia, Austria, and Mexico, sixty-three thousand dollars: <i>Provided</i> , That the sum of nine thousand dollars, or such part thereof as may be necessary, may be applied to the outfit and salary of a Charge d'Affaires to Spain in lieu of a Minister;	Ministers.
For salaries of the Secretaries of Legation to the same places, fourteen thousand dollars;	Secretaries of legation.
For salary of the Minister Resident of the United States to Turkey, six thousand dollars;	Minister to Turkey.
For salaries of the Charges des Affaires to Portugal, Denmark, Sweden, Holland, Belgium, Brazil, Chili, Peru, New Granada, Venezuela, Texas, Naples, and Sardinia, fifty-eight thousand five hundred dollars;	Chargés des affaires.
For contingent expenses of all the Missions abroad, thirty thousand dollars;	Expenses of missions.
For outfits for a Minister to Russia, and of Charge d'Affaires to Sardinia, thirteen thousand five hundred dollars.	Outfits.
For salaries of the Consuls of the United States at London and Paris, four thousand dollars; and twelve thousand dollars for the expenses and salaries of diplomatic agents to be employed under the direction of the President of the United States, in attending to the Tobacco interest of the United States, in Europe;	Consuls at London and Paris.
For the relief and protection of American seamen in foreign countries, forty thousand dollars;	Tobacco agents.
For clerk hire, office rent, stationery, and other expenses in the office of the American Consul at London, per act of January nineteenth, eighteen hundred and thirty-six, two thousand eight hundred dollars;	Relief, &c. of Am. seamen.
For interpreters, guards, and other expenses incident to the consulates in the Turkish dominions, five thousand five hundred dollars;	Office of consul at London. 1836, ch. 2.
For salary of the principal and two assistant Librarians, pay of the messenger, and for contingent expenses of the Library, four thousand three hundred and eighty-seven dollars and fifty cents;	Consulates in Turkish dominions.
For the purchase of books for the Library of Congress, five thousand dollars;	Library of Congress.
For compensation to William Gibbs McNeill, being an excess of expenditure over and above the appropriation for surveys made under his direction of the East pass of the Appalachicola Bay, one hundred and fifty dollars and twenty-nine cents;	Purchase of books.
For the payment of certain certificates, being part of the balance of a former appropriation for that object, carried to the surplus fund, December thirty-first, eighteen hundred and thirty-nine, fifty dollars;	W.G.McNeill.
For the service of the General Post Office, for the year eighteen hundred and forty, in conformity to the act of second of July, eighteen hun-	Payment of certificates.
	General Post Office.

1836, ch. 270.

Transportation.

Compensation of postmasters.  
Ship letters, &c.

Wrapping paper.  
Office furniture.

Advertising.  
Mail bags.

Blanks.  
Mail locks, &c.

Mail depredations, &c.  
Clerks.

Miscellaneous.  
Power of President and P. M. Gen. to transfer funds from one appropriation to another.

dred and thirty-six, five millions one hundred and twenty-six thousand dollars, viz :

For transportation of the mail, three millions five hundred and twenty thousand dollars ;

For compensation of Postmasters, one million and ninety-seven thousand dollars ;

For ship, steamboat, and way letters, forty-three thousand dollars ;

For wrapping-paper, twenty-five thousand dollars ;

For office furniture, five thousand dollars ;

For advertising, thirty-six thousand dollars ;

For mail-bags, forty-six thousand dollars ;

For blanks, thirty-three thousand dollars ;

For mail locks, keys, and stamps, twelve thousand dollars ;

For mail depredations, and special agents, twenty-two thousand dollars ;

For clerks for offices, two hundred and twenty thousand dollars ;

For miscellaneous, sixty-seven thousand dollars : *Provided*, That the President and the Postmaster General shall have the same power to transfer funds from one to another head of appropriation, between the foregoing appropriations, made for the service of the General Post Office, as the President and any other head of an Executive Department now have to transfer funds appropriated under one head to the service of another, in any other branch of the public service.

APPROVED, May 8, 1840.

STATUTE I.

May 8, 1840.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the term of the District Court of the United States for the Western District of Pennsylvania, which is now directed by law to be holden at Williamsport, in the county of Lycoming on the first Mondays of June and October in each year, shall be hereafter holden on the third Mondays of June and October in each year.

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

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

APPROVED, May 8, 1840.

STATUTE I.

May 27, 1840.

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

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

APPROVED, May 27, 1840.

Act of 22d  
May 1826, ch.  
147, revived and  
continued for  
five years.

Act of Jan. 27,  
1835, ch. 6.

Term of U. S.  
Dist. Court for  
western dist. of  
Pennsylvania,  
altered.

Act of July 27,  
1842, ch. 68.

Process.

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

STATUTE I.  
May 27, 1840.

[Expired.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, one thousand eight hundred and thirty-one, and an act in addition thereto, passed on the fourteenth day of July, one thousand eight hundred and thirty-two, and an act to revive and amend the said acts, passed on the seventh day of June, one thousand eight hundred and thirty-four, be, and the same are hereby, revived, extended and continued in force for three years from and after the passage of this act, and until the cases then pending shall be determined for the purpose of finally disposing of such cases, but for no other purpose.

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

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

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

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

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

APPROVED, May 27, 1840.

STATUTE I.  
May 27, 1840.

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

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

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

APPROVED, May 27, 1840.

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



## STATUTE I.

June 1, 1840.

Act of June 22, 1838, ch. 119.

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

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

Certain lands not surveyed, &c.

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

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

Right of pre-emption extended.

1838, ch. 119.

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

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

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

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

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

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

APPROVED, June 1, 1840.

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

STATUTE I.

June 12, 1840.

[Obsolete.]  
1841, ch. 14.

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

Secretary to be appointed.

Commissioners authorized to make rules.

Compensation.

Contingent expenses.

Salary and expenses of the arbiter.

Communications to and from Secretary to be free of postage.

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

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

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

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

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

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

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

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

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

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

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

Remittance of the money from Mexico.

The appropriation thereof.

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

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

STATUTE I.

June 12, 1840.

Duty of registers and receivers to administer oaths.

Perjury.

No compensation, directly or indirectly, to be charged.

STATUTE I.

June 12, 1840.

1853, ch. 24.

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

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

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

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

APPROVED, June 12, 1840.

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

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

APPROVED, June 12, 1840.

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

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

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

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

Certain land offices to be discontinued.

Post, p. 455.

APPROVED, June 12, 1840.

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

STATUTE I.  
June 12, 1840.

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

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

APPROVED, June 12, 1840.

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

STATUTE I.  
June 19, 1840.

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

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

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

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

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

In case of any pensioner leaving children.

APPROVED, June 19, 1840.

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

STATUTE I.  
July 4, 1840.

1846, ch. 90.

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

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

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

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

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

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

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

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

The receivers-general to have custody of said rooms, vaults and safes.

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

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

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

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

All required to give bonds.

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

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

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

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

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

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

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

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

Bonds may be renewed, &c.

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

District of Columbia,  
Philadelphia  
and N. Orleans.

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

Payments at least once a week.

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

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

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

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

Treasurer may  
draw on any de-  
positary.

Moneys in the  
hands of deposi-  
taries.

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

Depositaries to  
make returns,  
&c.

Examinations  
to be made of  
the books, &c.

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

Special agents  
may be appoint-  
ed.

Additional ex-  
aminations to  
be made—how.

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

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

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

Proviso.

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

The balances remaining with the present depositaries to be withdrawn.

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

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

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

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

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

Other rooms to be procured.



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

Duties, how  
to be paid, &c.

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

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

Violations of  
this and the pre-  
ceding section.

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

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

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

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

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

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

To be no difference betw'n the funds receivable.

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

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

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

Salaries of receivers-general.

Of the treas'r of the mint.

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

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

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

Treasurer authorized to receive payments in advance for public lands.

Proviso.

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

Appropriation for purchase of sites, and construction of offices.

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

Proviso.

Appropriation for expenses.

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

Acts, &c. conflicting with this, repealed.

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

APPROVED, July 4, 1840.

STATUTE I.

July 4, 1840.

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

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

Two terms to be held annually.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the first Monday in April, eighteen hundred and forty, there shall be two terms of said court held annually by the district judge at Jackson, on the second Monday in December next, and the second Monday in June then following; and the rule days of said court for the return of process and filing of pleadings shall be held on the second Monday of September and March, in each and every year.

Rule days.

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

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

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

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

The judge may adjourn a cause to next term.

APPROVED, July 4, 1840.

STATUTE I.

July 4, 1840.

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

Adjournment of the court.

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

(a) See vol. 2, 273.

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

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

Suits, actions, &c. not affected thereby.

Bound persons required to appear.

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

Special sessions.

Jurisdiction of the court at special sessions.

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

Writs of error.

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

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

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

APPROVED, July 4, 1840.

STATUTE I.

July 4, 1840.

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

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

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

APPROVED, July 4, 1840.

VOL. V.—50

## STATUTE I.

July 20, 1840.

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

CHAP. XLVII.—*An Act to amend the act, approved May thirteenth, eighteen hundred, entitled "An act to amend an act entitled 'An act to establish the judicial courts of the United States.'"*(a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurors to serve in the courts of the United States, in each State respectively, shall have the like qualifications, and be entitled to the like exemptions, as jurors of the highest court of law of such State now have and are entitled to, and shall hereafter from time to time have and be entitled to, and shall be designated by ballot, lot, or otherwise, according to the mode of forming such juries now practised and hereafter to be practised therein, in so far as such mode may be practicable by the courts of the United States, or the officers thereof; and for this purpose, the said courts shall have power to make all necessary rules and regulations for conforming the designation and empanelling of juries, in substance, to the laws and usages now in force in such State; and further, shall have power, by rule or order, from time to time, to conform the same to any change in these respects which may be hereafter adopted by the Legislatures of the respective States for the State courts.*

APPROVED, July 20, 1840.

## STATUTE I.

July 20, 1840.

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

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

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

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

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

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

An act supplementary to an act, entitled "An act to amend the act approved May 13, 1800, entitled an act to amend an act entitled an act to establish the judicial courts of the United States;" March 19, 1842, chap. 7.

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

An act for the government and regulation of seamen in the merchant service; July 20, 1790, chap. 29.

An act concerning certain fisheries of the United States and for the regulation and government of the fishermen employed therein; expired. February 16, 1792, chap. 6.

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

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

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

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

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

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

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

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

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

An act making an appropriation for the relief and protection of American seamen in foreign countries; February 12, 1842, chap. 3.

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

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

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

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

Interlineations, &c.

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

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

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

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

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

Entry to be made of mariners so discharged.

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

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

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

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

Proviso.

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

Shipments of seamen contrary to acts of Congress, void.

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

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

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

Consul, &c. on complaint that a vessel is in an unsuitable condition to go to sea, shall appoint persons to make an examination, &c.  
1850, ch. 27, § 6.

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

Power and duty of the inspectors.

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

Duty of the consul, &c.

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

Inspectors to state whether the vessel was sent to sea unsuitably provided, &c.  
Duty of the consul, &c.

Charges how to be paid, &c.

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

Crews of vessels to have the fullest liberty to lay their complaints before the consul, &c.

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

Apprehended deserters.

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

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

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

Consuls, &c. for neglect of the duties hereby imposed, &c.

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

Masters of vessels, for violations of this act, &c.

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

Violations of this act to be reported.

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

Limitation.

APPROVED, July 20, 1840.

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

STATUTE I.

July 20, 1840.

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

Certain land annexed to the Coosa land district.

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

APPROVED, July 20, 1840.

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

STATUTE I.

July 20, 1840.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year one thousand eight hundred and forty, viz.:

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

Pay.



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

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

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be appropriated, in addition to the unexpended balances of former appropriations, out of any unappropriated money in the Treasury, for the naval service for the year one thousand eight hundred and forty, viz :

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

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

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

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

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

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

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

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

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

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

Prize money, brig Gen. Armstrong.

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

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

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

Transfers from one head of appropriation to another.

1834, ch. 171.

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

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

[Obsolete.]

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

Appropriation  
for survey.

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

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

[Obsolete.]

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, appropriated, for the year one thousand eight hundred and forty, for the purpose of paying the current expenses of the Indian Department, fulfilling treaty stipulations with the various Indian tribes, and contingent expenses; to be paid out of any money in the Treasury not otherwise appropriated.

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

Pay of superintendent and agents.

1834, ch. 162.

1837, ch. 31.

Sub-agents.

1834, ch. 162.

Interpreters.

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

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

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

Presents to Indians.

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

Provisions for Indians.

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

Buildings at the agencies.

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

Expenses of Indian dep't.

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

Clerk.

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

Carrying into effect treaties and laws, with Christian Indians.

Chippewas.

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

For the Christian Indians, four hundred dollars;

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

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

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

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

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

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

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

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

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

For the Chickasaws, six thousand dollars;

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

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

For the Caddoes, ten thousand dollars;

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

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

For the Kickapoos, five thousand five hundred dollars;

For the Kaskaskias and Peorias, three thousand dollars;

For the Kansas, six thousand and forty dollars;

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

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

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

For the Eel Rivers, one thousand one hundred dollars;

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

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

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

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

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

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

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

For the Ottawas, four thousand three hundred dollars;

For the Pottawatamies, twenty thousand two hundred dollars;

For the Pottawatamies of Huron, four hundred dollars;

For the Pottawatamies of the Prairie, sixteen thousand dollars;

For the Pottawatamies of the Wabash, twenty thousand dollars;

For the Pottawatamies of Indiana, seventeen thousand dollars;

For the Piankeshaws, eight hundred dollars;

For the Pawnees, nine thousand six hundred dollars;

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

Chippewas,  
Menomonies,  
&c.

Chippewas,  
Ottawas, and  
Pottawatamies.  
Choctaws.

Creeks.

Chickasaws.  
Cherokees.  
Delawares.

Caddoes.

Florida Indi-  
ans.  
Iowas.

Kickapoos.  
Kaskaskias  
and Peorias.  
Kansas.  
Miamies.

Eel Rivers.  
Menomonies.

Omahas.

Ottawas and  
Chippewas.

Ottoes and  
Missourias.

Osages.

Ottawas.  
Pottawata-  
mies.

Piankeshaws.  
Pawnees.  
Quapaws.

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

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

[Obsolete.]

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army during the year one thousand eight hundred and forty, viz :

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

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

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

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

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

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

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

For the incidental expenses of the Quartermaster's department, consisting of postage on public letters and packets, expenses of courts-martial and courts of inquiry, including the compensation of judges advocate, members and witnesses; extra pay to soldiers under act of March second, eighteen hundred and nineteen; expenses of expresses from the frontier posts; of the necessary articles for the interment of non-commissioned officers and soldiers; hire of laborers, compensation of clerks in the offices of quartermasters and assistant quartermasters at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works, and in the performance of other duties; expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses, to supply the place of those which may be lost and become unfit for service, and the erection of the necessary stables, one hundred and twenty-one thousand dollars;

For contingencies of the army, seven thousand dollars;

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

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

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

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

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

For arsenals, one hundred and fifty thousand dollars;

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

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

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

Contingencies.  
Extra pay.

National armories.

Armament of fortifications.

Ordnance service.

Ordnance, &c.

Arsenals.



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

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

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

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

APPROVED, July 20, 1840.

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

The President authorized to postpone certain appropriations.

STATUTE I.

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

July 21, 1840.

[Obsolete.]

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

Perjury.

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

Fort Niagara.

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

Fort Oswego.

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

Fort Preble.

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

Fort Scammel.

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

Fort McClary.

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

Fort Constitution.

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

Fort Independence.

For Fort Warren, one hundred and fifty thousand dollars;

Fort Warren.

For Fort Adams, eighty thousand dollars;

Fort Adams.

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

APPROVED, July 21, 1840.

RESOLUTIONS.

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

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

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

APPROVED, May 2, 1840.

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

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

Measures to be taken for its importation and erection.

APPROVED, May 27, 1840.

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

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

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

APPROVED, July 20, 1840.

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

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

Exchange of duplicates in the Library authorized.

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

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

APPROVED, July 20, 1840.

# ACTS OF THE TWENTY-SIXTH 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 7th day of December, 1840, and ended the 3d day of March, 1841.*

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

### STATUTE II.

Dec. 18, 1840.

[Obsolete.]

CHAP. I.—*An Act making appropriations, in part, for the support of Government for the year one thousand eight hundred and forty-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 :

For pay and mileage of members of Congress and delegates, two hundred and fifty thousand dollars.

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

SEC. 2. *And be it further enacted,* That a sum not exceeding twelve thousand dollars, be, and the same is hereby, appropriated, out of any money in the Treasury, not otherwise appropriated, for the payment of the sums due by law to the several messengers of the respective States, as compensation for conveying to the seat of Government the vote of the electors of the said States for President and Vice President of the United States.

APPROVED, December 18, 1840.

### STATUTE II.

Jan. 14, 1841.

CHAP. II.—*An Act supplementary to an act to abolish imprisonment for debt in certain cases. (a)*

*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 abolish imprisonment for debt in certain cases," approved February twenty-eighth, eighteen hundred and thirty-nine, shall be so construed as to abolish imprisonment for debt, on process issuing out of any court of the United States, in all cases whatever, where, by the laws of the State in which the said court shall be held, imprisonment for debt has been, or shall hereafter be, abolished.

APPROVED, January 14, 1841.

Members of Congress.

Officers of the Senate and H. of Reps.

Expenses of Senate.

Expenses of H. of Reps.

Pay to messengers for bringing the electoral votes.

Construction to be given to the act of 28th Feb. 1839, ch. 35.

(a) Notes of the acts which have been passed relating to imprisonment for debt, vol. 1, 265.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That 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 respective 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 May, eighteen hundred and forty-one, and for the marshals of such States and Territories to make their returns to the Secretary of State at any time before the first of June, eighteen hundred and forty-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 person be included in the returns made under the present act, unless such persons shall have been inhabitants of the district for which such returns shall be made, on the first day of June, one thousand eight hundred and forty.

SEC. 2. *And be it further enacted,* That so much of the eleventh section of the act for taking the sixth census as applies to the printing, under the direction of the Secretary of State, of the aggregate returns received from the marshals, be so construed as to apply equally to the census of pensioners, and the statistical aggregates returned by said marshals: *And be it further provided,* That for arranging and preparing the census of pensioners required by the thirteenth section of the act for taking the sixth census and for the compiling and supervision of the printing of the statistical returns taken under said act, there be allowed to the superintending clerk, upon the completion of the work, such compensation as the Secretary of State may deem just and equitable, not exceeding the rate heretofore allowed for compiling the statistics of the third census; and that an allowance be made to the disbursing agent of the Department of State for the extra duties which have been, or may be, imposed upon him on account of the sixth census, in relation to its preparatory measures, the accounts of the marshals, and the disbursements, at a rate not exceeding that allowed him for his services in relation to the fifth census, according to the time he shall have been engaged in such duties.

APPROVED January 14, 1841.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is hereby authorized to cause Treasury notes to be issued for such sum or sums as the exigencies of the Government may require; but not exceeding the sum of five millions of dollars of this emission, outstanding at any one time, to be reimbursed in the last quarters of the year, if the condition of the Treasury will permit it, and to be issued under the limitations and other provisions, contained in the act, entitled "An act to authorize the issuing of Treasury notes," approved the twelfth day of October, one thousand eight hundred and thirty-seven, and as modified by an act, entitled "An act additional to the act on the subject of Treasury notes," approved the thirty-first day

STATUTE II.  
Jan. 14, 1841.

Act of March 3, 1839, ch. 80.

The time allowed for making enumerations and returns, extended.

Proviso.

Further proviso.

Construction of 11th sec. act 3d March 1839, ch. 80, with regard to printing the returns.

Extra compensation to the clerk superintending the execution of said act.

Extra compensation to the disbursing agent of State dept.

STATUTE II.

Feb. 15, 1841.

[Obsolete.]

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

To be issued under the act of 12th Oct. 1837, chap. 2, as modified by the act of 31st March 1840, ch. 5.

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

This law to  
expire in one  
year.  
Proviso.

of March, one thousand eight hundred and forty, except that this law shall expire in one year from and after its passage: *Provided*, That in case the Treasury notes outstanding and unredeemed, issued under former laws of Congress, added to the amount of such notes issued under this act, and actually expended or issued to meet payments due and payable before the fourth day of March next, shall, on the fourth day of March next, exceed the sum of five millions of dollars, then the President of the United States shall be, and he is hereby, authorized to issue, by virtue of the provisions of this act, such further amount of the said notes as will make the whole amount issued under this act, and applicable to payments falling due after the third day of March next, the full sum of five millions of dollars.

APPROVED, February 15, 1841.

STATUTE II.

Feb. 18, 1841.

[Obsolete.]

CHAP. VI.—*An Act making appropriations for the payment of revolutionary and other pensioners of the United States, for the year eighteen hundred and forty-one, and for other purposes.*

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, in addition to former appropriations, to be paid out of any money in the Treasury not otherwise appropriated, for the pensioners of the United States, for the year one thousand eight hundred and forty-one:

Revolutionary pensioners.  
1818, ch. 19.

For the revolutionary pensioners under the act of the eighteenth of March, one thousand eight hundred and eighteen, three hundred and fourteen thousand dollars;

Invalid pensions.

For payment of invalid pensions, one hundred and seven thousand dollars;

Widows and orphans.  
1836, ch. 362.

For pensions to widows and orphans under the act of the fourth of July, one thousand eight hundred and thirty-six, four hundred and forty-eight thousand two hundred and forty-one dollars;

Five years' pensions to widows.  
1838, ch. 189.

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

Half-pay pensions.

For half-pay pensions, payable through the offices of the Second and Third Auditors, five thousand dollars;

Arrearages.

For arrearages, payable through the Second Auditor's office, six hundred dollars;

For arrearages, payable through the Third Auditor's office, one thousand dollars.

Removal, &c. of Seminoles.

SEC. 2. *And be it further enacted*, That one hundred thousand dollars be, and the same is hereby, appropriated, to be expended under the direction of the Secretary of War, for the removal, subsistence, and benefit of such of the Seminole Indian chiefs and warriors as may surrender for emigration.

No arms to be delivered to them until, &c.

SEC. 3. *And be it further enacted*, That no rifles, or arms of any kind, shall be delivered to said Indians until they reach the western boundary of the State of Arkansas.

APPROVED, February 18, 1841.

STATUTE II.

Feb. 18, 1841.

Act of April 18, 1806, ch. 31.

CHAP. VII.—*An Act to amend an act entitled "An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same," passed the eighteenth day 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 the State of Tennessee be, and hereby is, constituted the agent of the Government of the

United States, with full power and authority to sell and dispose of the vacant, unappropriated, and refuse lands, within the limits of said State, lying south and west of the line commonly called the Congressional Reservation line, and described in the act to which this is an amendment; subject, nevertheless, to the following conditions and limitations, to wit:

Tennessee to dispose of certain lands within said State.

First. The State of Tennessee shall satisfy all legal and bona fide claims of North Carolina upon said lands, by making provision, by law, that the holders of land warrants under the authority of the State of North Carolina, may locate the same upon the lands not previously located upon, or claimed as occupant pre-emptions, within one year from the time that the State of Tennessee shall make provision for carrying this act into effect; and in default of such location within the said term of one year, the said warrants may be satisfied by the payment of twelve and a half cents per acre for the number of acres contained in each warrant, to be paid out of the proceeds of the sale of said land: *Provided*, The holders shall present such warrant to the proper authorities for payment of the same within two years from the action of the Legislature of the State of Tennessee hereon: *And provided, furthermore*, That if the said warrants shall not be satisfied, either by the location of land within one year, or their presentation for payment within two years as aforesaid, the holders shall be for ever barred of all further claim or right to demand the same.

Tennessee to satisfy all legal and bona fide claims of North Carolina upon said lands.

Second. In entering, purchasing, and disposing of said lands, or obtaining grants of the same, all and every person or persons, the legal representative of such person or persons, and the rightful assignee of such person or persons, as are entitled to the right of occupancy and pre-emption according to the laws of the State of Tennessee, shall have the preference in the entry or purchase of their occupant and pre-emption rights, at the price of twelve and a half cents per acre, not exceeding two hundred acres each.

Persons entitled to occupancy and pre-emption by the laws of Tennessee, to have the preference.

Third. After satisfying the claims and rights aforesaid, the State of Tennessee shall offer for sale the rest and residue of said lands, in such manner, in such quantities, and by such description, as may be most convenient; and, for the full term of three years from and after the time herein allowed for the location of North Carolina land warrants, may sell and dispose of, and perfect titles to the same, at a price not less than twelve and a half cents per acre. And so much of the said land as may remain unsold at the expiration of the said term of three years, shall be disposed of as aforesaid, within the further term of three years, at such price per acre as it may bring in open market: *Provided*, That the proceeds of the sale of said lands, over and above so much thereof as shall be necessary to the satisfaction of said North Carolina claims, shall be accounted for and paid over by the State of Tennessee to the United States in the month of January annually.

Tennessee to dispose of the residue of said lands—how.

APPROVED, February 18, 1841.

STATUTE II.

CHAP. XI.—*An Act to make further provision for the expenses of an exploration and survey of that part of the northeastern boundary line of the United States which separates the States of Maine and New Hampshire from the British provinces.*

Feb. 27, 1841.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of seventy-five thousand dollars, in addition to the sum heretofore provided, 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 to be made and completed an exploration and survey of that part of the northeastern boundary line of the United States and

Appropriation for exploration and survey.



the adjacent country, which separates the States of Maine and New Hampshire from the British provinces.

APPROVED, February 27, 1841.

STATUTE II.

Feb. 27, 1841.  
1848, ch. 86.

The land selected by Indiana under act of 2d March 1827, ch. 56, confirmed to her.

Indiana authorized to select other lands in lieu of those subject to pre-emption, &c.

Proviso.

CHAP. XII.—*An Act to confirm to the State of Indiana the land selected by her for that portion of the Wabash and Erie canal which lies between the mouth of the Tippecanoe river and Terre Haute, 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 there be, and there hereby is, confirmed to the State of Indiana, the land selected by her, under the provisions of the act of second of March, eighteen hundred and twenty-seven, entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding the State in opening a canal to connect the waters of the Wabash with those of Lake Erie," for that portion of the canal between the mouth of the Tippecanoe river and Terre Haute, as returned by said State to the Secretary of the Treasury.

SEC. 2. *And be it further enacted,* That should any of said lands, at the time of their selection and location by the State, have been subject to any right of pre-emption, or other legal incumbrance, the State of Indiana shall be, and she hereby is, authorized to select, of any lands subject to private entry in said State, other lands in lieu of so much thereof as may be so incumbered, and, upon return of a description of the same to the Secretary of the Treasury, the same shall be, and hereby is, confirmed to the State: *Provided,* That no more land shall be selected, or hereby confirmed, than a quantity equal to one half of five sections in width on each side of said canal, from the mouth of the Tippecanoe river to Terre Haute.

APPROVED, February 27, 1841.

STATUTE II.

Feb. 27, 1841.  
[Expired.]

Further continuation of act of Jan. 18, 1837, ch. 5, for two years.

1833, ch. 177.

CHAP. XIII.—*An Act further to continue in force the act for the payment of horses and other property lost in the military service 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 act entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States," approved on the eighteenth day of January, eighteen hundred and thirty-seven, and which was continued in force for two years from the end of the second session of the twenty-fifth Congress, by an act entitled "An act to continue in force the act for the payment of horses and other property lost in the military service," approved on the seventh of July, eighteen hundred and thirty-eight, be, and the same is hereby, further continued in force for two years from the end of the present session of Congress.

APPROVED, February 27, 1841.

STATUTE II.

March 2, 1841.  
[Obsolete.]

Appropriation.

CHAP. XXI.—*An Act making an appropriation to defray the expense of a delegation of the Seminole Indians west of the Mississippi to 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 sum of fifteen thousand dollars be appropriated, out of any moneys in the Treasury not otherwise appropriated, to defray the expense of a delegation of the Seminole Indians west of the Mississippi; and other agents

(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, chap. 42.

engaged in an attempt to effect a pacification with the hostile portion of that tribe in Florida.

APPROVED, March 2, 1841.

CHAP. XXIV.—*An Act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and forty-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 the preservation, repairs, construction, and incidental and contingent expenses of certain fortifications, in the year eighteen hundred and forty-one, viz. :

For repairs of Fort Independence and sea-wall of Castle island, thirty-five thousand dollars ;

For Fort Warren, forty-five thousand dollars ;

For Fort Adams, thirty-five thousand dollars ;

For fortifications at New London harbor, fifteen thousand dollars ;

For Fort Schuyler, thirty thousand dollars ;

For permanent wharves for Fort Columbus, Castle William, and South battery, Governor's island, ten thousand dollars ;

For repairs of sea-wall of Castle William, and other parts of Governor's island, ten thousand dollars ;

For repairs of Fort Gibson, New York harbor, five thousand dollars ;

For repairs of Fort Washington, fifteen thousand dollars ;

For Fort Monroe, thirty-five thousand dollars ;

For Fort Calhoun, ten thousand dollars ;

For repairs of Fort Macon, fifteen thousand dollars ;

For the preservation of the site of Fort Macon, North Carolina, twenty-five thousand dollars ;

For Fort Sumter, sixty thousand dollars ;

For repairs of Castle Pinckney, two thousand dollars ;

For Fort Pulaski, fifteen thousand dollars ;

For Fort Pickens, ten thousand dollars ;

For Fort Barancas, thirty thousand dollars ;

For Fort Livingston, thirty thousand dollars ;

For the repairs of Fort Mifflin, five thousand dollars ;

For contingencies of fortifications, five thousand dollars ;

For incidental expenses attending repairs of fortifications, ten thousand dollars ;

For repairs of sea-wall on Deer island, Boston harbor, one thousand five hundred dollars ;

For repairs of sea-wall on Rainsford island, Boston harbor, one thousand dollars ;

For continuing sea-wall at St. Augustine, fifteen thousand dollars ;

For the preservation of the site of Fort Johnson, sixteen thousand dollars.

APPROVED, March 3, 1841.

STATUTE II.

March 3, 1841.

[Obsolete.]

Appropriations.

Fort Independence.

Fort Warren.

Fort Adams.

New London harbor.

Fort Schuyler.

Ft. Columbus.

Castle Wil-

liam and South

battery.

Castle Wil-

liam.

Fort Gibson.

Fort Washing-

ton.

Fort Monroe.

Fort Calhoun.

Fort Macon.

Fort Sumter.

Castle Pinck-

ney.

Fort Pulaski.

Fort Pickens.

Fort Barancas.

Ft. Livingston.

Fort Mifflin.

Contingencies.

Incidental ex-

penditures.

Deer island.

Rainsford isl.

St. Augustine.

Fort Johnson.

STATUTE II.

March 3, 1841.

[Obsolete.]

Appropriations.

CHAP. XXV.—*An Act to provide for the support of the Military Academy for the year one thousand eight hundred and forty-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 money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year one thousand eight hundred and forty-one, viz. :

For pay of officers, cadets, and musicians, sixty thousand five hundred and twenty-four dollars ;

Pay.

Subsistence.	For the subsistence of officers and cadets, forty thousand and seventy-seven dollars;
Forage of officers' horses.	For forage of officers' horses, five thousand one hundred and eighty-four dollars;
Clothing.	For clothing of officers' servants, four hundred and twenty dollars;
Board of Visitors.	For defraying the expenses of the Board of Visitors at West Point, two thousand dollars;
Fuel, forage, &c.	For fuel, forage, stationery, printing, transportation and postage, twelve thousand five hundred and eighty-one dollars forty-five cents;
Repairs, &c.	For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats and fences, seven thousand seven hundred and fifty-seven dollars and fifty cents;
Clerks.	For pay of adjutant's and disbursing officer's clerks, nine hundred and fifty dollars;
Library.	For increase and expenses of the library, one thousand dollars;
Binding books.	For progress with binding books injured at the fire in February, eighteen hundred and thirty-eight, and imported stitched, three hundred dollars;
Miscellaneous.	For miscellaneous items, and incidental expenses, seven hundred and twenty-six dollars and twenty-five cents;
Department of Engineering.	For the department of engineering, three hundred dollars;
Philosophy.	For the department of philosophy, eight hundred and eighty-seven dollars [and] thirty-three cents;
Chemistry.	For the department of chemistry, five hundred and twenty-five dollars;
Drawing.	For the department of drawing, two hundred and seventy-five dollars;
Mathematics.	For the department of mathematics, seventy-five dollars;
Artillery.	For the department of artillery, three hundred and ten dollars;
Completing buildings.	For completing the re-construction of the buildings for the library, engineer, chemical, and philosophical departments, commenced under the act of July seven, eighteen hundred and thirty-eight, seven thousand five hundred and eighty-one dollars [and] thirty-seven cents;
Surveys west of the Mississippi.	For military and geographical surveys west of the Mississippi river, twenty thousand dollars;
Balance due Lyon & Howard.	SEC. 2. <i>And be it further enacted</i> , That there be, and hereby is, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, the sum of four thousand three hundred and sixty-nine dollars, to pay a balance certified by the Topographical Bureau to be due to Lyon and Howard, as the balance upon a contract for building two steam dredging machines upon Lake Michigan.

APPROVED, March 3, 1841.

STATUTE II.

March 3, 1841.

CHAP. XXVI.—*An Act to confirm land patents.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all patents for public lands, which have been issued from the General Land Office since the passing of the act, entitled "An act for the establishment of a General Land Office in the department of the Treasury," passed on the twenty-fifth day of April, one thousand eight hundred and twelve, in the name of the President of the United States, instead of being "in the name of the United States," as prescribed in the eighth section of said act: and all patents for public lands, which have been issued from the said General Land Office since the passing of the act entitled "An act to reorganize the General Land Office," passed the fourth day of July, one thousand eight hundred and thirty-six, and which have been countersigned by the recorder of the General Land Office, or other person, acting in his stead, instead of being countersigned by the Commissioner of the General Land Office, as prescribed in the act of the twenty-fifth

Certain patents confirmed.

Act of April 25, 1812, ch. 68.

Act of July 4, 1836, ch. 352.

day of April, one thousand eight hundred and twelve; and all patents which have been issued from said General Land Office since the passing of the act entitled "An act prescribing the mode by which patents for public lands shall be signed and executed," passed the second day of March, one thousand eight hundred and thirty-three, and which have been subscribed by a secretary duly appointed, pursuant to the provisions of said act, with the printed or written name of the President prefixed to the personal signature of such secretary, in the execution of such patents, notwithstanding the name of the President may not have been written personally by the secretary, shall be deemed, taken, and held, good and valid patents in law, and shall have all the force and effect to pass from the United States to the patentee or patentees named in such patents, respectively, their heirs, executors, administrators, and assigns, the lands described therein, as though, in each and all the respects before enumerated, the patents, in their form and manner of execution, had conformed to the requirements of law.

Act of March 2, 1833, ch. 91.

SEC. 2. *And be it further enacted*, That from and after the passing of this act, it shall be the duty of the recorder of the General Land Office, in addition to the duties now required of him by law, to countersign all patents issued from said office, instead of the same being countersigned by the Commissioner, as required by the eighth section of the act entitled "An act for the establishment of a General Land Office in the department of the Treasury," passed the twenty-fifth day of April, one thousand eight hundred and twelve.

Patents, how to be countersigned.

1812, ch. 68.

APPROVED, March 3, 1841.

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

STATUTE II.

March 3, 1841.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and they are hereby, appropriated for the year one thousand eight hundred and forty-one, for the purpose of paying the current expenses of the Indian Department, fulfilling treaty stipulations with the various Indian tribes, and contingent expenses; to be paid out of any money in the Treasury not otherwise appropriated.

Appropriations.

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

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

Superintendent.

1834, ch. 161.  
1837, ch. 31.

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

Sub-agents.  
1834, ch. 161

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

Interpreters.

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;

Provisions.

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

Buildings.

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

Contingent expenses.

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

Clerk.

Carrying into effect treaties and laws with Christian Indians.	For carrying into effect the stipulations of certain Indian treaties, and the laws connected therewith, viz :
Chippewas.	For the Christian Indians, four hundred dollars ;
	For the Chippewas of the Mississippi, thirty-five thousand dollars ;
	For the Chippewas of Saganaw, five thousand eight hundred dollars ;
Chippewas, Menomonies, &c.	For the Chippewas, Menomonies, Winnebagoes, and New York Indians, one thousand five hundred dollars ;
Chippewas, Ottawas, &c.	For the Chippewas, Ottawas, and Pottawatamies, thirty-four thousand two hundred and ninety dollars ;
Choctaws.	For the Choctaws, forty-nine thousand nine hundred and fifty dollars ;
Creeks.	For the Creeks, sixty-three thousand nine hundred and forty dollars ;
Chickasaws.	For the Chickasaws, six thousand dollars ;
Cherokees.	For the Cherokees, seven thousand six hundred and forty dollars ;
Delawares.	For the Delawares, ten thousand three hundred and forty-four dollars ;
Florida Ind'ns.	For the Florida Indians, nine thousand six hundred and ten dollars ;
Iowas.	For the Iowas, seven thousand eight hundred and seventy-five dollars ;
Kickapoos.	For the Kickapoos, five thousand five hundred dollars ;
Kaskaskias and Peorias.	For the Kaskaskias and Peorias, three thousand dollars ;
Kanzas.	For the Kanzas, six thousand and forty dollars ;
Miamies.	For the Miamies, fifty-two thousand eight hundred and seventy-eight dollars ;
Eel Rivers.	For the Eel Rivers, one thousand one hundred dollars ;
Menomonies.	For the Menomonies, thirty-one thousand eight hundred and thirty dollars ;
Omahas.	For the Omahas, one thousand four hundred and forty dollars ;
Ottawas and Chippewas.	For the Ottawas and Chippewas, sixty-two thousand three hundred and sixty-five dollars ;
Ottoes and Missouriias.	For the Ottoes and Missouriias, five thousand six hundred and forty dollars ;
Osages.	For the Osages, thirty-four thousand four hundred and six dollars ;
Ottawas.	For the Ottawas, four thousand three hundred dollars ;
Pottawatamies.	For the Pottawatamies, twenty thousand two hundred dollars ;
	For the Pottawatamies of Huron, four hundred dollars ;
	For the Pottawatamies of the Prairie, sixteen thousand dollars ;
	For the Pottawatamies of the Wabash, twenty thousand dollars ;
	For the Pottawatamies of Indiana, seventeen thousand dollars ;
Piankeshaws.	For the Piankeshaws, eight hundred dollars ;
Pawnees.	For the Pawnees, nine thousand six hundred dollars ;
Quapaws.	For the Quapaws, four thousand six hundred and sixty dollars ;
Six Nations.	For the Six Nations of New York, four thousand five hundred dollars ;
Senecas.	For the Senecas of New York, six thousand dollars ;
Sioux.	For the Sioux of the Mississippi, forty thousand five hundred and ten dollars ;
	For the Yancton and Santie Sioux, one thousand three hundred and forty dollars ;
Sacs and Foxes.	For the Sacs and Foxes of the Missouri, seven thousand eight hundred and seventy dollars ;
	For the Sacs and Foxes of the Mississippi, forty-eight thousand five hundred and forty dollars ;
Shawnees.	For the Shawnees, seven thousand one hundred and eighty dollars ;
Senecas and Shawnees.	For the Senecas and Shawnees, two thousand and sixty dollars ;
Senecas.	For the Senecas, two thousand six hundred and sixty dollars ;
Wyandots.	For the Wyandots, six thousand eight hundred and forty dollars ;
Weas.	For the Weas, three thousand dollars ;
Wyandots, Munsees, &c.	For the Wyandots, Munsees, and Delawares, one thousand dollars ;

For the Winnebagoes, ninety-two thousand eight hundred and sixty dollars.	Winnebagoes.
SEC. 2. <i>And be it further enacted</i> , That the following sums of money be appropriated for the purpose of extinguishing the Indian title, namely;	Extinguishing the title of the
Three thousand dollars to defray the expenses of holding a treaty with the Wyandot Indians in the State of Ohio;	Wyandots.
Five thousand dollars to defray the expenses of holding treaties with the Indian tribes for the extinguishment of their titles to their lands within the limits of the State of Michigan;	Indian tribes in Michigan.
Five thousand dollars to defray the expenses of holding a treaty with the Sacs and Fox, Winnebago and Sioux tribes of Indians, for their title to their lands in the Territory of Iowa;	Sacs and Foxes, Winnebagoes, Sioux.
For expenses of making the treaty of twenty-eighth November, eighteen hundred and forty, with the Miamies, and of obtaining their assent to the amendments of the Senate by its resolution of the twenty-fifth February, eighteen hundred and forty-one, five thousand dollars;	Expenses of the treaty with the Miamies of Nov. 28th, 1840, &c.
APPROVED, March 3, 1841.	

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

STATUTE II.  
March 3, 1841.  
[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be appropriated, in addition to the unexpended balances of former appropriations, out of any unappropriated money in the Treasury, for the naval service, for the year one thousand eight hundred and forty-one, viz:

For pay of commission, warrant, and petty officers, and seamen, two million three hundred and thirty-five thousand dollars;	Pay of officers and seamen.
For pay of superintendents, naval constructors, and all the civil establishments at the several yards, forty thousand dollars;	Pay of sup'dts &c. at yards.
For provisions, five hundred thousand dollars;	Provisions.
For increase, repair, armament, and equipment of the navy, and wear and tear of vessels in commission, two millions of dollars; four hundred thousand dollars of which sum shall be expended in building and equipping war steamers of medium size;	Increase, repairs, &c. War steamers.
For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, thirty thousand dollars;	Medicines, &c.
For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, twenty-five thousand dollars;	Navy yards at Portsmouth.
For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, forty-two thousand two hundred dollars;	Charlestown.
For improvement and necessary repairs of the navy yard at Brooklyn, New York, seventy-eight thousand eight hundred dollars;	Brooklyn.
For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, nine thousand dollars;	Philadelphia.
For improvement and necessary repairs of the navy yard at Washington, District of Columbia, eleven thousand dollars;	Washington.
For improvement and necessary repairs of the navy yard at Gosport, Virginia, forty-nine thousand dollars;	Gosport.
For improvement and necessary repairs of the navy yard near Pensacola, Florida, twenty thousand dollars;	Pensacola.
For defraying the expenses that may accrue for the following purposes, viz: For freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; traveling expenses of officers, and transportation of seamen; house rent to pursers, when duly authorized; for funeral expenses; for commissions, clerk hire, office rent, stationery, and fuel to navy agents; for premiums	Miscellaneous expenses.

and incidental expenses of recruiting; for apprehending deserters; for compensation to judges advocate; for per diem allowance to persons attending courts-martial and courts of inquiry, or other services authorized by law; for printing and stationery of every description, and for working the lithographic press; for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for the purchase and repair of fire engines and machinery; for the repair of steam engines in navy yards; for the purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for taxes and assessments on public property; for assistance rendered to vessels in distress; for incidental labor at navy yards, not applicable to any other appropriation; for coal and other fuel, and for candles and oil, for the use of navy yards and shore stations, and for no other object or purpose whatever, four hundred and fifty thousand dollars;

- Contingent expenses. For contingent expenses for objects not hereinbefore enumerated, three thousand dollars;
- Hospital at Charlestown. For necessary repairs of the hospital building at Charlestown, Massachusetts, one thousand five hundred dollars;
- Brooklyn. For necessary repairs of the hospital building at Brooklyn, New York, three thousand dollars;
- Norfolk. For necessary repairs of the hospital building at Norfolk, Virginia, two thousand dollars;
- Pensacola. For necessary repairs of the hospital building at Pensacola, Florida, one thousand five hundred dollars;
- Pay of marine corps, &c. For pay of officers, non-commissioned officers, musicians, privates, and servants serving on shore, and subsistence of officers of the marine corps, one hundred and seventy-six thousand nine hundred and twenty-seven dollars;
- Provisions. For provisions for the non-commissioned officers, musicians, privates, and servants and washerwomen serving on shore, forty-five thousand and fifty-four dollars;
- Clothing. For clothing, forty-three thousand six hundred and sixty-two dollars;
- Fuel. For fuel, sixteen thousand two hundred and seventy-four dollars;
- Barracks. For keeping barracks in repair, and for rent of temporary barracks, at New York, six thousand dollars;
- Transportation. For transportation of officers, non-commissioned officers, musicians, and privates, and expenses of recruiting, eight thousand dollars;
- Medicines, &c. For medicines, hospital supplies, surgical instruments, pay of matron and hospital stewards, four thousand one hundred and forty dollars;
- Military stores, &c. For military stores, pay of armorers, keeping arms in repair, accoutrements, ordnance stores, flags, drums, fifes, and other instruments, two thousand three hundred dollars;
- Contingent expenses. For contingent expenses of said corps, viz: for freight, ferriage, toll, wharfage, and cartage; for per diem allowance for attending courts-martial and courts of inquiry, compensation to judges-advocate, house rent where there are no public quarters assigned, per diem allowance to enlisted men on constant labor, expenses of burying deceased marines, printing, stationery, forage, postage on public letters, expenses in pursuit of deserters, candles and oil, straw, barrack-furniture, bed-sacks, spades, axes, shovels, picks, carpenters' tools, and for keeping a horse for the messenger, seventeen thousand nine hundred and eighty dollars;
- Lt. Hunter's invention. For the purpose of making a satisfactory experiment of Lieutenant Hunter's invention to propel war steamers by horizontal wheels that will be safe from the balls of an enemy, one thousand dollars;
- Collections of exploring expedition. For defraying the expense of transporting to the city of Washington and arranging and preserving the collections made by the exploring expedition, five thousand dollars.

APPROVED, March 3, 1841.

STATUTE II.

March 3, 1841.

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

For pay and mileage of the members of Congress and delegates, one hundred and eleven thousand four hundred and eight dollars ;

For pay of the officers and clerks of the Senate and House of Representatives, nineteen thousand nine hundred dollars ;

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

For stationery, fuel, printing, and all other contingent expenses of the House of Representatives, fifteen 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. And the accounting officers of the Treasury Department are hereby directed in the settlement of the accounts of the contingent expenses of the Senate and House of Representatives, to credit the payments made in pursuance of the resolutions of the Senate of the eighteenth of July, eighteen hundred and forty, and the resolution of the House of Representatives of the twenty-first of July, eighteen hundred and forty : and nothing herein contained shall be construed to authorize or sanction any contract for stationery or other articles for the use of the next Congress by any officer of the present Congress to an amount exceeding in the whole two thousand dollars ;

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars ;

For salary of the secretary to sign patents for public lands, per act of July fourth, eighteen hundred and thirty-six, fifteen hundred dollars ;

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

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

For compiling, printing, &c., the Biennial Register, one thousand dollars ;

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

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

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

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

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, three thousand dollars ;

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

Appropriations.

Members of Congress.

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

Expenses of House of Reps.

Contracts for articles for the next Congress, to an amount exceeding 2000 dollars, not authorized.

President, Vice President, and heads of departments.

Secretary to sign patents for lands. Off. Sec.State.

Biennial Register.

Superint't and watchmen N.E. Ex. building.

Office Sec. Treasury. Clerks and messengers.

1836, ch. 115.

First Comptroller.

Clerks and messengers.

Second Comptroller. Clerks and messengers.



- 1st Auditor. For compensation to the First Auditor of the Treasury, three thousand dollars;
- Clerks and messengers. For compensation to the clerks and messengers in the office of the First Auditor, fifteen thousand nine hundred dollars;
- 2d Auditor. For compensation to the Second Auditor of the Treasury, three thousand dollars;
- Clerks and messengers. For compensation to the clerks and messengers in the office of the Second Auditor, seventeen thousand nine hundred dollars;
- 3d Auditor. For compensation to the Third Auditor, three thousand dollars;
- Clerks and messengers. For compensation to the clerks and messengers in the office of the Third Auditor, twenty-nine thousand six hundred and fifty dollars;
- 1837, ch. 5. For compensation to two clerks employed on claims, under the act of the eighteenth January, eighteen hundred and thirty-seven, two thousand four hundred dollars;
- 4th Auditor. For compensation to the Fourth Auditor, three thousand dollars;
- Clerks and messengers. For compensation to the clerks and messengers in the office of the Fourth Auditor, sixteen thousand nine hundred and fifty dollars;
- 5th Auditor. For compensation to the Fifth Auditor, three thousand dollars;
- Clerks and messengers. For compensation to the clerks and messengers in the office of the Fifth Auditor, nine thousand eight hundred dollars;
- 1838, ch. 169. For compensation to two clerks in the office of the Fifth Auditor according to the act of the seventh of July, eighteen hundred and thirty-eight, two thousand dollars;
- Treasurer of United States. For compensation to the Treasurer of the United States, three thousand dollars;
- Clerks and messengers. For compensation to the clerks and messengers in the office of the Treasurer of the United States, ten thousand seven hundred and fifty dollars;
- Register of the Treasury. For compensation to the Register of the Treasury, three thousand dollars;
- Clerks and messengers. For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars;
- Commissioner of General Land Office. For compensation of the Commissioner of the General Land Office, per act of fourth July, eighteen hundred and thirty-six, three thousand dollars;
- 1836, ch. 352. Other officers in the General Land Office. For compensation of the recorder, solicitor, draughtsman, and assistant draughtsman, clerks, messengers, and packers, in the office of the Commissioner of the General Land Office, ninety-five thousand five hundred dollars;
- Solicitor of the Treasury. For compensation to the Solicitor of the Treasury, three thousand five hundred dollars;
- Clerks and messenger. For compensation to the clerks and messenger in the office of the Solicitor of the Treasury, three thousand nine hundred and fifty dollars;
- Translating, &c. For translating foreign languages, and transmitting passports and sea letters, in the office of the Secretary of the Treasury, three hundred dollars;
- Stating and printing acc'ts. For stating and printing the public accounts, including a deficiency in former appropriations, eighteen hundred dollars;
- Contingent expenses for Office 1st Comptroller. For stationery, printing, and all other contingent expenses of the Treasury Department, viz :
- Off. 2d Comptroller. For the office of the First Comptroller, two thousand dollars;
- Off. 1st Auditor. For the office of the Second Comptroller, fifteen hundred dollars;
- Off. 2d Auditor. For the office of the First Auditor, one thousand dollars;
- Off. 3d Auditor. For the office of the Second Auditor, one thousand dollars;
- Off. 4th Auditor. For the office of the Third Auditor, one thousand dollars;
- Off. 5th Auditor. For the office of the Fourth Auditor, one thousand three hundred and forty-six dollars and forty-three cents;
- For the office of the Fifth Auditor, one thousand dollars;

For the office of the Treasurer of the United States, two thousand dollars;	Off. Treasurer.
For the office of the Register of the Treasury, three thousand dollars;	Off. Register.
For the office of the Solicitor of the Treasury, one thousand five hundred dollars;	Off. Solicitor.
For eighty-three thousand pieces of parchment and printing, books and stationery, advertising, and contingent expenses of the General Land Office; and for books and blanks for the district land offices, twenty-four thousand six hundred and seventy dollars;	General Land Office.
For compensation of the superintendent and watchmen of the south-east executive building, two thousand one hundred dollars;	Superint't and watchmen S. E. exec. building.
For contingent expenses of the building occupied by the Treasury, including fuel, labor, oil, carrying the department mails, and sealing ships' registers, twelve thousand dollars;	
For compensation to the clerks and messengers in the office of the Secretary of War, including the messenger in the bounty land bureau, and the clerkship under the act of April twentieth, eighteen hundred and eighteen, transferred back from Pension Office on the first of March, eighteen hundred and forty, thirteen thousand one hundred and eighty-six dollars and ten cents;	Office Secretary of War. 1818, ch. 87.
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 of extra clerks when employed in said office, three thousand dollars;	
For compensation of the Commissioner of Indian Affairs, three thousand dollars;	Commissioner of Ind. affairs. Office.
For compensation of the clerks and messenger in the office of the Commissioner of Indian Affairs, sixteen thousand four hundred dollars;	
For contingent expenses of said office, two thousand dollars;	
For compensation of the Commissioner of Pensions, two thousand five hundred dollars;	Commissioner of Pensions. Office. 1836, ch. 60.
For compensation to clerks and messengers for the office of the Commissioner of Pensions, authorized by the act of ninth May, eighteen hundred and thirty-six, twelve thousand four hundred dollars;	
For compensation of clerks transferred from the office of the Secretary of War to the office of the Commissioner of Pensions, two thousand seven hundred and ninety-three dollars and forty cents;	1840, ch. 4.
For compensation of one clerk transferred from the Navy Department, per act March fourth, eighteen hundred and forty, sixteen hundred dollars;	1840, ch. 4.
For contingent expenses of said office, one thousand five hundred dollars;	
For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars;	Off. Comm'dg General.
For contingent expenses of said office, three hundred dollars;	
For compensation to clerks and messenger in the office of the Adjutant General, seven thousand six hundred and fifty dollars;	Off. Adj. Gen.
For contingent expenses of said office, one thousand six hundred dollars;	
For compensation of clerks and messenger in the office of the Quartermaster General, seven thousand three hundred dollars;	Off. Quartermaster General.
For contingent expenses of said office, one thousand dollars;	
For compensation to clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars;	Off. Paymaster General.
For contingent expenses of said office, eight hundred dollars;	
For compensation of clerks and messenger in the office of the Commissary General of Purchases, four thousand two hundred dollars;	Off. Com. Gen. of Purchases.

- For contingent expenses of said office, eight hundred dollars;
- Off. Com. Gen. of Subsistence. For compensation of clerks and messenger in the office of the Commissary General of Subsistence, four thousand three hundred dollars;
- For contingent expenses of said office, three thousand two hundred dollars;
- Off. Chief Engineer. For compensation of clerks and messenger in the office of the Chief Engineer, five thousand six hundred and fifty dollars;
- For contingent expenses of said office, one thousand five hundred dollars;
- Off. Surgeon General. For compensation to clerk and messenger in the office of the Surgeon General, one thousand six hundred and fifty dollars;
- For contingent expenses of said office, five hundred and fifty dollars;
- 1816, ch. 87. For compensation of a clerk, at one thousand dollars, under the act of April twenty, eighteen hundred and eighteen, transferred from the office of the Secretary of War, to the said office of Surgeon General, one thousand dollars;
- Ordnance Office. For compensation to clerks and messenger in the Ordnance office, eight thousand six hundred and fifty dollars;
- For contingent expenses of said office, one thousand five hundred and fifty dollars;
- Topographical Bureau. For compensation to clerks and messenger in the office of Topographical Bureau, two thousand five hundred dollars;
- For compensation of a clerk, at one thousand four hundred dollars, transferred from the office of the Secretary of War to the Pension office, to be transferred from that office on the first of March, eighteen hundred and forty-one, one thousand one hundred and seventy dollars and fifty cents;
- For contingent expenses of said office, one thousand seven hundred and thirty-five dollars;
- N.W. executive building. For compensation of the superintendent and watchmen of the northwest executive building, two thousand two hundred and fifty dollars;
- For contingent expenses of said building, including rent of Bounty Land office, for labor, fuel, oil, and repairs, and for the contingencies of the fire-engines and apparatus, four thousand seven hundred dollars;
- Off. Secretary of the Navy. For compensation of the clerks and messengers in the office of the Secretary of the Navy, after deducting one clerk transferred to Pension office, per act March four, eighteen hundred and forty, at sixteen hundred dollars, eleven thousand two hundred and fifty dollars;
- 1840, ch. 4. For contingent expenses of said office, three thousand dollars;
- Commiss'rs of Navy Board. For compensation of the Commissioners of the Navy Board, ten thousand five hundred dollars;
- Office. For compensation of the Secretary of the Navy Board, two thousand dollars;
- For compensation to the clerks and messenger of the Navy Board, eight thousand four hundred and fifty dollars;
- For contingent expenses of said office, two thousand five hundred dollars;
- S.W. executive building. For salary of superintendent and watchmen of the southwest executive building, one thousand two hundred and fifty dollars;
- For contingent expenses of said building, including fuel, labor, oil, repairs of building, engine, and improvement of the grounds, three thousand three hundred and fifty dollars;
- Assistant Postmasters Gen'l. For compensation to three Assistant Postmasters General, per act July three, one thousand eight hundred and thirty-six, seven thousand five hundred dollars;
- 1836, ch. 270. General Post Office. For compensation to clerks and messengers in the General Post Office, forty-eight thousand six hundred dollars;
- For salaries of two watchmen, six hundred dollars;

- For topographer and additional clerks in said office, per acts March three, one thousand eight hundred and thirty-nine, and May eight, one thousand eight hundred and forty; and a clerk to keep the appropriation account, eleven thousand six hundred dollars; 1839, ch. 81. 1840, ch. 22.
- For contingent expenses of said office, including fuel for the Auditor's office, and four thousand dollars for rent of building occupied by the department, ten thousand five hundred dollars;
- For compensation to the Auditor of the Post Office, three thousand dollars; Auditor of the Post Office.
- For compensation to clerks and messengers in said office, fifty-five thousand five hundred dollars; Office.
- For eleven additional clerks in said office, per act of July seven, one thousand eight hundred and thirty-eight, thirteen thousand two hundred dollars; 1838, ch. 169.
- For contingent expenses of said office, including the expense of quarterly books, stationery, printing, and pay of laborers, four thousand seven hundred dollars;
- For compensation of the Surveyor General, northwest of the Ohio, two thousand dollars; Surveyor Gen. north-west of the Ohio.
- For compensation to clerks in his office, per act of ninth of May, one thousand eight hundred and thirty-six, six thousand three hundred dollars; Clerks. 1836, ch. 60.
- For compensation of the Surveyor General of Illinois and Missouri, two thousand dollars; Surveyor Gen. for Illinois and Missouri. Clerks. 1836, ch. 60.
- For compensation to clerks in his office, per act of ninth of May, one thousand eight hundred and thirty-six, three thousand eight hundred and twenty dollars;
- For compensation to the Surveyor General of Arkansas, two thousand dollars; Surveyor Gen. of Arkansas.
- For compensation to his clerks, per act ninth May, one thousand eight hundred and thirty-six, two thousand eight hundred dollars; Clerks. 1836 ch. 60.
- For compensation of the Surveyor General of Louisiana, two thousand dollars; Surveyor Gen. of Louisiana.
- For compensation to his clerks, per act ninth May, one thousand eight hundred and thirty-six, two thousand five hundred dollars; Clerks. 1836, ch. 60.
- For compensation to the Surveyor General of Mississippi, two thousand dollars; Surveyor Gen. of Mississippi.
- For compensation to his clerks, per act ninth May, one thousand eight hundred and thirty-six, one thousand dollars; Clerks. 1836, ch. 60.
- For compensation to the Surveyor General of Alabama, two thousand dollars; Surveyor Gen. of Alabama.
- For compensation to his clerks, per act ninth May, one thousand eight hundred and thirty-six, two thousand two hundred dollars; Clerks. 1836, ch. 60.
- For compensation to the Surveyor General of Florida, two thousand dollars; Surveyor Gen. of Florida.
- For compensation to his clerks, per act ninth May, one thousand eight hundred and thirty-six, five hundred dollars; Clerks. 1836, ch. 60.
- For compensation of the Surveyor General of Wisconsin and Iowa, per act of June twelve, one thousand eight hundred and thirty-eight, one thousand five hundred dollars; Surveyor Gen. of Wisconsin and Iowa. 1838, ch. 99.
- For compensation to his clerks, per act June twelve, one thousand eight hundred and thirty-eight, one thousand six hundred dollars; Clerks. 1838, ch. 99.
- For extra clerks and draughtsmen in the offices of the Surveyors General, in addition to the unexpended balances of former appropriations, to be apportioned to them according to the exigencies of the public service, seven thousand two hundred dollars; Extra clerks and draughtsmen in offices of surveyors general.
- For extra clerks in the offices of the Surveyors General to transcribe field notes of survey, for the purpose of preserving them at the seat of Government, in addition to the unexpended balances of former appropriations, viz.,

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

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

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

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

Commissioner  
of public build-  
ings.  
1840, ch. 99, §  
11.

For compensation to the Commissioner of Public Buildings in Washington, per act of the twenty-first of July, one thousand eight hundred and forty, three thousand dollars;

For compensation to Commissioner, from the twenty-first July to the thirty-first December, one thousand eight hundred and forty, three hundred and twelve dollars;

Assistants, &c.  
Potomac  
bridge.

For compensation to two assistants to the Commissioner, as superintendent of the Potomac bridge, at one dollar and fifty cents per day, including oil for lamps, fuel, and repairs, thirty-one thousand three hundred and sixty dollars. So much of this sum as may be applied for repairs, shall be applied under the direction of the Secretary of War;

The Mint.

For compensation to the officers and clerks of the Mint, eighteen thousand nine hundred dollars;

For pay of laborers in the various departments of the Mint, twenty-four thousand dollars;

For incidental and contingent expenses, including the wastage of gold and silver, fuel, materials, stationery, water-rent, and taxes, in addition to the unexpended balance of appropriation of eighteen hundred and forty, eight hundred dollars;

For specimens of ores and coins to be reserved at the Mint, one thousand dollars;

Branch mint  
at Charlotte.

For compensation to the officers and clerk of the branch Mint at Charlotte, North Carolina, six thousand dollars;

For pay of laborers in the various departments of the same, three thousand five hundred dollars;

For wastage of gold, and for contingent expenses of the same, two thousand five hundred dollars;

Branch mint  
at Dahlongega.

For compensation to the officers and clerk of the branch Mint at Dahlongega, Georgia, six thousand dollars;

For pay of laborers in the various departments of the same, two thousand eight hundred and eighty dollars;

For wastage of gold, and for contingent expenses of the same, one thousand dollars;

Branch mint  
at N. Orleans.

For compensation to the officers and clerks of the branch Mint at New Orleans, twelve thousand nine hundred dollars;

For pay of laborers in the various departments of the same, twenty-two thousand dollars;

For wastage of gold and silver, and for contingent expenses of the same, seventeen thousand one hundred dollars;

Wisconsin  
Territory.

For compensation of the Governor, Judges, and Secretary of Wisconsin Territory, nine thousand one hundred dollars;

For contingent expenses of the said Territory, three hundred and fifty dollars;

For pay and mileage of the members of the Legislative Assembly, pay of officers, printing, furniture, stationery, fuel, and all other incidental expenses, twenty thousand dollars;

Iowa Terri-  
tory.

For compensation to the Governor, Judges, and Secretary of the Territory of Iowa, nine thousand one hundred dollars;

For contingent expenses of said Territory, three hundred and fifty dollars;

For pay and mileage to the Legislative Assembly, pay of officers,

printing, stationery, fuel, and all other incidental expenses, twenty thousand one hundred and seventy-five dollars;

For compensation of the Governor, Judges, and Secretary of the Territory of Florida, thirteen thousand five hundred dollars;

Florida Territory.

For contingent expenses of said Territory, three hundred and fifty dollars;

For pay and mileage of the members of the Legislative Council of said Territory, pay to the officers of the Council, printing, furniture, rent, stationery, fuel and all other incidental expenses, twenty-seven thousand one hundred and twenty-five dollars;

For compensation of the chief justice, the associate judges, and district judges of the United States, ninety-three thousand nine hundred dollars;

Chief justice, &c. U. S.

For compensation of the chief justice and associate Judges of the District of Columbia, and of the judges of the criminal and orphan's courts of said District, twelve thousand seven hundred dollars;

Judges of District Columbia.

For carrying into effect the provisions of the act approved on the second of February instant, "Making temporary provision for lunatics in the District of Columbia," three thousand dollars;

Lunatics in the District of Columbia. 1841, ch. 4.

For compensation of the Attorney General of the United States, four thousand dollars;

Attorney Gen.

For compensation of clerk and messenger in the office of the Attorney General, one thousand five hundred dollars;

Office.

For contingent expenses of said office, five hundred dollars;

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

Reporter Supreme Court.

For compensation to the district attorneys and marshals, including those in the several Territories, fourteen thousand four hundred and fifty dollars;

Dist. attorneys and marshals.

For defraying the expenses of the Supreme, Circuit, and District courts of the United States, including the District of Columbia; also for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the year eighteen hundred and forty-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, three hundred and twenty-five thousand dollars: *Provided, however,* That hereafter, in lieu of all fees, emoluments, and receipts now allowed in districts where the present entire compensation of any of the officers hereinafter named shall exceed the sum of one thousand five hundred dollars per annum, it shall and may be lawful for the United States' clerks, attorneys, counsel, and marshals, in the district and circuit courts of the United States in the several States, to demand and receive the same fees that now are, or hereafter may be, allowed by the laws of the said States respectively where said courts are held, to the clerks, attorneys and counsel, and sheriffs, in the highest courts of the said States in which like services are rendered; and no other fees or emoluments, except that the marshals shall receive in full, for summoning all the jurors for any one court, thirty dollars; and shall receive, for every day's actual attendance at any court, five dollars per day; and for any services, including the compensation for mileage, performed by said officers in the discharge of their official duty, for which no compensation is provided by the laws of said States respectively, the said officers may receive such fees as are now allowed by law according to the existing usage and practice of said courts of the United States; and every district attorney, except the district attorney of the southern district of New York, shall receive, in addition to the above fees, a salary of two hundred dollars per annum: *Provided,* That the fees and emoluments retained by the district attorneys, marshals, and clerks, ex-

Expenses of Supreme Court, &c.

Proviso.

Attorneys. Proviso, limiting the amount of fees retainable by attorneys, &c.

- clusive of any reasonable compensation to their deputies, to be allowed in their accounts by the courts of the respective districts to which they belong, and after the payment of such necessary office and other expenses as shall be allowed by the Secretary of the Treasury, not to exceed, as to any one of the said offices in the southern district of New York, the sum of three thousand dollars per annum, and in any other district the sum of one thousand dollars per annum, shall in no case exceed, for the district attorneys and the marshals, or either of them, the sum of six thousand dollars for each; and those for each of the clerks shall not exceed, in any case, four thousand five hundred dollars; the overplus of fees and emoluments to be paid into the public Treasury, under such rules and regulations as may be prescribed by the Secretary of the Treasury, subject to the disposition of Congress.
- The overplus to be paid into the Treasury.
- Annuities and grants.  
U. S. coast survey.
- For the payment of annuities and grants by special acts of Congress, nine hundred dollars;
- Keepers of Florida archives.
- For survey of the coast of the United States, including the compensation of the superintendent and assistants, one hundred thousand dollars;
- Registers and receivers.
- For compensation of the two keepers of the public archives in Florida, one thousand dollars;
- Insolvent debtors.
- For salaries of registers and receivers of land offices, where there are no sales, three thousand five hundred dollars;
- Private land claims in Florida.
- For expenses in relation to the relief of certain insolvent debtors of the United States, three thousand dollars;
- Support of lighthouses, &c.
- For allowance to the law agent, assistant counsel, and district attorney, under the acts providing for the settlement of private land claims in Florida, five thousand dollars;
- Statues for the Capitol.  
Proviso.
- For the support and maintenance of light-houses, floating lights, beacons, buoys, and stakeages, including the purchase of lamps, oil, wicks, buffskins, whiting and cotton cloth, transporting oil, &c., keepers' salaries, repairs, improvements, and contingent expenses, four hundred and eighty-four thousand and seventy-two dollars;
- Paintings for the Capitol.  
Proviso.
- For payment to Luigi Persico and Horatio Greenough, for statues to adorn the two blockings, east front of the capitol, eight thousand dollars: *Provided*, The work is in such state of progress, as, in reference to the whole sum to be paid to the artists, respectively, for their execution, shall, in the opinion of the President of the United States, render it proper to make such payments.
- Penitentiary of D. C.
- For payments to the artists engaged in executing four historical paintings for the vacant panels of the rotundo of the capitol, eight thousand dollars: *Provided*, The paintings are in such state of progress as, in reference to the whole sum to be paid to the artists, respectively, for their execution, shall, in the opinion of the President of the United States, render it proper to make such payments.
- Sick and disabled seamen.  
1802, ch. 51.
- For the support and maintenance of the penitentiary of the District of Columbia, eight thousand three hundred and eighty-one dollars;
- Commissioner for southern boundary of Iowa.
- To make good a deficiency in the years eighteen hundred and thirty-nine and eighteen hundred and forty, in the fund for the relief of sick and disabled seamen, as established by the act of third May, eighteen hundred and two, ninety-seven thousand dollars;
- Custom-house at Boston.  
Warehouse at Baltimore.  
Custom-house at New York.
- For balance due the commissioner for ascertaining and marking the southern boundary of Iowa Territory, under the act of eighteenth June, eighteen hundred and thirty-eight, four hundred and fourteen dollars and eighty-six cents;
- For carrying on the work of the new custom-house building at Boston, one hundred thousand dollars;
- For defraying the cost of extra work on the public warehouse at Baltimore, three thousand dollars;
- For payment of arrearages for completing the custom-house, New

York, thirty-four thousand three hundred and twenty-one dollars and twenty-one cents;

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

For the payment of certain certificates, being the balance of a former appropriation carried to the surplus fund on the thirty-first December, one thousand eight hundred and thirty-eight, five hundred dollars;

For furniture for the President's house, of American manufacture, so far as may be practicable and expedient, to be expended under the direction of the President, in addition to the avails of the sales of decayed furniture, the sum of six thousand dollars;

For annual repairs of the capitol, attending furnaces, water-closets, lamp-lighting, oil, laborers on capitol grounds, tools, keeping iron pipes and wooden fences in order, attending at gates, gardener's salary, and for top dressing delicate and valuable plants, seven thousand five hundred and eighty-two dollars and fifty cents;

For annual repairs of President's house, gardener's salary, horse and cart, laborers and tools, and for amount due F. Masi and Company for repairs on furniture, two thousand six hundred and twenty-eight dollars;

For completing back buildings, grading grounds, and cutting balance of stone for west portico of the new Treasury building, and paying for materials delivered, eleven thousand one hundred and eighty-eight dollars and forty-four cents;

For fluting columns of portico of new Patent Office, finishing roof, and the cut stone-work of said building, and paying for materials delivered, seven thousand five hundred and fifty dollars;

For enclosing the new jail yard, in the city of Washington, five thousand dollars;

For new General Post Office building, one hundred thousand dollars;

For completing court-house, in the city of Alexandria, three thousand dollars;

For payment to the stone-cutters, and the other workmen on the new Treasury building and the new Patent Office building, of the sums allowed them by the commissioners appointed by the President of the United States to superintend the prosecution of the work in the construction of the said buildings, in fulfilment of the resolution of Congress of the twentieth of July, eighteen hundred and forty, twelve thousand nine hundred and twenty-three dollars and thirty-one cents;

For surveying the public lands, in addition to the unexpended balances of former appropriations, to be apportioned to the several surveying districts according to the exigencies of the public service, including office-rent, and fuel, for the year eighteen hundred and forty-one, fifty-five thousand dollars;

For retracing certain old surveys in the State of Alabama, at a rate not exceeding four dollars a mile, fifteen thousand dollars;

For surveys in Missouri, in the towns named in the act of twenty-sixth May, eighteen hundred and twenty-four, in addition to the sum of six thousand dollars appropriated for the same object by the act of sixth of April, eighteen hundred and thirty-eight, two thousand dollars;

For surveying five hundred miles of detached and unfinished lines in Illinois and Missouri, principally in the military district, Illinois, at a rate not exceeding six dollars a mile, three thousand dollars;

For salaries of ministers of the United States to Great Britain, France, Russia, Prussia, Austria and Mexico, fifty-four thousand dollars;

For salaries of the secretaries of legation to the same places, twelve thousand dollars;

1838, ch. 174. Expenses under act to remit duties on goods destroyed by fire in New York.

Payment of a balance carried to the surplus fund.

Furniture for Presid'ts house.

Capitol and grounds.

President's house, &c.

New Treasury building.

New Patent Office building.

New jail.

New General Post Office building.

Court-house in Alexandria.

Payments to workmen on new Treasury and Patent Office buildings.

Surveying public lands.

Retracing certain old surveys in Alabama.

Surveys in Missouri. 1824, ch. 184. 1838, ch. 54.

Surveying in Illinois and Missouri.

Ministers.

Secretaries of legation.



Minister to Turkey.	For salary of the minister resident of the United States to Turkey, five thousand dollars;
Chargés des affaires.	For salaries of the charges des affaires to Portugal, Spain, Denmark, Sweden, Holland, Belgium, Brazil, Chili, Peru, New Grenada, Venezuela, Texas, Naples, and Sardinia, sixty-three thousand dollars;
Drogoman.	For salary of a drogoman to the legation to Turkey, two thousand five hundred dollars;
Expenses of missions.	For contingent expenses of all the missions abroad, thirty thousand dollars;
Outfits.	For outfits of ministers to Austria and Great Britain, and of charges des affaires to Venezuela, twenty-two thousand five hundred dollars;
Consuls at London and Paris.	For salaries of the consuls of the United States at London and Paris, four thousand dollars;
Relief, &c. of Am. seamen.	For the relief and protection of American seamen in foreign countries, fifty thousand dollars;
Expenses of consulate at London.	For clerk hire, office-rent, stationery, and other expenses in the office of the American consul at London, per act of January nineteenth, eighteen hundred and thirty-six, two thousand eight hundred dollars;
1836, ch. 2. Barbary powers.	For expenses of intercourse with the Barbary Powers, seventeen thousand four hundred dollars;
Foreign intercourse.	For the contingent expenses of foreign intercourse, thirty thousand dollars;
Library of Congress.	For salary of the principal and two assistant librarians, pay of the messenger, and for contingent expenses of the library, three thousand nine hundred and fifty dollars;
Purchase of books.	For the purchase of books for the library in Congress, five thousand dollars;
Enforcement of the neutrality laws.	For the payment of arrearages incurred in enforcing the neutrality laws on the northern and northwestern frontier, five thousand dollars;
Service of the General Post Office.	For the service of the General Post Office for the year eighteen hundred and forty-one, in conformity to the act of second July, eighteen hundred and thirty-six;
1836, ch. 270. Transportation.	For transportation of the mail, three million two hundred and eighty thousand dollars;
Compensation of postmasters.	For compensation of postmasters, one million and fifty thousand dollars: <i>Provided however,</i> That in addition to returns now required to be rendered by postmasters, it shall be the duty of the postmasters at New York, Boston, Philadelphia, Baltimore, and New Orleans, and the other several cities of the Union, each and every year hereafter, to render a quarter-yearly account to the Postmaster General, under oath, in such form as the latter shall prescribe, for the purpose of giving full effect to this proviso, of all emoluments or sums by them respectively received for boxes or pigeon-holes, or other receptacles for letters or papers, and by them charged for to individuals; or for the delivery of letters or papers at or from any place in either of said cities, other than the actual post office of such city, and of all emoluments, receipts, and profits that have come to their hands by reason of keeping branch post offices in either of said cities; and if, from such accounting, it shall appear that the net amount received by either of the postmasters at either of such cities for such boxes and pigeon-holes, and other receptacles for letters and papers, and for delivering letters or papers at or from any place in either of said cities other than said post office, and by reason of keeping a branch post office in either of said cities, shall, in the aggregate, exceed the sum of three thousand dollars in any one year, such excess shall be paid to the Postmaster General for the use and purposes of the Post Office Department; and no postmaster shall hereafter, under any pretence whatsoever, have, or receive, or retain for himself, in the aggregate, more than five thousand dollars per year, including salary, com-
No postmaster to receive more than \$5000 a year, salary included.	

missions, boxes, and all other fees, perquisites and emoluments, of any name or character whatsoever, and for any service whatsoever;

For ship, steamboat, and way-letters, forty thousand dollars;

For wrapping-paper, twenty-five thousand dollars;

For office-furniture, five thousand dollars;

For advertising, thirty-six thousand dollars;

For mail-bags, thirty-five thousand dollars;

For blanks, thirty-three thousand dollars;

For mail-locks, keys and stamps, fifteen thousand dollars;

For mail depredations and special agents, twenty-two thousand dollars;

For clerks for offices, two hundred and ten thousand dollars;

For miscellaneous, sixty thousand six hundred and twenty dollars;

And for the continuance of the survey of the coast of the Gulf of Mexico, twenty thousand dollars;

For the balance, certified as due to the agent and commissioners at Havana, to procure the archives of Florida, and transmit them to this country, and in full execution of the laws upon that subject, the sum of six thousand and forty-three dollars and ten cents;

For compensation to William W. Chew, late acting chargé d'affaires at Russia, from the twenty-third of July, eighteen hundred and thirty-nine, till the twenty-first of September, eighteen hundred and forty, the sum of two thousand nine hundred dollars, it being the difference between his salary as Secretary of Legation and the pay of a chargé d'affaires during that period;

For the pay and mileage of the members of the Senate for the extra session of that body, to be convened in its Executive capacity on the fourth day of March of the present year, the sum of thirteen thousand four hundred and twenty-four dollars;

For the contingent expenses of the Senate for the extra session including the pay of messengers, service of horses, fuel, stationery, and all other contingent items of the extra session, three thousand dollars;

And for a hydrographic survey of the coasts of the northern and northwestern lakes of the United States, to be expended under the direction of the President, fifteen thousand dollars;

And the Librarian of Congress is authorized to employ an additional assistant, who shall receive a yearly compensation of eleven hundred and fifty dollars, commencing December first, one thousand eight hundred and forty, 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 be, and he is, hereby authorized to pay, out of any money in the Treasury not otherwise appropriated, to the collectors, deputy collectors, naval officers, surveyors, and their respective clerks, together with the weighers, gaugers, measurers and markers of the several ports of the United States, the same compensation for the year eighteen hundred and thirty-nine, which they would have been entitled to receive if the third section of the act of July, eighteen hundred and thirty-eight, entitled "An act to provide for the support of the Military Academy of the United States, for the year eighteen hundred and thirty-eight, and for other purposes," had continued in force during said year, and subject to the provisions and restrictions therein contained: *Provided*, That nothing in this section contained shall be so construed as to give to any collector of the customs a salary for the year eighteen hundred and thirty-nine, beyond the maximum now fixed by law, of four thousand dollars;

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to the clerks in the custom-house at Boston, out of any money in the Treasury not otherwise ap-

Ship letters, &c.  
Wrapping paper.  
Office furniture.  
Advertising.  
Mail bags.  
Blanks.  
Mail locks, &c.  
Mail depredations, &c.  
Clerks.  
Miscellaneous Survey of the coast of the Gulf of Mexico.  
For procuring the archives of Florida.

Compensation to W.W. Chew.

Extra session of the Senate.  
Pay and mileage.

Contingent expenses.

Hydrographic survey of the lakes.

Assistant to Librarian of Congress.

Compensation of custom-house officers for the year 1839.

1838, ch. 169.

Proviso.

Payment of arrears to the clerks in the custom-house at Boston.

propriated, the arrears of their salaries from eighteen hundred and thirty-two, to eighteen hundred and thirty-seven, so as to make the same equal in proportion to what they received in the last mentioned year, on the same principle as has been applied to the custom-houses at New York and Philadelphia; and the payments under this section shall be governed by what has been the practical construction of the former laws on this subject, at the Treasury Department, applicable to the last named ports;

Payment of arrears to clerks in the custom-house at Philadelphia.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized and required to pay to the clerks in the custom-house at Philadelphia such sum of money as, with the amount appropriated by the general appropriation act of the third of March, eighteen hundred and thirty-nine, will make up the arrears of their respective salaries from eighteen hundred and thirty-two to eighteen hundred and thirty-seven, the sum to be so paid being first ascertained by the proper accounting officers of the Treasury;

Additional accounts to be rendered by collectors, &c.

SEC. 5. *And be it further enacted*, That in addition to the account now required to be rendered by every collector of customs, naval officer and surveyor of ports, every such collector, naval officer and surveyor shall, each and every year hereafter, render a quarter-yearly account, under oath, to the Secretary of the Treasury, in such form as said Secretary shall prescribe, of all sums of money by each of them respectively received or collected for fines, penalties, or forfeitures, or for seizure of goods, wares, or merchandise, or upon compromises made upon said seizure; or on account of suits instituted for frauds against the revenue laws; or for rent and storage of goods, wares, or merchandise, which may be stored in the public store-houses, and for which a rent is paid, beyond the rents paid by the collector or other such officer; and if from such accounting it shall appear that the money received in any one year by any collector, naval officer, or surveyor, on account and for rents and storage, as aforesaid, and for fees and emoluments, shall in the aggregate, exceed the sum of two thousand dollars, such excess shall be paid by the said collector, naval officer, or surveyor, as the case may be, into the Treasury of the United States, as part and parcel of the public money; and no such collector shall, on any pretence whatsoever, hereafter receive, hold, or retain for himself, in the aggregate, more than six thousand dollars per year, including all commissions for duties, and all fees for storage, or fees or emoluments, or any other commissions or salaries which are now allowed and limited by law. Nor shall such naval officer on any pretence whatever, in the aggregate, receive, hold, or retain for himself, hereafter, more than five thousand dollars per year, including all commissions on duties, and all fees for storage, or fees or emoluments, or any other commissions or salaries which are now allowed and limited by law. Nor shall such surveyor, in the aggregate, receive, hold, or retain for himself, hereafter, more than four thousand five hundred dollars per year, including all commissions or fees or emoluments, or any other commissions or salaries which are now allowed and limited by law: *Provided*, The aggregate sums allowed per year to the several officers aforesaid shall be exclusive of the necessary expenses incident to their respective offices, in the same year, subject to the regulation of the Secretary of the Treasury;

The excess of money over \$2000 a year, received for rents, storage, &c. to be paid into the Treasury.

Compensation of collectors limited.

Naval officers limited.

Surveyors limited.

Proviso.

All stores hereafter rented to be on public account, &c.

False swearing to the accounts required

SEC. 6. *And be it further enacted*, That all stores hereafter rented by the collector, naval officer, or surveyor, shall be on public account, and paid for by the collector as such, and shall be appropriated exclusively to the use of receiving foreign merchandise, subject as to the rates of storage, to regulation by the Secretary of the Treasury;

SEC. 7. *And be it further enacted*, That every collector, naval officer, and surveyor of the several ports of the United States, who shall be guilty

of false swearing in taking the oath, at the rendition of his accounts as required by the fifth section of this act to be prescribed by the Secretary of the Treasury, with the intention to deceive and defraud the Government of the United States, shall be deemed to be guilty of perjury, and liable to the same prosecution and penalty inflicted for like offences, to be tried and adjudged in any court of the United States having jurisdiction thereof, and it shall be the duty of the Secretary of the Treasury, whenever in his opinion the said offence has been perpetrated as aforesaid, to direct the District Attorney of the United States for the district within which the same has occurred to prosecute the offender ;

SEC. 8. *And be it further enacted,* That all laws, or parts of laws, inconsistent with the provisions of the fifth, sixth, and seventh sections of this act, are hereby repealed.

APPROVED, March 3, 1841.

by the 5th section of this act, to be deemed perjury.

Sec. Treasury may direct the Dist. Attorney to prosecute the offender.

Laws inconsistent with the 5th, 6th and 7th sections of this act, repealed.

CHAP. XXXVI.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and forty-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 hereby are, appropriated to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and forty-one ;

For the pay of the army, one million one hundred and seventy-two thousand and twenty-eight dollars ;

For subsistence of officers, five hundred and fourteen thousand four hundred and eighty-nine dollars ;

For forage of officers' horses, one hundred and fourteen thousand five hundred and seventy-one dollars ;

For payments in lieu of clothing not drawn in kind, eighty thousand and thirty dollars ;

For subsistence, exclusive of that of officers, six hundred and forty-eight thousand eight hundred and ninety-nine dollars ;

For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, five hundred and five thousand seven hundred and thirty-seven dollars ;

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

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

For barracks, quarters, and store-houses, embracing the repairs and enlargement of barracks, quarters, store-houses and hospitals ; the erection of temporary cantonments, and of gun-houses for the protection of cannon ; the purchase of tools and materials, and of furniture for the barrack-rooms ; rent of quarters for officers, of barracks for troops where there are no public buildings for their accommodation, of store-houses for the safe-keeping of subsistence, clothing and other military supplies, and of grounds for summer cantonments, and encampments for military practice, one hundred and sixty thousand dollars ;

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

For transportation of troops and supplies, viz : transportation of the army and baggage ; freight and ferriages ; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for purposes of transportation, or garrison use ; drayage and cartage ; hire of teamsters ; transportation of funds for the pay department ; expense of transport vessels, and of procuring water at such posts as from their situation require it ; transportation of clothing from the depot at Philadelphia to the stations of the

STATUTE II.  
March 3, 1841.

[Obsolete.]

Appropriations.

Pay.

Subsistence of officers.

Forage of officers' horses.

Payments in lieu of clothing.

Subsistence.

Clothing, &c.

Medical and hospital department.

Quartermaster's department.

Barracks, &c.

Transportation of officers' baggage.

Transportation of troops and supplies.

troops; of subsistence from the places of purchase and delivery under contracts to such points as the circumstances of the service may require; of ordnance, ordnance stores, and arms from the foundries and arsenals to the fortifications and frontier posts, and of lead from the mines to the several arsenals, two hundred and forty-two thousand dollars;

Quartermas-  
ter's depart-  
ment.

1819, ch. 45.

For the incidental expenses of the Quartermaster's Department: consisting of postage on public letters and packets; expenses of courts martial and courts of inquiry, including compensation to judge advocates, members and witnesses; extra pay to soldiers under the act of March second, eighteen hundred and nineteen; expenses of expresses, and of the interment of non-commissioned officers and soldiers; hire of laborers; compensation of clerks in the offices of the quartermasters and assistant quartermasters, at posts where their duties cannot be performed without such aid, and of temporary agents in charge of dismantled works and in the performance of other duties; expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses to supply the place of those which may be lost and become unfit for the service, and the erection of stables, one hundred and twenty-seven thousand dollars;

Contingencies.

For the contingencies of the army, nine thousand dollars;

Extra pay, and  
recruiting.

For extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, forty-eight thousand seven hundred and forty-nine dollars;

Ordnance ser-  
vice.

For the current expenses of the ordnance service, eighty-five thousand dollars;

Armament of  
fortifications.

For the armament of fortifications, one hundred thousand dollars;

Ordnance, &c.  
National ar-  
mories.

For ordnance, ordnance stores, and supplies, eighty thousand dol-  
lars;

Arsenals.

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

For arsenals, one hundred and twenty thousand dollars;

For the purchase of a site and rebuilding the arsenal at Charleston, South Carolina, twenty-five thousand dollars;

Springfield  
armory.

For repairs and improvements and new machinery at the Springfield armory, twenty thousand dollars;

Harper's ferry  
armory.

For repairs and improvements and new machinery at the Harper's Ferry armory, thirty-eight thousand dollars;

Drawings, &c.

For the expense of preparing drawings of a uniform system of artiller-  
y, three thousand six hundred dollars;

Saltpetre and  
brimstone.

For the purchase of saltpetre and brimstone, twenty thousand dol-  
lars;

Barracks, &c.  
at Fort Smith.

For continuing the barracks, quarters, &c., at Fort Smith, fifty  
thousand dollars;

Turkey river.

For barracks, quarters, &c., at Turkey river, fifteen thousand dol-  
lars;

Military road.

For continuing the military road on the western frontier, five thou-  
sand dollars;

Barracks, &c.  
at Sackett's  
Harbor.

For continuing the barracks, quarters, &c., at Sackett's Harbor, one  
thousand dollars;

Preventing and  
suppressing hos-  
tilities in Flori-  
da.

For preventing and suppressing hostilities in Florida, to be expended  
under the direction of the Secretary of War, conformably to the acts of  
Congress of the nineteenth of March and the second of July eighteen  
hundred and thirty-six, and the acts therein referred to, viz: For forage;  
for freight or transportation of military supplies of every description  
from the places of purchase to Florida; for the purchase of wagons and  
harness, of boats and lighters, and other vessels, of horses, mules, and  
oxen to keep up the trains, of tools, leather, and other materials for  
repairs; for transportation within Florida, including the hire of steam-  
boats and other vessels for service in the rivers, and on the coasts; and  
the expenses of maintaining the several steamboats and transport schoons-

1836, ch. 44.

1836, ch. 254.

ers, connected with the operations of the army; for hire of mechanics, laborers, mule-drivers, teamsters and other assistants, including their subsistence; for miscellaneous and contingent charges, and for arrearages in eighteen hundred and forty, one million sixty-one thousand eight hundred and sixteen dollars; for removing the raft of Red river under the direction of the Secretary of War seventy-five thousand dollars;

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby, directed to cause to be audited the account of the corporate authorities of the city of Mobile, for advances of money and expenses incurred in equipping, mounting, and sending to the place of rendezvous, two full companies of mounted men, under a call from the Governor of Alabama, at the beginning of the hostilities of the Creek Indians, in the summer of eighteen hundred and thirty-six; and the amount or balance found due, is hereby directed to be paid out of any moneys in the Treasury not otherwise appropriated, as soon as the Secretary of War shall approve the same.

SEC. 3. *And be it further enacted*, That for the purpose of designating and marking the boundary line between the State of Michigan and Territory of Wisconsin, agreeably to the true intent and meaning of the second section of the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union, upon the conditions therein expressed," there be, and is hereby appropriated, the sum of six thousand dollars, to be expended under the direction of the Secretary of War, in the survey and examination of the country situated between the mouths of the Menomonie and Montreal rivers, who is hereby directed to cause to be made a plat or plan of such survey and examination, which shall be returned to Congress with all convenient despatch.

APPROVED, March 3, 1841.

For removing Red river raft.

Settlement of the account of the corporate authorities of Mobile.

Survey of the country betw'n the Menomonie and Montreal rivers.

Act of June 15, 1836, ch. 99.

CHAP. XXXVII.—*An Act making an appropriation for the temporary support of certain destitute Kickapoo Indians, and to defray the expense of removing and subsisting the Swan Creek and Black River Indians of Michigan.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of twenty-two thousand dollars be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the temporary support of certain destitute Kickapoo Indians, and that those clerks specially charged with the business of the Chickasaws be paid as heretofore out of the Chickasaw fund such sums as the President of the United States shall authorize.

SEC. 2. *And be it further enacted*, That the proper accounting officers of the Treasury Department be, and they are hereby, directed to adjust and settle the accounts of Clements, Bryan and Company, with the United States, arising under a contract, alleged to have been made on the twelfth June, eighteen hundred and thirty-eight, for subsisting the emigrating Cherokee Indians, upon principles of equity and justice; *Provided*, That in settling said accounts said accounting officers shall also take into consideration the contract of said Clements, Bryan and Company, with the United States of the twenty-seventh June, eighteen hundred and thirty-eight, and deduct any profits which they may have made under said last-mentioned contract, from whatever amount may be found due to them under said contract of June twelfth, eighteen hundred and thirty-eight; and such balance so found to be due, shall be paid out of any moneys in the Treasury not otherwise appropriated.

APPROVED, March 3, 1841.

STATUTE II.

March 3, 1841.

[Obsolete.]

Temporary support of destitute Kickapoo Indians.

Payment of the Chickasaw clerks.

Settlement of the accounts of Clements, Bryan & Co.

## STATUTE II.

March 3, 1841.

[Expired.]

Act of July 20, 1840, ch. 47, not applicable to U. S. courts for the districts of Pennsylvania.

Act of March 19, 1842, ch. 7.

Act limited to one year.

CHAP. XXXVIII. — *An Act to amend the act entitled "An act to amend the act approved May thirteenth eighteen hundred, entitled 'An act to amend an act entitled 'An act to establish the judicial courts of the United States.'"*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* "That nothing contained in the act entitled "An act to amend the act approved May thirteenth eighteen hundred entitled 'An act to amend an act entitled 'An act to establish the judicial courts of the United States,'" passed the twentieth July, eighteen hundred and forty shall be deemed or taken to apply to the courts of the United States holden, or to be holden in and for the districts of Pennsylvania, but jurors in said districts shall be selected, returned and empanelled, as if the said act had not been passed.

SEC. 2. *And be it further enacted,* That this act shall continue in force one year and no longer.

APPROVED March 3, 1841.

## STATUTE II.

March 3, 1841.

The port and office abolished, and laws in conflict with this act repealed.

CHAP. XL. — *An Act to abolish the port of delivery and the office of Surveyor of the Customs at Currituck Inlet in North Carolina.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the port of delivery and the office of Surveyor of the Customs at Currituck Inlet in North Carolina be, and the same are hereby abolished, and that all laws in conflict with this act be, and the same are hereby repealed.

APPROVED, March 3, 1841.

## RESOLUTION.

Jan. 14, 1841.

*Joint Resolution to present incorporated universities, colleges, &c., with copies of the catalogue of the Library of Congress.*

One copy to each, not exceeding 300.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,* That one copy of the catalogue of the Library of Congress be presented to each of the incorporated universities, colleges, athenæums, and historical societies in the United States, not exceeding three hundred in number, and to the American Antiquarian Society.

APPROVED, January 14, 1841.

# ACTS OF THE TWENTY-SEVENTH 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 31st day of May, 1841, and ended the 11th day of September, 1841.*

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

### STATUTE I.

CHAP. I.—*An Act making appropriations for the present session of Congress.*

June 25, 1841

*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 the pay and mileage of the members of the Senate for the present session, sixty-eight thousand five hundred and forty-one dollars and sixty cents;

Senate—pay and mileage.

For the pay of the Chaplain of the Senate, five hundred dollars;

Chaplain.

For printing, stationery, and all other contingent expenses of the Senate for the present session, twenty thousand dollars;

Contingent expenses.

For the pay and mileage of the members of the House of Representatives, including five hundred dollars to the Chaplain, for the present session of Congress, two hundred and fifty-six thousand six hundred dollars;

House of Representatives—pay and mileage.

For the printing, stationery, and all other contingent expenses of the House of Representatives for the present session, thirty thousand eight hundred and thirty-six dollars.

Chaplain.  
Contingent expenses.

For the supply of stationery for the House of Representatives for the second session of the twenty-seventh Congress, fifteen thousand dollars, or so much thereof as may be necessary: *Provided, always,* That no part of the sums appropriated for the contingent expenses of either House of Congress, shall be applied to any other than the ordinary expenditures of the Senate and House of Representatives, nor as extra allowance to any clerk, messenger, or other attendant of the said two Houses, or either of them.

Stationery for 2d session 27th Congress.

Contingent expenses of Congress, how to be applied.

APPROVED, June 25, 1841.

### STATUTE I.

CHAP. II.—*An Act for the relief of Mrs. Harrison, widow of the late President of the United States.*

June 30, 1841.

[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 pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Harrison, widow of William Henry Harrison, late President of the United States, or, in the event of her death before payment, then to the legal representatives of the said William Henry Harrison, the sum of twenty-five thousand dollars: *Provided always,* That any sum of money which shall have been paid to the personal representatives

Appropriation to Mrs. Harrison.

Proviso.



of the said William Henry Harrison since his death, on account of his salary as President of the United States, shall be deducted from the said sum of twenty-five thousand dollars.

APPROVED, June 30, 1841.

STATUTE I.

July 21, 1841.

1842, ch. 26.  
President authorized to borrow \$12,000,000 at 6 per cent.

When reimbursable.

The money borrowed, how to be applied.

Stock, how transferable.

Certificates of stock to be prepared and sold.

Proviso.  
1842, ch. 287.

Sec. Treas. to receive proposals for the loan, or, &c.

Expenses incident to this act limited.

Sec. Treasury authorized to purchase stock prior to time of redemption.

Appropriation therefor.  
Faith of U. S. pledged for punctual payment of interest, &c.

STATUTE I.

Aug. 1, 1841.

[Obsolete.]

Appropriation.

CHAP. III.—*An Act authorizing a loan not exceeding the sum of twelve millions of dollars.*

*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, at any time within one year from the passage of this act, to borrow, on the credit of the United States, a sum not exceeding twelve millions of dollars, or so much thereof as in his opinion the exigencies of the Government may require, at a rate of interest, payable quarterly or semi-annually, not exceeding six per centum per annum, which loan shall be made reimbursable either at the will of the Secretary of the Treasury, after six months' notice, or at any time after three years from the first day of January next; and said money so borrowed shall be applied, in addition to the money now in the Treasury, or which may be received therein from other sources, to the payment and redemption of the Treasury notes heretofore authorized, which are or may be outstanding and unpaid, and to defray any of the public expenses which have been heretofore or which may be authorized by law, which stock shall be transferable only on the books of the Treasury.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized, with the consent of the President, to cause to be prepared certificates of stock, signed by the Secretary and countersigned by the Register of the Treasury, for the sum to be borrowed, or any part thereof, bearing an interest not exceeding six per centum per annum, and transferable and reimbursable as aforesaid, and to cause the said certificates of stock to be sold: *Provided,* That no stock be sold below par.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to receive proposals for taking the said loan, or to employ an agent or agents for the purpose of negotiating the same, and to pay to him or them a reasonable commission, not exceeding one-tenth of one per cent. on the amount so negotiated, which sum to be allowed to such agent or agents, and such expense as may be necessarily incurred in printing and issuing certificates of stock, and other expenses incident to the due execution of this act, in all not exceeding twelve thousand dollars, which sum is hereby appropriated for that purpose, and shall be paid 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 to purchase, at any time before the period herein limited for the redemption of stock hereby authorized, such portion thereof as the funds of the Government may admit of, after meeting all the demands on the Treasury, and any surplus in the Treasury is hereby appropriated to that object.

SEC. 5. *And be it further enacted,* That the faith of the United States be, and is hereby, pledged for the punctual payment of the interest and redemption of said stock.

APPROVED, July 21, 1841.

CHAP. IV.—*An Act making appropriation for the pay, subsistence, &c., of a home squadron.*

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

subsistence, increase and repairs, medicines and contingent expenses, of two frigates, two sloops, two small vessels, and two armed steamers, to be employed as a home squadron, the sum of seven hundred and eighty-nine thousand three hundred and ten dollars is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 1, 1841.

CHAP. V.—*An Act making further provision for the maintenance of pauper lunatics 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 so much of the act entitled "An act making temporary provision for lunatics in the District of Columbia," approved February second, one thousand eight hundred and forty-one, as limits the appropriation to three thousand dollars, be, and the same is hereby, repealed, and the further sum of three thousand five hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated, to make immediate provision for the maintenance of pauper lunatics as provided for in the said act.

SEC. 2. *And be it further enacted,* That the marshal of the District of Columbia shall not be restricted to the asylum at Baltimore, but may provide for pauper lunatics at any public lunatic asylum in the United States, consulting economy in the selection.

APPROVED, August 3, 1841.

STATUTE I.

Aug. 3, 1841.

Act of Feb. 2, 1841, ch. 4.

So much of former act as limits the appropriation repealed, and a further appropriation made.

Marshal, not restricted to the asylum at Baltimore.

STATUTE I.

Aug. 13, 1841.

CHAP. VII.—*An Act to repeal the act entitled "An act to provide for the collection, safe-keeping, transfer, and disbursement of the public revenue," and to provide for the punishment of embezzlers of public money, 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 to provide for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved on the fourth day of July A. D. one thousand eight hundred and forty, be, and the same is hereby, repealed: *Provided, always,* That, for any offences which may have been committed against the provisions of the seventeenth section of the said act, the offenders may be prosecuted and punished according to those provisions; and that all bonds executed under the provisions of said act, and all civil rights and liabilities which have arisen or accrued under said act, and the remedies therefor, shall remain and continue as if said act had not been repealed; any thing herein contained to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That if any officer charged with the safe-keeping, transfer, or disbursement of public moneys, or connected with the Post Office Department, shall convert to his own use, in any way whatever, or shall use by way of investment in any kind of property or merchandise, or shall loan, with or without interest, any portion of the public moneys entrusted to him for safe-keeping, transfer, disbursement, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used, or loaned, which is hereby declared to be a felony; and the neglect or refusal to pay over on demand any public moneys in his hands, upon the presentation of a draft, order, or warrant drawn upon him, and signed by the Secretary of the Treasury, or to transfer or disburse any such moneys promptly according to law, on the legal requirement of a superior officer, shall be prima facie evidence of such conversion to his own use of so much of the public moneys as may be in his hands. Any officer or agent of the

Act of 4th July 1840, ch. 41. repealed.

Proviso.

Bonds, &c. not affected by the repeal.

Felony, for officers charged with safe-keeping, transfer, or disbursement of public moneys, &c. to use public moneys.

Neglect or refusal to pay over, transfer, or disburse such moneys, prima facie evidence of such use.

Punishment for said offence, &c.

Act of June 23, 1836, ch. 115, excepting 13th and 14th secs., repealed.

So much of act of 14th April 1836, ch. 52, as prohibits the payment by the U. S. of bank notes under certain denominations, repealed.

United States, and all persons advising, or knowingly and willingly participating in such embezzlement, upon being convicted thereof before any court of the United States of competent jurisdiction, shall, for every such offence, forfeit and pay to the United States a fine equal to the amount of the money embezzled, and shall suffer imprisonment for a term not less than six months nor more than five years.

SEC. 3. *And be it further enacted*, That the act entitled "An act to regulate the deposits of the public money," approved on the twenty-third day of June, eighteen hundred and thirty-six, excepting the thirteenth and fourteenth sections thereof, be and the same hereby is repealed.

SEC. 4. *And be it further enacted*, That so much of an act, passed the fourteenth of April, eighteen hundred and thirty-six, entitled "An act making appropriations for the payment of the Revolutionary and other pensioners of the United States, for the year eighteen hundred and thirty-six," as provides that no bank note of less denomination than ten dollars, and after the third day of March, eighteen hundred and thirty-seven, no bank note of less denomination than twenty dollars, shall be offered in payment in any case whatsoever, in which money is to be paid by the United States, or the Post Office Department, be, and the same hereby is, repealed.

APPROVED, August 13, 1841.

STATUTE I.

Aug. 16, 1841.

CHAP. VIII.—*An Act to provide for the payment of Navy Pensions.*

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 thirty-nine thousand six hundred and sixty-six dollars and six cents is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the payment of pensions and half-pay chargeable on the navy pension fund: *Provided*, That all widows or children of all naval officers, seamen, or marines, now deceased, and entitled to receive or make proof of their pensions under the act of the third of March, eighteen hundred and thirty-seven, shall receive the same until the close of the next session of Congress; but no widows or children of any naval officer, seaman, or marine, who may hereafter die, shall be entitled to any pension by virtue only of any provision in the said act.

Proviso; pensions under act 3d March 1837, ch. 38, limited.

No widow, &c. of any naval officer, &c. who may hereafter die, entitled, under the act of 1837, ch. 38.

No officer, &c. shall receive pay as a pensioner and officer in service.

SEC. 2. *And be it further enacted*, That no officer, seaman, or marine, entitled to a pension from the navy pension fund, who receives pay from the public treasury, shall receive more from the said fund than is sufficient to make the whole amount received from both the above-named sources equal to the pay fixed by law for the grade to which the officer, seaman, or marine may belong as an officer in the services in which he may be engaged, during the year, so that no officer shall receive pay at the same time both as a pensioner and an officer in service.

APPROVED, August 16, 1841.

STATUTE I.

Aug. 19, 1841.

CHAP. IX.—*An Act to establish a uniform system of bankruptcy throughout the United States.* (a)

Repealed, 3d March 1843, ch. 82.

*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 throughout the United States, a uniform system of bank-

(a) See notes of the decisions of the courts of the United States on the bankrupt act of April 4, 1800, vol. 2, 19.

In the case of Nelson, a petitioner in bankruptcy, in the Kentucky district, and Carland, an opposing creditor, several points were adjourned by the district to the circuit court. Upon the hearing of the case in the circuit court, the district judge, as well as the justice of the Supreme Court, sat in the case; and,

ruptcy, as follows: All persons whatsoever, residing in any State, District or Territory of the United States, owing debts, which shall not have been created in consequence of a defalcation as a public officer; or as executor, administrator, guardian or trustee, or while acting in any other fiduciary capacity, who shall, by petition, setting forth to the best of his knowledge and belief, a list of his or their creditors, their respective places of residence, and the amount due to each, together with an accurate inventory of his or their property, rights, and credits, of every name, kind, and description, and the location and situation of each and every parcel and portion thereof, verified by oath, or, if conscientiously scrupulous of taking an oath, by solemn affirmation, apply to the proper court, as hereinafter mentioned, for the benefit of this act, and therein declare themselves to be unable to meet their debts and engagements, shall be deemed bankrupts within the purview of this act, and may be so declared accordingly by a decree of such court; all persons, being merchants, or using the trade of merchandise, all retailers of merchandise, and all bankers, factors, brokers, underwriters, or marine insurers, owing debts to the amount of not less than two thousand

Uniform system of bankruptcy estab'd. All persons owing debts not created by defalcation, &c. may be declared bankrupts.

Merchants, bankers, &c., on petition of their creditors, may be declared bankrupts in certain cases.

being opposed in opinion upon questions adjourned from the district court, they were certified to the Supreme Court on the motion of the counsel of the petitioner. *Held*, that the district judge cannot sit as a member of the circuit court, under the "Act to establish a uniform system of bankruptcy throughout the United States." Consequently, the points adjourned could not be brought before the Supreme Court on a certificate of division. *Nelson v. Carland*, 17 *Peters' Rep.*, 181; *S. C.*, 1 *Howard*, 265.

An appeal or writ of error will not lie from the decision of the circuit court, in a case of bankruptcy, adjourned from the district court. The decision of the circuit court is conclusive on the district judge. *Ibid.*

Under the late bankrupt act of the United States, the existence of a fiduciary debt, contracted before the passage of the act, constitutes no objection to the discharge of the debtor from other debts. *Chapman v. Forsyth*, 2 *Howard*, 202.

A factor, who receives the money of his principal, is not a fiduciary, within the meaning of the act. *Ibid.*

A bankrupt is bound to state, upon his schedule, the nature of a debt if it be a fiduciary one. Should he omit to do so, he would be guilty of a fraud, and his discharge will not avail him; but if a creditor, in such case, proves his debt and receives a dividend from the estate, he is estopped from afterwards saying that his debt was not within the law. *Ibid.*

But if the fiduciary creditor does not prove his debt, he may recover it afterwards from the discharged bankrupt, by showing that it was within the exceptions of the act. *Ibid.*

In Kentucky, the creditor obtains a lien upon the property of his debtor by the delivery of a *fi. fa.* to the sheriff; and this lien is as absolute before the levy as it is afterwards. *Savage's Assignee v. Best*, 3 *Howard*, 111.

Therefore, a creditor is not deprived of this lien by an act of bankruptcy on the part of the debtor omitted before the levy is made, but after the execution is in the hands of the sheriff. *Ibid.*

This court has no revising power over the decrees of the district court sitting in bankruptcy; nor is it authorized to issue a writ of prohibition to it in any case, except where the district is proceeding as a court of admiralty and maritime jurisdiction. *Ex parte Christy*, 3 *Howard*, 292.

The district court, when sitting in bankruptcy, has jurisdiction over liens and mortgages existing upon the property of a bankrupt, so as to inquire into their validity and extent, and grant the same relief which the state courts might or ought to grant. *Ibid.*

The control of the district court over proceedings in the state courts upon such liens, is exercised, not over the state courts themselves, but upon the parties, through an injunction or other appropriate proceeding in equity. *Ibid.*

The design of the bankrupt act was to secure a prompt and effectual administration of the estate of all bankrupts, worked out by the courts of the United States, without the assistance of state tribunals. *Ibid.*

The phrase in the 6th section, "any creditor or creditors who shall claim any debt or demand under the bankruptcy," does not mean only such creditors who come in and prove their debts, but all creditors who have a present subsisting claim upon the bankrupt's estate, whether they have a security or mortgage therefor, or not. *Ibid.*

Such creditors have a right to ask that the property mortgaged shall be sold, and the proceeds applied towards the payment of their debts; and the assignee, on the other hand, may contest their claims. *Ibid.*

In the case of a contested claim, the district court has jurisdiction, if resort be had to a formal bill in equity or other plenary proceeding; and also jurisdiction to proceed summarily. *Ibid.*

The principles established in the case of *Ex parte the City Bank of New Orleans* in the matter of *Christy*, assignee of *Walden*, reviewed and confirmed. *Ibid.*

But this court does not decide whether or not the jurisdiction of the district court over all the property of a bankrupt, mortgaged or otherwise, is exclusive, so as to take it away from the state courts in such cases. *Norton's Assignee v. Boyd*, 3 *Howard*, 426.

Where the defendant below became a bankrupt, the Supreme Court will not award a superseas to stay an execution, because the assignee of the bankrupt has his remedy in the circuit court. *Black v. Zacharie*, 3 *Howard*, 483.

dollars, shall be liable to become bankrupts within the true intent and meaning of this act, and may, upon the petition of one or more of their creditors, to whom they owe debts amounting in the whole to not less than five hundred dollars, to the appropriate court, be so declared accordingly, in the following cases, to wit: whenever such person, being a merchant, or actually using the trade of merchandise, or being a retailer of merchandise, or being a banker, factor, broker, underwriter, or marine insurer, shall depart from the State, District, or Territory, of which he is an inhabitant, with intent to defraud his creditors; or shall conceal himself to avoid being arrested; or shall willingly or fraudulently procure himself to be arrested, or his goods and chattels, lands, or tenements, to be attached, distrained, sequestered, or taken in execution; or shall remove his goods, chattels, and effects, or conceal them to prevent their being levied upon, or taken in execution, or by other process; or make any fraudulent conveyance, assignment, sale, gift, or other transfer of his lands, tenements, goods or chattels, credits, or evidence of debt: *Provided, however,* That any person so declared a bankrupt, at the instance of a creditor, may, at his election, by petition to such court within ten days after its decree, be entitled to a trial by jury before such court, to ascertain the fact of such bankruptcy; or if such person shall reside at a great distance from the place of holding such court, the said judge, in his discretion, may direct such trial by jury to be had in the county of such person's residence, in such manner, and under such directions, as the said court may prescribe and give; and all such decrees passed by such court, and not so re-examined, shall be deemed final and conclusive as to the subject-matter thereof.

Proviso; persons declared bankrupts at the instance of creditors, entitled to trial by jury.

Where persons reside at a great distance.

Payments, &c. made in contemplation of bankruptcy, &c.

Assignee under the bankruptcy may recover the same, as part of the assets.

Such preferences prevent a discharge.

Proviso.  
Proviso.

Preference to any creditor to prevent a discharge, &c.

Proviso.

SEC. 2. *And be it further enacted,* That all future payments, securities, conveyances, or transfers of property, or agreements made or given by any bankrupt, in contemplation of bankruptcy, and for the purpose of giving any creditor, endorser, surety, or other person, any preference or priority over the general creditors of such bankrupts; and all other payments, securities, conveyances, or transfers of property, or agreements made or given by such bankrupt in contemplation of bankruptcy, to any person or persons whatever, not being a bona fide creditor or purchaser, for a valuable consideration, without notice, shall be deemed utterly void, and a fraud upon this act; and the assignee under the bankruptcy shall be entitled to claim, sue for, recover, and receive the same as part of the assets of the bankruptcy; and the person making such unlawful preferences and payments shall receive no discharge under the provisions of this act: *Provided,* That all dealings and transactions by and with any bankrupt, bona fide made and entered into more than two months before the petition filed against him, or by him, shall not be invalidated or affected by this act: *Provided,* That the other party to any such dealings or transactions had no notice of a prior act of bankruptcy, or of the intention of the bankrupt to take the benefit of this act. And in case it shall be made to appear to the court, in the course of the proceedings in bankruptcy, that the bankrupt, his application being voluntary, has, subsequent to the first day of January last, or at any other time, in contemplation of the passage of a bankrupt law, by assignments or otherwise, given or secured any preference to one creditor over another, he shall not receive a discharge unless the same be assented to by a majority in interest of those of his creditors who have not been so preferred: *And provided, also,* That nothing in this act contained shall be construed to annul, destroy, or impair any lawful rights of married women, or minors, or any liens, mortgages, or other securities on property, real or personal, which may be valid by the laws of the States respectively, and which are not inconsistent with the provisions of the second and fifth sections of this act.

SEC. 3. *And be it further enacted,* That all the property, and rights

of property, of every name and nature, and whether real, personal, or mixed, of every bankrupt, except as is hereinafter provided, who shall, by a decree of the proper court, be declared to be a bankrupt within this act, shall, by mere operation of law, ipso facto, from the time of such decree, be deemed to be divested out of such bankrupt, without any other act, assignment, or other conveyance whatsoever; and the same shall be vested, by force of the same decree, in such assignee as from time to time shall be appointed by the proper court for this purpose. which power of appointment and removal such court may exercise at its discretion, toties quoties; and the assignee so appointed shall be vested with all the rights, titles, powers, and authorities to sell, manage, and dispose of the same, and to sue for and defend the same, subject to the orders and directions of such court, as fully, to all intents and purposes, as if the same were vested in, or might be exercised by, such bankrupt before or at the time of his bankruptcy declared as aforesaid; and all suits in law or in equity, then pending, in which such bankrupt is a party, may be prosecuted and defended by such assignee to its final conclusion, in the same way, and with the same effect as they might have been by such bankrupt; and no suit commenced by or against any assignee shall be abated by his death or removal from office, but the same may be prosecuted or defended by his successor in the same office; *Provided, however,* That there shall be excepted from the operation of the provisions of this section the necessary household and kitchen furniture, and such other articles and necessaries of such bankrupt as the said assignee shall designate and set apart, having reference in the amount to the family, condition, and circumstances of the bankrupt, but altogether not to exceed in value, in any case, the sum of three hundred dollars; and, also, the wearing apparel of such bankrupt, and that of his wife and children; and the determination of the assignee in the matter shall, on exception taken, be subject to the final decision of said court.

All property, &c. except, &c. vested in an assignee.

Court may appoint and remove the assignee. Rights and powers of the assignee.

Proviso.

SEC. 4. *And be it further enacted,* That every bankrupt, who shall bona fide surrender all his property, and rights of property, with the exception before mentioned, for the benefit of his creditors, and shall fully comply with and obey all the orders and directions which may from time to time be passed by the proper court, and shall otherwise conform to all the other requisitions of this act, shall (unless a majority in number and value of his creditors who have proved their debts, shall file their written dissent thereto) be entitled to a full discharge from all his debts, to be decreed and allowed by the court which has declared him a bankrupt, and a certificate thereof granted to him by such court accordingly, upon his petition filed for such purpose; such discharge and certificate not, however, to be granted until after ninety days from the decree of bankruptcy, nor until after seventy days' notice in some public newspaper, designated by such court, to all creditors who have proved their debts, and other persons in interest, to appear at a particular time and place, to show cause why such discharge and certificate shall not be granted; at which time and place any such creditors, or other persons in interest, may appear and contest the right of the bankrupt thereto: *Provided,* That in all cases where the residence of the creditor is known, a service on him personally, or by letter addressed to him at his known usual place of residence, shall be prescribed by the court, as in their discretion shall seem proper, having regard to the distance at which the creditor resides from such court. And if any such bankrupt shall be guilty of any fraud or wilful concealment of his property or rights of property, or shall have preferred any of his creditors contrary to the provisions of this act, or shall wilfully omit or refuse to comply with any orders or directions of such court, or to conform to any other requisites of this act, or shall, in the proceedings under this

What bankrupts entitled to a full discharge, &c.

Such discharge and certificate not to be granted until after a certain time, &c.

Proviso.

What bankrupts not entitled to a discharge or certificate.

act, admit a false or fictitious debt against his estate, he shall not be entitled to any such discharge or certificate; nor shall any person, being a merchant, banker, factor, broker, underwriter, or marine insurer, be entitled to any such discharge or certificate, who shall become bankrupt, and who shall not have kept proper books of account, after the passing of this act; nor any person who, after the passing of this act, shall apply trust funds to his own use: *Provided*, That no discharge of any bankrupt under this act shall release or discharge any person who may be liable for the same debt as a partner, joint contractor, endorser, surety, or otherwise, for or with the bankrupt. And such bankrupt shall at all times be subject to examination, orally, or upon written interrogatories, in and before such court, or any commission appointed by the court therefor, on oath, or, if conscientiously scrupulous of taking an oath, upon his solemn affirmation, in all matters relating to such bankruptcy, and his acts and doings, and his property and rights of property, which, in the judgment of such court, are necessary and proper for the purposes of justice; and if in any such examination, he shall wilfully and corruptly answer, or swear, or affirm, falsely, he shall be deemed guilty of perjury, and shall be punishable therefor, in like manner as the crime of perjury is now punishable by the laws of the United States; and such discharge and certificate, when duly granted, shall, in all courts of justice, be deemed a full and complete discharge of all debts, contracts, and other engagements of such bankrupt, which are proveable under this act, and shall be and may be pleaded as a full and complete bar to all suits brought in any court of judicature whatever, and the same shall be conclusive evidence of itself in favor of such bankrupt, unless the same shall be impeached for some fraud or wilful concealment by him of his property or rights of property, as aforesaid, contrary to the provisions of this act, on prior reasonable notice specifying in writing such fraud or concealment; and if, in any case of bankruptcy, a majority, in number and value, of the creditors who shall have proved their debts at the time of hearing of the petition of the bankrupt for a discharge as hereinbefore provided, shall at such hearing file their written dissent to the allowance of a discharge and certificate to such bankrupt, or if, upon such hearing, a discharge shall not be decreed to him, the bankrupt may demand a trial by jury upon a proper issue to be directed by the court, at such time and place, and in such manner, as the court may order; or he may appeal from that decision, at any time within ten days thereafter, to the circuit court next to be held for the same district, by simply entering in the district court, or with the clerk thereof, upon record, his prayer for an appeal. The appeal shall be tried at the first term of the circuit court after it be taken, unless, for sufficient reason, a continuance be granted; and it may be heard and determined by said court summarily, or by a jury, at the option of the bankrupt; and the creditors may appear and object against a decree of discharge and the allowance of the certificate, as hereinbefore provided. And if, upon a full hearing of the parties, it shall appear to the satisfaction of the court, or the jury shall find that the bankrupt has made a full disclosure and surrender of all his estate, as by this act required, and has in all things conformed to the directions thereof, the court shall make a decree of discharge, and grant a certificate, as provided in this act.

SEC. 5. *And be it further enacted*, That all creditors coming in and proving their debts under such bankruptcy, in the manner hereinafter prescribed, the same being bona fide debts, shall be entitled to share in the bankrupt's property and effects, pro rata, without any priority or preference whatsoever, except only for debts due by such bankrupt to the United States, and for all debts due by him to persons who, by the laws of the United States, have a preference, in consequence of having

Proviso.

Bankrupts subject to examination under oath.

Perjury.

Such discharge and certificate to be deemed a complete discharge, unless, &c.

Bankrupts failing to obtain a discharge, may demand a trial by jury, or appeal to the circuit court.

Appeal to be tried, when and how.

Decree of discharge may be made, and a certificate granted, upon a certain finding.

Creditors to share the bankrupt's property, how.

Debts to U. States, or for money paid by sureties, to be first paid.

paid moneys as his sureties, which shall be first paid out of the assets; and any person who shall have performed any labor as an operative in the service of any bankrupt shall be entitled to receive the full amount of the wages due to him for such labor, not exceeding twenty-five dollars; *Provided*, That such labor shall have been performed within six months next before the bankruptcy of his employer; and all creditors whose debts are not due and payable until a future day, all annuitants, holders of bottomry and respondentia bonds, holders of policies of insurances, sureties, endorsers, bail, or other persons, having uncertain or contingent demands against such bankrupt, shall be permitted to come in and prove such debts or claims under this act, and shall have a right, when their debts and claims become absolute, to have the same allowed them; and such annuitants and holders of debts payable in future may have the present value thereof ascertained, under the direction of such court, and allowed them accordingly, as debts in presenti; and no creditor or other person, coming in and proving his debt or other claim, shall be allowed to maintain any suit at law or in equity therefor, but shall be deemed thereby to have waived all right of action and suit against such bankrupt; and all proceedings already commenced, and all unsatisfied judgments already obtained thereon, shall be deemed to be surrendered thereby; and in all cases where there are mutual debts or mutual credits between the parties, the balance only shall be deemed the true debt or claim between them, and the residue shall be deemed adjusted by the set-off; all such proof of debts shall be made before the court decreeing the bankruptcy, or before some commissioner appointed by the court for that purpose; but such court shall have full power to set aside and disallow any debt, upon proof that such debt is founded in fraud, imposition, illegality, or mistake; and corporations to whom any debts are due, may make proof thereof by their president, cashier, treasurer, or other officer, who may be specially appointed for that purpose; and in appointing commissioners to receive proof of debts, and perform other duties, under the provisions of this act, the said court shall appoint such persons as have their residence in the county in which the bankrupt lives.

Operatives entitled to full amount of wages for labour, not exceeding \$25, *Proviso.*

Value of debts payable in future may be ascertained and allowed.

Suits not maintainable on debts or claims proved under this act.

In mutual debts or credits, the balance to be the true debt. *Proof of debts.*

Corporations may prove debts by an officer thereof.

Commissioners to be residents of the county where the bankrupt lives.

District courts to have jurisdiction in all matters of bankruptcy.

Judge may adjourn any point to the circuit court.

Cases to which the jurisdiction of the district courts shall extend.

Courts may compel obedience to their orders and decrees.

District courts to prescribe rules, &c.

SEC. 6. *And be it further enacted*, That the district court in every district shall have jurisdiction in all matters and proceedings in bankruptcy arising under this act, and any other act which may hereafter be passed on the subject of bankruptcy; the said jurisdiction to be exercised summarily, in the nature of summary proceedings in equity; and for this purpose the said district court shall be deemed always open. And the district judge may adjourn any point or question arising in any case in bankruptcy into the circuit court for the district, in his discretion, to be there heard and determined; and for this purpose the circuit court of such district shall also be deemed always open. And the jurisdiction hereby conferred on the district court shall extend to all cases and controversies in bankruptcy arising between the bankrupt and any creditor or creditors who shall claim any debt or demand under the bankruptcy; to all cases and controversies between such creditor or creditors and the assignee of the estate, whether in office or removed; to all cases and controversies between such assignee and the bankrupt, and to all acts, matters, and things to be done under and in virtue of the bankruptcy, until the final distribution and settlement of the estate of the bankrupt, and the close of the proceedings in bankruptcy. And the said courts shall have full authority and jurisdiction to compel obedience to all orders and decrees passed by them in bankruptcy, by process of contempt and other remedial process, to the same extent the circuit courts may now do in any suit pending therein in equity. And it shall be the duty of the district court in each district, from time to time, to prescribe suitable rules and regulations, and forms of proceed-



ings, in all matters of bankruptcy; which rules, regulations, and forms, shall be subject to be altered, added to, revised, or annulled, by the circuit court of the same district, and other rules and regulations, and forms substituted therefor; and, in all such rules, regulations, and forms, it shall be the duty of the said courts to make them as simple and brief as practicable, to the end to avoid all unnecessary expenses, and to facilitate the use thereof by the public at large. And the said courts shall, from time to time, prescribe a tariff or table of fees and charges to be taxed by the officers of the court or other persons, for services under this act, or any other on the subject of bankruptcy; which fees shall be as low as practicable, with reference to the nature and character of such services.

Said courts to prescribe a tariff of fees and charges for services under this act.

Proceedings, where to be had.

At least 20 days' notice to be given.

Evidence by witnesses to be under oath, &c.

Proof of debts, &c. to be under oath, &c.

Such proofs open to contestation, &c.

Circuit courts to have concurrent jurisdiction with district courts, in certain cases.

Such suits to be brought within two years.

SEC. 7. *And be it further enacted*, That all petitions by any bankrupt for the benefit of this act, and all petitions by a creditor against any bankrupt under this act, and all proceedings in the case to the close thereof, shall be had in the district court within and for the district in which the person supposed to be a bankrupt shall reside, or have his place of business at the time when such petition is filed, except where otherwise provided in this act. And upon every such petition, notice thereof shall be published in one or more public newspapers printed in such district, to be designated by such court at least twenty days before the hearing thereof; and all persons interested may appear at the time and place where the hearing is thus to be had, and show cause, if any they have, why the prayer of the said petitioner should not be granted; all evidence by witnesses to be used in all hearings before such court shall be under oath, or solemn affirmation, when the party is conscientiously scrupulous of taking an oath, and may be oral or by deposition, taken before such court, or before any commissioner appointed by such court, or before any disinterested State judge of the State in which the deposition is taken; and all proof of debts or other claims, by creditors entitled to prove the same by this act, shall be under oath or solemn affirmations as aforesaid, before such court or commissioner appointed thereby, or before some disinterested State judge of the State where the creditors live, in such form as may be prescribed by the rules and regulations hereinbefore authorized to be made and established by the courts having jurisdiction in bankruptcy. But all such proofs of debts and other claims shall be open to contestation in the proper court having jurisdiction over the proceedings in the particular case in bankruptcy; and as well the assignee as the creditor shall have a right to a trial by jury, upon an issue to be directed by such court, to ascertain the validity and amount of such debts or other claims; and the result therein, unless a new trial shall be granted, if in favor of the claims, shall be evidence of the validity and amount of such debts or other claims. And if any person or persons shall falsely and corruptly answer, swear, or affirm, in any hearing or on trial of any matter, or in any proceeding in such court in bankruptcy, or before any commissioner, he and they shall be deemed guilty of perjury, and punishable therefor in the manner and to the extent provided by law for other cases.

SEC. 8. *And be it further enacted*, That the circuit court within and for the district where the decree of bankruptcy is passed, shall have concurrent jurisdiction with the district court of the same district of all suits at law and in equity which may and shall be brought by any assignee of the bankrupt against any person or persons claiming an adverse interest, or by such person against such assignee, touching any property or rights of property of said bankrupt transferable to, or vested in, such assignee; and no suit at law or in equity shall, in any case, be maintainable by or against such assignee or by or against any person claiming an adverse interest touching the property and rights of property aforesaid, in any court whatsoever unless the same shall be brought

within two years after the declaration and decree of bankruptcy, or after the cause of suit shall first have accrued.

SEC. 9. *And be it further enacted*, That all sales, transfers, and other conveyances of the assignee of the bankrupt's property and rights of property, shall be made at such times and in such manner as shall be ordered and appointed by the court in bankruptcy; and all assets received by the assignee in money, shall, within sixty days afterwards, be paid into the court, subject to its order respecting its future safe-keeping and disposition; and the court may require of such assignee a bond, with at least two sureties, in such sum as it may deem proper, conditioned for the due and faithful discharge of all his duties, and his compliance with the orders and directions of the court; which bond shall be taken in the name of the United States, and shall, if there be any breach thereof, be sued and sueable, under the order of such court, for the benefit of the creditors and other persons in interest.

Sales, &c. by the assignee, when and how to be made.

Assignee may be required to give bond.

SEC. 10. *And be it further enacted*, That in order to ensure a speedy settlement and close of the proceedings in each case in bankruptcy, it shall be the duty of the court to order and direct a collection of the assets, and a reduction of the same to money, and a distribution thereof at as early periods as practicable, consistently with a due regard to the interests of the creditors: and a dividend and distribution of such assets as shall be collected and reduced to money, or so much thereof as can be safely so disposed of, consistently with the rights and interests of third persons having adverse claims thereto, shall be made among the creditors who have proved their debts, as often as once in six months from the time of the decree declaring the bankruptcy; notice of such dividends and distribution to be given in some newspaper or newspapers in the district, designated by the court, ten days at least before the order therefor is passed; and the pendency of any suit at law or in equity, by or against such third persons, shall not postpone such division and distribution, except so far as the assets may be necessary to satisfy the same; and all the proceedings in bankruptcy in each case shall, if practicable, be finally adjusted, settled, and brought to a close, by the court, within two years after the decree declaring the bankruptcy. And where any creditor shall not have proved his debt until a dividend or distribution shall have been made and declared, he shall be entitled to be paid the same amount, pro rata, out of the remaining dividends or distributions thereafter made, as the other creditors have already received, before the latter shall be entitled to any portion thereof.

Collection of assets, distribution, &c.

Dividend and distribution.

Notice thereof to be given.

Proceedings, if practicable, to be closed in two years.

Debts not proved until a dividend has been made, how to be paid.

SEC. 11. *And be it further enacted*, That the assignee shall have full authority, by and under the order and direction of the proper court in bankruptcy, to redeem and discharge any mortgage or other pledge, or deposit, or lien upon any property, real or personal, whether payable in present or at a future day, and to tender a due performance of the conditions thereof. And such assignee shall also have authority, by and under the order and direction of the proper court in bankruptcy, to compound any debts, or other claims, or securities due or belonging to the estate of the bankrupt; but no such order or direction shall be made until notice of the application is given in some public newspaper in the district, to be designated by the court, ten days at least before the hearing, so that all creditors and other persons in interest may appear and show cause, if any they have, at the hearing, why the order or direction should not be passed.

Assignee, by order of the court, may redeem and discharge any mortgage, &c.

And compound debts, &c. due the estate.

SEC. 12. *And be it further enacted*, That if any person, who shall have been discharged under this act, shall afterward become bankrupt, he shall not again be entitled to a discharge under this act, unless his estate shall produce (after all charges) sufficient to pay every creditor seventy-five per cent. on the amount of the debt which shall have been allowed to each creditor.

Persons once discharged, becoming bankrupts again, not to be discharged unless, &c.

Proceedings to be matters of record—how to be kept.

Fees to clerk of court.

Allowance to court officers.

On partners in trade becoming insolvent.

Joint and separate debts.

Creditors, &c. may prove debts.

Assignees to keep separate accounts.

Nett proceeds of joint stock to be paid to creditors of the company.

And of separate estates, to separate creditors. Balance, of separate estate, to be added to joint stock.

And of joint stock, to be divided among separate estates.

Certificate of discharge to each partner.

Decree of bankruptcy, &c. to be recited in deeds of lands.

Such deeds to effectually pass the title of the bankrupt.

Jurisdiction conferred upon the circuit court

SEC. 13. *And be it further enacted*, That the proceedings in all cases in bankruptcy shall be deemed matters of record; but the same shall not be required to be recorded at large, but shall be carefully filed, kept, and numbered, in the office of the court, and a docket only, or short memorandum thereof, with the numbers, kept in a book by the clerk of the court; and the clerk of the court, for affixing his name and the seal of the court to any form, or certifying a copy thereof, when required thereto, shall be entitled to receive, as compensation, the sum of twenty-five cents and no more. And no officer of the court, or commissioner, shall be allowed by the court more than one dollar for taking the proof of any debt or other claim of any creditor or other person against the estate of the bankrupt; but he may be allowed, in addition, his actual travel expenses for that purpose.

SEC. 14. *And be it further enacted*, That where two or more persons, who are partners in trade, become insolvent, an order may be made in the manner provided in this act, either on the petition of such partners, or any one of them, or on the petition of any creditor of the partners; upon which order all the joint stock and property of the company, and also all the separate estate of each of the partners, shall be taken, excepting such parts thereof as are herein exempted; and all the creditors of the company, and the separate creditors of each partner, shall be allowed to prove their respective debts; and the assignees shall also keep separate accounts of the joint stock or property of the company, and of the separate estate of each member thereof; and after deducting out of the whole amount received by such assignees the whole of the expenses and disbursements paid by them, the nett proceeds of the joint stock shall be appropriated to pay the creditors of the company, and the nett proceeds of the separate estate of each partner shall be appropriated to pay his separate creditors; and if there shall be any balance of the separate estate of any partner, after the payment of his separate debts, such balance shall be added to the joint stock, for the payment of the joint creditors; and if there shall be any balance of the joint stock, after payment of the joint debts, such balance shall be divided and appropriated to and among the separate estates of the several partners, according to their respective rights and interests therein, and as it would have been if the partnership had been dissolved without any bankruptcy; and the sum so appropriated to the separate estate of each partner shall be applied to the payment of his separate debts; and the certificate of discharge shall be granted or refused to each partner, as the same would or ought to be if the proceedings had been against him alone under this act; and in all other respects the proceedings against partners shall be conducted in the like manner as if they had been commenced and prosecuted against one person alone.

SEC. 15. *And be it further enacted*, That a copy of any decree of bankruptcy, and the appointment of assignees, as directed by the third section of this act, shall be recited in every deed of lands belonging to the bankrupt, sold and conveyed by any assignees under and by virtue of this act; and that such recital, together with a certified copy of such order, shall be full and complete evidence both of the bankruptcy and assignment therein recited, and supersede the necessity of any other proof of such bankruptcy and assignment to validate the said deed; and all deeds containing such recital, and supported by such proof, shall be as effectual to pass the title of the bankrupt, of, in, and to the lands therein mentioned and described to the purchaser, as fully, to all intents and purposes, as if made by such bankrupt himself, immediately before such order.

SEC. 16. *And be it further enacted*, That all jurisdiction, power, and authority, conferred upon and vested in the district court of the United States by this act, in cases in bankruptcy, are hereby conferred upon

and vested in the circuit court of the United States for the District of Columbia, and in and upon the supreme or superior courts of any of the Territories of the United States, in cases in bankruptcy, where the bankrupt resides in the said District of Columbia, or in either of the said Territories.

SEC. 17. *And be it further enacted*, That this act shall take effect from and after the first day of February next.

APPROVED, August 19, 1841.

for District of Columbia, and supreme courts of territories.

This act to take effect from 1st Feb. next.

STATUTE I.

Aug. 19, 1841.

CHAP. X.—*An Act further to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first section of the act entitled "An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office," approved July seventh, eighteen hundred and thirty-eight, as to all warrants issued prior to the tenth day of August, eighteen hundred and forty, and no others, be, and the same is hereby, revived, and to continue in force until the first day of January, eighteen hundred and forty-four.

APPROVED, August 19, 1841.

1848, ch. 93.

1st sec. act of 7th July 1838, ch. 166, revived and continued to 1st Jan. 1844

STATUTE I.

Aug. 19, 1841.

CHAP. XI.—*An Act to authorize the recovery of fines and forfeitures incurred under the charter, laws, and ordinances of Georgetown, before justices of the peace.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That to remove all existing doubts as to the chartered powers of the Mayor, Recorder, Aldermen and Common Council of Georgetown, the said Corporation of Georgetown shall be, and they are hereby, authorized and empowered to recover all fines, penalties, and forfeitures incurred, or that may be incurred, under their charter, and the laws and ordinances passed in pursuance thereof, by warrant before any justice of the peace of the District of Columbia, and execution on his judgment, in like manner, and subject to a like appeal to the Circuit Court of the District of Columbia, as in other cases of small debts.

APPROVED, August 19, 1841.

1846, ch. 67.

Corporation of Georgetown to recover fines, &c. how.

STATUTE I.

Aug. 25, 1841.

CHAP. XII.—*An Act to revive and extend the charters of certain 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 the charters of the Bank of the Metropolis, of the Bank of Washington, and of the Patriotic Bank of Washington, in the city of Washington; the charter of the Farmers and Mechanics' Bank of Georgetown, in Georgetown; and the charters of the Farmers' Bank of Alexandria, and of the Bank of Potomac, in the town of Alexandria, be, and the same are, severally and respectively hereby revived; and all the powers, rights, privileges, immunities, limitations, prohibitions, and restrictions contained in said charters are hereby renewed, extended, and made applicable in full force to each of said banks, respectively, and to the presidents, directors, other officers, and stockholders of each of them, in the same manner, and to the same extent, as was granted and provided by the said several and respective charters, and the laws in force on the first day of January, in the year eighteen hundred and thirty-eight, subject to the limitations and provisions hereinafter contained: *Provided*, Said

Act of May 31, 1838, ch. 91, Act of July 3, 1840, ch. 39.

Charters of Bank of Metropolis, Bank of Washington, &c. revived. Powers, &c. renewed to the extent granted by said charters, &c.

Proviso.

(a) Notes of acts relating to Virginia warrants, vol. 1, 182.

banks shall, each for itself, from and after the passage of this act, resume and continue the payment of all its notes and specie liabilities in specie, on demand; and each and every of said banks failing to resume specie payments, as aforesaid, within ten days after the passage of this act, or having resumed specie payments, again suspending or refusing to pay any of its notes or other specie liabilities in specie, when legally demanded, or shall pay out or lend out, after the first day of March next, the notes of any suspended bank, or any paper currency whatever which is not equivalent to gold and silver, shall, in the first case, be excluded from all participation in the privileges and provisions of this act; and, in the second case, shall, *ipso facto*, forfeit all benefit and privilege granted by it; and it shall be the duty of the district attorney of the United States for the District of Columbia, upon information lodged with him of any such suspension or refusal to pay in specie by any of said banks, to take forthwith the necessary and proper legal steps to enforce the forfeiture hereby provided for such refusal or suspension, and to compel every such delinquent bank to proceed to wind up its concerns, under, and agreeably to, the provisions of the act of Congress entitled "An act to continue the corporate existence of certain banks in the District of Columbia, for certain purposes," approved the third day of July, in the year eighteen hundred and forty.

District attorney, on suspension or refusal to pay in specie, to take steps necessary to enforce the forfeiture, and to compel such bank to wind up its concerns, under act of 3d July 1840, ch. 40.

Banks prohibited from making new loans on their stock as security, &c.

President and directors liable for such loans, made or renewed with their consent.

What shall be deemed to be a consent.

Any loan to bank officers, exceed'g 10,000 dollars, to be curtailed at least 25 per ct. annually, until not over that sum.

No new loan to be made them which shall, including unpaid balances, exceed \$10,000.

President and directors liable therefor.

SEC. 2. *And be it further enacted*, That each and every of said banks shall be, and they are hereby, expressly prohibited from making any new loan or loans whatever, upon a pledge of stock in said bank as security for the repayment of said loan; and they are hereby required, upon all loans now existing upon any such pledge of stock, to require and exact, before any renewal or extension of any such stock loan shall be granted, other sufficient security for the same, in the form, and to the extent usual in said banks upon making ordinary loans. And the president and directors of each of said banks are hereby made individually liable to all persons concerned, for the whole amount of any loan or loans hereafter made or renewed contrary to the foregoing provisions, by them, or any of them, or with their consent, from the funds of any of said banks; and the cashier of each of said banks shall keep a regular record of the attendance of the president and each director at every meeting of the board of directors of the bank of which he is cashier; and every president and director who shall be present at any meeting at which any loan upon a pledge of stock, as aforesaid, shall be made or extended, shall be deemed to have consented to the same, unless he shall at that meeting enter his protest, in writing, against said loan on the minutes of their proceedings.

SEC. 3. *And be it further enacted*, That in each and every of said banks, all loans now existing to any president, cashier, director, or other officer, either as principal or security, to a greater amount than ten thousand dollars, shall be regularly curtailed or reduced, at the rate of at least twenty-five per cent. or one fourth of the whole amount, annually, in a due proportion at each renewal at the expiration of ninety days successively, until the sum of such loan shall, in no instance, exceed the amount of ten thousand dollars aforesaid. And no new loan or loans shall hereafter, on any pretence whatever, be made to any president, cashier, director, or other officer, either as principal or security, to a greater amount in the whole including the unpaid balances of former loans than ten thousand dollars; and the same penalties, liabilities, and presumptions shall, in every case of a loan made contrary to the spirit, intent, and meaning of this section, attach to the president and directors of the bank by which said loan shall be made, as is provided in the preceding section, in the case of loans upon a pledge of the stock of the bank making the same.

SEC. 4. *And be it further enacted*, That each and every of said banks

are hereby expressly prohibited from issuing or paying out or offering in payment any bank note or other paper in discharge of their debts or liabilities of any kind on any pretence whatever, which the particular bank making the payment or tender is not, at the time of such payment, in the habit of receiving at par, in payments of all notes or other debts due and payable at said bank, under pain of forfeiting for every such offence double the sum so paid out or offered in payment of its own debt or debts; one half to the informer, and one half to the use of the town or city in which the offending bank may be situated, to be recovered by action of debt in any court of competent jurisdiction in the District of Columbia.

Issuing, &c. any bank-note, not at the time receivable at par, prohibited.

Forfeiture, how to be disposed of, and how recoverable.

SEC. 5. *And be it further enacted*, That each and every of said banks be, and they are hereby, expressly prohibited from issuing or paying out, under any pretence whatever, any bill, note, or other paper, designed or intended to be used and circulated as money, of a less denomination than five dollars; and for any violation of the provisions of this section, the offending bank shall incur all the penalties and forfeitures to be provided and directed by the first section of this act for the case of suspension or refusal to pay in specie; to be enforced in like manner, as is directed by that section.

Issuing notes, &c. of less denomination than \$5, prohibited.

Penalties and forfeitures.

SEC. 6. *And be it further enacted*, That each and every of the banks aforesaid shall, within forty days after the passage of this act, hold an election in the form and manner prescribed by their respective original charters for nine directors, which shall in future be the number of directors for each of said banks; and the persons elected at said election, shall severally remain in office until the recurrence of the time prescribed by the original charter of each of said banks respectively, for an annual election of directors, at which last mentioned time, and at the same time in every year thereafter, each of said banks shall make its election of directors and other officers agreeably to the provisions of its original charter, except as to the number of directors, which shall in every case hereafter be nine. And there shall be chosen for each of said banks at the special election hereby provided for, or as soon thereafter as may be in conformity to the provisions of their respective original charters, a president and such other officers as may, by the particular charter, be required to be elected, who shall hold their offices for the same time and in the same manner as if said charters had not expired and said officers had been chosen at the last annual election.

Election to be held in 40 days for nine directors, &c.

Election of a president, &c.; term of office.

SEC. 7. *And be it further enacted*, That this act shall continue in force until the fourth day of July which shall be in the year eighteen hundred and forty-four.

This act continued to 4th July 1844.

SEC. 8. *And be it further enacted*, That the act entitled "An act to extend the charter of the Union Bank of Georgetown in the District of Columbia," approved the twenty-fifth day of May in the year eighteen hundred and thirty-eight, be and the same is hereby extended to the first day of July in the year eighteen hundred and forty-seven, until which time the said act shall be in full force for the sole purpose of enabling the president and directors of the said bank for the time being to close its affairs.

Act of May 25, 1838, ch. 88, to extend the charter of the Union Bank, extended to 1st July 1847.

APPROVED, August 25, 1841.

STATUTE I.

CHAP. XIII.—*An Act making an appropriation for the funeral expenses of William Henry Harrison, deceased, late President of the United States.*

Sept. 1, 1841.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the accounts presented by the Marshal of the District of Columbia for expenses incurred by the funeral of the President of the United States, be referred to the proper accounting officer of the Treasury, who is hereby directed

Accounts to be audited, &c.

to audit the same, and allow whatever shall be found justly due thereon.

Sum allowed to be paid.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury pay to the said marshal, out of any money not otherwise appropriated, such sum as the said accounting officer shall allow.

APPROVED, September 1, 1841.

STATUTE I.

Sept. 1, 1841.

CHAP. XIV.—*An Act in addition to an act entitled an act to carry into effect a Convention between the United States and the Mexican Republic.*

Sec. Treasury to issue certificates.

1840, ch. 34.

Proviso.

1840, ch. 34.

*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 upon the presentation of certified copies of such awards as have been or shall be made, in pursuance of the Convention with the Republic of Mexico, concluded at Washington, the eleventh of April, one thousand eight hundred and thirty-nine, in favor of citizens of the United States, to issue certificates to the persons authorized to receive the sums so awarded their legal representatives and assigns in the manner directed by the seventh section of the act of Congress entitled "An act to carry into effect a convention between the United States and the Republic of Mexico," such certificates to be in such form and for such portions of the sums awarded as may be convenient for the claimants and to be subject to the deductions provided for by the tenth section of said act, *Provided*, That nothing in this act shall be construed to give any rights to the claimants that are not conferred by said convention, and the act of June twelfth, one thousand eight hundred and forty; and that the substance of this proviso be inserted in the certificates that may be issued.

APPROVED, September 1, 1841.

STATUTE I.

Sept. 1, 1841.

Act of March 3, 1839, ch. 80. Feb. 26, 1840, ch. 3.

The time allowed for completing enumerations and making returns, extended.

Proviso.

Proviso.

20,000 copies of compendium or abridgment of 6th census to be printed.

CHAP. XV.—*An Act to amend the act entitled "An act to provide for taking the Sixth Census, or enumeration of the inhabitants of the United States," approved March third, one thousand eight hundred and thirty-nine, and the acts amending the same.*

*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 marshals of the respective States and Territories, who have not, before the passage of this act, completed their enumerations, and made their returns, under the acts hereby amended, to proceed personally and by their assistants to complete such enumerations, and make such returns under the said acts; and the said assistants shall be allowed until the first day of December, one thousand eight hundred and forty-one, to complete their enumerations, and make their returns to the marshals, and the said marshals shall be allowed to make their returns to the Secretary of State at any time before the first day of January, one thousand eight hundred and forty-two: *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 person be included in the returns made under the present act, unless such persons shall have been inhabitants of the district for which such returns shall be made on the first day of June, one thousand eight hundred and forty; and the Secretary of State be, and he is hereby, authorized to cause to be printed twenty thousand copies of the compendium or abridgment of the Sixth Census, by counties and principal towns, together with the tables of apportionment as prepared at the Department of State, for the use of Congress.

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

hereby authorized to have the Sixth Census documents bound in a plain and substantial manner, the cost of which shall not exceed fifty cents per volume; and that the amount thereof shall be paid out of any money in the Treasury not otherwise appropriated.

Sixth census documents to be bound.

SEC. 3. *And be it further enacted*, That it shall and may be lawful for the marshal of the State of Maryland, and he is hereby required, under the direction of the Secretary of State, to cause the number of inhabitants within Montgomery county, in the State aforesaid, to be again taken according to the directions of the act to which this is a supplement, and the same to be returned before the first day of December next, and when so taken and returned shall be considered as the correct enumeration of the inhabitants of the said county: *Provided*, That nothing herein contained shall be deemed to release such marshal and his assistants from the penalties contained in the act aforesaid: *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 district for which such returns shall be made on the first day of June, one thousand eight hundred and forty: *And provided, also*, That the said corrected return shall not delay the printing of the Census: and that the said corrected return be printed by itself separately.

The number of inhabitants of Montgomery co., Maryland to be again taken.

Proviso.

Proviso.

Proviso.

APPROVED, September 1, 1841.

STATUTE I.

CHAP. XVI.—*An Act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights. (a)*

Sept. 4, 1841.

*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, in the year of our Lord one thousand eight hundred and forty-one, there be allowed and paid to each of the States of Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, Louisiana, Arkansas, and Michigan, over and above what each of the said States is entitled to by the terms of the compacts entered into between them and the United States, upon their admission into the Union, the sum of ten per centum upon the nett proceeds of the sales of the public lands, which, subsequent to the day aforesaid, shall be made within the limits of each of said States respectively: *Provided*, That the sum so allowed to the said States, respectively, shall be in no wise affected or diminished on account of any sums which have been heretofore, or shall be hereafter, applied to the construction or continuance of the Cumberland road, but that the disbursements for the said road shall remain, as heretofore, chargeable on the two per centum fund provided for by compacts with several of the said States.

Act of May 29, 1830, ch. 208.

Certain States to be paid 10 per cent. on nett proceeds of sales of public lands therein, &c. 1842, ch. 270, § 30.

Proviso.

SEC. 2. *And be it further enacted*, That after deducting the said ten per centum, and what, by the compacts aforesaid, has heretofore been allowed to the States aforesaid, the residue of the nett proceeds, which nett proceeds shall be ascertained by deducting from the gross proceeds all the expenditures of the year for the following objects: salaries and expenses on account of the General Land Office; expenses for surveying public lands; salaries and expenses in the surveyor general's offices; salaries, commissions, and allowances to the registers and receivers; the five per centum to new States, of all the public lands of the United States, wherever situated, which shall be sold subsequent to the said thirty-first day of December, shall be divided among the twenty-six States of the Union and the District of Columbia, and the Territories of Wisconsin, Iowa, and Florida, according to their respective federal representative population as ascertained by the last census, to be applied by the Legislatures of the said States to such purposes as the said Legislatures may direct: *Provided*, That the distributive share to which the

After deducting said 10 per cent. &c. residue to be divided among the States, &c. of the Union; how.

To be applied as the Legislatures may direct.

Proviso.

(a) See notes to the act of May 29, 1830, chap. 208. 1842, ch. 86.



District of Columbia shall be entitled, shall be applied to free schools, or education in some other form, as Congress may direct: *And provided, also*, That nothing herein contained shall be construed to the prejudice of future applications for a reduction of the price of the public lands, or to the prejudice of applications for a transfer of the public lands, on reasonable terms, to the States within which they lie, or to make such future disposition of the public lands, or any part thereof, as Congress may deem expedient.

Proviso.

Nett proceeds of sales of public lands, payable at the Treasury half yearly, to whom.

SEC. 3. *And be it further enacted*, That the several sums of money received in the Treasury as the nett proceeds of the sales of the public lands shall be paid at the Treasury half yearly on the first day of January and July in each year, during the operation of this act, to such person or persons as the respective Legislatures of the said States and Territories, or the Governors thereof, in case the Legislatures shall have made no such appointment, shall authorize and direct to receive the same.

Money due and payable by this act to be first applied to payments of debts due U. S.

SEC. 4. *And be it further enacted*, That any sum of money, which at any time may become due, and payable to any State of the Union, or to the District of Columbia, by virtue of this act, as the portion of the said State or District, of the proceeds of the sales of the public lands, shall be first applied to the payment of any debt, due, and payable from the said State or District, to the United States: *Provided*, That this shall not be construed to extend to the sums deposited with the States under the act of Congress of twenty-third June, eighteen hundred and thirty-six, entitled "an act to regulate the deposits of the public money," nor to any sums apparently due to the United States as balances of debts growing out of the transactions of the Revolutionary war.

Proviso.

Act of June 23, 1836, ch. 115.

Length of continuation of this act.

SEC. 5. *And be it further enacted*, That this act shall continue and be in force until otherwise provided by law, unless the United States shall become involved in war with any foreign Power, in which event, from the commencement of hostilities, this act shall be suspended during the continuance of such war: *Provided, nevertheless*, That if, prior to the expiration of this act, any new State or States shall be admitted into the Union, there be assigned to such new State or States, the proportion of the proceeds accruing after their admission into the Union, to which such State or States may be entitled, upon the principles of this act, together with what such State or States may be entitled to by virtue of compacts to be made on their admission into the Union.

1848, ch. 61.

Proviso.

Not less than \$150,000 to be appropriated annually for surveys.

SEC. 6. *And be it further enacted*, That there shall be annually appropriated for completing the surveys of said lands, a sum not less than one hundred and fifty thousand dollars; and the minimum price at which the public lands are now sold at private sale shall not be increased, unless Congress shall think proper to grant alternate sections along the line of any canal or other internal improvement, and at the same time to increase the minimum price of the sections reserved; and in case the same shall be increased by law, except as aforesaid, at any time during the operation of this act, then so much of this act as provides that the nett proceeds of the sales of the public lands shall be distributed among the several States, shall, from and after the increase of the minimum price thereof, cease and become utterly null and of no effect, any thing in this act to the contrary notwithstanding: *Provided*, That if, at any time during the existence of this act, there shall be an imposition of duties on imports inconsistent with the provisions of the act of March second one thousand eight hundred and thirty-three, 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," and beyond the rate of duty fixed by that act, to wit: twenty per cent. on the value of such imports, or any of them, then the distribution provided in this act shall be suspended and shall so continue until this cause of its suspension shall be removed, and when removed,

Proviso.

Act of March 2, 1833, ch. 55.

if not prevented by other provisions of this act, such distribution shall be resumed.

SEC. 7. *And be it further enacted,* That the Secretary of the Treasury may continue any land district in which is situated the seat of government of any one of the States, and may continue the land office in such district, notwithstanding the quantity of land unsold in such district may not amount to one hundred thousand acres, when, in his opinion, such continuance may be required by public convenience, or in order to close the land system in such State at a convenient point, under the provisions of the act on that subject, approved twelfth June, one thousand eight hundred and forty.

Certain land districts and land offices may be continued.

1840, ch. 36.

SEC. 8. *And be it further enacted,* That there shall be granted to each State specified in the first section of this act five hundred thousand acres of land for purposes of internal improvement: *Provided,* that to each of the said States which has already received grants for said purposes, there is hereby granted no more than a quantity of land which shall, together with the amount such State has already received as aforesaid, make five hundred thousand acres, the selections in all of the said States, to be made within their limits respectively in such manner as the Legislatures thereof shall direct; and located in parcels conformably to sectional divisions and subdivisions, of not less than three hundred and twenty acres in any one location, on any public land except such as is or may be reserved from sale by any law of Congress or proclamation of the President of the United States, which said locations may be made at any time after the lands of the United States in said States respectively, shall have been surveyed according to existing laws. And there shall be and hereby is, granted to each new State that shall be hereafter admitted into the Union, upon such admission, so much land as, including such quantity as may have been granted to such State before its admission, and while under a Territorial Government, for purposes of internal improvement as aforesaid, as shall make five hundred thousand acres of land, to be selected and located as aforesaid.

Grant of land to States for internal improvements. *Proviso.*

Grant to new States that shall hereafter be admitted.

SEC. 9. *And be it further enacted,* That the lands herein granted to the States above named shall not be disposed of at a price less than one dollar and twenty-five cents per acre, until otherwise authorized by a law of the United States; and the nett proceeds of the sales of said lands shall be faithfully applied to objects of internal improvement within the States aforesaid, respectively, namely: Roads, railways, bridges, canals and improvement of water-courses, and draining of swamps; and such roads, railways, canals, bridges and water-courses, when made or improved, shall be free for the transportation of the United States mail, and munitions of war, and for the passage of their troops, without the payment of any toll whatever.

Said lands not to be sold for less than \$1.25 per acre.

Nett proceeds to be applied to internal improvements.

Such roads, &c. to be free for transportation of U. S. mail, &c.

SEC. 10. *And be it further enacted,* That from and after the passage of this act, every person being the head of a family, or widow, or single man, over the age of twenty-one years, and being a citizen of the United States, or having filed his declaration of intention to become a citizen, as required by the naturalization laws, who since the first day of June, A. D. eighteen hundred and forty, has made or shall hereafter make a settlement in person on the public lands to which the Indian title had been at the time of such settlement extinguished, and which has been, or shall have been, surveyed prior thereto, and who shall inhabit and improve the same, and who has or shall erect a dwelling thereon, shall be, and is hereby, authorized to enter with the register of the land office for the district in which such land may lie, by legal subdivisions, any number of acres not exceeding one hundred and sixty, or a quarter section of land, to include the residence of such claimant, upon paying to the United States the minimum price of such land, subject, however, to the following limitations and exceptions: No person shall be entitled

After the passage of this act, certain persons authorized to enter 160 acres at the minimum price.

to more than one pre-emptive right by virtue of this act; no person who is the proprietor of three hundred and twenty acres of land in any State or Territory of the United States, and no person who shall quit or abandon his residence on his own land to reside on the public land in the same State or Territory, shall acquire any right of pre-emption under this act; no lands included in any reservation, by any treaty, law, or proclamation of the President of the United States, or reserved for salines, or for other purposes; no lands reserved for the support of schools, nor the lands acquired by either of the two last treaties with the Miami tribe of Indians in the State of Indiana, or which may be acquired of the Wyandot tribe of Indians in the State of Ohio, or other Indian reservation to which the title has been or may be extinguished by the United States at any time during the operation of this act; no sections of land reserved to the United States alternate to other sections granted to any of the States for the construction of any canal, railroad, or other public improvement; no sections or fractions of sections included within the limits of any incorporated town; no portions of the public lands which have been selected as the site for a city or town; no parcel or lot of land actually settled and occupied for the purposes of trade and not agriculture; and no lands on which are situated any known salines or mines, shall be liable to entry under and by virtue of the provisions of this act. And so much of the proviso of the act of twenty-second of June, eighteen hundred and thirty-eight, or any order of the President of the United States, as directs certain reservations to be made in favor of certain claims under the treaty of Dancing-rabbit creek, be, and the same is hereby, repealed: *Provided*, That such repeal shall not affect any title to any tract of land secured in virtue of said treaty.

So much of proviso of act 22d June 1838, ch. 119, &c. as directs reservations, &c. repealed.

When more than one settler, right of pre-emption in the first.

SEC. 11. *And be it further enacted*, That when two or more persons shall have settled on the same quarter section of land, the right of pre-emption shall be in him or her who made the first settlement, provided such persons shall conform to the other provisions of this act; and all questions as to the right of pre-emption arising between different settlers shall be settled by the register and receiver of the district within which the land is situated, subject to an appeal to and a revision by the Secretary of the Treasury of the United States.

Proof of settlement, &c. to be made to register and receiver.

SEC. 12. *And be it further enacted*, That prior to any entries being made under and by virtue of the provisions of this act, proof of the settlement and improvement thereby required, shall be made to the satisfaction of the register and receiver of the land district in which such lands may lie, agreeably to such rules as shall be prescribed by the Secretary of the Treasury, who shall each be entitled to receive fifty cents from each applicant for his services, to be rendered as aforesaid; and all assignments and transfers of the right hereby secured, prior to the issuing of the patent, shall be null and void.

Oath required by persons claiming the benefit of this act.

SEC. 13. *And be it further enacted*; That before any person claiming the benefit of this act shall be allowed to enter such lands, he or she shall make oath before the receiver or register of the land district in which the land is situated, (who are hereby authorized to administer the same,) that he or she has never had the benefit of any right of pre-emption under this act; that he or she is not the owner of three hundred and twenty acres of land in any State or Territory of the United States, nor hath he or she settled upon and improved said land to sell the same on speculation, but in good faith to appropriate it to his or her own exclusive use or benefit; and that he or she has not, directly or indirectly, made any agreement or contract, in any way or manner, with any person or persons whatsoever, by which the title which he or she might acquire from the Government of the United States, should enure in whole or in part, to the benefit of any person except himself or herself;

and if any person taking such oath shall swear falsely in the premises, he or she shall be subject to all the pains and penalties of perjury, and shall forfeit the money which he or she may have paid for said land, and all right and title to the same; and any grant or conveyance which he or she may have made, except in the hands of bona fide purchasers, for a valuable consideration, shall be null and void. And it shall be the duty of the officer administering such oath to file a certificate thereof in the public land office of such district, and to transmit a duplicate copy to the General Land Office, either of which shall be good and sufficient evidence that such oath was administered according to law.

Persons swearing falsely, perjury.

Duty of the officer administering the oath.

SEC. 14. *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 by the proclamation of the President, nor shall the provisions of this act be available to any person or persons who shall fail to make the proof and payment, and file the affidavit required before the day appointed for the commencement of the sales as aforesaid.

Sale of lands not delayed by this act.

SEC. 15. *And be it further enacted*, That whenever any person has settled or shall settle and improve a tract of land, subject at the time of settlement to private entry, and shall intend to purchase the same under the provisions of this act, such person shall in the first case, within three months after the passage of the same, and in the last within thirty days next after the date of such settlement, file with the register of the proper district a written statement, describing the land settled upon, and declaring the intention of such person to claim the same under the provisions of this act; and shall, where such settlement is already made, within twelve months after the passage of this act, and where it shall hereafter be made, within the same period after the date of such settlement, make the proof, affidavit, and payment herein required; and if he or she shall fail to file such written statement as aforesaid, or shall fail to make such affidavit, proof, and payment, within the twelve months aforesaid, the tract of land so settled and improved shall be subject to the entry of any other purchaser.

Persons who have or may settle certain lands with intent to purchase under this act, required to file with the register a statement, &c.

SEC. 16. *And be it further enacted*, That the two per cent. of the nett proceeds of the lands sold, or that may hereafter be sold, by the United States in the State of Mississippi, since the first day of December, eighteen hundred and seventeen, and by the act entitled "An act to enable the people of the western part of the Mississippi 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," and all acts supplemental thereto reserved for the making of a road or roads leading to said State, be, and the same is hereby relinquished to the State of Mississippi, payable in two equal instalments; the first to be paid on the first of May, eighteen hundred and forty-two, and the other on the first of May, eighteen hundred and forty-three, so far as the same may then have accrued, and quarterly, as the same may accrue, after said period: *Provided*, That the Legislature of said State shall first pass an act, declaring their acceptance of said relinquishment in full of said fund, accrued and accruing, and also embracing a provision, to be unalterable without the consent of Congress, that the whole of said two per cent. fund shall be faithfully applied to the construction of a railroad, leading from Brandon, in the State of Mississippi, to the eastern boundary of said State, in the direction, as near as may be, of the towns of Selma, Cahaba, and Montgomery, in the State of Alabama.

The two per cent. of the nett proceeds of lands sold in Mississippi since 1st December 1817, &c. relinquished to Mississippi.

1817, ch. 23.

Proviso.

SEC. 17. *And be it further enacted*, That the two per cent. of the nett proceeds of the lands sold by the United States, in the State of Alabama, since the first day of September, eighteen hundred and nineteen, and reserved by the act entitled "An act to enable the people of the Alabama Territory to form a constitution and State government, and for

The two per cent. of the nett proceeds of lands sold in Alabama, &c. relinquished to Alabama.

1819, ch. 47.

Proviso.

the admission of such State into the Union on an equal footing with the original States," for the making of a road or roads leading to the said State, be, and the same is hereby, relinquished to the said State of Alabama, payable in two equal instalments, the first to be paid on the first day of May, eighteen hundred and forty-two, and the other on the first day of May, eighteen hundred and forty-three, so far as the same may then have accrued, and quarterly, as the same may thereafter accrue: *Provided*, That the Legislature of said State shall first pass an act, declaring their acceptance of said relinquishment, and also embracing a provision, to be unalterable without the consent of Congress, that the whole of said two per cent. fund shall be faithfully applied, under the direction of the Legislature of Alabama, to the connection, by some means of internal improvement, of the navigable waters of the bay of Mobile with the Tennessee river, and to the construction of a continuous line of internal improvements from a point on the Chattahoochie river, opposite West Point, in Georgia, across the State of Alabama, in a direction to Jackson in the State of Mississippi.

APPROVED, September 4, 1841.

## STATUTE I.

Sept. 9, 1841.

[Obsolete.]

CHAP. XVII.—*An Act making appropriations for various fortification, for ordnance, and for preventing and suppressing Indian hostilities.*

*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, namely:

West-head battery.

For repairs of West-head battery, Governor's island, Boston harbor, five thousand dollars;

South-east battery.

For repairs of Southeast battery, Governor's island, Boston harbor, five thousand dollars;

Fort Independence, &amp;c.

For repairs of Fort Independence and sea-wall of Castle island, Boston harbor, sixty-five thousand dollars;

Fort Warren.

For Fort Warren, Boston harbor, one hundred and five thousand dollars;

Fort at New Bedford.

For repairs of old fort at New Bedford harbor, five thousand dollars;

Fort Adams.

For Fort Adams, Newport harbor, forty-five thousand dollars;

Ft. Trumbull.

For fortifications in New London harbor—rebuilding of Fort Trumbull, Connecticut, thirty-five thousand dollars;

Ft. Griswold.

For repairs of old Fort Griswold, New London harbor, Connecticut, ten thousand dollars;

Fort Niagara.

For completing repairs of Fort Niagara, and erecting and repairing necessary buildings therein, New York, twenty thousand dollars;

Fort Ontario.

For completing repairs of Fort Ontario, Oswego, New York, and erecting necessary buildings therein, fifteen thousand dollars;

Fort Schuyler.

For Fort Schuyler, New York harbor, seventy thousand dollars;

Fort Wood.

For repairs of Fort Wood and sea-wall, Bedlow's island, New York harbor, fifty thousand dollars;

Ft. Columbus, Castle William and South battery.

For permanent walls for Fort Columbus, Castle William and South battery, Governor's island, New York harbor, twelve thousand dollars;

Castle William, Governor's island.

For repairs of sea-wall of Castle William and other parts of Governor's island, seven thousand dollars;

Ft. Delaware. Proviso.

For Fort Delaware, Delaware river, provided the title to the Pea Patch island shall be decided to be in the United States, including twenty-two thousand seven hundred and seventy dollars carried to the surplus fund, January first, eighteen hundred and forty-one, fifty thousand dollars;

Forts at Annapolis.

For repairing forts at Annapolis harbor, Maryland, five thousand dollars;

For repairs of Fort Washington, Potomac river, thirty-five thousand dollars;	Fort Washington.
For Fort Monroe, Old Point Comfort, Virginia, one hundred and fifty thousand dollars;	Fort Monroe.
For repairs of Forts Caswell and Johnson, and preservation of the site of the former, at the mouth of Cape Fear River, North Carolina, five thousand dollars;	Forts Caswell and Johnson.
For Fort Sumter, Charleston harbor, South Carolina, fifteen thousand dollars;	Fort Sumter.
For commencing dyke to Drunken Dick shoal, for preservation of Sullivan's island, and site of Fort Moultrie, Charleston harbor, South Carolina, thirty thousand dollars;	Drunken Dick shoal, Sullivan's island, and Fort Moultrie.
For Fort Pulaski, Savannah river, Georgia, thirty-five thousand dollars;	Fort Pulaski.
For repairs of Fort Marion, St. Augustine, Florida, twenty thousand dollars;	Fort Marion.
For continuing sea-wall at St. Augustine, Florida, five thousand dollars;	St. Augustine.
For Fort Pickens, Pensacola harbor, Florida, twenty thousand dollars;	Fort Pickens.
For Fort Barrancas, Pensacola harbor, Florida, forty-five thousand dollars;	Ft. Barrancas.
For Fort Morgan, Mobile Point, Alabama, forty thousand dollars;	Fort Morgan.
For Fort Livingston, Barrataria bay, Louisiana, thirty thousand dollars;	Ft. Livingston.
For repairs of other forts on the approaches to New Orleans, Louisiana, fifty thousand dollars;	New Orleans.
For defensive works, and barracks, and purchase of site at or near Detroit, Michigan, fifty thousand dollars;	Detroit.
For purchase of site, and for barracks and defensive works at or near Buffalo, New York, fifty thousand dollars;	Buffalo.
For fortifications at the outlet of Lake Champlain, and purchase of site, seventy-five thousand dollars;	Lake Champlain.
For defensive works, barracks, and other necessary buildings, and purchase of site for a depot at or near the junction of the Matawankeag and Penobscot river, Maine, twenty-five thousand dollars;	Matawankeag and Penobscot rivers. 1843, ch. 70. § 2.
For contingencies of fortifications, fifteen thousand dollars;	Contingencies.
For incidental expenses attending repairs of fortifications, fifty-five thousand five hundred dollars;	Incidental expenses.
<b>SEC. 2. And be it further enacted,</b> That the following sums be, and are hereby, appropriated in like manner:	
For current expenses of ordnance service, twenty-five thousand dollars;	Ordnance service.
For purchase of ordnance and ordnance stores, seventy-five thousand dollars;	Ordnance and stores.
For armament of fortifications, one hundred thousand dollars;	Fortifications.
For purchase of saltpetre and brimstone, twenty thousand dollars;	Saltpetre and brimstone.
<b>SEC. 3. And be it further enacted,</b> That the following sums be in like manner appropriated:	
For preventing and suppressing Indian hostilities, viz.:	
For balance required, in addition to the sum applicable out of the amount appropriated at the last session of Congress, for arrearages of pay due Florida militia called into service by the Governor of the Territory in eighteen hundred and forty, nineteen thousand three hundred and eighty-eight dollars and two cents;	Arrearages of pay due Florida militia.
For arrearages of pay due Florida militia, commanded by Brigadier General Read, for six months in the service of the United States, commencing November, eighteen hundred and forty, and terminating April, eighteen hundred and forty-one, two hundred and ninety-seven thousand two hundred and thirteen dollars and ninety-two cents;	Arrearages of pay due Florida militia.

Arrearages of pay due Georgia militia.

For arrearages of pay due to a battalion of Georgia militia, for service on the frontiers of Georgia and Florida, in eighteen hundred and forty, and eighteen hundred and forty-one, seventy-eight thousand four hundred and ninety-five dollars and ninety-two cents;

Quartermaster's Department.

For the Quartermaster's Department, the sum of four hundred and forty thousand and forty dollars; that being the amount required in addition to the amount appropriated at the last session of Congress; which last sums of money for preventing and suppressing Indian hostilities, are to be expended under the directions of the Secretary of War, conformably to the acts of Congress of the nineteenth of March, one thousand eight hundred and thirty-six, and the acts therein referred to;

Appropriations for preventing and suppressing Indian hostilities.

Act of March 19, 1836, ch. 44.

Surveys.

For surveys in reference to the military defences of the frontier, inland and Atlantic, thirty thousand dollars;

Arrearages.

For arrearages due for roads, harbors, and rivers, where public works and improvements have hitherto been made, and for the protection of public property now on hand at these places, and for arrearages for surveys and completing maps authorized by act of March third, eighteen hundred and thirty-nine, forty thousand dollars;

1839, ch. 33.

Site for a national armory.

For the defraying the expenses of selecting a suitable site on the Western waters for the establishment of a national armory, a sum not exceeding five thousand dollars; and the President of the United States is hereby authorized to cause such selection to be made, and to communicate all the proceedings which may be had therein to the Congress of the United States, to be subject to its approval;

Defence of the Northwestern lakes.

For the construction or armament of such armed steamers or other vessels for defence on the Northwestern lakes, as the President may think most proper, and as may be authorized by the existing stipulations between this and the British Government, one hundred thousand dollars.

APPROVED, September 9, 1841.

STATUTE I.

Sept. 9, 1841.

CHAP. XVIII.—*An Act to provide for placing Greenough's Statue of Washington in the Rotundo of the Capitol, and for expenses therein mentioned.*

Accounts of H. Greenough to be settled, how.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the accounts of Horatio Greenough for expenses incurred in the execution of the pedestrian statue of Washington, authorized by a resolution of Congress, February thirteenth, eighteen hundred and thirty-two, and the accounts and charges for freight of the same to the United States, be settled under the direction of the Secretary of State, according to the rights of the claimants under their several contracts liberally construed: *Provided,* That not more than six thousand five hundred dollars shall be allowed the said Greenough in the event that the Secretary of State, under such construction as aforesaid, shall consider him entitled to charge the same; and not more than eight thousand six hundred dollars for the freight aforesaid, and detention of the ship, and for an iron railing around the statue, including the sum of fifteen hundred dollars assumed to be paid by the said Greenough in addition to the original contract as made by Commodore Hull; and the sum of fifteen thousand one hundred dollars, or as much thereof as may be necessary, is hereby appropriated for the purposes aforesaid.

Proviso.

Appropriation for erecting the statue.

SEC. 2. *And be it further enacted,* That the sum of five thousand dollars, or as much thereof as may be necessary, is hereby appropriated, for the purpose of removing the said statue from the navy yard at Washington, and for erecting the same in such part of the Rotundo of the Capitol, as may be deemed best adapted for the same by the Secretary of the Navy, in accordance with the joint resolution of Congress

of the twenty-seventh of May, eighteen hundred and forty, any thing designating a particular spot contained in the act of fourteenth of July, eighteen hundred and thirty-two, to the contrary notwithstanding.

Act of July 14, 1832, ch. 224.

APPROVED, September 9, 1841.

STATUTE I.

CHAP. XIX. — *An Act authorizing the transmission of letters and packets to and from Mrs. Harrison, free of postage.*

Sept. 9, 1841.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all letters and packets, carried by post to and from Mrs. Harrison, relict of the late William Henry Harrison, be conveyed free of postage during her natural life.

Franking privilege granted to Mrs. Harrison. Act of March 3, 1845, ch. 43, sec. 23.

APPROVED, September 9, 1841.

STATUTE I.

CHAP. XX. — *An Act to make appropriations for the Post Office Department.*

Sept. 9, 1841.

*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 ninety-seven thousand, six hundred and fifty-seven dollars, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to enable the Post Office Department to meet its engagements and pay its debts, and of which sum fifteen thousand dollars are hereby appropriated to enable the Auditor of said Department to purchase account-books for his office, and to bring up arrears of its business: *Provided,* That in virtue hereof no clerk shall be employed for a longer period than one year; to be accounted for in the manner prescribed in the second section of the "Act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof," passed July second, eighteen hundred and thirty-six: *Provided,* That the money hereby appropriated shall be accounted for by the Post Office Department hereafter, when the condition of its funds shall permit; to be refunded into the Treasury, or deducted from any sums which the Post Office Department may heretofore have paid into the Treasury.

[Obsolete.] Appropriation to pay debts, &c.

Proviso.

1836, ch. 270.

Proviso.

APPROVED, September 9, 1841.

STATUTE I.

CHAP. XXI. — *An Act making an appropriation for the purchase of naval ordnance and ordnance stores, and for other purposes.*

Sept. 11, 1841.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of six hundred thousand dollars be paid out of any moneys in the Treasury not otherwise appropriated, for the purpose of purchasing ordnance and ordnance stores, for the use of the Navy of the United States.

Appropriation to purchase ordnance and ordnance stores.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy is hereby authorized to apply a part of the sum herein and hereby appropriated, not exceeding fifty thousand dollars, to the purpose of making experiments to test the value of improvements in ordnance, in the construction of steamers, and other vessels of war, and in other matters connected with the naval service and the national defence; and also to the purpose of defraying any charges left unpaid on account of experiments of the like character heretofore made by authority of law.

Sec. Navy to make certain experiments.

APPROVED, September 11, 1841.

STATUTE I.

CHAP. XXII. — *An Act making appropriations for outfits and salaries of diplomatic agents, and for other purposes.*

Sept. 11, 1841.

*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 :

Outfits of ministers and charges d'affaires.

For outfits of ministers to Russia, Spain, Mexico, and Brazil, and of charges d'affaires to Portugal, Denmark, Sardinia, Naples, Chili, and Texas, sixty-three thousand dollars.

Salaries of ministers.

For salaries of ministers to Spain and Brazil, for the residue of the current year, eight thousand dollars.

Secretaries of legation.

For salaries of the secretaries of legation to the same places, one thousand eight hundred dollars.

Extra pay to officers of Congress, &c.

Also, so much as may be necessary to pay, for compensation, to the clerks and other officers in the service of the two Houses, the librarian and assistant librarians of Congress, the gate-keeper and lamp-lighter, for the services rendered by them during the present extra session, three months' additional pay; and to the messengers, assistant messengers, pages and laborers of the two Houses and Library of Congress, and to the hostler of the House of Representatives, the usual allowances made at the close of each session; and to each of the police of the Capitol, the same as to the messengers, to be paid under the direction of the Committee on the Contingent Fund of each House: And the regular pay of the messenger of the office of the Secretary of the Senate, and office of the Clerk of the House of Representatives shall be equal to the pay of any other permanent messenger employed in the Capitol.

Regular pay of messenger, off. Sec. of Senate, and off. Clerk House of Reps. Catalogue of Library of Congress.

Also, a sum not exceeding two hundred and seventy-three dollars, for completing the contract for printing and binding the catalogue of the library.

APPROVED, September 11, 1841.

STATUTE I.

Sept. 11, 1841.

CHAP. XXIII.—*An Act to provide for repairing the Potomac Bridge.*

[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 fifteen thousand eight hundred and six dollars be, and the same is hereby, appropriated, in addition to the sums heretofore appropriated and unexpended, for the repair of the Potomac bridge in the District of Columbia, to be paid out of any money in the Treasury not otherwise appropriated.

How to be expended.

SEC. 2. *And be it further enacted,* That the said sums shall be expended under the direction of the Secretary of War, in the following manner, to wit: He shall designate some competent officer of the Engineer corps to draw plans and make specifications of the work to be performed, and estimates of the cost or value thereof, which shall not exceed the sum of forty-five thousand eight hundred and six dollars; the officer thus selected, shall lay his plans, specifications, and estimates before the Secretary of War for his approval, and the said Secretary shall thereupon cause the work to be constructed upon the plan most approved by him, under the immediate superintendence of some competent officer of either Engineer corps, who shall make all necessary contracts for materials and labor, and cause the work to be constructed in the best and most substantial manner within the estimates and according to the plan approved by the Secretary of War, and under the orders and general direction of said Secretary, who will, from time to time, cause such advances of the amounts for this object appropriated as he may deem necessary and proper.

Mineralizing of the timbers authorized.  
Appropriation therefor.

SEC. 3. *And be it further enacted,* That the timbers, or such of them as the superintending engineer may think fit, shall be mineralized, and a sum not exceeding three and a half cents per cubic foot is hereby appropriated out of any money in the Treasury not otherwise appropriated, to defray the expense and cost thereof, the proper amount to be paid on the requisition of the Secretary of War, founded on the estimate of the superintendent.

APPROVED, September 11, 1841.

CHAP. XXIV.—*An Act relating to duties and drawbacks.*

STATUTE I.  
Sept. 11, 1841.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That on all articles imported into the United States from and after the thirtieth day of September, eighteen hundred and forty-one, there shall be laid, collected, and paid on all articles which are now admitted free of duty, or which are chargeable with a duty of less than twenty per centum ad valorem, a duty of twenty per centum ad valorem, except on the following enumerated articles, that is to say: muriatic acid, sulphuric acid or oil of vitriol, alum, tartaric acid, aquafortis, blue vitriol, calomel, carbonate of soda, corrosive sublimate, combs, copperas, indigo, nitrate of lead, red and white lead dry or ground in oil, sugar of lead, manganese, sulphate of magnesia, bichromate of potash, chromate of potash, prussiate of potash, glauber salts, rochelle salts, sulphate of quinine, refined salt-petre, which shall pay respectively the same rates of duty imposed on them under existing laws; and the following articles shall be exempt from duty, to wit: tea and coffee, all painting and statuary the production of American artists residing abroad; all articles imported for the use of the United States, and the following articles, when specifically imported by order, and for the use of any society incorporated or established for philosophical or literary purposes, or for the encouragement of the fine arts, or by order and for the use of any college, academy, school or seminary of learning, in the United States, to wit: philosophical apparatus, instruments, books, maps, charts, statues, busts of marble, bronze, alabaster, or plaster of Paris, casts, paintings, drawings, engravings, specimens of sculpture, cabinets of coins, gems, medals, and all other collections of antiquities, statuary, modelling, painting, drawing, etching, or engraving; and, also, all importations of specimens in natural history, mineralogy, botany, and anatomical preparations, models of machinery, and the models of other inventions, plants and trees, wearing apparel, and other personal baggage in actual use, and the implements or tools of trade of persons arriving in the United States; crude antimony, regulus of antimony, animals imported for breed, argol, gum arabic, aloes, ambergris, bole armenian, arrowroot, annatto, aniseed, oil of aniseed, amber, assafoetida, ava root, alcornoque, alba cannella, bark of cork tree unmanufactured, burr stones unwrought, brass, in pigs or bars, old brass, only fit to be remanufactured, brimstone or sulphur, barilla, braziletto, boracic acid, Burgundy pitch, berries used for dyeing, smaltz, lasting or prunella, used in the manufacture of buttons and shoes, vanilla beans, balsam tolu, gold and silver coins and bullion, clay unwrought, copper imported in any shape for the use of the mint, copper in pigs, bars, or plates, or plates or sheets, of which copper is the material of chief value, suited to the sheathing of ships, old copper fit only to be remanufactured, lapis calaminaris, cochineal, chamomile flowers, coriander seed, catsup, cantharides, castanas, chalk, coculus indicus, colombo root, cummin seed, cascarilla, cream of tartar, vegetables, and nuts of all kinds used principally in dyeing and composing dyes, lac-dye, emery, epaulets and wings of gold or silver, furs undressed of all kinds, flaxseed or linseed, flax unmanufactured, fustic, flints, ground flint grindstones, gamboge, raw hides, hemlock, henbane, horn plates for lanterns, ox and other horns, Harlem oil, hartshorn, hair unmanufactured, hair pencils, ipecacuanha, ivory unmanufactured, iris root, juniper berries, oil of juniper, kelp, kermes, madder, madder root, musk, manna, marrow and other soap stocks, and soap stuffs, palm oil, mohair, mother of pearl, needles, nux vomica, orris root, oil of almonds, opium, palm leaf, platina, Peruvian bark, old pewter fit only to be remanufactured, plaster of Paris, quicksilver, rags of any kind of cloth, India rubber, reeds unmanufactured, rhubarb, rotten stone, elephants and

After 30th Sept. 1841, certain articles to pay a duty of 20 per cent. ad valorem.  
Vol. 3, 515, 737.

Articles to be exempt from duty.

Articles to be exempt from duty.

other animals' teeth, polishing stones, bristles, ratans unmanufactured, raw and undressed skins, spelter, crude saltpetre, gum Senegal, saffron, shellac, soda ash, sponges, sago, sarsaparilla, senna, sumac, tapioca, tamarinds, crude tartar, teutenegue, tin foil, tin in pigs, bars, plates, or sheets, tips of bone or horn, tortoise shell, turmeric, weld, wood or pastel, Brazil wood, Nicaragua wood, red wood, cam wood, log wood, dye woods of all kinds, unmanufactured woods of any kind, except rose wood, satin wood, and mahogany, whale and other fish oils of American fisheries, and all other articles the produce of said fisheries, and zinc; and, also, wool unmanufactured, the value whereof at the place of exportation shall not exceed eight cents per pound; *Provided*, That if any fine wool be mixed with dirt or other material, and thus be 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 shall be charged in conformity with such appraisal: *And provided, further*, That when wool of different qualities is imported in the same bale, bag or package, and any part thereof is worth more than eight cents a pound valued as aforesaid, that part shall pay a duty of twenty per centum ad valorem: *Provided*, That boards, planks, staves, scantling, sawed timber, and all other descriptions of wood which shall have been wrought into shapes that fit them respectively for any specific and permanent use, without further manufacture, shall be deemed and taken as manufactured wood.

Proviso.

Further proviso.

Proviso.

Duty on non-enumerated articles.

**SEC. 2.** *And be it further enacted*, That there shall be levied, collected, and paid on each and every non-enumerated article which bears a similitude either in material, quality, texture, or the use to which it may be applied, to any enumerated article chargeable with duty, the same rate of duty which is levied and charged on the enumerated article which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more enumerated articles on which different rates of duty are now chargeable, there shall be levied, collected, and paid on such non-enumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest duty; and on all articles manufactured from two or more materials, the duty shall be assessed at the highest rates at which any of its component parts may be chargeable: *Provided*, That, if in virtue of this section, any duty exceeding the rate of twenty per centum ad valorem, shall be levied prior to the thirtieth of June, eighteen hundred and forty-two, the same shall not in any wise affect the disposition of the proceeds of the public lands as provided for by an act passed at the present session of Congress: *And provided, further*, That no duty higher than twenty per centum ad valorem in virtue of the said section, shall be levied and paid on any unmanufactured article.

Duty on articles manufactured from two or more materials.

Proviso.

1841, ch. 16.

Further proviso.

Drawbacks on certain sugars and rum to be reduced, how.

1829, ch. 11.  
1830, ch. 185.

**SEC. 3.** *And be it further enacted*, That from and after the passage of this act, drawbacks payable on exported refined sugars, manufactured from foreign sugars, and on exported rum, distilled from foreign molasses, shall be reduced in proportion to the reduction which shall have been made by law (after the passage of the acts of Congress of the twenty-first of January, eighteen hundred and twenty-nine, and twenty-ninth of May, eighteen hundred and thirty, allowing said drawbacks) in the duties on the imported sugars or molasses, out of which the same shall have been manufactured or distilled, and in no case shall the drawback exceed the amount of import duty paid on either of those articles.

Duty on French wines prior to 2d February next.

**SEC. 4.** *And be it further enacted*, That prior to the second day of February next, the wines of France shall not be subjected, under the provisions of this act or any existing law, to the payment of higher rates of duty than the following, namely, on 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 per gallon: *Provided*, That no higher duty shall be charged under this act, or any existing law, on the red wines of Austria, than are now, or may be, by this act levied upon the red wines of Spain, when said wines are imported in casks.

*Proviso.*  
Red wines of Austria.

SEC. 5. *And be it further enacted*, That the act entitled "An act to release from duty, iron prepared for, and actually laid on railways or inclined planes," approved fourteenth of July, eighteen hundred and thirty-two, be, and the same is hereby, repealed, and there shall be laid, collected, and paid, on such iron hereafter imported, a duty of twenty per centum ad valorem: *Provided*, That such repeal shall not operate, nor shall such duties be imposed on any railroad iron, which shall be imported under the provisions of the said act prior to the third day of March, eighteen hundred and forty-three, and laid down on any railroad or inclined planes of which the construction has been already commenced, and which shall be necessary to complete the same.

Act 14th July 1832, ch. 250, relative to railroad iron, repealed, &c.

*Proviso.*

SEC. 6. *And be it further enacted*, That nothing in this act contained, shall apply to goods shipped in a vessel bound to any port of the United States, actually having left her last port of lading eastward of the Cape of Good Hope, or beyond Cape Horn, prior to the first day of August, eighteen hundred and forty-one.

This act not to apply to goods shipped in certain vessels.

SEC. 7. *And be it further enacted*, That all laws or parts of laws inconsistent with this act are hereby repealed.

Laws and parts of laws inconsistent with this act, repealed.

APPROVED, September 11, 1841.

STATUTE I.

Sept. 11, 1841.

CHAP. XXV.—*An Act to repeal a part of the sixth section of the act, entitled "An act to provide for the support of the Military Academy of the United States for the year eighteen hundred and thirty-eight, and for other purposes," passed July seventh, eighteen hundred and thirty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the sixth section of an act entitled, "An act to provide for the support of the Military Academy of the United States for the year eighteen hundred and thirty-eight, and for other purposes," as requires the Secretary of the Treasury to invest the annual interest accruing on the investment of the money arising from the bequest of the late James Smithson, of London, in the stocks of States, be, and the same is hereby, repealed. And the Secretary of the Treasury shall, until Congress shall appropriate said accruing interest to the purposes prescribed by the testator for the increase and diffusion of knowledge among men, invest said accruing interest in any stock of the United States bearing a rate of interest not less than five per centum per annum.

Act of July 7, 1838, ch. 169.

That part thereof relative to the investment of the interest on the Smithsonian bequest, repealed.

Said interest to be invested in United States stock.

SEC. 2. *And be it further enacted*, That all other funds held in trust by the United States, and the annual interest accruing thereon, when not otherwise required by treaty, shall in like manner be invested in stocks of the United States, bearing a like rate of interest.

Funds held in trust by U. S. &c. to be invested in U. S. stock.

SEC. 3. *And be it further enacted*, That the three clerks, authorized by the act of June twenty-third, eighteen hundred and thirty-six, "to regulate the deposits of the public money," be, and hereby are, directed to be retained and employed in the Treasury Department, as provided in said act, until the state of the public business becomes such that their services can conveniently be dispensed with.

Clerks authorized by act of 23d June 1836, ch. 115, to be retained.

APPROVED, September 11, 1841.

## RESOLUTIONS.

June 14, 1841.

No. 1. *A Resolution manifesting the sensibility of Congress upon the event of the death of William Henry Harrison, late President of the United States.*

Preamble.

The melancholy event of the death of William Henry Harrison, the late President of the United States, having occurred during the recess of Congress, and the two Houses sharing in the general grief and desiring to manifest their sensibility upon the occasion of that public bereavement, therefore

Presiding officers' chairs to be shrouded in black.

Usual badge of mourning to be worn.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the chairs of the President of the Senate and of the Speaker of the House of Representatives be shrouded in black during the residue of the session; and that the President pro tempore of the Senate, the Speaker of the House of Representatives, and the members and officers of both Houses, wear the usual badge of mourning for thirty days.

Pres. U. S. to send a copy hereof to Mrs. Harrison.

*Resolved,* That the President of the United States be requested to transmit a copy of these resolutions to Mrs. Harrison, and to assure her of the profound respect of the two Houses of Congress for her person and character, and of their sincere condolence on the late afflicting dispensation of Providence.

APPROVED, June 14, 1841.

Aug. 25, 1841.

No. 2. *A Resolution relating to the light-boats now stationed at Sandy Hook and Bartlett's Reef.*

Sec. Treasury may change light-boat stations, &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 he is hereby, authorized, if upon full inquiry he deem it expedient, to cause the light-boat now stationed at Sandy Hook to be removed, and to be placed near Bartlett's reef, in Long Island Sound; and whenever the same shall be so removed and placed, to cause the light-boat now at Bartlett's reef to be removed, and placed, if he deem it expedient, near Execution Rocks, in Long Island Sound, with a bell only for the latter vessel, to be so fixed as to be rung by the motion of the sea.

APPROVED, August 25, 1841.

Sept. 1, 1841.

No. 3. *A Resolution for the distribution of seven hundred copies of the Digest of Patents.*

Commiss'r of Patents to send a certain number of copies to each state and territory.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioner of Patents be directed to send to the Secretary of State of each of the States of this Union, and of the Territories of Florida, Wisconsin, and Iowa, the Digest of Patents published by the Commissioner of Patents, under the act of Congress, dated March third, one thousand eight hundred and thirty-nine; to be disposed of as the Legislatures of each State and Territory may direct, viz: To the State of Maine twenty copies. To the State of New Hampshire ten copies. To the State of Massachusetts thirty copies. To the State of Rhode Island four copies. To the State of Connecticut twelve copies. To the State of Vermont eleven copies. To the State of New York ninety-eight copies. To the State of New Jersey fifteen copies. To the State of Pennsylvania sixty-nine copies. To the State of Delaware four copies. To the State of Maryland nineteen copies. To the State of Virginia fifty copies. To the State of North Carolina thirty-nine copies. To the State of South Carolina twenty-four copies. To the State of Georgia twenty-eight copies. To the State of Kentucky thirty-one copies. To the State of

Tennessee thirty-three copies. To the State of Ohio sixty-one copies. To the State of Louisiana fourteen copies. To the State of Indiana twenty-eight copies. To the State of Mississippi fifteen copies. To the State of Illinois twenty-three copies. To the State of Alabama twenty-four copies. To the State of Missouri sixteen copies. To the State of Arkansas five copies. To the State of Michigan nine copies. To the Territory of Florida three copies. To the Territory of Wisconsin two copies. To the Territory of Iowa three copies. Being in the whole seven hundred copies; and that the remaining two hundred copies of said Digest be left with the Librarian of Congress for future disposition.

Remainder to the Librarian of Congress.

*Resolved*, That the sum of five hundred and twelve dollars and thirty-eight cents be paid from the Patent fund to reimburse what is still due for publishing said Digest.

\$512 38, due for publishing said Digest, to be paid.

APPROVED, September 1, 1841.

No. 4. *A Resolution to provide for the distribution of the printed returns of the Sixth Census.*

Sept. 1, 1841.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the aggregate returns of the census for the year eighteen hundred and forty, directed to be printed under the superintendence of the Secretary of State, by the act entitled "An act to provide for taking the sixth census, or enumeration of the inhabitants of the United States," shall be distributed and disposed of by the Secretary of State, as follows: to the State of Maine, two hundred; to the State of New Hampshire, one hundred and fifteen; to the State of Massachusetts, three hundred; to the State of Rhode Island, forty; to the State of Connecticut, one hundred and twenty; to the State of Vermont, one hundred and ten; to the State of New York, nine hundred and eighty; to the State of New Jersey, one hundred and fifty; to the State of Pennsylvania, six hundred and ninety; to the State of Delaware, forty; to the State of Maryland, one hundred and ninety; to the State of Virginia, five hundred; to the State of North Carolina, three hundred and ninety; to the State of South Carolina, two hundred and forty; to the State of Georgia, two hundred and eighty; to the State of Kentucky, three hundred and ten; to the State of Tennessee, three hundred and thirty; to the State of Ohio, six hundred and ten; to the State of Louisiana, one hundred and forty; to the State of Indiana, two hundred and eighty; to the State of Mississippi, one hundred and fifty; to the State of Illinois, two hundred and thirty; to the State of Alabama, two hundred and forty; to the State of Missouri, one hundred and sixty; to the State of Arkansas, fifty; to the State of Michigan, ninety; to the Territory of Florida, thirty; to the Territory of Wisconsin, twenty; to the Territory of Iowa, thirty; 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; being, in the whole, eight thousand five hundred and ten copies; and that the remaining copies be placed in the Library of Congress for future disposition.

Distribution to be made by the Secretary of State, as follows. Act of March 3, 1839, ch. 30.

APPROVED, September 1, 1841.

No. 5. *A Resolution in relation to the purchase of domestic water-rotted hemp for the use of the United States Navy.*

Sept. 11, 1841.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy be, and he hereby is, directed to purchase domestic water-rotted hemp for the use of the United States Navy, so far as the same shall be

Purchase of domestic water-rotted hemp, for the navy, directed.

found of suitable quality, and can be used beneficially to the service, having regard to the cost, strength, and durability of the article; and for that purpose shall cause purchases of such hemp to be made in the different hemp-growing regions of the Union.

This resolution to remain in force 7 years.

SEC. 2. *And be it further resolved*, That this joint resolution shall be and remain in force for the period of seven years from the passing thereof.

APPROVED, September 11, 1841.

Sept. 11, 1841.

No. 6. *A Joint Resolution making it the duty of the Attorney General to examine into the titles of the lands or sites for the purpose of erecting thereon armories and other public works and buildings, and for other purposes.*

Attorney Gen. to make the examination, and report to the President.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be the duty of the Attorney General of the United States to examine into the titles of all the lands or sites which have been purchased by the United States, for the purpose of erecting thereon armories, arsenals, forts, fortifications, navy yards, custom-houses, light-houses, or other public buildings of any kind whatever, and report his opinion as to the validity of the title in each case, to the President of the United States.

Title-papers to be furnished to the Attorney General.

2. *Resolved*, That it shall be the duty of all the officers of the United States having any of the title-papers to the property aforesaid in their possession, to furnish them forthwith to the Attorney General, to aid him in the investigation aforesaid.

Public money not to be expended on any site hereafter purchased, until, &c.

3. *Resolved*, That no public money shall be expended upon any site or land hereafter to be purchased by the United States for the purposes aforesaid, until the written opinion of the Attorney General shall be had in favor of the validity of the title, and also the consent of the Legislature of the State in which the land or site may be shall be given to said purchaser.

District Attorneys to furnish assistance.

4. *Resolved*, That it shall be the duty of the District Attorneys of the United States, upon the application of the Attorney General, to furnish any assistance or information in their power in relation to the titles of the public property aforesaid lying within their respective districts.

Secretaries of the Executive Departments to procure additional evidence.

5. *Resolved*, That it shall be the duty of the Secretaries of the Executive Departments, upon the application of the Attorney General, to procure any additional evidence of title which he may deem necessary, and which may not be in the possession of the officers of Government; the expense of procuring which to be paid out of the appropriations made for the contingencies of the Departments respectively.

To apply to the State Legislatures for jurisdiction over said lands, &c.

6. *Resolved*, That it shall be the duty of the Secretaries of the Executive Departments, respectively, under whose direction any lands for the purposes aforesaid may have been purchased, and over which the United States do not possess jurisdiction, to apply to the Legislatures of the States in which the lands are situated, for a cession of jurisdiction, and in case of refusal, to report the same to Congress at the commencement of the next session thereafter.

APPROVED, September 11, 1841.

# ACTS OF THE TWENTY-SEVENTH CONGRESS

OF THE

## UNITED STATES.

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

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

### STATUTE II.

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

Dec. 22, 1841.

[Obsolete.]

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

For Congress.

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

Pay and mileage.

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

Officers and clerks.

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

Expenses of Senate.

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

Expenses of H. of Reps.

Proviso.

APPROVED, December 22, 1841.

STATUTE II.

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

Jan. 31, 1842.

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

[Obsolete.]

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

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

APPROVED, January 31, 1842.

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



STATUTE II.  
Feb. 12, 1842.  
[Obsolete.]

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

Appropriation.

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

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

APPROVED, February 12, 1842.

STATUTE II.  
Feb. 12, 1842.  
[Obsolete.]

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

Revolutionary pensions.

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

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

Invalid pensions.

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

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

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

1838, ch. 189.

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

APPROVED, February 12, 1842.

STATUTE II.  
March 4, 1842.

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

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

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

Land office for the Coosa dist. to be removed.

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

APPROVED, March 4, 1842.

STATUTE II.  
March 19, 1842.

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

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

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

Special session authorized.

APPROVED, March 19, 1842.

STATUTE II.

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

March 19, 1842.

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

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

Names of those selected to be returned to the marshals.

APPROVED, March 19, 1842.

STATUTE II.

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

March 19, 1842.

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

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

APPROVED, March 19, 1842.

STATUTE II.

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

April 14, 1842.

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

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

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

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

Proviso.  
Proviso.

Appeals to lie from the district to the circuit court.

Times of holding fall terms at Jackson and Knoxville.

District and circuit courts of Kentucky.

Vol. 3, 742.

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

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

APPROVED, April 14, 1842.

STATUTE II.

April 14, 1842.

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

Entries of lands described confirmed.

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

Patents to be issued.

APPROVED, April 14, 1842.

STATUTE II.

April 14, 1842.

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

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

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

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

APPROVED, April 14, 1842.

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

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

APPROVED, April 14, 1842.

STATUTE II.  
April 14, 1842.

The post roads established, designated.

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

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

APPROVED, April 14, 1842.

STATUTE II.  
April 14, 1842.

Certain Cherokee warriors to be allowed pensions.

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

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

APPROVED, April 14, 1842.

STATUTE II.  
April 14, 1842.

Act of June 30, 1834, ch. 247.

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

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

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

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

STATUTE II.  
April 15, 1842.  
1842, ch. 287.

Time for obtaining the loan extended.

Act of July 21, 1841, ch. 3.

Loan reimbursable, when.

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

Form of certificates.

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

Stock, how transferable.

Stock to be disposed of, how.

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

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

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

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

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

What provisions of the former act shall remain in force.

Additional loan authorized.

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

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

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

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

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

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

Proviso.

Interest payable semi-annually.

APPROVED, April 15, 1842.

STATUTE II.

May 18, 1842.

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

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

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

Congress—pay and mileage.

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

Officers of the Senate and House of Reps.

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

Contingent expenses.

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

Proviso.

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

Printing and binding ordered by Senate during 26th Congress.

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

Preparing, &c. documents.

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

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

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

Library of  
Congress—offi-  
cers.

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

Contingent  
expenses.

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

Purchase of  
books.

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

President of  
United States.

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

Department of  
State.

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

Secretary.  
Clerks, &c.

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

Contingent  
expenses.

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

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

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

Biennial Re-  
gister.

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

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

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

First Compt-  
roller, &c.

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

Second Compt-  
roller, &c.

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

1st Auditor.

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

2d Auditor.

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

3d Auditor.

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

4th Auditor.

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

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

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



eighteen hundred and thirty-five,) six hundred and eighteen dollars and thirty-three cents.

Post Office  
Department.  
Postmaster  
General.

*Post Office Department.*—No. 48. For salary of Postmaster General, six thousand dollars.

Assistant Post-  
masters General.

No. 49. For salary of three Assistant Postmasters General, seven thousand five hundred dollars.

Clerks and  
messengers.

No. 50. For compensation of clerks and messengers in said office, forty-eight thousand six hundred dollars.

Watchmen.

No. 51. For compensation of two watchmen at three hundred dollars each, six hundred dollars.

Auditor.

No. 52. For salary of Auditor for Post Office Department, three thousand dollars.

Clerks, &c.

No. 53. For compensation of clerks and messengers in said office, fifty-five thousand five hundred dollars.

Repairs of the  
building lately  
occupied.

No. 54. For repairs of the building lately occupied by the Post Office Department, under an agreement entered into between Amos Kendall, Postmaster General, and B. Ogle Tayloe, the proprietor of said building, on the sixteenth day of December, eighteen hundred and thirty-six, to put the same in a good and tenantable condition, two thousand five hundred and seventy-two dollars and eighty-five cents.

Surveyors and  
their clerks.

*Surveyors and their Clerks.*—No. 55. For salary of surveyor general northwest of the Ohio, two thousand dollars.

North-west of  
the Ohio.  
1836, ch. 60.

No. 56. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, six thousand three hundred dollars.

Illinois and  
Missouri.

No. 57. For salary of surveyor general in Illinois and Missouri, two thousand dollars.

1836, ch. 60.

No. 58. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars.

Arkansas.

No. 59. For salary of surveyor general of Arkansas, one thousand five hundred dollars.

1836, ch. 60.

No. 60. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, two thousand eight hundred dollars.

Louisiana.

No. 61. For salary of surveyor general of Louisiana, two thousand dollars.

1836, ch. 60.

No. 62. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, two thousand five hundred dollars.

Mississippi.

No. 63. For the salary of the surveyor general of Mississippi, two thousand dollars.

1836, ch. 60.

No. 64. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, five thousand dollars.

Alabama.

No. 65. For the salary of the surveyor general of Alabama, two thousand dollars.

1836, ch. 60.

No. 66. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, two thousand dollars.

Florida.

No. 67. For salary of surveyor general of Florida, two thousand dollars.

1836, ch. 60.

No. 68. For compensation of clerks in his office, per act of ninth May, eighteen hundred and thirty-six, one thousand dollars.

Wisconsin and  
Iowa.

No. 69. For salary of surveyor general of Wisconsin and Iowa, per act of twelfth June, eighteen hundred and thirty-eight, one thousand five hundred dollars.

1838, ch. 99.

No. 70. For compensation of clerks in his office, per act of twelfth June, eighteen hundred and thirty-eight, one thousand six hundred dollars.

Secretary to  
sign patents for  
lands.

No. 71. For salary of Secretary to sign patents for public lands, one thousand five hundred dollars.

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

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

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

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

Branch mint  
at N. Orleans.

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

Officers, &c.

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

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

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

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

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

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

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

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

Wisconsin  
Territory.  
Governor.

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

Judges.

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

Secretary.

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

Contingent  
expenses.

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

Legislative  
Assembly, &c.

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

Iowa Terri-  
tory.  
Governor.

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

Judges.

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

Secretary.

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

Contingent  
expenses.

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

Legislative  
Assembly.

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

Arrearages.

Proviso

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

Further pro-  
viso.

Florida Terri-  
tory.  
Governor.

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

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

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

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

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

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

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

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

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

Judges of District Columbia.

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

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

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

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

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

Attorney General.

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

Clerk, &c.

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

District attorneys.

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

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

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

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

Marshals.

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

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

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

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

Expenses of Supreme Court &c.

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

Amount of fees which they are allowed to retain.

Surplus to be paid into the Treasury, &c.

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

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

1841. ch. 9.

Proviso.

Miscellaneous. Annuities and grants.

U. S. coast survey.

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

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

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

compensation to superintendent and assistants, one hundred thousand dollars.

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

Survey of the lakes.

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

Boundary between Michigan and Wisconsin.

No. 172. To enable the President of the United States to cause to be made and completed an exploration and survey of that part of the northeastern boundary line of the United States and the adjacent country which separates the States of Maine and New Hampshire from the British provinces, and for completing maps of surveys already made, and other work, according to estimates, sixty-six thousand three hundred and one dollars and seventy-five cents.

Exploration and survey of north-eastern boundary.

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

Keepers of Florida archives.

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

Allowance to law agents, &c.

Proviso.

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

Insolvent debtors.

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

Penitentiary of D. C.

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

Sick and disabled seamen.

1802, ch. 51.

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

Marine hospital at Mobile.

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

Custom-house at Boston.

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

Custom-house at New York.

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

Expenses of 6th census.

Proviso.

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

Statue of Washington.



Expenses of  
issuing Treasury  
notes.

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

Light-house  
establishment.  
Light-houses.

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

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

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

Floating lights,  
&c.

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

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

Buoys, &c.

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

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

Light-house at  
Goat Island.

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

Foreign inter-  
course.  
Ministers.

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

Secretaries of  
Legation.

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

Chargés des  
affaires.

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

Outfits.

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

Minister to  
Turkey.

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

Drogoman.

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

Expenses of  
foreign inter-  
course.

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

Expenses of  
missions.

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

Consul at  
London.

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

Relief, &c. of  
Am. seamen.

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

Expenses of  
consulate at  
London.

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

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

Boundary between U. S. and Texas.

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

Edward Lee.

1832, ch. 35.

Proviso.

Proviso.

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

Post Office Department.  
1836, ch. 270.

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

Transportation.

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

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

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

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

Ship letters, &c.

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

Wrapping paper.

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

Office furniture.

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

Advertising.

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

Mail bags.

No. 208. For blanks, thirty thousand dollars.

Blanks.

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

Mail locks, &c.

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

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

Miscellaneous. No. 212. For miscellaneous, fifty-eight thousand dollars: *Provided*, That the President and the Postmaster General shall have the same power to transfer funds from one to another head of appropriation, between the foregoing appropriations, made for the service of the General Post Office, as the President and any other head of an Executive Department now have to transfer funds appropriated under one head to the service of another, in any other branch of the public service.

APPROVED, May 18, 1842.

STATUTE II.

May 18, 1842.

Act of June 18,

1838, ch. 118.

Act of Jan. 18,

1839, ch. 3.

Vol. 2, 273.

Times of hold-

ing said courts

in East Tennes-

see.

West Tennes-

see.

The judge may

adjourn a cause.

Rule days to

be fixed, and

orders made by

the courts.

1st sec. act 4th

July 1840, ch.

42, repealed.

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

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

SEC. 2. *And be it further enacted*, That such rule days, for the return of process and the filing of pleadings, may from time to time be fixed, and other orders made by said courts, respectively, not inconsistent with the Constitution and laws of the United States, as may be necessary or proper for the convenience of parties and the advancement of business in said courts; and that the first section of "An act to amend an act, approved the eighteenth of January, eighteen hundred and thirty-nine, entitled 'An act to amend an act entitled an act to require the judge of the district of East and West Tennessee to hold a court at Jackson, in said State,' approved June the eighteenth, eighteen hundred and thirty-eight, and for other purposes," approved July the fourth, eighteen hundred and forty, be, and the same is hereby, repealed.

APPROVED, May 18, 1842.

STATUTE II.

June 1, 1842.

Act of March

10, 1838, ch. 33.

1844, ch. 5.

The July term

now held at Co-

lumbus to be

held at Cincin-

nati.

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

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

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

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

APPROVED, June 1, 1842.

An adjourned term may be held at Cleveland.

The court may make the necessary rules.

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

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

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

APPROVED, June 1, 1842.

STATUTE II.

June 1, 1842.

French vessels coming directly from Cayenne, &c. to pay no higher duties than American vessels.

1828, ch. 49.

President authorized to suspend the operations of this act, when.

Certain duties to be refunded.

CHAP. XXXVIII.—*An Act to authorize the collector of the district of Fairfield to reside in either of the towns of Fairfield or Bridgeport.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the act entitled "An act to regulate the duties on imports and tonnage," approved March second, seventeen hundred and ninety-nine, as requires the collector for the district of Fairfield, in the State of Connecticut, to reside in the town of Fairfield, be, and the same is hereby, repealed;

STATUTE II.

June 4, 1842.

So much of act 2d March 1799, ch. 22, as requires the collector to reside at Fairfield, repealed, &c.

(a) See notes of the acts relating to discriminating duties, vol. 4, 2.

and the said collector shall reside in said town of Fairfield, or in the town of Bridgeport, within said district.

APPROVED, June 4, 1842.

STATUTE II.

June 13, 1842.

1852, ch. 110,  
§ 11.

Maine to be paid for the militia called into the service of the State in 1839.

CHAP. XXXIX.—*An Act to provide for the settlement of the claim of the State of Maine for the services of her militia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause to be reimbursed and paid to the State of Maine, on the order of the Governor of said State, out of any money not otherwise appropriated, such amount as the Paymaster General of the United States army, and the accounting officers of the Treasury shall ascertain and certify would have been due from the United States to the militia called into the service of the State in the year eighteen hundred and thirty-nine, for the protection of her northeastern frontier, by the Governor, if said militia had been duly called into the service of the United States, and regularly received and mustered by the officers of the United States army, according to the laws and regulations which have governed in the payment of the volunteers and militia of other States. And the Paymaster General and accounting officers of the Treasury are hereby authorized and required to include the following claims, presented by said State, viz. :

Cannon-balls and knapsacks.

First. The cost of cannon-balls and knapsacks purchased by the State, for the use of the troops called into service, and for defence of the frontier aforesaid: *Provided*, That said balls and knapsacks shall belong to the United States.

Transportation.

Second. The amount paid by the State for transportation of military stores, and of her troops in actual service as aforesaid; *Provided*, The amount should, in the opinion of the Secretary of War, appear to be reasonable.

Pay of staff officers.\*

Third. The pay or compensation allowed by the State to the Paymaster and Commissary General, and other staff officers, while they were respectively employed in making or superintending disbursements for the militia in actual service as aforesaid: *Provided*, The compensation paid by the State, as aforesaid, shall not exceed that paid by the United States for similar services.

Blankets.

Fourth. The sum paid by the State for blankets for the use of her militia while in actual service as aforesaid, or so much thereof as shall appear reasonable.

Repairs of arms.

Fifth. The amount of expenditures by said State in necessary repairs of arms used by the militia while in actual service as aforesaid.

Proviso.

*Provided*, That the accounts of the agent employed by the State of Maine to make said payments, be submitted to the Paymaster General and the accounting officers for their inspection.

APPROVED, June 13, 1842.

STATUTE II.

June 13, 1842.

Act of July 4,  
1836, ch. 355.

CHAP. XL.—*An Act to amend an act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations."*

The 2d section of the act amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the second section of the act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund and the school reservations," as requires the land therein designated as reserved to the State of Mississippi for the use of schools to be selected, under the direction of the Secretary of the Treasury, "out of any public lands, remaining unsold, that shall

have been offered at public sale within either of the land districts in said State of Mississippi, contiguous to said lands, within said State," ceded by the Chickasaws, be so amended that the said lands may be selected, under the direction of the Governor of said State of Mississippi, out of any public lands remaining unsold within either of the land districts in said State of Mississippi, contiguous to the lands in said State, ceded by the Chickasaw Indians.

APPROVED, June 13, 1842.

STATUTE II.

CHAP. XLVII.—*An Act for the apportionment of Representatives among the several States according to the sixth census. (a)*

June 25, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the third day of March, one thousand eight hundred and forty-three, the House of Representatives shall be composed of members elected agreeably to a ratio of one Representative for every seventy thousand six hundred and eighty persons in each State, and of one additional representative for each State having a fraction greater than one moiety of the said ratio, computed according to the rule prescribed by the Constitution of the United States; that is to say: Within the State of Maine, seven; within the State of New Hampshire, four; within the State of Massachusetts, ten; within the State of Rhode Island, two; within the State of Connecticut, four; within the State of Vermont, four; within the State of New York, thirty-four; within the State of New Jersey, five; within the State of Pennsylvania, twenty-four; within the State of Delaware, one; within the State of Maryland, six; within the State of Virginia, fifteen; within the State of North Carolina, nine; within the State of South Carolina, seven; within the State of Georgia, eight; within the State of Alabama, seven; within the State of Louisiana, four; within the State of Mississippi, four; within the State of Tennessee, eleven; within the State of Kentucky, ten; within the State of Ohio, twenty-one; within the State of Indiana, ten; within the State of Illinois, seven; within the State of Missouri, five; within the State of Arkansas, one; and within the State of Michigan, three.

House of Representatives, how to be composed.

Ratio of Representation.

Number of Representatives to each State.

SEC. 2. *And be it further enacted,* That in every case where a State is entitled to more than one Representative, the number to which each State shall be entitled under this apportionment shall be elected by districts composed of contiguous territory equal in number to the number of Representatives to which said State may be entitled, no one district electing more than one Representative.

Where a State is entitled to more than one representative, the election to be by districts, &c.

APPROVED, June 25, 1842.

STATUTE II.

CHAP. L.—*An Act confirming certain land claims in Louisiana.*

July 6, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the claims to lands within the land district of New Orleans, being numbers six, seven, eight, nine, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, thirty, thirty-four, thirty-five, thirty-eight, forty-seven, forty-eight, fifty-seven, fifty-nine, sixty, sixty-one, and sixty-two, of the two reports of the register and receiver of said land district, dated fourteenth of December, eighteen hundred and thirty-six, and second of November, eighteen hundred and thirty-seven, and made under the provisions of the act of the sixth of February, eighteen hundred and thirty-five, entitled "An act for the final adjustment of claims to lands in the State of Louisiana," be, and the same are

Post, p. 649. Certain land claims in New Orleans district confirmed.

1835, ch. 17.

(a) See notes of the acts for the apportionment of representatives among the several States, according to the first, second, third, fourth, fifth, and sixth census; act of Jan. 14, 1802, chap. 1.

Proviso.

hereby, confirmed: *Provided, always,* That this is only to operate as a quit-claim on the part of the United States.

Appropriation for documents relative to land claims not confirmed.

SEC. 2. *And be it further enacted,* That a sum not exceeding five hundred dollars be, and the same is hereby, appropriated, out of any monev in the Treasury not otherwise disposed of, to be used by the Commissioner of the General Land Office, in paying the expenses of a copy of all the documents of record, and offered before the register and receiver of the New Orleans land district, in support of the claims reported upon by them, and which are not confirmed by this act.

Certain claims in Ouachita district confirmed.

SEC. 3. *And be it further enacted,* That claims numbers two, five, eight, nine, eleven, twelve, thirteen, fourteen, sixteen, seventeen, nineteen, twenty-two, twenty-six, thirty-four, thirty-five, thirty-six, thirty-eight, forty and forty-six, of the report of the register and receiver of the Ouachita land district, in the State of Louisiana, dated the twenty-fourth day of July, eighteen hundred and thirty-seven, and made under the provisions of the act of the sixth day of February, eighteen hundred and thirty-five, are hereby confirmed for six hundred and forty acres each.

1835, ch. 17.

Certain other claims confirmed.

SEC. 4. *And be it further enacted,* That numbers one, four, seven, fifteen, eighteen, twenty, twenty-three, twenty-nine, thirty, thirty-one, thirty-seven, and forty-eight of said report, are also confirmed, as recommended by the register and receiver; number three, is confirmed to two thousand acres, number twenty-four to one thousand acres, and number forty-five to two hundred acres: *Provided,* That this act shall amount only to a relinquishment on the part of the United States, and shall in no manner affect the rights of third persons, and, on the presentation to the Commissioner of the General Land Office of a plat of survey duly approved by the surveyor general of the State of Louisiana, the claimant shall be entitled to a patent.

Certain claims at Greensburg, formerly St. Helena, confirmed.

1835, ch. 17.

SEC. 5. *And be it further enacted,* That claims numbers ten, eighteen, nineteen, and twenty, of the list reported by the register and receiver of the land office at Greensburg, formerly St. Helena, under the provisions of the act of Congress of the sixth day of February, eighteen hundred and thirty-five, entitled "An act for the final adjustment of claims to lands in the State of Louisiana," be, and the same are hereby confirmed; and upon the presentation to the Commissioner of the General Land Office of a plat, approved by the surveyor general of Louisiana, the owner or owners of said claims shall be entitled to a patent.

Certain other claims confirmed.

1849, ch. 19.

SEC. 6. *And be it further enacted,* That claims numbers seven and eight of the list mentioned in the preceding section are also confirmed, giving the right to the claimants to locate the same within one year after the passage of this act, on any public lands subject to sale at private entry, in the district where said claims are situated; which location, approved and certified by the surveyor general of Louisiana to the Commissioner of the General Land Office, will entitle said claimants to a patent: *Provided,* Said claimants shall, previous to making said location, relinquish to the United States their claims to the lands originally claimed by them.

Proviso.

Certain claims to land in the district south of the Red river, confirmed.

SEC. 7. *And be it further enacted,* That the claims to land within the district south of Red river, being numbers thirty-three, thirty-five, forty-five, fifty-two, seventy-seven, seventy-nine, eighty-seven, ninety-three, one hundred, one hundred and two, one hundred and three, one hundred and eight, one hundred and twenty-two, one hundred and thirty-two, one hundred and forty-two, one hundred and forty-seven, one hundred and forty-eight, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-seven, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-two, one hundred and sixty-three, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, of the reports of the register and receiver of the land

office at Opelousas, dated the thirtieth May and sixth June, eighteen hundred and forty, made under the provisions of the act of eighteen hundred and thirty-five, aforesaid, be, and the same are hereby, confirmed: *Provided*, That the Commissioner of the General Land Office shall cause a further investigation to be made, and further evidence to be taken, in relation to claim number one hundred and sixty-one of said report; and should it appear that the original claimants actually inhabited and cultivated the lands claimed on and prior to the twenty-second day of February, eighteen hundred and nineteen, then and in that case, the same shall be confirmed, by and with the approbation of the Secretary of the Treasury.

1835, ch. 17.

Proviso.

SEC. 8. *And be it further enacted*, That the following claims in the said reports of the register and receiver of the land office at Opelousas be, and the same are hereby, confirmed, as follows, to wit: Number twenty-nine, to the legal representatives of Joseph Maritaurus; number forty-six, to the extent contained in a league square; number forty-nine, for six hundred and forty acres, to the legal representatives of Bernard Lacroix; number fifty-four, to the legal representatives of J. Baptiste Vallery; number seventy-eight, for six hundred and forty acres, to Onezime Guedry, assignee of Nicholas Provost, and six hundred and forty acres to the legal heirs and representatives of Daniel Guedry and Jean Mouton, senior; number ninety-one, for so much as will, with the quantity heretofore confirmed, make the quantity of one league front by the depth of forty arpens; number ninety-nine, for six hundred and forty acres, to embrace the residence and improvements of Hugh Mulhollan on and previous to the twentieth day of December, eighteen hundred and three; number one hundred and fourteen, to the legal representatives of Andre Dumas; number one hundred and fifty-four, to the legal representatives of Antonio Mora; number one hundred and fifty-eight, to the legal representatives of Louis Frizzini; number one hundred and sixty-seven, to Jacob Wallace or his legal representatives.

Other claims confirmed.

SEC. 9. *And be it further enacted*, That the provisions of the two preceding sections of this act, which confirm donation claims situate in that part of said land district known as the "neutral territory," shall not be regarded as extending to any lands which are held by any person by virtue of any bona fide French or Spanish grant, warrant, or order of survey, made prior to the twentieth of December, eighteen hundred and three, heretofore filed, according to law, with any register, or commissioner, or register and receiver of said district: *Provided*, That the confirmations made by virtue of the two preceding sections shall only operate as a relinquishment of the right of the United States, and shall not affect the right of third persons, nor preclude a judicial decision between private claimants for the same land; and on the presentation, to the Commissioner of the General Land Office of a plat of survey, duly approved by the surveyor general of Louisiana, the claimant shall be entitled to a patent.

Certain provisions of the two preceding sections not to extend to lands held under certain French or Spanish grants, &c.

Proviso.

APPROVED, July 6, 1842.

STATUTE II.

July 17, 1842.

[Obsolete.]

CHAP. LXIV.—*An Act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and forty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and they are hereby, appropriated, for the year one thousand eight hundred and forty-two, for the purpose of paying the current expenses of the Indian department, fulfilling treaty stipulations with the various Indian tribes, and contingent expenses, to be paid out of any money in the Treasury not otherwise appropriated.

Appropriations.



For the current and contingent expenses of the Indian department, viz :

Pay of superintendent and agents.  
1834, ch. 162.  
1837, ch. 31.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as provided by the acts of June thirtieth, eighteen hundred and thirty-four, and of March third, eighteen hundred and thirty-seven, sixteen thousand five hundred dollars.

Sub-agents.  
1834, ch. 162.  
Interpreters.

For the pay of sub-agents authorized by the act of June thirtieth, eighteen hundred and thirty-four, thirteen thousand dollars.

For the pay of interpreters, as authorized by the same act, eleven thousand three hundred dollars.

Clerk in office of superintendent south of the Missouri.  
Clerks.

For the salary of one clerk in the office of the superintendent of Indian affairs south of the Missouri river, one thousand dollars.

For the salary of two clerks, in the office of the commissioner of Indian affairs, employed in the business of grants and reservations under Indian treaties, one thousand five hundred dollars.

Provisions for Indians.

For the purchase of provisions for Indians, at the distribution of annuities, while on visits of business with the superintendents and agents, and when assembled on public business, eleven thousand eight hundred dollars.

Buildings at the agencies.

For the necessary buildings required at the several agencies, and repairs thereof, two thousand dollars.

Contingent expenses.

For postages, rents, stationery, fuel for offices, and other contingencies of the Indian department, and for transportation and incidental expenses, thirty-six thousand five hundred dollars.

Fulfilling Indian treaties.

For carrying into effect the stipulations of certain Indian treaties, and the laws connected therewith, viz :

For fulfilling treaty with the Christian Indians, four hundred dollars.

For fulfilling treaties with the Chippewas of the Mississippi, thirty-five thousand dollars.

For fulfilling treaties with the Chippewas of Saganaw, five thousand eight hundred dollars.

For fulfilling treaty with the Chippewas, Menomonies, Winnebagoes, and New York Indians, one thousand five hundred dollars.

For fulfilling treaties with the Chippewas, Ottowas, and Pottawatomies, thirty-three thousand eight hundred and ninety dollars

For fulfilling treaties with the Choctaws, forty-nine thousand four hundred and fifty dollars.

For fulfilling treaties with the Creeks, sixty three thousand nine hundred and forty dollars.

For fulfilling treaties with the Chickasaws, six thousand dollars.

For fulfilling treaties with the Cherokees, five thousand six hundred and forty dollars.

For fulfilling treaties with the Delawares, ten thousand three hundred and forty-four dollars.

For fulfilling treaties with the Florida Indians, six thousand six hundred and ten dollars.

For fulfilling treaty with the Iowas, seven thousand eight hundred and seventy-five dollars.

For fulfilling treaty with the Kickapoos, five thousand five hundred dollars.

For fulfilling treaty with the Kaskaskias and Peorias, three thousand dollars.

For fulfilling treaty with the Kansas, six thousand and forty dollars.

For fulfilling treaties with the Miamies, fifty-two thousand three hundred and ninety-eight dollars.

For fulfilling treaties with the Eel Rivers, (Miamies,) one thousand one hundred dollars.

For fulfilling treaties with the Menomonies, thirty-one thousand eight hundred and thirty dollars.

For fulfilling treaties with the Omahas, one thousand four hundred and forty dollars.

For fulfilling treaties with the Ottawas and Chippewas, sixty-two thousand three hundred and sixty-five dollars.

For fulfilling treaties with the Otoes and Missouriias, five thousand six hundred and forty dollars.

For fulfilling treaties with the Osages, thirty-four thousand four hundred and six dollars.

For fulfilling treaties with the Ottowas, four thousand three hundred dollars.

For fulfilling treaties with the Pottawatamies, fifteen thousand two hundred dollars.

For fulfilling treaty with the Pottawatamies of Huron, four hundred dollars.

For fulfilling treaty with the Pottawatamies of the Prairie, fifteen thousand four hundred dollars.

For fulfilling treaty with the Pottawatamies of the Wabash, twenty thousand dollars.

For fulfilling treaty with the Pottawatamies of Indiana, seventeen thousand dollars.

For fulfilling treaties with the Piankeshaws, eight hundred dollars.

For fulfilling treaty with the Pawnees, nine thousand six hundred dollars.

For fulfilling treaty with the Quapaws, four thousand six hundred and sixty dollars.

For fulfilling treaty with the Six Nations of New York, four thousand five hundred dollars.

For fulfilling treaty with the Senecas of New York, six thousand dollars.

For fulfilling treaties with the Sioux of the Mississippi, forty thousand five hundred and ten dollars.

For fulfilling treaty with the Yancton and Santie Sioux, one thousand three hundred and forty dollars.

For fulfilling treaty with the Sacs and Foxes of Missouri, seven thousand eight hundred and seventy dollars.

For fulfilling treaties with the Sacs and Foxes of Mississippi, forty-eight thousand five hundred and forty dollars.

For fulfilling treaties with the Shawnees, seven thousand one hundred and eighty dollars.

For fulfilling treaties with the Senecas and Shawnees, two thousand and sixty dollars.

For fulfilling treaties with the Senecas, two thousand six hundred and sixty dollars.

For fulfilling treaties with the Wyandots, six thousand eight hundred and forty dollars.

For fulfilling treaty with the Weas, three thousand dollars.

For fulfilling treaty with the Wyandots, Munsees, and Delawares, one thousand dollars.

For fulfilling treaties with the Winnebagoes, ninety-two thousand eight hundred and sixty dollars.

For fulfilling treaty with the Miamies of twenty-eighth November, eighteen hundred and forty, three hundred and eighty-three thousand seven hundred and fifty dollars.

To enable the Secretary of War to procure medals to be distributed among the chiefs and leading men of the Indians, two thousand five hundred dollars.

To cover expenses incurred by the commissioners in holding treaties with the Sac and Fox, Winnebago and Sioux Indians, over and above the sum of five thousand dollars appropriated last year, and to meet the

Medals.

Expenses of negotiations with Sac and Fox, Winnebago and Sioux Indians.

expenses of further negotiations with the two former tribes, viz. the Sac and Fox, and Winnebagoes, six thousand two hundred dollars.

Expenses of treating with the Camanches &c.  
Proviso.

For this sum, in addition to the appropriation per act of eighteen hundred and thirty-five, for the expenses of treating with the Camanches and other wild tribes of the Western tribes, eight hundred and seventy-eight dollars and fifty-five cents: *Provided*, That no part of the money appropriated by this act, shall be applied to the payment of any salary or other compensation to, or on account of, any officer or office, unless the same has been created by law or treaties, or is specifically provided for in the appropriations in this act: *Provided, further*, That the commissioners appointed to negotiate treaties with the Indian tribes shall not be allowed more than ten cents per mile for travelling on the most direct route to and from his residence to the place of making the treaties, and eight dollars per day while engaged in making said treaties.

APPROVED, July 17, 1842.

Further proviso.

STATUTE II.  
July 27, 1842.

CHAP. LXVI.—*An Act to regulate the value to be affixed to the pound sterling by the Treasury Department. (a)*

The pound sterling to be computed at \$4.84.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all payments by or to the Treasury, whether made here or in foreign countries, where it becomes necessary to compute the value of the pound sterling, it shall be deemed equal to four dollars and eighty-four cents, and the same rule shall be applied in appraising merchandise imported where the value is by the invoice in pounds sterling.

Acts, &c. inconsistent herewith, repealed.

SEC. 2. *And be it further enacted*, That all acts and parts of acts inconsistent with these provisions, be and the same are hereby repealed.

APPROVED, July 27, 1842.

STATUTE II.  
July 27, 1842.

CHAP. LXVII.—*An Act making an appropriation for the repair of the custom-house in Providence.*

[Obsolete.]

Expense of repairs limited.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury is authorized and directed to cause the custom-house at the port of Providence, in the State of Rhode Island, to be repaired, at an expense not exceeding one thousand dollars; and that the sum of one thousand dollars, to be paid out of any money in the Treasury not otherwise appropriated, is hereby appropriated therefor.

APPROVED, July 27, 1842.

STATUTE II.  
July 27, 1842.

CHAP. LXVIII.—*An Act to amend "An act for altering the time of holding the district court of the United States for the western district of Pennsylvania at Williamsport," approved May eighth, eighteen hundred and forty.*

Act of May 8, 1840, ch. 23.

Time of holding the October term changed to the first Monday in October.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the October term of the district court of the United States for the western district of Pennsylvania, which is now directed to be holden at Williamsport, in Lycoming county, on the third Monday of October in each year, shall hereafter commence and be holden on the first Monday of October in each and every year; and all process, pleadings, motions, suits, and business heretofore begun, pending and undetermined, or which may hereafter be commenced or instituted, prior to the next October term, shall be held returnable and be returned to the first Monday of October next.

Process, &c.

APPROVED, July 27, 1842.

(a) Notes of the acts which have been passed relative to foreign coins, vol. 2, 374.

CHAP. LXIX.—*An Act to provide for satisfying claims for bounty lands, for military services in the late war with Great Britain, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases of warrants for bounty lands for military services in the war of eighteen hundred and twelve with Great Britain, which remain unsatisfied at the date of this act, it shall be lawful for the person in whose name such warrant shall have issued, his heirs or legal representatives, to enter at the proper land office in any of the States or Territories in which the same may lie, the quantity of the public lands subject to private entry to which said person shall be entitled in virtue of such warrant in quarter sections: *Provided,* Such warrants shall be located within five years from the date of this act.

SEC. 2. *And be it further enacted,* That the terms prescribed for the issuing of warrants by the Secretary of the Department of War, under the act entitled, "An act to allow further time to complete the issuing and locating of military land warrants during the late war," and under the act entitled "An act to extend the time of issuing military land warrants to the officers and soldiers of the Revolutionary army," both of which acts were approved January twenty-seventh, eighteen hundred and thirty-five, be, and the same are hereby, respectively, renewed and continued in force for the term of five years from and after the date of this act; and all cases which shall not, within the time aforesaid, be finally disposed of, shall be thereafter for ever barred from the benefits of all claim to bounty land for services performed within the spirit and meaning of said acts: *Provided,* That warrants issued under the provisions of this section may be located as is provided for warrants under the first section of this act: *And provided further,* That the certificate of location obtained under the provisions of this act, shall not be assignable, but the patent shall in all cases issue in the name of the person originally entitled to the bounty land, or to his heirs or legal representatives.

APPROVED, July 27, 1842.

CHAP. LXXXII.—*An Act to extend the jurisdiction of the corporation of Georgetown.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the jurisdiction of the corporation of Georgetown is hereby extended so as to include the bridge lately constructed by the said corporation across the river Potomac, at the Little Falls, and the site of said bridge and premises appertaining to said site; and that, as often and as long as said bridge shall hereafter, from any cause, be impassable, it shall and may be lawful for the proprietors of land on both sides of the said river, through which the ferry road to connect with the Falls Bridge turnpike must necessarily pass, and they are hereby authorized and empowered to establish and keep a ferry, at any rate of ferriage not exceeding the tolls which the Georgetown Bridge Company were heretofore authorized to charge on their bridge.

SEC. 2. *And be it further enacted,* That said Corporation of Georgetown, in addition to its present chartered powers, shall have full power and authority to provide for licensing, taxing, and regulating, within its corporate limits, all traders, retailers, pawnbrokers, and to tax venders of lottery tickets, money changers, hawkers and pedlers.

APPROVED, July 27, 1842.

STATUTE II.  
July 27, 1842.

Act of April 16, 1816, vol. 3 234.

Persons to whom bounty land warrants were issued, &c. may enter land.

Proviso.  
1848, ch. 74.

Acts of 27th Jan. 1835, ch. 6, and 7, continued for five years.

Cases not finally disposed of within that time, for ever barred.

Proviso.

Further proviso.

STATUTE II.  
July 27, 1842.

Jurisdiction extended so as to include the Little Falls bridge.

A ferry may be established.

Powers of the corporation of Georgetown extended.

## STATUTE II.

July 27, 1842.

[Obsolete.]

Appropriation.

CHAP. XCVI.—*An Act to provide for erecting and lighting lamps on Pennsylvania Avenue.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of two thousand five hundred dollars be, and the same is hereby, appropriated, out of any unappropriated money in the Treasury, to be expended, under the direction of the Commissioner of Public Buildings, in erecting and lighting lamps on Pennsylvania avenue, between the Capitol and the President's square.

APPROVED, July 27, 1842.

## STATUTE II.

July 27, 1842.

Clergymen authorized to marry, &c.

CHAP. CVI.—*An Act in relation to marriages within the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the ministers of the gospel, or clergy, who at any time may be legally authorized to unite persons in the bands of wedlock, or to join them together as man and wife, either in the county of Washington or the county of Alexandria, shall be, and are hereby, authorized to do so in any place within the District of Columbia.

APPROVED, July 27, 1842.

## STATUTE II.

July 30, 1842.

Additional clerks authorized in P. O. Department.

CHAP. CVII.—*An Act to provide for the permanent employment in the Post Office Department of certain clerks heretofore for several years temporarily employed in that Department.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he is hereby, authorized to employ in the Post Office Department, a topographer, at a salary of sixteen hundred dollars; and eight additional clerks, whose annual compensation shall be as follows: three clerks at fourteen hundred dollars each, four clerks at one thousand two hundred dollars each, and one clerk at one thousand dollars.

Arrears due said clerks to be paid.

SEC. 2. *And be it further enacted,* That the arrears of pay due to said clerks from the first day of January last, at the rates aforesaid, and their regular salaries for the residue of the current year, be regularly paid to them by the proper officer of the Department, and for this purpose the sum of eleven thousand six hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Certain temporary clerks in P. O. Department made permanent.

Act of March 3, 1837, ch. 33.  
Act of July 7, 1838, ch. 169.

SEC. 3. *And be it further enacted,* That eleven additional clerks heretofore temporarily employed in the office of the Auditor for the Post Office Department under the provisions of the acts of Congress of the third of March, eighteen hundred and thirty-seven, and the seventh of July, eighteen hundred and thirty-eight, shall be permanently added to the force in that office, at the rates of compensation heretofore allowed for their services respectively, and the sum of thirteen thousand two hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated, for the payment of their salaries for the year eighteen hundred and forty-two.

APPROVED, July 30, 1842.

## STATUTE II.

Aug. 1, 1842.

CHAP. CVIII.—*An Act to regulate arrests on mesne process in the District of Columbia. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter no person

(a) See act supplementary to an act entitled "An act to regulate arrests on mesne process in the District of Columbia," approved August 1, 1842; June 17, 1844, chap. 100.

shall be held to bail in any civil suit in the District of Columbia, unless on affidavit, filed by the plaintiff or his agent, stating in cases of debt or contract the amount which he verily believes to be due, and that the same has been contracted by fraud or false pretences, or through a breach of trust, or that the defendant is concealing or has concealed his property in the District or elsewhere, or is about to remove the same from this District or the place of his residence, in order to evade the payment of the debt, or that, being a resident of the District and domiciled therein, is about to abscond without paying the debt, and with a view to avoid the payment of the same, setting forth all the facts on which said allegations of fraud or breach of trust are founded, and in all cases setting forth the grounds, nature, and particulars of the claim. The sufficiency of the affidavit to hold to bail, and the amount of bail to be given, shall, upon application of the defendant, be decided by the court in term time, and by any single judge in vacation. In all cases in which the affidavit required by this act is not filed previously to issuing the writ, the defendant, upon its service, shall not be required to give bail, but merely to sign an order to the clerk of the court to enter his appearance in the cause, which, if he refuses to do, he may then be held to bail as in other cases.

Persons not to be held to bail in civil suits except on affidavit, in certain cases.

Sufficiency of affidavit, &c. how to be determined.

SEC. 2. *And be it further enacted*, That any person now held to bail in a civil suit in the said District may apply to the Circuit Court of the said District in term time, or to any judge thereof in vacation, for a rule to show cause why he shall not be discharged on filing a common appearance, and shall be so discharged unless the plaintiff or his agent shall file a sufficient affidavit, in conformity with the provisions of the preceding section, within a reasonable period of time, to be assigned by the court or the judge to whom the application is made.

Relative to the discharge of persons now held to bail in civil suits.

APPROVED, August 1, 1842.

CHAP. CIX.—*An Act to extend the provisions of an act entitled "An act to regulate processes in the courts of the United States," passed the nineteenth May, one thousand eight hundred and twenty-eight. (a)*

STATUTE II.

Aug. 1, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of an act entitled, "An act to regulate processes in the courts of the United States," passed the nineteenth day of May, one thousand eight hundred and twenty-eight, shall be, and they are hereby, made applicable to such States as have been admitted into the Union since the date of said act.

Act 19th May 1828, ch. 68, made applicable to States since admitted into the Union.

APPROVED, August 1, 1842.

CHAP. CXX. — *An Act to constitute the ports of Stonington, Mystic river, and Pawcatuck river, a collection district.*

STATUTE II.

Aug. 3, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the town of Stonington, in the county of New London, State of Connecticut, shall be a collection district, from and after the thirtieth day of June next; and that the port of Stonington, aforesaid, shall be, and hereby is, made a port of entry.

Stonington a collection district and port of entry. 1842, ch. 177.

SEC. 2. *And be it further enacted*, That the district of Stonington shall comprehend all the waters, shores, bays, and harbors, from the west line of Mystic river, including the villages of Portersville and Noank, in the town of Groton, State of Connecticut, to the east line of Pawcatuck river, including the town of Westerly, State of Rhode Island, any thing in any former law to the contrary notwithstanding.

District of Stonington designated.

(a) See notes of the decisions of the courts of the United States on the subject of process, vol. 1, 93, and notes to the act of May 19, 1828, chap. 68, vol. 4, 278.

Office of surveyor abolished.

A collector to be appointed—his salary and duties.

SEC. 3. *And be it further enacted*, That, from and after the thirtieth day of July present, the office of surveyor of the port of Stonington, aforesaid, be, and the same is hereby, abolished; and a collector for the aforesaid district shall be appointed, to reside at the port of Stonington, who, in addition to his other emoluments, shall be entitled to receive the salary now allowed by law to the surveyor, aforesaid, and no more; and said collector shall also perform the duties heretofore enjoined on the surveyor.

APPROVED, August 3, 1842.

STATUTE II.

Aug. 4, 1842.

[Obsolete.]

CHAP. CXXI. — *An Act making appropriations for the naval service for the year one thousand eight hundred and forty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be appropriated, in addition to the unexpended balances of former appropriations, out of any unappropriated money in the Treasury, for the naval service for the year one thousand eight hundred and forty-two, viz :

Appropriations.

Pay of officers and seamen.

Proviso.

Vol. ix. p. 172.

No. 1. For pay of commission, warrant and petty officers and seamen, two million three hundred and thirty-five thousand dollars: *Provided*, That till otherwise ordered by Congress, the officers of the navy shall not be increased beyond the number in the respective grades that were in the service on the first day of January, eighteen hundred and forty-two, nor shall there be any further appointment of midshipmen until the number in the service be reduced to the number that were in service on the first day of January, eighteen hundred and forty-one, beyond which they shall not be increased until the further order of Congress.

Pay of superintendents, &c. at yards.

No. 2. For pay of superintendents, naval constructors, and all the civil establishments at the several yards, seventy-eight thousand four hundred and twenty dollars.

Provisions.

Medicines, &c.

No. 3. For provisions, seven hundred and twenty thousand dollars.

No. 4. For medicines and surgical instruments, hospital stores and other expenses on account of the sick, thirty thousand dollars.

Repairs, &c.

No. 5. For increase, repair, armament, and equipment of the navy, and wear and tear of vessels in commission, two million dollars.

Ordnance, &c. on the lakes.

No. 6. For ordnance and ordnance stores on the Northern lakes, fifty-nine thousand and ninety-seven dollars.

Navy yards at Portsmouth.

No. 7. For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, forty-seven thousand four hundred and twenty-five dollars.

Charlestown.

No. 8. For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, twenty-nine thousand dollars.

Brooklyn.

No. 9. For improvement and necessary repairs of the navy yard at Brooklyn, New York, one hundred and twenty-nine thousand one hundred dollars: *Provided*, That no part of this or any former appropriation to that object shall be applied to the construction of a dry dock at Brooklyn, except in payment for materials previously contracted for and yet to be delivered, until a suitable place shall be selected in the harbor of New York, and the title to land obtained, and a plan and estimate of the cost made, under the direction of the Secretary of the Navy, and approved by him and the President: *And provided, also*, That the Secretary of the Navy may, in his discretion, apply the sum of one hundred thousand dollars of the amount hereby appropriated, and any balance of former appropriations for the construction of a dry dock at Brooklyn, New York, to the construction of a floating dock at the same place; and if any part of this appropriation shall be expended upon the construction of a floating dock, as hereby authorized, the construction of the dry dock shall be suspended until the further order of Congress.

Provisoes relative to the construction of a dry dock.

- No. 10. For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, one thousand six hundred dollars. Philadelphia.
- No. 11. For improvement and necessary repairs of the navy yard at Washington, District of Columbia, fifteen thousand three hundred dollars. Washington.
- No. 12. For improvement and necessary repairs of the navy yard at Gosport, Virginia, fifty-six thousand eight hundred dollars. Gosport.
- No. 13. For improvement and necessary repairs of the navy yard near Pensacola, Florida, and for a naval constructor at said place, thirty-five thousand three hundred dollars. Pensacola.
- No. 14. For necessary repairs of the hospital building and its dependencies at Charlestown, Massachusetts, three thousand nine hundred and sixty dollars. Hospitals at Charlestown.
- No. 15. For finishing coppering the roof of the hospital building at Brooklyn, New York, fifteen hundred dollars. New York.
- No. 16. For necessary repairs of the hospital building and its dependencies at Norfolk, Virginia, thirteen thousand seven hundred and fifty dollars. Norfolk.
- No. 17. For building an ice-house and privies at the hospital at Pensacola, Florida, two thousand dollars. Pensacola.
- No. 18. For necessary repairs of the Philadelphia naval Asylum, one thousand three hundred dollars. Philadelphia.
- No. 19. For defraying the expenses that may accrue for the following purposes, viz : For freight and transportation of materials and stores of every description ; for wharfage and dockage ; storage and rent ; traveling expenses of officers, and transportation of seamen ; house rent to pursers, when duly authorized ; for funeral expenses ; for commissions, clerk hire, office rent, stationery, and fuel to navy agents ; for premiums and incidental expenses of recruiting ; for apprehending deserters ; for compensation to judge advocates ; for per diem allowance to persons attending courts martial and courts of inquiry, or other services authorized by law ; for printing and stationery of every description, and for working the lithographic press ; for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings ; for the purchase and repair of fire engines and machinery ; for the repair of steam engines in navy yards ; for the purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description ; for postage of letters on public service ; for pilotage and towing ships of war ; for taxes and assessments on public property ; for assistance rendered to vessels in distress ; for incidental labor at navy yards, not applicable to any other appropriation ; for coal and other fuel, and for candles and oil for the use of navy yards and shore stations, and for no other object or purpose whatever, four hundred and fifty thousand dollars. Miscellaneous expenses.
- No. 20. For contingent expenses for objects not hereinbefore enumerated, three thousand dollars. Contingent expenses.
- No. 21. For the charter of steamers Splendid and Clarion, in September and October, eighteen hundred and forty-one, for the survey of Nantucket Shoal, four thousand three hundred and forty-five dollars and thirty-nine cents. Steamers Splendid and Clarion.
- No. 22. For carrying into effect the acts for the suppression of the slave trade, including the support of recaptured Africans, and their removal to Africa, under authority of said acts, including an unexpended balance of former appropriations carried to the surplus fund, ten thousand five hundred and forty-three dollars and forty-two cents. Suppression of the slave trade.
- No. 23. For the transportation, arrangement, and preservation, of articles brought and to be brought by the exploring expedition, twenty thousand dollars, if so much be necessary. Collections of exploring expedition.
- Marine Corps.*—No. 24. For pay of officers, non-commissioned offi- Marine corps.



Pay and subsistence.

cers, musicians, privates and servants, serving on shore, and subsistence of officers of the marine corps, one hundred eighty-three thousand three hundred and eighty-one dollars.

Provisions.

No. 25. For provisions for the non-commissioned officers, musicians, privates and servants and washerwomen, serving on shore, forty-five thousand fifty-four dollars and ninety-nine cents.

Clothing.

No. 26. For clothing, forty-three thousand six hundred sixty-two dollars and fifty cents.

Fuel.

No. 27. For fuel, sixteen thousand two hundred seventy-four dollars and twelve cents.

Barracks.

No. 28. For keeping barracks in repair, and for rent of temporary barracks at New York, six thousand dollars.

Transportation.

No. 29. For transportation of officers, non-commissioned officers, musicians and privates, and expenses of recruiting, eight thousand dollars.

Medicines, &c.

No. 30. For medicines, hospital supplies, surgical instruments, pay of matron, and hospital stewards, four thousand one hundred and forty dollars.

Military stores, &c.

No. 31. For military stores, pay of armorers, keeping arms in repair, accoutrements, ordnance stores, flags, drums, fifes and other instruments, two thousand eight hundred dollars.

Contingent expenses.

No. 32. For contingent expenses of said corps, viz. : For freight, ferrriage, toll, wharfage, and cartage; for per diem allowance for attending courts martial and courts of inquiry; compensation to judge advocates; house rent where there are no public quarters assigned; per diem allowance to enlisted men on constant labor; expenses of burying deceased marines; printing, stationery, forage, postage on public letters, expenses in pursuit of deserters, candles, and oil, straw, barrack furniture, bed sacks, spades, axes, shovels, picks, carpenters' tools, and for keeping a horse for the messenger, seventeen thousand nine hundred and eighty dollars.

APPROVED, August 4, 1842.

STATUTE II.

Aug. 4, 1842.

CHAP. CXXII.—*An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida. (a)*

Certain persons settling in Florida entitled to a quarter section of land, on the following conditions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person, being the head of a family, or single man over eighteen years of age, able to bear arms, who has made, or shall, within one year from and after the passage of this act, make an actual settlement within that part of Florida situate and being south of the line dividing townships numbers nine and ten south, and east of the base line, shall be entitled to one quarter section of said land, on the following conditions and stipulations:

To obtain a permit describing the land.

*First.* That said settler shall obtain from the register of the land office, in the district in which he proposes to settle, a permit describing as particularly as may be practicable, the place where his or her settlement is intended to be made: *Provided,* That no person who shall be a resident of Florida at the time of the passage of this act, who shall be the owner of one hundred and sixty acres of land, at the time he proposes to settle, shall be entitled to a permit from the register.

Proviso.

Five years' residence.

*Second.* That said settler shall reside in the Territory of Florida, south of said township line, for five consecutive years, and to take his grant on any public land south of that township.

Erection of a house, &c.

*Third.* That said settler shall erect thereon a house fit for the habitation of man, and shall clear, enclose, and cultivate at least five acres of said land, and reside thereon for the space of four years next follow-

(a) An act to amend an act entitled "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida," June 15, 1844, chap. 71.

ing the first year after the date of his permit, if he or she shall so long live.

*Fourth.* That such settler shall, within one year after the survey of said lands, and the opening of the proper office for the entry and sale of the same by the United States, prove, before such tribunal and in such manner and form as shall be prescribed by the Commissioner of the General Land Office, with the approval of the President, the fact that the settlement has been commenced, and the particular quarter section upon which it is located; and, also, that such settler shall, within six months after the expiration of five years from the date of his permit, prove, in like manner, the fact of continued residence and cultivation, as required in the second and third conditions herein above prescribed; whereupon, and not until then, a patent shall issue to said settler, for such quarter section.

Settlements, &c. how to be proved.

*SEC. 2. And be it further enacted,* That in the case of the settlement of the same quarter section by two or more settlers, the right to the location shall be determined by priority of settlement, to be ascertained under such rules as the Commissioner of the General Land Office, with the approval of the President, may prescribe; and the subsequent settler or settlers shall be permitted to locate the quantity he, she, or they may be entitled to elsewhere within the same township, upon vacant public lands.

In case of settlement by two or more, the right to be determined by priority.

*SEC. 3. And be it further enacted,* That no right or donation shall be acquired under this act within two miles of any permanent military post of the United States, established and garrisoned at the time such settlement and residence was commenced.

Settlements not to be made within 2 miles of a permanent military post.

*SEC. 4. And be it further enacted,* That all sales, gifts, devises, agreements, bonds, or powers to sell, transfers, or liens, whatsoever, private or judicial, of the lands, or any portion thereof, acquired by this act, made at any time before patents shall have issued for the same, shall be utterly void and without effect, to every intent and purpose, whether in law or equity; and the purchaser or obligee, under any such sale, agreement, bond, or power to sell, transfer, or lien, shall not be entitled to recover back the price or consideration paid therefor, but shall forfeit the same absolutely to such settler or his heirs.

Sales, &c. of land acquired by this act, before the patents have issued, void.

*SEC. 5. And be it further enacted,* That upon the death of any settler before the end of the five years, or before the issuing of the patent, all his rights under this act shall descend to his widow and heirs at law, if he leaves a widow, and to his heirs at law, if he leaves none, to be held and divided by them according to the laws of Florida, any previous sale or transfer of the same or of any interest, legal or equitable, in the same, to the contrary notwithstanding. And proof of his compliance with the conditions of this act, up to the time of his death, shall be sufficient to entitle them to the patent.

On the death of a settler, his rights descend to his widow, &c.

*SEC. 6. And be it further enacted,* That where any settlement, by the erection of a dwelling, or the cultivation of any portion thereof, shall be made upon the sixteenth section, before the same shall be surveyed, then and in that case other lands shall be selected by the school commissioners of the township, in lieu of said section sixteen, or such part thereof as may be claimed under this act.

In case of settlement before survey on a 16th section, other school lands to be selected.

*SEC. 7. And be it further enacted,* That not exceeding two hundred thousand acres of land shall be taken for settlement under this act.

Land for settlement limited.

*SEC. 8. And be it further enacted,* That the President of the United States may, at any time, by proclamation, suspend all further permits and settlements under this act, by giving three months' notice thereof.

President may suspend the settlement.

*SEC. 9. And be it further enacted,* That the Commissioner of the General Land Office shall, on or before the first day of February, eighteen hundred and forty-four, report to Congress the names of every individual who shall have made the actual settlement required by the

Names of settlers, &c. to be reported to Congress.

first section of this act, specifying the heads of families, and the single men, and the location of each quarter section occupied by each of said settlers.

APPROVED, August 4, 1842.

STATUTE II.

Aug. 4, 1842.

CHAP. CXXIII.—*An Act to regulate appeals and writs of error from the district court of the United States for the northern district of Alabama.*(a)

Appeals to lie to U. S. Supreme Court in certain cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all appeals and writs of error from the district court of the United States for the northern district of Alabama, at Huntsville, shall lie directly to the Supreme Court of the United States, when the amount in controversy exceeds the sum of two thousand dollars, exclusive of costs; and that so much of the act to abolish the circuit court at Huntsville, in the State of Alabama, and for other purposes, as requires all appeals and writs of error to lie from said district court to the circuit court at Mobile, without regard to the amount in controversy, be repealed.

APPROVED, August 4, 1842.

STATUTE II.

Aug. 9, 1842.

CHAP. CXXVI.—*An Act to annex a part of the town of Tiverton in the State of Rhode Island, to the collection district of Fall River in the State of Massachusetts.*

The part of Tiverton annexed, described.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that part of the town of Tiverton, in the State of Rhode Island, which lies north of the south line of the farm of William Slade, and of the farm of the heirs of Boylston Brayton, to Wattupper Pond, and by said pond to the south line of the State of Massachusetts, and the waters and shores adjoining thereto, be, and the same is hereby, annexed to, and made a part of the collection district of Fall river in the State of Massachusetts.

APPROVED, August 9, 1842.

STATUTE II.

Aug. 11, 1842.

1852, ch. 110,  
§ 14.

Appropriation to indemnify Georgia for expenses in calling out her militia to suppress Indian hostilities.

CHAP. CXXVII.—*An Act to provide for the settlement of the claims of the State of Georgia for the services of her militia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of one hundred and seventy-five thousand dollars be, and the same is hereby, appropriated to the payment and indemnity of the State of Georgia, for any money actually paid by said State on account of necessary and proper expenses incurred by said State in calling out her militia, in the years eighteen hundred and thirty-five, eighteen hundred and thirty-six, eighteen hundred and thirty-seven, and eighteen hundred and thirty-eight, during the Seminole, Cherokee, and Creek campaigns, or for the suppression of Indian hostilities in Florida and Alabama, or so much of said sum as may be necessary for the purposes aforesaid, after deducting any sum or sums of money that may have heretofore been advanced by the United States to the State of Georgia, to be applied to the objects aforesaid, and which may not have been previously, so applied.

What would have been due, &c. to be first ascertained.

SEC. 2. *And be it further enacted,* That the Paymaster General of the United States army and the accounting officers of the Treasury shall first ascertain and certify what would have been due from the United States to the volunteers and militia called into the service of the said

(a) Notes of the acts relating to the District Court of Alabama, vol. 3, 564.

An act respecting the jurisdiction of certain District Courts, Feb. 19, 1831, chap. 28.

An act to abolish the Circuit Court at Huntsville, in the State of Alabama, and for other purposes Feb. 22, 1833, ch. 12.

State of Georgia, or by her proper authorities, during the time and for the purposes mentioned in the preceding section, if said volunteers and militia had been duly called into the service of the United States, and regularly received and mustered by officers of the United States army, according to the laws and regulations which have governed in the payment of the volunteers and militia of other States: *Provided*, That the accounts of the agent or other officer of the State of Georgia, employed or authorized to make payments for the aforesaid services, or any of them, be submitted to the Paymaster General and the accounting officers, for their inspection: *And provided, also*, That no reimbursement shall be made on account of the payment of any volunteers or militia who refused to be received and mustered into the service of the United States, or to serve under officers of the United States army, if any may have been ordered to that service by the President of the United States or other proper authority.

Proviso.

Proviso.

APPROVED, August 11, 1842.

STATUTE II.

CHAP. CXXVIII. — *An Act to settle the title to certain tracts of land in the State of Arkansas.*

Aug. 11, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That each and every owner of a Spanish or French land claim, in the State of Arkansas, which was submitted for adjudication to the superior court of the late Territory of Arkansas, and by that court confirmed, being subsequent purchasers for a valuable consideration, is hereby authorized, within twelve months from the passage of this act, to enter, respectively, the land covered by the said claim, at the minimum price, under such regulations as the Commissioner of the General Land Office shall prescribe: *Provided*, That no such entry shall be made, except of lands mentioned and described in the original claim, or of such tracts as have been located in pursuance of the act of the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims," or any act reviving the same; nor unless the owner of the claim shall make and subscribe an oath, before the register or receiver of the land office of the district in which the lands lie, which oath such register or receiver is hereby authorized to administer, that at the time he became the owner of the claim he had no notice or knowledge that the claim was fraudulent, or that the same rested upon any forged warrant, grant, order of survey, or other evidence of title. And, for every entry made under the provisions of this act, a patent shall issue, as though no Spanish or French claim had ever been entered upon said land.

Owners of certain Spanish and French land claims authorized to enter the same.

Proviso.

1824, ch. 173,

Patents to issue.

APPROVED, August 11, 1842.

STATUTE II.

CHAP. CXXIX. — *An Act regulating the services of the several judges in the Territory of Iowa. (a)*

Aug. 11, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That until otherwise ordered by law of the Legislative Assembly of the Territory of Iowa, the judges for said Territory lately appointed shall be, and they are hereby, assigned to the same districts to which the same judges respectively, were heretofore assigned by the laws of the said Legislative assembly of the Territory of Iowa.

Assignment of the judges to districts.

APPROVED, August 11, 1842.

(a) Notes of the acts relating to Iowa; act of June 12, 1838, chap. 96.

## STATUTE II.

Aug. 11, 1842.

CHAP. CXXX. — *An Act in relation to the district court for the northern district of New York. (b)*

Clerk of the court may appoint a deputy; his powers.

Deputy to take an oath.

Clerk responsible for acts of his deputy.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for the clerk of the district court for the northern district of New York, to appoint a deputy, who, in his absence, may exercise all the official powers of the said clerk, at the village of Auburn, in the county of Cayuga, in the said district. And such deputy, before he enters on the discharge of his duties, shall take the usual oath for the faithful performance of his duties as such deputy. And nothing herein contained shall be held to excuse or release the said clerk from legal responsibility for acts performed by his said deputy, in behalf of said clerk in the office aforesaid.

APPROVED, August 11, 1842.

## STATUTE II.

Aug. 16, 1842.

Act of Aug. 3, 1842, ch. 120.

Construction of the 1st section of the act.

The act to take effect from and after 3d August 1842.

1842, ch. 120.

CHAP. CLXXVII.—*An Act explanatory of an act entitled "An act to constitute the ports of Stonington, Mystic river, and Pawcatuck river, a collection district."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the act entitled "An act to constitute the ports of Stonington, Mystic river, and Pawcatuck river, a collection district," shall be construed in the same manner it would have been had the words "from and after the thirtieth day of June next" been wholly omitted in said section.

SEC. 2. *And be it further enacted,* That the aforesaid act, entitled "An act to constitute the ports of Stonington, Mystic river, and Pawcatuck river, a collection district," approved August third, eighteen hundred and forty-two, shall take effect in all its provisions, and be in force as hereby explained, from and after the said third day of August, eighteen hundred and forty-two.

APPROVED, August 16, 1842.

## STATUTE II.

Aug. 16, 1842.

CHAP. CLXXVIII.—*An Act authorizing the settlement and payment of certain claims of the State of Alabama.*

Secretary of War to audit and adjust the claims of Alabama, how.

Sum found due to be paid.

Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and hereby is, directed to audit and adjust the claims of the State of Alabama, under such laws and regulations as have heretofore governed the Department in auditing and allowing the claims of the States on the United States, for moneys advanced and paid by said State for subsistence, supplies, and services of local troops called into service by and under the authorities of said State, but not mustered into the service of the United States, and for provisions and forage furnished the friendly Indians during the Creek and Seminole hostilities, in the years eighteen hundred and thirty-six and eighteen hundred and thirty-seven, in all cases in which the payment was for subsistence, supplies, service, provisions, and forage, which would have been paid for under existing laws and regulations, if such troops had been mustered into the service of the United States, and the provisions and forage had been furnished by an agent of the United States; and that the sum so found due to said State be paid out of any money in the Treasury not otherwise appropriated: *Provided,* That, in auditing and adjusting said claims, duly authenticated copies of papers which have been lost or destroyed, upon due proof of such loss or destruction, shall be received as evidence.

SEC. 2. *And be it further enacted,* That the Secretary of War be,

(b) Notes to the acts relating to the times of holding the District Court in the northern district of New York, vol. 3, 414.

and he hereby is, required to report to the House of Representatives a schedule of such claims as may be presented for adjustment under this act, and not allowed, with the reasons for such disallowance, at the next session of Congress.

APPROVED, August 16, 1842.

Report on claims presented, and not allowed, to be made to the House of Reps.

CHAP. CLXXIX.—*An Act to change the name of the port of entry on Lake Erie, known as Portland, to that of Sandusky.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the first day of October, in the year of our Lord one thousand eight hundred and forty-two, the port of Portland on Lake Erie, in the district of Sandusky, in the State of Ohio, shall be called the port of Sandusky.

APPROVED, August 16, 1842.

STATUTE II.  
Aug. 16, 1842.

After 1st October 1842, Portland to be called Sandusky.

CHAP. CLXXX.—*An Act to amend the act entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States.'"*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the fourth circuit shall be composed of the districts of Maryland, Delaware, and Virginia;

The fifth circuit shall be composed of the districts of Alabama and Louisiana;

The sixth circuit shall be composed of the districts of North Carolina, South Carolina, and Georgia.

The circuit courts in the district of Virginia shall be holden at Richmond on the first Monday in May and on the fourth Monday in November.

The circuit courts in the district of North Carolina shall be holden on the fourth Monday of May and second Monday in December.

This act shall not take effect until the first day of February next, before which time the justices of the Supreme Court of the United States, or a majority of them, shall allot the several districts among the Justices of the said Court.

SEC. 2. *And be it further enacted,* That when the time of holding any court, by this act has been changed, all processes, proceedings, and causes shall be returned and held to be continued to the said courts, at the times herein provided for their meeting, respectively.

APPROVED, August 16, 1842.

STATUTE II.  
Aug. 16, 1842.

Act of March 3, 1837, ch. 34.  
Act of March 3, 1839, ch. 81.  
Act of June 17, 1844, ch. 96.

What districts shall compose the 4th, 5th, and 6th circuits. Times of holding circuit courts in Virginia, and N. Carolina.

Act to take effect 1st February next.

Justices of the Supreme Court to allot the districts.

Process, &c. when returnable.

CHAP. CLXXXI.—*An Act requiring foreign regulations of commerce to be laid annually before Congress.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be the duty of the Secretary of State to lay before Congress, annually, at the commencement of its session, in a compendious form, all such changes and modifications in the commercial systems of other nations, whether by treaties, duties on imports and exports, or other regulations, as shall have come to the knowledge of the Department.

APPROVED, August 16, 1842.

STATUTE II.  
Aug. 16, 1842.

Changes in the commercial systems of other nations to be communicated.

CHAP. CLXXXII.—*An Act to grant pre-emption rights to settlers on the "Dubuque claim" so called, in the Territory of Iowa. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the lands lying in the

STATUTE II.  
Aug. 16, 1842.

(a) Notes of acts relating to the territory of Iowa; act of June 12, 1833, chap. 96.

Certain lands reserved for the Dubuque claim, declared to be public lands.

Settlers, &c. may enter said lands.

1834, ch. 54.  
1838, ch. 119.  
1840, ch. 32.  
1841, ch. 16.

Preference to settlers under the earliest law. Proviso.

Proviso.

county of Dubuque, in the Territory of Iowa, heretofore reserved for the Dubuque claim, so called, which have not been sold by the United States; by virtue of the acts of the fourth day of July, one thousand eight hundred and thirty-six, and the third day of March, one thousand eight hundred and thirty-seven, be, and the same are hereby, declared to be public lands, and that settlers on said land, who but for said reservation would have been enabled to enter the same under the pre-emption laws of nineteenth June, one thousand eight hundred and thirty-four, twenty-second June, one thousand eight hundred and thirty-eight, first June, one thousand eight hundred and forty, or fourth September, one thousand eight hundred and forty-one, be, and they are hereby, authorized to enter the same at one dollar and twenty-five cents per acre, at any time within one year after the date of this act, upon complying with the provisions of either of said acts under which such person may claim; the settlers under the earlier law being entitled to the preference over those under a subsequent one: *Provided*, That this section is not to be regarded as extending the right of pre-emption to lands reserved for lead mines, salt springs, school sections, or town lots: *And provided further*, That should the said claim of Dubuque hereafter prove valid, compensation to the claimants shall be made by the United States in other public lands equal in quantity, subject to private entry.

APPROVED, August 16, 1842.

#### STATUTE II.

Aug. 23, 1842.

CHAP. CLXXXIII.—*An Act making appropriations for the support of the army, and of the military academy, for the year one thousand eight hundred and forty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same hereby are, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and forty-two.

- Pay. No. 1. For the pay of the army, one million four hundred and seventy-seven thousand seven hundred dollars.
- Subsistence of officers. No. 2. For commutation of officers' subsistence, five hundred and twenty-seven thousand two hundred and sixty-four dollars.
- Forage of officers' horses. No. 3. For commutation of forage of officers' horses, one hundred and sixteen thousand nine hundred and seventy-one dollars.
- Clothing of officers' servants. No. 4. For commutation of clothing of officers' servants, thirty thousand two hundred and forty dollars.
- Clothing not drawn by troops. For commutation of clothing not drawn in kind by the troops, fifty thousand two hundred and forty dollars.
- Recruiting. No. 5. For expenses of recruiting, fifteen thousand seven hundred and nine dollars and thirty-six cents.
- Clothing, &c. No. 6. For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, three hundred and seventy-four thousand eight hundred and seventy-six dollars and eighty cents.
- Subsistence. No. 7. For subsistence in kind, exclusive of that of officers, seven hundred and sixty-nine thousand six hundred and sixty-eight dollars.
- Supplies by Quartermaster's department. No. 8. For the regular supplies furnished by the Quartermaster's department, consisting of fuel, forage, straw, stationery, and printing, three hundred and sixteen thousand dollars.
- Barracks, &c. No. 9. For barracks, quarters, and storehouses, embracing the repairs and enlargement of barracks, quarters, storehouses, and hospitals; the erection of temporary cantonments and of gun-houses for the protection of cannon; the purchase of tools and materials and of furniture for the barrack rooms; rent of quarters for officers, of barracks for troops, where there are no public buildings for their accommodation, of storehouses for the safe-keeping of subsistence, clothing, and other military

supplies, and of grounds for summer cantonments and encampments for military practice, one hundred and thirty-five thousand dollars.

No. 10. For the incidental expenses of the Quartermaster's department, consisting of postage on public letters and packets, expenses of courts martial and courts of inquiry, including the additional compensation to judge advocates, members, and witnesses; extra pay to soldiers under the act of March second, eighteen hundred and nineteen; expenses of expresses and of the interment of non-commissioned officers and soldiers; hire of laborers, compensation of clerks in the offices of the quartermasters and assistant quartermasters, at posts where their duties cannot be performed without such aid, and of temporary agents in charge of dismantled works; and to such wagon and forage masters as it may be necessary to employ under the act of the fifth of July, eighteen hundred and thirty-eight; expenditures necessary to keep the regiments of dragoons and the four companies of light artillery complete, including the purchase of horses to supply the place of those which may be lost and become unfit for the service, and the erection of stables, one hundred and twenty-seven thousand dollars.

Quartermaster's depart'm't

1838, ch. 162.

No. 11. For transportation of officers' baggage, when travelling on duty without troops, sixty-five thousand dollars.

Transportation of officers' baggage.

No. 12. For transportation of troops and supplies, viz: transportation of the army and baggage, freight and ferriages, purchase or hire of horses, mules, oxen, carts, wagons, and boats, for purposes of transportation or garrison use; drayage and cartage; hire of teamsters; transportation of funds for the pay department; expense of transport vessels, and of procuring water at such posts as from their situation require it; transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase and delivery, under contracts, to such points as the circumstances of the service may require; of ordnance, ordnance stores, and small arms, from the foundries and armories, to the arsenals, fortifications, and frontier posts, two hundred and forty-two thousand dollars.

Transportation of troops and supplies.

No. 13. For the contingencies of the army, nine thousand dollars.

Contingencies.

No. 14. For the medical and hospital department, twenty-eight thousand dollars.

Medical and hospital department.

For extending and rendering more complete the meteorological observations conducted at the military posts of the United States, under the direction of the Surgeon General, three thousand dollars.

Meteorological observations.

No. 15. For the current expenses of the ordnance service, one hundred thousand dollars.

Ordnance service.

No. 16. For the armament of fortifications, including compensation of a special agent to attend at the foundries employed in making cannon, one hundred and fifty thousand dollars.

Fortifications. Agent at foundries.

No. 17. For ordnance and ordnance stores and supplies, one hundred thousand dollars.

Ordnance and stores.

No. 18. For the manufacture of arms at the national armories, three hundred and sixty thousand dollars; of which sum, ten thousand dollars may, at the discretion of the Secretary of War, be applied to the purchase of arms.

Manufacture and purchase of arms.

No. 19. For repairs and improvements and new machinery at Springfield armory, twenty thousand dollars.

Springfield armory.

No. 20. For repairs and improvements and new machinery at Harper's Ferry armory, thirty thousand dollars.

Harper's Ferry armory.

No. 21. For arsenals, one hundred and twenty thousand dollars.

Arsenals.

No. 22. For purchase of saltpetre and brimstone, forty thousand dollars.

Saltpetre and brimstone.

For expense of preparing drawings of a uniform system of artillery, one thousand three hundred and fifty dollars.

Drawings.

No. 23. For preventing and suppressing hostilities in Florida, to be



Preventing and suppressing hostilities in Florida.

expended under the direction of the Secretary of War, viz: for forage for the horses of the mounted volunteers and militia, and for the horses, mules, and oxen, in the service of the trains; for freight or transportation of military supplies of every description, from the places of purchase to Florida; for the purchase of wagons, harness, boats, and lighters, and other vessels; of horses, mules, and oxen, to keep up the trains; tools, leather, and other materials for repairs; transportation within Florida, including the hire of steamboats and other vessels, for service in the rivers and on the coast, and the expenses of maintaining the several steamboats and transport schooners connected with the operations of the army; hire of mechanics, laborers, mule drivers, teamsters, and other assistants, including their subsistence; and for miscellaneous and contingent charges, including arrearages, five hundred thousand dollars: *Provided*, That no more than one hundred and forty-six thousand two hundred and ninety-six dollars and seventy-three cents shall be applied to the payment of arrearages; and no such arrearages shall be paid, unless they are for services rendered or supplies furnished in pursuance of law.

Proviso.

Military surveys.

For military surveys for the defence of the frontier, inland and Atlantic, fifteen thousand dollars.

Arrearages and preservation of public property.

For arrearages and for the preservation of the public property at the several places of harbor and river improvement, fifteen thousand dollars.

Relative to extra allowances.

SEC. 2. *And be it further enacted*, That no officer in any branch of the public service, or any other person whose salary, pay, or emoluments, is or are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or for any other service or duty whatsoever, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth that it is for such additional pay, extra allowance, or compensation.

Appropriations for the military academy.

SEC. 3. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the military academy for the year one thousand eight hundred and forty-two, viz:

Subsistence.

No. 1. For pay of officers, instructors, cadets, and musicians, sixty thousand five hundred and twenty-four dollars.

Forage of officers' horses.

No. 2. For commutation of subsistence of officers and cadets, forty thousand and seventy-seven dollars.

Clothing of officers' servants.

No. 3. For commutation of forage of officers' horses, five thousand one hundred and eighty-four dollars.

Board of Visitors.

No. 4. For commutation of clothing of officers' servants, four hundred and twenty dollars.

Current and ordinary expenses.

No. 5. For defraying expenses of the board of visitors, and for the other various current and ordinary expenses of the academy, other than pay and subsistence, twenty-six thousand four hundred and thirty-six dollars.

Library.

No. 6. For increase and expense of library, one thousand dollars.

Improvements on western rivers; repairs of public works.

For building and repairing the necessary boats, and for carrying on the improvements on the Missouri, Mississippi, Ohio, and Arkansas rivers, one hundred thousand dollars, under the direction of the Secretary of War; and, for the preservation and repairs of public works heretofore constructed for the improvement of harbors, thirty thousand dollars.

APPROVED, August 23, 1842.

CHAP. LXXXIV.—*An Act to establish an auxiliary watch for the protection of public and private property in the city of Washington.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be established an auxiliary guard or watch for the protection of public and private property against incendiaries, and for the enforcement of the police regulations of the city of Washington, consisting of a captain, to be appointed by the Mayor of the said city, at an annual salary of one thousand dollars; and fifteen other persons, to be employed by the captain, five of whom shall receive a compensation of thirty-five dollars per month, and the remaining ten, a compensation of thirty dollars per month.

SEC. 2. *And be it further enacted,* That the said auxiliary guard shall occupy, as a rendezvous, such building or part of a building belonging to the United States, or furnished by the corporation of Washington, as shall be directed by the President of the United States, and shall be subject to such rules and regulations as may be prescribed by a board to consist of the mayor of the city of Washington, the attorney of the United States for the District of Columbia, and the attorney of the corporation of the said city of Washington, with the approbation of the President of the United States.

SEC. 3. *And be it further enacted,* That, for the compensation of said auxiliary guard, and for the purchase of the necessary and proper implements to distinguish them in the discharge of their duties, the sum of seven thousand dollars is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 23, 1842.

STATUTE II.

Aug. 23, 1842.

Guard to be established.

To consist of a captain and fifteen others—their pay.

Place of rendezvous.

Rules to be prescribed, how.

Appropriation.

STATUTE II.

Aug. 23, 1842.

CHAP. CLXXXV. — *An Act to amend an act, entitled "An act to provide for the payment of horses, or other property, lost or destroyed in the military service of the United States," approved the eighteenth day of January, eighteen hundred and thirty-seven.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the above recited act be so amended, as to embrace the claims of any field, or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalry, who has or shall sustain damage, without any fault or negligence on his part, while in the military service of the United States, by the loss of a horse, destroyed or abandoned by order of the commanding general or other commanding officer, or by the loss of a horse by his being shot, or otherwise lost or destroyed by unavoidable accident, without any fault or negligence of the owner, and when he was in the line of his duty, and for the loss of necessary equipage, in consequence of the loss of his horse, as aforesaid, shall be allowed and paid the value thereof at the time of entering the service.

SEC. 2. *And be it further enacted,* That in auditing and settling the claims provided for in this, and in the act which this is intended to amend, an appeal may be taken and prosecuted from the decision of the Auditor rejecting the claim, to the Second Comptroller of the Treasury, under the direction of the Secretary, whose decision shall be conclusive.

SEC. 3. *And be it further enacted,* That it shall and may be lawful to make compensation for horses, bridles, saddles, and equipments, turned over to the service of the United States, under the act approved October fourteenth, eighteen hundred and thirty-seven, whenever it shall be made to appear that the person to whom they were ordered to be delivered was acting as an officer, although there may be no returns in the De-

Act of 18th Jan. 1837, ch. 5, so amended as to embrace certain claims for the loss of horses, &c.

An appeal may be taken, when.

Payment for horses, &c. under act of 14th October 1837, ch. 5.

Evidence re-  
ceivable.

partment to show his regular appointment as such officer. And the certificates of proper officers, whether given during or since the expiration of their term of service, shall be receivable by the Auditor in the settlement of such claims.

APPROVED, August 23, 1842.

STATUTE II.

Aug. 23, 1842.

Act of March  
30, 1814, ch.  
37, vol. 3, 113.

Dragoons to  
be reduced.

Repealed by  
act of April 4,  
1844, ch. 11.

2d regm't dra-  
goons converted  
into riflemen.

Artillery to be  
reduced.

Infantry to be  
reduced.

No enlistments  
to be made till  
after the reduc-  
tion.

Proviso.

Offices of su-  
perintendents of  
armories at  
Springfield and  
Harper's Ferry  
abolished.

Relative to  
master armor-  
ers, inspectors,  
clerks, &c.

1821, ch. 13.

CHAP. CLXXXVI. — *An Act respecting the organization of the army, and for other purposes.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter, and so soon as the reduction can be effected as herein provided, each company of dragoons shall consist of the commissioned officers as now provided by law, and of four sergeants, four corporals, two buglers, one farrier and blacksmith, and fifty privates; and the second regiment of dragoons now in service shall be converted, after the fourth day of March next, into a regiment of riflemen; and each company of artillery shall consist of the commissioned officers as now provided by law, and of four sergeants, four corporals, two artificers, two musicians, and forty-two privates; and each company of infantry shall consist of the same number of commissioned officers as now provided, and of four sergeants, four corporals, two musicians, and forty-two privates; and that no recruits shall be enlisted for the dragoons, artillery, or infantry, until the numbers in the several companies shall be reduced by the expiration of the term of service, by discharge, or other causes, below the number herein fixed for the said companies respectively: *Provided,* That nothing in this section shall be construed to prevent the re-enlistment of non-commissioned officers whose terms of service may expire before the army shall be reduced to the number heretofore established.

*SEC. 2. And be it further enacted,* That the offices of the superintendents of the armories at Springfield and at Harper's Ferry shall be, and the same are hereby abolished, and the duties thereof shall be performed by such officers of the ordnance corps as shall be designated by the President; and that from and after the first day of October next, the master armorers, at the national armories, shall receive, each, twelve hundred dollars, annually, payable quarter yearly; and the inspectors and clerks, each, eight hundred dollars per annum; and the paymasters and military storekeepers, at the armories, and at the arsenals of construction at Pittsburg, Watervliet, and Washington city, shall receive, each, twelve hundred and fifty dollars annually, payable in like manner, and the said paymasters and military storekeepers, shall give security for the faithful discharge of their duties, in such sum as the Secretary of War shall prescribe. And the two military storekeepers, authorized by the act of second of March, one thousand eight hundred and twenty-one, shall receive, each, twelve hundred and fifty dollars per annum. And no military storekeeper, at arsenals, shall, after the first day of October next, receive, as pay, or emoluments, beyond eight hundred dollars per annum, besides quarters actually provided and occupied as such, and the number authorized to be thus employed is hereby limited to ten; and all other offices of military storekeepers are hereby abolished, and discontinued, on and after said first day of October, and the officers hereby dismissed, shall be allowed three months' pay in addition to the pay and emoluments to which they may be entitled on that day. And none of the above-named officers, and no officers at the armories, of any grade whatever, shall hereafter receive emoluments of any kind, or any compensation or commutation beyond their stipulated

(a) Notes of the acts relating to the army of the United States, from 1789 to 1804, vol. 2, 249.

Notes of the acts establishing rules, &c. for the government of the army of the United States, vol. 2

pay, in money, except quarters actually provided for and occupied by such officers.

SEC. 3. *And be it further enacted,* That the office of Commissary General of Purchases, sometimes called Commissary of Purchases, shall be, and the same is hereby abolished, and the duties thereof shall hereafter be performed by the officers of the Quartermaster's department, with such of the officers and clerks now attached to the Purchasing department as shall be authorized by the Secretary of War, and under such regulations as shall be prescribed by the said Secretary, under the sanction of the President of the United States.

Office of Com. Gen. of Purchases abolished.  
Duties to be performed by whom, &c.

SEC. 4. *And be it further enacted,* That, within one month after the passage of this act, the offices of one inspector general, of three paymasters, two surgeons, and ten assistant surgeons of the army shall be abolished, and that number of paymasters, surgeons and assistant surgeons, shall be discharged by the President, and they shall be allowed three months' pay, in addition to the pay and emoluments to which they may be entitled at the time of their discharge.

Offices of Inspector General, 3 paymasters, &c. abolished.  
1846, ch. 3.

SEC. 5. *And be it further enacted,* That a competent person may be employed by the Ordnance bureau, under the direction of the Secretary of War, for such time as may be necessary, to superintend the manufacture of iron cannon at the several foundries where such cannon may be made under contracts with the United States, whose pay and emoluments shall not exceed those of a major of ordnance during the time he shall be so employed, to be paid out of the appropriations for armament of fortifications; and for the services rendered in such superintendence since the first day of March, eighteen hundred and forty-one, under the authority of the War Department, the same compensation shall be allowed as herein provided.

Employment of a person to superintend the manufacture of iron cannon authorized.

SEC. 6. *And be it further enacted,* That the rations authorized to be allowed to a brigadier while commander-in-chief, and to each officer while commanding a separate post, by the act of March third, seventeen hundred and ninety-seven, and to the commanding officers of each separate post, by the act of March sixteen, eighteen hundred and two, shall hereafter be allowed to the following officers and no others: to the major general commanding the army, and to every officer commanding in chief a separate army, actually in the field; to the generals commanding the eastern and western geographical divisions; to the colonels or other officers commanding military geographical departments; to the commandant of each permanent or fixed post, garrisoned with troops, including the superintendent of the military academy at West Point, who is regarded as the commandant of that post.

Rations allowed to certain officers by acts of the 3d March 1797, ch. 16, and 16th March 1802, ch. 9, hereafter to be allowed to the following officers only, &c.  
1847, ch. 61, § 20.

APPROVED, August 23, 1842.

STATUTE II.

CHAP. CLXXXVII.—*An Act to provide for the satisfaction of claims arising under the fourteenth and nineteenth articles of the treaty of Dancing Rabbit creek, concluded in September, one thousand eight hundred and thirty.*

Aug. 23, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act approved on the third of March, eighteen hundred and thirty-seven, entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty, with the Choctaw Indians: and also, the act approved on the twenty-second day of February, eighteen hundred and thirty-eight, entitled "An act to amend an act entitled 'An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty, with the Choctaw Indians,' so far as the same are not repealed or modified by the provisions of this act," be, and the same are hereby,

Acts of 3d March 1837, ch. 39, and 22d Feb. 1838, ch. 13, so far as not repealed or modified by this act, revived.  
1845, ch. 72.  
Vol. ix. p. 114.

Powers, &c.  
of commission-  
ers extended.

Proviso.

Commission-  
ers may issue  
subpœnas, &c.

Marshals, &c.  
may execute  
process, &c.—  
their fees.

1838, ch. 13.

Proviso.

1837, ch. 39.

Conditions, up-  
on proof of the  
performance of  
which, any  
Choctaw shall  
be entitled to a  
patent.

revived and continued in force until the powers conferred by this act shall be fully executed, subject, nevertheless, to repeal or modification by any act of Congress. And all the powers and duties of the commissioners are hereby extended to claims arising under the nineteenth article of the said treaty, and under the supplement to the said treaty, to be examined in the same manner and with the same effect as in cases arising under the fourteenth article of the said treaty: *Provided*, That the salary of said Commissioners shall not exceed the rate of two thousand five hundred dollars per annum.

SEC. 2. *And be it further enacted*, That subpœnas for the attendance of witnesses before the said commissioners, and process to compel such attendance may be issued by the said commissioners, or any two of them, under their seals in the same manner and with the same effect as if issued by courts of record, and may be executed by the marshal of any district, or by any sheriff, deputy sheriff or other peace officer designated by the said commissioners, who shall receive for such services the same fees as are allowed in the district court of the United States for the district in which the same shall be rendered for similar services, to be paid, on the certificate of the commissioners, out of the contingent fund appropriated by the fourth section of the act secondly above recited, which was approved on the twenty-second day of February, one thousand eight hundred and thirty-eight, and which is revived by this act: *Provided*, That nothing herein contained shall be construed to revive such portion of the act approved the third day of March, one thousand eight hundred and thirty-seven, referred to in the first section of this act, as provides for the employment and pay of the district attorney of either of the districts of the State of Mississippi.

SEC. 3. *And be it further enacted*, That when the said commissioners shall have ascertained that any Choctaw has complied or offered to comply with all the requisites of the fourteenth article of the said treaty, to entitle him to any reservation under that article, which requisites are as follows, to wit: that said Choctaw Indian did signify his or her intention to the agent, in person, or by some person duly authorized and especially directed, by said Indian, to signify the intention of said Indian to become a citizen of the State, within six months from the date of the ratification of the said treaty, and had his or her name, within the time of six months aforesaid, enrolled on the register of the Indian agent aforesaid, for that purpose; or shall prove, to the entire satisfaction of the said commissioners and to the Secretary of War, that he or she did signify his or her intention, within the term of six months from the date of the ratification of the treaty aforesaid, if his or her name was not enrolled in the register of the agent aforesaid, but was omitted by said agent; and, secondly, that said Indian did, at the date of making said treaty, to wit, on the twenty-seventh day of September, eighteen hundred and thirty-one, have and own an improvement in the then Choctaw country; and that, having and owning an improvement, at the place and time aforesaid, did reside upon that identical improvement, or a part of it, for the term of five years continuously, next after the ratification of said treaty, to wit, from the twenty-fourth of February, eighteen hundred and thirty-one, to the twenty-fourth of February, eighteen hundred and thirty-six, unless it shall be made to appear that such improvement was, before the twenty-fourth day of February, eighteen hundred and thirty-six, disposed of by the United States, and that the reservee was dispossessed by means of such disposition; and, thirdly, that it shall be made to appear, to the entire satisfaction of said commissioners, and to the Secretary of War, that said Indian did not receive any other grant of land under the provisions of any other article of said treaty; and, fourthly, that it shall be made to appear, in like manner, that said Indian did not remove to the Choctaw country west of the Mississippi

river, but he or she had continued to reside within the limits of the country ceded by the Choctaw Indians to the United States, by said treaty of twenty-seventh September, in the year eighteen hundred and thirty, it shall be the duty of said commissioners, if all and each of the above requisites shall be made clearly to appear to their satisfaction, and the Secretary of War shall concur therein, to proceed to ascertain the quantity of land to which said Indian, by virtue of the fourteenth article of said treaty, is entitled to, which, when ascertained, shall be located for said Indian, according to sectional lines, so as to embrace the improvement, or a part of it, owned by said Indian at the date of said treaty; and it shall be the duty of the President of the United States to issue a patent to said Indian for said land, if he or she be living, and if not, to his or her heirs and legal representatives; and in like manner shall the commissioners aforesaid ascertain the quantity of land granted by said article to each child of said Indian, according to the limitations contained in said article, and locate said quantity, for said children, contiguous to and adjoining the improvement of the parent of such child or children; and the President shall issue a patent for each tract of land thus located, to said Indian child, if living, and if not, to the heirs and legal representatives of such Indian child. But if the United States shall have disposed of any tract of land, to which any Indian was entitled, under the provisions of said fourteenth article of said treaty, so that it is now impossible to give said Indian the quantity to which he was entitled, including his improvements, as aforesaid, or any part of it, or to his children, on the adjoining lands, the said commissioners shall thereupon estimate the quantity to which each Indian is entitled, and allow him or her, for the same, a quantity of land equal to that allowed, to be taken out of any of the public lands in the States of Mississippi, Louisiana, Alabama, and Arkansas, subject to entry at private sale; and certificates to that effect shall be delivered, under the direction of the Secretary of War, through such agent as he may select, not more than one half of which shall be delivered to said Indian until after his removal to the Choctaw territory west of the Mississippi river. The said commissioners shall also ascertain the Choctaws, if any, who relinquished or offered to relinquish any reservations to which he was entitled under the nineteenth article of the said treaty, or whose reservations under that article had been sold by the United States; and shall also determine the quantity to which such claimant was entitled; and the quantity of land which should be allowed him on extinguishment of such claim, at the rate of two fifths of an acre for every acre of the land to which said claimant was entitled, said land having been estimated under this article at fifty cents per acre: *Provided, nevertheless*, That no claim shall be considered or allowed by said commissioners, for or in the name or behalf of any Indian claimant whose name does not appear upon the lists or registers of claimants made by Major Armstrong, special agent for that purpose, in conjunction with the three chiefs of the three Choctaw districts, and returned to the Department of War in January, eighteen hundred and thirty-two, and who does not appear from those registers to be entitled to a reservation under said nineteenth article.

SEC. 4. *And be it further enacted*, That the said commissioners, within two years from the time of their entering upon the duties of their offices, and as often as shall be required by the President of the United States, shall report to him their proceedings in the premises, with a full and perfect list of names of all the Choctaws whom they shall have determined to be entitled to reservations under this act; the quantity of land to which each shall be so entitled, the number of claims which can be located according to the provisions of the fourth section of this act, and such as cannot be located according to the provisions of the fourth

Quantity due to each child of said Indian to be ascertained in like manner, &c.

If U. S. have disposed of land to which any Indian was entitled, &c., the commissioners shall allow other land.

Certificates for the land, how to be given.

Post, p. 777.

Commissioners shall ascertain the Choctaws who relinquished reservations under the 19th article, &c. and determine, &c.

Proviso.

Commissioners to report their proceedings, &c. to the President, when.

Powers, &c. of the commissioners, when to cease.

Commissioners to determine claims under the supplement to the treaty.

Upon approval by the Presid't, &c., certificates shall be delivered to claimant, if a Choctaw.

Proviso.

Proviso.

Accounts to be kept of the certificates, &c. and amount retained from distribution to the States.

Claims of white men with Indian families. Patents to be issued, how.

No claim to be allowed, if assigned previous to the expiration of the five years from its ratification.

Claims not presented within one year, for ever barred.

section of this act; and the powers and duties of the said commissioners shall cease at the expiration of two years from the time of the first organization of the board; and their proceedings may be terminated by the President at any time previous to the expiration of the said two years.

SEC. 5. *And be it further enacted*, That the commissioners to be appointed under this act shall also ascertain and determine the quantity of land to which any Choctaw or other person named in the supplement to the said treaty of Dancing Rabbit creek was entitled by virtue thereof, and which such person has by any means been prevented from receiving.

SEC. 6. *And be it further enacted*, That if the President of the United States shall approve and confirm the determination of the commissioners heretofore appointed to investigate the claims existing under the fourteenth article of the said treaty of Dancing Rabbit creek, in any case, he shall cause to be delivered to the claimant, if he be a Choctaw Indian, his legal representatives or heirs, certificates, as provided by the fourth section of this act, for the quantity of land to which such claimant shall appear, by such determination, to have been entitled, in full satisfaction and discharge of such claim: *Provided*, Such determination was made by adhering, in every instance, to the requisites contained in the fourth section of this act: *And provided, also*, That said claims, nor either of them, cannot now be located, according to the provisions of the fourth section of this act.

SEC. 7. *And be it further enacted*, That distinct accounts shall be kept of the certificates issued in satisfaction of the claims provided for by this act, and of all expenses attending the execution of the same; and the amount thereof shall be retained and withheld from any distribution to the States.

SEC. 8. *And be it further enacted*, That nothing in this act contained shall be so construed as to authorize the said commissioners to adjudicate any claim which may be presented by a white man who may have had, or now has, an Indian wife or family; and any patent to land, which shall issue on any Indian claim, under the provisions of the treaty aforesaid, shall be issued to the Indian to whom the claim was allowed, if living, and if dead, to his or her heirs and legal representatives, any act of Congress, or usage, or custom, to the contrary notwithstanding.

SEC. 9. *And be it further enacted*, That no claim shall be allowed, under the fourteenth article of said treaty, if the said commissioners shall be satisfied, by such proof as they may prescribe, that said claim had been, previous to the expiration of five years from the ratification of said treaty, assigned, either in whole or in part; and in case of a partial assignment, or agreement for an assignment thereof, the same shall be allowed so far only as the original Indian claimant was, at that date, the bona fide proprietor thereof.

SEC. 10. *And be it further enacted*, That all claims under either of the articles of said treaty mentioned above, or the supplemental articles thereof, which shall not be duly presented to said commissioners for allowance within one year after the final passage of this act, shall be thereafter for ever barred.

APPROVED, August 23, 1842.

## STATUTE II.

Aug. 23, 1842.

Act of Sept. 24, 1789, ch. 20.

Commissioners appointed by the circuit courts

CHAP. CLXXXVIII.—*An Act further supplementary to an act entitled, "An act to establish the judicial courts of the United States," passed the twenty-fourth of September, seventeen hundred and eighty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the commissioners who now are, or hereafter may be, appointed by the circuit courts of the

United States to take acknowledgments of bail and affidavits, and also to take depositions of witnesses in civil causes, shall and may exercise all the powers that any justice of the peace, or other magistrate, of any of the United States may now exercise in respect to offenders for any crime or offence against the United States, by arresting, imprisoning, or bailing the same, under and by virtue of the thirty-third section of the act of the twenty-fourth of September, Anno Domini seventeen hundred and eighty-nine, entitled, "An act to establish the judicial courts of the United States;" and who shall and may exercise all the powers that any judge or justice of the peace may exercise under and in virtue of the sixth section of the act passed the twentieth of July, Anno Domini seventeen hundred and ninety, entitled "An act for the government and regulation of seamen in the merchant service."

to take bail, &c. may exercise the powers of a justice of the peace in certain cases.

1789, ch. 20.

Act of July 20, 1790, ch. 29.

SEC. 2. *And be it further enacted*, That in all hearings before any justice or judge of the United States, or any commissioner appointed as aforesaid, under and in virtue of the said thirty-third section of the act entitled "An act to establish the judicial courts of the United States," it shall be lawful for such justice, judge, or commissioner, where the crime or offence is charged to have been committed on the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States, in his discretion to require a recognizance of any witness produced in behalf of the accused, with such surety or sureties as he may judge necessary, as well as in behalf of the United States, for their appearing and giving testimony, at the trial of the cause, whose testimony, in his opinion, is important for the purposes of justice at the trial of the cause, and is in danger of being otherwise lost; and such witnesses shall be entitled to receive from the United States the usual compensation allowed to Government witnesses for their detention and attendance, if they shall appear and be ready to give testimony at the trial.

Justice, &c. may require defendants' witnesses to give recognizance for their appearance to testify.

SEC. 3. *And be it further enacted*, That the district courts of the United States shall have concurrent jurisdiction with the circuit courts of all crimes and offences against the United States, the punishment of which is not capital. And in such of the districts where the business of the court may require it to be done for the purposes of justice, and to prevent undue expenses and delays in the trial of criminal causes, the said district courts shall hold monthly adjournments of the regular terms thereof for the trial and hearing of such causes.

District courts to have concurrent jurisdiction with the circuit courts of all offences not capital. Adjournments.

SEC. 4. *And be it further enacted*, That in lieu of the punishment now prescribed by the sixteenth section of the act of Congress, entitled, "An act for the punishment of certain crimes against the United States," passed on the thirtieth day of April, Anno Domini one thousand seven hundred and ninety, for the offences in the said section mentioned, the punishment of the offender, upon conviction thereof, shall be by fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or by both, according to the nature and aggravation of the offence.

Punishment prescribed by 16th section of act of April 30, 1790, ch. 9, changed.

SEC. 5. *And be it further enacted*, That the district courts as courts of admiralty, and the circuit courts as courts of equity, shall be deemed always open for the purpose of filing libels, bills, petitions, answers, pleas, and other pleadings, for issuing and returning mesne and final process and commissions, and for making and directing all interlocutory motions, orders, rules, and other proceedings whatever, preparatory to the hearing of all causes pending therein upon their merits. And it shall be competent for any judge of the court, upon reasonable notice to the parties, in the clerk's office or at chambers, and in vacation as well as in term, to make and direct, and award all such process, commissions and interlocutory orders, rules, and other proceedings, when-

District and circuit courts to be always open for the purpose of filing libels, bills, &c.

Any judge may direct and award such processes.



ever the same are not grantable of course according to the rules and practice of the court.

Supreme court to have power to prescribe the forms of bills, writs, &c.

SEC. 6. *And be it further enacted*, That the Supreme Court shall have full power and authority, from time to time, to prescribe, and regulate, and alter, the forms of writs and other process to be used and issued in the district and circuit courts of the United States, and the forms and modes of framing and filing libels, bills, answers, and other proceedings and pleadings, in suits at common law or in admiralty and in equity pending in the said courts, and also the forms and modes of taking and obtaining evidence, and of obtaining discovery, and generally the forms and modes of proceeding to obtain relief, and the forms and modes of drawing up, entering, and enrolling decrees, and the forms and modes of proceeding before trustees appointed by the court, and generally to regulate the whole practice of the said courts, so as to prevent delays, and to promote brevity and succinctness in all pleadings and proceedings therein, and to abolish all unnecessary costs and expenses in any suit therein.

Supreme court to have power to regulate the costs in the district or circuit courts.

SEC. 7. *And be it further enacted*, That, for the purpose of further diminishing the costs and expenses in suits and proceedings in the said courts, the Supreme Court shall have full power and authority, from time to time, to make and prescribe regulations to the said district and circuit courts, as to the taxation and payment of costs in all suits and proceedings therein; and to make and prescribe a table of the various items of costs which shall be taxable and allowed in all suits, to the parties, their attorneys, solicitors, and proctors, to the clerk of the court, to the marshal of the district, and his deputies, and other officers serving process, to witnesses, and to all other persons whose services are usually taxable in bills of costs. And the items so stated in the said table, and none others, shall be taxable or allowed in bills of costs; and they shall be fixed as low as they reasonably can be, with a due regard to the nature of the duties and services which shall be performed by the various officers and persons aforesaid, and shall in no case exceed the costs and expenses now authorized, where the same are provided for by existing laws.

Interest shall be allowed and levied by the marshal under execution upon all judgments, &c.

SEC. 8. *And be it further enacted*, That on all judgments in civil cases, hereafter recovered in the circuit or district courts of the United States, interest shall be allowed, and may be levied by the marshal, under process of execution issued thereon, in all cases where, by the law of the State in which such circuit or district court shall be held, interest may be levied under process of execution on judgments recovered in the courts of such State, to be calculated from the date of the judgment, and at such rate per annum, as is allowed by law, on judgments recovered in the courts of such State. (a)

APPROVED, August 23, 1842.

(a) The decisions of the courts of the United States on the subject of interest have been:

The decree on bottomry is to consider the sum loaned and the premium as a principal, and to allow common interest on that sum for the delay of payment after it is due. *The Ship Packet*, 3 Mason's C. C. R. 255.

An administrator is not liable to pay interest upon assets in his hands, unless under special circumstances. Neither is a partner, on partnership accounts before settlement, and a balance struck. *Dexter v. Arnold*, 3 Mason's C. C. R. 284.

Interest will not be allowed against a trustee holding a fund where he had made no interest, if there be no laches or neglect or use of the money on his part. *Cassels v. Vernon*, 5 Mason's C. C. R. 332.

Interest on money in the hands of the administrator, is not chargeable where the same is retained in his hands until a suit shall determine the right of the claimant thereto. *Wade v. The Administrators of Wade*, 1 Wash. C. C. R. 477.

The court allowed the customary interest paid at Canton, on a note executed there. *Cowqua v. Landerbrun*, 1 Wash. C. C. R. 521.

The correct general rule is to calculate interest up to the period when a payment is made, to satisfy which the payment should be first applied; and if it exceed the interest due, the balance is to be applied towards the payment of the principal; but if the payment is not sufficient to discharge the interest, the principal is not to be increased by adding to it the balance of interest due at the time, so as to produce interest on interest. *Smith v. The Administrators of Shaw*, 2 Wash. C. C. R. 167.

CHAP. CLXXXIX.—*An Act making an appropriation to supply a deficiency in the navy pension fund.* (a)

STATUTE II.  
Aug. 23, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of eighty-four*

Where the plaintiff has stated an account on a principle unfavorable to himself, as to the charge of interest, he ought to be bound by it. *Ibid.*

There is no difference as to the application of the general rule relative to calculating interest on debts legally carrying interest, and on those debts where interest is given in the name of damages. *Ibid.*

The rate of interest fixed by the law of Georgia, the contract having been made there, will be allowed in the courts on such contracts, although it may exceed the interest allowed by the law of the State in which the court sits. *Jaffray v. Dennis*, 2 Wash. C. C. R. 253.

The defendant settled his account at the treasury department in 1808, on which a balance was stated against him. In 1812 he claimed further credits, which were allowed to him, and which reduced the balance claimed in 1808. The court instructed the jury to allow interest on the actual balance from 1808. *United States v. Ormsby*, 3 Wash. C. C. R. 195.

Where there have been running accounts between parties, and one party has been in the habit of transmitting his accounts regularly to the other, striking a balance, and charging or giving credit for interest, as the balance might be, and no objections have been made to it, and where this mode of stating accounts is shown to be the custom of trade, such manner of charging interest is legal. *Barclay v. Kennedy et al.* 3 Wash. C. C. R. 350.

A usage to add interest to the annual account at the end of the year, and interest on the balance, does not apply in a case in which the commercial intercourse between the countries in which the parties respectively reside, had ceased when the account was transmitted; nor will it authorize the creditor to make other rests in the account. *Denniston et al. v. Imbrie*, 3 Wash. C. C. R. 396.

Where an alien enemy has an agent in the United States, and this is known to the debtor, interest ought not to abate during a war. *Ibid.*

A promise was made by the defendant, the drawer of a protested bill of exchange, that if the plaintiff would give time, he would pay the bill when he should be able. In an action on the new promise, the plaintiff is entitled only to the sum stated in the bill, and to interest from the time when defendant was able; and not to any damages. If the jury give more, the court will set aside the verdict, unless the plaintiff enter a remittitur for the overplus. *Lonsdale v. Brown*, 4 Wash. C. C. R. 148.

If there has not been a previous demand of the penalty of a bond, or an acknowledgment that the whole is due, interest is recoverable only from the commencement of the suit, on a bond with sureties given to the Bank of the United States for the faithful discharge of the duties of cashier of the branch bank at Middletown, Connecticut. *United States Bank v. Magill et al.*, *Paine's C. C. R.* 661.

Interest is not allowed on unliquidated damages. *Gilpins v. Consequa*, *Peters' C. C. R.* 86.

It is generally in the discretion of the jury to give interest in the name of damages. *Willings et al. v. Consequa*, *Peters' C. C. R.* 172.

Damages for breach of contract do not bear interest. *Youqua v. Nixon*, *Peters' C. C. R.* 224.

When an attachment is laid on money in the hands of a third person, interest ceases from the time of the attachment until it is dissolved; but where a debtor who is also a creditor lays an attachment in his own hands, interest is chargeable during the continuance of the attachment. *Ibid.* 303.

It is the usage at Canton to add interest to the other charges on the amount of the articles sold, and for which compensation is demanded. This will be allowed in the United States, on a Canton contract. *Ibid.*

Interest on debts due by the citizens of the United States to the subjects of the king of Great Britain, ceased during the revolutionary war, and during the war of 1812; but the mere circumstance of war existing between two countries is not a sufficient reason for abating interest on the debts due by the subjects of one belligerent to the subjects of another. *Conn et al. v. Penn et al.* *Peters' C. C. R.* 497.

A prohibition of all intercourse with an enemy during a war, furnishes a just reason for the abatement of interest on debts due to the subjects of the belligerent; until the return of peace. *Ibid.*

The rule as to the abatement of interest during the war, does not apply where the creditor, although a subject of the enemy, remains in the country of the debtor, or has a known agent residing there, and who is authorized to receive the debt. *Ibid.*

An account current, received and not objected to in a reasonable time, becomes a settled account bearing interest from the time it is stated, and the balance is payable on demand. *Bainbridge & Co. v. Wilcocks*, *Baldwin's C. C. R.* 538.

An account made up of principal and interest becomes one principal debt; the aggregate balance, where the account is thus settled, bearing interest. *Ibid.* 540.

Compound interest is not illegal, and may be recovered on an express promise, or one implied by law, as a part of the contract. *Ibid.* 541.

If an account contains a charge of interest during a war, it is recoverable if there is a promise to pay the amount after peace, or the account is in fact or law a settled account, from which a promise results by operation of law. *Ibid.* 542.

Whether the jury, in a case in which a man covenants to convey lands without fraud, and it afterwards appeared that, in truth, he had no title to the land, when he covenanted to convey, should allow interest on the value of the lands at the date of the contract, must depend on the circumstances of the case, of which they are the proper judges; and it is competent to the defendant to give in evidence any circumstances tending to show interest should not be allowed. *Letcher & Arnold v. Woodson*, 1 *Brockenb. C. C. R.* 212.

The interest allowed on the personal estate, for the sums advanced by it to discharge the speciality debts, should, in accordance both with the general course of the court, and with justice in particular cases, be limited to twenty years. *Byrd v. Executors of Byrd*, 2 *Brockenb. C. C. R.* 171.

Where a mortgagee is in possession, and the annual rents and profits of the mortgaged estate, exceed

Appropriation to supply the deficiency in the navy pension fund.

thousand nine hundred and fifty-one dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to supply any deficiency which may exist in the navy pension fund, for the payment of the semi-annual navy pensions, which will be due on the first day of July, eighteen hundred and forty-two.

the interest of the debt due, it seems that he should pay interest on the surplus rents and profits. *Gordon v. Lewis*, 2 Sumner's C. C. R. 143.

In the ordinary cases, where the relation of mortgagor and mortgagee is uncontroverted, if a mortgagee receive the rents of a mortgaged estate after his debt has been satisfied, and retain them to his own use, without paying them over to the mortgagor, he is chargeable with interest. *Ibid.*

If, however, there are sufficient equitable circumstances in favor of the mortgagee; as if he retained the rents under a mistake, supposing the rights of the mortgagor extinguished; he would not be liable for interest until after notice of the adverse claim. *Ibid.*

Interest on the amount of the debt as ascertained by the decree of the circuit court, was allowed from the time of the judgment; but the damages allowed by the court were not permitted to bear interest. *Jennings et al., Plaintiffs in Error, v. The Brig Perseverance*, 3 Dall. 336; 1 Cond. Rep. 154.

Interest is to be calculated to the present time, upon the aggregate sum of principal and interest in the judgment below; but not to the next term of the circuit court, when the mandate will operate, as the party has a right to pay the money immediately. *Brown v. Van Braam*, 3 Dall. 344; 1 Cond. Rep. 157.

Interest is, in general, allowed from the time a demand is made for the wages of a mariner; and if no special demand is made, then from the commencement of the suit. *Gammell v. Skinner*, 2 Gallis. C. C. R. 45.

If captured property is ordered to be sold, then no interest is allowed. *Rose v. Himely*, 4 Cranch, 291; 2 Cond. Rep. 98.

Interest commences on a pecuniary legacy at the expiration of one year from the decease of the testator, whatever may be the posture of the estate, unless some other period is specified in the will. The cases of infant children, not otherwise provided for, and of adopted children under age, are exceptions to the general rule. *Sullivan v. Winthrop*, 1 Sumner's C. C. R. 1.

Where the executors invested certain sums, less than the whole amount of the legacy, in the name of the legatee; *held*, that this was, pro tanto, a payment of the legacy; and that the interest accruing on those sums, within the year from the time of such investment, belonged to the legatee. *Ibid.*

Where the vendor is indebted to the vendee, and the sale is made in order to pay the debt, the vendor must pay interest from the time the debt is liquidated until he makes a good title; and the vendee is accountable for the rents and profits from the time the contract is perfected, until it is specifically performed. *Hepburn et al. v. Dunlop & Co.*, 1 Wheat. 179; 3 Cond. Rep. 529.

A party is as well entitled to interest on an appeal bond, as if he were to proceed on the judgment, if the judgment be on a contract for the payment of money. He is entitled to interest from the rendition of the original judgment. *Sneed et al. v. Wister et al.* 8 Wheat. 690; 5 Cond. Rep. 556.

The taking of interest in advance upon the discount of a note in the usual course of business by a banker, is not usury. This has long been settled, and is not now open for controversy. *Thornton v. The Bank of Washington*, 3 Peters, 40.

The taking of interest for sixty-four days on a note is not usury, if the note given for sixty days, according to the custom and usage in the banks at Washington, was not due and payable until the sixty-fourth day. In the case of *Renner v. The Bank of Columbia*, 9 Wheat. 581, it was expressly held, that under that custom the note was not due and payable before the sixty-fourth day; for until that time the maker could not be in default. *Ibid.* 40.

Where it was the practice of the party, who had a sixty day note discounted at the bank of Washington, to renew the note by the discount of another note on the sixty-third day, the maker not being in fact bound to pay the note according to the custom prevailing in the District of Columbia; such a transaction on the part of the banker is not usurious, although on each note the discount for sixty-four days was deducted. Each note is considered as a distinct and substantive transaction. If no more than legal interest is taken upon the time the new note has to run, the actual application of the proceeds of the new note to the payment of the former note before it comes due, does not of itself make the transaction usurious. Something more must occur. There must be a contract between the bank and the party at the time of such discount, that the party shall not have the use and benefit of the proceeds until the former note becomes due, or that the bank shall have the use and benefit of them in the mean time. *Ibid.*

The contract to accept the bills of exchange on which the action was brought, was made in Charleston, South Carolina. The bills were drawn in Georgia on B. and H. in Charleston, with a view to their payment in Charleston, where the contract was to be executed. The interest on the bill which was so drawn and was unpaid, is to be charged at the rate of interest in South Carolina. *Boyce & Heary v. Edwards*, 4 Peters, 111.

Interest is not chargeable on money collected by the marshal of the District of Columbia for fines due to the levy court, the money having been actually expended by the marshal in repairs and improvements on the jail, under the opinions of the comptroller and auditor of the treasury department, that these expenditures were properly chargeable upon this fund, although those opinions may not be well founded. *Levy Court of Washington v. Ringgold*, 5 Peters, 451.

In an action brought on a note given for payment for teas, the defence was, that teas of an inferior quality were delivered; the jury must not credit the defendant with the amount of damages, as of the day the teas were delivered, but as of the day when the verdict was rendered. The interest on the note is to be reckoned to the day of the verdict, and from that amount is to be deducted the amount of the damages ascertained by the jury. *Youqua v. Nixon et al. Peters' C. C. R.* 229.

Assumpsit was brought for the proceeds of a cargo which was taken under legal process by the defendants, the consignees, in a foreign port, for the debts of the prior owners of the ship. *Held*, that the plaintiffs, the consignors, by bringing assumpsit, had waived the tort so that the customary commissions should be allowed the defendants; but that the defendants were chargeable with interest from the receipt by them of the proceeds of the cargo. *Ricketson v. Wright*, 3 Sumner's C. C. R. 335.

SEC. 2. *And be it further enacted*, That the act entitled "An act to provide for the more equitable administration of the navy pension fund," approved March third, eighteen hundred and thirty-seven, be, and the same is hereby, repealed, from and after the first day of July, eighteen hundred and forty-two. And all pensions to officers and seamen in the naval service shall be regulated according to the pay of the navy as it existed on the first day of January, one thousand eight hundred and thirty-five.

Act of March 3, 1837, ch. 38, repealed.  
Pensions to be regulated according to the pay of the navy on the 1st of January 1835.

SEC. 3. *And be it further enacted*, That so much of an act, entitled "An act directing the transfer of money remaining unclaimed by certain pensioners, and authorizing the payment of the same at the Treasury of the United States," approved April sixth, eighteen hundred and thirty-eight, as requires pensions that may have remained unclaimed in the hands of pension agents for eight months to be returned to the Treasury, be, and the same is hereby, repealed, and that the time within which such pensions shall be returned to the Treasury, be, and the same is hereby, extended to fourteen months, subject to all the other restrictions and provisions contained in the said act.

Act of April 6, 1838, ch. 56, partially repealed; and the time for unclaimed money to remain in the hands of the agents, extended to 14 months.

APPROVED, August 23, 1842.

STATUTE II.

CHAP. CXC.—*An Act for the relief of certain settlers in the Territory of Wisconsin.*

Aug. 23, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every settler in the district of lands subject to sale at Mineral Point, in the Territory of Wisconsin, who shall show, by proof which shall be satisfactory to the register and receiver of the land office at Muscoday, that he, by cultivation and possession, as required by the pre-emption act of the nineteenth of June, eighteen hundred and thirty-four, was entitled to a right of pre-emption; and that he, the said settler, was refused the privileges granted by said act, in consequence of the mineral character of the tract of land applied for by him, shall be permitted to enter, at the rate of one dollar and twenty-five cents an acre, one complete quarter section of land, of any lands in said land district which have not yet been offered at public sale: *Provided*, That no tract shall be entered, by any settler claiming under this act, which contains mines or discoveries of lead ore, or on which there may be an improvement, or on which any person may have a residence, or which may have been reserved from sale: *And provided, further*, That the claimant, under this act, and his witnesses, shall make oath, before a person duly qualified to administer oaths, to all the facts stated by them.

Settlers at Mineral Point who have been refused entry under the pre-emption act of June 19, 1834, allowed to enter one quarter section elsewhere. 1834, ch. 54.

Proviso.

Proviso, that the claimant shall make oath to the facts stated.

SEC. 2. *And be it further enacted*, That the provisions of this act be carried into effect, in conformity with the instructions which may be given by the Secretary of the Treasury, to the register and receiver of the land office at Muscoday.

Instructions of Sec. Treasury to be complied with.

APPROVED, August 23, 1842.

STATUTE II.

CHAP. CXCI.—*An Act to amend the acts of July, eighteen hundred and thirty-six, and eighteen hundred and thirty-eight, allowing pensions to certain widows.*

Aug. 23, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the marriage of the widow, after the death of her husband, for whose services she claims a pension, under the act of the seventh of July, eighteen hundred and thirty-eight, shall be no bar to the claim of such widow to the benefit of that act, she being a widow at the time she makes application for a pension.

Act of July 4, 1836, ch. 362. July 7, 1838, ch. 189.

Marriage of the widow to be no bar to her pension, if a widow at the time of applying.

APPROVED, August 23, 1842.

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## STATUTE II.

Aug. 23, 1842.

[Obsolete.]

Claims of Florida militia, in 1839 and 1840, to be adjusted.

Proviso, only such as have been called into service by the War Dep't. All other claims growing out of such service to be rejected.

Sec. of War to direct the payment, provided they do not exceed the sums named

Appropriation.

CHAP. CXCII.—*An Act for the payment of Florida militia called into service in the years eighteen hundred and thirty-nine and eighteen hundred and forty.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proper accounting officers of the War Department be, and they are hereby, directed to examine and adjust the claims for pay of Lieutenant Colonel Bailey and staff, Major Bailey and staff, the officers of the quartermaster's department, and the companies of Captains Grigsby, Hagan, McIvers, Langford, Hall, Burney, and Bailey, all of the Florida militia, called into service in the years eighteen hundred and thirty-nine and eighteen hundred and forty, as if they had been regularly called out and mustered: *Provided,* That none of the troops herein specified shall be paid but such as the Secretary of War may consider to have been called into service under authority from said Department; and that no payment shall be made to any of the officers but such as were in proper proportion to the number of men in service, according to the existing laws, and for none of the supplies beyond the proportion, or not of the description, authorized by existing laws and regulations; and that the said accounting officers be further directed to settle and adjust all claims growing out of said service in the quartermaster's department, the subsistence department, for ordnance supplies, and supplies of the medical department and private physicians.

SEC. 2. *And be it further enacted,* That the Secretary of War be authorized to direct the payment of the accounts so settled and adjusted by the said accounting officers, provided the whole amount of pay shall not exceed the sum of seventy thousand six hundred and eighteen dollars and six cents; for the quartermaster's department, shall not exceed the sum of fifty-six thousand dollars; for subsistence shall not exceed thirty-two thousand nine hundred and twenty-two dollars and ninety-six cents; for ordnance supplies, shall not exceed one thousand seven hundred and one dollars and eighteen cents; and for private physicians and medicine, shall not exceed five thousand dollars; and that, for the payments aforesaid, a sum not exceeding one hundred and sixty-six thousand two hundred and forty-two dollars and twenty cents be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

APPROVED, August 23, 1842.

## STATUTE II.

Aug. 23, 1842.

CHAP. CXCIV.—*An Act to authorize the selection of school lands in lieu of those granted to the half-breeds of the Sac and Fox Indians. (a)*

County commissioners of Lee county authorized to make the selection.

Lands selected subject to the same rules as 16th sections.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the county commissioners of the county of Lee, in the Territory of Iowa, be, and they are hereby, authorized to select, of any of the public lands of the United States subject to private entry within the Iowa Territory, one section for each entire township of land in the "half-breed tract" in said county, and a proportional quantity for each fractional township in said tract, under such rules and regulations as shall be prescribed by the Secretary of the Treasury; which land when selected, shall be subject to the same rules and regulations, respecting school lands, as the sixteenth sections in all the townships of the public lands are subject.

APPROVED, August 23, 1842.

(a) Acts relating to Iowa, July 12, 1838, ch. 96.

STATUTE II.

Aug. 26, 1842.

CHAP. CCII. — *An Act legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the Departments and offices of the Government, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the respective heads of the Departments of the General Government to employ or appoint the officers and persons hereinafter mentioned, in addition to those already provided by law, in the offices, bureaus, and places connected with their several Departments, and at the following annual salaries, that is to say;

1. *In the Department of State.*—One superintendent of the northeast Executive building, at two hundred and fifty dollars, and three watchmen, at three hundred and sixty-five dollars each.

2. *In the Treasury Department.*—In the First Comptroller's office, one assistant messenger, at three hundred and fifty dollars.

In the First Auditor's office, one additional clerk, at one thousand dollars.

In the Second Auditor's office, one additional clerk, at one thousand dollars, until the second of April, eighteen hundred and forty-three.

In the Third Auditor's office, three additional clerks, two at one thousand one hundred and fifty dollars each, and one at one thousand dollars.

In the Fourth Auditor's office, one clerk at twelve hundred dollars.

In the Fifth Auditor's office, two clerks, under the act of seventh July, eighteen hundred and thirty-eight, at one thousand dollars each.

The compensation of the clerk authorized by the act of May twenty-six, eighteen hundred and twenty-four, in the Treasurer's office, is hereby increased to one thousand dollars; and the compensation of the clerk in the same office authorized by the act of July two, eighteen hundred and thirty-six, is hereby increased to one thousand two hundred dollars.

In the office of the Register of the Treasury, one loan clerk, (to take effect from fifteenth April, eighteen hundred and forty-two,) at one thousand four hundred dollars.

In the office of the Solicitor of the Treasury, three additional clerks, at one thousand one hundred and fifty dollars each, and one law clerk, at fifteen hundred dollars.

One superintendent of the southeast Executive building, at five hundred dollars, and eight watchmen, at three hundred and sixty-five dollars each.

3. *In the War Department.*—In the office of the Commanding General, one messenger, at five hundred dollars.

In the office of the Adjutant General, one messenger, at five hundred dollars.

In the office of the Commissary General of Subsistence, one additional clerk, at one thousand dollars, one messenger, five hundred dollars.

In the office of the Commissioner of Pensions, one messenger, at seven hundred dollars, until the first day of January next, after which time there shall be two messengers only in said office, at a compensation of five hundred dollars each.

In the office of the Chief Engineer, one messenger at five hundred dollars.

In the office of the Surgeon General, one clerk, at one thousand one hundred and fifty dollars, and one messenger at five hundred dollars.

In the office of the Colonel of Ordnance, one messenger at five hundred dollars.

Employment or appointment of officers and persons hereinafter mentioned, authorized.

State Department.

Superintendent and watchmen.

Treasury Department.

Offices of the First Comptroller.

1st Auditor.

2d Auditor.

Post, p. 650.

3d Auditor.

4th Auditor.

5th Auditor.

July 7, 1838,

ch. 169.

Treasurer.

May 26, 1824,

ch. 157.

July 2, 1836,

ch. 270.

Register.

Solicitor.

Superintendent and watchmen.

War Department.

Office of the

Commanding

General.

Adj. General.

Comm'y Gen.

of Subsistence.

Commissioner of Pensions.

Chief Engineer.

Surgeon General.

Colonel of

Ordnance.

Topographical Engineers.

In the bureau of Topographical Engineers, two clerks, each one thousand, one at one thousand four hundred, and one messenger at five hundred dollars.

Superintendent and watchmen.

One superintendent of the northwest Executive building, at two hundred and fifty dollars, and four watchmen, at three hundred and sixty-five dollars each.

Navy Department.  
Navy Commissioners.

4. *In the Navy Department.*—In the Navy Commissioners' office, two additional clerks, at one thousand four hundred dollars each.

Superintendent and watchmen.

Two additional clerks, at one thousand two hundred dollars each.

One superintendent of the southwest Executive building, at two hundred and fifty dollars, and three watchmen, at three hundred and sixty-five dollars each.

Office of Sergeant-at-Arms, House of Representatives.

5. *In the office of the Sergeant-at-Arms of the House of Representatives.*—One messenger, at the daily compensation received by the other messengers of the House of Representatives, and in lieu of one of them.

Attorney General's office.

6. *In the office of the Attorney General.*—One messenger, five hundred dollars.

Reporter to Supreme Court to be appointed, &c.

SEC. 2. *And be it further enacted,* That in the Supreme Court of the United States one reporter shall be appointed by the court, with a salary of twelve hundred and fifty dollars: *Provided,* That he deliver to the Secretary of State, for distribution, one hundred and fifty copies of each volume of reports that he shall hereafter prepare and publish, immediately after the publication thereof, which publication shall be made annually, within four months after the adjournment of the court at which the decisions are made.

Proviso.  
1842, ch. 264.

Salaries of assistant librarian of Congress, and messenger.

SEC. 3. *And be it further enacted,* That the assistant librarian of the library of Congress shall receive eleven hundred and fifty dollars, and the messenger seven hundred dollars, per annum, to take effect from the first day of January, eighteen hundred and forty-two, in lieu of their present compensation.

A clerk's salary in office of Sec. Navy increased.

SEC. 4. *And be it further enacted,* That the clerk in the office of the Secretary of the Navy, whose salary was fixed at eight hundred dollars by the act of the twentieth of April, eighteen hundred and eighteen, shall receive, in addition thereto, two hundred dollars.

Act of April 20, 1818, ch. 87.

Additional clerk in office of Sec. of Treas.

SEC. 5. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to employ an additional clerk, as assistant in his office, at a salary of eighteen hundred dollars per annum; and the superintendent of Indian Affairs at St. Louis be, and he hereby is, authorized to employ one clerk, at a compensation of twelve hundred dollars, in lieu of the two clerks authorized by the act of May ninth, eighteen hundred and thirty-six; and so much of said last mentioned act as authorizes the employment of two clerks is hereby repealed.

Clerks to superintendent Indian affairs, St. Louis.

Act of May 9, 1836, ch. 60.

Foregoing offices, &c. authorized until 1st July 1844, except those otherwise limited by this act.

SEC. 6. *And be it further enacted,* That the several offices, and employments hereinbefore mentioned are hereby made and declared to be lawful, to all intents and purposes whatever; and the respective heads of Departments, under whom the same are held and exercised, are hereby authorized and empowered to fill the same, and to continue the exercise and discharge thereof, at the salaries aforesaid, until the first day of July, eighteen hundred and forty-four, except such as are otherwise limited in this act: *Provided,* That in all cases where any of the aforementioned officers, or other persons herein authorized to be employed, have already been employed, and are now in the discharge of their respective duties, or have been so since the first day of January last, under the authority of former appropriation bills, at a different rate of compensation than is hereby authorized and affixed to their respective places, they shall be entitled to receive the same rate of compensation heretofore allowed, and at which they have been retained in employment, from the first day of January last to the time of the passage of this act.

Post, p. 694.

Proviso.

Appropriation.

SEC. 7. *And be it further enacted,* That the sum of fifty thousand

dollars, or so much thereof as may be found necessary, be, and the same is hereby, appropriated, for the year eighteen hundred and forty-two, out of any unappropriated moneys in the Treasury, to the objects hereinbefore specified.

Appropriation for the objects hereinbefore specified.

SEC. 8. *And be it further enacted*, That it shall not be lawful for the President of the United States to allow a dragoman at Constantinople, a salary of more than two thousand five hundred dollars; or a consul at London, a salary of more than two thousand dollars.

Salaries of dragoman at Constantinople, and consul at London, limited.

SEC. 9. *And be it further enacted*, That the President of the United States shall not allow to any minister resident a greater sum than at the rate of six thousand dollars per annum, as a compensation for all his personal services and expenses: *Provided*, That it shall be lawful for the President to allow to such minister resident, on going from the United States to any foreign country, an outfit, which shall in no case exceed one year's full salary of such minister resident.

Salaries of ministers resident limited.

Proviso.

SEC. 10. *And be it further enacted*, That the office of Architect of the Public Buildings be, and the same is hereby, discontinued and abolished.

Office of architect abolished.

SEC. 11. *And be it further enacted*, That it shall be the duties of the Secretaries of State, of the Treasury, War, and Navy, of the Commissioners of the Navy, of the Postmaster General, of the Secretary of the Senate, and of the Clerk of the House of Representatives, to report to Congress, at the beginning of each year, the names of the clerks and other persons that have been employed, respectively, during the preceding year, or any part thereof, in their respective departments and offices, together with the time that each clerk or other person was actually employed, and the sums paid to each; and, also, whether they have been usefully employed; whether the services of any of them can be dispensed with without detriment to the public service, and whether the removal of any individuals, and the appointment of others in their stead, is required for the better despatch of business; and no greater allowance shall be made to any such clerk, or other person, than is, or may be authorized by law, except to watchmen and messengers, for any labor or services required of them beyond the particular duties of their respective stations, rendered at such times as does not interfere with the performance of their regular duties.

Report of clerks, &c. to be made annually to Congress.

SEC. 12. *And be it further enacted*, That no allowance or compensation shall be made to any clerk or other officer, by reason of the discharge of duties which belong to any other clerk or officer in the same or any other department; and no allowance or compensation shall be made for any extra services whatever, which any clerk or other officer may be required to perform.

No allowance to be made for extra services.

SEC. 13. *And be it further enacted*, That it shall be the duty of each chief or principal clerk in the respective departments, bureaus, and other offices, to supervise, under the direction of his immediately superior officer, the duties of the other clerks therein, and to see that their duties are faithfully executed, and that such duties are distributed with equality and uniformity, according to the nature of the case. And such distribution shall be revised, from time to time, by the said chief or principal clerk, for the purpose of correcting any tendency to undue accumulation or reduction of duties, whether arising from individual negligence or incapacity, or from increase or diminution of particular kinds of business; and such chief or principal clerk shall report monthly to his superior officer any existing defect that he may be aware of in the arrangement or despatch of business; and such defect shall be amended by new arrangements of duties, dismissal of negligent or incompetent officers, or otherwise.

Duty of chief clerks to supervise the duties of other clerks.

SEC. 14. *And be it further enacted*, That it shall be the duty of the several heads of Departments, in communicating estimates of expendi-



Manner in which estimates are to be communicated to Congress.

tures and appropriations to Congress, and to any of the committees thereof, to specify, as nearly as may be convenient, the sources from which such estimates are derived, and the calculations upon which they are founded; and, in so doing, to discriminate between such estimates as are conjectural in their character, and such as are framed upon actual information and application from disbursing officers; and, in communicating the several estimates, reference shall be given to the laws and treaties by which they are authorized, the dates thereof, and the volume, page, and section, in which the necessary provisions are contained.

Employment of extra clerks.

SEC. 15. *And be it further enacted*, That no extra clerk shall be employed, in any department, bureau, or office, at the seat of Government, except during the session of Congress, or when indispensably necessary to enable such department, bureau, or office, to answer some call made by either House of Congress at one session, to be answered at another; and not then, except by order of the head of the department in which, or in some bureau or office of which, such extra clerk shall be employed; and no such extra clerk, for copying, shall receive more than three dollars per day, or for any other service more than four dollars per day, for the time actually and necessarily employed.

Employment of messengers, laborers, &c.

SEC. 16. *And be it further enacted*, That no messenger, assistant messenger, laborer, or other person, shall be employed in any department, bureau, or office at the seat of Government, or paid out of the contingent fund appropriated to such department, bureau, or office, unless such employment shall be authorized by law, or shall become necessary to carry into effect some object for which appropriations may be specifically made; and not exceeding one hundred dollars per annum shall be applied by each department (except the Department of State,) for the purchase of newspapers for such department, and all the bureaus and offices connected therewith; and such papers shall be preserved as files for said department.

Purchase of newspapers.

Stationery and job printing to be furnished and performed by contract.

SEC. 17. *And be it further enacted*, That all stationery, of every name and nature, for the use of the two Houses of Congress, and all stationery and job printing, of every name and nature, for the use of the several departments of Government, and for the bureaus and offices in those departments at Washington, including all stationery, blanks, wrapping paper, and twine, and mail bags, furnished the post offices and collectors' offices throughout the United States, shall hereafter be furnished and performed by contract, by the lowest bidder, as follows: the Secretary of the Senate, the Clerk of the House of Representatives, the head of each department, and such deputy postmasters in the Post Office establishment, and such collectors in the custom-house establishment, as the Postmaster General and the Secretary of the Treasury shall respectively designate for that purpose, shall respectively advertise, once a week, for at least four weeks, in one or more of the principal papers published in the places where such articles are to be furnished, or such printing done, for sealed proposals for furnishing such articles, or the whole of any particular class of articles, or for doing such printing, or the whole of any specified job thereof, to be done at such place, specifying in such advertisement the amount, quantity, and description of each kind of articles to be furnished, and, as near as may be, the nature, amount, and kind of printing to be done; and all such proposals shall be kept sealed until the day specified in such advertisement for opening the same, when they shall be opened, by or under the direction of the officer making such advertisement, in the presence of at least two persons; and the person offering to furnish any class of such articles, or to perform any specified portion or job of said work, and giving satisfactory security for the performance thereof, under a forfeiture not exceeding twice the contract price in case of failure, shall receive a contract for doing the same; and in case the lowest bidder shall fail to enter into such con-

tract and give such security within a reasonable time, to be fixed in such advertisement, then the contract shall be given to the next lowest bidder who shall enter into such contract and give such security. And in case of a failure to supply the articles or to perform the work, by the person entering into such contract, he and his sureties shall be liable for the forfeiture specified in such contract, as liquidated damages, to be sued for in the name of the United States, in any court having jurisdiction thereof.

SEC. 18. *And be it further enacted,* That all such bids or proposals shall be returned by the person authorized, as aforesaid, to receive the same, to the Executive Department from which such authority is derived, and shall be preserved in said Department, subject to such examination as Congress may at any time order and direct.

Bids and proposals to be preserved, &c.

SEC. 19. *And be it further enacted,* That no part of the contingent fund appropriated to any department, bureau, or office, shall be applied to the purchase of books, periodicals, pictures, or engravings, or other thing, except such books, periodicals, and maps, or other thing, as the head of such department shall deem necessary and proper to carry on the business of such department, and shall, by written order, direct to be procured for that purpose.

Relative to the purchase of books, &c.

SEC. 20. *And be it further enacted,* That it shall be the duty of the Secretary of the Senate, at the commencement of every regular session of Congress, to report to the Senate, and of the Clerk of the House of Representatives to report to the House, and of the head of each Department to report to Congress, a detailed statement of the manner in which the contingent fund for each House, and of their respective Departments, and for the bureaus and offices therein, has been expended, giving the names of every person to whom any portion thereof has been paid; and if for any thing furnished, the quantity and price; and if for any services rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary; and the amount of all former appropriations in each case on hand, either in the Treasury or in the hands of any disbursing officer or agent. And they shall require of the disbursing officers, acting under their direction or authority, the return of precise and analytical statements and receipts for all the moneys which may have been, from time to time during the next preceding year, expended by them; and the results of such returns and the sums total shall be communicated annually to Congress, by the said officers, respectively.

Detailed statement of the manner in which the contingent funds have been expended, to be reported to Congress.

SEC. 21. *And be it further enacted,* That the act entitled "An act to provide for the publication of the laws of the United States, and for other purposes," approved April twentieth, eighteen hundred and eighteen, so far as the same authorizes or requires the laws, resolutions, treaties, and amendments of the Constitution of the United States, to be published in any paper or papers printed in the different States or Territories of the United States, is hereby repealed; and in lieu thereof, it shall be the duty of the Secretary of State to publish such laws, resolutions, treaties, and amendments, in not less than two nor more than four of the principal newspapers published in the city of Washington for country subscribers, giving the preference to such papers as have the greatest number of permanent subscribers and the most extensive circulation; for which the proprietor of each paper shall receive, as full compensation, at the rate of one dollar for each page of the laws, resolutions, treaties, and amendments, as published in pamphlet form. And if it shall appear, on the examination of any account, that there has been any unreasonable delay or intentional omission in the publication of the laws aforesaid, the proper accounting officer of the Treasury is hereby authorized and required to deduct from such account such sum as shall be charged therein for the publication of any laws which shall have been

Act 20th Sept. 1818, ch. 80, requiring the laws to be published in the states and territories, repealed; and in lieu thereof, they shall be published in not less than two or more newspapers in Washington. 1846, ch. 101.

Compensation for publishing.

In case of delay, &c. in the publication, a deduction to be made, &c.

so unreasonably delayed or intentionally omitted; and, in any such case, it shall be the duty of the Secretary of State to discontinue the publication of the laws in the newspaper belonging to such proprietors, and such newspaper shall in no event be again authorized, nor shall the proprietor thereof be again employed, to publish the laws of the United States.

SEC. 22. *And be it further enacted*, That, for the purpose of limiting the incidental and contingent appropriations for the necessary expenses of the Government to specific objects, as far as practicable, the following sums are hereby appropriated for the year eighteen hundred and forty-two, out of any unappropriated money in the Treasury, to the objects hereinafter specified, namely:

*Department of State.*—For distributing the aggregate returns of the sixth census, eight thousand dollars.

For purchasing and preparing indices to the manuscript papers of the Congress of the Confederation, and to the Washington Papers, deposited in the department of State, one thousand dollars.

*Navy Department.*—No. 1. In the Secretary's Office:

For blank books, binding, and stationery, six hundred dollars.

For extra clerk hire, four thousand two hundred and fifty dollars.

For printing, three hundred dollars.

For labor, three hundred and fifty dollars.

For miscellaneous items, four hundred dollars.

For newspapers and periodicals, one hundred dollars.

No. 2. In the Navy Commissioners' Office:

For blank books, binding, and stationery, five hundred dollars.

For extra clerk hire, two thousand one hundred and fifty dollars.

For labor, three hundred dollars.

For miscellaneous items, six hundred and fifty dollars.

No. 3. For the southwest Executive building:

For labor, three hundred and twenty-five dollars.

For fuel and light, one thousand three hundred and fifty dollars.

For miscellaneous items, one thousand one hundred and fifty dollars

No. 4. For the northeast Executive building:

For labor, one thousand two hundred dollars.

For fuel and light, one thousand four hundred dollars.

For miscellaneous items, seven hundred dollars.

*War Department.*—No. 5. In the office of the Secretary of War.

For blank books, binding, and stationery, six hundred dollars.

For newspapers and periodicals, two hundred and fifty dollars.

For labor, three hundred dollars:

For printing, three hundred dollars.

For miscellaneous items, five hundred and fifty dollars.

For books, maps, and plans, one thousand dollars.

For extra clerk hire, three thousand dollars.

No. 6. In the office of the Commissioner of Indian affairs:

For blank books, binding, and stationery, six hundred dollars.

For labor, fifty dollars.

For miscellaneous items, eight hundred and fifty dollars.

No. 7. In the office of the Commissioner of Pensions:

For blank books, binding, and stationery, five hundred dollars.

For printing, four hundred dollars.

For fuel, one hundred and fifty dollars.

For miscellaneous items, four hundred and fifty dollars.

No. 8. In the office of the Commanding General:

For miscellaneous items, three hundred dollars.

No. 9. In the office of the Adjutant General:

For blank books, binding, and stationery, two hundred dollars

For miscellaneous items, three hundred dollars.

Incidental and  
contingent ap-  
propriations.

State Depart-  
ment.

Distributing  
census.

Purchasing  
and preparing  
indices.

Navy Depart-  
ment.

Secretary's  
office.

Navy Com-  
missioners' office.

S.W. execu-  
tive building.

N. E. execu-  
tive building.

War Depart-  
ment.

Office of  
Sec. of War.

Commissioner  
of Ind. affairs.

Commissioner  
of Pensions.

Commanding  
General.

Adjutant Gen-  
eral.

No. 10. In the office of the Quartermaster General :	Quartermas- ter General.
For blank books, binding, and stationery, three hundred dollars.	
For labor, one hundred dollars.	
For printing, one hundred dollars.	
For miscellaneous items, four hundred dollars.	
No. 11. In the office of the Commissary General of Purchases :	Comm'y Gen. of Purchases.
For blank books, binding, and stationery, one hundred dollars.	
For miscellaneous items, five hundred dollars.	
No. 12. In the office of the Commissary General of Subsistence :	Comm'y Gen. of Subsistence.
For blank books, binding, and stationery, two hundred dollars.	
For extra clerk hire, six hundred dollars.	
For printing and advertising, twelve hundred dollars.	
For labor, one hundred dollars.	
For fuel, one hundred dollars.	
For miscellaneous items, five hundred dollars.	
No. 13. In the office of the Paymaster General :	Paymaster General.
For blank books, binding, and stationery, two hundred dollars.	
For fuel, one hundred and twenty-five dollars.	
For miscellaneous items, four hundred dollars.	
No. 14. In the office of the Surgeon General :	Surgeon Gen- eral.
For blank books, binding, and stationery, two hundred dollars.	
For printing, fifty dollars.	
For fuel, seventy-five dollars.	
For miscellaneous items, one hundred and fifty dollars.	
No. 15. In the office of the Chief Engineer :	Chief Engi- neer.
For blank books, binding, and stationery, six hundred dollars.	
For printing, one hundred and five dollars.	
For fuel, one hundred and fifty dollars.	
For miscellaneous items, fifty dollars.	
No. 16. In the office of the Colonel of Ordnance :	Colonel of Ordnance.
For blank books, binding, and stationery, four hundred dollars.	
For printing, seventy-five dollars.	
For fuel, one hundred and fifty dollars.	
For miscellaneous items, one hundred dollars.	
No. 17. In the Bureau of Topographical Engineers :	Topographical Engineers.
For the support of the light-house on the Delaware breakwater, one thousand five hundred dollars.	Light-house on Delaware breakwater.
For blank books, binding, and stationery, four hundred dollars.	
For labor, one hundred dollars.	
For fuel, two hundred and fifty dollars.	
For miscellaneous items, five hundred dollars.	
No. 18. For the northwest Executive building :	N.W. execu- tive building.
For labor, four hundred dollars.	
For fuel and light, two thousand dollars.	
For miscellaneous items, one thousand six hundred and seventy dollars.	
<i>Treasury Department.</i> —No. 19. In the office of the Secretary of the Treasury :	Treasury De- partment. Office of the Secretary of the Treasury.
For blank books, binding, and stationery, three thousand five hundred dollars.	
For newspapers and periodicals, one hundred dollars.	
For labor, one hundred and fifty dollars.	
For extra clerk hire, one thousand five hundred dollars.	
For printing, (including the printing of the public accounts,) two thousand five hundred and fifty dollars.	
For sealing ships' registers, one hundred dollars.	
For miscellaneous items, seven hundred dollars.	
For translating foreign languages, one hundred and fifty dollars :	
<i>Provided</i> , That no part of said sum or sums be paid to any clerk, or other officer of the Government, beyond his salary, for taking charge of or transmitting passports or sea letters.	

- First Comptroller. No. 20. In the office of the First Comptroller :  
 For blank books, binding, and stationery, one thousand dollars.  
 For labor, four hundred and fifty dollars.  
 For extra clerk hire, two hundred and fifty dollars.  
 For completing indices to public documents in the First Comptroller's office, three hundred dollars.
- 1st Auditor. For miscellaneous items, three hundred dollars.  
 No. 21. In the office of the First Auditor :  
 For blank books, binding, and stationery, five hundred dollars.  
 For labor, two hundred dollars.  
 For extra clerk hire, two hundred dollars.  
 For miscellaneous items, one hundred dollars.
- 2d Auditor. No. 22. In the office of the Second Auditor :  
 For blank books, binding, and stationery, three hundred dollars.  
 For labor, two hundred and fifty dollars.  
 For extra clerk hire, three hundred dollars.  
 For miscellaneous items, one hundred dollars.
- 4th Auditor. No. 23. In the office of the Fourth Auditor :  
 For blank books, binding, and stationery, six hundred dollars.  
 For labor, fifty dollars.  
 For extra clerk hire, one hundred dollars.  
 For printing, forty dollars.  
 For miscellaneous items, two hundred dollars.
- 5th Auditor. No. 24. In the office of the Fifth Auditor :  
 For blank books, binding, and stationery, two hundred and fifty dollars.  
 For labor, one hundred and twenty-five dollars.  
 For extra clerk hire, fifty dollars.  
 For miscellaneous items, one hundred and twenty-five dollars.
- Treasurer. No. 25. In the Treasurer's office :  
 For blank books, binding, and stationery, five hundred dollars.  
 For labor, three hundred and seventy-five dollars.  
 For printing, seven hundred dollars.  
 For miscellaneous items, three hundred and fifty dollars.
- Solicitor. No. 26. In the Solicitor's office :  
 For blank books, binding, and stationery, five hundred dollars.  
 For labor, one hundred dollars.  
 For extra clerk hire, four hundred dollars.
- Register. No. 27. In the Register's office :  
 For blank books, binding, and stationery, one thousand dollars.  
 For labor, three hundred and fifty dollars.  
 For printing, five hundred dollars.  
 For miscellaneous items, (including one thousand dollars for cases for the preservation of the records,) two thousand dollars.
- General Land Office. No. 28. For the General Land Office :  
 For blank books, binding, and stationery, and parchments, twelve thousand dollars.  
 For labor, five hundred dollars.  
 For printing, four thousand dollars.  
 For miscellaneous items, one thousand dollars.
- Arrearages. For office of the Commissioner of the General Land Office, for arrearages, since eighteen hundred and thirty-four, of cost of printing patents, publishing proclamations, printing circulars and blank forms for the land offices, twenty-two thousand six hundred and twenty-eight dollars and seventeen cents, or so much thereof as may be found necessary, on auditing the accounts by the appropriate officer.
- Extra clerks and draughtsmen in offices of surveyors general. For compensation of extra clerks and draughtsmen in the offices of the surveyors general, to transcribe field notes of survey, for the purpose of preserving them at the seat of Government, in addition to the

unexpended balances of former appropriations, fourteen thousand dollars, namely :

For office of surveyor general northwest of the Ohio, four thousand five hundred dollars.

For office of surveyor general of Wisconsin and Iowa, one thousand dollars.

For office of surveyor general of Illinois and Missouri, four thousand five hundred dollars.

For office of surveyor general of Arkansas, one thousand dollars.

For office of surveyor general of Louisiana, three thousand dollars.

For surveying in the State of Louisiana, to be expended at a rate not exceeding eight dollars a mile, required in part to pay deficiencies in existing appropriations, thirteen thousand dollars.

Surveying in Louisiana.

No. 29. Southeast Executive building :

S. E. executive building.

For labor, two thousand two hundred dollars.

For fuel and light, three thousand seven hundred dollars.

For miscellaneous items, one thousand nine hundred dollars.

No. 30. In the Auditor's office of the Post Office Department :

For blank books, binding, and stationery, two thousand and seventy-six dollars and sixty-eight cents.

Office of Auditor of the P. O. Department.

For printing blanks, eight hundred and eleven dollars and fifty cents.

For labor, one thousand one hundred and twenty dollars.

For continuing fourteen temporary clerks to January first, eighteen hundred and forty-three, employed under the act of September ninth, eighteen hundred and forty-one, four thousand one hundred and eighty-two dollars and nineteen cents.

Sept. 9, 1841, ch. 20.

For miscellaneous items, four hundred dollars.

For blank books and printing, prior to May, eighteen hundred and forty-one, three thousand eight hundred and twenty-seven dollars and seventeen cents.

*Post Office Department.*—No. 31. For blank books, binding, and stationery, one thousand one hundred and ninety dollars.

Post Office Department.

For newspapers and periodicals, one hundred dollars.

For fuel and oil, including arrearages, three thousand six hundred dollars.

For miscellaneous items, one thousand two hundred and thirty-seven dollars.

For printing, four hundred and fifty-three dollars.

For labor, nine hundred and thirty-eight dollars.

For one day watchman, three hundred and sixty dollars.

For compensation of temporary clerks, thirty-five hundred dollars.

*United States Mint and Branches.*—No. 32. For coinage expenses, including materials and implements, fuel, new machinery and repairs of old, die making, and wastage of gold and silver, at the Philadelphia mint, fifteen thousand two hundred dollars.

Mint and branches.  
Mint at Philadelphia.

For house expenses, including water-rent and taxes, repairs, lighting, cleaning, and watching at the same, four thousand dollars.

For office expenses, including stationery and postage, six hundred dollars.

No. 33. For coinage expenses, including materials and implements, fuel, repairs, and wastage of gold, at the Charlotte branch mint, one thousand two hundred dollars.

Branch mint at Charlotte.

For house expenses, including repairs, lighting, and cleaning at the same, two hundred dollars.

For office expenses, including stationery and postage at the same, one hundred dollars.

No. 34. For coinage expenses, including materials and implements, fuel, repairs, and wastage of gold, at the Dahlonega branch mint, six hundred dollars.

Branch mint at Dahlonega.

For house expenses, including repairs, lighting, and cleaning at the same, two hundred dollars.

For office expenses, including stationery and postage at the same, one hundred dollars.

Branch mint  
at N. Orleans.

No. 35. For coinage expenses, including materials and implements, fuel, repairs, and wastage of gold and silver, at the New Orleans branch mint, eleven thousand and fifty-two dollars.

For house expenses, including water-rent and taxes, repairs, lighting, cleaning, and watching, three thousand five hundred and ninety-eight dollars.

For office expenses, including stationery and postage, three hundred and fifty dollars.

Repairs of the  
capitol, &c.

No. 36. For annual repairs of the Capitol, attending furnaces and water-closets, lamp-lighting, oil, laborers on Capitol grounds, tools, keeping iron pipes and wooden fences in order, attending at the western gates, gardener's salary, and top-dressing for plants, seven thousand four hundred and fifty-eight dollars and fifty cents: *Provided*, That the salary of the public gardener shall not exceed the sum of one thousand two hundred dollars.

Proviso, gar-  
dener's salary  
limited.

For annual repairs of the President's house, gardener's salary, horse and cart, laborers, tools, and top-dressing for plants, two thousand five hundred and fifty dollars.

Repairs of the  
President's  
house, &c.

Repairing  
fences.

For repairs of fence on Pennsylvania avenue, fronting the War and State Departments, and fence of President's garden, two hundred dollars.

Furnaces be-  
neath House of  
Reps., &c.

For taking down and removing the two furnaces beneath the Hall of the House of Representatives, and building three new ones on the floor below the crypt, excavating a coal vault, constructing additional flues for hot and cold air for the better ventilation of the Hall and passages, nine thousand six hundred and thirty-four dollars.

Ground north  
of the General  
Post Office.

For purchase of ground north of the General Post Office, between seventh and eighth streets, or so much thereof as the Postmaster General may deem expedient, twenty-five thousand dollars.

Bridge across  
Pennsylvania  
avenue.

For rebuilding the bridge across Pennsylvania avenue, at Second street, and extending the same over the present stone abutments on said Second street, and reimbursing the corporation of Washington the sum of seven hundred and fifty dollars, expended in erecting the present wooden structure, twelve thousand dollars.

Alterations,  
&c. over House  
of Reps.

For altering the two passages and doorways of the roof, new steps, new doors, covering the wood with copper, removing the circular horizontal sash, over the Hall of the House of Representatives, and substituting a permanent roof covered with copper, and repairing the copper work of the roof, six hundred dollars.

Alterations,  
&c. north wing  
of capitol.

For alterations and repairs, and fixtures of the north wing of the Capitol, one thousand eight hundred and fifty-three dollars and forty-five cents.

Repairs, &c.  
of President's  
house.

For new floor in the basement story of the President's house, for wooden partition and glass door, and for new caps to the chimneys, five hundred and fifty dollars.

Completing P.  
O. building.

For completing the Post Office building, and fixtures and furniture for the same, twenty-seven thousand and ninety-one dollars and seventy-one cents.

Repairing foot-  
ways and lamp-  
posts.

For repairing the stone work which secures the iron pipes where they cross the Tiber, one hundred and fifty dollars.

For repairing the flag footways at the Capitol and President's house, and for repairing lamp posts and lamps at the Capitol, two hundred dollars.

Negotiation of  
treaty with Wy-  
andots.

For expenses attending the negotiation of a treaty with the Wyandot Indians of Ohio, in addition to former appropriations, one thousand dollars.

For compensation to a clerk in the office of Superintendent of Indian Affairs at St. Louis, authorized by a previous section of this act, twelve hundred dollars: *Provided*, That any sum heretofore appropriated for two clerks, now dispensed with, be not used or applied.

Clerks in office Superintendent Indian Affairs at St. Louis.

For compensation to two commissioners to examine claims under the treaty with the Cherokees of eighteen hundred and thirty-five, and pay of a secretary, and provisions for Indians during the session of the board, and for contingent expenses, thirteen thousand five hundred dollars; and for arrearages of the late board of commissioners under same treaty, one thousand five hundred and fifty-eight dollars.

Commission to examine claims under Cherokee treaty.

For compensation to two clerks, authorized to be continued by the Secretary of War in the office of the Commissioner of Indian Affairs, by joint resolution, approved May twenty, eighteen hundred and forty-two, in addition to former appropriations, fifteen hundred dollars.

Clerks in office Commissioner Indian Affairs.

*Judiciary.*—No. 37. For the contingent expenses of the Attorney General's office, five hundred dollars.

Judiciary. Attorney General's office.

SEC. 23. *And be it further enacted*, That in case the sum appropriated for any object shall be found more than sufficient to meet the expense thereby contemplated, the surplus may be applied, under the direction of the head of the proper department, to supply the deficiency of any other item in the same department or office: *Provided*, That the expenditure for newspapers and periodicals shall not exceed the amount specifically appropriated to that object by this act.

Surplus for one object may be appropriated to supply a deficiency for another, except newspapers and periodicals.

SEC. 24. *And be it further enacted*, That the following sums be, and hereby are, appropriated for the objects hereinafter mentioned, viz.

Appropriations for Congress.

For pay and mileage of the members of Congress and delegates from the Territories, in addition to the sum already appropriated to that object during the present session, one hundred and twenty-two thousand six hundred and thirty dollars.

Pay and mileage.

For stationery, printing, and all other incidental and contingent expenses of the Senate, in addition to the sum already appropriated to that object during the present session, seven thousand and fifty-eight dollars.

Expenses of Senate.

For stationery, printing, and all other incidental and contingent expenses of the House of Representatives, in addition to the sum already appropriated to that object during the present session, twenty-five thousand dollars.

Expenses of H. of Reps.

SEC. 25. *And be it further enacted*, That it shall not, at any time hereafter, be lawful for any accounting or disbursing officer of the Government to allow or pay any account or charge whatever, growing out of, or in any way connected with, any commission or inquiry, except courts martial or courts of inquiry in the military or naval service of the United States, until special appropriations shall have been made by law to pay such accounts and charges: *Provided*, That this shall not extend to the contingent fund connected with the foreign intercourse of the Government placed at the disposal of the President of the United States.

Accounts of no commission or inquiry, except courts martial, &c. to be paid without a special appropriation.

Proviso.

SEC. 26. *And be it further enacted*, That the following sums be appropriated from the patent fund, viz:

Appropriations from the patent fund.

A sum not exceeding three hundred dollars, for printing a digest of patents from January first, eighteen hundred and thirty-nine.

Digest of Patents.

For the purchase of such scientific books as are necessary for the use of the Patent Office, one thousand dollars.

Scientific books.

For the collection of agricultural statistics and for other agricultural purposes, one thousand dollars.

Agricultural statistics.

APPROVED, August 26, 1842.



## STATUTE II.

Aug. 26, 1842.

1843, ch. 3.

An annual term to be holden on 25th Aug.

Vol. 3, 479.

CHAP. CCIII.—*An Act to establish a district court of the United States in the city of Wheeling, in the State of Virginia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That one annual term of the district court of the United States, for the western district of Virginia, be holden in the city of Wheeling, on the twenty-fifth day of August.

APPROVED, August 26, 1842.

## STATUTE II.

Aug. 26, 1842.

Account to be published under the direction of the Joint Library committee.

Proposals to be advertised for.

Contract to be given to the lowest bidder, &c.

Objects of natural history to be deposited in the Patent Office, &c.

CHAP. CCIV.—*An Act to provide for publishing an account of the discoveries made by the Exploring Expedition, under the command of Lieutenant Wilkes, of the United States Navy.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be published, under the supervision and direction of the Joint Committee on the Library, "an account of the discoveries made by the Exploring Expedition, under the command of Lieutenant Wilkes of the United States navy," which account shall be prepared with illustrations and published in a form similar to the voyage of the *Astrolabe*, lately published by the Government of France.

SEC. 2. *And be it further enacted,* That when such account shall have been written, and the illustrations for the same shall have been prepared, an advertisement shall be inserted in the papers publishing the laws of the United States, inviting proposals for printing one hundred copies of the same for the United States, to be delivered to the Librarian of Congress in a time, and at a price to be stipulated in such contract; and the contract shall be made with, and given to, the person offering and giving sufficient assurance to perform the work at the lowest price; and on such contract being made, the "account" shall be delivered to such contractor.

SEC. 3. *And be it further enacted,* That until other provision be made by law for the safe-keeping and arrangement of such objects of natural history as may be in possession of the Government, the same shall be deposited and arranged in the upper room of the Patent Office, under the care of such person as may be appointed by the Joint Committee on the Library.

APPROVED, August 26, 1842.

## STATUTE II.

Aug. 26, 1842.

Patents to be issued for tracts entered under the pre-emption laws, but withheld on account of the quantity exceeding that specified in the law, &c.

Proviso.

CHAP. CCV.—*An Act to confirm the sale of public lands in certain cases. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases when any entry has been made, under the pre-emption laws, of land which was public land, subject to sale at the date of such entry, and when patents for the same have not been issued from the General Land Office, because of the original tract claimed, or the float arising therefrom, exceeding the quantity specified in the law, or when the adjudication has been made by the receiver and the clerk of the register, acting in the stead of the register, or when the proof upon which the claim is founded is not in the form, nor full, as to all the facts required by law, but substantially so, such entries and sales are hereby confirmed, and patents shall be issued thereon, as in other cases: *Provided,* That the Secretary of the Treasury shall be satisfied that such entries have been in other respects fair and regular, and that the evidence sustains the claim; that they are not contested by other persons claiming the same, and that no fraud shall appear in them: *And provided, also,* That the act of

(a) See notes of the acts relating to pre-emption rights, May 29, 1830, ch. 208.

fourth September, eighteen hundred and forty-one, entitled "An act to appropriate the proceeds of the sales of public lands, and to grant pre-emption rights," shall be so construed as not to confer on any one a right of pre-emption by reason of a settlement made on a tract heretofore sold under a prior pre-emption law, or at private entry, when such prior pre-emption or entry has not been confirmed by the General Land Office, on account of any alleged defect therein, and when such tract has passed into the hands of an innocent and bona fide purchaser.

Proviso: act 4th Sept. 1841, ch. 16, not to confer a right of pre-emption by reason of settlement on a tract heretofore sold.

APPROVED, August 26, 1842.

STATUTE II.

Aug. 26, 1842.

CHAP. CCVI.—*An Act to regulate the pay of pursers and other officers of the navy.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all purchases of clothing, groceries, stores, and supplies of every description for the use of the navy, as well for vessels in commission as for yards and stations, shall be made with and out of the public moneys appropriated for the support of the navy, under such directions and regulations as may be made by the Executive for that purpose; and it shall not be lawful for pursers, or other officers or persons holding commission or employment in the naval service, to procure stores or any other articles or supplies for, and dispose thereof to, the officers or to the crew, during the period of their enlistment, on or for their own account or benefit; nor shall any profit or per centage upon stores or supplies be charged to, or received from, persons in the naval service, other than those which are herein-after prescribed.

All supplies for the navy to be made with the public money, under regulations prescribed by the Executive. Regulations.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Executive to provide such rules and regulations for the purchase, preservation, and disposition, of all articles, stores, and supplies, for persons in the navy, as may be necessary for the safe and economical administration of that branch of the public service.

Executive to provide regulations for the purchase of stores, &c.

SEC. 3. *And be it further enacted,* That, in lieu of the pay, rations, allowances, and other emoluments authorized by the existing laws and regulations, the annual pay of pursers shall be as follows, viz: when attached to vessels in commission for sea service, they shall receive, for ships of the line, three thousand five hundred dollars; for frigates or razees, three thousand dollars; for sloops of war and steamers of first class, two thousand dollars; for brigs and schooners, and steamers, less than first class, fifteen hundred dollars; on duty at navy yards at Boston, New York, Norfolk, and Pensacola, two thousand five hundred dollars; at Portsmouth, Philadelphia, and Washington, two thousand dollars; at naval stations within the United States, fifteen hundred dollars; and in receiving-ships at Boston, New York, and Norfolk, two thousand five hundred dollars; and at other places, fifteen hundred dollars; on leave or waiting orders, the same pay as surgeons. And it is hereby expressly declared that the yearly pay provided in this act is all the pay, compensation, and allowance, that shall be received, under any circumstances, by pursers, except one ration each per day, when attached to vessels for sea service, and except, also, for travelling expenses, when under orders, for which ten cents per mile shall be allowed.

Pay of pursers.

Attached to vessels in commission.

At navy yards.

At naval stations.

In receiving ships.

Other places. On leave.

Yearly pay to be all their compensation, except, &c.

Bonds.

SEC. 4. *And be it further enacted,* That nothing in this act contained shall be construed to affect the bonds which have heretofore been given by pursers in the navy, but the same shall remain in full force and effect, as if this law had not been passed; and the Secretary of the Navy is hereby authorized and required to demand and receive from them, or any of them, new bonds, with sufficient sureties, in all cases in which he may consider the same necessary and expedient; and in

(a) Notes of the acts regulating the pay of pursers in the navy, vol. 3, 350.

Rules, &c. to be laid before Congress.

Advances or loans of money, &c. unlawful.

Act to go into effect, when.

Pursers at certain stations, &c. allowed a clerk or assistant.

Clerk's compensation.

His privileges, &c.

Pursers' stores on board ships in commission to be taken by government.

Acts inconsistent with this act, repealed.

Pay of boatswains, gunners, &c.

Officers performing the duty of a higher grade by order, to receive the pay, and not otherwise.

Post, p. 703.

## STATUTE II.

Aug. 26, 1842.

case any purser shall neglect or refuse to give such new bond, it shall be the duty of the Executive to dismiss him forthwith from the service.

SEC. 5. *And be it further enacted*, That the rules and regulations which shall be made in conformity with the provisions of this act shall be laid before Congress at their next session.

SEC. 6. *And be it further enacted*, That it shall not be lawful for a purser in the navy to advance or loan any sum or sums of money, public or private, or any article or commodity whatever, or any credit, to any officer in the naval service, under any pretence whatever.

SEC. 7. *And be it further enacted*, That the provisions of this act shall go into effect, within the United States, from the date of its passage; and, in vessels abroad, at the beginning of the quarter after its official receipt.

SEC. 8. *And be it further enacted*, That pursers attached to, and doing duty in, navy yards, at Boston, New York, and Norfolk, and sea-going vessels of a larger class than sloops of war, shall be authorized to appoint a clerk or assistant, to be approved by the commanding officer of such yard or vessel; and the yearly compensation of said clerk shall be as follows, viz: in a frigate, or navy yard at Boston, New York, and Norfolk, five hundred dollars; in a ship of the line, seven hundred dollars. Said assistant or clerk shall have the privileges which are allowed to the clerk of the commanding officer; and each purser and clerk, while attached to vessels in commission, shall receive one ration per day.

SEC. 9. *And be it further enacted*, That all stores of pursers on board ships in commission shall be taken by the Government at a fair valuation, under the direction of the Secretary of the Navy.

SEC. 10. *And be it further enacted*, That all acts or parts of acts which may be contrary to, or inconsistent with, the provisions of this act, shall be, and are hereby, repealed.

SEC. 11. *And be it further enacted*, That, from and after the passage of this act, the annual pay of the forward warrant officers of the navy of the United States shall be as follows: for boatswains, gunners, carpenters, and sailmakers, when on duty on board ships of the line, and in the three navy yards at Boston, New York, and Norfolk, eight hundred dollars; on other duty, seven hundred dollars; when on leave of absence or awaiting orders, the said officers shall receive five hundred dollars for the first ten years, and after, six hundred dollars.

SEC. 12. *And be it further enacted*, That whenever an officer shall perform the duty of a higher grade, by order of the Secretary of the Navy, or the commander of a fleet or squadron, or ship acting singly on foreign service, such officer shall be entitled to receive the pay of such higher grade during the time he performs the duty in that grade and no longer, and no allowance shall be made for performing such service hereafter, unless so ordered.

APPROVED, August 26, 1842.

CHAP. CCVII.—*An Act to define and establish the fiscal year of the Treasury 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 and after the first day of July in the year of our Lord eighteen hundred and forty-three, the fiscal year of the Treasury of the United States, in all matters of accounts, receipts, expenditures, estimates, and appropriations, shall commence on the first day of July in each year; and the report and estimates required to be prepared and laid before Congress at the commencement of each session by the Secretary of the Treasury in obedience to the acts of Congress of the second of September, seven-

On and after 1st July 1843, fiscal year to commence on 1st July.

Report and estimates to be made accordingly.

teen hundred and eighty-nine, and of May tenth, eighteen hundred, shall be a report and estimates for each fiscal year commencing as aforesaid and terminating on the thirtieth day of June in the succeeding calendar year.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, to submit to Congress at the commencement of the next session, his annual report upon the state of the finances and estimates of appropriations required for the support of the Government for the half calendar year ending on the thirtieth day of June then next; and separate and distinct estimates for the fiscal year ending on the thirtieth day of June, eighteen hundred and forty-four; and estimates of receipts for said periods respectively; and the style and title of all acts making appropriations for the support of Government, shall be as follows, to wit: "An act making appropriations (here insert the object) for the year ending June thirtieth (here insert the calendar year.)"

SEC. 3. *And be it further enacted*, That the accounts of receipts and expenditures, required by law to be published annually, shall, on and after the first day of July, eighteen hundred and forty-three, be prepared and published for the fiscal year as hereby established; and the said accounts for the half calendar year ending June thirtieth, eighteen hundred and forty-three, shall be prepared and published as required by law, separate and distinct; and all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

SEC. 4. *And be it further enacted*, That the annual statements of the commerce and navigation of the United States, required by law to be submitted to Congress on the first Monday of December annually, shall be prepared and published for each fiscal year as hereby established; and the said statements for the last quarter of the present calendar year, and the two first quarters of the year eighteen hundred and forty-three, ending on the thirtieth of June, eighteen hundred and forty-three, shall be prepared and published, agreeably to the provisions of law, separate and distinct.

APPROVED, August 26, 1842.

At next session, report and estimates to be made to 30th June next, &c.

Title of appropriation acts.

Publication of receipts and expenditures.

Accounts to 30th June, to be separate.

Statements of commerce, &c. to be according to the new fiscal year.

CHAP. CCXXVII.—*An Act to make an appropriation for certain expenses in the erection of a penitentiary in the Territory of Iowa.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of fifteen thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, granted and appropriated, out of any unappropriated money in the Treasury, to pay for work heretofore actually done and materials furnished in the construction of a penitentiary in the Territory of Iowa; but no further work or materials are hereby authorized to be done or furnished for the completion of said penitentiary, on the faith of future appropriations by Congress, but the same are expressly prohibited.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

[Obsolete.]

Appropriation for work done, &c.

CHAP. CCXXVIII.—*An Act to provide an insane hospital for the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioner of the Public Buildings be, and he is hereby, authorized and required, under the direction of the President of the United States, and upon a plan to be by him approved, to cause such alterations to be made in the old jail as will adapt it for the reception and accommodation of the insane of the District of Columbia, and of such sick, disabled, and infirm

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The old jail to be fitted up for the insane, &c.

seamen, soldiers, and others, as may, by competent authority, to be hereafter prescribed, be deemed proper to be received therein, which building, with one half of the ground occupied by the old and new jails, is hereby assigned for those purposes.

Board of inspectors to be appointed; their duties.

SEC. 2. *And be it further enacted*, That on the completion of the said building, the President be authorized to appoint three respectable persons, residents of the city of Washington, to be a board of inspectors of the said institution, who shall hold their offices two years from the date of their appointment; and whose duty it shall be to have a general supervision of the concerns of the said hospital; to appoint the necessary subordinate officers thereof; to prescribe rules for the admission and due regulation of patients therein, and to make an annual report to Congress of their proceedings, and of the condition of the said institution.

Appropriation.

SEC. 3. *And be it further enacted*, That there be, and there is hereby, appropriated, the sum of ten thousand dollars for the alteration of the said building, and improvement of the grounds, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

[Obsolete.]

CHAP. CCLV.—*An Act to provide for the publication of a new edition of the laws and regulations of the Post Office Department, and a perfect list of the post-offices in the United States.*

A complete edition to be printed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General be, and he is hereby, authorized and required to cause to be collated and printed in pamphlet form, suitably for distribution, a complete edition, of not less than eighteen thousand copies, of the laws relating to the Post Office Department; together with the regulations established by said Department for the better conduct of its business; and also a new and complete list of all the post-offices in the United States; showing their respective distances from Washington, and from the capitols of the States in which the several offices are situated.

Appropriation.

SEC. 2. *And be it further enacted*, That for the purpose of carrying into effect the provisions of this act, the sum of nine thousand one hundred dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

CHAP. CCLVI.—*An Act for creating a new land district in the State of Missouri, and for changing the boundaries of the southwestern and western land districts in said State.*

Part of the Western Land District, and the Platte river country, to constitute the Platte Land District.  
1823, ch. 66.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all that portion of the "western land district," created by an act of Congress, entitled "An act to establish an additional land office in the State of Missouri," approved third of March eighteen hundred and twenty-three, which is situated north of the Missouri river, together with the late northwest addition to the State of Missouri, commonly known as the "Platte river country," shall constitute a separate land district, to be called the Platte district.

Register and receiver to be appointed; their residence, &c.

SEC. 2. *And be it further enacted*, That there shall be a register and a receiver appointed for said land district, who shall reside and superintend the sales of the public lands at such place as the President shall designate. They shall give security in the same manner and in the same sums, and their compensation, emoluments, duty, and authority, shall, in every respect, be the same in relation to the lands which may be disposed of at said office, as are or may be provided by law relative

to the registers and receivers of public money in the several offices established for the sale of the public lands.

SEC. 3. *And be it further enacted*, That all that part of the southwestern district of Missouri which is situated north of the line between townships thirty-four and thirty-five, and that portion of the Fayette land district lying west of the line dividing ranges twenty and twenty-one west, south of the Missouri river, is hereby annexed to, and shall make a part of the western or Lexington district of Missouri, the office for which district shall be located at such place as the President shall designate.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the plats of the surveys of the new district hereby created, and of the portion annexed to the western district, to be deposited in the proper offices, and he is hereby authorized to allow and pay, out of the proceeds of the sales of the public lands, the reasonable expenses which may be incurred in carrying this act into effect.

SEC. 5. *And be it further enacted*, That this act shall take effect and be in force from and after the expiration of six calendar months from the date of the passage thereof.

APPROVED, August 29, 1842.

Part of certain districts annexed to the Lexington district.

Plats of surveys to be deposited in the proper offices.

Reasonable expenses to be paid.

Act when to take effect

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Act of Aug. 23, 1842, ch. 188. Justices of the Supreme Court, &c. empowered to grant writs of habeas corpus when subjects of foreign States are in custody of the United States, &c.

CHAP. CCLVII. — *An Act to provide further remedial justice in the courts of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That either of the justices of the Supreme Court of the United States, or judge of any district court of the United States, in which a prisoner is confined, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases of any prisoner or prisoners in jail or confinement, where he, she, or they, being subjects or citizens of a foreign State, and domiciled therein, shall be committed or confined, or in custody, under or by any authority or law, or process founded thereon, of the United States, or of any one of them, for or on account of any act done or omitted under any alleged right, title, authority, privilege, protection, or exemption, set up or claimed under the commission, or order, or sanction, of any foreign State or Sovereignty, the validity and effect whereof depend upon the law of nations, or under color thereof. And upon the return of the said writ, and due proof of the service of notice of the said proceeding to the Attorney General or other officer prosecuting the pleas of the State, under whose authority the petitioner has been arrested, committed, or is held in custody, to be prescribed by the said justice or judge at the time of granting said writ, the said justice or judge shall proceed to hear the said cause; and if, upon hearing the same, it shall appear that the prisoner or prisoners is or are entitled to be discharged from such confinement, commitment, custody or arrest, for or by reason of such alleged right, title, authority, privileges, protection or exemption, so set up and claimed, and the laws of nations applicable thereto, and that the same exists in fact, and has been duly proved to the said justice or judge, then it shall be the duty of the said justice or judge forthwith to discharge such prisoner or prisoners accordingly. And if it shall appear to the said justice or judge that such judgment or discharge ought not to be rendered, then the said prisoner or prisoners shall be forthwith remanded: *Provided always*, That from any decision of such justice or judge an appeal may be taken to the circuit court of the United States for the district in which the said cause is heard; and from the judgment of the said circuit court to the Supreme Court of the United States, on such

If the prisoner is entitled to be discharged for the right, &c. claimed, the justice or judge shall forthwith discharge him.

Proviso.

Until final judgment, and after discharge, proceedings in State courts null and void.

terms and under such regulations and orders as well for the custody and appearance of the prisoner or prisoners as for sending up to the appellate tribunal a transcript of the petition, writ of habeas corpus returned thereto, and other proceedings, as the judge hearing the said cause may prescribe; and pending such proceedings or appeal, and until final judgment be rendered therein, and after final judgment of discharge in the same, any proceeding against said prisoner or prisoners, in any State court, or by or under the authority of any State, for any matter or thing so heard and determined, or in process of being heard and determined, under and by virtue of such writ of habeas corpus, shall be deemed null and void.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

CHAP. CCLVIII.—*An Act in relation to lands sold in the Greensburgh, late St. Helena, land district, in the State of Louisiana, and authorizing the resurvey of certain lands in said district.*

In cases where the U. S. cannot issue patents, the certificates of purchase may be surrendered to be cancelled.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where lands shall have been entered at the land office in the Greensburgh, late St. Helena, land district, in the State of Louisiana, where the United States cannot issue patents therefor, owing to the errors and imperfections of the public surveys, or to conflicting claims, it shall be lawful for the person having made such entries, or his or her heirs or legal representatives, or grantees, or their heirs or legal representatives, who may [be] legally and equitably entitled to the same, after a demand of the patent, and a refusal to issue the same, to surrender his or her certificate of purchase to the Secretary of the Treasury to be cancelled; and, upon such surrender, it shall be the duty of the Secretary of the Treasury to refund, without interest, the purchase-money for said lands to the person entitled to receive the same, out of any money in the Treasury not otherwise appropriated.

President may cause a resurvey of the unsold lands, &c.

SEC. 2. *And be it further enacted,* That it shall be lawful for the President of the United States, if he shall deem it expedient, to cause a resurvey of all or any part of the lands lying in said district remaining unsold, or the certificates for which may be surrendered in virtue of this or any other act of Congress, thereby correcting the surveys, and designating the lands covered by private claims under Spanish or French grants; and so soon as said resurveys shall have been returned and confirmed by the Secretary of the Treasury, the unreserved public lands therein specified shall be subject to the laws for the disposal of the public lands, and patents therefor shall issue as in other cases: *Provided,* That purchasers aforesaid may retain their certificates of purchase, and the surveys of said tracts shall be corrected, and when said surveys are corrected, may receive their patents from the United States for the land so purchased by them.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

[Obsolete.]

CHAP. CCLIX.—*An Act to provide for the settlement of certain accounts for the support of Government in the Territory of Wisconsin, and for other purposes.*

Accounts of the Legislative Assembly to be settled.

No extra compensation to any member, except the presiding officer, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proper accounting officers of the Treasury Department be directed to audit and settle the accounts for the expenses of the Legislative Assembly of the Territory of Wisconsin, including the printing of the laws and other incidental expenses which have not heretofore been closed and settled at the Treasury Department; but no allowance shall be made for extra compensation to any member of the Legislative Assembly of said Ter-

ritory for extra services, except to the presiding officers of the two Houses of said Assembly, nor for extra compensation to the Secretary of said Territory, nor to the Clerk of either House of said Legislative Assembly for the performance of duties required by law, nor for any other purpose not authorized by the eleventh section of the act of Congress, approved April twenty, eighteen hundred and thirty-six, entitled "An act establishing the Territorial Government of Wisconsin;" and the incidental expenses therein authorized shall be construed to be the ordinary and necessary expenses of the sessions of said Legislative Assembly, and no other.

1836, ch. 54.

SEC. 2. *And be it further enacted,* That all accounts for disbursements in the Territories of the United States, of money appropriated by Congress for the support of Government therein, shall be settled and adjusted at the Treasury Department; and no act, resolution, or order, of the Legislature of any Territory, directing the expenditure of the sum, shall be deemed a sufficient authority for such disbursement, but sufficient vouchers and proof for the same shall be required by said accounting officers. And no payment shall be made or allowed, unless the Secretary of the Treasury shall have estimated therefor, and the object been approved by Congress. No session of the Legislature of a Territory shall be held until the appropriation for its expenses shall have been made. In the adjustment of said accounts, no charge for the services of a greater number of officers and attendants shall be allowed than for one secretary and assistant secretary, or clerk, one sergeant-at-arms, or doorkeeper, one messenger, and one foreman for each House of the Legislature, to neither of whom shall a greater compensation than three dollars per day be paid. And it shall be the duty of the Secretary of each Territory to prepare the acts passed by the Legislature for publication, and to furnish a copy thereof to the public printer of the Territory within ten days after the passage of each act.

Accounts of territories to be adjusted at the Treasury.

No payment to be made, unless approved by Congress.

What officers allowed, and their pay.

Secretaries of territories to prepare the acts for publication.

Amount found due to be paid.

SEC. 3. *And be it further enacted,* That whatever sum of money shall be found due, upon such auditing and settlement, beyond the amount of former appropriations, whether the same have been expended or not, be paid out of any money in the Treasury not otherwise appropriated.

SEC. 4. *And be it further enacted,* That said accounting officers of the Treasury be directed to audit and settle the accounts for expenses of the Legislative Assembly of the Territory of Florida, not heretofore audited and settled, in the same manner and upon the same principles herein prescribed for the settlement of the accounts of the Territory of Wisconsin; and whatever sum of money shall be found due, upon such auditing, be paid out of any money in the Treasury not otherwise appropriated.

Accounts of the Legislative Assembly of Florida to be settled in the same manner, &c.

APPROVED, August 29, 1842.

STATUTE II.

CHAP. CCLX.—*An Act supplementary to "An act to provide for the adjustment of titles to land in the town of Detroit, and Territory of Michigan, and for other purposes," passed April twenty-one, eighteen hundred and six.*

Aug. 29, 1842.

Act of April 21, 1806, ch. 43.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the mayor, recorder, and aldermen of the city of Detroit, in the State of Michigan, be, and they, or a quorum of them in council assembled, are hereby, authorized to hear, examine, and finally adjust, all claims arising under the act to which this is supplementary, against the governor and judges of the late Territory of Michigan, and receive all moneys, or other rights to property to which the said governor and judges were entitled, or became entitled under said act.

Mayor, &c. of Detroit authorized to adjust claims under the act to which this is supplementary.

SEC. 2. *And be it further enacted,* That the said mayor, recorder,



Mayor, &c. authorized to receive journals, &c. of the board acting under act 21st April 1806, ch. 43.

Powers, &c. vested in said board, transferred to the mayor, &c.

Mayor, &c. authorized to institute legal proceedings.

All property, except the court house and jail, vested in the mayor, &c.

Mayor, &c. to take an oath or affirmation.

and aldermen, of the said city of Detroit be, and they are hereby, entitled to receive from any person or persons having possession of the same, the journals, records, papers, and books of the governor and judges of the late Territory of Michigan, acting as a land board, under the Act of April twenty-first, one thousand eight hundred and six, to which this is a supplement; and that all powers and rights vested by the said act in the said governor and judges, for the purposes therein mentioned, are hereby transferred and vested in the mayor, recorder, and aldermen, of the city of Detroit, in the State of Michigan. And the said mayor, recorder, and aldermen, are hereby authorized to institute proceedings at law or in equity, in any court of competent jurisdiction, in all cases where it may be necessary to carry into effect the purposes of this act.

SEC. 3. *And be it further enacted*, That any land or other property, real or personal, remaining, except the court-house and jail erected under the act to which this is a supplement, after satisfying all just claims provided for in the first section of the act to which this is a supplement, is hereby vested in the said mayor, recorder, and aldermen, of the city of Detroit, to be disposed of by them at their discretion to the best advantage; and they are hereby authorized to make deeds to purchasers thereof, or other sufficient conveyances; and the proceeds of the land or other property effects or claims so disposed of, and of other rights and claims of the said governor and judges, shall, after the payment of all necessary expenses incurred in giving effect to said act and to this act and in the adoption of such measures as they may deem necessary for preserving in proper form the records and other evidences of the proceedings of said governor and judges, be applied by the said mayor, recorder and aldermen, to such object or objects of public improvement in said city, as the said mayor, recorder, and aldermen, may in council direct. And the said mayor, recorder and aldermen are hereby required to take an oath or affirmation for the faithful discharge of their duties under this act, and make a report to Congress, in writing, of their proceedings, on or before the first day of January, one thousand eight hundred and forty-four.

APPROVED, August 29, 1842.

#### STATUTE II.

Aug. 29, 1842.

CHAP. CCLXI.—*An Act to provide for the payment to the State of Louisiana of the balance due said State for expenditures incurred in raising, equipping and paying off a regiment of volunteer militia, mustered into the service of the United States, and employed in the Florida war in the year one thousand eight hundred and thirty-six.*

Appropriation to pay the balance due Louisiana.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of sixty-one thousand three hundred and seventy-eight dollars and fifteen cents, be, and the said sum is hereby, appropriated, to pay the balance due the State of Louisiana for expenditures incurred in raising, equipping and paying off a regiment of volunteer militia, employed in the service of the United States in the Seminole war.

APPROVED, August 29, 1842.

#### STATUTE II.

Aug. 29, 1842.

CHAP. CCLXII.—*An Act to authorize the States of Indiana and Illinois to select certain quantities of land, in lieu of like quantities heretofore granted to the said States, for the construction of the Wabash and Erie and the Illinois and Michigan canals. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be vested

(a) Act of March 30, 1822, chap. 14; act of May 26, 1824, chap. 165; act of March 2, 1827, chap. 51-56; act of May 29, 1830, chap. 161; act of June 30, 1834, chap. 137; act of Feb. 27, 1841, chap. 12; act of March 3, 1845, chap. 42.

in the State of Indiana twenty-four thousand two hundred and nineteen acres, and fourteen-hundredths of an acre of land, to be selected under the authority of the Governor of said State, from any of the unsold public lands therein, not subject to the right of pre-emption, as an equivalent for certain lands covered by Indian reservations in the lands acquired by treaties with the Miami Indians, in the years eighteen hundred and thirty-seven and eighteen hundred and thirty-nine, respectively, and which, had said reservations not been permitted or allowed, would have belonged to said State in virtue of the act of the second of March, eighteen hundred and twenty-seven, entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal to connect the waters of the Wabash river with those of Lake Erie."

Lands to be selected in lieu of others granted for the Wabash and Erie canal.

1827, ch. 56.

SEC. 2. *And be it further enacted*, That the Governor of the State of Illinois is hereby authorized to cause to be selected, from any of the unsold public lands in that State, not subject to the right of pre-emption, the quantity of five thousand seven hundred and sixty acres, in lieu of sections numbered three and nine, in township thirty-two, north of range three east; sections thirteen and twenty-one, in township thirty-four, north of range six east; sections twenty-five and thirty-three, in township thirty-three, north of range eleven east; and sections thirteen, nineteen, and twenty-one, in township thirty-three, north of range eight, east of the third principal meridian, heretofore selected by the said State under "An act to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of the Illinois river with those of Lake Michigan," but which had been sold and patented to individuals by the United States, before the location by the said State had been approved.

Lands to be selected in lieu of others granted for the Illinois and Michigan canal.

1827, ch. 51.

SEC. 3. *And be it further enacted*, That the selections of lands made under this act shall be reported by the Governors of the said States respectively, to the Secretary of the Treasury, and approved by the President of the United States.

Selections to be reported to Secretary of the Treasury, and approved by the President.

APPROVED, August 29, 1842.

STATUTE II.  
Aug. 29, 1842.

CHAP. CCLXIII. — *An Act in addition to an act to promote the progress of the useful arts, and to repeal all acts and parts of acts heretofore made for that purpose. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Treasurer of the United States be, and he hereby is, authorized to pay back, out of the patent fund, any sum or sums of money, to any person who shall have paid the same into the Treasury, or to any receiver or depository to the credit of the Treasurer, as for fees accruing at the Patent Office through mistake, and which are not provided to be paid by existing laws, certificate thereof being made to said Treasurer by the Commissioner of Patents.

Act of July 4, 1836, ch. 357.  
Act of March 3, 1837, ch. 45.  
Act of March 3, 1839, ch. 88.  
Treasurer authorized to pay back, out of the patent fund, certain money paid as fees.

SEC. 2. *And be it further enacted*, That the third section of the act of March, eighteen hundred and thirty-seven, which authorizes the renewing of patents lost prior to the fifteenth of December, eighteen hundred and thirty-six, is extended to patents granted prior to said fifteenth day of December, though they may have been lost subsequently: *Provided, however*, The same shall not have been recorded anew under the provisions of said act.

Sec. 3, act of 3d March 1837, ch. 45, extended to patents granted prior to 15th Dec. 1836, though lost subsequently.

SEC. 3. *And be it further enacted*, That any citizen or citizens, or alien or aliens, having resided one year in the United States and taken

Proviso.  
Citizens, &c. may obtain a patent, how.

(a) Notes of the acts passed relative to patents for useful inventions, vol. 1, 109, 318.  
Notes of the decisions of the courts of the United States on the acts which have been passed relative to patents for useful inventions, vol. 1, 319, 320, 321.

the oath of his or their intention to become a citizen or citizens who by his, her, or their own industry, genius, efforts, and expense, may have invented or produced any new and original design for a manufacture, whether of metal or other material or materials, or any new and original design for the printing of woollen, silk, cotton, or other fabrics, or any new and original design for a bust, statue, or bas relief or composition in alto or basso relievo, or any new and original impression or ornament, or to be placed on any article of manufacture, the same being formed in marble or other material, or any new and useful pattern, or print, or picture, to be either worked into or worked on, or printed or painted or cast or otherwise fixed on, any article of manufacture, or any new and original shape or configuration of any article of manufacture not known or used by others before his, her, or their invention or production thereof, and prior to the time of his, her, or their application for a patent therefor, and who shall desire to obtain an exclusive property or right therein to make, use, and sell and vend the same, or copies of the same, to others, by them to be made, used, and sold, may make application in writing to the Commissioner of Patents expressing such desire, and the Commissioner, on due proceedings had, may grant a patent therefor, as in the case now of application for a patent: *Provided*, That the fee in such cases which by the now existing laws would be required of the particular applicant shall be one half the sum, and that the duration of said patent shall be seven years, and that all the regulations and provisions which now apply to the obtaining or protection of patents not inconsistent with the provisions of this act shall apply to applications under this section.

Proviso.

Oath may be taken before U. S. ministers, &c.

Penalty for infringing the rights of a patentee, &c. by marking.

How recoverable, &c.

Patentees, &c. requir'd to mark articles offered for sale.

SEC. 4. *And be it further enacted*, That the oath required for applicants for patents may be taken, when the applicant is not, for the time being, residing in the United States, before any minister, plenipotentiary, chargé d'affaires, consul, or commercial agent holding commission under the Government of the United States, or before any notary public of the foreign country in which such applicant may be.

SEC. 5. *And be it further enacted*, That if any person or persons shall paint or print, or mould, cast, carve, or engrave, or stamp, upon any thing made, used, or sold, by him, for the sole making or selling which he hath not or shall not have obtained letters patent, the name or any imitation of the name of any other person who hath or shall have obtained letters patent for the sole making and vending of such thing, without consent of such patentee, or his assigns or legal representatives; or if any person, upon any such thing not having been purchased, from the patentee, or some person who purchased it from or under such patentee, or not having the license or consent of such patentee, or his assigns or legal representatives, shall write, paint, print, mould, cast, carve, engrave, stamp, or otherwise make or affix the word "patent," or the words "letters patent," or the word "patentee," or any word or words of like kind, meaning, or import, with the view or intent of imitating or counterfeiting the stamp, mark, or other device of the patentee, or shall affix the same or any word, stamp, or device, of like import, on any unpatented article, for the purpose of deceiving the public; he, she, or they, so offending, shall be liable for such offence, to a penalty of not less than one hundred dollars, with costs, to be recovered by action in any of the circuit courts of the United States, or in any of the district courts of the United States, having the powers and jurisdiction of a circuit court; one half of which penalty, as recovered, shall be paid to the patent fund, and the other half to any person or persons who shall sue for the same.

SEC. 6. *And be it further enacted*, That all patentees and assignees of patents hereafter granted, are hereby required to stamp, engrave, or cause to be stamped or engraved, on each article vended, or offered for

sale, the date of the patent; and if any person or persons, patentees or assignees, shall neglect to do so, he, she, or they, shall be liable to the same penalty, to be recovered and disposed of in the manner specified in the foregoing fifth section of this act.

Penalty for neglect.

APPROVED, August 29, 1842.

CHAP. CCLXIV.—*An Act to provide for the reports of the decisions of the Supreme Court of the United States. (a)*

STATUTE II.  
Aug. 29, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the reporter who shall, from time to time, be appointed by the Supreme Court, shall be entitled to receive from the Treasury of the United States, as an annual compensation for his services, and for the copies of the annual volumes of the reports he is hereinafter required to deliver to the Secretary of State, the sum of thirteen hundred dollars: *Provided,* That the compensation shall not be paid unless the said reporter shall print and publish, or cause to be printed and published, the decisions of the said court, made during the time he shall act as such reporter, within six months after the said decisions shall be made: *And provided also,* That he shall deliver to the Secretary of State, in lieu of the eighty copies of the annual reports which by former acts he was required to deliver, one hundred and fifty copies of the said reports, so printed and published, which said copies shall be distributed as follows, to wit: to the President of the United States, the justices of the Supreme Court of the United States, the judges of the district courts, the Attorney General of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Postmaster General, the First and Second Comptrollers of the Treasury, the Solicitor of the Treasury, the First, Second, Third, Fourth and Fifth Auditors of the Treasury, the Auditor of the General Post Office, the Treasurer of the United States, the Register of the Treasury, the Commissioner of the General Land Office, the Paymaster General, the Commissioner of Indian Affairs, the Commissioner of Pensions, the judges of the several territorial courts of the United States, the Governors of the Territories of the United States, the Secretary of the Senate for the use of the Senate, the Clerk of the House of Representatives for the use of the House of Representatives, and to the Commissioners of the Navy, each one copy; to the Secretary of the Senate for the use of the standing committees of the Senate, ten copies; and to the Clerk of the House of Representatives, for the use of the standing committees of the House, twelve copies; and the residue of said copies shall be deposited in the library of Congress, to become a part of the said library: *And provided also,* That the volumes of the decisions of the Supreme Court shall not be sold by the reporter to the public at large, for a greater price than five dollars for each volume.

Reporter appointed by Supreme Court to receive \$1300 per annum.

Proviso.

Further proviso.

Distribution.

Proviso.

In case of the death, &c. of those receiving the decisions.

SEC. 2. *And be it further enacted,* That in case of the death, resignation, or dismissal from office, of either of the aforesaid officers, the said copies of the decisions of the Supreme Court shall belong to, and be delivered up to their respective successors in said offices.

APPROVED, August 29, 1842.

CHAP. CCLXV.—*An Act making an appropriation for the erection of a marine hospital at or near Ocracoke, in North Carolina.*

STATUTE II.  
Aug. 29, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of ten

1843, ch. 47.  
Appropriation for the purchase of a site, &c.

(a) Notes of the acts relative to a reporter of the decisions of the Supreme Court of the United States, vol. 3, 376.

thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of a site and the erection of a marine hospital at or near Ocracoke, in North Carolina; the site to be selected and the building to be contracted for and erected under the superintendence and direction of the Secretary of the Treasury; and that he (the Secretary of the Treasury) be directed to report to Congress, at its next session, the progress and condition of the work: *Provided*, That the expense of the land and building shall not exceed that sum.

APPROVED, August 29, 1842.

Proviso.

STATUTE II.

Aug. 29, 1842.

[Obsolete.]

Appropriations  
for sites for ma-  
rine hospitals at  
1837, ch. 44.

CHAP. CCLXVI.—*An Act making appropriations for certain sites for marine hospitals therein mentioned.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated for sites for marine hospitals, selected and purchased under the act of March third, eighteen hundred and thirty-seven, entitled “An act to provide for certain harbors, and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes,” viz:

Natchez. For a site for a marine hospital at Natchez, in the State of Mississippi, seven thousand dollars.

Napoleon. For a site for a marine hospital at Napoleon, in the State of Arkansas, one thousand dollars.

St. Louis. For the site for a marine hospital at St. Louis, in the State of Missouri, seven thousand four hundred and sixty-eight dollars.

Paducah. For the site for a marine hospital at Paducah, in the State of Kentucky, one thousand dollars.

Louisville. For the site for a marine hospital at Louisville, in the State of Kentucky, six thousand dollars.

Pittsburg. For the site for a marine hospital at Pittsburg, in the State of Pennsylvania, ten thousand two hundred and fifty-three dollars.

Cleveland. For the site for a marine hospital at Cleveland, in the State of Ohio, twelve thousand dollars.

SEC. 2. *And be it further enacted*, That the said several sums of money be paid out of any moneys in the Treasury not otherwise appropriated.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 29, 1842.

CHAP. CCLXVII.—*An Act to establish and regulate the navy ration.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the navy ration shall consist of the following daily allowance of provisions for each person:

Component  
parts of the ra-  
tion.

One pound of salted pork, with half a pint of peas or beans; or one pound of salted beef, with half a pound of flour, and a quarter of a pound of raisins, dried apples, or other dried fruits; or one pound of salt beef with half a pound of rice, two ounces of butter, and two ounces of cheese; together with fourteen ounces of biscuit, one quarter of an ounce of tea, or ounce of coffee, or one ounce of cocoa; two ounces of sugar, and one gill of spirits; and of a weekly allowance of half a pound of pickles or cranberries, half a pint of molasses, and half a pint of vinegar.

Fresh meat  
may be substi-  
tuted.

SEC. 2. *And be it further enacted*, That fresh meat may be substituted for salted beef or pork, and vegetables or sour-cROUT for the other articles usually issued with the salted meats, allowing one and a quarter pounds of fresh meat for one pound of salted beef or pork, and regulating the quantity of vegetables or sour-cROUT so as to equal the value of those articles for which they may be substituted.

SEC. 3. *And be it further enacted*, That, should it be necessary to vary the above described daily allowance, it shall be lawful to substitute one pound of soft bread, or one pound of flour, or half a pound of rice, for fourteen ounces of biscuit; half a pint of wine for a gill of spirits; half a pound of rice for half a pint of beans or peas; half a pint of beans or peas for half a pound of rice. When it may be deemed expedient by the President of the United States, Secretary of the Navy, commander of a fleet or squadron, or of a single ship when not acting under the authority of another officer on foreign service, the articles of butter, cheese, raisins, dried apples or other dried fruits, pickles and molasses, may be substituted for each other and for spirits: *Provided*, The article substituted shall not exceed in value the article for which it may be issued, according to the scale of prices which is or may be established for the same.

Soft bread, &c. may be substituted for biscuit.

Articles allowed to be substituted for each other in certain cases.

Proviso.

SEC. 4. *And be it further enacted*, That in cases of necessity, the daily allowance of provisions may be diminished or varied by the discretion of the senior officer present in command, but payment shall be made to the persons whose allowance shall be thus diminished, according to the scale of prices which is or may be established for the same: but a commander who shall thus make a diminution or variation shall report to his commanding officer or to the Navy Department, the necessity for the same, and give to the purser written orders specifying particularly the diminution or reduction which is to be made.

In case of necessity, daily allowance may be diminished.

SEC. 5. *And be it further enacted*, That no commissioned officer or midshipman, or any person under twenty-one years of age, shall be allowed to draw the spirit part of the daily ration, and all other persons shall be permitted to relinquish that part of their ration, under such restrictions as the President of the United States may authorize: and to every person who, by this section, is prohibited from drawing, or who may relinquish, the spirit part of his ration, there shall be paid in lieu thereof, the value of the same in money, according to the prices which are or may be established for the same.

Spirits not allowed to persons under 21. Others may relinquish spirits.

Value to be paid in money.

SEC. 6. *And be it further enacted*, That the provisions of this act shall go into effect in the United States, on the first day of the succeeding quarter after it becomes a law, and in vessels abroad, on the first day of the succeeding quarter after its official receipt: and any acts and parts of acts which may be contrary to, or inconsistent with, the provisions of this act, shall be and are hereby repealed.

Act to take effect, when.

Acts inconsistent herewith, repealed.

APPROVED, August 29, 1842.

STATUTE II.

CHAP. CCLXVIII.—*An Act authorizing the Secretary of the Navy to contract for the purchase, for the United States, of the right to use Babbit's anti-attribution metal.*

Aug. 29, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy be, and he hereby is, authorized to contract for the purchase, from the proprietor of the patented interest therein, for the United States, of the right to use Babbit's anti-attribution metal in the construction of machinery and other work; subject to the ratification of Congress.

Authority to contract for the purchase thereof.

APPROVED, August 29, 1842.

STATUTE II.

CHAP. CCLXIX.—*An Act establishing a court at Charleston, in the Commonwealth of Virginia. (a)*

Aug. 29, 1842.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter terms of the

(a) See notes of the acts relating to the District Courts of Virginia, vol. 3, 479.

District Court to be held at Charleston, in lieu of Lewisburg.

district court for the western district of Virginia, be holden at Charleston, in the county of Kenawha, commencing on the Wednesdays after the second Mondays in April and September of each year, in lieu of the sessions of said district court now held at Lewisburg, in the county of Greenbriar, which said last mentioned sessions of said court are hereby discontinued.

APPROVED, August 29, 1842.

STATUTE II.

Aug. 30, 1842.

1846, ch. 74.

The duties to be paid hereafter on the following articles.

Wool unmanufactured.

CHAP. CCLXX.—*An Act to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passage of this act, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, the following duties, that is to say:

First. On coarse wool unmanufactured, the value whereof, at the last port or place whence exported to the United States, shall be seven cents or under per pound, there shall be levied a duty of five per centum ad valorem; and on all other unmanufactured wool, there shall be levied a duty of three cents per pound, and thirty per centum ad valorem: *Provided*, That when wool of different qualities of the same kind or sort, is imported in the same bale, bag, or package, and the aggregate value of the contents of the bale, bag, or package, shall be appraised by the appraisers, at a rate exceeding seven cents per pound, it shall be charged with a duty in conformity to such appraisal: *Provided further*, That when wool of different qualities, and different kinds or sorts, is imported in the same bale, bag, or package, the contents of the bale, bag, or package, shall be appraised at the value of the finest or most valuable kind or sort, and a duty charged thereon accordingly: *Provided further*, That if bales of different qualities are embraced in the same invoice, at the same price, the value of the whole shall be appraised according to the value of the bale of the best quality: *Provided further*, That if any wool be imported having in it dirt, or any material or impurities, other than those naturally belonging to the fleece, and thus be reduced in value to seven cents per pound or under, the appraisers shall appraise said wool at such price, as in their opinion, it would have cost had it not been so mixed with such dirt or impurities, and a duty shall be charged thereon in conformity to such appraisal: *Provided also*, That wool imported on the skin shall be estimated as to weight and value as other wool.

Manufactures of wool.

Second. On all manufactures of wool, or of which wool shall be a component part, except carpetings, flannels, bockings and baizes, blankets, worsted stuff goods, ready-made clothing, hosiery, mits, gloves, caps, and bindings, a duty of forty per centum.

Carpetings.

Third. On Wilton carpets and carpeting, treble ingrain, Saxony, and Aubusson carpets and carpeting, a duty of sixty-five cents per square yard; on Brussels and Turkey carpets and carpeting, fifty-five cents per square yard; on all Venitian and ingrain carpets and carpetings, thirty cents per square yard; on all other kinds of carpets and carpeting, of wool, hemp, flax, or cotton, or parts of either, or other material not otherwise specified, a duty of thirty per centum ad valorem: *Provided*, That bed sides and other portions of carpets or carpetings shall pay the rate of duty herein imposed on carpets or carpeting of similar character.

Blankets.

Fourth. On woollen blankets, the actual value of which at the place whence imported shall not exceed seventy-five cents each, and of the dimensions not exceeding seventy-two by fifty-two inches each, nor less

than forty-five by sixty inches each, a duty of fifteen per centum ad valorem; and on all other woollen blankets, a duty of twenty-five per centum ad valorem.

Fifth. On all manufactures, not otherwise specified, of combed wool or worsted, and manufactures of worsted and silk combined, a duty of thirty per centum ad valorem; on all hearth rugs, an ad valorem duty of forty per centum.

Manufactures of combed wool, &c.

Sixth. On woollen and worsted yarn, a duty of thirty per centum ad valorem.

Yarn.

Seventh. On woollen and worsted mits, gloves, caps, and bindings, and on woollen or worsted hosiery, that is to say, stockings, socks, drawers, shirts, and all other similar manufactures made on frames, a duty of thirty per centum ad valorem.

Gloves, caps, bindings and hosiery.

Eighth. On flannels, of whatever material composed, except cotton, a duty of fourteen cents per square yard on bockings and baizes, fourteen cents per square yard on coach laces, thirty-five per centum ad valorem; on Thibet, Angora, and all other goats' hair or mohair unmanufactured, one cent per pound; on camlets, blankets, coatings, and all other manufactures of goats' hair or mohair, twenty per centum ad valorem.

Flannels, bockings, &c.

Goats' hair, &c.

Ninth. On ready-made clothing, of whatever materials composed, worn by men, women, or children, except gloves, mits, stockings, socks, wove shirts and drawers, and all other similar manufactures made on frames, hats, bonnets, shoes, boots, and bootees, imported in a state ready to be used as clothing by men, women or children, made up either by the tailor, manufacturer, or seamstress, an ad valorem duty of fifty per centum; on all articles worn by men, women, or children, other than as above specified or excepted, of whatever materials composed, made up wholly or in part by hand, a duty of forty per centum ad valorem; on all thread laces and insertings, fifteen per centum ad valorem; on cotton laces, quillings, and insertings, usually known as trimming laces, and on bobbinet laces of cotton, twenty per centum ad valorem; on laces, galloons, tresses, tassels, knots, and stars of gold or silver, fine or half fine, fifteen per centum ad valorem; on all articles embroidered in gold or silver, fine or half fine, when finished, other than clothing, twenty per centum ad valorem; and on clothing, finished in whole or in part, embroidered in gold or silver, fifty per centum ad valorem.

Clothing, &c.

Thread laces, &c.

Gold and silver laces, &c.

Sec. 2. *And be it further enacted*, That, from and after the passage of this act, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties; that is to say:

First. On cotton unmanufactured, a duty of three cents per pound,

Cotton unmanufactured. Manufactures of cotton.

Second. On all manufactures of cotton, or of which cotton shall be a component part, not otherwise specified, a duty of thirty per centum ad valorem, excepting such cotton twist, yarn, and thread, and such other articles as are herein provided for: *Provided*, That all manufactures of cotton or of which cotton shall be a component part, not dyed, colored, printed, or stained, not exceeding in value twenty cents per square yard, shall be valued at twenty cents per square yard; and if dyed, colored, printed, or stained, in whole or in part, not exceeding in value thirty cents the square yard, shall be valued at thirty cents per square yard, excepting velvets, cords, moleskins, fustians, buffalo cloths, or goods manufactured by napping or raising, cutting or shearing, not exceeding in value thirty-five cents the square yard, shall be valued at thirty-five cents per square yard, and duty be paid thereon accordingly.

Third. All cotton twist, yarn, and thread, unbleached and uncolored, the true value of which at the place whence imported shall be less than sixty cents per pound, shall be valued at sixty cents per pound, and shall be charged with a duty of twenty-five per centum ad valorem; all

Cotton twist, yarn, and thread.



bleached or colored cotton twist, yarn, and thread, the true value of which at the place whence imported shall be less than seventy-five cents per pound, shall be valued at seventy-five cents per pound, and pay a duty of twenty-five per centum ad valorem; all other cotton twist, yarn, and thread, on spools or otherwise, shall pay a duty of thirty per centum ad valorem.

SEC. 3. *And be it further enacted*, That from and after the passage of this act, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties; that is to say;

Manufactures  
of silk.

First. On all manufactures of silk not otherwise specified, except bolting cloths, two dollars and fifty cents per pound of sixteen ounces; on silk bolting cloths, twenty per centum ad valorem: *Provided*, That if any silk manufacture shall be mixed with gold or silver, or other metal, it shall pay a duty of thirty per centum ad valorem.

Second. On sewing silk, silk twist, or twist composed of silk and mohair, a duty of two dollars per pound of sixteen ounces; on pongees and plain white silks for printing or coloring, one dollar and fifty cents per pound of sixteen ounces; on floss and other similar silks, purified from the gum, dyed, and prepared for manufacture, a duty of twenty-five per centum ad valorem; on raw silk, comprehending all silks in the gum, whether in hanks, reeled, or otherwise, a duty of fifty cents per pound of sixteen ounces; on silk umbrellas, parasols, and sunshades, thirty per centum ad valorem; on silk or satin shoes and slippers, for women or men, thirty cents per pair; silk or satin laced boots or bootees, for women or men, seventy-five cents a pair; silk or satin shoes or slippers, for children, fifteen cents per pair; silk or satin laced boots or bootees, for children, twenty-five cents a pair; on men's silk hats, one dollar each; silk or satin hats or bonnets for women, two dollars each; on silk shirts and drawers, whether made up wholly or in part, forty per centum ad valorem; silk caps for women, and turbans, ornaments for head dress, aprons, collars, caps, cuffs, braids, curls, or frizettes, chemisettes, mantillas, pelerines, and all other articles of silk made up by hand in whole or in part, and not otherwise provided for, a duty of thirty per centum ad valorem.

Hemp, flax,  
&c. manufactur-  
ed and un-  
manufactured.

Third. On unmanufactured hemp, forty dollars per ton; on Manilla, Sunn, and other hemsps of India, on jute, Sisal grass, coir and other vegetable substances, not enumerated, used for cordage, twenty-five dollars per ton; on codilla, or tow of hemp or flax, twenty dollars per ton; on tarred cables and cordage, five cents per pound; on untarred cordage, four and a half cents per pound; yarns, twine, and packthread, six cents per pound; on seines, seven cents per pound: on cotton bagging, four cents per square yard, on any other manufacture not otherwise specified, suitable for the uses to which cotton bagging is applied, whether composed in whole or in part of hemp or flax, or any other material, or imported under the designation of gunny cloth, or any other appellation, and without regard to the weight or width, a duty of five cents per square yard; on sail duck, seven cents per square yard; Russia and other sheetings, brown and white, twenty-five per centum ad valorem; and on all other manufactures of hemp, or of which hemp shall be a component part, not specified, twenty per centum ad valorem; on unmanufactured flax, twenty dollars per ton; on linens, and all other manufactures of flax, or of which flax shall be a component part, not otherwise specified, a duty of twenty-five per centum ad valorem; on grass cloth, a duty of twenty-five per centum ad valorem.

Oil cloth.

Fourth. On stamped, printed, or painted floor oil cloth, thirty-five cents per square yard; on furniture oil cloth made on Canton or cotton flannel, sixteen cents per square yard; on other furniture oil cloth, ten cents per square yard: on oil cloth of linen, silk, or other materials,

used for hat covers, aprons, coach curtains, or similar purposes, and on medicated oil cloths, a duty of twelve and a half cents per square yard; on Chinese or other floor matting, made of flags, jute, or grass, on all floor mattings not otherwise specified, and on mats, of whatever materials composed, twenty-five per centum ad valorem.

Matting.

SEC. 4. *And be it further enacted*, That, from and after the passage of this act, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say:

First. On iron in bars or bolts, not manufactured in whole or in part by rolling, seventeen dollars per ton; on bar or bolt iron, made wholly or in part by rolling, twenty-five dollars per ton: *Provided*, That all iron in slabs, blooms, loops, or other form, less finished than iron in bars or bolts, and more advanced than pig iron, except castings, shall be rated as iron in bars or bolts, and pay a duty accordingly: *Provided, also*, That iron imported prior to the third day of March, eighteen hundred and forty-three, in bars or otherwise, for railways or inclined planes, shall be entitled to the benefits of the provisions of existing laws, exempting it from the payment of duty on proof of its having been actually and permanently laid down for use on any railway or inclined plane prior to the third day of March, eighteen hundred and forty-three, and all such iron imported from and after the date aforesaid, shall be subject to and pay the duty on rolled iron.

Iron in bars or bolts, &c.

Iron imported prior to 3d March 1843, for railways or inclined planes, exempt from duty.

Second. On iron in pigs, nine dollars per ton; on vessels of cast iron, not otherwise specified, one cent and a half per pound; on all other castings of iron, not otherwise specified, one cent per pound; on glazed or tin hollow ware and castings, sad irons or smoothing irons, hatters and tailors' pressing irons, and cast iron butts or hinges, two and a half cents per pound; on iron or steel wire, not exceeding No. 14, five cents per pound; and over No. 14, and not exceeding No. 25, eight cents per pound; over No. 25, eleven cents per pound; silvered or plated wire, thirty per centum ad valorem; brass or copper wire, twenty-five per centum ad valorem; cap or bonnet wire, covered with silk, twelve cents per pound; when covered with cotton thread or other material, eight cents per pound; on round or square iron, or braziers' rods, of three sixteenths, to ten sixteenths of an inch in diameter, inclusive, and on iron in nail or spike rods, or nail plates, slit, rolled, or hammered, and on iron in sheets, except taggers' iron, and on hoop iron, and on iron slit, rolled or hammered for band iron, scroll iron, or casement rods, iron cables or chains, or parts thereof, manufactured in whole or in part, of whatever diameter, the links being of the form peculiar to chains for cables, two and a half cents per pound; on all other chains of iron, not otherwise specified, the links being either twisted or straight, and, when straight, of greater length than those used in chains for cables, thirty per centum ad valorem; on anchors or parts of anchors, manufactured in whole or in part, anvils, blacksmiths' hammers and sledges, two and a half cents per pound; on cut or wrought iron spikes, three cents per pound; and on cut iron nails, three cents per pound; and on wrought iron nails, on axletrees, or parts thereof, mill irons and mill cranks of wrought iron, or wrought iron for ships, locomotives, and steam engines, or iron chains other than chain cables, and on malleable irons or castings, four cents per pound; on steam, gas, or water tubes or pipes, made of band or rolled iron, five cents per pound; on mill saws, cross-cut saws, and pit saws, one dollar each; on tacks, brads, and sprigs, not exceeding sixteen ounces to the thousand, five cents per thousand; exceeding sixteen ounces to the thousand, five cents per pound; on taggers' iron, five per centum ad valorem: *Provided*, That all articles partially manufactured, not otherwise provided for, shall pay the same rate of duty as if wholly manufactured: *And*

Iron in pigs. Iron castings.

Wire.

Various other manufactures of iron and steel.

*provided, also,* That no articles manufactured from steel, sheet, rod, hoop, or other kinds of iron, shall pay a less rate of duty than is chargeable on the material of which it is composed, in whole or in part, paying the highest rate of duty either by weight or value, and a duty of fifteen per centum ad valorem on the cost of the article added thereto.

Old or scrap iron.

Third. On all old or scrap iron, ten dollars per ton: *Provided,* That nothing shall be deemed old iron that has not been in actual use, and fit only to be remanufactured; and all pieces of iron, except old, of more than six inches in length, or of sufficient length to be made into spikes and bolts, shall be rated as bar, bolt, rod, or hoop iron, as the case may be, and pay duty accordingly: *Provided, also,* That all vessels of cast iron, and all castings of iron not rough as from the mould, but partially manufactured after the casting, or with handles, rings, hoops, or other additions of wrought iron, shall pay the same rates of duty herein imposed on all other manufactures of wrought iron not herein enumerated, if that shall amount to more than the duty on castings.

Fire-arms, hardware, &c.

Fourth. On muskets, one dollar and fifty cents per stand; rifles, two dollars and fifty cents each; on axes, adzes, hatchets, plane irons, socket chisels and vices, drawing knives, cutting knives, sickles or reaping hooks, scythes, spades, shovels, squares of iron or steel, plated or polished steel saddlery and brass saddlery, coach and harness furniture of all descriptions, steelyards and scale beams, and all fire arms other than muskets and rifles, and all side arms, thirty per centum ad valorem; on square wire, used for the manufacture of stretchers for umbrellas, when cut in pieces not exceeding the length suitable therefor, twelve and a half per centum ad valorem.

Umbrella wire.

Screws.

Fifth. On screws made of iron called wood screws, twelve cents per pound; on all other screws of iron not specified, thirty per centum ad valorem; on brass screws, thirty cents per pound; on sheet and rolled brass, a duty of thirty per centum ad valorem; on brass battery, or hammered kettles, twelve cents per pound.

Brass.

Steel.

Sixth. On cast, shear, and German steel in bars, one dollar and fifty cents per one hundred and twelve pounds; and on all other steel in bars, two dollars and fifty cents per one hundred and twelve pounds; on solid headed pins, and all other package pins, not exceeding five thousand to the pack of twelve papers, forty cents per pack, and the same in proportion for a greater or less quantity; on pound pins, twenty cents per pound; on sewing, tambouring, darning, netting, and knitting, and all other kinds of needles, a duty of twenty per centum ad valorem; on common tinned, and japanned saddlery, of all descriptions, twenty per centum ad valorem.

Various manufactures of metals.

Seventh. On japanned ware of all kinds, or papier mache, and plated and gilt wares of all kinds, and on cutlery of all kinds, and all other manufactures, not otherwise specified, made of brass, iron, steel, lead, copper, pewter, or tin, or of which either of these metals is a component material, thirty per centum ad valorem: *Provided,* That all manufactures of iron and steel, or other metals, partly finished, shall pay the same rates of duty as if entirely finished.

Lead.

Eighth. On lead in pigs and bars, three cents per pound; on old and scrap lead, one cent and a half per pound; leaden pipes, leaden shot, and lead in sheets, or in any other form not herein specified, four cents per pound; on type metal and stereotype plates, twenty-five per centum ad valorem; types, whether new or old, twenty-five per centum ad valorem; on copper bottoms cut round, and copper bottoms raised at the edge, and still bottoms cut round and turned up on the edge, and parts thereof, and on copper plates or sheets weighing more than thirty-four ounces per square foot, commonly called braziers' copper, thirty per centum ad valorem; on copper rods and bolts, nails and spikes, four

Copper.

cents per pound; on patent sheathing metal composed in part of copper, two cents per pound.

Ninth. On tin, in pigs, bars, or blocks, one per centum ad valorem; tin in plates or sheets, terne plates, taggers' tin, and tin foil, two and a half per centum ad valorem; on silver-plated metal in sheets, and on argentine, alabata, or German silver, in sheets or otherwise, unmanufactured, thirty per centum ad valorem; on manufactures of German silver, bell metal, zinc, and bronze, thirty per centum ad valorem; on zinc in sheets, ten per centum ad valorem: *Provided*, That old bells, or parts thereof, fit only to be remanufactured, shall not be considered manufactures of bell metal, but shall be admitted free of duty; on bronze powder, bronze liquor, iron liquor, red liquor, and seppia, twenty per centum ad valorem.

Tin, silver plated metal, &c.

Tenth. On coal, one dollar and seventy-five cents per ton; on coke or culm of coal, five cents per bushel.

Coal, &c.

SEC. 5. *And be it further enacted*, That, from and after the passage of this act, there shall be levied, collected, and paid, on the importation of articles hereinafter mentioned, the following duties; that is to say:

First. On all vessels or wares, articles, and manufactures of cut glass, when the cutting on the article does not exceed one-third the height or length thereof, a duty of twenty-five cents per pound; when the cutting exceeds one-third the height or length, but does not exceed one half the same, a duty of thirty-five cents per pound; when the cutting extends to or exceeds one-half the height or length thereof, a duty of forty-five cents per pound; on cut glass chandeliers, candlesticks, lustres, lenses, lamps, prisms and parts of the same, and on all drops, icicles, spangles, and ornaments used for mountings, a duty of forty-five cents per pound; on articles of plain, moulded, or pressed glass, weighing over eight ounces, a duty of ten cents per pound; on articles of plain, moulded, or pressed glass, weighing eight ounces or under, except tumblers, a duty of twelve cents per pound; on plain, moulded, or pressed tumblers, ten cents per pound; on all plain, moulded or pressed glass, when stoppered, or the bottoms ground, or punted, an additional duty of four cents per pound: *Provided*, That all articles of moulded or pressed glass, being cut, roughed, or polished, in part or parts thereof, and all other wares or articles of flint glass, not otherwise specified, shall pay the duty chargeable on articles of cut glass of the description and class to which they may severally belong.

Cut glass.

Moulded or pressed glass.

Second. On all apothecaries' vials and bottles, not exceeding the capacity of six ounces each, one dollar and seventy-five cents per gross; apothecaries' vials and bottles exceeding six ounces, and not exceeding the capacity of sixteen ounces each, two dollars and twenty-five cents per gross; on all perfumery and fancy vials and bottles, uncut, not exceeding the capacity of four ounces each, two dollars and fifty cents per gross; and those exceeding four ounces, and not exceeding, in capacity, sixteen ounces each, three dollars per gross.

Vials and bottles.

Third. On black and green glass bottles and jars, exceeding eight ounces, and not exceeding in capacity, one quart each, a duty of three dollars per gross; when exceeding the capacity of one quart each, four dollars per gross; on demijohns and carboys, of the capacity of half a gallon or less, fifteen cents each; when exceeding, in capacity, half a gallon, and not exceeding three gallons each, a duty of thirty cents each; exceeding three gallons, fifty cents each.

Black and green glass bottles and jars.

Demijohns and carboys.

Fourth. On cylinder or broad window-glass, not exceeding eight by ten inches, two cents per square foot; above that, and not exceeding ten by twelve inches, two and a half cents per square foot; above that, and not exceeding fourteen by ten inches, three and a half cents per square foot; above that, and not exceeding sixteen by eleven inches, four cents

Window glass.

- per square foot; above that, and not exceeding eighteen by twelve inches, five cents per square foot; above eighteen by twelve inches, six cents per square foot. On all crown window-glass not exceeding ten by eight inches, three and a half cents per square foot; above that, and not exceeding ten by twelve inches, five cents per square foot; above that, and not exceeding fourteen by ten inches, six cents per square foot; above that, and not exceeding sixteen by eleven inches, seven cents per square foot; above that, and not exceeding eighteen by twelve inches, eight cents per square foot; and all exceeding eighteen by twelve inches, ten cents per square foot: *Provided*, That all glass imported in sheets or tables, without reference to form, shall pay the highest duties herein imposed on the different descriptions of window-glass.
- Glass in sheets or tables.  
Plate glass. On all polished plate glass, whether imported as window-glass, or however otherwise specified, not silvered, and not exceeding twelve by eight inches, five cents per square foot; above that, and not exceeding fourteen by ten inches, seven cents per square foot; above that, and not exceeding sixteen by eleven inches, eight cents per square foot; above that, and not exceeding eighteen by twelve inches, ten cents per square foot; above that, and not exceeding twenty-two by fourteen inches, twelve cents per square foot; all above twenty-two by fourteen inches, thirty per centum ad valorem; if silvered, an addition of twenty per centum shall be made to the duty; if framed, a duty of thirty per centum ad valorem: *Provided*, That on all cylinder or broad glass, weighing over one hundred pounds per one hundred square feet, and on all crown glass weighing over one hundred and sixty pounds per one hundred square feet, there shall be an additional duty on the excess at the same rate as herein imposed.
- Porcelain glass, colored glass, &c. On porcelain glass, on glass colored, or paintings on glass, a duty of thirty per centum ad valorem; on all articles or manufactures of glass not specified, connected with other materials, rendering it impracticable to separate it and determine its weight, twenty-five per centum ad valorem.
- China ware, &c. Fifth. On China-ware, porcelain-ware, earthen-ware, stone-ware, and all other ware composed of earth or mineral substances, not otherwise specified, whether gilt, painted, printed, plain, or glazed, a duty of thirty per centum ad valorem.
- Leather, &c. Sixth. On tanned, sole or bend leather, six cents per pound; on all upper leather not otherwise specified, eight cents per pound; on calf and seal skins tanned and dressed, five dollars per dozen; on sheep skins tanned and dressed, or skivers, two dollars per dozen; on goat skins or morocco tanned and dressed, two dollars and fifty cents per dozen; on kid skins or morocco tanned and dressed, one dollar and fifty cents per dozen; on goat or sheep skins tanned and not dressed, one dollar per dozen; on all kid and lamb skins tanned and not dressed, seventy-five cents per dozen; and on skins tanned and dressed, otherwise than in color, to wit: fawn, kid, and lamb, usually known as chamois, one dollar per dozen; on men's boots and bootees of leather, wholly or partially manufactured, one dollar and twenty-five cents per pair; men's shoes or pumps, wholly or partially manufactured, thirty cents per pair; women's boots and bootees of leather, wholly or partially manufactured, fifty cents per pair; children's boots, bootees, and shoes, wholly or partially manufactured, fifteen cents per pair; women's double-soled pumps and welts, wholly or partially manufactured, forty cents per pair; women's shoes or slippers, wholly or partially manufactured, whether of leather, prunella, or other material, except silk, twenty-five cents per pair; on raw hides of all kinds, whether dried or salted, five per centum ad valorem; on all skins pickled and in casks, not specified, twenty per centum ad valorem.
- Shoes and boots. Seventh. On men's leather gloves, one dollar and twenty-five cents
- Raw hides, &c.
- Manufactures of leather.

per dozen; women's leather habit gloves, one dollar per dozen; children's leather habit gloves, fifty cents per dozen; women's extra and demi length leather gloves, one dollar and fifty cents per dozen; children's extra and demi length leather gloves, seventy-five cents per dozen; on leather caps or hats, leather braces or suspenders, and on all other braces or suspenders, of whatever material or materials composed, except India rubber, and on leather bottles, patent leather, and all other manufactures of leather, or of which leather is a component material of chief value, not otherwise specified, a duty of thirty-five per centum ad valorem.

Braces, of materials other than India rubber.

Eighth. On furs of all kinds on the skin, undressed, five per centum ad valorem; on furs dressed on the skin, on all hatters' furs, whether dressed or undressed, not on the skin, twenty-five per centum ad valorem; fur hats, caps, muffs, tippets, and other manufactures of fur not specified, thirty-five per centum ad valorem; fur hat bodies, frames, or felts, manufactured, not put in form or trimmed, or otherwise, twenty-five per centum ad valorem; hats of wool, hat bodies or felts made in whole or in part of wool, eighteen cents each.

Furs, &c.

Ninth. On hats and bonnets for men, women, and children, from Panama, Manilla, Leghorn, Naples, or elsewhere, composed of satin, straw, chip, grass straw, palm leaf, ratan, willow, or any other vegetable substance, or of hair, whalebone, or other material not otherwise specified, a duty of thirty-five per centum ad valorem: *Provided*, That all flats, braids, plaits, spartere, or willow squares, used for making hats or bonnets, shall pay the same rate of duty as manufactured hats or bonnets.

Hats and bonnets of straw, &c.

Tenth. On all ornamental feathers and artificial flowers, or parts thereof, of whatever material composed, hair bracelets, chains, ringlets, curls, or braids, human hair, cleaned and prepared for use, and on fans of every description, twenty-five per centum ad valorem; on all hair, human or otherwise, uncleaned and unmanufactured, ten per centum ad valorem; on hair cloth or seating, and on hair belts and hair gloves, twenty-five per centum ad valorem; on curled hair and moss, for beds or mattresses, ten per centum ad valorem; on feathers for beds, and on downs of all kinds, twenty-five per centum ad valorem; on India rubber oil cloth, webbing, shoes, braces or suspenders, or other fabrics or manufactured articles composed wholly or in part of India rubber, thirty per centum ad valorem: *Provided*, That braces or suspenders of that material, not exceeding in value two dollars per dozen, shall be valued at two dollars per dozen, and pay duty accordingly. On all clocks, twenty-five per centum ad valorem; and on glaziers' diamonds, when set, twenty-five per centum ad valorem; on ship or box chronometers, twenty per centum ad valorem; on watches or parts of watches, and watch materials not specified, seven and a half per centum ad valorem; on diamonds, seven and a half per centum ad valorem; on crystals of glass for watches, and on glass or pebbles for spectacles or eye glasses, when not set, two dollars per gross; on gems, pearls, or precious stones, seven per centum ad valorem; on imitations thereof, and compositions of glass or paste, on cameos and imitations thereof, and on mosaics not specified, of whatever materials composed, whether real or imitation, set or not set, seven and a half per centum ad valorem; on jewelry, composed of gold, silver, or platina, and gold and silver leaf, twenty per centum ad valorem; on gilt, plated, or imitation jewelry, and Dutch metal in leaf, twenty-five per centum ad valorem; on Scagliola table tops, and table tops of marble or composition, inlaid with precious stones or small pieces of composition, known as mosaics, on table tops of marble or composition, when inlaid with various colored marbles, and on alabaster and spar ornaments, thirty per centum ad valorem; on manufactures of services, vessels, and wares of all kinds, not otherwise

Feathers, artificial flowers, hair, moss, &c.

India rubber articles.

Clocks, diamonds, watch and spectacle glasses, precious stones, jewelry, table tops, alabaster ornaments, plate, &c.

specified, of silver or gold, or of which either of these metals shall be a component material of chief value, whether plain, chased, engraved, or embossed, an ad valorem duty of thirty per centum.

Eleventh. On all manufactures of wood, not otherwise specified, thirty per centum ad valorem: *Provided*, That boards, planks, staves, scantlings, hewn or sawed timber, unwrought spars, and all other descriptions of wood which shall have been wrought into shapes that fit them, respectively, for any specific and permanent use without further manufacture, shall be deemed and taken as manufactured wood, and pay duty accordingly; and on timber to be used in building wharves, and firewood, twenty per centum ad valorem: *Provided, also*, That rough boards, planks, staves, scantling, and sawed timber, not planed or wrought into any shapes for use, shall pay a duty of twenty per centum ad valorem: *And provided, further*, That rose wood, satin wood, mahogany, and cedar wood, shall pay a duty of fifteen per centum ad valorem; on walking canes and sticks, frames and sticks for umbrellas, for parasols, and for sunshades, cabinet wares or household furniture, not otherwise specified, musical instruments of all kinds, carriages and parts thereof, thirty per centum ad valorem: *Provided, also*, That strings for musical instruments, of catgut or whipgut, and all other strings or thread of similar materials, shall pay a duty of fifteen per centum ad valorem.

Twelfth. On unmanufactured marble in the rough, slab, or block, twenty-five per centum ad valorem; on marble busts or statuary, not specially imported, as hereinafter provided for, and on all other manufactures of marble not specified, a duty of thirty per centum ad valorem; on slates of all kinds, paving tiles and bricks, twenty-five per centum ad valorem; on baskets and other manufactures, not specified, of grass, straw, ozier or willow, and palm leaf, twenty-five per centum ad valorem; on wax, amber, or composition beads, and all other beads not otherwise enumerated, and shell or fancy boxes, not otherwise specified, twenty-five per centum ad valorem; on combs for the hair, of whatever material composed, twenty-five per centum ad valorem; on brushes and brooms of all kinds, thirty per centum ad valorem; and on bristles, one cent per pound; on dolls and toys of every description, of whatever material or materials composed, thirty per centum ad valorem; on metal buttons of all kinds, thirty per centum ad valorem: *Provided*, That all such buttons, not exceeding in value one dollar per gross, shall be valued at one dollar, and be charged with duty accordingly; on all other buttons, and on all button moulds, of whatever material composed, twenty-five per centum ad valorem: *Provided*, That lastings, prunellas, and similar fabrics, not specified, when imported in strips, pieces or patterns, of the size and shape suitable for the manufacture exclusively of buttons, shoes, or bootees, and that mohair or worsted cloth, black linen canvass, figured satin, and figured or brocaded or Terry velvet, when imported in strips, pieces, or patterns, of the size and shape suitable for the manufacture exclusively of buttons, tortoise shell, ivory, or teeth of elephants unmanufactured, horns and teeth, and horn and bone tips, shall be admitted to entry at a duty of five per centum ad valorem; otherwise, to be subject to the rates of duty chargeable on them, respectively, according to their component materials.

SEC. 6. *And be it further enacted*, That from and after the passage of this act there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following rates of duty; that is to say:

On white or red leads, litharge, or acetate or chromate of lead, dry or ground in oil, four cents per pound; on whitening or Paris white, and all ochres or ochry earths used in the composition of painters' color, when dry, one cent per pound, when ground in oil, one cent and a

Wood, and manufactures of wood.

Strings of catgut, &c.

Marble. Statuary.

Slates, tiles and bricks. Baskets.

Beads. Fancy boxes. Combs. Brushes, &c.

Toys. Buttons, &c.

Tortoise shell, ivory, teeth, horns, &c.

Painters' colors, oils, &c.

half per pound; on sulphate of barytes, one half cent per pound; on linseed, hempseed, and rapeseed oil, twenty-five cents per gallon; on putty, one cent and a half per pound.

SEC. 7. *And be it further enacted,* That from and after the passage of this act there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following rates of duty; that is to say:

First. On bank, folio, quarto post of all kinds, and letter and bank note paper, seventeen cents per pound; on antiquarian, demy, drawing, elephant, double elephant, foolscap, imperial, medium, pot, pith, royal, super-royal, and writing paper, fifteen cents per pound; on copperplate, blotting, copying, colored for labels, colored for needles, marble or fancy colored, glass paper, morocco paper, pasteboard, pressing-board, sand paper, tissue paper, and on all gold or silver paper, whether in sheets or strips, twelve and a half cents per pound; on colored copperplate, printing, and stainers' paper, ten cents per pound; on binders' boards, box boards, mill boards, paper-makers' boards, sheathing, wrapping, and cartridge paper, three cents per pound; and on all paper envelopes, whether plain, ornamental, or colored, and on all billet-doux or fancy note paper, of whatever form or size, when of less size than letter paper, thirty per centum ad valorem; on music paper, with lines, and on paper gilt or covered with metal other than gold or silver, paper snuff boxes, japanned or not japanned, and other fancy paper boxes, twenty-five per centum ad valorem; on all paper hangings, or paper for screens or fireboards, thirty-five per centum ad valorem; on all blank or visiting cards, twelve cents per pound; on playing cards, twenty-five cents per pack; on blank books, when bound, twenty cents per pound; when unbound, fifteen cents per pound; on all parchment and vellum, and on asses' skin and imitation thereof, wafers, sealing-wax, and black lead pencils, crayons of all kinds, and metallic pens, twenty-five per centum ad valorem; ink and ink powder of all kinds, twenty-five per centum ad valorem; quills, prepared or manufactured, twenty-five per centum ad valorem; quills, unprepared or unmanufactured, fifteen per centum ad valorem; on rags, of whatever material, waste or shoddy, a quarter of one cent per pound; all other paper not enumerated, fifteen cents per pound.

Paper, paper snuff boxes, fancy paper boxes, stationery, rags, &c.

Second. On all books printed in the English language, or of which the English forms the text, when bound thirty cents per pound, when in sheets or boards, twenty cents per pound: *Provided,* That whenever the importer shall prove, to the satisfaction of the collector, when the goods are entered, that any such book has been printed and published abroad more than one year, and not republished in this country, or has been printed and published abroad more than five years before such importation, then and in such case said books shall be admitted at one half of the above rate of duties: *Provided,* That the said terms of one year and five years, shall in no case commence, or be computed at and from a day before the passing of this act; on all books printed in Latin or Greek, or in which either language forms the text, when bound, fifteen cents per pound, when unbound, thirteen cents per pound; on all books printed in Hebrew, or of which that language forms the text, when bound, ten cents per pound, and when unbound, eight cents per pound; *Provided,* That all books printed in foreign languages, Latin, Greek, and Hebrew excepted, shall pay a duty of five cents per volume when bound or in boards, and when in sheets or pamphlets, fifteen cents per pound; and editions of works in the Greek, Latin, Hebrew, or English language, which have been printed forty years prior to the date of importation, shall pay a duty of five cents per volume; and all reports of legislative committees appointed under foreign Governments shall pay a duty of five cents per volume; on polyglots, lexicons, and dictionaries,

Books, &c.



five cents per pound; on books of engravings or plates, with or without letter press, whether bound or unbound, and on maps and charts, twenty per centum ad valorem.

Sec. 8. *And be it further enacted*, That from and after the passage of this act, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties: that is to say,

Sugar, syrups,  
molasses, sweet  
meats, confec-  
tionary, &c.

First. On raw sugar (commonly called brown sugar), not advanced beyond its raw state, by claying, boiling, clarifying, or other process, and on syrup of sugar, or of sugar cane, and on brown clayed sugar, two and a half cents per pound; on all other sugars, when advanced beyond the raw state, by claying, boiling, clarifying, or other process, and not yet refined, four cents per pound; on refined sugars, (whether loaf, lump, crushed, or pulverized, and when, after being refined, they have been tinctured, colored, or in any way adulterated), and on sugar candy, six cents per pound; on molasses, four and one half mills per pound: *Provided*, That all syrups of sugar or of sugar cane, entered under the designation of molasses, or any other appellation than "syrup of sugar" or of sugar cane, shall be liable to forfeiture to the United States; on comfits, on sweetmeats, or fruits preserved in molasses, sugar, or brandy, and on confectionary of all kinds, not otherwise specified, twenty-five per centum ad valorem: *Provided further*, That an inspection, under such regulations as the Secretary of the Treasury may prescribe, shall be made of all sugars and molasses imported from foreign countries, in order to prevent frauds, and to prevent the introduction of sugars, syrup of sugar, syrup of cane, or battery syrup, under the title of molasses, or in any other improper manner.

Chocolate,  
spices, drugs,  
quicksilver,  
gunpowder,  
dried fruits, &c.

Second. On cocoa, one cent per pound; chocolate, four cents per pound; on mace, fifty cents per pound; nutmegs, thirty cents per pound; cloves, eight cents per pound; cinnamon, twenty-five cents per pound; oil of cloves, thirty cents per pound; Chinese cassia, five cents per pound; pimento, five cents per pound; on black pepper, five cents per pound; Cayenne and African, or Chili pepper, ten cents per pound; ginger, ground, four cents per pound; ginger, in the root, when not preserved, two cents per pound; on mustard, twenty-five per centum ad valorem; on mustard seed, and on linseed, five per centum ad valorem; on camphor, refined, twenty cents per pound; crude camphor, five cents per pound; on indigo, five cents per pound; on woad or pastel, one cent per pound; on ivory or bone black, three-fourths of one cent per pound; on alum, one cent and a half per pound; on opium, seventy-five cents per pound; on quicksilver, five per centum ad valorem; on roll brimstone, calomel, and other mercurial preparations, corrosive sublimate, and red precipitate, twenty-five per centum ad valorem; on glue, five cents per pound; on gunpowder, eight cents per pound; on copperas and green vitriol, two cents per pound; on blue or Roman vitriol, or sulphate of copper, four cents per pound; on oil of vitriol, or sulphuric acid, one cent per pound; on almonds and prunes, three cents per pound; on sweet oil of almonds, nine cents per pound; on dates, one cent per pound; currants, three cents per pound; figs, two cents per pound; on all nuts not specified, except those used for dyeing, one cent per pound; on muscatel and bloom raisins, either in boxes or jars, three cents per pound; and on all other raisins, two cents per pound; on olives, thirty per centum ad valorem.

Olive oil, oil  
and whalebone  
of foreign fish-  
eries.

Third. On olive oil in casks, twenty cents per gallon; olive salad oil in bottles or betties, thirty per centum ad valorem; all other olive oil, not salad, and not otherwise specified, twenty per centum ad valorem; on spermaceti oil of foreign fisheries, twenty-five cents per gallon; whale or other fish oil, not sperm, of foreign fisheries, fifteen cents per gallon; whalebone, the product of foreign fisheries, twelve and a half per centum

ad valorem; on spermaceti or wax candles, and on candles of spermaceti and wax combined, eight cents per pound; wax tapers, thirty per centum ad valorem; tallow candles, four cents per pound; on tallow, one cent per pound; beeswax, bleached or unbleached, and shoemakers' wax, fifteen per centum ad valorem; on Windsor, shaving, and all other perfumed or fancy soaps, or wash balls, and Castile soap, thirty per centum ad valorem; on all other hard soaps, four cents per pound; and on all soft soap, fifty cents per barrel; on marrow, grease, and all other soap stocks and soap stuffs, ten per centum ad valorem; on starch, two cents per pound; on pearl or hulled barley, two cents per pound; on corks, thirty per centum ad valorem; on manufactures of cork, twenty-five per centum ad valorem; on sponges and spunk, twenty per centum ad valorem; on oranges and lemons, in boxes, barrels, or casks, and on grapes not dried, in boxes, kegs, or jars, twenty per centum ad valorem.

Fourth. On salt, eight cents per bushel of fifty-six pounds; on salt-petre, partially refined, one fourth of one cent per pound; completely refined, two cents per pound; on bleaching powder, or chloride of lime, one cent per pound; on vinegar, eight cents per gallon; on spirits of turpentine, ten cents per gallon; on beef and pork, two cents per pound; hams and bacon, three cents per pound; prepared meats, poultry or game, in cases or otherwise, and Bologna sausages, twenty-five per centum ad valorem; on cheese, nine cents per pound; butter, five cents per pound; lard, three cents per pound; macaroni and vermicelli, gelatine, jellies, and all similar preparations, thirty per centum ad valorem; on wheat, twenty-five cents per bushel; barley, twenty cents per bushel; rye, fifteen cents per bushel; oats, ten cents per bushel; Indian corn, or maize, ten cents per bushel; wheat flour, seventy cents per one hundred and twelve pounds; Indian meal, twenty cents per one hundred and twelve pounds; potatoes, ten cents per bushel; on foreign fish, viz: dried or smoked, one dollar per one hundred and twelve pounds; on mackerel and herrings, pickled or salted, one dollar and fifty cents per barrel; on pickled salmon, two dollars per barrel; on all other fish, pickled in barrels, one dollar per barrel; on all other pickled fish, imported otherwise than in barrels or half barrels, not specified, twenty per centum ad valorem; and on sardines and other fish, preserved in oil, twenty per centum ad valorem; *Provided*, That fresh caught fish, brought in for daily consumption, shall be exempt from duty; on fish glue or isinglass, twenty per centum ad valorem; on pickles, capers, and sauces of all kinds, not otherwise enumerated, thirty per centum ad valorem; on castor oil, forty cents per gallon; neatsfoot and animal oils, and all volatile and essential oils, not otherwise specified, twenty per centum ad valorem; on all gums and other resinous substances, not specified, in a crude state, fifteen per centum ad valorem; and on the said articles, when not in a crude state, and on pastes, balsams, essences, tinctures, extracts, cosmetics, and perfumes, not otherwise enumerated, twenty-five per centum ad valorem; on benzoic, citric, white or yellow muriatic, nitric, oxalic, pyroligneous, and tartaric acids, twenty per centum ad valorem; on boracic acid, five per centum ad valorem; borax or tincal, twenty-five per centum ad valorem; on amber, ambergris, ammonia, annatto, aniseed, arrow root, vanilla beans, French chalk, red chalk, juniper berries, manganese, nitrate of lead, chromate, bichromate, and prussiate of potash, glauber and Rochelle salts, Epsom salts or sulphate of magnesia, and all other chemical salts or preparations of salts not enumerated, smalts, salsoda, and all carbonates of soda, by whatever name designated, other than soda ash, barilla, and kelp, twenty per centum ad valorem; on sulphate of quinine, forty cents per ounce, avoirdupois; on soda ash, five per centum ad valorem.

Fifth. On brandy, one dollar per gallon; on other spirits manufactured or distilled from grain or other materials, for first and second

Candles, &c.

Tallow.

Wax.

Soap, &c.

Starch.

Barley.

Cork.

Sponges, &c.

Fruit.

Various other articles.

Brandy, other spirits, wines, liquors, porter, &c.

proofs, sixty cents, for third proof, sixty-five cents, for fourth proof, seventy cents, for fifth proof, seventy-five cents, and all above fifth proof, ninety cents per gallon; on Madeira, Sherry, San Lucar, and Canary wine, in casks or bottles, sixty cents per gallon; on champagne wines, forty cents per gallon; on port, Burgundy, and claret wines, in bottles, thirty-five cents per gallon; on port and Burgundy wines in casks, fifteen cents per gallon; on Teneriffe wines, in casks or bottles, twenty cents per gallon; on claret wines, in casks, six cents per gallon; on the white wines, not enumerated, of France, Austria, Prussia, and Sardinia, and of Portugal and its possessions, in casks, seven and a half cents per gallon; in bottles, twenty cents per gallon; on the red wines not enumerated, of France, Austria, Prussia, and Sardinia, and of Portugal and its possessions, in casks, six cents per gallon, in bottles twenty cents per gallon; on the white and red wines of Spain, Germany, and the Mediterranean, not enumerated, in casks, twelve and a half cents per gallon; in bottles, twenty cents per gallon; on Sicily, Madeira, or Marsala wines, in casks or bottles, twenty-five cents per gallon; on other wines of Sicily, in casks or bottles, fifteen cents per gallon; on all other wines, not enumerated, and other than those of France, Austria, Prussia, and Sardinia, and of Portugal and its possessions, when in bottles, sixty-five cents per gallon, when in casks, twenty-five cents per gallon: *Provided*, That nothing herein contained shall be construed or permitted to operate so as to interfere with subsisting treaties with foreign nations: *Provided further*, That all imitations of brandy or spirits, or of any of the said wines, and all wines imported by any name whatever, shall be subject to the duty provided for the genuine article, and to the highest rate of duty applicable to the article of the same name. *And provided further*, That when wines are imported in bottles, the bottles shall pay a separate duty, according to the rate established by this act; on cordials and liqueurs of all kinds, sixty cents per gallon; on arrack, absynthe, Kirschen wasser, ratafia, and other similar spirituous beverages, not otherwise specified, sixty cents per gallon; on ale, porter, and beer, in bottles, twenty cents per gallon; otherwise than in bottles, fifteen cents per gallon; on tobacco, in leaf, or unmanufactured, twenty per centum ad valorem; on cigars, of all kinds, forty cents per pound; on snuff, twelve cents per pound; manufactured tobacco, other than snuff and cigars, ten cents per pound.

Tobacco.

Articles  
exempt from  
duty.

SEC. 9. *And be it further enacted*, That from and after the day and year before mentioned, the following articles shall be exempt from duty, namely:

First. All articles imported for the use of the United States.

Second. All goods, wares, or merchandise, the growth, produce, or manufacture of the United States, exported to a foreign country, and brought back to the United States, and books and personal and household effects, not merchandise, of citizens of the United States dying abroad.

Third. Paintings and statuary, the production of American artists residing abroad.

Fourth. Wearing apparel in actual use, and other personal effects, not merchandise, professional books, instruments, implements, and tools of trade, occupation, or employment, of persons arriving in the United States.

Fifth. Philosophical apparatus, instruments, books, maps, and charts, statues, statuary, busts, and casts, of marble, bronze, alabaster, or plaster of Paris, paintings, drawings, engravings, etchings, specimens of sculpture, cabinets of coins, medals, gems, and all other collections of antiquities, provided the same be specially imported in good faith for the use of any society incorporated or established for philosophical or literary purposes, or for the encouragement of the fine arts, or for the use and by the order of any college, academy, school, or seminary of learning in the United States.

Sixth. Anatomical preparations, models of machinery, and of other inventions and improvements in the arts; specimens in natural history, mineralogy, and botany; trees, shrubs, plants, bulbs or roots, and garden seeds not otherwise specified; berries, nuts, and vegetables, used principally in dyeing or composing dyes; all dyewoods in stick; whale and other fish oils of American fisheries, and all other articles the produce of said fisheries; animals imported for breed; fish, fresh caught, imported for daily consumption; fruit, green or ripe, from the West Indies, in bulk: tea and coffee when imported in American vessels from the places of their growth or production.

Seventh. Adhesive felt for sheathing vessels, alcornoque, aloes, antimony crude, argol, assafœtida, ava root, barilla, bark of cork tree unmanufactured; bells or bell-metal, old and only fit to be remanufactured, or parts thereof, and chimes of bells; brass in pigs or bars, and old brass only fit to be remanufactured; Brazil wood, crude brimstone, and flour of sulphur, bullion, burrstones, unwrought; cantharides, chalk, clay unwrought, cochineal, coins of gold and silver, copper imported in any shape for the use of the mint, copper in pigs, or bars, and copper ore; plates or sheets of copper for sheathing vessels; but none is to be so considered except that which is fourteen inches wide, and forty-eight inches long, and weighing from fourteen to thirty-four ounces per square foot; old copper fit only to be remanufactured; cream of tartar; emery; flints, ground flint, gold bullion, gold epaulets and wings, grindstones, gum Arabic, gum Senegal, gum tragacanth, India rubber, in bottles or sheets, or otherwise, unmanufactured, old junk, oakum, kelp, kermes, lac dye, leeches, madder, madder root, mother of pearl, nickel, nux vomica, palm leaf unmanufactured, palm oil; Peruvian bark, pewter when old and only fit to be remanufactured; platina unmanufactured, ivory unmanufactured, plaster of Paris unground, ratans and reeds unmanufactured, rhubarb, salt-petre when crude, sarsaparilla, shellac, silver bullion, silver epaulets and wings, stones called polishing stones, stone called rotten stone, sumac, tartar when crude, teuteneque, turmeric, weld, woods of all kinds, when unmanufactured, not herein enumerated.

SEC. 10. *And be it further enacted*, That, on all articles not herein enumerated or provided for, there shall be levied, collected, and paid, a duty of twenty per centum ad valorem.

SEC. 11. *And be it further enacted*, That an addition of ten per centum shall be made to the several rates of duties by this act imposed, in respect to all goods, wares, and merchandise, on the importation of which, in American or foreign vessels, a specific discrimination between them is not herein made, which, from and after the time when this act shall take effect and go into operation, shall be imported in ships or vessels not of the United States; and a further addition of ten per centum shall be made to the several rates of duties imposed by this act on all goods, wares, and merchandise, which shall be imported from any port or place east of the Cape of Good Hope, in foreign vessels: *Provided*, That these additional duties shall not apply to goods, wares, or merchandise, which shall be imported after the day that this act goes into operation, in ships or vessels not of the United States, entitled by treaty, or by any act or acts of Congress, to be entered in the ports of the United States, on the payment of the same duties as shall then be paid on goods, wares, or merchandise, imported in ships or vessels of the United States.

SEC. 12. *And be it further enacted*, That on and after the day this act goes into operation, the duties on all imported goods, wares, or merchandise, shall be paid in cash: *Provided*, That in all cases of failure or neglect to pay the duties, on completion of the entry, the said goods,

20 per cent. on articles not enumerated or provided for.

Addition of 10 per cent. on importations in foreign vessels.

20 per cent. if from east of the Cape of Good Hope.

Proviso, vessels entitled by treaty or laws excepted.

Duties to be paid in cash. 1846, ch. 84. In case of failure.

wares, or merchandise, shall be taken possession of by the collector, and deposited in the public stores, there to be kept with due and reasonable care, at the charge and risk of the owner, importer, consignee, or agent; and if any such goods remain in public store beyond sixty days (except in the case of goods imported from beyond the Cape of Good Hope, remaining for the space of ninety days) without payment of the duties thereon, then said goods, wares, and merchandise, or such quantities thereof, as may be deemed necessary to discharge the duties, shall be appraised and sold by the collector at public auction, on due public notice thereof, being first given, in the manner and for the time to be prescribed by a general regulation of the Treasury Department; and, at said public sale, distinct printed catalogues, descriptive of said goods, with the appraised value affixed thereto, shall be distributed among the persons present at said sale; and a reasonable opportunity shall be given, before such sale, to persons desirous of purchasing, to inspect the quality of such goods; and the proceeds of said sales, after deducting the usual rate of storage at the port in question, together with all other charges and expenses, including interest on the duties from the date of entry at the rate of six per centum per annum, shall be applied to the payment of the duties, and any balance of money remaining, over and above the full amount of duties, charges, and expenses and interest aforesaid, as well as such quantities of any goods, wares, or merchandise, as may not have been sold for the purposes before mentioned, shall be delivered, and the money paid over, by the collector, to the owner, importer, consignee, or agent, and proper receipts taken for the same: *And provided*, That if no claim be made by such owner, importer, consignee, or agent, for the portion of goods which may remain in the hands of the collector, after such sale, the said goods shall be forthwith returned to the public stores, there to be kept at the risk and expense of the owner, importer, consignee, or agent, until claimed or sold for storage agreeably to law; and the proceeds of the sale for duties remaining unclaimed for the space of ten days after such sale, shall, after payment of duties and all expenses aforesaid, at the expiration of that period, be paid by the collector into the Treasury, in the manner provided for in the case of unclaimed goods in the next succeeding section of this act: *And provided further*, That when any goods are of a perishable nature, they shall be sold forthwith.

Relative to the  
sale of unclaim-  
ed goods.

1846, ch. 84.

Sec. 13. *And be it further enacted*, That, previous to the sale of any unclaimed goods, the said collector shall procure an inventory and appraisalment thereof to be made, and to be verified, on oath or affirmation, by two or more respectable merchants, before the said collector, and to remain with him; and said collector shall afterward cause said goods to be advertised and sold, in the manner provided for in this act, and, after retaining the duties thereon, agreeably to such inventory and appraisalment, and interest and charges as aforesaid, shall pay the overplus, if any there be, into the Treasury of the United States, there to remain for the use of the owner or owners, who shall, upon due proof of his, her, or their property, be entitled to receive the same; for which purpose the collector shall transmit, with said overplus, a copy of the inventory, appraisalment, and account of sales, specifying the marks, numbers, and descriptions of the packages sold, their contents, the name of the vessel and master in which, and of the port or place whence they were imported, and the time when, and the name of the person or persons to whom said goods were consigned in the manifest; and the receipt or certificate of the collector shall exonerate the master or person having charge or command of any ship or vessel in which said goods, wares, and merchandise were imported, from all claim of the owner or owners thereof: *Provided*, That so much of the fifty-sixth section of the general collection law of the second of March seventeen hundred and

ninety-nine, which provides for the storage of unclaimed merchandise, as conflicts with the provisions of this act, shall be, and is hereby repealed: *Provided, also,* That when such goods are of a perishable nature, they shall be sold forthwith.

SEC. 14. *And be it further enacted,* That on and after the day this law goes into effect, there shall be allowed a drawback on foreign sugar refined in the United States, and exported therefrom, equal in amount to the duty paid on the foreign sugar from which it shall be manufactured, to be ascertained under such regulations as shall be prescribed by the Secretary of the Treasury, and no more; and on spirits distilled from foreign molasses, a drawback of five cents per gallon, till the first day of January, eighteen hundred and forty-three, when it shall be reduced one cent per gallon; and annually, on the first day of January thereafter, the said drawback shall be reduced one cent per gallon until the same shall be wholly discontinued: *Provided,* That this act shall not alter or repeal any law now in force regulating the exportation of sugar refined or spirits distilled from molasses in the United States, except as to the rates of duties and drawbacks.

Drawbacks on foreign sugar refined in the United States and on spirits distilled from foreign molasses.

SEC. 15. *And be it further enacted,* That, in the case of all goods, wares, and merchandise, imported on and after the day this act goes into operation, and entitled to debenture under existing laws, no drawback of the duties shall be allowed on the same, unless said goods, wares, or merchandise shall be exported from the United States within three years from the date of the importation of the same; nor shall the additional rate of duty levied by this act on goods, wares, and merchandise, imported in foreign vessels, be refunded in case of re-exportation: *Provided,* That two and one half per centum on the amount of all drawbacks allowed, except on foreign and refined sugars, shall be retained, for the use of the United States, by the collectors paying such drawbacks, respectively; and in the case of foreign refined sugars, ten per centum shall be so retained.

No drawback unless exported within three years.

No additional duty refunded.

Proviso, a per centum to be retained by the United States.

SEC. 16. *And be it further enacted,* That in all cases where there is or shall be imposed any ad valorem rate of duty on any goods, wares, or merchandise, imported into the United States, and in all cases where the duty imposed shall by law be regulated by, or directed to be estimated or based upon, the value of the square yard, or of any specified quantity or parcel of such goods, wares, or merchandise, it shall be the duty of the collector, within whose district the same shall be imported or entered, to cause the actual market value or wholesale price thereof, at the time when purchased, in the principal markets of the country from which the same shall have been imported into the United States, or of the yards, parcels, or quantities, as the case may be, to be appraised, estimated, and ascertained, and to such value or price, to be ascertained in the manner provided in this act, shall be added all costs and charges except insurance, and including, in every case, a charge for commissions at the usual rates as the true value at the port where the same may be entered upon which duties shall be assessed. And it shall, in every such case, be the duty of the appraisers of the United States, and every of them, and every person who shall act as such appraiser, or of the collector and naval officer, as the case may be, by all reasonable ways and means in his or their power, to ascertain, estimate, and appraise the true and actual market value and wholesale price, any invoice or affidavit thereto to the contrary notwithstanding, of the said goods, wares, and merchandise, at the time purchased, and in the principal markets of the country whence the same shall have been imported into the United States, and the number of such yards, parcels, or quantities, and such actual market value or wholesale price of every of them, as the case may require; and all such goods, wares, or merchandise, being manufactured of wool, or whereof wool shall be a com-

Actual market value, in the country whence and when imported, to be ascertained.

Costs to be added.

Unfinished  
woollens to be  
rated as finish-  
ed.

Proviso.

Examination  
of owners and  
others, on oath,  
authorized.

For refusal to  
attend or an-  
swer, a forfeit-  
ure of \$100, and  
the appraisem't  
to be final.

False swear-  
ing, perjury—  
goods forfeited  
therefor.

In case of dis-  
satisfaction with  
the appraise-  
ment, another  
may be made—  
how.

Additional du-  
ty in case the  
appraisement  
exceed the in-  
voice 10 per ct.

ponent part, which shall be imported into the United States in an unfinished condition, shall, in every such appraisal, be taken, deemed, and estimated to have been at the time purchased, and place whence the same were imported into the United States, of as great value as if the same had been entirely finished: *Provided*, That in all cases where goods, wares, and merchandise, subject to ad valorem duty, or on which the duties are to be levied upon the value of the square yard, and in all cases where any specific quantity or parcel of such goods, wares, and merchandise, shall have been imported into the United States from a country in which the same have not been manufactured or produced, the foreign value shall be appraised and estimated according to the current market value or wholesale price of similar articles at the principal markets of the country of production or manufacture, at the period of the exportation of said goods, wares, and merchandise, to the United States.

SEC. 17. *And be it further enacted*, That it shall be lawful for the appraisers, or the collector and naval officer, as the case may be, to call before them and examine, upon oath or affirmation, any owner, importer, consignee or other person, touching any matter or thing which they may deem material in ascertaining the true market value or wholesale price of any merchandise imported, and to require the production, on oath or affirmation, to the collector or to any permanent appraiser, of any letters, accounts, or invoices, in his possession relating to the same, for which purpose they are hereby respectively authorized to administer oaths and affirmations; and if any person so called shall neglect or refuse to attend, or shall decline to answer, or shall, if required, refuse to answer in writing any interrogatories, and subscribe his name to his deposition, or to produce such papers, when so required, he shall forfeit and pay to the United States the sum of one hundred dollars; and if such person be the owner, importer, or consignee, the appraisement which the said appraisers, or collector and naval officer, where there are no legal appraisers, may make of the goods, wares, and merchandise, shall be final and conclusive, any act of Congress to the contrary notwithstanding; and any person who shall wilfully and corruptly swear or affirm falsely on such examination, shall be deemed guilty of perjury; and if he be the owner, importer, or consignee, the merchandise shall be forfeited; and all testimony in writing, or depositions, taken by virtue of this section, shall be filed in the collector's office, and preserved for future use or reference, to be transmitted to the Secretary of the Treasury when he shall require the same: *Provided*, That if the importer, owner, agent, or consignee, of any such goods, shall be dissatisfied with the appraisement, and shall have complied with the foregoing requisitions, he may forthwith give notice to the collector, in writing, of such dissatisfaction; on the receipt of which, the collector shall select two discreet and experienced merchants, citizens of the United States, familiar with the character and value of the goods in question, to examine and appraise the same, agreeably to the foregoing provisions; and if they shall disagree, the collector shall decide between them; and the appraisement thus determined shall be final, and deemed and taken to be the true value of said goods, and the duties shall be levied thereon accordingly, any act of Congress to the contrary notwithstanding: *Provided, also*, That in all cases where the actual value to be appraised, estimated, and ascertained as hereinbefore stated, of any goods, wares, and merchandise, imported into the United States, and subject to any ad valorem duty, or whereon the duty is regulated by or directed to be imposed or levied on the value of the square yard, or other parcel or quantity thereof, shall exceed by ten per centum or more the invoice value, then, in addition to the duty imposed by law on the same, there shall be levied and collected, on the same goods, wares, and merchan-

dise, fifty per centum of the duty imposed on the same, when fairly invoiced.

SEC. 18. *And be it further enacted*, That the several collectors be, and they are hereby, authorized, under such regulations as may be prescribed by the Secretary of the Treasury, whenever they shall deem it necessary to protect and secure the revenue of the United States against frauds or undervaluation, and the same is practicable, to take the amount of duties chargeable on any article bearing an ad valorem rate of duty, in the article itself, according to the proportion or rate per centum of the duty on said article; and such goods, so taken, the collector shall cause to be sold at public auction, within twenty days from the time of taking the same, in the manner prescribed in this act, and place the proceeds arising from such sale in the Treasury of the United States; *Provided*, That the collector or appraiser shall not be allowed any fees or commissions for taking and disposing of said goods, and paying the proceeds thereof into the Treasury, other than are now allowed by law.

Authority to take duties in the article itself, in certain cases, and to sell the same.

SEC. 19. *And be it further enacted*, That if any person shall knowingly and wilfully, with intent to defraud the revenue of the United States, smuggle or clandestinely introduce into the United States any goods, wares, or merchandise, subject to duty by law, and which should have been invoiced, without paying or accounting for the duty, or shall make out, or pass, or attempt to pass, through the custom-house, any false, forged, or fraudulent invoice, every such person, his, her, or their aiders and abettors, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding five thousand dollars, or imprisoned for any term of time not exceeding two years, or both, at the discretion of the court.

Attempts to defraud the revenue punishable by fine and imprisonment.

SEC. 20. *And be it further enacted*, That there shall be levied, collected, and paid, on each and every non-enumerated article which bears a similitude, either in material, quality, texture, or the use to which it may be applied, to any enumerated article chargeable with duty, the same rate of duty which is levied and charged on the enumerated article which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more enumerated articles, on which different rates of duty are chargeable, there shall be levied, collected, and paid, on such non-enumerated article, the same rate of duty as is chargeable on the article which it resembles paying the highest duty; and on all articles manufactured from two or more materials, the duty shall be assessed at the highest rates at which any of its component parts may be chargeable.

Duties on non-enumerated articles.

SEC. 21. *And be it further enacted*, That the collector shall designate on the invoice at least one package of every invoice, and one package at least of every ten packages of goods, wares, or merchandise, and a greater number, should he or either of the appraisers deem it necessary, imported into such port, to be opened, examined, and appraised, and shall order the package or packages so designated to the public stores for examination; and if any package be found by the appraisers to contain any article not specified in the invoice, and they or a majority of them shall be of opinion that such article was omitted in the invoice with fraudulent intent on the part of the shipper, owner, or agent, the contents of the entire package in which the article may be shall be liable to seizure and forfeiture on conviction thereof before any court of competent jurisdiction; but if said appraisers shall be of opinion that no such fraudulent intent existed, then the value of such article shall be added to the entry, and the duties thereon paid accordingly, and the same shall be delivered to the importer, agent, or consignee: *Provided*, That such forfeiture may be remitted by the Secretary of the Treasury, on the production of evidence, satisfactory to him, that no fraud was intended: *Provided further*, That if on the opening of any of the

Examination of invoices and packages required, &c.



package or packages of goods, a deficiency of any article shall be found, on examination by the appraisers, the same shall be certified to the collector on the invoice, and an allowance for the same be made in estimating the duties.

Where there are no appraisers, appraisement to be made, by whom.

Sec. Treas. to establish rules for the appraisal of goods.

Officers of the customs to execute instructions of the Secretary of the Treasury.

Act not to apply to vessels having left their last port of lading, beyond the Cape of Good Hope, &c. before 1st Sept. 1842—laws applicable thereto.

Laws existing on 1st June 1842, in force for certain purposes.

Laws inconsistent herewith repealed.

Sec. Treas. to ascertain whether the duty on any article has exceeded 35 per cent., and report to Congress.

Indecent prints and paintings prohibited.

SEC. 22. *And be it further enacted*, That where goods, wares, and merchandise shall be entered at ports where there are no appraisers, the mode hereinbefore prescribed of ascertaining the foreign value thereof, shall be carefully observed by the revenue officers to whom is committed the estimating and collection of duties.

SEC. 23. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury from time to time to establish such rules and regulations, not inconsistent with the laws of the United States, to secure a just, faithful, and impartial appraisal of all goods, wares, and merchandise, as aforesaid, imported into the United States, and just and proper entries of such actual market value or wholesale price thereof, and of the square yards, parcels, or other quantities, as the case may require, and of such actual market value or wholesale price of every of them.

SEC. 24. *And be it further enacted*, That it shall be the duty of all collectors and other officers of the customs to execute and carry into effect all instructions of the Secretary of the Treasury relative to the execution of the revenue laws; and in case any difficulty shall arise as to the true construction or meaning of any part of such revenue laws, the decision of the Secretary of the Treasury shall be conclusive and binding upon all such collectors and other officers of the customs.

SEC. 25. *And be it further enacted*, That nothing in this act contained shall apply to goods shipped in a vessel bound to any port of the United States, actually having left her last port of lading eastward of the Cape of Good Hope or beyond Cape Horn prior to the first day of September, eighteen hundred and forty-two; and all legal provisions and regulations existing immediately before the thirtieth day of June, eighteen hundred and forty-two, shall be applied to importations which may be made in vessels which have left such last port of lading eastward of the Cape of Good Hope or beyond Cape Horn prior to said first day of September, eighteen hundred and forty-two.

SEC. 26. *And be it further enacted*, That the laws existing on the first day of June, eighteen hundred and forty-two, shall extend to and be in force for the collection of the duties imposed by this act on goods, wares, and merchandise, imported into the United States, and for the recovery, collection, distribution and remission of all fines, penalties, and forfeitures, and for the allowance of the drawbacks by this act authorized, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing, in the said laws contained, had been inserted in and re-enacted by this act. And that all provisions of any former law inconsistent with this act, shall be, and the same are hereby, repealed.

SEC. 27. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, annually, to ascertain whether, for the year ending on the thirtieth of June, next preceding, the duty on any articles has exceeded thirty-five per centum ad valorem on the average wholesale market value of such articles, in the several ports of the United States for the preceding year; and, if so, he shall report a tabular statement of such articles and excess of duty to Congress, at the commencement of the next annual session thereof, with such observations and recommendations as he may deem necessary for the improvement of the revenue.

SEC. 28. *And be it further enacted*, That the importation of all indecent and obscene prints, paintings, lithographs, engravings, and transparencies is hereby prohibited; and no invoice or package whatever,

or any part thereof, shall be admitted to entry, in which any such articles are contained; and all invoices and packages whereof any such articles shall compose a part, are hereby declared to be liable to be proceeded against, seized, and forfeited, by due course of law, and the said articles shall be forthwith destroyed.

SEC. 29. *And be it further enacted*, That, wherever the word "ton" is used in this act, in reference to weight, it shall be deemed and taken to be twenty hundred weight, each hundred weight being one hundred and twelve pounds avoirdupois.

Weight of the ton.

SEC. 30. *And be it further enacted*, That so long as the distribution of the nett proceeds of the sales of the public lands, directed to be made among the several States, Territories, and District of Columbia, by the act entitled "An act to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights," shall be and remain suspended by virtue of this act, and of the proviso of the sixth section of the act aforesaid, the ten per centum of the said proceeds directed to be paid by the said act to the several States of Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, Louisiana, Arkansas and Michigan, shall also be and remain suspended.

Ten per cent. of the proceeds of the public lands allowed to certain states suspended.  
Act of Sept. 4, 1841, ch. 16.

APPROVED, August 30, 1842.

STATUTE II.

Aug. 30, 1842.

CHAP. CCLXXI.—*An Act to establish an additional land office in Florida.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the public lands of the United States in the Territory of Florida, as lies east of the Suwannee river, and west of the line dividing ranges twenty-four and twenty-five, except that lying east of St. Mary's river, north of the basis parallel, shall form a new land district, to be called the Alachua land district; and, for the sale of the public lands within the district aforesaid there shall be a land office established in the town of Newnansville, in the county of Alachua, in the Territory aforesaid.

Alachua land district established.

Land office at Newnansville.

SEC. 2. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of the public land in said district, who shall reside at the town of Newnansville aforesaid, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to lands to be disposed of at said office, as are or may be by law provided in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Register and receiver to be appointed.

SEC. 3. *And be it further enacted*, That all such public lands, embraced within the district created by this act, which shall have been offered for sale to the highest bidder at any land office in said Territory, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the proper officers of the office hereby created, in the same manner, and subject to the same terms, and upon like conditions, as the sale of said land would have been subject to in the said several land offices hereinbefore mentioned, had they remained attached to the same.

The lands subject to sale.

APPROVED, August 30, 1842.

STATUTE II.

Aug. 30, 1842.

CHAP. CCLXXII.—*An Act for the relief of the assistants of the Marshal of the United States for the District of Kentucky.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the circuit judge for

[Obsolete.]

(a) Notes of the acts relating to the territory of Florida, vol. 3, 523, 654.

Circuit judge for the 8th circuit authorized to examine the allowances made by the marshal for Kentucky to his assistants, for taking the sixth census.

Proviso.

the eighth judicial circuit of the United States be, and he is hereby, authorized to examine and review the allowances made by the marshal of the United States for the District of Kentucky, to his assistants, for taking the sixth census or enumeration of the inhabitants of the United States within said district; and that the appropriate officers of the United States account to and pay the said assistants so much of the said allowances as shall be approved by said judge: *Provided*, That no allowances to be made by the said circuit judge, by virtue of the provisions of this act, to any assistant marshal, shall exceed the allowances which the district judge of the District of Kentucky might have made, under the provisions of the census laws, or the allowances which the marshal of the District of Kentucky proposed to make, subject to the revision and approbation of the said district judge.

APPROVED, August 30, 1842.

STATUTE II.

Aug. 31, 1842.

CHAP. CCLXXIV.—*An Act [to] establish certain post roads.*

Post roads established in

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following be established as post roads, viz:

Maine.

*In Maine*.—From Milford, in the county of Penobscot, to Winslow's mills, in Greenfield, and county of Hancock. From Machias, by Crawford, to Alexander. From Houlton, in the county of Aroostook, to Fort Fairfield, in the plantation of Presqu'isle. From Dennysville, in the county of Washington, by way of Edmunds, to Whiting. From Sedgwick to Swan's Island Plantations. From Standish, in the county of Cumberland, to Saco, in the county of York. From Lovel to Usher. From Fish's mills, by the town of Massardis, in the county of Aroostook, to the mouth of Fish river. From Bowdoinham Village to Bowdoin Centre. From Bath, by way of Merrymeeting Bridge and Richmond Village, to Gardiner.

New Hampshire.

*In New Hampshire*.—From Gilsum, via South Marlow, North Marlow, and Lempster, to Goshen. From Manchester, via Candia Township, to Candia. From Manchester, via Bedford Centre, to Amherst. From Northfield, via Franklin, Andover, Wilnut, New London and Wendell, to Newport. From Farmington, via New Durham Corner, to Alton. From Haverhill, New Hampshire, via Benton, to Franconia.

Massachusetts.

*In Massachusetts*.—From Framingham, through Concord, to Lowell. From South Framingham to Holliston. From Westport to Westport Point. From West Brookfield, North Brookfield, New Braintree, Barre, and Templeton, to Winchenden. From Lee, Tyringham, South Tyringham, Hartsville, Mill river, through East Sheffield, to Canaan, Connecticut..

Rhode Island.

*In Rhode Island*.—From Providence to West Brookfield, Massachusetts. From Providence through Fruit Hill, to Centerville.

Vermont.

*In Vermont*.—From Townsend, through Grafton, to Chester. From Rochester through Brandon, to Sholes's Landing, on Lake Champlain. From East Charleston, through Morgan and Holland, to Derby. From Bellows Falls to Paper Mill Village, in Alstead. From Hyde Park, Lamolle court-house, through North Hyde Park, Belvidere, Four Corners, Avery's Gore, and Montgomery, to East Berkshire. The route from Waterville, through Belvidere and Avery's Gore, is hereby discontinued.

New York.

*In New York*.—From Durhamville, along the line of the Erie Canal, to the intersection of the Erie and Oneida Lake canals, in Oneida county. From Unionville, in Orange county, New York, to Deckertown, in Sussex county, New Jersey, by the Drowned Road, returning by the Clove Road. From Texas to Oswego, on the North Road, by Cheever's Mills, in Oswego county. From Collins to Irwin, in Erie county. From Cassville to Babcock Hill, in the county of Oneida. From Westerville to Boonville, as near as may be on the route of the Black river

canal, in Oneida county. From Rome to Clinton, in Oneida county. From Warsaw, in Wyoming county, by Silver Lake and Castile, to Portageville, in the county of Alleghany. From Attica, by Varysburg, Johnsonburg, North Java, and East Java, to China, in Wyoming county. From Cortlandtville to Marathon, in the county of Cortlandt. From Elmira, by way of Baldwin's Creek, Jerusalem settlement, through the south part of Erie, to Van Ettersville, in the county of Chemung. From the Manlius Depot, on the Syracuse Railroad, to the village of Matthews Mills, in the county of Onondaga. From North Adams, through Field's Settlement, to Watertown, in the county of Jefferson.

*In New Jersey.*—From New Hampton, in Hunterdon county, by Whitehall and German Valley, to Schooley's Mountain, in Morris county. From Plainfield, in Essex county, to Millington, in Somerset county.

*In Pennsylvania.*—From Reedsburg to Clarion, county of Clarion. From Red Bank to Clarion, via Limestone, in Clarion county. From Tionesta to Plumer, in Venango county, via the residence of John Henry, on Alleghany river. From Perry to Tionesta, Venango county. From Georgetown, Mercer county, to Evansburg, Crawford county, via John Custard's. From Connellsville, Fayette county, through Salt Lick Township, to Gebhart's Post Office, Somerset county. From Shilocta, Indiana county, via Plum Creek and Smicksburg, to Clarion, Clarion county. From Williamsport to Carter-house, Lycoming county. From Stroudsburg, Monroe county, to Bushkill, Pike county, via Spring Mills. From Honesdale, via Prompton, to Pleasant Mount, Wayne county. Continuation of route from Pittsburg to Brallsville, in Washington county. From Brallsville, via Millsborough and Clarksville to Jefferson, in Greene county. From Whitehaven, via Port Jenkins, Philipsburg, to Beaumont, Luzerne county. From Kittaning, Armstrong county, to Red Bank, by way of the new State road from Kittaning to Brookville. From Eagle Factory, Susquehanna county, to Buffington Post Office, Bradford county. From Merryall, Bradford county, Pennsylvania, via Orwell, to Owego, New York. From Shilocta, via Perriessville, Jacksonville, and Lewisville, to Blairsville, Indiana county. From Sheekshinny, via Townhill and Columbus, to Cambria, Luzerne county. From Indiana, via Mechanicsburg and Armah, to Johnstown, Cambria county. From Dunningville on the Washington and Williamsport Turnpike, Washington county, Pennsylvania, via Munntown and Thompsonville to Harriottville on the Washington and Pittsburg Turnpike road in Allegheny county. From Hamburg via Kutztown, Freedomburg, to Blackhorse Tavern in Berks county. From Waynesburg in Green county, Pennsylvania, to Blacksville in Virginia by way of Rogersville and Centreville.

*In Maryland.*—From Sang Run, Alleghany county, to Yough Glade. From Millersville, Anne Arundel county, to Marley. From Princess Anne, Maryland, to Roach's Store, Somerset county, Maryland.

*In Virginia.*—From Old Church in Hanover county, via Piping Tree Ferry and King William Court-house, to Lanesville. From Sharon, in Wythe county, to Chapel Hill, in Smyth county. From Holstein, in Washington county, to Estillville, in Scott county. From Alexandria, in the District of Columbia, to High Schools and Seminary, in Fairfax county, Virginia. From Guyandotte, via Wayne Court-house, to Louisa, in Kentucky. From Weston to the Northwestern Turnpike, on Middle Island. From Christiansburg, in Montgomery county, to Hillsville, in Carroll county. From Morgantown, via Grandville, Carmichaeltown, Gingerhill, and Findlaysville, to Pittsburg, in Pennsylvania. From Brandonsville, in Preston, via Morgantown, Grandville, Jacksonville, and Blacksville and Wheeling creek, to Wheeling, in Ohio county. From Elizabethtown, in Marshall county, via Nobb Fork, to Middlebourne, in Tyler county. From Middlebourne, in Tyler county, to the

house of Mr. Hoskins, on the Northwestern Turnpike. From Wheeling, via Beeler's Station, Sockman's Fish Creek, to Woodland's Post Office, in Marshall county. From Hansonville, via Moccasin Creek, to Quillensville, in Scott county. From Newbern, in Pulaski county, via Back Road, to Wytheville. From Lynchburg, to Logwood's Store, in Bedford county, by way of Cheese Creek Church. From Bickley's Mills, in Russell county, via Guest's Station, the Pound, and Three Forks of Powell's river, to Turkey Cove, in the county of Lee. From Jarrott's Depot, in Sussex county, to Pleasant Grove. From the Blue Sulphur Springs, via Palestine and Egypt, to the Red Sulphur Springs. From Lynchburg, to Pedlar Mills in Amherst county. From Fincastle via Jeffersonville, to Cumberland Gap.

N. Carolina.

*In North Carolina.*—From Turkey Creek and Spring Creek, in Buncombe county, by Fines Creek and Crabtree, in Haywood county, to Waynesville. From Aqualla, on Shoal Creek, in Haywood county, by William F. McKees, in Macon county, to Jamesville, in Cherokee county. From Shelby, in North Carolina, to Yorkville, in South Carolina. From Shelby to South Point, in Lincoln county. From South Washington, by the house of Isham Armstrong, to Wilmington. From Jefferson, in North Carolina, to Marion, in Virginia. From Roxborough to Pleasant Hill. From Lexington, via Thompson's Store, to the house of Smith and Barringer, upon the Yadkin river. Either from Gravelly Hill or Elizabethtown, to the house of Robert Melvin, on Turnbul Creek, in Bladen county. From Ashville, via Pigeon river, to Waynesville. From Wilkesboro', by way of "Deep Gap," to Counsels Store, in Ashe county. From Greenville, in Pitt county, via Snowhill, in Greene county, Goldsborough. From Lewisburg to Cooley's Store, in Franklin county. From Hillsborough, by Rock Creek and Long's Mills, to Ashborough.

S. Carolina.

*In South Carolina.*—From Aikin to Treadway's Bridge, in Barnwell district. From Traveller's Rest to Pumpkintown, in Pickens district. From Conwayborough, in Horry district, South Carolina, to Fairbluff, Columbus county, North Carolina. From Winsborough, by Grayden's, to Rocky Mount. From Lincolnton, North Carolina, by Long Creek Shoals, Falls, Crowder's Creek, to Yorkville, South Carolina. From Hurricane, Spartanburg, to Hancockville, in Union district. From Crowder's Creek, North Carolina, by way of Bethel, to Yorkville, South Carolina. From Greenville Court-house, by Miller's, Brockman's, Cashville, to Woodruff's, and from Woodruff's, by Van Patten's, William Goldsmith, jr.'s, and Dr. Austin's, to Greenville. From Charleston, via Adams' Run and Ashepoo Ferry, to Savannah. From Adams' Run to Edisto Island. From Marion Court-house, via Brittons Neck, to Conwayborough.

Georgia.

*In Georgia.*—From Cassville, by way of Etowah Valley, to Van Wert. From Newnan, by way of Orr's Stand, to Franklin, in Heard county. From Jacksonville, Alabama, by way of Jefferson, Alabama, Summerville, in Chatooga county, Georgia, Chestnut, Flat Post Office, Wood's Station Post Office, by Cross Roads, in Walker county, Georgia, Grape Spring Post Office, Hamilton county, Tennessee, to Cleveland, in Bradley county, Tennessee. From Forsyth, by way of Putnam's Old Stand Store, Pine Flat, William Dismuke's, Pike county, Pleasant Grove, Bear Creek, and Fosterville, Henry county, to Whitehall, De Kalb county. From Covington to Oxford. From Hermitage, Georgia, and Harden's Mills, to Mineral Springs. From Sandersville, to John Ivey's, Buffalo, Washington county. From Lanier, by Tazewell, to Lumpkin. From Albany, by way of Cuthbert, to Irwinton, Alabama. From New Echota, Cass county, by way of the Railroad bridge, on the Osteenalla river, through the valley of Armuchee, Lafayette, Walker county, to the Court-house, Dade county. From Macon, by way of Perry, Traveller's Rest, Americus, Starkville, Albany, and Newton, to Bainbridge; and

that the present route from Henderson, in Houston county, to Bainbridge, be discontinued. From Albany to Thomasville. From Troupville to the Suwannee Springs, in Columbia county, Florida. From Waresborough to Mount Pleasant, Ware county. From Lafayette, in Walker county, to the Court-house, in Dade county. From Spring Place, Georgia, Cross Plains, Buzzard's Roost, Medicinal Springs, Chestnut Flat, Lafayette, Summerville, Hopkinsville, and Cedar Bluff, to Jacksonville, Alabama. From Franklin, Georgia, Houston, Wadka, Standing Rock, and Fredonia, to Chambers Court-house, Chambers county, Alabama. From Americus, by way of Lumpkin, Irwinton, Alabama, Clayton, Montevallo, Montezuma, Covington, Carington, and Fort Crawford, to Blakely, Alabama. From Irwinville, by way of John Henderson's and Mrs. Parish's, to Troupville, Lowndes county. From Jacksonville, Telfair county, by way of Irwinville, to Albany. From Griffin, in Pike county, by way of Fayetteville and Campbellton, to Marietta, in Cobb county. From Americus to Cuthbert, Georgia.

*In Alabama.*—From Ashville, by Holloway's Bridge, in St. Clair county, to Jefferson, Alabama. From Lebanon, De Kalb, Alabama, to intersect the line from Rome, Georgia, to Elyton, Alabama, at Holloway's Bridge. From Louisville, by Trenton, Larkinsville, and Berryville, to Bellefonte. From Thorn Hill, in Walker county, by way of William Johnson's, Pikeville, and Millville, to Cotton Gin Port, Monroe county, Mississippi. From Pikeville, Alabama, to Fulton, Mississippi. From Russellville, Alabama, to Jacinto, Mississippi. From Mobile, by way of Jackson, on the Tombeckbee river, Grove Hill, Mott's post office, in Clarke county, Woodwardville, Shiloh, Linden and Demopolis in Marengo county, thence by way of Eric in Greene county, to Carthage, in Tuscaloosa county. From Milford, in Butler county, by Merrill's store, to Montezuma, in Covington county. From Hope post office, Picken's county, Alabama, by the way of Fairfield, to Macon, in Noxubee county, Mississippi. From Gainesville, Alabama, Wahalak, Kemper county, Mississippi, to Macon, Mississippi. From Irwinton, by way of Jenkins's Midway post office, and William Dick's to Cubahachee, in Macon county. From Gainesville, in the State of Alabama, by the way of De Kalb, to Jackson in the State of Mississippi. From Black's Bluff, in Sumter county, to Tuscahoma, in Washington county. From Columbia, Henry county, by way of Woodville, Neel's Landing, Florida, Cedar Bluff, to Marianna, Florida. From Centreport, in Dallas county, to Greenville, in Butler county. From Barbourville, in Wilcox, by way of Beaver creek and Dixon's Mills, to Nanafalia, in Marengo county. From Bellefonte, by way of Larkinsville and Trenton, to Louisville, Alabama. And that the routes from Larkin's fork, by way of Larkinsville, Trenton, and Sangston, to Marshall, and from Larkinsville to Woodville, be discontinued. From Montgomery to Troy in Pike county, and from thence to Dixon precinct and Scroggin's mill to the Court-house of Dale county. From Suggsville in Clarke county to Mount Pleasant, in Monroe county. From Cahaba, Dallas county, by Hanell's Cross roads to Marion in Perry county. From Marion by Union Tavern to Prairieville. From Tuskegee via Valverde, Union Springs, Aberfoil to Troy, in Pike county.

Alabama.

Mississippi.

*In Mississippi.*—From Charleston, in Tallahatchee county, via Lincopolis, Big Prairie, in the county of Coahoma, Port Royal, to the town of Delta, Mississippi. From Grenada, Yallahusha county, to the house of William Denly, in said county. From Coffeeville, in Yallahusha county, to Houston in Chickasaw county, Mississippi. From Victoria to Coffeeville, Mississippi. From Eastport to Jacinto, Mississippi.

*In Louisiana.*—From Vicksburg, Mississippi, via Richmond, Hill's Ferry, on Bayou Macon, Mackey's, and McCloud's, on Deer creek, Norris, Sicily Island, to Harrisonburg, Louisiana. From the mouth

Louisiana.

of Red river, via Richard's, Miller's, Vidalia, Water Proof Landing, and Lake St. Joseph, to New Carthage. From Greenwood to Vernon in Caddo. From New Orleans, to Madisonville and Covington to the parish of St. Tammany, via Lake Ponchartrain.

Tennessee.

*In Tennessee.*—From Jacksborough, Tennessee, via John L. Smith's on the Straight Fork, and Thomas I. Wheeler's Store, on Buffalo creek, to Monticello, Kentucky. From Cleveland, Tennessee, via Benton, Columbus, Springtown, Coker creek, and Turtleton, to Murphy, North Carolina. From Dyersburg, Tennessee, via George C. Boothe's and Joseph Mitchell's, to Hale's Point, on the bank of the Mississippi river. From Lancaster, by the house of Elisha New, to Smithville. From Clinton to Woodbourne, via A. Moore's and J. Bayliss. From Rutledge to Newport, via Austin's ferry, Mossy creek and mouth of Chucky. From Troy, Tennessee, via Jos. A. Faulk's, (his place being known by the name of Sylvan Retreat,) to Point Pleasant, Missouri, crossing the Mississippi river at or near said last mentioned point. From Greenville, Tennessee, to Newport, Cocke county, via Wood's ferry and Parrottville. From McMinnsville, Tennessee, to Smithville, Tennessee.

Kentucky.

*In Kentucky.*—From Harlan Court-house, via John Lewis's residence on the Poor fork of the Cumberland river, and Brashear's Salt Works, on the north fork of the Kentucky river, to Perry Court-house. From Breathitt Court-house to Manchester, in Clay county. From Shelbyville, via Floydsburg, to Brownsborough. From Munfordville, via Mammoth Cave, to Brownville. From the Three Forks, in Barren county, via Mammoth Cave, Grayson Springs, to Litchfield. From Hawesville, in Hancock county, to Lewisport. From Owensborough to Litchfield. From Nottsville to New Boston, in Daviess county. From Lock and Dam on Green river, at the mouth of Muddy river, via Lock and Dam at Rumsey, Lock and Dam at Spottsville, to the town of Henderson. From Owenborough to Spottsville. From Spottsville, Kentucky, via the mouth of Green river, to Evansville, Indiana. From the town of Henderson in Henderson county, Kentucky, by Harman's Ferry, and by Wall's store, in Daviess county, to the town of Rumsey, in Muhlenberg county, Kentucky. From Hopkinsville, Kentucky, via Lindsey's Mill to Dover, Tennessee. From Jamestown, Kentucky, via Seventy-six, to Albany, Kentucky. From Hardensville, Kentucky, by Harrisonville, to Mount Eden. From Taylorsville, by McGee's Mill, to Jeffersontown, in Jefferson county.

Ohio.

*In Ohio.*—From New Bremen, via Chickasaw, Mercer county, to Recovery, in Dark county. From Findley, in Hancock county, via Gilboa and Ottoway, to Defiance, in Williams county. From St. Mary's, via Celina, Montpelier, and Alexander, to Blufton, Indiana. From Dayton, via Chambersburg, Vandalia, and Fredericktown, to Troy. From Vanwert to Shane's Crossing. From Charloe, via Westburg, Uniontown Centre, to Bryan. From Adelphi, Ross county, via Perry, to Logan. From Zanesville, via Baxter's, Bealmer's Cross Roads, to Frazeyburg. From Zanesville, via Salt Creek, to Cumberland, thence return to Salt Creek and Zanesville, via Calhoun's Mills. From Lafayette, via Camden, to Hillsdale, in Michigan. From Providence, via Delta, Pareper's Corner, Lyon's, and Baker, to Adrian, in Michigan. From Hillsborough, via Allensburg, to Fayetteville. From Delaware, via Kilbourne Post Office, Newman's Cross Roads, Bloomfield Post Office, to Liberty, in Knox county. From Athens, in Athens county, by way of William Lowey's, to Adelphi, in Ross county. From Bartlett, in Washington county, by Hosea Alderman's, in Athens county, Absalom Joy's, in Morgan county, to Hansby's Cross Roads, in Perry county. From Marion, in Marion county, via Holmesville, in Bowling Green township, to Richwood, in Union county. From Delaware, via Richwood, Wilkins and Mill Creek, to East Liberty in Logan

county. From West Liberty, via Middleburg, to Quincy, in Logan county. From Urbanna, via Middletown and Lewisburg, to Cobert's, in Union county. From Zanesville, by the Ridge Road, to Marietta, to the point where said road intersects the river road.

*In Indiana.*—From Middletown, via Tomlinson's Mill, Muncietown, Albany, to Camden. From Muncietown, via Granville, Hartford, Montpelier, to Bluffton. From Deerfield, via Ridgeville, Fairview, Albany, Granville, to Wheeling. From New Rochester, Ohio, via Richville, to Newville, Indiana, thence, via Auburn, Asa Brown's, Augusta, Sparta, Leesburg, to the post route from Lima to Peru. From Fort Wayne, via Columbia, Oswego, Leesburg, to Plymouth. From Valparaiso, via Elder French's, Isaac Cornell's, Thomas Dinwiddie's, Pleasant Grove, to West Creek Post Office. From Washington, Daviess county, via Edwardsport, to Carlisle, in Sullivan county. From Washington, Daviess county, to Bedford, in Lawrence county. From Augusta, via North Port, Wolcott's Mills, White's Corners, Bloomfield, Ontario, to Lima. From Terre Haute, in the county of Vigo, via Samuel Young's, Urbanna, and Lewis, in said county, to Linton, in Green county. From Terre Haute, via Ephraim Kester's, in Vigo county, Williamsburg, Sullivan, to Carlisle, in the county of Sullivan. From Carlisle, in Sullivan county, via Pleasant, M. O. Haver's, Aaron Hagerman's, Bogardsville, and Scotland, in Green county, to Springville, in Lawrence county. From Warsaw, in Koskiusko county, to Plymouth, Marshall county. From Delphi, in Carroll county, via Camden, Fisher's Mills, and Bridge's Blacksmith Shop, to Coshows, on the Michigan road. From Crawfordsville, by Sugar Grove and Old Shawnee village, to Shawnee Post Office.

Indiana

*In Illinois.*—From Springfield, Illinois, to Carrollton, via Lick Creek. From Dixon, Sterling, Union Grove, Fulton City, Lyons, Dewitt, Independent Grove, in the county of Clinton, via Washington Ferry, in Cedar County, Iowa Territory, to Iowa city, in said Territory. From Knoxville, Illinois, to Millersburg, Mercer county, thence to Bloomington, in the Territory of Iowa. From Jacksonville to Pekin, via Princeton, Chandler's Bath, and Havana. From Southport, Illinois, to Beloit, Wisconsin. From Juliet, Will county, to Dundee, in Kane county, Illinois. From Ottawa, Illinois, to Wilmington. From Hillsborough, in Montgomery county, by Audubon, to Shelbyville, in Shelby county. From Vienna, by Halderman and Caledonia, to Cairo. From Belleville, by Centreville, to Waterloo. From Edwardsville, by Helvetia, to Shoal Creek. From Jerseyville to Gilead. From Chester, by Hobb's Ridge and Georgetown, to Sparta, and from Pinkneyville, to Brownsville, Illinois. From Waterloo, by James's Mill, to Harrisonville.

Illinois.

*In Missouri.*—From Marshall, Saline county, via Greenville and Miami Post Office, to Carrollton. From Caledonia, Washington county, to Van Buren, in Ripley county, via the seat of justice of Shannon county. From Van Buren, Ripley county, Missouri, via Alfred Deatherade's and John Shields's, to Little Piney Post Office. From Merri-mack Iron Works, Crawford county, via Burdine's on Bryant's Fork, Grigsby, on Little North Fork of White river, to Forsyth, Taney county. From Paris, Monroe county, via Bloomington, and Centreville, to the seat of justice of Adair county. From Carrollton, via Chillicothe and Trenton, in Grundy county, to Union Mills, in said county. From Marshall, via Salt Pond and Johnson's Grove, to Lexington. From Eleven Points, Ripley county, via Green B. Hesterley's, to Jackson, in Arkansas. From Thorp's Mill, Holt county, via John Blair's, Daniel Dearborn's, and Roundtree's, to Sonora, on the Missouri river. From Plattsburg, via Boyer's settlement, Third Fork of Platte river, and Rochester, on the main Platte river, to Savannah. From Platte city, via the county seats of Buchanan and Andrew coun-

Missouri.



ties, to the county seat of Holt county. From Bluff Grove, Grundy county, to William Miller's, on Grand river. From Brunswick, Chariton county, to Chilicothe. From Rockland Mills, Saline county, to Longwood, Pettis county. From Richmond, in Ray county, to Sparta, in Buchanan county. From Springfield, via Robert Patterson's, in Green county, and Jeremiah Parsons's, Isham P. Poole's, and Henry S. Ormsby's, in Pulaski county, to Caledonia, in Washington county. From Bolivar, via William Snowden's, to Sarcxie, in Newton county. From Herman, on the Missouri river, via Heath's store, near the mouth of Gasconade river, to Lisletown, in Osage county. From Chilicothe to Bluff Grove. From Tuscumbia, via the mouth of Nianga river, to Bolivar. From the town of New Madrid to Smith's Landing on the Mississippi river. From Paris, via Woodville, to Bloomington. From Eleven Points to Ozark, in Ozark county. From Cave Spring, Pulaski county, via Hartsville, in Wright county, and Ozark Court-house, to Forsyth in Taney county. From Lisletown to Westphalia. From Springfield, Green county, to Harmony Mission, Bates county. From Grovoise, Kinderhook county, by Oregon, Bensborough, and Oakland, to Hartsville in the county of Wright. From Springfield, by Greenfield to county seat of Jasper county. From Brunswick in Chariton county, to Union Mills in Grundy county. From Farmington, by Bonaparte and Keosanque, Iowa Territory, to Iowaville. From Breesville, Illinois, via Wittenberg, to Apple Creek post office, Cape Girardeau county. From West Prairie to Grand Prairie, in Stoddard county. From Elkhorn post office, Ray county, to Plattsburg, Clinton county.

Arkansas.

*In Arkansas.*—From Antoine, in Clark county, to Ultima Thule, in Sevier county, on the Fort Towson road. From Fayetteville, Washington county, by way of Stout's Mills, Onstol's Mills, and the head of Cove creek, to Natural Dam, in Crawford county. From the town of Elizabeth, in Jackson county, to Pochontas, in Randolph county. From Clinton, in Van Buren county, to Yellville, in Marion county, through Lebanon, in Searcy county. From Whittington, Hot Spring county, via Aiken's store and Duston's mill, to Mount Ida, intersecting the mail route, from Scott court-house, to Washington, in Hempstead county, at that place. From Columbia, Chicot county, by way of Bayou Bœuf, to Monroe, in Louisiana. From Jackson, in Lawrence county, in Arkansas, by way of Williams's, on Strawberry river, to Izard court-house.

Michigan.

*In Michigan.*—From Middleville, in Barry county, via Gun Lake, Martin, and Watson, to Allegan. From Grand Rapides, via Lake Alone, to Middleville. From the village of Charlotte, via the village of Vermontville, to intersect the route from the Grand Rapides, to Hastings. From Bellevue, via Oneida post-office, to Grand River city. From Owasco, via Duplane, Bingham, Bengal, and Lebanon, to Lyons. From Quincy, on the Indiana and Marshall State road, to Brockville, Indiana. From Saganaw city to Lower Saganaw. From Blissfield, through Ogden to Fairfield post office. From Kalamazoo, via Brady's post office, Vicker's mill, Centreville, and Sherman village, to Lima, Indiana. From Lakeville, by Oxford, Brandon, and Eagle Lake, to Groveland. From the village of Battle Creek, in Calhoun county, to Hastings, the county site of Barry county. From Whitmansville, via Charleston, to Lafayette. From Belvidere to Mount Clemens. From Belvidere to Detroit. From the village of Marshall, in Calhoun county, through Verona, to Hastings. From the village of Marshall, in Calhoun county, Michigan, via Trecousa, to Girard Branch court-house. From Granville to Port Sheldon, in Ottawa county. From Logansport to White Pigeon, via Leesburg, Milford, Goshen, and Middleburg. From Flint, in Genesee county, via Bearsleyville and Richmond, to Lapier. From Cassopolis, through Whitmansville, to Keelersville. From Monroe, Ypsilanti, by Stony creek, Exeter, Huron, and Roson's mill. From Flat Rock, in the town-

ship of Brownstown, to the village of Gibraltar. From Lapier to Grand Blanc, by Langdon and Mount Pleasant. From Mason, in Ingham county, to Jackson, in Jackson county. From Grand Rapides, county of Kemp, by Allan's corners, Lake Alone, Barnes's mill, and Green Plains, to Kalamazoo.

*In Wisconsin.*—From Patch Grove, in Grant county, to Blue river. From Fort Winnebago, via Grand Rapides, to Plover Portage. From Delavan, by Darien, to Beloit. From Fort Atkinson, by Cold Spring and White Water, to Elkhorn. From Summit, in Milwaukee county, via Pipeville and Watertown, to Washara, (or Fox Lake.) From Southport, via Aurora post office, to Burlington. From Madison, by Monroc, to Freeport, Illinois. From Milwaukee, via Muskego, Rochester, and Burlington, to Geneva.

*In Iowa.*—From Dubuque to the county seat of Delaware county. From Dubuque, via the county seat of Jones county and Rochester, (on the Red Cedar,) to West Liberty. From Dubuque, via Richfield, Point Pleasant, and Davenport, to Stephenson, Illinois. From Davenport, via Centreville and Moscow, to Rochester, (on the Red Cedar.) From Fort Madison, via West Point and Tuscarora, to Bentonport. From New Boston, Illinois, via Black Hawk and Wappello, to Mount Pleasant. From Fort Madison to Carthage. From Bloomington, via Cedarville and West Liberty, to Napoleon. From Wapesequinon to Bellevue, to be changed so as to run from Wapesequinon, via Camanche, New York, Lyons, and Charleston, to Bellevue. From Burlington, via Ellison's creek, St. Augustine, and Middle Grove, to Peoria. From Van Buren, Iowa Territory, via Fairfield court-house and Washington court-house, to Iowa city. From Wappello, via Cattesse and Sissinamo, to Napoleon. From Burlington, via Dodgeville, Virginia Grove, Hope Farm, Columbus city, Port Allen, to Iowa city. From Iowa city, via Richmond, Washington, Brighton, Pleasant Grove, Fairfield, and Kesauqua, Iowa Territory, to Waterloo, Missouri. From Davenport, via Joseph Denson's, in Cedar county, Seely's mills, and Paumacho, to Marion. From Savannah, Illinois, via Charleston, Goodenoe's mills, Burrison's Settlement, Edinburgh, Tipton, and Washington ferry, to Iowa city. From Keokuck, via Ambrosia, Franklin, West Point, McCarverstown, Mount Pleasant, Trenton, and Washington, to Iowa city. From Keosauqua, on the county road, via Ely's Ford, to B. F. Wilson's, in Van Buren county. From Keosauqua, via Washington and Salem, in Henry county, to Mount Pleasant. From Iowa city, via Westport, Marion, and the county seat of Delaware county, to Prairie du Chien, Wisconsin Territory. From Marion to Pleasantville. From Fort Madison, via West Point and Salem, to Fairfield. From Fort Madison, via Franklin, to Farmington. From Prairie La Porte, Iowa Territory, to Prairie du Chien, Wisconsin Territory, via Montholon, in Clayton county, Iowa Territory. From Farmington, Bonaparte, Van Buren, Pittsburg, Philadelphia, Portland, and Iowaville, to the United States Indian Agency, on the Desmoines river.

SEC. 2. *And be it further enacted,* That the above routes shall go into operation on the first day of July, eighteen hundred and forty-three, or sooner, should the funds of the Department justify the same: *Provided,* That as soon as a responsible contractor shall offer to transport the mails over any portion of the above routes for the revenue derived from the new offices to be established thereon, until the first day of July, eighteen hundred and forty-three, the Postmaster General shall forthwith put them into operation.

APPROVED, August 31, 1842.

To go into operation, when.  
Proviso.

## STATUTE II.

Aug. 31, 1842. CHAP. CCLXXV.—*An Act making appropriations to carry into effect a treaty with the Wyandott Indians, and for other purposes.*

Appropriation to carry treaty into effect.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, for carrying into effect the treaty with the Wyandott Indians, dated March seventeen, eighteen hundred and forty-two, and ratified by the Senate on the seventeenth of August, eighteen hundred and forty-two, with amendments, the sum of fifty-five thousand six hundred and sixty dollars: *Provided,* That no part of this appropriation shall be expended until the assent of said tribe is duly and formally given to said amendments. To make good the interest on investments and State stocks, and bonds for Indian tribes not yet paid by the States, to be reimbursed out of the interest when collected, fifteen thousand six hundred dollars and ninety-two cents.

Proviso.

Interest on State stocks, &c. to be made good.

Additional appropriation for expenses of the judiciary.

For defraying expenses of the Supreme, Circuit and District Courts of the United States, including the District of Columbia, also for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures incurred in eighteen hundred and forty-two and preceding years, and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, in addition to former appropriations, one hundred thousand dollars.

APPROVED, August 31, 1842.

## STATUTE II.

Aug. 31, 1842. CHAP. CCLXXVI.—*An Act concerning professors of mathematics in the navy of the United States.*

Entitled to mess with lieutenants, and receive rations as such.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That professors of mathematics in the navy of the United States shall be entitled to live and mess with the lieutenants of sea going and receiving vessels, and shall receive such rations as lieutenants of the same ship or station shall receive.

APPROVED, August 31, 1842.

## STATUTE II.

Aug. 31, 1842. CHAP. CCLXXVII.—*An Act to authorize the construction of a depot for charts and instruments of the navy of the United States.*

Secretary of the Navy to contract therefor.

Cost limited.

Appropriation.

Location.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized to contract for the building of a suitable house for a depot of charts and instruments of the navy of the United States, on a plan not exceeding in cost the sum of twenty-five thousand dollars.

SEC. 2. *And be it further enacted,* That the sum of ten thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, towards carrying this law into effect.

SEC. 3. *And be it further enacted,* That the said establishment may be located on any portion of the public land in the District of Columbia which the President of the United States may deem suited to the purpose.

APPROVED, August 31, 1842.

STATUTE II.  
Aug. 31, 1842.

CHAP. CCLXXIX.—*An Act to regulate the appointment and pay of engineers in the navy of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy shall appoint the requisite number of chief engineers and assistant engineers, not to exceed one chief engineer, two first assistant, two second assistant and three third assistant engineers for each steam ship of war, for the naval service of the United States, who shall be paid when in actual service as follows:

Engineers to be appointed by the Secretary of the Navy. Number allowed.

To the chief engineer, fifteen hundred dollars per annum and one ration per day; to the first assistant engineer, nine hundred dollars per annum and one ration per day; to the second assistant engineer, seven hundred dollars per annum and one ration per day; to the third assistant engineer, five hundred dollars per annum and one ration per day; the chief engineer shall be entitled to mess in the ward room of ships of war, and in all cases of prize money he shall share as a lieutenant; the first assistant engineer shall share as a lieutenant of marines; the second assistant engineer shall share as a midshipman; the third assistant engineer shall share as the forward officers; but neither the chief nor the assistant engineers shall hold any other rank than as engineers.

Pay in service, &c.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy shall be authorized to enlist and employ the requisite number of firemen, who shall receive, each, thirty dollars per month and one ration per day, and the requisite number of coal-heavers, who shall receive, each, eighteen dollars per month, and one ration per day; and the said firemen and coal-heavers shall, in all cases of prize money, share as seamen.

Firemen and coal-heavers authorized. 1847, ch. 48, § 4.

SEC. 3. *And be it further enacted,* That the said chief engineer and assistant engineers, when waiting orders, shall be paid as follows: To the chief engineer, twelve hundred dollars per annum; to the first assistant engineer, seven hundred dollars per annum; to the second assistant engineer, five hundred dollars per annum; to the third assistant engineer, three hundred and fifty dollars per annum.

Pay of engineers waiting orders.

SEC. 4. *And be it further enacted,* That the Secretary of the Navy shall appoint a skilful and scientific engineer in chief, who shall receive for his services the sum of three thousand dollars per annum, and shall perform such duties as the Secretary of the Navy shall require of him touching that branch of the service.

Engineer in chief to be appointed.

SEC. 5. *And be it further enacted,* That the Secretary of the Navy shall be authorized to prescribe a uniform for the said chief engineers and assistant engineers, and to make all necessary rules and regulations for the proper arrangement and government of the corps of engineers and assistant engineers, not inconsistent with the constitution and laws of the United States. The said engineers and assistant engineers shall be in all respects, subject to the laws, rules, and regulations of the naval service, in like manner with other officers of the service.

Uniform and rules for their government.

SEC. 6. *And be it further enacted,* That the said chief engineers shall [be] appointed by commission, and the assistant engineers shall be appointed by warrant from the Secretary of the Navy, in such form as he may prescribe.

Engineers subject to laws and regulations of the navy.

Engineers how appointed.

*And be it further enacted,* That the Secretary of the Navy be, and he is hereby, authorized to establish, at such places as he may deem necessary, suitable depots of coal, or other fuel, for the supply of steam ships of war.

Depots of coal authorized.

APPROVED, August 31, 1842.

STATUTE II.

Aug. 31, 1842.

CHAP. CCLXXX.—*An Act concerning the payment of Florida militia.*

Appropriations for subsistence in act 23d Aug. 1842, ch. 192, applicable to subsistence furnished in 1839 and 1840.

Proviso.  
Proviso.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the appropriations for subsistence made in the act entitled "An act for the payment of Florida militia called into service in the years eighteen hundred and thirty-nine, and eighteen hundred and forty," and approved August twenty-third, eighteen hundred and forty-two, shall be applicable to the settlement of any claims for subsistence furnished to the Florida militia in eighteen hundred and thirty-nine, and eighteen hundred and forty, not heretofore settled: *Provided,* That no supplies be paid for other than those authorized by law or regulation: *And provided, further,* That the appropriation specified in said act shall not be exceeded.

APPROVED, August 31, 1842.

STATUTE II.

Aug. 31, 1842.

Newcastle and Nobleboro annexed as ports of delivery.

Repealed by act of March 3, 1843, ch. 79.

CHAP. CCLXXXI.—*An Act to extend the collection district of Wiscasset.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the towns of Newcastle and Nobleboro, lying on the Damariscotta river, in the State of Maine, be annexed to the collection district of Wiscasset, as ports of delivery only.

APPROVED, August 31, 1842.

STATUTE II.

Aug. 31, 1842.

Sale of lottery tickets in the District of Columbia, after 1st January 1843, unlawful.

Penalty for offending.

CHAP. CCLXXXII.—*An Act to suppress the vending of lottery tickets in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the first day of January, one thousand eight hundred and forty-three, it shall not be lawful, to keep within the District of Columbia any office or place of business for the sale of lottery tickets, or of any share or interest in lottery tickets, nor shall it be lawful to sell or offer for sale within the said District, any lottery ticket or any share or interest in any lottery ticket; and every person who shall be duly convicted of offending against the provisions of this act shall be punished by imprisonment in the common jail of the county in which the offence shall have been committed for a period not less than one, nor more than six calendar months, and shall forfeit and pay a fine of not less than one hundred nor exceeding one thousand dollars, one half of which shall go to the informer, and the other half to the municipal corporation within whose corporate limits the offence shall have been committed; but if committed without the limits of any municipal corporation, then such moiety of the fine shall go to the United States.

Sales of lottery tickets void—lawful to recover the money.

Certain lottery tickets excepted for one year.

SEC. 3. *And be it further enacted,* That the contract of sale for such lottery ticket or tickets, or share or interest in such lottery ticket or tickets, shall be absolutely void, and the person or persons paying therefor shall have a right to recover back the money paid therefor as money paid on a void consideration: *Provided,* That nothing herein contained shall be construed to restrain the selling of lottery tickets, so far as the same is authorized by any existing contract made by the Common Council of the city of Alexandria, under an ordinance of the Common Council of the said city, passed on the fifth day of December, eighteen hundred and twenty-seven, and approved by the President of the United States, if such contract is made, and so far as the same is made, in conformity with the provisions of its charter, nor so far as the selling of the same is authorized by any subsisting license of any of the cities of the said District, for the period of one year from the passage of this act: *And provided, further,* That it shall not be lawful, under color of any

contract made with the Common Council of the said city of Alexandria, as aforesaid, to vend or sell tickets, or parts of tickets, or shares, in any lottery or lotteries, authorized by the Legislature of any State or Territory within the United States, or any foreign Government.

APPROVED, August 31, 1842.

CHAP. CCLXXXIII.—*An Act to provide for purchasing materials and for the support of the penitentiary in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of seven thousand nine hundred and sixty-five dollars be, and the same is hereby, appropriated for the purpose of furnishing raw materials for manufacture and for the support of the penitentiary in the District of Columbia, to be expended under the direction of the board of inspectors of said penitentiary, and to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 31, 1842.

STATUTE II.  
Aug. 31, 1842.  
[Obsolete.]

Appropriation.

CHAP. CCLXXXVI.—*An Act to reorganize the Navy Department of the United States.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act approved February seventh, eighteen hundred and fifteen, entitled "An act to alter and amend the several acts establishing a Navy Department, by adding thereto a Board of Commissioners," be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted,* That there shall be attached to the Navy Department the following bureaus, to wit :

1. A bureau of Navy Yards and Docks.
2. A bureau of Construction, Equipment and Repairs.
3. A bureau of Provisions and Clothing.
4. A bureau of Ordnance and Hydrography.
5. A bureau of Medicine and Surgery.

SEC. 3. *And be it further enacted,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint, from the captains in the naval service, a chief for each of the bureaus of Navy Yards and Docks, and of Ordnance and Hydrography, who shall each receive a salary of three thousand five hundred dollars per annum, in lieu of all other compensation whatever, in the naval service; and shall, in like manner, appoint a chief of the bureau of Construction, Equipment, and Repairs, who shall be a skilful naval constructor, and shall also appoint a chief of the bureau of Provisions and Clothing, who shall each receive for his services three thousand dollars per annum; and shall in like manner appoint from the surgeons of the navy a chief of the bureau of Medicine and Surgery, who shall receive for his services two thousand five hundred dollars per annum.

SEC. 4. *And be it further enacted,* That the Secretary of the Navy shall appoint the following clerks, to wit :

For the office of the Secretary of the Navy, a chief clerk, who shall receive for his services two thousand dollars per annum; one registering clerk, who shall receive for his services one thousand four hundred dollars per annum; three recording clerks, who shall receive for their services each one thousand dollars per annum; one principal corresponding clerk, who shall receive for his services one thousand five hundred dollars per annum; and two assistant corresponding clerks, who shall receive for their services each twelve hundred dollars per annum; one

STATUTE II.  
Aug. 31, 1842.

Act of 7th Feb. 1815, ch. 35, repealed.

Bureaus to be attached to the Navy Department.

Chiefs of the bureaus to be appointed, how.

Vol. x. p. 163.

Sec. Navy to appoint clerks for the Office of the Secretary of the Navy.

(a) Notes of the acts relating to the navy of the United States, vol. 2, 699.

warrant clerk, who shall receive for his services twelve hundred dollars per annum; and one miscellaneous clerk, who shall receive for his services eight hundred dollars per annum.

Bureau of Navy Yards and Docks.

For the bureau of Navy Yards and Docks, one civil engineer, who shall receive for his services two thousand dollars per annum; one draughtsman, who shall receive for his services one thousand dollars per annum; one chief clerk, who shall receive for his services one thousand four hundred dollars per annum; and two assistant clerks, one of whom shall receive for his services one thousand dollars per annum, and the other shall receive for his services eight hundred dollars per annum.

Bureau of Construction, equipment and repairs.

Act of March 3, 1843, ch. 83.

For the bureau of Construction, Equipment, and Repairs, one assistant constructor and draughtsman, who shall receive for his services the sum of one thousand six hundred dollars per annum; and four clerks, one of whom shall receive for his services fourteen hundred dollars per annum, and the others shall receive for their services one thousand dollars per annum, each.

Bureau of Provisions and Clothing.

For the bureau of Provisions and Clothing, one chief clerk, who shall receive for his services one thousand four hundred dollars per annum; and two clerks, one of whom shall receive for his services one thousand two hundred dollars per annum, and the other shall receive for his services eight hundred dollars per annum.

Bureau of Ordnance and Hydrography.

For the bureau of Ordnance and Hydrography, one draughtsman, who shall receive for his services one thousand dollars per annum; and three clerks, one of whom shall receive for his services twelve hundred dollars per annum, and the others shall receive for their services one thousand dollars per annum, each.

Bureau of Medicine and Surgery.

For the bureau of Medicine and Surgery, two clerks, one of whom shall receive for his services twelve hundred dollars per annum, and the other shall receive for his services eight hundred dollars per annum; and one assistant surgeon, who shall receive for his services not less than the highest pay of his grade in the service.

Duties to be distributed among the bureaus.

SEC. 5. *And be it further enacted*, That the Secretary of the Navy shall assign and distribute among the said bureaus such of the duties of the Navy Department, as he shall judge to be expedient and proper, and all the duties of the said bureaus shall be performed under the authority of the Secretary of the Navy, and their orders shall be considered as emanating from him, and shall have full force and effect as such.

Messengers.

SEC. 6. *And be it further enacted*, That there shall be allowed to each bureau a messenger, who shall receive for his services a compensation not exceeding seven hundred dollars per annum.

Franking privilege.

Act of March 3, 1845, ch. 43, sec. 6.

SEC. 7. *And be it further enacted*, That the chief of each bureau hereby established shall be authorized to frank all communications from his bureau; and all communications to his bureau, on the business thereof, shall be free of postage.

Papers of the Navy Commissioners' office to be distributed.

SEC. 8. *And be it further enacted*, That the books, records, and papers, now belonging to the office of the Navy Commissioners shall be distributed among the bureaus, according to the nature of their duties respectively; and the Secretary of the Navy is hereby authorized to provide for each bureau, such books of record and accounts, and such stationery, as may be found necessary; for which purpose the sum of three thousand five hundred dollars is hereby appropriated, payable out of any moneys in the Treasury not otherwise appropriated.

Appropriation for stationery.

Appropriation to carry this law into effect.

SEC. 9. *And be it further enacted*, That the unexpended balance of the appropriation for clerks in the office of the Secretary of the Navy, and the unexpended balance of the appropriation for the Commissioners of the Navy, their Secretary and clerks, together with such additional sum as may be necessary to carry this law into effect, be, and the same

are hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated.

SEC. 10. *And be it further enacted*, That the Secretary of the Navy shall, if the same can be done without detriment to the public service, appoint, with their consent, officers of the navy, not above the grade of lieutenants, to perform the duties of any clerkship created by this act, (except as herein otherwise provided,) who shall receive each for their services not more than nine hundred dollars per annum, including their regular pay and rations; but the appointment of any officer in the navy to any of the offices or clerkships in this act, shall in no manner whatever interfere with his grade in the service.

Officers, &c. may, with their consent, be appointed to the clerkships.

SEC. 11. *And be it further enacted*, That all acts, or parts of acts authorizing the President of the United States, or the Secretary of the proper Department, under his direction to transfer any portion of the moneys appropriated for a particular branch of expenditure in that Department, to be applied to another branch of expenditure in the same Department, be, and are hereby, so far as relates to the Department of the Navy, repealed.

Authority to transfer money, &c., so far as relates to the Navy Department, repealed.

APPROVED, August 31, 1842.

CHAP. CCLXXXVII. — *An Act to limit the sale of the public stock to par, and to authorize the issue of Treasury notes, in lieu thereof, to a certain amount.* (a)

STATUTE II.  
Aug. 31, 1842.  
[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no stock authorized to be issued for a loan, by the act entitled "An act authorizing a loan not exceeding the sum of twelve millions of dollars," approved July twenty-first, eighteen hundred and forty-one, and the act amendatory of the same, entitled "An act for the extension of the loan of eighteen hundred and forty-one, and for an addition of five million of dollars thereto, and for allowing interest on Treasury notes due," approved April fifteenth, eighteen hundred and forty-two, shall hereafter be sold below par; and in case the same cannot be sold at or above par, and the exigencies of the public service shall require the same, then and in that case the Secretary of the Treasury shall be, and hereby is, authorized to issue Treasury notes in lieu of so much thereof as cannot be thus negotiated, to an amount not exceeding six millions of dollars.

No stock authorized by acts of 21st July 1841, ch. 3, and 15th April 1842, ch. 26, to be sold below par.

SEC. 2. *And be it further enacted*, That the Treasury notes authorized to be issued by virtue of this act shall not be issued after the time limited by said last mentioned act, being the fifteenth day of April, eighteen hundred and forty-three, for making said loan, and they shall be issued under the provisions and limitations contained in the act entitled "An act to authorize the issuing of Treasury notes," approved the twelfth day of October, eighteen hundred and thirty-seven, and as modified by the act entitled "An act additional to the act on the subject of Treasury notes," approved March thirty-first, eighteen hundred and forty: *Provided*, That the notes authorized to be issued by virtue of this act may, when redeemed, be reissued, or new notes issued in lieu of such as may be redeemed within the time above prescribed for issuing the same, provided that not more than six millions in amount shall be outstanding at any one time under the authority of this act.

Issue of treasury notes authorized upon certain contingencies.

Time for the issuing of the treasury notes limited.  
To be issued under the provisions and limitations of acts of 12th October 1837, ch. 2, and 31st March 1840, ch. 5.  
Proviso.

SEC. 3. *And be it further enacted*, That nothing in the act contained, entitled an act authorizing the loan, above referred to, and an act amendatory of the same, shall be so construed as to authorize the issue of certificates of stock, for debts now due or to become due by the United States, for any other purpose than a bona fide loan to the Government

Amount outstanding not to exceed \$6,000,000.  
Relative to the issuing of certificates of stock.

(a) Notes of the acts authorizing the issuing of treasury notes, vol. 2, 766.



according to the original intention of that law, and that no certificate for any loan shall be issued for a less sum than one hundred dollars.

APPROVED, August 31, 1842.

STATUTE II.

Aug. 31, 1842.

[Obsolete.]

CHAP. CCLXXXVIII.—*An Act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and forty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the Treasury, for the preservation, repairs, and construction of certain fortifications, in the year eighteen hundred and forty-two, viz.:

Fort Preble.	For repairs at Fort Preble, Portland, Maine, one thousand dollars.
Fort Scammel.	For repairs of Fort Scammel, Portland, Maine, five thousand dollars.
Fort McClary.	For repairs of Fort McClary, Portsmouth, New Hampshire, five thousand dollars.
Fort Constitution.	For repairs of Fort Constitution, Portsmouth, New Hampshire, five thousand dollars.
Deer island.	For repairs of sea-wall on Deer Island, Boston harbor, two thousand dollars.
Fort Independence. Castle island.	For repairs of Fort Independence and sea-wall at Castle Island, balance of the original estimated cost of this work, being thirty thousand dollars.
Fort Warren.	For Fort Warren, Boston harbor, thirty-three thousand dollars.
Ft. Griswold.	For repairs of old Fort Griswold, New London harbor, Connecticut, five thousand dollars.
Fort Niagara.	For completing the repairs of Fort Niagara, at the mouth of Niagara river, New York, and erecting and repairing the necessary buildings therein, five thousand dollars.
Fort Ontario.	For completing the repairs of Fort Ontario, at Oswego, New York, and erecting the necessary buildings therein, six thousand dollars.
Fort Schuyler. Castle Williams.	For Fort Schuyler, New York harbor, twenty thousand dollars. For completing Castle Williams, New York harbor, five thousand dollars.
South battery.	For completing South Battery, New York harbor, two thousand dollars.
Ft. Columbus.	For completing Fort Columbus, New York harbor, two thousand dollars.
Wharves, New York harbor.	For permanent wharves for Fort Columbus, Castle Williams, and South Battery, Governor's Island, New York harbor, and to complete the work according to the original estimates, eight thousand dollars.
Fort Hamilton.	For repairs at Fort Hamilton, New York harbor, five thousand dollars.
Fort Lafayette.	For repairs and for correcting defective construction of Fort Lafayette, New York harbor, twelve thousand dollars.
Fort Monroe.	For Fort Monroe, Old Point Comfort, Virginia, thirty-five thousand dollars.
Fort Macon.	For repairs of Fort Macon, Beaufort, North Carolina, five thousand dollars.
Fort Sumter.	For preservation of the site of the same, seven thousand dollars. For Fort Sumter, Charleston harbor, South Carolina, towards completing the same, agreeably to the original estimates, fifty thousand dollars.
Ft. Livingston.	For Fort Livingston, Barrataria bay, Louisiana, ten thousand dollars.
Fort Towson.	For carrying on the work at Fort Towson, ten thousand dollars.
Fort Smith.	For carrying on the work at Fort Smith, ten thousand dollars.

APPROVED, August 31, 1842.

RESOLUTIONS.

No. 2. *Joint Resolution on the subject of printing the tables of the sixth census.* April 14, 1842.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the payment of the money heretofore appropriated by Congress, to pay the expenses of the sixth census, be so far suspended, as that no money shall be paid for the printing of the compendium or abridgement of the sixth census by counties and principal towns, together with the tables of apportionment, as prepared at the Department of State for the use of Congress, until the further order of Congress.

[Obsolete.]  
Payment for the printing of the compendium suspended.

APPROVED, April 14, 1842.

No. 3. *A Resolution further to provide for the distribution of the printed returns of the sixth census, and other documents connected with the same, the printing of which has been heretofore directed by law.* April 15, 1842.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the statistics, including the census of pensioners, and the compendium or abridgement of the sixth census of the United States, heretofore required by law to be printed under the direction of the Secretary of State, shall be distributed and disposed of by the Secretary in the manner and in the proportions specified in the joint resolution of Congress passed the first day of September, one thousand eight hundred and forty-one: *Provided, always,* That seventeen thousand copies of the said compendium or abridgement shall be distributed among the States, Territories, and persons entitled to distribution under the said resolution, and in the proportions therein specified, and that the remaining copies of the said statistics and compendium be placed in the Library of Congress for future distribution.

The other census documents to be distributed in the manner specified by resolution of 1st Sept. 1841.  
Ante, p. 467.

Proviso.

APPROVED, April 15, 1842.

No. 4. *Joint Resolution to continue two clerks in the business of reservations and grants under Indian treaties.* May 18, 1842.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the authority given to the Secretary of War by the joint resolution, approved second May, one thousand eight hundred and forty, to continue the employment of two clerks in the business of reservations and grants under Indian treaties, be extended, after the expiration of the period for which that authority was granted, for the term of two years.

Ante, p. 409.

Period for which they were authorized extended for two years.  
Post, p. 718.

APPROVED, May 18, 1842.

No. 5. *A Resolution to authorize the extension of the contract for carrying the mail on the route between Mobile and New Orleans.* June 1, 1842.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he hereby is, authorized to extend the existing contract for carrying the mail upon the steamboat route between Mobile and New Orleans for three years from the time at which said contract would expire by its own limitations, if, in his opinion, the public interest and convenience will be promoted by such extension of said contract.

Postmaster General authorized to extend the existing contract for three years.

APPROVED, June 1, 1842.

Aug. 11, 1842.

No. 7. *Joint Resolution to authorize the commission appointed to prepare rules and regulations for the naval service to appoint a clerk.*

Employment of a temporary clerk authorized.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized, agreeably to his request, to employ a temporary clerk for the purpose of aiding the Attorney General and himself in carrying into effect the resolution of the twenty-fourth May, eighteen hundred and forty-two, which requires of them the preparation of rules and regulations for the Navy.

APPROVED, August 11, 1842.

Aug. 16, 1842.

No. 8. *A Resolution declarative of the pension act of July seventh, eighteen hundred and thirty-eight.*

Benefits of the act not to be withheld from certain widows. 1838, ch. 189.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the benefits of the act entitled "An act granting half pay and pensions to certain widows," approved the seventh day of July, eighteen hundred and thirty-eight, shall not be withheld from any widow whose husband died after the passage of the act of the seventh of June, eighteen hundred and thirty-two, and before the act of the seventh July, eighteen hundred and thirty-eight, if otherwise entitled to the same.

APPROVED, August 16, 1842.

Aug. 30, 1842.

No. 10. *Joint Resolution to institute proceedings to ascertain the title to Rush Island, ceded in the Caddo Treaty.*

U. S. Attorney for the Western district of Louisiana directed to institute proceedings.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,* That the District Attorney of the United States for the Western District of Louisiana be, and is hereby directed to institute such legal proceedings in the proper court as may be necessary to vindicate the right of the United States to Rush Island, which is alleged to have been improperly included in the limits of the lands ceded by the Caddo Indians to the United States, by the treaty of the first July, eighteen hundred and thirty-five, and reserved by said treaty in favour of certain persons by the name of Grappe.

APPROVED, August 30, 1842.

Aug. 31, 1842.

No. 12. *Joint Resolution authorizing experiments to be made for the purpose of testing Samuel Colt's submarine battery, and for other purposes.*

Secretary of the Navy to render facilities to Mr. Colt to test his submarine battery, and report to Congress.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy be, and he is hereby, instructed to render Mr. Samuel Colt facilities to test his submarine battery to an extent which will settle the questions whether these or any other plan can, with ease and safety, successfully be employed as a power sufficient to destroy the largest class of ships of war, when in motion passing in or out of harbor, without the necessity of approach within reach of shot from guns of the largest caliber; and whether continued operations of the destruction of one or more vessels can be effected with renewing the means under exposure of an advancing squadron; and whether the same can be used for the defence of a harbor without endangering the passage in or out of other than hostile vessels. And that he report at the next session of Congress, the expense and result of these experiments: *Provided,* That the amount so expended does not exceed the sum of fifteen thousand dollars, to be taken from the fund appropriated by the act of eleventh of September, eighteen hundred and forty-one, for experiments connected with the naval service of the United States.

Proviso.

SEC. 2. *And be it further resolved*, That the Secretary of the Navy be, and he is hereby, authorized to make such experimental trial of the several inventions of Thomas M. Easton, Ethan Campbell, Aaron Quinby, or either of them, or of other persons, to prevent the explosion of steam boilers, as may be necessary to test their value and utility as applicable for the purposes aforesaid, to the steamships of the United States; and the sum of six thousand dollars is hereby appropriated therefor out of the fund heretofore named.

Trial of inventions to prevent the explosion of steam boilers authorized. 1843, ch. 94, § 5.

Appropriation.

APPROVED, August 31, 1842.

No. 13. *A Resolution to provide for the payment of the expenses incurred by the Legation at Mexico.*

Aug. 31, 1842.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of six thousand dollars be and is hereby appropriated out of any money in the Treasury not otherwise appropriated to defray the expenses incurred by the Legation of the United States at Mexico, on account of the subsistence, clothing and transportation of prisoners, *Provided* so much be necessary upon the adjustment of the accounts of the State Department.

Appropriation to defray expenses on account of prisoners.

Proviso.

APPROVED, August 31, 1842.

No. 14. *A Resolution to authorize an extension of a contract for carrying the mail.*

Aug. 31, 1842.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General be, and he is hereby, authorized, if in his opinion the interest of the Department will be promoted thereby, to extend at this time the contract for the conveyance of the mail on the Potomac, for four years from the termination of the present contract, in such a way as to receive the regular transmission of the mail, by means of ice-boats: *And provided* That the compensation does not exceed the present rates for two boats' service.

Extension of the contract for the conveyance of the mail on the Potomac authorized.

Proviso.

APPROVED, August 31, 1842.

# ACTS OF THE TWENTY-SEVENTH CONGRESS

OF THE

## UNITED STATES,

*Passed at the third session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the 5th day of December, 1842, and ended the 3d day of March, 1843.*

JOHN TYLER, President of the United States. WILLIE P. MANGUM, President of the Senate, pro tempore. JOHN WHITE, Speaker of the House of Representatives.

### STATUTE III.

- Dec. 24, 1842.  
[Obsolete.]
- Appropriations for the half year ending 30th June 1843.
- Congress.
- Officers of the Senate and H. of Reps.
- Expenses of Senate.
- Expenses of H. of Reps.
- Library of Congress.
- Contingent expenses.
- Purchase of books.
- President of United States.
- State Department.
- Secretary, &c.
- Contingent expenses.
- Laws.
- N. E. executive building.
- Contingent expenses.
- CHAP. II. — *An Act making appropriations for the civil and diplomatic expenses of Government for the half calendar year ending the thirtieth day of June, eighteen hundred and forty-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 hereby are, appropriated to the objects hereinafter expressed, for the half calendar year ending on thirtieth June, eighteen hundred and forty-three, to be paid out of any unappropriated money in the Treasury, namely :
- For compensation and mileage of Senators and members of the House of Representatives and Delegates from the Territories, three hundred and sixty-six thousand eight hundred and eighty-eight dollars.
- For compensation of the officers and clerks of the Senate and House of Representatives, twenty thousand two hundred and seventy-four dollars.
- For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, thirty-five thousand dollars.
- For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, one hundred and twenty-five thousand dollars.
- For compensation of the principal and two assistant librarians, and messenger of the library of Congress, two thousand two hundred and fifty dollars.
- For contingent expenses of said library, four hundred dollars.
- For purchase of books of [for] said library, two thousand five hundred dollars.
- For purchase of law books for said library, five hundred dollars.
- For compensation of the President of the United States, twelve thousand five hundred dollars.
- Department of State.*—For compensation of the Secretary of State, and the clerks, messenger, and assistant messenger, in his department, thirteen thousand one hundred and fifty dollars.
- For incidental and contingent expenses of said department, including publishing and distributing the laws, twelve thousand six hundred and fifty dollars.
- For compensation of the superintendent and three watchmen of the northeast executive building, six hundred and seventy-two dollars and fifty cents.
- For contingent expenses of said building, viz :
- For labor, six hundred dollars ;

For fuel and light, seven hundred dollars ;

For miscellaneous items, three hundred and fifty dollars.

*Treasury Department.*—For compensation of the Secretary of the Treasury, and the clerks, messenger, and assistant messenger, in his office, thirteen thousand nine hundred and twenty-five dollars.

Treasury Department.  
Secretary, &c.

For compensation of the First Comptroller, and the clerks, messenger, and assistant messenger, in his office, eleven thousand four hundred and seventy-five dollars.

First Comptroller, &c.

For compensation of the Second Comptroller, and the clerks and messenger in his office, seven thousand six hundred and twenty-five dollars.

Second Comptroller, &c.

For compensation of the First Auditor, and the clerks and messenger in his office, nine thousand nine hundred and fifty dollars.

1st Auditor, &c.

For compensation of the Second Auditor, and the clerks and messenger in his office, ten thousand seven hundred and five dollars and forty-nine cents.

2d Auditor, &c.

For compensation of the Third Auditor, and the clerks, messenger, and assistant messenger, in his office, nineteen thousand one hundred and seventy-five dollars.

3d Auditor, &c.

For compensation of the Fourth Auditor, and the clerks and messenger in his office, ten thousand and seventy-five dollars.

4th Auditor, &c.

For compensation of the Fifth Auditor, and the clerks and messenger in his office, seven thousand four hundred dollars.

5th Auditor, &c.

For compensation of the Treasurer of the United States, and the clerks and messenger in his office, six thousand eight hundred and seventy-five dollars.

Treasurer, &c.

For compensation of the Register of the Treasury, and the clerks, messenger, and assistant messenger, in his office, fourteen thousand three hundred dollars.

Register, &c.

For compensation of the Commissioner of the General Land Office, and the recorder, solicitor, draughtsman, assistant draughtsman, clerks, messengers, and packers, in his office, forty-nine thousand two hundred and fifty dollars.

Commiss'rs of General Land Office, &c.

For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, six thousand two hundred dollars.

Solicitor, &c.

For the incidental and contingent expenses of the Treasury Department, viz. :

Contingent expenses.

In the office of the Secretary of the Treasury :

Office of the Secretary.

For blank books, binding, and stationery, one thousand seven hundred and fifty dollars ;

For newspapers and periodicals, fifty dollars ;

For labor, seventy-five dollars ;

For extra clerk hire, seven hundred and fifty dollars ;

For printing, (including the printing of the public accounts,) one thousand two hundred and seventy-five dollars ;

For sealing ship registers, fifty dollars ;

For miscellaneous items, three hundred and fifty dollars ;

For translating foreign languages, seventy-five dollars ;

In the office of the First Comptroller :

First Comptroller.

For blank books, binding, and stationery, five hundred dollars ;

For labor, two hundred and twenty-five dollars ;

For extra clerk hire, two hundred and twenty-five dollars ;

For miscellaneous items, one hundred and fifty dollars ;

In the office of the Second Comptroller :

Second Comptroller.

For blank books, binding, and stationery, three hundred and fifty dollars ;

For labor, one hundred dollars ;

For extra clerk hire, two hundred dollars ;

For miscellaneous items, one hundred dollars ;

- 1st Auditor. In the office of the First Auditor :  
 For blank books, binding, and stationery, two hundred and fifty dollars ;  
 For labor, one hundred dollars ;  
 For extra clerk hire, one hundred dollars ;  
 For miscellaneous items, fifty dollars ;
- 2d Auditor. In the office of the Second Auditor :  
 For blank books, binding, and stationery, one hundred and fifty dollars ;  
 For labor, one hundred and twenty-five dollars ;  
 For extra clerk hire, one hundred and fifty dollars ;  
 For miscellaneous items, fifty dollars ;
- 3d Auditor. In the office of the Third Auditor :  
 For blank books, binding, and stationery, one hundred and fifty dollars ;  
 For labor, one hundred and twenty-five dollars ;  
 For extra clerk hire, one hundred and fifty dollars ;  
 For miscellaneous items, fifty dollars ;
- 4th Auditor. In the office of the Fourth Auditor :  
 For blank books, binding, and stationery, three hundred dollars ;  
 For labor, twenty-five dollars ;  
 For extra clerk hire, fifty dollars ;  
 For printing, twenty dollars ;  
 For miscellaneous items, one hundred dollars ;
- 5th Auditor. In the office of the Fifth Auditor :  
 For blank books, binding, and stationery, one hundred and twenty-five dollars ;  
 For labor, sixty-two dollars and fifty cents ;  
 For extra clerk hire, twenty-five dollars ;  
 For miscellaneous items, sixty-two dollars and fifty cents ;
- Treasurer. In the Treasurer's office :  
 For miscellaneous items, one hundred and eighty-seven dollars and fifty cents ;
- Solicitor. In the Solicitor's office :  
 For blank books, binding, and stationery, two hundred and fifty dollars ;  
 For labor, fifty dollars ;  
 For extra clerk hire, two hundred dollars ;
- Register. In the Register's office :  
 For blank books, binding, and stationery, five hundred dollars ;  
 For labor, one hundred and seventy-five dollars ;  
 For printing, two hundred and fifty dollars ;  
 For miscellaneous items, five hundred dollars ;
- General Land Office. In the General Land Office :  
 For blank books, binding, stationery, and parchments, six thousand dollars ;  
 For labor, two hundred and fifty dollars ;  
 For printing, two thousand dollars ;  
 For miscellaneous items, five hundred dollars ;
- S. E. executive building. For compensation of the superintendent and eight watchmen of the southeast executive building, one thousand seven hundred dollars ;
- Contingent expenses. For contingent expenses of said building, viz. :  
 For labor, one thousand one hundred dollars ;  
 For fuel and light, one thousand eight hundred and fifty dollars ;  
 For miscellaneous items, eight hundred and fifty dollars.
- War Department. Secretary. Commissioner of Ind. affairs, &c. *War Department.*—For compensation of the Secretary of War, and the clerks, messenger, and assistant messenger, in his office, nine thousand six hundred and seventy-five dollars.  
 For compensation of the Commissioner of Indian Affairs, and the

clerks, messenger, and assistant messenger, in his office, nine thousand seven hundred dollars.

For compensation of the Commissioner of Pensions, and the clerks and messengers in his office, seven thousand six hundred and fifty dollars;

Commissioner of Pensions, &c.

For compensation of the clerk and messenger in the office of the Commanding General, seven hundred and fifty dollars;

Office of Commanding General.

For compensation of the clerks and messenger in the office of the Adjutant General, three thousand eight hundred and twenty-five dollars;

Adjutant General.

For compensation of the clerks and messenger in the office of the Quartermaster General, three thousand six hundred and fifty dollars;

Quartermaster General.

For compensation of the clerks and messenger in the office of the Paymaster General, three thousand five hundred and fifty dollars;

Paymaster General.

For compensation of the clerks and messenger in the office of clothing and equipage at Philadelphia, two thousand one hundred dollars;

Clothing and Equipage.

For compensation of the clerks and messenger in the office of the Commissary General of Subsistence, two thousand six hundred and fifty dollars;

Comm'y Gen. of Subsistence.

For compensation of the clerks and messenger in the office of the Chief Engineer, two thousand eight hundred and twenty-five dollars;

Chief Engineer.

For compensation of the clerks and messenger in the office of the Surgeon General, one thousand three hundred and twenty-five dollars;

Surgeon General.

For compensation of the clerks and messenger in the office of the Colonel of Ordnance, four thousand three hundred and twenty-five dollars;

Colonel of Ordnance.

For compensation of the clerks and messenger in the bureau of Topographical Engineers, two thousand four hundred and fifty dollars;

Topographical Engineers.

For compensation of the superintendent and four watchmen of the northwest executive building, eight hundred and fifty-five dollars;

N. W. executive building.

For contingent expenses of the War Department, viz :

Contingent expenses.

In the office of the Secretary of War :

Office of the Secretary.

For blank books, binding, and stationery, three hundred dollars;

For newspapers and periodicals, one hundred and twenty-five dollars;

For labor, one hundred and fifty dollars;

For printing, one hundred and fifty dollars;

For miscellaneous items, two hundred and seventy-five dollars;

For books, maps, and plans, five hundred dollars.

For extra clerk hire, one thousand five hundred dollars.

In the office of Commissioner of Indian affairs :

Commissioner of Ind. Affairs.

For blank books, binding, and stationery, three hundred dollars;

For labor, twenty-five dollars;

For miscellaneous items, one hundred and seventy-five dollars.

In the office of the Commissioner of Pensions :

Commissioner of Pensions.

For blank books, binding, and stationery, two hundred and fifty dollars;

For printing, two hundred dollars;

For fuel, seventy-five dollars;

For miscellaneous items, two hundred and twenty-five dollars.

In the office of the Commanding General :

Commanding General.

For miscellaneous items, one hundred and fifty dollars.

In the office of the Quartermaster General :

Quartermaster General.

For blank books, binding, and stationery, one hundred and fifty dollars;

For labor, fifty dollars;

For printing, fifty dollars;

For miscellaneous items, fifty dollars.

In the office of the Chief Engineer :

Chief Engineer.

For blank books, binding, and stationery, two hundred dollars;

For printing, fifty dollars;



Colonel of Ordnance.

For miscellaneous items, one hundred and fifty dollars.

In the office of the Colonel of Ordnance :

For blank books, binding, and stationery, two hundred dollars ;

For printing, fifty dollars.

For miscellaneous items, one hundred and fifty dollars.

Topographical Engineers.

In the Bureau of Topographical Engineers :

For blank books, binding, and stationery, two hundred dollars ;

For labor, fifty dollars ;

For miscellaneous items, three hundred and fifty dollars.

N. W. executive building.

For the northwest executive building :

For labor, two hundred dollars ;

For fuel and light, one thousand dollars ;

For miscellaneous items, eight hundred dollars.

Navy Department.  
Secretary's office.

*Navy Department.*—For compensation of the Secretary of the Navy, and the clerks, messenger, and assistant messenger, in his office, nine thousand six hundred and seventy-five dollars.

For contingent expenses of said office, including blank books, binding, stationery, extra clerk hire, printing, labor, miscellaneous items, and newspapers and periodicals, two thousand three hundred dollars.

For compensation of the chief of bureau of Navy-yards and Docks, and the draughtsman, clerks, and messenger, in his office, four thousand two hundred dollars.

For the contingent expenses of the bureau of Navy-yards and Docks, two hundred and fifty dollars.

Bureau of Navy-yards and Docks.

Bureau of Construction, Equipment and Repair.

For compensation of the chief of bureau of Construction, Equipment, and Repair, and the assistant constructor, clerks, and messenger, in his office, four thousand five hundred and fifty dollars.

For contingent expenses of said bureau, including blank books, stationery, printing, labor, and miscellaneous items, two hundred and fifty dollars.

Bureau of Provisions and Clothing.

For compensation of the chief of bureau of Provisions and Clothing, and the clerks and messenger in his office, three thousand five hundred and fifty dollars.

For contingent expenses of said bureau, including blank books, stationery, binding, and miscellaneous items, two hundred and fifty dollars.

Bureau of Ordnance and Hydrography.

For compensation of the chief of bureau of Ordnance and Hydrography, and the draughtsman, clerks, and messenger, in his office, four thousand seven hundred dollars.

For contingent expenses of said bureau, two hundred and fifty dollars.

Bureau of Medicine and Surgery.

For compensation of the chief of bureau of Medicine and Surgery, and the clerks and messenger in his office, two thousand six hundred dollars.

For contingent expenses of said bureau, including blank books, binding, stationery, and miscellaneous items, four hundred and fifty dollars.

S. W. executive building.

For compensation of the superintendent and three watchmen of the southwest executive building, six hundred and sixty-eight dollars.

For contingent expenses of said building, viz :

For labor, one hundred and sixty-two dollars ;

For fuel and lights, six hundred and seventy-five dollars ;

For miscellaneous items, five hundred and seventy-five dollars.

Post Office Department.  
Postmaster General, &c.

*Post Office Department.*—For compensation of the Postmaster General and the three Assistant Postmasters General, and the clerks, messenger, and three assistant messengers, and two watchmen, of the Post Office Department, thirty-seven thousand one hundred and fifty dollars.

For contingent expenses of said department, viz :

For blank books, binding, and stationery, five hundred dollars ;

For newspapers and periodicals, one hundred dollars ;

For fuel and oil, one thousand five hundred dollars ;

Contingent expenses.

For printing, two hundred dollars ;	
For labor, four hundred dollars ;	
For one day watchman, one hundred and eighty dollars ;	
For compensation of temporary clerks, one thousand seven hundred and fifty dollars.	
For compensation of the Auditor for the Post Office Department, and the clerks, messenger, and assistant messenger, in his office, forty-two thousand eight hundred and fifty dollars.	Auditor, &c.
For contingent expenses of said office, viz :	Contingent expenses.
For blank books, binding, and stationery, one thousand dollars ;	
For printing blanks, four hundred dollars ;	
For labor, five hundred dollars ;	
For miscellaneous items, two hundred dollars.	
<i>Surveyors and their Clerks.</i> —For compensation of the surveyor general northwest of the Ohio, and the clerks in his office, four thousand one hundred and fifty dollars.	Surveyors and their clerks. North-west of the Ohio.
For compensation of the surveyor general in Illinois and Missouri, and the clerks in his office, two thousand nine hundred and ten dollars.	Illinois and Missouri.
For compensation of the surveyor general in Arkansas, and the clerks in his office, two thousand one hundred and fifty dollars.	Arkansas.
For compensation of the surveyor general in Louisiana, and the clerks in his office, two thousand two hundred and fifty dollars.	Louisiana.
For compensation of the surveyor general in Mississippi, and the clerks in his office, three thousand five hundred dollars.	Mississippi.
For compensation of the surveyor general in Alabama, and the clerks in his office, two thousand dollars.	Alabama.
For compensation of the surveyor general in Florida, and the clerks in his office, two thousand seven hundred and fifty dollars.	Florida.
For compensation of the surveyor general in Wisconsin and Iowa, and the clerks in his office, one thousand five hundred and fifty dollars.	Wisconsin and Iowa.
For compensation of the secretary to sign patents for public lands, seven hundred and fifty dollars.	Secretary to sign patents for lands.
For compensation of the Commissioner of Public Buildings in Washington city, and the three assistants, as draw-keepers at the Potomac bridge, including oil, fire wood, and repairs, two thousand three hundred and twenty-five dollars.	Commissioner of public buildings.
<i>United States Mint and Branches.</i> —For compensation of the officers and workmen of the mint at Philadelphia, viz :	Mint and branches.
For the director, one thousand seven hundred and fifty dollars ;	Mint at Philadelphia—officers.
For the treasurer, one thousand dollars ;	
For the chief coiner, one thousand dollars ;	
For the assayer, one thousand dollars ;	
For the melter and refiner, one thousand dollars ;	
For the engraver, one thousand dollars ;	
For the assistant assayer, six hundred and fifty dollars ;	
For four clerks, two thousand two hundred dollars ;	
For wages to workmen, twelve thousand dollars ;	Workmen.
For specimens of ores and coins to be reserved at said mint, three hundred dollars.	Specimens.
For compensation of the officers and workmen of the branch mint at Charlotte, in North Carolina, viz :	Branch mint at Charlotte—officers.
For the superintendent, one thousand dollars ;	
For the assayer, seven hundred and fifty dollars ;	
For the coiner, seven hundred and fifty dollars ;	
For the clerk, five hundred dollars ;	
For wages to workmen, one thousand seven hundred and fifty dollars ;	Workmen.
For compensation of the officers and workmen of the branch mint at Dahlonega, in Georgia, viz :	Branch mint at Dahlonega—officers.
For the superintendent, one thousand dollars ;	

	For the assayer, seven hundred and fifty dollars ;
	For the coiner, seven hundred and fifty dollars ;
	For the clerk, five hundred dollars ;
Workmen.	For wages to workmen, one thousand four hundred and forty dollars.
Contingent expenses.	For incidental and contingent expenses of said branch, including fuel, materials, stationery, taxes and wastage of gold, six hundred and seventy-five dollars.
Branch mint at New Orleans—officers.	For compensation of the officers and workmen of the branch mint at New Orleans, viz :
	For the superintendent, one thousand two hundred and fifty dollars ;
	For the treasurer, one thousand dollars ;
	For the coiner, one thousand dollars ;
	For the assayer, one thousand dollars ;
	For the melter and refiner, one thousand dollars ;
	For two clerks, one thousand two hundred dollars ;
Workmen.	For wages to workmen, ten thousand dollars.
Contingent expenses.	For incidental and contingent expenses of said branch, including fuel, materials, stationery, and wastage of gold and silver, eight thousand dollars.
Territories.	<i>Governments in the Territories of the United States.</i> —For compensation of the officers of Wisconsin Territory, viz. : For Governor, one thousand two hundred and fifty dollars ; for three judges, two thousand seven hundred dollars ; for secretary, six hundred dollars ;
Wisconsin.	
Governor.	
Judges.	
Secretary.	
Contingent expenses.	For contingent expenses of said Territory, one hundred and seventy-five dollars ;
Legislative Assembly.	For compensation and mileage of the members of the Legislative Assembly of said Territory, pay of officers, printing, stationery, fuel, furniture, and all other incidental and miscellaneous objects, nineteen thousand two hundred and seventy-five dollars ;
Iowa.	For compensation of the officers of Iowa Territory, viz. :
Governor.	For Governor, one thousand two hundred and fifty dollars ;
Judges.	For three judges, two thousand seven hundred dollars ;
Secretary.	For secretary, six hundred dollars.
Contingent expenses.	For contingent expenses of said Territory, one hundred and seventy-five dollars.
Florida.	For compensation of the officers of the Florida Territory, viz :
Governor.	For Governor, one thousand two hundred and fifty dollars ;
Judges.	For five judges, four thousand seven hundred and fifty dollars ;
Secretary.	For secretary, seven hundred and fifty dollars.
Contingent expenses.	For contingent expenses of said Territory, one hundred and seventy-five dollars.
Legislative Council.	For compensation and mileage of the members of the Legislative Council of said Territory, pay of officers, stationery, fuel, printing, and all other incidental and miscellaneous objects, including the private secretary of the executive office, twenty-seven thousand one hundred and twenty-five dollars.
Judiciary.	<i>Judiciary.</i> —For compensation of the officers of the Judiciary, viz :
Chief justice.	For the Chief Justice of the Supreme Court, two thousand five hundred dollars ;
Associate judges.	For eight associate judges of said court, eighteen thousand dollars ;
District judges.	For the district judge of Maine, nine hundred dollars ;
	For the district judge of New Hampshire, five hundred dollars ;
	For the district judge of Massachusetts, one thousand two hundred and fifty dollars ;
	For the district judge of Vermont, six hundred dollars ;
	For the district judge of Rhode Island, seven hundred and fifty dollars ;
	For the district judge of Connecticut, seven hundred and fifty dollars ;
	For the district judge of New York, northern district, one thousand dollars ;

For the district judge of New York, southern district, one thousand seven hundred and fifty dollars; District judges.

For the district judge of New Jersey, seven hundred and fifty dollars,

For the district judge of Pennsylvania, eastern district, one thousand two hundred and fifty dollars;

For the district judge of Pennsylvania, western district, nine hundred dollars;

For the district judge of Delaware, seven hundred and fifty dollars;

For the district judge of Maryland, one thousand dollars;

For the district judge of Virginia, eastern district, nine hundred dollars;

For the district judge of Virginia, western district, eight hundred dollars;

For the district judge of Kentucky, seven hundred and fifty dollars;

For the district judge of Tennessee, seven hundred and fifty dollars;

For the district judge of Ohio, five hundred dollars;

For the district judge of North Carolina, one thousand dollars;

For the district judge of South Carolina, one thousand two hundred and fifty dollars;

For the district judge of Georgia, one thousand two hundred and fifty dollars;

For the district judge of Louisiana, one thousand five hundred dollars;

For the district judge of Mississippi, one thousand dollars;

For the district judge of Indiana, five hundred dollars;

For the district judge of Illinois, five hundred dollars;

For the district judge of Alabama, one thousand two hundred and fifty dollars;

For the district judge of Missouri, six hundred dollars;

For the district judge of Michigan, seven hundred and fifty dollars;

For the district judge of Arkansas, one thousand dollars;

For the chief justice of the District of Columbia, one thousand three hundred and fifty dollars; Judges of District Columbia.

For the two associate judges of said District, two thousand five hundred dollars;

For the judge of the Criminal Court of said District, one thousand dollars;

For the judge of the Orphans' Court of Washington county, in said District, five hundred dollars;

For the judge of the Orphans' Court of Alexandria county, in said District, five hundred dollars;

For the Attorney General of the United States, and the clerk and messenger in his office, and the contingent expenses thereof, three thousand dollars; Attorney General, &c.

For the reporter of the decisions of the Supreme Court, six hundred and fifty dollars. Reporter of Supreme Court.

For the district attorney of Maine, one hundred dollars.

For the district attorney of New Hampshire, one hundred dollars.

For the district attorney of Massachusetts, one hundred dollars.

For the district attorney of Vermont, one hundred dollars.

For the district attorney of Rhode Island, one hundred dollars.

For the district attorney of Connecticut, one hundred dollars.

For the district attorney of New York, northern district, one hundred dollars. District attorneys.

For the district attorney of New Jersey, one hundred dollars.

For the district attorney of Pennsylvania, eastern district, one hundred dollars.

For the district attorney of Pennsylvania, western district, one hundred dollars.

District attorneys.

For the district attorney of Delaware, one hundred dollars.

For the district attorney of Maryland, one hundred dollars.

For the district attorney of Virginia, eastern district, one hundred dollars.

For the district attorney of Virginia, western district, one hundred dollars.

For the district attorney of Tennessee, eastern district, one hundred dollars.

For the district attorney of Tennessee, western district, one hundred dollars.

For the district attorney of Tennessee, Jackson district, one hundred dollars.

For the district attorney of Kentucky, one hundred dollars.

For the district attorney of Ohio, one hundred dollars.

For the district attorney of North Carolina, one hundred dollars.

For the district attorney of South Carolina, one hundred dollars.

For the district attorney of Georgia, one hundred dollars.

For the district attorney of Louisiana, eastern district, three hundred dollars.

For the district attorney of Louisiana, western district, one hundred dollars.

For the district attorney of Mississippi, northern district, one hundred dollars.

For the district attorney of Mississippi, southern district, one hundred dollars.

For the district attorney of Indiana, one hundred dollars.

For the district attorney of Illinois, one hundred dollars.

For the district attorney of Alabama, northern district, one hundred dollars.

For the district attorney of Alabama, southern district, one hundred dollars.

For the district attorney of Missouri, one hundred dollars.

For the district attorney of Michigan, one hundred dollars.

For the district attorney of Arkansas, one hundred dollars.

For the district attorney of Florida, eastern district, one hundred dollars.

For the district attorney of Florida, middle district, one hundred dollars.

For the district attorney of Florida, western district, one hundred dollars.

For the district attorney of Florida, southern district, one hundred dollars.

For the district attorney of Florida, Appalachicola district, one hundred dollars.

For the district attorney of Wisconsin, one hundred and twenty-five dollars.

For the district attorney of Iowa, one hundred dollars.

For the marshal of the district of Maine, one hundred dollars.

For the marshal of the district of New Hampshire, one hundred dollars.

For the marshal of the district of Vermont, one hundred dollars.

For the marshal of the district of Rhode Island, one hundred dollars.

For the marshal of the district of Connecticut, one hundred dollars.

For the marshal of the district of New York, northern district, one hundred dollars.

For the marshal of the district of New Jersey, one hundred dollars.

For the marshal of the district of Pennsylvania, western district, one hundred dollars.

Marshals.

Marshals.

For the marshal of the district of Delaware, one hundred dollars.

For the marshal of the district of Virginia, eastern district, one hundred dollars.

For the marshal of the district of Virginia, western district, one hundred dollars.

For the marshal of the district of North Carolina, two hundred dollars.

For the marshal of the district of Kentucky, one hundred dollars.

For the marshal of the district of Ohio, one hundred dollars.

For the marshal of the district of Tennessee, eastern district, one hundred dollars.

For the marshal of the district of Tennessee, western district, one hundred dollars.

For the marshal of the district of Tennessee, Jackson district, one hundred dollars.

For the marshal of the district of Louisiana, eastern district, one hundred dollars.

For the marshal of the district of Louisiana, western district, one hundred dollars.

For the marshal of the district of Mississippi, southern district, one hundred dollars.

For the marshal of the district of Mississippi, northern district, one hundred dollars.

For the marshal of the district of Indiana, one hundred dollars.

For the marshal of the district of Illinois, one hundred dollars.

For the marshal of the district of Alabama, northern district, one hundred dollars.

For the marshal of the district of Alabama, southern district, one hundred dollars.

For the marshal of the district of Missouri, one hundred dollars.

For the marshal of the district of Michigan, one hundred dollars.

For the marshal of the district of Arkansas, one hundred dollars.

For the marshal of the district of Florida, eastern district, one hundred dollars.

For the marshal of the district of Florida, middle district, one hundred dollars.

For the marshal of the district of Florida, western district, one hundred dollars.

For the marshal of the district of Florida, southern district, one hundred dollars.

For the marshal of the district of Florida, Appalachiecola district, one hundred dollars.

For the marshal of the district of Wisconsin, one hundred dollars.

For the marshal of the district of Iowa, one 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 forty-three, and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, including expenses under the bankrupt law, two hundred and thirty-eight thousand dollars.

Expenses of the Supreme, Circuit and District Courts, &c.

*Miscellaneous.*—Annuities and grants:

To Josiah H. Webb, twenty-five dollars;

To Rachel Dohrman, one hundred and fifty dollars;

To Elizabeth C. Perry, two hundred dollars;

Miscellaneous. Annuities and grants.

For compensation of the two keepers of the public archives in Florida, five hundred dollars;

Keepers of Florida archives.

- Exploring expedition. For expenses attending the preparation of the results and account of the exploring expedition for the publication thereof ordered by Congress, twenty thousand dollars.
- Penitentiary of D. C. For the support and maintenance of the penitentiary of the District of Columbia, six thousand six hundred and ninety dollars and eighty-four cents.
- Sick and disabled seamen. To make good a deficiency in the eighteen months ending the thirtieth of June, eighteen hundred and forty-three, and estimated deficiency in the year ending on the thirtieth of June, eighteen hundred and forty-four, in the fund for the relief of sick and disabled seamen, as established by the act of the third of May, eighteen hundred and three, [two,] fifty-eight thousand five hundred dollars.
- 1802, ch. 51. For carrying on the work of the new custom-house building at Boston, twenty-five thousand dollars.
- Custom-house at Boston. For the discharge of such miscellaneous claims, not otherwise provided for, as shall be admitted in due course of settlement at the treasury, six thousand dollars: *Provided*, That no part of this appropriation shall be expended in the payment of any claims for finishing and furnishing the new custom-house in the city of New York.
- Miscellaneous claims. *Light-house Establishment.*—For supplying the light-houses, containing two thousand six hundred and seventy-eight lamps, with oil, tube glasses, wicks, buffskins, whiting, and cotton cloth, transportation, and keeping apparatus in order, fifty-two thousand five hundred and ninety-five dollars and fifteen cents.
- Proviso. For repairs, refitting, and improvements of light-houses, and buildings connected therewith, thirty-eight thousand six hundred and thirty-three dollars and one cent.
- Light-house establishment. Light-houses. For compensation of two hundred and thirty-six keepers of light-houses, eighteen of them being charged with double lights, and one with three, forty-six thousand nine hundred and sixty-nine dollars.
- Floating lights, &c. For compensation of thirty keepers of floating lights, eight thousand dollars.
- Buoys, &c. For seamens' wages, repairs, and supplies of thirty floating lights, thirty-one thousand five hundred and thirty-six dollars and fourteen cents.
- Annual examination. For weighing, mooring, cleansing, repairing, and supplying the loss of beacons, buoys, chains, and sinkers, ten thousand four hundred and fifty-six dollars and fourteen cents.
- Superintendents' commissions. For expenses of examining annually and reporting the condition of the light-houses, four thousand dollars.
- Foreign intercourse. For superintendents' commissions, at two and one half per cent., four thousand eight hundred and four dollars and seventy-three cents.
- Ministers. *Intercourse with Foreign Nations.*—For salaries of the ministers of the United States to Great Britain, France, Russia, Prussia, Austria, Spain, Mexico, and Brazil, thirty-six thousand dollars.
- Secretaries of Legation. For salaries of the secretaries of legation to the same places, eight thousand dollars.
- Chargés des affaires. For salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Belgium, Chili, Peru, Venezuela, New Grenada, Texas, Naples, and Sardinia, twenty-seven thousand dollars.
- Minister to Turkey. For salary of the minister resident to Turkey, three thousand dollars.
- Drogoman. For salary of a drogoman to the legation to Turkey, one thousand two hundred and fifty dollars.
- Expenses of missions, &c. For the contingent expenses of all the missions abroad, fifteen thousand dollars.
- Consul at London. For the contingent expenses of foreign intercourse, fifteen thousand dollars.
- Relief, &c. of Am. seamen. For the salary of the consul at London, one thousand dollars.
- For the relief and protection of American seamen in foreign countries, twenty-five thousand dollars.

For clerk hire, office rent, and other expenses of the office of the American consul at London, one thousand four hundred dollars.

For the expenses of intercourse with the Barbary Powers, seven thousand five hundred dollars.

SEC. 2. *And be it further enacted*, That, in case the sum appropriated for any object of contingencies should be found more than sufficient to meet the expense thereby contemplated, the surplus may be applied, under the direction of the head of the proper department, to supply the deficiency of any other item in the same department or office: *Provided*, That the expenditure for newspapers and periodicals shall not exceed the amount specifically appropriated to that object by this act, except in the State Department.

APPROVED, December 24, 1842.

Expenses of consulate at London.  
Barbary powers.

Any surplus for contingencies may be applied to supply deficiencies.  
Proviso.

CHAP. III.—*An Act to amend the act establishing a district court of the United States at Wheeling, Virginia. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter two annual terms of the district court for the western district of Virginia be holden at the city of Wheeling, commencing on the twenty-fifth March and the twenty-fifth of October, in lieu of the one term of the said district court now directed to be held at Wheeling.

APPROVED, January 20, 1843.

STATUTE III.  
Jan. 20, 1843.

Hereafter two annual terms to be held.

CHAP. IV.—*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 until the fourth of March, one thousand eight hundred and forty-six.

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 consent of the Senate, and that he shall execute, under the direction of the Secretary of War and the Secretary of the Navy, such duties in relation to the various pension laws as may be prescribed by the President: and also such duties in relation to the laws granting military bounty lands as may be assigned to him by the Secretary of War with the sanction of the President.

SEC. 3. *And be it further enacted*, That the said Commissioner shall receive an annual salary of two thousand five hundred dollars, and shall have the privilege of sending and receiving letters and packets by mail free of postage.

APPROVED, January 20, 1843.

STATUTE III.  
Jan. 20, 1843.

1835, ch. 46.  
1837, ch. 48.  
1840, ch. 4.  
1849, ch. 20.  
Office continued until 4th March 1846.  
A commissioner to be appointed—his duties.  
1846, ch. 4.

Salary, &c.  
Act of March 3, 1845, ch. 43, sec. 6.

CHAP. XX.—*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. (b)*

*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 extend for a longer period the several acts now in force for the relief of insolvent debtors of the United States," approved the twenty-seventh May, eighteen hundred and forty, and the several acts therein mentioned, shall be, and the same are hereby, re-enacted and continued in force for three years from and after the expiration of the said first-mentioned act, and until the cases which may be depending

STATUTE III.  
Jan. 28, 1843.

Acts continued for 3 years, &c.  
Act of May 27, 1840, ch. 25.

(a) See notes of the acts relating to the District Courts of Virginia, vol. 3, 479.  
(b) See notes to the act of March 2, 1831, chap. 62.



when such first-mentioned act shall expire shall be determined, for the purpose of finally disposing of such cases, and for no other purpose.

APPROVED, January 28, 1843.

STATUTE III.

Feb. 4, 1843.

CHAP. XXVI.—*An Act for the payment of seven companies of Georgia militia, for services rendered in the years eighteen hundred and forty and eighteen hundred and forty-one.*

Secretary of War to cause them to be paid.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War cause to be paid the companies of Captains Johnson, Henderson, Knight, Jones, and North, for services rendered in the year eighteen hundred and forty, according to the muster-rolls of said companies, now on file in the War Department, made out and verified by Captain J. Brown, of the United States army; and that he cause to be paid, also, the companies of Captains Jernigan and Sweat, for services rendered in the year eighteen hundred and forty-one, according to the muster-rolls of said companies, now on file in the War Department, as verified by Assistant Adjutant General W. W. S. Bliss, of the United States army; and that the laws and regulations applicable to the payment of the volunteers and militia of the United States govern in the payment of these companies; and that the sum of nineteen thousand three hundred and ninety-nine dollars and eighty-seven cents be, and hereby is, appropriated for the purpose of making said payments, out of any money in the Treasury not otherwise appropriated.

Appropriation.

APPROVED, February 4, 1843.

STATUTE III.

Feb. 14, 1843.

[Obsolete.]

CHAP. XXVII.—*An Act making appropriations for pensions for the half calendar year beginning the first day of January and ending the thirtieth day of June, one thousand eight hundred and forty-three; and for the fiscal year beginning the first day of July, one thousand eight hundred and forty-three, and ending the thirtieth day of June, one thousand eight hundred and forty-four.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the payment of pensions for the half calendar year beginning on the first day of January and ending on the thirtieth day of June, one thousand eight hundred and forty-three; and for the fiscal year beginning on the first day of July, one thousand eight hundred and forty-three, and ending on the thirtieth day of June, one thousand eight hundred and forty-four:

Invalid pensions.

For invalid pensions for the said half calendar year, eighty-six thousand two hundred and forty dollars; and for the said fiscal year, one hundred and fifty-eight thousand four hundred dollars.

Revolutionary pensions.  
1818, ch. 19.

For revolutionary pensions under the act of the eighteenth March, one thousand eight hundred and eighteen, for the said half calendar year, seventeen thousand six hundred dollars; and for the said fiscal year, one hundred and ninety-two thousand dollars.

Pensions to widows and orphans.  
1836, ch. 362.

For pensions to widows and orphans, under the act of fourth of July, one thousand eight hundred and thirty-six, for the said half calendar year, four thousand five hundred dollars; and for the said fiscal year two hundred and twenty-two thousand two hundred and fifty dollars.

Five years' pensions to widows.  
1838, ch. 139.

For five years' pensions to widows, under the act of seventh of July, one thousand eight hundred and thirty-eight, for the said half calendar year, ten thousand dollars; and for the said fiscal year, one hundred and twenty thousand dollars.

(a) An act to define and establish the fiscal year of the treasury of the United States, Aug. 26, 1842, chap. 207.

For arrearages prior to July, one thousand eight hundred and fifteen, payable through the Third Auditor, for the said half calendar year, one thousand dollars; and for the said fiscal year, two thousand dollars.

Arrearages and half-pay pensions.

For arrearages and half pay pensions, through the Second Auditor, for the said fiscal year, five hundred dollars.

For half pay pensions, payable through the Third Auditor, for the said fiscal year, three thousand dollars.

APPROVED, February 14, 1843.

CHAP. XXX.—*An Act 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 the Mayor of the town of Alexandria shall hereafter be annually elected, by ballot, by the citizens qualified to vote for members of the Common Council of the said town; and that the votes for Mayor shall be taken by the Commissioners appointed to superintend the election for members of the Common Council in the several wards of the said town, under the same laws and regulations as now govern the election of members of the Common Council, and at the same time and places appointed therefor, excepting so far as may by this act be otherwise hereinafter directed; and the Commissioners for all the wards, or a majority of the Commissioners for each ward, shall meet on the day after the said election at the Council Chamber in the town of Alexandria, or at such other fit and convenient place as the Common Council may, from time to time, direct, and then and there add and compare the votes given for Mayor in their respective wards, and the individual having the highest number of votes for the office of Mayor, shall be declared by the Commissioners so assembled to be duly elected; and they shall make out a certificate thereof, and cause the same to be delivered to the person elected, and a duplicate thereof to the Clerk of the Common Council; and if two or more persons voted for as Mayor shall have an equal and the highest number of votes, the Commissioners shall certify that fact, with the names of such persons, to the President or Chairman of the Common Council, whereupon the Common Council shall proceed to elect the Mayor from among those who received the equal and highest number of votes, in the manner now provided by law.

STATUTE III.  
Feb. 15, 1843.

Vol. 2, 255.  
Election of the Mayor.

SEC. 2. *And be it further enacted,* That the said Commissioners, before they shall receive any vote for Mayor, shall, in addition to the oath or affirmation now required of them by law, severally take an oath or affirmation, truly and faithfully to receive and count the votes of such persons as are by law entitled to vote for Mayor of Alexandria in ward No. —, and not knowingly to receive the vote of any person for Mayor who is not legally entitled to the same, which oath shall be administered by the Mayor, or any justice of the peace for the county of Alexandria.

Commissioners of election to take an additional oath.

SEC. 3. *And be it further enacted,* That on the refusal of any person elected to the office of Mayor of Alexandria, in the mode prescribed in the foregoing sections, to accept the same, or on the death, resignation, inability, or removal of any person filling such office of Mayor of Alexandria, the Common Council of said town shall proceed to elect another person to fill said office for the remainder of the year.

In case of vacancy, the Common Council to make the election.

SEC. 4. *And be it further enacted,* That the first election under this act shall be held at the time when the members of the Common Council of Alexandria are elected next after this act goes into effect: *Provided, however,* That nothing in the foregoing sections contained, shall in any wise alter, change, or affect the powers, duties, qualifications, or term of service of the Mayor of said town of Alexandria, as now provided by law, except so far as the same may be in conflict with this enactment.

Time of the first election.  
Proviso. limiting the effect of this act.

APPROVED, February 15, 1843.

## STATUTE III.

Feb. 15, 1843.

[Obsolete.]

Franking privilege granted.  
Act of March 3, 1845, ch. 43, sec. 6.

CHAP. XXXI. — *An Act to authorize the chief clerk in the office of the Secretary of State to frank public and official documents sent from that office.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the right and privilege of franking all public and official documents, that may be sent from the office of the Secretary of State, be, and hereby is, granted to the chief clerk in that office.

APPROVED, February 15, 1843.

## STATUTE III.

Feb. 15, 1843.

Circuit court to be held at Portland on 1st October.

Proviso.

District court to be held at Portland on first Tuesday of February.  
And at Bangor on fourth Tuesday of June.

CHAP. XXXII. — *An Act to change the place of holding the circuit and district courts in the district of Maine. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the term of the circuit court of the United States, for the district of Maine, heretofore held at Wiscasset, in and for said district, on the first day of October, shall hereafter be held at Portland, in said district, on the first day of October, and that all writs, pleas, and recognizances and indictments, and all other proceedings, both civil and criminal, pending in said court, shall be returnable to and have day and be heard, tried, and proceeded in at Portland, in the same manner as they might have been done at Wiscasset, had the place of holding said court not been changed: *Provided, however,* if the first day of October happen on Sunday, then the court shall be held on the second day of said month.

SEC. 2. *And be it further enacted,* That the term of the district court of the United States for the district of Maine, heretofore held at Wiscasset, on the fourth Tuesday of February, shall hereafter be held at Portland on the first Tuesday of February, and that the term of said court heretofore held at Portland on the first Tuesday of June, shall hereafter be held at Bangor in said district, on the fourth Tuesday of June.

APPROVED, February 15, 1843.

## STATUTE III.

Feb. 15, 1843.

Authority to provide for the sale of school lands, &c.

Proviso.

Apportionment of the proceeds.

CHAP. XXXIII. — *An Act to authorize the Legislatures of the States of Illinois, Arkansas, Louisiana, and Tennessee, to sell the lands heretofore appropriated for the use of schools in those States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Legislatures of Illinois, Arkansas, Louisiana, and Tennessee, be, and they are hereby, authorized to provide by law for the sale and conveyance in fee simple, of all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within said States, and to invest the money arising from the sales thereof in some productive fund, the proceeds of which shall be forever applied, under the direction of said Legislatures, to 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 whatever: *Provided,* Said land, or any part thereof, shall in no wise be sold without the consent of the inhabitants of such township or district, to be obtained in such manner as the Legislatures of said States shall by law direct; and in the apportionment of the proceeds of said fund, each township and district 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.

(a) District Court of Maine, vol. 3, 413.

Notes of the acts relating to the circuit court of the district of Maine, vol. 3, 773.

SEC. 2. *And be it further enacted*, That the Legislatures of said States be, and they are hereby, authorized to make such laws and needful regulations as may be deemed expedient to secure and protect from injury or waste, the sections reserved by the laws of Congress, for the use of schools, to each township, and to provide by law, if not deemed expedient to sell, for leasing the same for any term not exceeding four years, in such manner as to render them productive, and most conducive to the object for which they were designed.

Authority to make laws for protection of said lands, &c.

SEC. 3. *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 Legislatures to invest the same in the most secure and productive manner, 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: *Provided*, That the Legislatures aforesaid shall, in no case, invest the proceeds of the sale of the lands in any township in manner aforesaid, without the consent of the inhabitants of said township or district, to be obtained as aforesaid.

In case of insufficiency of said proceeds to support schools, authority to invest them until adequate.

Proviso.

SEC. 4. *And be it further enacted*, That any sales of such lands, reserved as aforesaid, as have been made in pursuance of any of the laws enacted by the Legislatures of said States, and not inconsistent with the principles of this act, are hereby ratified and confirmed so far as the assent of the United States to the same may be necessary to the confirmation thereof.

Such sales as have been made not inconsistent with the principles of this act, confirmed.

APPROVED, February 15, 1843.

STATUTE III.

CHAP. XXXIV.—*An Act for the relief of the owners of the fund received from the British Government as an indemnity for slaves lost from on board the Comet and Encomium at Nassau, Bahamas.*

Feb. 18, 1843.

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of seven thousand nine hundred and sixty-five dollars and twenty-eight cents, a balance of the indemnities received from the British Government for loss of slaves from on board the Comet and the Encomium, at Nassau, paid into the treasury by the late John Forsyth, be paid, on the order of the Secretary of State, to the persons or companies entitled thereto, or to their representatives; and that, for that purpose, the aforesaid sum be, and it is hereby, appropriated, to be paid out of any moneys in the treasury not otherwise appropriated.

Balance of indemnities to be paid to persons or companies entitled thereto.

APPROVED, February 18, 1843.

STATUTE III.

CHAP. XLIV.—*An Act altering the times of holding the circuit court of the United States for the district of Connecticut.*

Feb. 24, 1843.

*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 for the district of Connecticut, shall hereafter be held on the fourth Tuesday in April, and on the third Tuesday in September in each year, instead of the last Wednesday in April, and the seventeenth day of September, the times heretofore established by law. And all indictments, informations, recognisances, writs, suits, pleas, actions, motions, and all other proceedings, civil and criminal, shall be heard, tried, proceeded with, and determined by the said court, in the same manner as they might and ought to have been done, had the said court been holden at the times heretofore directed by law.

Changed to fourth Tuesday in April, and third Tuesday in September.

All proceedings to go on as heretofore.

APPROVED, February 24, 1843.

## STATUTE III.

Feb. 24, 1843.

1850, ch. 17.

Act of 17th March, 1800, ch. 15, so far as relates to Maryland, revived and continued to 1st June, 1850.

Proviso.

CHAP. XLV.—*An Act to continue in force an act therein mentioned, relating to the port of Baltimore.*

*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, 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 of March, one thousand eight hundred and forty-three, be, and the same, so far as it relates to the act of the State of Maryland, is hereby revived and continued in force until the first day of June, in the year one thousand eight hundred and fifty: *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.

APPROVED, February 24, 1843.

## STATUTE III.

Feb. 27, 1843.

Act of Feb. 13, 1837, ch. 14. Duties of melter and refiner transferred from the assayer to the coiner in the branch mints at Dahlonega and Charlotte.

CHAP. XLVI.—*An Act amendatory of an act establishing the branch mint at Dahlonega, Georgia, and defining the duties of assayer and coiner.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an act passed the thirteenth day of February, one thousand eight hundred and thirty-seven, to amend an act entitled "An act to establish branches of the mint of the United States," passed the third day of March, one thousand eight hundred and thirty-five, be, and it is hereby, altered and amended so as to transfer the duties of melter and refiner from the assayer to the coiner at the branches of Dahlonega in Georgia, and of Charlotte in North Carolina, respectively, and that all laws and parts of laws conflicting with this act be, and they are hereby, repealed.

APPROVED, February 27, 1843.

## STATUTE III.

Feb. 27, 1843.

The appropriation for Ocracoke hospital not to revert to the surplus fund.

1842, ch. 265.

CHAP. XLVII.—*An Act to amend an act entitled "An act making an appropriation for the erection of a marine hospital at or near Ocracoke, North Carolina."*

*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, appropriated by an act entitled "An act making an appropriation for the erection of a marine hospital at or near Ocracoke, North Carolina," shall not revert to the surplus fund at the expiration of two years from and after the thirty-first day of December, eighteen hundred and forty-four, anything in the act of March third, seventeen hundred and ninety-five, to the contrary notwithstanding.

APPROVED, February 27, 1843.

## STATUTE III.

March 1, 1843.

Act of 16th July, 1798, ch. 77, extended to the coasting trade.

Act of July 20, 1840, ch. 48.

Act of Feb. 12, 1842, ch. 3.

Measures to be taken to collect hospital money.

CHAP. XLIX.—*An Act amendatory of "An act for the relief of sick and disabled seamen."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions and penalties of the act of the sixteenth of July, one thousand seven hundred and ninety-eight, entitled "An act for the relief of sick and disabled seamen," be, and the same hereby are, extended to the masters, owners and seamen of registered vessels employed in carrying on the coasting trade; and the Secretary of the Treasury is authorized and directed to issue such instructions to the collectors of the various ports as shall secure the collection of hospital money from said seamen, masters and owners.

APPROVED, March 1, 1843.

STATUTE III.

March 1, 1843.

CHAP. L. — *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 [fifteen].* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the locations heretofore made of warrants issued under the act of the seventeenth of February, one thousand eight hundred and fifteen, entitled "An act for the relief of the inhabitants of the late county of New Madrid, in Missouri Territory, who suffered by earthquakes" of those locations which were made on the south side of the Arkansas river, if made in pursuance of the provisions of that act in other respects, shall be perfected into grants, in like manner as if the Indian title to the lands on the south side of said river had been completely extinguished at the time of the passage of said act.

Certain locations of warrants, issued under act of 17th February, 1815, ch. 45, perfected.

Act of April 26, 1822, ch. 40.

Act of May 26, 1824, ch. 173.

Act of May 24, 1828, ch. 90.

Owners of warrants authorized to enter other lands, in certain cases.

SEC. 2. *And be it further enacted,* That in all cases in which the locations so made on the south side of the Arkansas river may have been sold, and the lands thus located under the act aforesaid have been appropriated by the United States, the owner of the warrants issued under the provisions of the act aforesaid shall have a right to enter, within twelve months after the passage of this act, without payment, the like quantity of the public lands, of any of the unappropriated and unimproved lands in the State of Arkansas, corresponding with the legal subdivisions.

Settlers south of the Arkansas entitled to benefits of pre-emption act of 1815, ch. 45.

SEC. 3. *And be it further enacted,* That every settler on the public lands south of the Arkansas river shall be entitled to the same benefits accruing under the provisions of the pre-emption act of one thousand eight hundred and fourteen [fifteen], as though they had resided north of said river.

Certain Cherokee pre-emptions confirmed.

SEC. 4. *And be it further enacted,* That all Cherokee pre-emptions which have been or may be located upon any of the surveyed lands of the United States, south of the base line in Arkansas, shall be confirmed, and patents shall issue thereon as in other cases.

APPROVED, March 1, 1843.

STATUTE III.

March 1, 1843.

CHAP. LI. — *An Act in relation to the two per cent. fund of the State of Mississippi.*

[Obsolete.]

*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 to the appropriation, by the State of Mississippi, to the completion of the railroad from Brandon to Jackson, of the sum of twenty-five thousand dollars, as a part of the two per cent. fund heretofore relinquished by Congress to said State; and that the Governor of said State be, and he is hereby, authorized, with the said two per cent. fund now in the Treasury of the United States, to enter any public lands in said State, subject to private entry, and in the name and on behalf of said State, to be held subject to the same trusts and purposes of said fund.

Assent of Congress to the appropriation of part of the two per cent. fund to Brandon and Jackson railroad.

Governor of Mississippi authorized to enter land with the two per cent. fund.

APPROVED, March 1, 1843.

a) Under the act of February 17, 1815, chap. 45, New Madrid certificates could be located upon lands before they were offered at public 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, chap. 40, recognised locations of this kind, although they disregarded the sectional lines by which the surveys were afterwards made. *Ibid.*

## STATUTE III.

March 1, 1843.

[Obsolete.]

CHAP. LII. — *An Act making appropriations for the support of the army and of the military academy, and for armories, arsenals, arms and munitions of war, and surveys, for the half calendar year ending the thirtieth day of June, one thousand eight hundred and forty-three, and for the fiscal year beginning the first day of July, one thousand eight hundred and forty-three, and ending the thirtieth day of June, one thousand eight hundred and forty-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 hereby are, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army and of the military academy, and for armories, arsenals, arms and munitions of war, and surveys, for the half calendar year, commencing on the first day of January, and ending the thirtieth day of June, one thousand eight hundred and forty-three, and for the fiscal year beginning the first day of July, one thousand eight hundred and forty-three, and ending the thirtieth day of June, one thousand eight hundred and forty-four :
- Appropriations.** For pay of the army for said half calendar year, two hundred and fifty-eight thousand seven hundred and thirty-seven dollars and ninety-two cents; and for said fiscal year, one million three hundred and thirteen thousand three hundred and seventy dollars.
- Subsistence of officers.** For commutation of officers' subsistence for said half calendar year, one hundred and forty-nine thousand one hundred and seventy-three dollars and forty cents; and for said fiscal year, four hundred and sixty-one thousand eight hundred and sixty-eight dollars.
- Forage of officers' horses.** For commutation of forage for officers' horses for said half calendar year, thirty-one thousand seven hundred and sixty dollars and fifty-six cents; and for said fiscal year, one hundred and one thousand and thirty-five dollars.
- Clothing for discharged soldiers and officers' servants.** For payments in lieu of clothing for discharged soldiers and officers' servants, for said half calendar year, twenty-nine thousand four hundred and fifteen dollars; and for said fiscal year, fifty-eight thousand eight hundred and thirty dollars.
- Subsistence.** For subsistence in kind for said fiscal year, four hundred and ninety-five thousand four hundred and sixty-five dollars and sixty cents.
- Clothing, &c.** For clothing, camp and garrison equipage, for said fiscal year, one hundred thousand dollars.
- Supplies in Quartermaster's department.** For regular supplies in the quartermaster's department for said half calendar year, thirty thousand dollars; and for said fiscal year, one hundred and ninety-five thousand dollars.
- Barracks, &c.** For barracks, quarters, and storehouses, embracing the repairs and enlargement of barracks, quarters, storehouses, and hospitals; the erection of temporary cantonments and of gun-houses for the protection of cannon; the purchase of tools and materials and of furniture for the barrack rooms, rent of quarters for officers, of barracks for troops where there are no public buildings for their accommodation, of storehouses for the safe-keeping of subsistence, clothing, and other military supplies, and of grounds for summer cantonments and encampments for military practice, for said half calendar year, forty-five thousand dollars; and for said fiscal year, one hundred and five thousand dollars.
- Fort Severn.** For arrearages for the completing quarters and barracks at Fort Severn, Maryland, nine thousand and twenty-nine dollars and fifty-three cents.
- Quartermaster's department.** For the incidental expenses of the quartermasters' department, consisting of postage on public letters and packets, expenses of courts martial and courts of inquiry, including the additional compensation to judge advocates, members and witnesses; extra pay to soldiers under the act of March second, eighteen hundred and nineteen; expenses of

expresses and of the interment of non-commissioned officers and soldiers; hire of laborers; compensation of clerks in the offices of the quartermasters and assistant quartermasters, at posts where their duties cannot be performed without such aid, and of temporary agents in charge of dismantled works; and to such wagon and forage masters as it may be necessary to employ under the act of the fifth of July, eighteen hundred and thirty-eight; expenditures necessary to keep the regiments of dragoons and the four companies of light artillery complete, including the purchase of horses to supply the place of those which may be lost and become unfit for the service, and the erection of stables, for said fiscal year, one hundred and fifteen thousand dollars.

For transportation of officers' baggage, when travelling on duty without troops, for said fiscal year, fifty thousand dollars.

For transportation of troops and supplies, viz: transportation of the army and baggage, freight and ferriages, purchase or hire of horses, mules, oxen, carts, wagons, and boats, for purposes of transportation or garrison use; drayage and cartage; hire of teamsters; transportation of funds for the Pay department; expense of transport vessels and of procuring water at such posts as from their situations require it; transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase and delivery, under contracts, to such points as the circumstances of the service may require; of ordnance, ordnance stores, and small arms, from the foundries and armories, to the arsenals, fortifications, and frontier posts, for said fiscal year, one hundred and seventy thousand dollars.

For the current expenses of ordnance service for the said fiscal year, eighty thousand dollars.

For armaments of fortifications, including compensation of a competent person to superintend the manufacture of cannon, for the said fiscal year, one hundred thousand dollars.

For ordnance and ordnance stores, for the said fiscal year, seventy-five thousand dollars.

For manufacture of arms at national armories, for the said fiscal year, three hundred thousand dollars.

For repairs, improvements, and new machinery, at Springfield armory, for the said fiscal year, twenty-six thousand five hundred dollars.

For repairs, improvements, and new machinery, at Harper's Ferry armory, for the said fiscal year, thirty-thousand five hundred dollars.

For arsenals for the said fiscal year, ninety thousand dollars.

For purchase of saltpetre and brimstone for the said fiscal year, forty thousand dollars.

For completing the principal buildings of the arsenal at Charleston, South Carolina, for the said fiscal year, thirty-two thousand dollars.

For expenses of preparing drawings of artillery for the said fiscal year, one thousand two hundred dollars.

For surveys in reference to the military defences of the frontier, inland and Atlantic, for the said fiscal year, including a survey of the direct communication from Albemarle Sound to the Atlantic ocean, with a view to re-open a ship channel, fifteen thousand dollars.

For military and geographical surveys west of the Mississippi, for the said half calendar year, five thousand dollars; and for the said fiscal year, fifteen thousand dollars.

For continuation of the surveys of the Northern and Northwestern lakes of the United States for the said fiscal year, thirty thousand dollars.

For medical and hospital department, for said half calendar year, nine thousand five hundred dollars; and for the said fiscal year, twenty-five thousand dollars.

For continuing the meteorological observations at the military posts

Act of July 5, 1838, ch. 162.

Transportation of officers' baggage.  
Transportation of troops and supplies.

Ordnance service.

Fortifications, &c.

Ordnance and stores.

Manufacture of arms.

Springfield armory.

Harper's Ferry armory.

Arsenals.

Saltpetre and brimstone.

Arsenal at Charleston.

Drawings.

Surveys.

Medical and hospital department.

Meteorological observations.



of the United States, under the direction of the Surgeon General for said fiscal year, two thousand dollars.

Improvements on the western rivers.

For the continuation of improvements on the Missouri, Mississippi, Ohio and Arkansas rivers, for said half year, fifty thousand dollars; and for said fiscal year, one hundred thousand dollars.

Appropriation for the military academy.

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, for the support of the military academy for the half calendar year and for the fiscal year aforesaid.

Pay.

For pay of officers, instructors, cadets, and musicians, for said half calendar year, thirty thousand two hundred and thirty-two dollars; and for the said fiscal year, sixty thousand four hundred and sixty-four dollars: *Provided*, That hereafter in all cases of appointments of cadets to the West Point Academy, the individual selected shall be an actual resident of the congressional district of the State or Territory, or District of Columbia, from which the appointment purports to be made: *And provided further*, That the number of cadets by appointments hereafter to be made, shall be limited to the number of the representatives and delegates in Congress, and one for the District of Columbia, and that each congressional and territorial district and District of Columbia, shall be entitled to have one cadet at said academy: *Provided*, That nothing in this section shall prevent the appointment of an additional number of cadets not exceeding ten to be appointed at large, without being confined to a selection by congressional districts.

Provisoes relative to the appointment of cadets.

Subsistence.

For commutation of subsistence, for said half calendar year, nineteen thousand eight hundred and seventy-three dollars and eighty cents; and for the said fiscal year, forty thousand and seventy-seven dollars.

Forage of officers' horses.

For commutation of forage for officers' horses, for said half calendar year, two thousand five hundred and ninety-two dollars; and for said fiscal year, five thousand one hundred and eighty-four dollars.

Clothing of officers' servants.

For commutation of clothing for officers' servants, for said half calendar year, two hundred and ten dollars, and for said fiscal year, four hundred and twenty dollars.

Current and ordinary expenses.

For the various current and ordinary expenses of the academy, other than pay and subsistence, for said half calendar year, eleven thousand eight hundred and five dollars and ten cents; and for said fiscal year, twenty-four thousand nine hundred and forty-one dollars and twenty cents: *Provided*, That hereafter there shall not be a board of visitors appointed to visit the West Point Academy unless otherwise ordered by Congress.

Proviso.

1846, ch. 96, § 2.

Library.

For increase and expense of library, for said half calendar year, six hundred and fifty dollars; and for said fiscal year, one thousand three hundred dollars.

Barracks.

For construction of barracks for cadets for said fiscal year, thirty thousand dollars.

APPROVED, March 1, 1843.

### STATUTE III.

March 1, 1843.

[Obsolete.]

Act of Sept. 4,

1811, ch. 16.

Bills of the Bank of Alabama receivable for lands, to the amount of the two per cent. fund unpaid.

CHAP. LIII.—*An Act regulating the mode of paying over to the State of Alabama the two per cent. fund relinquished to said State by the act approved on the fourth day of September, one thousand eight hundred and forty-one.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the registers and receivers of public moneys at the different land offices in the State of Alabama be, and they are hereby, authorized and required, under such regulations as the Secretary of the Treasury may prescribe, to take and receive from the actual settlers on the public lands in said State, in payment for their houses and improvements, entered by virtue of any of the pre-emption laws now in force, the bills of the Bank of the State of

Alabama, or any of the branches thereof, to an amount equal to the amount of the two per cent. fund relinquished to this State by the Congress of the United States, remaining unpaid: *Provided*, That no settler shall be allowed to enter more than one quarter section of land with the bills of said bank, or either of them: *And provided further*, That the State of Alabama shall receive from the Government of the United States, in payment of said two per cent. fund, the bills of the Bank of the State of Alabama, and the several branches thereof, taken and received by the registers and receivers, as aforesaid, from the settlers aforesaid, in payment for their pre-emption claims: *And provided further*, That nothing in this act shall be so construed as to change the terms, conditions, and limitations, annexed to the relinquishment of said fund to the said State, by the act aforesaid; but such terms, conditions, and limitations, shall apply and be in full force in reference to said fund, notwithstanding its payment in the mode provided by this act.

APPROVED, March 1, 1843.

Quantity of land to be entered by a settler.

Alabama to receive said bills in payment of the two per cent. fund.

Terms of the relinquishment not affected by this act.

STATUTE III.

March 3, 1843.

CHAP. LXIX.—*An Act regulating the currency of foreign gold and silver coins in 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 foreign gold coins shall pass current as money within the United States, and be receivable, by weight, for the payment of all debts and demands, at the rates following, that is to say: the gold coins of Great Britain, of not less than nine hundred and fifteen and a half thousandths in fineness, at ninety-four cents and six-tenths of a cent per pennyweight; and the gold coins of France, of not less than eight hundred and ninety-nine thousandths in fineness, at ninety-two cents and nine-tenths of a cent per pennyweight.

Certain gold coins of Great Britain and France to be current—their value fixed.

SEC. 2. *And be it further enacted*, That from and after the passage of this act, the following foreign silver coins shall pass current as money within the United States, and be receivable by tale, for the payment of all debts and demands, at the rates following, that is to say: the Spanish pillar dollars, and the dollars of Mexico, Peru, and Bolivia, of not less than eight hundred and ninety-seven thousandths in fineness, and four hundred and fifteen grains in weight, at one hundred cents each; and the five franc pieces of France, of not less than nine hundred thousandths in fineness, and three hundred and eighty-four grains in weight, at ninety-three cents each.

Silver coins of Spain, Mexico, Peru, Bolivia and France, also.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause assays of the 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 report of the result thereof to Congress.

Assays of said coins to be made and reported to Congress.

APPROVED, March 3, 1843.

STATUTE III.

March 3, 1843.

CHAP. LXX. — *An Act making appropriations for certain fortifications of the United States for the half calendar year beginning on the first day of January and ending on the thirtieth day of June, one thousand eight hundred and forty-three; and for the fiscal year beginning on the first day of July, one thousand eight hundred and forty-three and ending on the thirtieth day of June, one thousand eight hundred and forty-four.*

[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, to be paid out of any unappropriated money in the Treasury, for the preservation, repairs, and construction of certain fortifications, for the half calendar year beginning on the first day of January and ending on the thirtieth day of June,

Appropriations.

(a) Notes of the acts of Congress relating to the currency of foreign coins, vol. 2, 374.

one thousand eight hundred and forty-three; and for the fiscal year beginning on the first day of July, one thousand eight hundred and forty-three, and ending on the thirtieth day of June, one thousand eight hundred and forty-four :

- Fort Independence. For repairs of Fort Independence and sea-wall, Castle Island, Boston harbor, for the said fiscal year, twenty-five thousand dollars.
- Fort Warren. For Fort Warren, Boston harbor, for the said half calendar year, twenty-five thousand dollars; and for the said fiscal year, fifty thousand dollars.
- Lovell's island. For sea-wall on Lovell's island, Boston harbor, for the said fiscal year, sixteen thousand dollars.
- Fort Adams. For Fort Adams, Rhode Island, for the said half calendar year, twenty thousand dollars, and for the said fiscal year thirty thousand dollars.
- Ft. Trumbull. For rebuilding Fort Trumbull, New London harbor, Connecticut, for the said half calendar year, five thousand dollars; and for the said fiscal year, forty thousand dollars.
- Fort Niagara. For repairs for Fort Niagara, New York, for the said half calendar year, five thousand dollars.
- Fort Ontario. For repairs of Fort Ontario, New York, for the said half calendar year, three thousand dollars; and for the said fiscal year, six thousand dollars.
- Fort Schuyler. For Fort Schuyler, East river, New York, for the said half calendar year, three thousand dollars; and for the said fiscal year, fifty thousand dollars.
- Fort Wood. For repairs of Fort Wood, Bedlow's island, New York harbor, New York, for the said fiscal year, twenty-five thousand dollars.
- Fort Hamilton. For repairs of Fort Hamilton, New York harbor, New York, for the said half calendar year, three thousand dollars; and for the said fiscal year, fifteen thousand dollars.
- Fort Washington. For repairs of Fort Washington, Potomac river, Maryland, for the said fiscal year, seven thousand five hundred dollars.
- Fort Monroe. For Fort Monroe, Virginia, for the said half calendar year, twenty-five thousand dollars; and for the said fiscal year, fifty thousand dollars.
- Fort Macon. For repairs of Fort Macon, Beaufort harbor, North Carolina, for the said half calendar year, eight thousand dollars; and for the said fiscal year, seven thousand dollars.
- For preservation of site of Fort Macon, Beaufort harbor, North Carolina, for the said half calendar year, eight thousand dollars; and for the said fiscal year, thirteen thousand dollars.
- Fort Caswell. For repairs for Fort Caswell, Cape Fear river, North Carolina, for the said fiscal year, six thousand dollars.
- Drunken Dick shoal. For dike to Drunken Dick shoal, for preservation of Sullivan's island and site of Fort Moultrie, South Carolina, for the said fiscal year, thirty thousand dollars.
- Fort Sumter. For Fort Sumter, Charleston harbor, South Carolina, for the said fiscal year, forty-five thousand dollars.
- Fort Johnson. For preservation of site of Fort Johnson, South Carolina, for the said half calendar year, six thousand five hundred dollars.
- Fort Pulaski. For Fort Pulaski, Georgia, for the said half calendar year, thirty thousand dollars; and for the said fiscal year, thirty thousand dollars.
- Fort Pickens. For Fort Pickens, Pensacola harbor, Florida, for the said half calendar year, seven thousand dollars; and for the said fiscal year, six thousand dollars.
- Fort McRee. For Fort McRee, Pensacola harbor, Florida, for the said half calendar year, four thousand dollars; and for the said fiscal year, four thousand dollars.
- Ft. Barrancas. For Fort Barrancas, Pensacola harbor, Florida, for the said half calen-

dar year, twenty-five thousand dollars; and for the said fiscal year, thirty-three thousand dollars.

For repairs of Fort Morgan, Mobile point, Alabama, for the said half calendar year, eight thousand dollars; and for the said fiscal year, ten thousand dollars.

Fort Morgan.

For repairs of Fort Dupre, Louisiana, for the said half calendar year, three thousand five hundred dollars.

Fort Dupre.

For repairs of Fort Jackson, Mississippi river, Louisiana, for the said half calendar year, ten thousand dollars; and for the said fiscal year, ten thousand dollars.

Fort Jackson.

For repairs of Fort St. Philip, Mississippi river, Louisiana, for the said half calendar year, five thousand dollars; and for the said fiscal year, five thousand dollars.

Fort St. Philip.

For Fort Livingston, Grand Terre island, Barrataria bay, Louisiana, for the said half calendar year, twenty thousand dollars; and for the said fiscal year, thirty thousand dollars.

Ft. Livingston.

For repairing and rebuilding barracks at Fort Gibson at its present site, or in the vicinity thereof, fifteen thousand dollars.

Fort Gibson.

For the completion of the works at Fort Smith, Arkansas, for the said half calendar year, twenty thousand dollars.

Fort Smith.

For completion of barracks, quarters, and storehouses, at Fort Atkinson, Turkey river, for the said half calendar year, six thousand dollars.

Fort Atkinson.

SEC. 2. *And be it further enacted*, That the sum of twenty-five thousand dollars, appropriated by the act of Congress, approved ninth of September, one thousand eight hundred and forty-one, for defensive works, barracks, and other necessary buildings, and purchase of a site for depot at or near the junction of the Mattawamkeag and Penobscot rivers, Maine, may be applied to the purchase of a site and commencement of defensive works at or near the Narrows of the Penobscot, Maine.

Narrows of the Penobscot.

1841, ch. 17.

APPROVED, March 3, 1843.

STATUTE III.

CHAP. LXXI. — *An Act declaring Robbinston in the State of Maine, to be a port of delivery.*

March 3, 1843.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the town of Robbinston, in the State of Maine, shall be a port of delivery, to be annexed to the district of Passamaquoddy, and shall be subject to the same regulations as other ports of delivery in the United States.

Robbinston made a port of delivery.

APPROVED, March 3, 1843.

STATUTE III.

March 3, 1843.

CHAP. LXXII. — *An Act to permit the entry of merchandise recovered from shipwreck, in certain cases, free from duty.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any ship or vessel laden with merchandise, in whole or in part, subject to duty, shall be, or shall have been, sunk in any river, harbor, bay, or waters, subject to the jurisdiction of the United States, and within its limits, and shall have remained so sunk for the period of two years, and shall be abandoned by the owners thereof, any person or persons who may raise such ship or vessel, shall be permitted to bring any merchandise recovered therefrom, into the port nearest to the place where said ship or vessel was so raised, free from the payment of any duty thereupon, and without being obliged to enter the same at the custom-house, under such rules and regulations as the Secretary of the Treasury may prescribe.

Merchandise, recovered from shipwreck, admitted free of duty.

APPROVED, March 3, 1843.

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STATUTE III.

March 3, 1843.

CHAP. LXXIII.—*An Act to reduce the salary of the surveyor of the port of Camden, New Jersey.*

Salary reduced.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the salary of the surveyor of the port of Camden, in the State of New Jersey, shall be fixed at two hundred and fifty dollars per annum, besides the lawful fees allowed to surveyors.

Act to take effect from its passage.

Acts repealed.

SEC. 2. *And be it further enacted,* That this act shall take effect from the date of its passage, and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED, March 3, 1843.

STATUTE III.

March 3, 1843.

CHAP. LXXIV.—*An Act to change the times of holding the circuit and district courts for the district of East Tennessee. (a)*

Act of May 5, 1830, ch. 89,  
Act of Jan. 13, 1831, ch. 1.  
Act of Jan. 18, 1839, ch. 3.  
Times of holding said courts changed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the circuit and district courts of the United States for the district of East Tennessee, shall hereafter be held on the third Mondays of April and October in each and every year, instead of the times now prescribed by law, under the same rules, in the same manner, and under the same regulations now prescribed for the holding of said courts.

In case of non-attendance of the district judge, circuit judge to hold court, &c.

SEC. 2. *And be it further enacted,* That in case of the non-attendance from any cause of the district judge at either of the courts in either of the districts in the State of Tennessee, required or authorized to be held by him, the circuit judge whose circuit includes said districts may hold the same, and in addition to the jurisdiction now conferred on him, shall have and exercise the same jurisdiction and powers now conferred on said district judge.

APPROVED, March 3, 1843.

STATUTE III.

March 3, 1843.

CHAP. LXXV.—*An Act to fix the compensation of the Commissioner of Public Buildings.*

Compensation fixed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the compensation of the Commissioner of Public Buildings shall be two thousand dollars per annum, and no more.

Relative to the application of the appropriation for public buildings and grounds.

SEC. 2. *And be it further enacted,* That no portion of the appropriation for public buildings and grounds, or any improvement or alteration of the same, shall be applied to the payment of a clerk or clerks in the office of said commissioner, or of an architect, unless the same be expressly provided for in the act.

Acts inconsistent herewith repealed.

SEC. 3. *And be it further enacted,* That all acts or parts of acts inconsistent with the provisions of this act be, and the same hereby are, repealed.

APPROVED, March 3, 1843.

STATUTE III.

March 3, 1843.

[Obsolete.]

CHAP. LXXVI.—*An Act making appropriations for the payment of navy pensions due on the first day of July, one thousand eight hundred and forty-three, and on the first day of January, one thousand eight hundred and forty-four.*

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, out of any money in

(a) Circuit courts in Tennessee, vol. 2, 420, 477, 516, 693.

District Courts in Tennessee, vol. 2, 273; act of 1839, chap. 3.

Process in the Circuit Courts of East and West Tennessee, vol. 3, 661.

the treasury not otherwise appropriated, for the payment of the navy pensions, which will become due on the first day of July, one thousand eight hundred and forty-three, and on the first day of January, one thousand eight hundred and forty-four.

To pay the invalids now on the rolls, (and those who may be added during the first half year of one thousand eight hundred and forty-three,) on the said first day of July, twenty thousand dollars; and on the [said] first day of January, twenty thousand dollars.

To pay widows' pensions under the act of June thirty, one thousand eight hundred and thirty-four, (including not only those who are now on the rolls, but those who may be added for the first half year of one thousand eight hundred and forty-three,) on the said first day of July, three thousand dollars; and on the said first day of January, three thousand dollars.

To pay the claims of widows and orphans, under the act of March third, one thousand eight hundred and thirty-seven, on the said first day of July, eight thousand dollars; and on the said first day of January, eight thousand dollars.

APPROVED, March 3, 1843.

Pay of invalids.

Widows' pensions under act of June 30, 1834, ch. 134.

Claims of widows and orphans under the act of March 3, 1837.

CHAP. LXXVII.—*An Act to set aside certain reservations of lands, on account of live oak in the southeastern district of Louisiana.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the reservations made by the United States in eighteen hundred and thirty-two, of lands situate in township thirteen, range twelve east; township fourteen, ranges twelve and thirteen east; township fifteen, range thirteen east; township sixteen, range sixteen east; and township seventeen, range sixteen east, in the southeastern district of Louisiana, on account of the live oak supposed to grow thereon, be set aside and annulled; and that any persons entitled to pre-emption under the existing laws, within the limits of the said townships, be admitted to make their proofs and complete their titles, in the same manner as if the reservations for live oak had not been made.

APPROVED, March 3, 1843.

STATUTE III.  
March 3, 1843.

Act of March 2, 1833, ch. 67, sec. 3.

Certain reservations of lands for live oak set aside.

Right of pre-emption to said lands admitted.

CHAP. LXXVIII.—*An act authorizing the sale of lands, with the improvements thereon erected by the United States, for the use of their agents, teachers, farmers, mechanics, and other persons employed amongst the Indians.*

*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 sold all such dwelling-houses, churches, school-houses, workshops, and other buildings belonging to the United States, as have been, or hereafter shall be, erected for the use of their agents, teachers, farmers, mechanics, and other persons employed amongst the Indians, when the lands on which the same are erected shall have become the property of the United States, and are no longer necessary for the purposes aforesaid.

SEC. 2. *And be it further enacted,* That the Secretary of War be, and he is hereby, authorized to cause to be sold, at his discretion, with each of such buildings mentioned in the preceding section of this act, a quantity of land not exceeding one section; and on the payment of the consideration agreed for, into the treasury of the United States by the purchaser, the said Secretary shall make, execute, and deliver, to the said purchaser, a title in fee simple for such lands and tenements.

APPROVED, March 3, 1843.

STATUTE III.  
March 3, 1843.

Sale of buildings erected by U. S. for their agents, &c. among Indians, authorized.

Sale of land authorized with each building.

## STATUTE III.

March 3, 1843.

CHAP. LXXIX.—*An Act to repeal an act entitled "An act to extend the collection district of Wiscasset."*

Act of 31st  
Aug. 1842, ch.  
281, repealed.

*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 extend the collection district of Wiscasset," passed August thirty-first, A. D. one thousand eight hundred and forty-two, be, and the same is hereby, repealed.*

APPROVED, March 3, 1843.

## STATUTE III.

March 3, 1843.

[Obsolete.]

CHAP. LXXX.—*An Act making appropriations for fulfilling treaty stipulations with the various Indian tribes, and for the current and contingent expenses of the Indian department, for the half calendar year beginning the first day of January and ending the thirtieth day of June, one thousand eight hundred and forty-three; and for the fiscal year beginning the first day of July, one thousand eight hundred and forty-three, and ending the thirtieth day of June, one thousand eight hundred and forty-four, and for other purposes.*

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 they are hereby, appropriated, for the half calendar year beginning on the first day of January, and ending on the thirtieth day of June, one thousand eight hundred and forty-three; and for the fiscal year beginning on the first day of July, one thousand eight hundred and forty-three, and ending on the thirtieth day of June, one thousand eight hundred and forty-four, for the purpose of fulfilling treaty stipulations with the various Indian tribes, and of paying the current and contingent expenses of the Indian department, to be paid out of any money in the treasury not otherwise appropriated:*

Fulfillment of  
Indian treaties.

For the fulfillment of the treaties with various Indian tribes, for the said half calendar year, seven hundred and twenty-three thousand seven hundred and eight dollars; and for the said fiscal year seven hundred and forty-nine thousand and sixty-five dollars.

Holding treaty  
with the Sioux.

For the payment of three drafts, drawn on the department by Governor Doty, for goods, provisions, and presents, procured and delivered by him to the Sioux Indians, while holding the treaty with them in one thousand eight hundred and forty-one, and which treaty was rejected by the Senate, at its late session, for said half calendar year, thirteen thousand seven hundred and seventy-six dollars and forty-nine cents.

Removal of the  
New York Indians,  
&c.

For the removal to the west of the Mississippi, of two hundred and fifty of the New York Indians of the Seneca, Cayuga, and Onondaga tribes, and for fulfilling other treaty stipulations with them: *Provided*, That so many are willing to emigrate, for the said half calendar year, twenty thousand four hundred and seventy-seven dollars and fifty cents.

Current expenses  
of the Indian  
Department.

For current expenses of the Indian Department, for the said half calendar year, fifty-three thousand five hundred dollars, and including four hundred and fifty dollars paid by order of General Z. Taylor, for two white boys ransomed from the Camanche Indians; and for the said fiscal year, ninety-three thousand three hundred dollars.

Subsistence of  
Choctaw claimants  
and their  
witnesses.  
1842, ch. 187.

For subsistence of the Choctaw claimants and their Indian witnesses during their attendance at the sittings of the commissioners appointed under the "Act to provide for the satisfaction of claims arising under the fourteenth and nineteenth articles of the treaty of Dancing Rabbit creek, concluded in September, one thousand eight hundred and thirty, fifteen thousand dollars.

Removal of  
the Choctaws.

For the removal of the Choctaws to the west of the Mississippi, sixty-seven thousand four hundred and ninety dollars.

Chippewa  
treaty.

For carrying into effect the treaty with the Chippewa Indians, concluded October fourth, one thousand eight hundred and forty-two, fifty-one thousand dollars.

For carrying into effect the treaty with the Sac and Fox Indians, concluded October eleventh, one thousand eight hundred and forty-two, two hundred and ninety-nine thousand five hundred and sixty-six dollars and thirty-four cents.

Sac and Fox treaty.

For defraying the expenses of a negotiation with the Kansas Indians, or other tribes on the waters of the Missouri river, for the purpose of obtaining a tract of land for the permanent and perpetual residence of the Sacs and Foxes, as stipulated in the second article of the treaty ratified February fifteenth eighteen hundred and forty-three, fifteen hundred dollars. And the Secretary of War is hereby authorized to pay out of the fund appropriated for "blacksmith's establishments," &c., by the act of the third March, eighteen hundred and thirty-nine, the accounts due for blacksmith's work performed in pursuance of the treaty with the Six Nations, the sum of three thousand eight hundred and seventy-three dollars and seven cents.

Negotiation with the Kansas, &c.

Blacksmiths' work under treaty with the Six Nations. 1839, ch. 71.

SEC. 2. *And be it further enacted*, That, to satisfy contracts entered into in the month of August, one thousand eight hundred and thirty-six, by Major General Thomas S. Jesup, then commanding the army in Alabama, with the Creek tribe of Indians, the sum of twelve thousand dollars be, and the same hereby is appropriated, to be paid under the instructions of the Secretary of War to the Creek chiefs, Hopoethle Yoholo, Little Doctor, Mad Blue, Tuckebatchee Micco, Jim Boy, and Salka Hadjo, for the benefit of the said chiefs, and that portion of their sub-chiefs and warriors who served in Florida.

Contracts with the Creeks.

SEC. 3. *And be it further enacted*, That for the purpose of settling and closing the accounts of disbursing agents in the Indian department, which were unsettled on the first day of January last, 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, or for any other object of expenditure connected with Indian relations, as may be no longer required for the several objects for which they were originally made, to the credit of any other head of Indian expenditure, under which balances accruing previous to the above date, remain due: *Provided*, That no such transfer shall be made unless it satisfactorily appear that the balances from which such transfers are authorized to be made are not necessary for the specific purpose of their original appropriation.

Settling acc'ts of disbursing agents in Indian Department.

SEC. 4. *And be it further enacted*, That for the purpose of settling and closing the accounts in the office of the Second Comptroller, for the expenditure of sums appropriated by an act approved June twelfth, eighteen hundred and thirty-eight, entitled "An act making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-eight, and for arrearages for the year eighteen hundred and thirty-seven," and also by an act approved March third, eighteen hundred and thirty-nine, entitled "An act making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-nine," the President of the United States is hereby authorized to direct transfers to be made from any balances remaining under any of the specific heads of appropriation in said acts, which are not necessary for the purposes of their original appropriation, to any other head of appropriation contained in said acts, under which a deficiency may exist.

Settling acc'ts in 2d Comptroller's office for expenditure of appropriations for preventing and suppressing Ind'n hostilities.

Act of June 12, 1838, ch. 97.

Act of March 3, 1839, ch. 93.

APPROVED, March 3, 1843.



## STATUTE III.

March 3, 1843.

CHAP. LXXXI.—*An Act authorizing the reissue of treasury notes and for other purposes. (a)*

[Obsolete.]  
Act of Aug. 31,  
1842, ch. 257.  
Reissue of  
treasury notes  
authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when any outstanding treasury notes, issued in pursuance of the act of thirty-first August, one thousand eight hundred and forty-two, entitled "An act to limit the sale of public stock to par, and to authorize the issue of treasury notes, in lieu thereof, to a certain amount," or any previous act of Congress, shall, after the passage of this act, be redeemed at any time before the first day of July, one thousand eight hundred and forty-four, the Secretary of the Treasury, should the wants of the public service require, may cause other notes, to the same amount, to be issued in place of such as may be redeemed, under the limitations and other provisions of the respective acts by which said notes were originally authorized and issued.

Payment of  
interest on trea-  
sury notes.

1842, ch. 26.

SEC. 2. *And be it further enacted,* That, after maturity of the treasury notes issued under the said act of thirty-first August, or of this act, interest may be paid thereon, in the same manner as on treasury notes authorized previous to the fifteenth April last, under the ninth section of the act approved on that day, entitled "An act for the extension of the loan of one thousand eight hundred and forty-one, and for an addition of five millions of dollars thereto, and for allowing interest on treasury notes due."

Issue of stock  
in lieu of trea-  
sury notes au-  
thorized.

Act of April  
15, 1842, ch. 26.

SEC. 3. *And be it further enacted,* That, in lieu of issuing the treasury notes in the manner authorized by the first section of this act, the President, if in his opinion it shall be for the interest of the United States so to do, may cause any of said notes now outstanding, to be redeemed and cancelled as they become due, if the Secretary of the Treasury cannot redeem them out of the funds in the treasury, by an issue of stock of the United States, for the amount thus redeemed, in the same form, for the same time, and under the same restrictions, limitations, and provisions, as are contained in an act approved April fifteen, eighteen hundred and forty-two, entitled "An act for the extension of the loan of eighteen hundred and forty-one, and for an addition of five million of dollars thereto, and for allowing interest on treasury notes due," except that no commissions shall be allowed or paid for the negotiation of such business; and except also that said stock so to be issued, shall be redeemable at a period not longer than ten years from the issue thereof.

APPROVED, March 3, 1843.

## STATUTE III.

March 3, 1843.

CHAP. LXXXII.—*An Act to repeal the bankrupt act.*

Act of Aug. 19,  
1841, ch. 9.  
Bankrupt act  
repealed.

Proviso.

*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 a uniform system of bankruptcy throughout the United States," approved on the nineteenth day of August, eighteen hundred and forty-one, be, and the same hereby is, repealed: *Provided,* That this act shall not affect any case or proceeding in bankruptcy commenced before the passage of this act, or any pains, penalties, or forfeitures, incurred under the said act; but every such proceeding may be continued to its final consummation in like manner as if this act had not been passed.

APPROVED, March 3, 1843.

(a) Notes of the acts which have been passed authorizing the issuing of treasury notes, vol. 2, 766.

STATUTE III.

March 3, 1845

CHAP. LXXXIII.—*An Act making appropriations for the naval service for the half calendar year beginning the first day of January and ending the thirtieth day of June, one thousand eight hundred and forty-three, and for the fiscal year beginning the first day of July, one thousand eight hundred and forty-three, and ending the thirtieth day of June, one thousand eight hundred and forty-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 are hereby, appropriated, out of any unappropriated money in the treasury, for the naval service for the half calendar year beginning on the first day of January and ending on the thirtieth day of June, one thousand eight hundred and forty-three; and for the fiscal year beginning on the first day of July, one thousand eight hundred and forty-three, and ending on the thirtieth day of June, one thousand eight hundred and forty-four.

Appropriations.

For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, for the said half calendar year, one million four hundred and ninety-six thousand five hundred and eighty-four dollars and fifty cents; and for the said fiscal year, two million seven hundred and fifteen thousand eight hundred and eight dollars.

Pay of officers and seamen, including engineers.

For pay of superintendents, naval constructors, and all the civil establishments of the several yards, for the said half calendar year, thirty-six thousand eight hundred and sixty dollars; and for the said fiscal year, seventy-three thousand seven hundred and twenty dollars.

Pay of superintendents, &c. at yards.

For provisions for the navy, including transportation, cooperage, and other expenses, for the said half calendar year, three hundred and sixty-two thousand seven hundred and sixty-nine dollars and fifty cents; and for the said fiscal year, six hundred and twenty-three thousand six hundred and fifty-three dollars.

Provisions

For clothing for the navy, including transportation and every other expense, to be reimbursed out of the sales of the clothing for the said half calendar year, three hundred and eighty thousand dollars.

Clothing.

For surgeons' necessaries, and appliances for the sick and hurt of the naval service, including the marine corps, for the said half calendar year, fifty-one thousand two hundred and fifty dollars, and for the said fiscal year, forty-two thousand eight hundred and forty dollars, and for arrearages of preceding years, under this head, fifty thousand dollars.

Surgeons' necessaries, &c.

For the increase, repair, armament, and equipment of the navy, and wear and tear of vessels in commission, for the said half calendar year, five hundred thousand dollars; and for the said fiscal year, one million dollars.

Repairs, &c.

For the support of Africans recaptured on the coast of Africa or elsewhere, and returned to Africa by the armed vessels of the United States, five thousand dollars.

Recaptured Africans.

For improvements and necessary repairs of the navy-yards, namely:

For Portsmouth, New Hampshire, for the said half calendar year, fifteen thousand five hundred and ten dollars and forty cents; and for the said fiscal year, twenty-four thousand nine hundred dollars and seventy-six cents;

Navy yards at Portsmouth.

For Charlestown, Massachusetts, for the said half calendar year, twenty thousand nine hundred and ninety-two dollars and seventy-cents; and for the said fiscal year, thirty-four thousand three hundred and seventy-nine dollars;

Charlestown.

For Brooklyn, New York, for the said half calendar year, sixteen thousand dollars; and for the said fiscal year, twenty-five thousand four hundred dollars: And the Secretary of the Navy is hereby directed to cause an examination to be made of the expediency, practicability and probable expense of constructing a dry-dock in the harbor of New York upon the plan of using as an elevating power, the water of the

Brooklyn.

- Dry-dock at New York. Croton aqueduct, and of sufficient capacity to rebuild or repair a seventy-four gun-ship, and to cause an examination of any other plan or plans of a dry-dock or floating-dock in said harbor, deemed worthy by the Secretary to be reported upon, and to report the result of such examination, with his opinion thereon, to the next session of Congress. And all further expenditures under the appropriations heretofore made for the dry-dock in said harbor shall be suspended until the first day of January next: and the sum of one hundred thousand dollars shall be, and the same hereby is, appropriated for the construction of a floating dry-dock at Pensacola, of capacity sufficient for the repair of frigates of the smaller class, and upon such plan as the Secretary of the Navy shall approve.
- Dry dock at Pensacola. For Philadelphia, Pennsylvania, for the said half calendar year, one thousand nine hundred and fifty dollars; and for the said fiscal year, two thousand and seventy dollars;
- Navy-yards at Philadelphia. For Washington, District of Columbia, for the said half calendar year, five thousand seven hundred and sixty-seven dollars; and for the said fiscal year, four thousand eight hundred and fourteen dollars;
- Washington. For Gosport, Virginia, for the said half calendar year, five thousand two hundred dollars; and for the said fiscal year, nine thousand three hundred and ten dollars;
- Gosport. For Pensacola, Florida, for the said half calendar year, three thousand dollars; and for the said fiscal year, four thousand and forty-seven dollars;
- Pensacola. For necessary repairs of hospital buildings and their dependencies, namely:
- Hospitals at Charlestown. For Charlestown, Massachusetts, for the said half calendar year, one thousand five hundred dollars; and for the said fiscal year, one thousand three hundred dollars;
- Charlestown. For Brooklyn, New York, for the said half calendar year, eight thousand eight hundred and thirty-two dollars; and for the said fiscal year, fifteen thousand dollars;
- Brooklyn. For Norfolk, Virginia, for the said half calendar year, two thousand dollars; and for the said fiscal year, two thousand dollars;
- Norfolk. For Pensacola, Florida, for the said half calendar year, one thousand five hundred dollars; and for the said fiscal year, two thousand four hundred and forty-eight dollars and twenty-five cents;
- Pensacola. For Philadelphia naval asylum, for the said half calendar year, nine hundred and forty-five dollars; and for the said fiscal year, three hundred and sixty-six dollars;
- Philadelphia. For necessary repairs of magazines, namely:
- Magazines at Charlestown. For Charlestown, Massachusetts, for the said half calendar year, five hundred dollars; and for the said fiscal year, one thousand dollars;
- Charlestown. For Brooklyn, New York, for the said half calendar year, three hundred and fifty dollars; and for the said fiscal year, three hundred and fifty dollars;
- Brooklyn. For Washington, District of Columbia, for the said half calendar year, two hundred and fifty dollars; and for the said fiscal year, two hundred and fifty dollars;
- Washington. For Norfolk, Virginia, for the said half calendar year, three hundred and fifty dollars; and for the said fiscal year, three hundred and fifty dollars;
- Norfolk. For ordnance and ordnance stores for the navy and armed vessels on the northern lakes, for the said half calendar year, forty-eight thousand four hundred and twenty-two dollars and ninety-seven cents; and for the said fiscal year, ninety-six thousand eight hundred and forty-seven dollars and ninety-three cents;
- Ordnance, &c. on the lakes. For defraying the expenses that may accrue for the following purposes, viz.: For freight and transportation of materials and stores of
- Miscellaneous expenses.

every description; for wharfage and dockage; storage and rent; traveling expenses of officers and transportation of seamen; house rent to pursers, when duly authorized; for funeral expenses; for commissions, clerk hire, office rent, stationery, and fuel, to navy agents; for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowance to persons attending courts martial and courts of inquiry, or other services authorized by law; for printing and stationery of every description, and for working the lithographic press; for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for the purchase and repair of fire engines and machinery connected therewith, and for other machinery for the repair of steam engines in navy-yards; for the purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for assistance rendered to vessels in distress; for incidental labor at navy-yards, not applicable to any other appropriation; for coal and other fuel, and for candles and oil for the use of navy-yards and shore stations, and for no other object or purpose whatever, for the said half calendar year, three hundred and thirty thousand dollars; and for the said fiscal year, four hundred and fifty thousand dollars.

For contingent expenses for objects not enumerated for the said half calendar year, one thousand five hundred dollars; and for the said fiscal year, three thousand dollars.

Contingent expenses.

For printing and publishing the code of rules and regulations for the government of the navy, prepared by the Secretary of the Navy and Attorney General, in obedience to a resolution of the last session, in case the same should be ratified by Congress, one thousand dollars.

Printing navy regulations.

For defraying the expenses of the agencies for the inspection of hemp, authorized by a joint resolution of Congress, approved eighteenth February, one thousand eight hundred and forty-three, four thousand dollars: *Provided*, That all provisions and clothing, hemp, and other materials of every name and nature, for the use of the navy, and the transportation thereof, when time will permit, shall hereafter be furnished by contract by the lowest bidder as follows: the Secretary of the Navy shall advertise, once a week, for at least four weeks, in one or more of the principal papers published in the place where such articles are to be furnished for sealed proposals for furnishing such articles, or the whole of any particular class of articles, specifying in such advertisement the amount, quantity, and description of each kind of articles to be furnished, and all such proposals shall be kept sealed until the day specified in such advertisement for opening the same, when they shall be opened by or under the direction of the officer making such advertisement, in the presence of at least two persons; and the person offering to furnish any class of such articles, and giving satisfactory security for the performance thereof, under a forfeiture not exceeding twice the contract price in case of failure, shall receive a contract for furnishing the same; and in case the lowest bidder shall fail to enter into such contract and give such security within a reasonable time, to be fixed in such advertisement, then the contract shall be given to the next lowest bidder, who shall enter into such contract and give such security; and that all such bids or proposals shall be preserved and recorded, and reported to Congress at the commencement of every regular session; and the same shall contain a true and faithful abstract of all offers made, embracing as well those which are rejected as those which are accepted; the said abstract shall embrace the names of the party or parties offering, the terms proposed, the sums demanded, and the length of time the agreement is to continue. And in case of a failure, to supply the articles or to perform the work, by the person entering into such con-

Expenses of hemp agencies.

Proviso: materials for the navy, &c. to be furnished by contract.

1847, ch. 48, § 2.  
1848, ch. 121,  
§ 11.

tract, he and his sureties shall be liable for the forfeiture specified in such contract, as liquidated damages, to be sued for in the name of the United States, in any court having jurisdiction thereof.

Marine corps.  
Pay and subsistence of officers.

*Marine Corps.*—For pay of officers, non-commissioned officers, musicians, privates, and servants serving on shore, and subsistence of officers of the marine corps, for the said half calendar year, ninety-nine thousand nine hundred and thirty-eight dollars; and for the said fiscal year, two hundred and one thousand four hundred and seventy-two dollars and fifteen cents.

Provisions.

For provisions for non-commissioned officers, musicians, privates, servants, and washerwomen, serving on shore, for the said half calendar year, nineteen thousand one hundred and twenty-eight dollars and eight cents; and for the said fiscal year, thirty-eight thousand six hundred and seventy-eight dollars and eighty cents.

Clothing.

For clothing for the said half calendar year, twenty thousand three hundred and forty-nine dollars; and for the said fiscal year, forty thousand six hundred and ninety-eight dollars.

Fuel.

For fuel for the said half calendar year, eight thousand one hundred and thirty-seven dollars and six cents; and for the said fiscal year, sixteen thousand two hundred and seventy-four dollars and twelve cents.

Barracks.

To keep barracks in repair, for rent of temporary barracks, for the said half calendar year, three thousand dollars; and for the said fiscal year, six thousand dollars.

Transportation.

For transportation of officers, non-commissioned officers, musicians, and privates, and expenses of recruiting, for the said half calendar year, four thousand dollars; and for the said fiscal year, eight thousand dollars.

Military stores, &c.

For military stores, pay of armorers, keeping arms in repair, accoutrements, ordnance stores, flags, drums, fifes, and other instruments for the band, for the said half calendar year, one thousand four hundred dollars; and for the said fiscal year, two thousand eight hundred dollars.

Contingent expenses.

For contingent expenses of said corps, viz: For freight, ferriage, toll, wharfage, and cartage; for per diem allowance for attending courts martial and courts of inquiry; compensation to judge advocates; house rent where there are no public quarters assigned; for per diem allowance to enlisted men on constant labor; expenses of burying deceased marines; printing, stationery, forage, postage on public letters, expenses in pursuit of deserters, candles, oil, straw, barrack furniture, bed sacks, spades, axes, shovels, picks, carpenters' tools, and for keeping a horse for the messenger, for the said half calendar year, eight thousand nine hundred and ninety dollars; and for the said fiscal year, seventeen thousand nine hundred and eighty dollars.

APPROVED, March 3, 1843.

### STATUTE III.

March 3, 1843.

[Obsolete.]

Appropriation for constructing electro-magnetic telegraph.

CHAP. LXXXIV.—*An Act to test the practicability of establishing a system of electro-magnetic telegraphs 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 sum of thirty thousand dollars be, and is hereby, appropriated, out of any moneys in the treasury not otherwise appropriated, for testing the capacity and usefulness of the system of electro-magnetic telegraphs invented by Samuel F. B. Morse, of New York, for the use of the Government of the United States, by constructing a line of said electro-magnetic telegraphs, under the superintendence of Professor Samuel F. B. Morse, of such length, and between such points, as shall fully test its practicability and utility, and that the same shall be expended, under the direction of the Secretary of the Treasury, upon the application of said Morse.

Payment of Prof. Morse, and others.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of the aforesaid thirty

thousand dollars, to the said Samuel F. B. Morse, and the persons employed under him, such sums of money as he may deem to be a fair compensation for the services of the said Samuel F. B. Morse, and the persons employed under him, in constructing and in superintending the construction of the said line of telegraphs authorized by this act.

APPROVED, March 3, 1843.

CHAP. LXXXV.—*An Act for the protection of commerce on Lake Michigan.*

STATUTE III.  
March 3, 1843.

*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 paid out of any money in the treasury not otherwise appropriated, for the protection of commerce on Lake Michigan.

[Obsolete.]  
Appropriations.

For the half calendar year from the first of January to thirtieth June, eighteen hundred and forty-three; and for the fiscal year from the first day of July, eighteen hundred and forty-three, to the thirtieth June eighteen hundred and forty-four, viz :

For the construction of a harbor at the most suitable situation at or near Milwaukee in the Territory of Wisconsin, to be made under the survey of an officer to be appointed by the Secretary of War, for the said half calendar year, fifteen thousand dollars; and for the said fiscal year, fifteen thousand dollars.

Milwaukee harbor.

It shall be the duty of the corps of topographical engineers to survey and select the most suitable site for a light-house at or near Southport on Lake Michigan, in said Territory.

Light-house at Southport.

For continuing the public works at the harbor of Chicago, in the State of Illinois, for the said half calendar year, ten thousand dollars; and for the said fiscal year, fifteen thousand dollars.

Chicago harbor.

For continuing the public works at the harbor of St. Joseph in the State of Michigan; for the said half calendar year, ten thousand dollars; and for the said fiscal year, fifteen thousand dollars.

St. Joseph harbor.

SEC. 2. *And be it further enacted,* That before the money hereby appropriated for the construction of a harbor at or near said Milwaukee, shall be expended, the corps of topographical engineers shall select from actual examination and survey the point of location of said harbors.

Location of Milwaukee harbor.

APPROVED, March 3, 1843.

STATUTE III.

CHAP. LXXXVI.—*An Act to authorize the investigation of alleged frauds under the pre-emption laws, and for other purposes. (a)*

March 3, 1843.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioner of the General Land Office be, and he hereby is, authorized to appoint a competent agent, whose duty it shall be, under direction of said Commissioner, to investigate, upon oath, the cases of fraud under the pre-emption laws, alleged to exist in the Columbus land district, in the State of Mississippi, referred to in the late annual report of said Commissioner, communicated to Congress by letter of the Secretary of the Treasury, dated December the fifteenth, one thousand eight hundred and forty-two; and that such agent shall examine all witnesses who may be brought before him by the individual or individuals alleging the fraud, as well as those witnesses who may be produced by the parties in interest, to sustain said claims; and that he be, and is hereby, invested with power to administer to such witnesses an oath to speak the truth in regard to any question which may be deemed necessary to the full

An agent to be appointed to investigate cases of alleged fraud in Columbus land district.

Mode of investigation.

(a) See notes of the acts which have been passed relating to pre-emption rights; act of May 29, 1830, ch. 208.

examination of the cases so alleged to be fraudulent; and such testimony shall be reduced to writing, and subscribed by each witness, and the same returned to the Commissioner, with the opinion of said agent on each claim; and any witness, so examined before the said agent, who shall swear wilfully and falsely in regard to any matter or thing touching such examination, shall be subject, on conviction, to all the pains and penalties of perjury; and it shall be the duty of the Commissioner, to decide the cases thus returned, and finally to settle the matter in controversy, subject alone to an appeal to the Secretary of the Treasury: *Provided*, That the power conferred by this section upon such agent is hereby limited to the term of one year from and after the date of this act; and the compensation to be paid to said agent shall not exceed three dollars per day for each day he may be necessarily engaged in the performance of the duties required by this section.

Proviso.

In case of death of party entitled to pre-emption before consummating claim.

SEC. 2. *And be it further enacted*, That in any case, where a party entitled to claim the benefits of any of the pre-emption laws shall have died before consummating his claim, by filing, in due time, all the papers essential to the establishment of the same, it shall be competent for the executor or administrator of the estate of such party, or one of the heirs, to file the necessary papers to complete the same: *Provided*, That the entry in such cases shall be made in favor of "the heirs" of the deceased pre-emptor, and a patent thereon shall cause the title to inure to said heirs, as if their names had been specially mentioned.

Settlers on certain lands, unsurveyed at time of settlement, may enter other lands.

SEC. 3. *And be it further enacted*, That every settler on section sixteen, reserved for the use of schools, or on other reserves or land covered by private claims of others, which was not surveyed at the time of such settlement, and who shall otherwise come within the provisions of the several pre-emption laws in force at the time of the settlement, upon proof thereof before the register of the proper land office, shall be entitled to enter, at the minimum price, any other quarter section, or fractional section, or fractional quarter section, in the land district in which such school section or reserve or private claim may lie, so as not to exceed one hundred and sixty acres, not reserved from sale, or in the occupancy of any actual bona fide settler: *Provided*, Such settlement was made before the date of the act of fourth September, eighteen hundred and forty-one, and after the extinguishment of the Indian title.

Proviso.

1841, ch. 16.

An individual filing a declaration for one tract, cannot file a second for another.

SEC. 4. *And be it further enacted*, That where an individual has filed, under the late pre-emption law, his declaration of intention to claim the benefits of said law for one tract of land, it shall not be lawful for the same individual at any future time, to file a second declaration for another tract.

Claimants under late pre-emption law, &c. to make known their claims.

SEC. 5. *And be it further enacted*, That claimants under the late pre-emption law, for land not yet proclaimed for sale, are required to make known their claims, in writing, to the register of the proper land office, within three months from the date of this act when the settlement has been already made, and within three months from the time of the settlement when such settlement shall hereafter be made, giving the designation of the tract, and the time of settlement; otherwise his claim to be forfeited, and the tract awarded to the next settler, in the order of time, on the same tract of land, who shall have given such notice, and otherwise complied with the conditions of the law.

Claimants not to suffer for non-compliance with pre-emption laws caused by vacancy of office of register or receiver.

SEC. 6. *And be it further enacted*, That whenever the vacancy of the office either of register or receiver, or of both, shall render it impossible for the claimant to comply with any requisition of any of the pre-emption laws within the appointed time, such vacancy shall not operate to the detriment of the party claiming, in respect to any matter essential to the establishment of his claim: *Provided*, That such requisition is complied with within the same period after the disability is removed as would have been allowed him had such disability not existed.

Proviso.

SEC. 7. *And be it further enacted*, That where a settler on the public lands may reside on a quarter section, a fractional quarter section, or a fraction of a section less than one hundred and sixty acres, and cultivated land on any other and different tract of either of the descriptions aforesaid, he or she shall be entitled, under the act of June twenty-two, one thousand eight hundred and thirty-eight, to the same privileges of a choice between two legal subdivisions of each, so as to include his or her house and farm, not to exceed one hundred and sixty acres in all, as is granted, by the first section of that act, to settlers residing on a quarter section, and cultivating on another and different quarter.

Settlers residing on one quarter section, and cultivating another, entitled to a choice. 1838, ch. 119.

SEC. 8. *And be it further enacted*, That where two or more persons are residing on any of the species of tracts specified in section seven of this act, as required by the acts of the twenty-second of June, one thousand eight hundred and thirty-eight, and first of June, one thousand eight hundred and forty, and any one or more of said settlers may have cultivated land during the period of residence required by either of said acts, on another and different tract, or other and different tracts, the latter mentioned settlers shall be entitled to the option of entering the tract lived on, jointly with the other or others, or of abandoning the tract lived on to those who have not cultivated land as above required, and entering the tract or tracts cultivated, so as not to exceed one hundred and sixty acres to any one settler, who, by virtue of this section, is entitled to a separate entry; or such joint settlers may jointly enter the tract so jointly occupied by them, and in addition enter other contiguous unoccupied lands, by legal subdivisions, so as not to exceed one hundred and sixty acres in all to each of such joint settlers: *Provided*, That the extended privileges granted to pre-emptors by this act, shall not be construed to deprive any other actual settler of his or her previous and paramount right of pre-emption, or to extend to lands reserved for any purpose whatever.

In case of two or more persons residing on one quarter section, and one or more of them cultivating other tracts.

Proviso.

SEC. 9. *And be it further enacted*, That all persons coming within the tenth section of the act of the fourth of September, eighteen hundred and forty-one, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," shall be entitled to the right of pre-emption under its provisions, notwithstanding such persons claiming the pre-emption shall have settled upon and improved the lands claimed before the same were surveyed: *Provided*, Such settlements were made before the date of the aforesaid act, and after the extinguishment of the Indian title. And said act shall not be so construed as to preclude any person who may have filed a notice of intention to claim any tract of land by pre-emption under said act, from the right allowed by law to others to purchase the same by private entry after the expiration of the right of pre-emption.

Persons coming within sec. 10, act 4th September, 1841, ch. 16, entitled to pre-emption.

Proviso.

APPROVED, March 3, 1843.

CHAP. LXXXVII. — *An Act to provide, in certain cases, for the sale of the real estate of infants within the District of Columbia.*

STATUTE III.

March 3, 1843.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That when the guardian of any infant shall think that the interest of his or her ward will be promoted by the sale of his or her real estate, or any part thereof, it shall be lawful for such guardian to exhibit his bill for that purpose, in the circuit court of the District of Columbia, for that county in which the real estate proposed to be sold, or part thereof, shall lie. In the bill so exhibited, the guardian shall set forth, plainly and distinctly, all the estate, real and personal, to which such infant is entitled, and all the facts which, in his opinion, are calculated to show whether the interest of his ward will be promoted by such sale or not. The bill shall be

When a guardian thinks it to the ward's interest to sell, he may exhibit a bill for that purpose. What to set forth.



Bill, how verified.

Parties defendant thereto.

Guardian ad litem to be appointed.

Bill, how answered.

Commissions for taking depositions to be awarded, &c.

What required to render a decree of sale lawful.

Proceeds of sale to be applied to the benefit of the infant.

Disposition of proceeds in case of the infant dying.

Costs of suit, how paid. Guardians not allowed to purchase.

No sale to be decreed if prohibited by the testator.

Act to take effect from its passage.

STATUTE III.

March 3, 1843.

1844, ch. 54.

Boundary line to be surveyed and suitably demarcated.

verified by the oath of the guardian; and the infant, together with those who would be heirs to the estate if he or she were dead, shall be made parties defendant thereto. It shall be the duty of the court to appoint some fit and disinterested person to be guardian ad litem, for the infant, who shall answer such bill on oath; the infant, also, if above the age of fourteen years, shall answer the bill in proper person, on oath.

SEC. 2. *And be it further enacted*, That whether the answer to the plaintiff's bill admit the facts alleged or not, commissions for taking depositions shall be awarded; and before the court shall have authority, under this act, to decree any sale, every fact material to ascertain the propriety of the sale shall be proved by clear and credible evidence, given by disinterested witnesses; depositions to be taken in the presence of the guardian ad litem, or upon interrogatories agreed upon by him.

SEC. 3. *And be it further enacted*, That if, upon hearing of the cause, it shall be proved, to the satisfaction of the court, by evidence taken as aforesaid, that the interest of the infant manifestly requires the sale of his real estate, or any part thereof, and the court shall be of opinion that, by such sale, the rights of others will not be violated, it shall be lawful to decree such sale, in such manner and upon such terms of credit as the court think right, always retaining a lien upon such estate for the payment of the purchase money.

SEC. 4. *And be it further enacted*, That the proceeds of such sale shall be vested and applied for the benefit of the infant, either in the purchase of other real estate, or in such other manner as the court shall think best; but, in whatever hands the proceeds of the sale may be placed, the court shall require ample security that they shall be faithfully applied in such manner as the court may direct.

SEC. 5. *And be it further enacted*, That if the infant, after such sale, shall die intestate, under the age of twenty-one years, the proceeds aforesaid, or so much thereof as may remain at his death, shall be considered as real estate, and shall pass accordingly to such person or persons as would have been entitled to the estate sold, if it had not been sold.

SEC. 6. *And be it further enacted*, That if a sale be decreed, the costs of the suit shall be paid out of the estate of the infant, otherwise the costs shall be paid by the plaintiff: *Provided*, That in no case where a sale shall be decreed shall the guardian of the said infant or infants, or the guardian ad litem, be admitted a purchaser, either by himself or by another, or in any manner whatever become the owner of the said land, during the infancy of the heir or devisee: *And provided, also*, That no sale of any infant's real estate shall be decreed, by virtue of this act, if the testator from whom such estate is derived, shall, by his last will and testament, have expressly directed otherwise.

SEC. 7. *And be it further enacted*, That this act shall be in force from and after the passage thereof.

APPROVED, March 3, 1843.

CHAP. LXXXVIII.—*An Act directing the survey of the northern line of the reservation for the half-breeds of the Sochs [Sacs] and Fox tribes of Indians by the treaty of August 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 Chief Engineer cause to be surveyed and suitably demarcated the northern boundary line of the reservation for the use of the half-breeds of the Soch [Sacs] and Fox tribes of Indians, by the treaty of the fourth of August one thousand eight hundred and twenty-four, beginning at the point, which at the date of said treaty was known and recognised as the northwest corner of the State of Missouri, and running thence due east to the river Mis-

Mississippi, the section of said line lying between that stream and the river Des Moines being the northern boundary line of said reservation.  
APPROVED, March 3, 1843.

STATUTE III.  
March 3, 1843.

CHAP. LXXXIX.—*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.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the commissioner to be appointed on the part of the United States for the purpose of running, tracing, and marking certain parts of the boundary line between the United States and the British possessions in North America, according to the sixth article of the treaty between the United States and Great Britain, concluded on the ninth of August, one thousand eight hundred and forty-two, shall be allowed and paid a salary at the rate of three thousand dollars per annum; and the said commissioner may employ a clerk, who shall be allowed and paid a salary at the rate of one thousand five hundred dollars per annum: *Provided,* That the salaries of said officers shall not commence until they shall have been severally ordered into service.

Commissioner to be appointed to run and mark the boundary line—his salary.

Commissioner allowed a clerk.  
Proviso.

SEC. 2. *And be it further enacted,* That it shall be lawful for the President of the United States to cause any one or more of the officers of the corps of topographical engineers, as the public service may require, to be employed to aid and assist the said commissioner in running, tracing, and marking the said line.

Officers of the topographical engineers may be employed to assist the commissioner.

SEC. 3. *And be it further enacted,* That for the payment of the said salaries, and for other expenses of said commission, including the purchase or repair of instruments, wages to persons employed, and other contingencies, there be appropriated, out of any money in the treasury not otherwise appropriated, the sum of fifteen thousand dollars.

Appropriation for expenses of the commission.

SEC. 4. *And be it further enacted,* That the sum of three hundred thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be paid in equal moieties to the States of Maine and Massachusetts, in conformity with the provision of the fifth article of the said treaty.

Appropriation for Maine and Massachusetts.

SEC. 5. *And be it further enacted,* That it shall be the duty of the proper officers of the treasury to audit and pay the accounts of the States of Maine and Massachusetts for all claims for expenses incurred by them in protecting the heretofore disputed territory on the northeastern frontier of the United States, and making a survey thereof, as provided by the fifth article of said treaty; and the sum of, not exceeding ten thousand seven hundred and ninety-two dollars and ninety-five cents for Massachusetts, and two hundred and six thousand nine hundred and thirty-four dollars and seventy-nine cents for Maine, is hereby appropriated, out of any money in the treasury not otherwise appropriated, in satisfaction of the said accounts.

Accounts of Maine and Massachusetts for certain expenses to be audited and paid.

Appropriation therefor.

SEC. 6. *And be it further enacted,* That it shall be the duty of the President of the United States, in execution of the provisions of the eighth article of said treaty, to apply so much of the naval appropriations as may be necessary therefor, to the preparation, equipment, and maintenance of the naval force therein stipulated to be employed on the coast of Africa by the United States.

Naval appropriations to be applied to the execution of the provisions of the 8th article.

APPROVED, March 3, 1843.

## STATUTE III.

March 3, 1843.

CHAP. XC.—*An act providing the means of future intercourse between the United States, and the Government of China.*

\$40,000 placed at the disposal of the President for establishing commercial relations with China.

To be accounted for, how.

Act of July 1,

1799, ch. 22.

Salary of the agent.

How to be appointed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of forty thousand dollars be, and the same is hereby, appropriated and placed at the disposal of the President of the United States, to enable him to establish the future commercial relations between the United States and the Chinese empire on terms of national equal reciprocity; the said sum to be accounted for by the President, in the manner prescribed by the act of first of July, one thousand seven hundred and ninety, entitled "An act providing the means of intercourse between the United States and foreign nations:" *Provided,* That the annual compensation to any one person employed under this act shall not exceed the sum of nine thousand dollars exclusive of outfit: *And provided further,* That no agent shall be sent by virtue of this act unless he shall have been appointed by and with the advice and consent of the Senate.

APPROVED, March 3, 1843.

## STATUTE III.

March 3, 1843.

1862, ch. 60.

Land in Ohio, ceded by Wyandot treaty of 17th March 1842, attached to district in which situated.

Land office to be removed to Upper Sandusky.

Part of the land to be laid off, and residue surveyed.

All the lands, except school lands, &c. to be offered at public sale.

All the lots, except four to be selected for the town, &c., to be offered at public sale.

CHAP. XCI.—*An Act providing for the sale of certain lands in the States of Ohio and Michigan, ceded by the Wyandot tribe of 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 all that tract of land in the State of Ohio, to which the Indian title was extinguished by a treaty with the Wyandot tribe of Indians, concluded at Upper Sandusky, March seventeenth, eighteen hundred and forty-two, shall be attached to, and made a part of, the consolidated land district in which it is situated; and that the land office for the said district shall be removed from Lima to the town of Upper Sandusky, within the tract aforesaid, as soon as, in the judgment of the President of the United States, such removal shall be proper.

SEC. 2. *And be it further enacted,* That a portion of the tract aforesaid, including the town of Upper Sandusky, shall, under the direction of the surveyor general, be laid off into town lots, streets, and avenues, and into out lots, in such manner and of such dimensions as he may judge proper: *Provided,* That the land so laid off shall not exceed in quantity six hundred and forty acres, nor the town lots a quarter of an acre each, nor the out lots exceed the quantity of two acres each; and the residue of the lands in the tract shall be surveyed as other public lands, in connection with the adjacent previous surveys.

SEC. 3. *And be it further enacted,* That all the public land in said tract, with the exception of the section numbered sixteen, in each township, which shall remain for the support of common schools, and of the lots reserved by the provisions of the aforesaid treaty, which shall remain for the purposes therein expressed, shall, so soon as the surveys and plats of the same be returned to the general and district land offices, be offered at public sale, at Upper Sandusky, under the superintendence of the register of the land office and the receiver of public moneys for the district, at such time as shall be designated by proclamation of the President of the United States; the sales to remain open for two weeks, and no longer, and the lands not to be sold at public sale nor be subject to private entry thereafter for a price less than two dollars and fifty cents per acre.

SEC. 4. *And be it further enacted,* That the town lots and out lots directed by this act to be laid off shall, with the exception of four town lots, to be selected by the superintendents of the sale, for the use of and to be vested in the town when it shall become corporate, and also of the

lots reserved by the seventeenth article of the aforesaid treaty, to remain for the uses therein provided for, be offered at public sale at the time the other lands in the tract are offered, and are to be subject to entry at private sale thereafter: *Provided, however,* That no town lot shall be sold for less than twenty dollars, nor any out lot for less than at the rate of fifteen dollars per acre.

Proviso.

SEC. 5. *And be it further enacted,* That, in executing the surveys of the lands in the tract aforesaid, the surveyor general shall cause the improved lands to be designated on the general plat, and the position, extent, and quality of each improvement to be carefully noted; and the Commissioner of the General Land Office shall cause the superintendents of the sales to be furnished with a copy of the schedule of the appraised value of improvements ascertained, pursuant to the fifth article of the said treaty; and in any case, where the lines for subdivision of sections shall divide and injuriously affect the value of an improvement, the superintendents of the sale shall be authorized, under instruction of the Commissioner of the General Land Office, to offer, at public and private sale, an entire quarter section, or half-quarter section, and to attach together halves of two adjacent quarter sections, so as to preserve, as far as practicable, the improvements on a tract entire; and if, in offering at public sale any tract on which improvements exist, the real value of the same, according to the estimate of the superintendents, shall not be bidden, it shall be their duty to withdraw the tract from sale, and the tracts thus withdrawn from sale shall again be offered at public sale, due public notice first being given, when directed by the Commissioner of the General Land Office.

Improved lands to be noted on plats of survey.

Lands to be offered so as to preserve the improvements entire.

Improved tracts to be withdrawn from sale unless their value is bidden, &c.

SEC. 6. *And be it further enacted,* That all the lands in the Wyandot reserve, on both sides of the river Huron, in the State of Michigan, ceded to the United States by the aforesaid treaty, shall be attached to and made a part of the district of lands subject to sale at Detroit; and shall be offered for sale at the land office, in the same manner, both as to public and private sale, as is directed for the sale of the lands of the reserve in the State of Ohio by this act: *Provided,* That the land shall not be sold for less than two dollars per acre.

Lands in Wyandot reserve in Michigan to be attached to the land district, and offered for sale.

Proviso.

APPROVED, March 3, 1843.

STATUTE III.

CHAP. XCII. — *An Act to fix the value of certain foreign moneys of account, in computations at the custom-houses. (a)*

March 3, 1843.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all computations of the value of foreign moneys of account at the custom-houses of the United States, the thaler of Prussia shall be deemed and taken to be of the value of sixty-eight and one half cents; the mil-reis of Portugal shall be deemed and taken to be of the value of one hundred and twelve cents; the rix-dollar of Bremen shall be deemed and taken to be of the value of seventy-eight and three-quarter cents; the thaler of Bremen, of seventy-two grotes, shall be deemed and taken to be of the value of seventy-one cents; that the mil-reis of Madeira shall be deemed and taken to be of the value of one hundred cents; the mil-reis of the Azores shall be deemed and taken to be of the value of eighty-three and one third cents; the marc-banco of Hamburg shall be deemed and taken to be of the value of thirty-five cents; the rouble of Russia shall be deemed and taken to be of the value of seventy-five cents; the rupee of British India shall be deemed and taken to be of the value of forty-four and one half cents; and all former laws inconsistent herewith are hereby repealed.

1846, ch. 14.  
1845, ch. 45.  
Value of certain foreign moneys at the custom-houses.

APPROVED, March 3, 1843.

(a) Notes of the acts of Congress regulating the currency of foreign coins, vol. 2, 374.

STATUTE III.

March 3, 1843.

CHAP. XCIII.—*An Act authorizing an examination and survey of the harbor of Memphis, in Tennessee. (a)*

[Obsolete.]

Examination and survey with a view to the establishment of a naval depot.

Appropriation therefor.

*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 harbor of Memphis, in the State of Tennessee, in reference to the expediency of establishing a naval depot and yard for the building and repairing steam ships and other vessels of war at that place, and that he report to Congress the result of such examination and survey; and that the sum of three thousand dollars be, and the same is hereby, appropriated, out of any moneys in the Treasury unappropriated, to defray the expenses of such examination and survey.  
APPROVED, March 3, 1843.

STATUTE III.

March 3, 1843.

CHAP. XCIV. — *An Act to modify the act entitled "An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam," approved July seventh, eighteen hundred and thirty-eight.*

Act of July 7, 1838, ch. 191, 1852, ch. 106.

Vessels propelled by steam to be provided with additional steering apparatus.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every boat or vessel which existing laws require to be registered, and which is propelled in whole or in part by steam, shall be provided with such additional apparatus or means as, in the opinion of the inspector of steamboats, shall be requisite to steer the boat or vessel, to be located in such part of the boat or vessel as the inspector may deem best to enable the officers and crew to steer and control the boat or vessel, in case the pilot or man at the wheel is driven from the same by fire; and no boat or vessel, exclusively propelled by steam, shall be registered, after the passage of this act, unless the owner, master, or other proper person, shall file with the collector or other proper officer the certificate of the inspector, stating that suitable means have been provided to steer the boat or vessel, in case the pilot or man at the wheel is driven therefrom by fire.

Vessels provided with the apparatus required by the first section, may use hemp tiller ropes, &c.

Proviso.

Further proviso.

SEC. 2. *And be it further enacted,* That it shall be lawful in all vessels or boats propelled in whole or in part by steam, and which shall be provided with additional apparatus or means to steer the same, as required by the first section of this act, to use wheel or tiller ropes, composed of hemp or other good and sufficient material, around the barrel or axle of the wheel, and to a distance not exceeding twenty-two feet therefrom, and also in connecting the tiller or rudder yoke with iron rods or chains used for working the rudder: *Provided,* That no more rope for this purpose shall be used than is sufficient to extend from the connecting points of the tiller or rudder yoke placed in any working position beyond the nearest blocks or rollers, and give sufficient play to work the ropes on such blocks or rollers: *And provided, further,* That there shall be chains extending the whole distance of the ropes, so connected with the tiller or rudder yoke, and attached or fastened to the tiller or rudder yoke, and the iron chains or rods extending towards the wheel, in such manner as will take immediate effect, and work the rudder in case the ropes are burnt or otherwise rendered useless.

Freight vessels propelled by sails and Erickson's propeller,

SEC. 3. *And be it further enacted,* That the master and owner, and all others interested in vessels navigating Lakes Champlain, Ontario, Erie, Huron, Superior, and Michigan, or any of them, and which are

(a) An act to establish a navy-yard and depot at or adjacent to the city of Memphis, on the Mississippi river, in the State of Tennessee; June 15, 1844, chap. 52.

A resolution to suspend a part of the third section of the joint resolution of 11th Sept. 1841, relating to armories; Feb. 13, 1845.

propelled by sails and Erickson's propeller, and used exclusively in carrying freight, shall from and after the passage of this act be exempt from liability or fine for failing to provide, as a part of the necessary furniture of such vessel, a suction hose and fire engine and hose suitable to be worked on such vessel in case of fire, or more than one long boat or yawl.

not required to provide suction hose, &c.

SEC. 4. *And be it further enacted*, That it shall be lawful for the court before which any suit, information or indictment is or shall be pending for the violation, before the passage of this act, of so much of the ninth section of the act aforesaid as requires "that iron rods or chains shall be employed and used in the navigation of all steamboats, instead of wheel and tiller ropes," to order such suit, information or indictment to be discontinued, on such terms as to costs as the court shall judge to be just and reasonable: *Provided*, That the defendant or defendants in such prosecution shall cause it to appear, by affidavit or otherwise, to the satisfaction of the court, that he or they had failed to use iron rods or chains in the navigation of his or their boat or boats, from a well-grounded apprehension that such rods or chains could not be employed for the purpose aforesaid with safety.

Proceedings pending for violations of 9th sec. act 7th July 1838, ch. 191, discontinued.

Proviso.

SEC. 5. *And be it further enacted*, That in execution of the authority vested in him by the second section of the joint resolution "authorizing experiments to be made for the purpose of testing Samuel Colt's submarine battery and for other purposes," approved August thirty-first one thousand eight hundred and forty-two, the Secretary of the Navy shall appoint a board of examiners, consisting of three persons, of thorough knowledge as to the structure and use of the steam-engine, whose duty it shall be to make experimental trials of such inventions and plans designed to prevent the explosion of steam boilers and collapsing of flues as they may deem worthy of examination, and report the result of their experiments, with an expression of their opinion as to the relative merits and efficacy of such inventions and plans, which report the Secretary shall cause to be laid before Congress, at its next session. It shall also be the duty of said examiners to examine and report the relative strength of copper and iron boilers of equal thickness, and what amount of steam to the square inch each, when sound, is capable of working with safety; and whether hydrostatic pressure, or what other plan is best for testing the strength of boilers under the inspection laws; and what limitations as to the force or pressure of steam to the square inch, in proportion to the ascertained capacity of a boiler to resist, it would be proper to establish by law for the more certain prevention of explosions.

Experimental trials of inventions to prevent the explosion of steam boilers, &c. authorized. Ante, p. 584.

SEC. 6. *And be it further enacted*, That so much of the act aforesaid as is inconsistent with the provisions of this act shall be, and the same is hereby, repealed.

Part of act of 7th July 1838, repealed.

APPROVED, March 3, 1843.

STATUTE III.

March 3, 1843.

CHAP. XCV.—*An Act in relation to the exemplifications of the records of land patents and other evidences of title, and amendatory of the act entitled "An act to reorganize the General Land Office."*

Act of July 4, 1836, ch. 352.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That literal exemplifications of any such records which have been or may be granted in virtue of the provisions of the seventh section of the act, approved on the fourth day of July, eighteen hundred and thirty-six, entitled "An act to reorganize the General Land Office," shall be deemed and held to be of the same validity in all proceedings whether at law, or in equity, wherein such exemplifications are adduced in evidence, as if the names of the officers signing and countersigning the same, had been fully inserted in such record.

Literal exemplifications of records to be as valid as if the signatures had been written in full.

Exemplifications of warrants &c. to be of equal validity with the originals.

SEC. 2. *And be it further enacted*, That exemplifications granted in pursuance of the aforesaid section of the act aforesaid, of any warrant survey, assignment, and other evidences comprising the entire muniments of title, whereon any patent has been based for lands granted by the United States in the aforesaid Virginia military land district or elsewhere, shall be, and are hereby, declared and held as of equal validity with the original patent, warrant survey, assignment, or other evidence of title, on file in said office.

APPROVED, March 3, 1843.

STATUTE III.

March 3, 1843.

CHAP. XCVI.—*An Act providing for the settlement of claims for supplies furnished the Florida militia.*

Claims to be settled on principles of equity and justice.

1842, ch. 192.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the accounting officers of the treasury are authorized and required to settle the claims for supplies furnished the Florida militia, the payment of which is provided for by the acts of August the twenty-third, one thousand eight hundred and forty-two, upon principles of equity and justice, under the directions of the Secretary of War.

APPROVED, March 3, 1843.

STATUTE III.

March 3, 1843.

CHAP. XCVII.—*An Act to provide for holding circuit courts at Williamsport in the western district of Pennsylvania. (a)*

Acts vesting circuit powers in district court at Williamsport repealed.

Circuit courts, when to be held.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of any act or acts of Congress as vest in the district court of the United States for the western district of Pennsylvania holding its sessions at Williamsport the power and jurisdiction of a circuit court be, and the same is hereby repealed; and there shall hereafter be circuit courts held at Williamsport on the third Mondays of June and the third Mondays of September in each year by the associate justice of the Supreme Court who now is or shall hereafter be allotted to the circuit in which said district is situated and the district judge of the western district of Pennsylvania; either of whom shall constitute a quorum; which circuit court and the judges thereof shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof, and the said district court and the judge thereof shall have like powers and exercise like jurisdiction as the district courts and the judges thereof, in the other circuits.

Proceedings, cognizable in a circuit court, now pending in the dist. court, transferred.

SEC. 2. *And be it further enacted*, That all actions, suits, prosecutions, causes, pleas, process and other proceedings, relative to any cause, civil or criminal, (which might have been brought, and could have been originally cognizable in a circuit court) now pending in or returnable to the said district court of the United States for the western district of Pennsylvania held at Williamsport, acting as a circuit court on the first day of April next shall be and are hereby declared to be, respectively transferred, returnable and continued to the said circuit court constituted by this act to be holden at Williamsport within the said district; and shall be heard, tried and determined therein, in the same manner as if originally brought, entered, prosecuted or had, in such circuit court. And the said circuit court shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerk of the said court shall perform the same duties and shall be entitled to receive the same fees and emoluments, which are by law established for the clerks of the other circuit courts of the United States.

APPROVED, March 3, 1843.

(a) Act of February 19, 1831, chap. 28.

CHAP. XCVIII. — *An Act to amend the laws regulating imprisonment for debt within the District of Columbia.*

STATUTE III.  
March 3, 1843.

*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, nothing in the third section of the act entitled "An act to amend the laws within the District of Columbia," approved June twenty-fourth, one thousand eight hundred and twelve, shall be so construed as to authorize the recommitment to close jail and confinement, or to deny the benefit of the prison rules to any person imprisoned within the prison bounds of any prison within the said District for debt, being charged in execution issued upon a judgment from which an appeal has been taken and remains undecided, or upon which any writ of error has been sued out and is depending and not finally disposed of, until one year from and after the day upon which every such appeal from, or writ of error upon, such judgment shall have been finally disposed of, and the judgment shall thus have become final and conclusive; but every person so imprisoned within the said District for debt, upon an execution issued upon any judgment thus situated, shall be entitled to the prison rules and to the limits of the liberties of the jail, or prison, to which he may have been, or may be, so committed, until the expiration of one year from and after the day of the final decision upon, and termination of, any such appeal, or writ of error, or any other proceeding at law or in equity, by whatever term designated, having for its object a review or reversal of the judgment upon which such debtor is, or may be, charged in execution: *Provided, always,* That every such debtor now in prison within the said District, shall, before the expiration of the bond under which he is now permitted to go at large within the prison bounds, execute and deliver to the marshal, or sheriff, or other officer to whose custody he has been thus committed, a new bond, with good and sufficient sureties, in the penalty of twice the amount of the judgment upon which he is charged in execution, and conditioned that he will remain a true and faithful prisoner within the bounds of the prison to which he has been committed, and will not depart thence until discharged therefrom by due course of law; and every debtor hereafter to be committed within the said District, charged in execution for debt under the circumstances provided for in this act shall, before being entitled to the prison rules as hereinbefore provided, cause to be executed and deliver to the marshal, or sheriff, or other proper officer, a like bond with sureties, in a like penalty, and with a like condition.

1853, ch. 40.  
1812, ch. 106.  
No person to be imprisoned upon a judgment from which an appeal, &c. is taken, until one year after such appeal, &c. has been finally disposed of.

Proviso.

SEC. 2. *And be it further enacted,* That it shall not be lawful, in any manner, nor by virtue of any law now existing, as to any prisoner now in confinement under circumstances such as are contemplated and provided for by the first section of this act, or as to any person who may hereafter be confined under such circumstances, to make any alteration in the prison bounds as they existed and were marked and laid out when such prisoner was committed upon the execution under which he remains charged, but the limits of the liberties of his prison shall, to every such prisoner, be what they were at the time of his commitment; and the sixteenth section of the act entitled "An act for the relief of insolvent debtors within the District of Columbia," approved March the third, one thousand eight hundred and three, shall be, and the same is hereby, so far modified as to conform to the provisions of this section of this act.

No alteration to be made in the present prison bounds.

16th sec. act 3d March 1803, ch. 31, for relief of insolvent debtors, modified.

SEC. 3. *And be it further enacted,* That no female shall be imprisoned for debt upon mesne or final process.

Females not to be imprisoned.

APPROVED, March 3, 1843.



## STATUTE III.

March 3, 1843.

CHAP. XCIX. — *An Act to authorize the election or appointment of officers in the Territory of Wisconsin.*

[Obsolete.]

Legislative Assembly authorized to provide for the election or appointment of certain officers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Legislative Assembly of the Territory of Wisconsin shall be, and are hereby, authorized to provide, by law, for the election or appointment of sheriffs, judges of probate, justices of the peace, and county surveyors, within the said Territory, in such way or manner, and at such times and places as to them may seem proper; and after a law shall have been passed by the Legislative Assembly for that purpose, all elections or appointments of the above-named officers, thereafter to be had or made, will be in pursuance of such law.

Term of service of members of the Legislative Assembly.

SEC. 2. *And be it further enacted,* That the members of both houses of the said Legislative Assembly of the Territory of Wisconsin, shall, upon the expiration of the terms of service for which the present members have been elected, be hereafter elected to serve for the same terms of service as that for which the members of the Legislative Assembly in Iowa are now elected.

APPROVED, March 3, 1843.

## STATUTE III.

March 3, 1843.

CHAP. C.—*An Act making appropriations for the civil and diplomatic expenses of Government for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-four.*

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 hereby are, appropriated to the objects hereinafter expressed, for the fiscal year ending on the thirtieth of June, one thousand eight hundred and forty-four, to be paid out of any unappropriated money in the treasury, namely:

Congress.

For compensation and mileage of Senators and members of the House of Representatives and delegates from the Territories, six hundred and thirty-eight thousand three hundred and twenty dollars;

Officers of the Senate and H. of Reps.

For compensation of the officers and clerks of the Senate and House of Representatives, thirty-nine thousand five hundred and fifty-seven dollars and fifty cents;

Contingent expenses.

For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, sixty thousand dollars;

Vol. 3, p. 538.

For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, one hundred and seventy-five thousand dollars: *Provided,* That nothing in any resolution of either House of Congress shall prevent the settlement and payment of the bills for the printing of the two Houses of Congress, agreeably to the prices established by the joint resolution of March 3d, 1819;

Library of Congress.

For compensation of the principal and two assistant librarians, and messenger of the library of Congress, four thousand five hundred dollars;

Contingent expenses.

For contingent expenses of said library, eight hundred dollars;

Purchase of books.

For purchase of books for said library, five thousand dollars;

Laying floor.

For purchase of law books for said library, one thousand dollars;

Sale of old furniture.

For laying floor of principal library room with hydraulic cement, two hundred and twenty-five dollars; and the librarian is hereby authorized to sell, at public auction, any portion of the old and useless furniture of the library rooms, and pay the proceeds thereof into the treasury of the United States;

President of United States. State Department.

For compensation of the President of the United States, twenty-five thousand dollars.

Secretary, &c.

*Department of State.*—For compensation of the Secretary of State,

and the clerks, messenger and assistant messenger, in his department, twenty-six thousand three hundred dollars;

For the contingent expenses of said department, viz :

For publishing, packing, and distributing the laws, and packing and distributing documents, including proof-reading, labor, boxes, and transportation, nine thousand dollars;

For stationery, blank books, and book-binding, two thousand dollars;

For labor and attendance, one thousand five hundred dollars;

For furniture and fixtures, repairs, painting, and glazing, one thousand eight hundred dollars;

For extra clerk hire and copying, two thousand dollars;

For printing, letter-press and copperplate, and advertising, one thousand five hundred dollars;

For newspapers, two hundred dollars,

For books and maps, one thousand dollars;

For the payment of all claims which Thomas Allen has against the United States for printing twenty thousand copies of "The Compendium or Abridgment of the Sixth Census, by counties and principal towns, together with the tables of apportionment as prepared at the State Department for the use of Congress," the sum of fifteen thousand eight hundred and forty-nine dollars and sixty-four cents; and for the payment of all claims which Blair and Rives have against the United States for printing ten thousand copies of the same document, eight thousand nine hundred and twenty-four dollars and eighty-two cents: *Provided*, That nothing herein contained shall prejudice any future application to Congress, for further compensation for said works;

For miscellaneous items, one thousand dollars: *Provided*, That nothing contained in the fifteenth and sixteenth sections of the act entitled "An act legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the departments and offices of the Government, and for other purposes," shall be deemed to apply to the contingent fund appropriated to the State Department for the calendar year one thousand eight hundred and forty-two, and for the half calendar year one thousand eight hundred and forty-three;

To defray the expenses of distributing the remaining numbers of the Census and Statistics, according to a resolution of Congress, two thousand five hundred dollars;

For compiling, printing and binding the Biennial Register, three thousand dollars;

For compensation of the superintendent and three watchmen of the northeast executive building, one thousand three hundred and forty-five dollars;

For contingent expenses of said building, viz :

For labor, one thousand two hundred dollars;

For fuel and light, one thousand four hundred dollars;

For miscellaneous items, seven hundred dollars;

*Treasury Department.*—For compensation of the Secretary of the Treasury, and the clerks, messenger and assistant messenger, in his office, twenty-seven thousand eight hundred and fifty dollars;

For compensation of the First Comptroller, and the clerks, messenger, and assistant messenger, in his office, twenty-two thousand nine hundred and fifty dollars;

For compensation of the Second Comptroller, and the clerks and messenger in his office, fifteen thousand two hundred and fifty dollars;

For compensation of the First Auditor, and the clerks and messenger in his office, nineteen thousand nine hundred dollars;

Contingent expenses, including printing of laws, &c.

Payment for printing census documents.

Miscellaneous. Proviso.

1842, ch. 202.

Distribution of census.

Biennial Register.

N. E. executive building.

Treasury Department. Secretary, &c.

First Comptroller, &c.

Second Comptroller, &c.

1st Auditor, &c.

- 2d Auditor, &c. For compensation of the Second Auditor, and the clerks and messenger in his office, twenty thousand nine hundred dollars;
- 3d Auditor, &c. For compensation of the Third Auditor, and the clerks, messenger, and assistant messenger, in his office, thirty-eight thousand three hundred and fifty dollars;
- 4th Auditor, &c. For compensation of the Fourth Auditor, and the clerks and messenger in his office, twenty thousand one hundred and fifty dollars;
- 5th Auditor, &c. For compensation of the Fifth Auditor, and the clerks and messenger in his office, fourteen thousand eight hundred dollars;
- Treasurer, &c. For compensation of the Treasurer of the United States, and the clerks and messenger in his office, thirteen thousand seven hundred and fifty dollars;
- Register, &c. For compensation of the Register of the Treasury, and the clerks, messenger, and assistant messenger, in his office, twenty-eight thousand six hundred dollars;
- Commiss'r of General Land Office, &c. For compensation of the Commissioner of the General Land Office, and the recorder, solicitor, draughtsman, assistant draughtsman, clerks, messengers, and packers, in his office, ninety-eight thousand five hundred dollars;
- Solicitor, &c. For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, twelve thousand four hundred dollars;
- Contingent expenses in the office of the Secretary. For the incidental and contingent expenses of the Treasury Department, viz :  
 In the office of the Secretary of the Treasury :  
 For blank books, binding, and stationery, three thousand five hundred dollars ;  
 For newspapers and periodicals, one hundred dollars ;  
 For labor, one hundred and fifty dollars ;  
 For extra clerk-hire, one thousand five hundred dollars ;  
 For printing, (including the printing of the public accounts,) two thousand five hundred and fifty dollars ;  
 For sealing ship registers, one hundred dollars ;  
 For miscellaneous items, seven hundred dollars ;  
 For translating foreign languages, one hundred and fifty dollars.
- First Comptroller. In the office of the First Comptroller :  
 For blank books, binding, and stationery, one thousand dollars ;  
 For payment of arrears for binding and printing, incurred previous to the year eighteen hundred and forty-two, seven hundred dollars ;  
 For paying for the printing of circulars and forms under the late tariff act, six hundred dollars ;  
 For labor, four hundred and fifty dollars ;  
 For extra clerk-hire, two hundred and fifty dollars ;  
 For miscellaneous items, four hundred dollars.
- Second Comptroller. In the office of the Second Comptroller :  
 For blank books, binding, and stationery, seven hundred dollars ;  
 For labor, two hundred dollars ;  
 For extra clerk-hire, four hundred dollars ;  
 For miscellaneous items, two hundred dollars.
- 1st Auditor. In the office of the First Auditor :  
 For blank books, binding, and stationery, five hundred dollars ;  
 For assistant messenger, three hundred and fifty dollars ;  
 For miscellaneous items, one hundred and fifty dollars.
- 2d Auditor. In the office of the Second Auditor :  
 For blank books, binding, and stationery, four hundred and fifty dollars ;  
 For labor, two hundred and fifty dollars ;  
 For extra clerk-hire, one hundred and fifty dollars ;  
 For miscellaneous items, including printing blanks, and one hundred

dollars for carpets and other indispensable furniture, two hundred and fifty dollars.

In the office of the Third Auditor :

For blank books, binding, and stationery, three hundred dollars;

For labor, two hundred and fifty dollars;

For extra clerk-hire, three hundred dollars;

For miscellaneous items, one hundred and fifty dollars.

In the office of the Fourth Auditor :

For blank books, binding and stationery, six hundred dollars;

For labor, fifty dollars;

For extra clerk-hire, one hundred dollars;

For printing, fifty dollars;

For miscellaneous items, two hundred dollars.

In the office of the Fifth Auditor :

For blank books, binding, and stationery, three hundred and twenty-five dollars;

For labor, one hundred and twenty-five dollars;

For extra clerk-hire, fifty dollars;

For miscellaneous items, one hundred and twenty-five dollars.

In the Treasurer's office :

For blank books, binding, and stationery, five hundred dollars;

For labor, three hundred and seventy-five dollars;

For printing, seven hundred dollars;

For miscellaneous items, three hundred and fifty dollars.

In the Solicitor's office :

For blank books, binding, and stationery, six hundred dollars;

For law books, two hundred and fifty dollars;

For printing circulars, blank forms for returns of district attorneys, marshals, clerks of courts, and collectors of the customs, three hundred dollars;

For labor, one hundred and fifty dollars;

For miscellaneous items, two hundred dollars.

In the Register's office :

For blank books, binding, and stationery, one thousand dollars;

For labor, three hundred and fifty dollars;

For printing, five hundred dollars;

For miscellaneous items, one thousand one hundred and fifty dollars;

For arrears for eighteen hundred and forty-two, for blank books, binding, and stationery, four hundred and ninety-one dollars and fifteen cents;

For arrears for eighteen hundred and forty-two, for printing, seven hundred and twenty-six dollars and twenty-six cents.

In the General Land Office :

For stationery, including blank books, and blank forms for the district land offices, seven thousand five hundred dollars;

For fifty thousand pieces of parchment and printing patents, seven thousand three hundred and fifty dollars;

For advertising land sales in newspapers, and in hand-bill form, public notices, and printing circulars, four thousand dollars;

For office furniture and repairs of same, one thousand two hundred dollars;

For pay of laborers employed in the office, five hundred dollars;

For miscellaneous items, seven hundred and eighty dollars.

For compensation to Samuel C. Davidson, for carrying mails of the General Land Office to and from the city post office, from the nineteenth of May to the sixth of September, one thousand eight hundred and forty-two, forty-five dollars and sixty-one cents.

For compensation of the superintendent and eight watchmen of the southeast executive building, three thousand four hundred dollars.

3d Auditor.

4th Auditor.

5th Auditor.

Treasurer.

Solicitor.

Register.

General Land Office.

S. C. Davidson.

S. E. executive building.

For contingent expenses of said building, viz :

For labor, two thousand two hundred dollars ;

For fuel and light, three thousand seven hundred dollars ;

For miscellaneous items, one thousand seven hundred dollars.

Custom-house  
at Wilmington,  
N. C.

For the purchase of a site and the commencement of the building of custom-house, at Wilmington, North Carolina, in addition to the proceeds of the sale of the present site, if the Secretary of the Treasury shall deem it proper to change the site, the sum of fifteen thousand dollars : *Provided*, That the plan of the building shall be such, that the whole cost, both of building and site, shall not exceed the sum of forty thousand dollars.

War Depart-  
ment.  
Office of  
Secretary.

*War Department.*—For compensation of the Secretary of War, and the clerks, messenger, and assistant messenger, in his office, nineteen thousand three hundred and fifty dollars ;

For contingent expenses of said office, viz. :

For blank books, binding, and stationery, six hundred dollars ;

For newspapers and periodicals, two hundred and fifty dollars ;

For labor, three hundred dollars ;

For printing, three hundred dollars ;

For miscellaneous items, five hundred and fifty dollars ;

For books, maps, and plans, one thousand dollars ;

For extra clerk hire, three thousand dollars ;

For arrears for newspapers and periodicals, prior to twenty-sixth August, one thousand eight hundred and forty-two, two hundred and fifty dollars ;

Commissioner  
of Ind. affairs.

For compensation of the Commissioner of Indian Affairs, and the clerks, messenger, and assistant messenger, in his office, nineteen thousand four hundred dollars ;

For contingent expenses of said office, viz. :

For blank books, binding, and stationery, six hundred dollars :

For labor, fifty dollars ;

For miscellaneous items, eight hundred and fifty dollars ;

Commissioner  
of Pensions.

For compensation of the Commissioner of Pensions, and the clerks, and messengers, in his office, and including five hundred dollars for the half calendar year, ending thirtieth June, sixteen thousand dollars ;

For contingent expenses of said office, viz. :

For blank books, binding, and stationery, five hundred dollars ;

For printing, four hundred dollars ;

For fuel, one hundred and fifty dollars ;

For miscellaneous items, four hundred and fifty dollars ;

Commanding  
General.

For compensation of the clerk and messenger in the office of the Commanding General, one thousand five hundred dollars ;

For miscellaneous items, for said office, three hundred dollars ;

Adjutant Gen-  
eral.

For compensation of the clerks and messenger in the office of the Adjutant General, seven thousand six hundred and fifty dollars ;

For contingent expenses of said office, viz. :

For printing Army Register and orders, four hundred dollars ;

For blank books, binding, and stationery, three hundred dollars ;

For extra clerk hire, one hundred dollars ;

For miscellaneous items, including five hundred and ninety-six dollars and sixteen cents, unexpended balance of former appropriations, six hundred dollars ;

Quartermas-  
ter General.

For compensation of the clerks and messenger in the office of the Quartermaster General, seven thousand three hundred dollars ;

For contingent expenses of said office, viz. :

For blank books, binding, and stationery, five hundred dollars ;

For labor, two hundred dollars ;

For printing, two hundred dollars ;

For miscellaneous items, five hundred dollars ;

For compensation of the clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars;	Paymaster General.
For contingent expenses of said office, viz. :	
For blank books, binding, and stationery, two hundred dollars;	
For fuel, one hundred and twenty-five dollars;	
For miscellaneous items, four hundred dollars;	
For compensation of the clerks and messenger in the office of clothing and equipage at Philadelphia, four thousand two hundred dollars;	Clothing and Equipage.
For compensation of the clerks and messenger in the office of the Commissary General of Subsistence, five thousand three hundred dollars;	Comm'y Gen. of Subsistence.
For contingent expenses of said office, viz. :	
For blank books, binding, and stationery, two hundred dollars;	
For extra clerk hire, two hundred dollars;	
For printing and advertising, eight hundred dollars;	
For labor, one hundred dollars;	
For fuel, one hundred dollars;	
For miscellaneous items, three hundred dollars;	
For compensation of the clerks and messenger in the office of the Chief Engineer, five thousand six hundred and fifty dollars;	Chief Engineer.
For contingent expenses of said office, viz. :	
For blank books, binding, and stationery, six hundred dollars;	
For printing, one hundred dollars;	
For fuel, one hundred and fifty dollars;	
For miscellaneous items, fifty dollars;	
For compensation of the clerks and messenger in the office of the Surgeon General, two thousand six hundred and fifty dollars;	Surgeon General.
For contingent expenses of said office, viz. :	
For blank books, binding, and stationery, two hundred dollars;	
For printing, fifty dollars;	
For fuel, seventy-five dollars;	
For miscellaneous items, one hundred and fifty dollars.	
For compensation of the clerks and messenger in the office of the Colonel of Ordnance, eight thousand six hundred and fifty dollars.	Colonel of Ordnance.
For contingent expenses of said office, viz. :	
For blank books, binding, and stationery, four hundred and fifty dollars;	
For printing, eighty dollars;	
For fuel, one hundred and fifty dollars;	
For miscellaneous items, one hundred and fifty dollars;	
For compensation of the clerks and messenger in the bureau of Topographical Engineers, four thousand nine hundred dollars.	Topographical Engineers.
For contingent expenses of said bureau, viz. :	
For blank books, binding, and stationery, four hundred dollars.	
For labor, one hundred dollars;	
For fuel, two hundred and fifty dollars;	
For miscellaneous items, five hundred dollars.	
For compensation of the superintendent and four watchmen of the northwest executive building, one thousand seven hundred and ten dollars.	N.W. executive building.
For contingent expenses of said building, viz. :	
For labor, four hundred dollars;	
For fuel and light, two thousand dollars;	
For miscellaneous items, one thousand six hundred dollars.	
<i>Navy Department.</i> —For compensation of the Secretary of the Navy, and the clerks, messenger, and assistant messenger, in his office, nineteen thousand three hundred and fifty dollars.	Navy Department. Secretary's office.
For contingent expenses of said office, viz. :	
For blank books, binding, and stationery, eight hundred dollars :	

For extra clerk hire, four thousand dollars;  
 For printing, three hundred dollars;  
 For labor, three hundred and fifty dollars;  
 For miscellaneous items, three hundred and fifty dollars;  
 For newspapers and periodicals, two hundred dollars;  
 For payment of sundry bills for stationery and newspapers for eighteen hundred and thirty-nine, eighteen hundred and forty, eighteen hundred and forty-one, and eighteen hundred and forty-two, seven hundred dollars.

Bureau of  
 Navy-yards  
 and Docks.

For compensation of the chief of bureau of Navy-yards and Docks, and the draughtsman, clerks, and messenger, in his office, eight thousand four hundred dollars.

For contingent expenses of said bureau, viz:  
 For blank books, binding, and stationery, three hundred dollars;  
 For labor, one hundred and fifty dollars;  
 For miscellaneous items, fifty dollars.

Bureau of  
 Construction,  
 Equipment and  
 Repair.

For compensation of the chief of bureau of Construction, Equipment, and Repairs, and the assistant constructor, clerks, and messenger, in his office, nine thousand one hundred dollars.

For contingent expenses of said bureau, viz:  
 For blank books and stationery, two hundred dollars;  
 For miscellaneous items, one hundred and eighty dollars;  
 For labor, one hundred and twenty dollars;

Bureau of Pro-  
 visions and  
 Clothing.

For compensation of the chief of bureau of Provisions and Clothing, and the clerks and messenger in his office, seven thousand one hundred dollars.

For contingent expenses of said bureau, viz:  
 For blank books, binding, and stationery, four hundred dollars;  
 For miscellaneous items, one hundred dollars.

Bureau of  
 Ordnance and  
 Hydrography.

For compensation of the chief of bureau of Ordnance and Hydrography, and the draughtsman, clerk, and messenger, in his office, nine thousand four hundred dollars.

For contingent expenses of said bureau, viz:  
 For blank books and stationery, two hundred and sixty dollars;  
 For miscellaneous items, one hundred and forty dollars;  
 For labor, one hundred dollars.

Bureau of Me-  
 dicine and Sur-  
 gery.

For compensation of the chief of bureau of Medicine and Surgery, and the clerks and messenger in his office, five thousand two hundred dollars.

For contingent expenses of said bureau, viz:  
 For blank books, binding, and stationery, four hundred dollars;  
 For miscellaneous items, two hundred dollars.

S. W. execu-  
 tive building.

For compensation of the superintendent and three watchmen of the southwest executive building, one thousand three hundred and forty-five dollars.

For contingent expenses of said building, viz:  
 For labor, three hundred and twenty-five dollars;  
 For fuel and lights, one thousand three hundred and fifty dollars;  
 For miscellaneous items, one thousand one hundred and fifty dollars.

Purchase of  
 Babbitt's anti-  
 attrition metal.  
 Act of Aug. 29,  
 1842, ch. 268.

For payment to Isaac Babbitt, of Boston, in execution of a contract made with him by the Secretary of the Navy for the purchase of Babbitt's "anti-attrition metal," pursuant to the act of Congress of the twenty-ninth of August, eighteen hundred and forty-two, twenty thousand dollars; and the accounting officers of the treasury, are hereby authorized and directed, in the settlement of the accounts of the officers attached to the late surveying and exploring expedition, to the Pacific ocean, and the South seas, who were employed in the scientific duties, to allow and credit them with extra pay, equal to that allowed to the officers engaged in the service of the coast survey.

Extra pay to  
 officers of the  
 exploring expedi-  
 tion.

*Post Office Department.*—For compensation of the Postmaster General and the three Assistant Postmasters General, and the clerks, messenger, and three assistant messengers, and two watchmen of the Post Office Department, seventy-four thousand three hundred dollars.

Post Office  
Department.  
Postmaster  
General, &c

For contingent expenses of said department, viz :

Contingent  
expenses.

For blank books, binding, and stationery, one thousand eight hundred dollars ;

For newspapers and periodicals, one hundred dollars ;

For fuel and oil, two thousand one hundred dollars ;

For miscellaneous items, eight hundred dollars ;

For printing, nine hundred dollars ;

For labor, one thousand two hundred and fifty dollars ;

For one day watchman, three hundred and sixty dollars ;

For compensation of temporary clerks, three thousand dollars ;

For blank books, binding, and stationery, furnished between second October, one thousand eight hundred and forty-one, and twentieth August, one thousand eight hundred and forty-two, six hundred and forty-three dollars and four cents ;

For blank books, binding and stationery furnished between the first of April eighteen hundred and forty and twenty-fourth May eighteen hundred and forty-one, one thousand five hundred and fifty-six dollars ;

For advertising done in the years eighteen hundred and thirty-nine and eighteen hundred and forty, one hundred and two dollars and forty-eight cents ;

For newspapers subscribed for prior to September, eighteen hundred and forty-one, one hundred and fifty dollars ;

For compensation of the Auditor for the Post Office Department, and the clerks, messenger, and assistant messenger, in his office, eighty-five thousand seven hundred dollars.

Auditor, &c.

For contingent expenses of said office, viz :

Contingent  
expenses.

For blank books, binding, and stationery, six hundred and fifty dollars ;

For printing blanks, one thousand one hundred and thirty dollars ;

For labor, two thousand eight hundred and sixty dollars ;

For miscellaneous items, five hundred and fifty dollars.

*Surveyors and their Clerks.*—For compensation of the surveyor general northwest of the Ohio, and the clerks in his office, eight thousand three hundred dollars.

Surveyors and  
their clerks.  
North-west of  
the Ohio.

For compensation of the surveyor general in Illinois and Missouri, and the clerks in his office, five thousand eight hundred and twenty dollars.

Illinois and  
Missouri.

For compensation of the surveyor general in Arkansas, and the clerks in his office, four thousand three hundred dollars.

Arkansas.

For compensation of the surveyor general in Louisiana, and the clerks in his office, four thousand five hundred dollars.

Louisiana.

For compensation of the surveyor general in Mississippi, and the clerks in his office, seven thousand dollars.

Mississippi.

For compensation of the surveyor general in Alabama, and the clerks in his office, four thousand dollars.

Alabama.

For compensation of the surveyor general in Florida, and the clerks in his office, five thousand five hundred dollars.

Florida.

For compensation of the surveyor general in Wisconsin and Iowa, and the clerks in his office, three thousand one hundred dollars: *Provided*, That the said several surveyors general shall reside within the districts for which they are surveyors general, and discharge the duties of their said office.

Wisconsin and  
Iowa.  
Provido.

For extra clerks in the offices of the surveyors general, to be apportioned to them according to the exigencies of the public service, and including the existing undrawn balance of two hundred and ten dollars and seventy-seven cents, from thirtieth December, eighteen hundred

Extra clerks  
in offices of sur-  
veyors general.



and forty-two, to thirtieth June, eighteen hundred and forty-four, twenty-one thousand dollars.

Secretary to sign patents for lands.

For compensation of the secretary to sign patents for public lands, one thousand five hundred dollars.

Commissioner of public buildings.

For compensation of the Commissioner of Public Buildings in Washington city, and the three assistants, as draw-keepers at the Potomac bridge, including oil, fire wood, and repairs, four thousand dollars.

Mint and branches.

*United States Mint and Branches.*—For compensation of the officers and workmen of the mint at Philadelphia, viz :

Mint at Philadelphia—officers.

For the director, three thousand five hundred dollars ;

For the treasurer, two thousand dollars ;

For the chief coiner, two thousand dollars ;

For the assayer, two thousand dollars ;

For the melter and refiner, two thousand dollars ;

For the engraver, two thousand dollars ;

For the assistant assayer, one thousand three hundred dollars ;

For four clerks, four thousand four hundred dollars ;

Workmen.

For wages to workmen, twenty-four thousand dollars ;

Contingent expenses.

For incidental and contingent expenses, including the wastage of gold and silver, fuel, materials, stationery, water, rent, and taxes, seven thousand nine hundred and seventy-three dollars.

Specimens.

For specimens of ores and coins to be reserved at said mint, three hundred dollars.

Branch mint at Charlotte—officers.

For compensation of the officers and workmen of the branch mint at Charlotte, in North Carolina, viz :

For the superintendent, two thousand dollars ;

For the assayer, one thousand five hundred dollars ;

For the coiner, one thousand five hundred dollars ;

For the clerk, one thousand dollars ;

Workmen.

For wages to workmen, three thousand five hundred dollars.

Contingent expenses.

For incidental and contingent expenses, including fuel, materials, stationery, taxes, and wastage of gold, one thousand five hundred dollars.

Branch mint at Dahlonega—officers.

For compensation of the officers and workmen of the branch mint at Dahlonega, in Georgia, viz :

For the superintendent, two thousand dollars ;

For the assayer, one thousand five hundred dollars ;

For the coiner, one thousand five hundred dollars ;

For the clerk, one thousand dollars ;

Workmen.

For wages to workmen, two thousand eight hundred and eighty dollars.

Contingent expenses.

For incidental and contingent expenses of said branch, including fuel, materials, stationery, taxes, and wastage of gold, one thousand three hundred and fifty dollars.

Branch mint at New Orleans—officers.

For compensation of the officers and workmen of the branch mint at New Orleans, viz :

For the superintendent, two thousand five hundred dollars ;

For the treasurer, two thousand dollars ;

For the coiner, two thousand dollars ;

For the assayer, two thousand dollars ;

For the melter and refiner, two thousand dollars ;

For two clerks, two thousand four hundred dollars ;

For wages to workmen, twenty thousand dollars.

Workmen.

Contingent expenses.

For incidental and contingent expenses of said branch, including fuel, materials, stationery, and wastage of gold and silver, fifteen thousand dollars.

Territories.

*Governments in the Territories of the United States.*—For compensation of the officers of Wisconsin Territory, viz :

Wisconsin.

For Governor, two thousand five hundred dollars ;

Governor.

For three judges, five thousand four hundred dollars ;

Judges.

For secretary, one thousand two hundred dollars;	Secretary.
For contingent expenses of said Territory, three hundred and fifty dollars;	Contingent expenses.
For compensation and mileage of the members of the Legislative Assembly of said Territory, pay of officers, printing, stationery, fuel, furniture, postage, and all other incidental and miscellaneous objects, seventeen thousand two hundred and seventy-five dollars.	Legislative Assembly.
For compensation of the officers of Iowa Territory, viz :	Iowa.
For Governor, two thousand five hundred dollars;	Governor.
For three judges, five thousand four hundred dollars;	Judges.
For secretary, one thousand two hundred dollars.	Secretary.
For contingent expenses of said Territory, three hundred and fifty dollars.	Contingent expenses.
For compensation and mileage of the members of the Legislative Assembly of said Territory, pay of officers, printing, stationery, fuel, furniture, postage, candles, and all other incidental and miscellaneous objects, twenty thousand one hundred and seventy-five dollars.	Legislative Assembly.
For compensation of the officers of Florida Territory, viz :	Florida.
For Governor, two thousand five hundred dollars;	Governor.
For five judges, nine thousand five hundred dollars;	Judges.
For secretary, one thousand five hundred dollars.	Secretary.
For contingent expenses of said Territory, three hundred and fifty dollars.	Contingent expenses.
For compensation and mileage of the members of the Legislative Council of said Territory, pay of officers, stationery, fuel, printing, and all other incidental and miscellaneous objects, twenty-seven thousand one hundred and twenty-five dollars.	Legislative Council.
<i>Judiciary.</i> —For the salaries of the Chief Justice and the Associate Justices of the Supreme Court, and the judges of the several districts of the United States, ninety-three thousand nine hundred dollars.	Judiciary. Chief justice and associate justices.
For the Attorney General of the United States, and the clerk and messenger in his office, five thousand five hundred dollars.	Attorney General, &c.
For contingent expenses of said office, five hundred dollars.	
For the salaries of the chief justice of the District of Columbia, the associate judges, the judges of the criminal court and the orphans' courts of said District, eleven thousand seven hundred dollars.	Judges of District Columbia.
For the reporter of the decisions of the Supreme Court, including arrears of eighteen hundred and forty-two, one thousand three hundred and fifty dollars.	Reporter to Supreme Court.
For the salaries of the district attorneys of the several districts and Territories of the United States, as prescribed by law, eight thousand four hundred and fifty dollars.	District attorneys.
For arrears of the salaries of the district attorneys of Maryland and Massachusetts, for the year one thousand eight hundred and forty-two, four hundred dollars.	
For the salaries of the marshals for the several districts and Territories of the United States, as prescribed by law, seven thousand two hundred dollars.	Marshals.
For defraying the expenses of the supreme, circuit, and district courts of the United States, including the District of Columbia; also, for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the year eighteen hundred and forty-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, including expenses under the bankrupt law, three hundred and seventy-three thousand dollars; <i>Provided</i> , That no part of the sum hereby appropriated shall be paid to, or in any way allowed to any person or persons, who has or have neglected, or who shall hereafter neg-	Expenses of the Supreme, Circuit and District Courts, &c.  Proviso, no payments to be made to persons neglecting to

comply with  
167th paragraph  
of act of 18th  
May 1842, ch.  
29.

Miscellaneous.  
Annuities and  
grants.

Coast survey.

Proviso relative  
to the mode of  
carrying it on,  
&c.

Keepers of Flo-  
rida archives.

Insolvent debt-  
ors.

Penitentiary of  
D. C.

Public store-  
house in Balti-  
more.

Mobile custom-  
house.

Sick and dis-  
abled seamen.

1802, ch. 51.

Boston custom-  
house.

Charleston  
custom-house  
and post-office.  
Ships' regis-  
ters, &c.

lect to comply with all and every requirement contained in the one hundred and sixty-seventh paragraph of the first section of the twenty-ninth chapter of the laws of the United States, entitled "An act making appropriations for the civil and diplomatic expenses of the Government for the year eighteen hundred and forty-two," and approved May eighteenth, eighteen hundred and forty-two.

*Miscellaneous.*—Annuities and grants:

To Josiah H. Webb, fifty dollars;

To Rachel Dohrman, three hundred dollars;

To Elizabeth C. Perry, four hundred dollars;

For survey of the coast of the United States, including compensation of superintendent and assistants, one hundred thousand dollars: *Provided*, That this, and all other appropriations hereafter to be made for this work, shall, until otherwise provided by law, be expended in accordance with a plan of reorganizing the mode of executing the survey, to be submitted to the President of the United States by a board of officers which shall be organized by him, to consist of the present superintendent, his two principal assistants, and the two naval officers now in charge of the hydrographical parties, and four from among the principal officers of the corps of topographical engineers; none of whom shall receive any additional compensation whatever for this service, and who shall sit as soon as organized. And the President of the United States shall adopt and carry into effect the plan of said board, as agreed upon by a majority of its members; and the plan of said board shall cause to be employed as many officers of the army and navy of the United States as will be compatible with the successful prosecution of the work; the officers of the navy to be employed on the hydrographical parts, and the officers of the army on the topographical parts of the work; and no officer of the army or navy shall hereafter receive any extra pay out of this, or any future appropriations for surveys.

For compensation of the two keepers of the public archives in Florida, one thousand dollars.

For expenses in relation to the relief of certain insolvent debtors of the United States, two thousand dollars.

For the support and maintenance of the penitentiary in the District of Columbia, five thousand dollars.

For repairing the cellar of the public store-house in the city of Baltimore, in such manner as to prevent the admission of water into the same, four thousand dollars: this sum, or so much thereof as may be necessary, to be expended under the direction of the Secretary of the Treasury.

For repairs of the custom-house at Mobile, five thousand dollars, or so much thereof as, in the estimation of the Secretary of the Treasury, after due inquiry and proper estimates are made, may be deemed necessary to prevent further dilapidation, and render the court-room and other departments in said building fit for use.

To make good a deficiency in the eighteen months ending the thirtieth of June eighteen hundred and forty-three, and estimated deficiency in the year ending on the thirtieth of June, eighteen hundred and forty-four, in the fund for the relief of sick and disabled seamen, as established by the act of the third of May eighteen hundred and three, [two] twenty-five thousand dollars.

For paying the contractors under contracts made by the Government of the United States for completing the Boston custom-house, fifty thousand dollars.

For repairing the custom-house and post office buildings in Charleston, South Carolina, five thousand dollars.

For registers for ships and vessels, and lists of crews, including cost of new dies and plates, four thousand dollars.

For the payment of balances to officers of old internal revenue and direct tax, being part of the amount carried to the surplus fund thirty-first December, eighteen hundred and thirty-eight, three thousand six hundred and sixty-one dollars and ninety cents.

Officers of old internal revenue and direct tax.

For payment to Joseph Russ and Stephen J. Roach, in full for labor bestowed, any money expended in repairing or constructing a road leading from Pensacola to Tallahassee in Florida, in pursuance of a settlement of their account under the act approved seventeenth February, one thousand eight hundred and thirty-six, entitled "An act for the relief of Joseph Russ and Stephen J. Roach," two thousand dollars.

J. Russ and S. J. Roach.

1836, ch. 23.

For lighting Pennsylvania avenue, one hundred and fifty dollars.

For the compensation of the captain and watchmen for the city of Washington, six thousand seven hundred dollars.

Lighting Pennsylvania avenue.

City watch.

For contingent expenses for fuel and light for said watch, three hundred dollars.

For payment of the books ordered by the resolution of the House of Representatives adopted on the eighth of August, one thousand eight hundred and forty-two, forty-seven thousand one hundred and sixty-two dollars and seventy-six cents.

Books ordered by House of Representatives.

For expenses incurred prior to January first, one thousand eight hundred and forty-three, for clerk-hire, wages of porter, and stationery, of the commissioners under the act of July seven, one thousand eight hundred and thirty-eight, "to remit duties on certain goods destroyed by fire," one thousand three hundred and thirty-seven dollars and ninety-nine cents.

Expenses under act to remit duties on goods destroyed by fire.  
Act of July 7, 1838, ch. 174.

For the balance due to the late commercial agent at St. Christopher's for disbursements for the relief and protection of distressed American seamen, five thousand eight hundred and sixty-six dollars and eight cents.

Late commercial agent at St. Christopher's.

To enable the Secretary of the Treasury to procure the necessary manual for the several custom-houses, together with the necessary instruments and apparatus, to ascertain the relative quantity of saccharine matter in the different kinds of sugar, agreeably to the resolution of the House of Representatives adopted on the twenty-first of July, one thousand eight hundred and forty-two, six thousand two hundred dollars.

Sugar manual and apparatus for the custom-houses.

For the balance due on the second volume of the Documentary History of the American Revolution, six thousand eight hundred and twenty-six dollars.

Documentary History.

For the third volume of the Documentary History of the American Revolution, twenty-seven thousand six hundred and fifty dollars: *Provided*, That the whole work, when completed, shall not exceed twenty volumes, and that the whole cost of the entire work shall not exceed twenty thousand four hundred dollars per volume: *Provided, also*, That the materials which shall compose each successive volume shall, before any appropriation is hereafter made for the cost of the same, be submitted to, and approved by, the Secretary of State for the time being: *And provided, also*, That the parties who stipulated, by articles of agreement dated the nineteenth day of March, one thousand eight hundred and thirty-three, to publish the "Documentary History of the American Revolution," shall, within ten days from the passage of this act, deliver to the Secretary of State a written agreement, to be by him accepted and approved, adopting as part of the said original articles the restrictions and limitations in these provisos contained, and making the same legally binding and operative, as portions of the said original articles, in all respects as if they had been in terms incorporated into the same.

Indexing documents.

For completing the indexing of the public documents connected with  
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the office of the First Comptroller and the office of the Secretary of the Treasury, eight hundred dollars.

Negotiating loans.

For paying balance of expenses, in full, for negotiating the loans authorized by the acts of twenty-first July, eighteen hundred and forty-one, and fifteenth April, eighteen hundred and forty-two, ten thousand dollars.

1841, ch. 3.  
1842, ch. 26.

Patent Office. Books.

*Patent Office.*—For the purchase of such scientific books as are necessary for the use of the Patent Office, to be paid out of the patent fund, one thousand two hundred dollars.

Agricultural statistics.

For the collection of agricultural statistics, and for other agricultural purposes, to be paid out of the patent fund, two thousand dollars.

Botanical and horticultural specimens brought home by exploring expedition.  
Statue of Washington.

To defray the expenses of taking care of and preserving the botanical and horticultural specimens brought home by the squadron of the Exploring Expedition under the direction and control of the Joint Committee on the Library, twelve hundred dollars.

For the removal of the statue of Washington, from its present position, and permanently placing the same on a proper pedestal, and covering it temporarily in the enclosed and cultivated public grounds east of the Capitol, directly in front of the main entrance and steps of the east front of the Capitol, as suggested in the report of the Joint Committee on the Library, and in the letter of Mr. Greenough, dated February third, one thousand eight hundred and forty-three, referred to and reported by said committee in connection with the memorial of Horatio Greenough, under the direction and supervision of the said Greenough, the sum of five thousand dollars.

Light-house establishment. Supplies.

*Light-House Establishment.*—For supplying the light-houses, containing two thousand six hundred and seventy-eight lamps, with oil, tube-glasses, wicks, buffskins, whiting, and cotton cloth, transportation, and keeping apparatus in order, one hundred and five thousand one hundred and ninety dollars and thirty cents.

Chamber of Commerce of Philadelphia.

To reimburse the Chamber of Commerce at Philadelphia, the expense incurred by them in continuing the light on the breakwater near Cape Henlopen, a sum not exceeding eight hundred dollars.

Repairs.

For repairs, refitting, and improvements of light-houses, and buildings connected therewith, ninety-nine thousand eight hundred and seventy-one dollars and forty-two cents.

Compensation.

For compensation of two hundred and thirty-six keepers of light-houses, eighteen of them being charged with double lights, and one with three, ninety-three thousand nine hundred and thirty-eight dollars.

Floating lights.

For compensation of thirty keepers of floating lights, sixteen thousand dollars.

For seamen's wages, repairs, and supplies of thirty floating lights, sixty-six thousand four hundred and twenty dollars and eighty-four cents.

Buoys, &c.

For weighing, mooring, cleansing, repairing, and supplying the loss of beacons, buoys, chains, and sinkers, twenty-four thousand six hundred and thirteen dollars and sixty-four cents.

Black Rock.

For rebuilding the beacon at Black Rock, Connecticut, ten thousand dollars.

Annual examination.

For expenses of examining annually and reporting the condition of the light-houses, four thousand dollars.

Superintendents' commissions.

For superintendents' commissions, at two and one half per cent., ten thousand two hundred and fifty dollars and eighty-five cents.

Potomac bridge.

For the completion of the repairs of the Potomac bridge, three thousand five hundred dollars.

Land surveys in Alabama.

*Surveys of Public Lands.*—For completing the survey of private land claims in Alabama, and their connection with the adjacent public lands, at a rate not exceeding eight dollars per mile, being in addition to the appropriation made for a similar object by the act of April sixth,

1838, ch. 54.

one thousand eight hundred and thirty-eight, and including a deficiency in the existing appropriation of three thousand three hundred and seventeen dollars and seventy-six cents, to pay for work already completed and returned, five thousand eight hundred dollars.

For completing the retracing of certain old surveys in the State of Mississippi, at a rate not exceeding eight dollars per mile, in addition to the unexpended balance of the appropriation of May eight, one thousand eight hundred and forty, for the survey of private land claims, and connecting the same with the adjacent public lands, south of the thirty-first degree of latitude, at the same rate, eleven thousand one hundred dollars.

Mississippi.  
1840, ch. 22.

For completing the surveys in Missouri, in the towns named in the act of May twenty-sixth, one thousand eight hundred and twenty-four, in addition to the unexpended balance of the appropriation of March third, one thousand eight hundred and forty-one, for a similar object, and including office work, four thousand dollars.

Missouri.  
1824, ch. 184.  
1841, ch. 35.

For surveying the public lands, in addition to the unexpended balance of former appropriations, to be apportioned to the several surveying districts according to the exigencies of the public service, forty thousand dollars.

The several districts.

For the survey of small detached tracts situated in Illinois and Missouri, principally in the military district of Illinois, at a rate not exceeding six dollars per mile, and including office work, three thousand dollars.

Illinois and Missouri.

*Intercourse with Foreign Nations.*—For salaries of the ministers of the United States to Great Britain, France, Russia, Prussia, Austria, Spain, Mexico, and Brazil, seventy-two thousand dollars.

Foreign intercourse.  
Ministers.

For salaries of the secretaries of legation to the same places, sixteen thousand dollars.

Secretaries of legation.

For salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Belgium, Chili, Peru, Venezuela, New Grenada, Texas, Naples, and Sardinia, fifty-four thousand dollars.

Chargés des affaires.

For outfits of a minister to France, and of a chargé d'affaires to Denmark, thirteen thousand five hundred dollars.

Outfits.

For salary of the minister resident to Turkey, six thousand dollars.

Minister to Turkey.  
Drogoman.

For salary of a drogoman to the legation to Turkey, two thousand five hundred dollars.

For compensation to a commissioner to the Sandwich Islands, three thousand dollars.

Commissioner to the Sandwich islands.

For the contingent expenses of all the missions abroad, twenty thousand dollars.

Contingent expenses.

For the contingent expenses of foreign intercourse, thirty thousand dollars.

For the salary of the consul at London, two thousand dollars.

Consul at London.

For the salary of a consul at Beyroot, five hundred dollars.

Consul at Beyroot.

For the relief and protection of American seamen in foreign countries, fifty thousand dollars.

American seamen abroad.

For clerk hire, office rent, and other expenses of the office of the American consul at London, two thousand eight hundred dollars.

Consulate at London.

For the expenses of intercourse with the Barbary Powers, fifteen thousand dollars.

Barbary powers.

For defraying the expenses attending the conveyance and forwarding, by land, and of the receipt and delivery, of mails, letters and despatches at and between Chagres and Panama, including the compensation to an agent of the United States at each of said places for the above purposes, one thousand dollars, to be expended under the direction of the Secretary of State.

Transmission of letters between Chagres and Panama.

*Post Office Department.*—For the service of the General Post Office for the year commencing on the first day of July, eighteen hundred and

Post Office Department.  
Act of July 2,  
1836, ch. 270.

forty-three, in conformity to the act of second July, eighteen hundred and thirty-six, four million five hundred and forty-five thousand dollars, viz :

Transportation.

For transportation of the mail, three million one hundred and ninety five thousand dollars.

Compensation.

For compensation of postmasters, nine hundred and twenty thousand dollars.

Ship letters, &c.

For ship, steamboat, and way-letters, twenty-two thousand dollars.

Wrapping paper.

For wrapping paper, eighteen thousand dollars.

Office furniture.

For office furniture (for the offices of postmasters) seven thousand dollars.

Advertising.

For advertising, thirty-two thousand dollars.

Mail bags.

For mail bags, eighteen thousand dollars.

Blanks.

For blanks, thirty thousand dollars.

Mail locks.

For mail locks, keys, and stamps, nine thousand dollars.

Depredations, &c.

For mail depredations and special agents, twenty-eight thousand dollars: *Provided*, That no special or travelling Post Office agent shall receive a higher compensation than one thousand two hundred and fifty dollars per annum, and in addition thereto, two dollars per day for his travelling expenses.

Proviso.

For clerks for offices (for the offices of postmasters) two hundred and ten thousand dollars.

Miscellaneous.

For miscellaneous items, fifty-six thousand dollars: *Provided*, That the President and the Postmaster General shall have the same power to transfer funds from one to another head of appropriation, of the foregoing appropriations, made for the service of the General Post Office, as the President and any other head of an Executive Department now have to transfer funds appropriated under one head to the service of another, in any other branch of the public service.

Power of transferring funds.

Furnaces in the Capitol.

For taking down the two old furnaces in the crypt under the rotundo, and building two new ones, cutting out the necessary flues, and doing other work connected therewith, according to a proposition of John Skirving, under date of February first, eighteen hundred and forty-three, the sum of one thousand four hundred and fifty-four dollars.

For constructing two furnaces under each end of the first story of the centre of the Capitol, for warming the rooms and passages upon and above said first story, including the Congress library room, according to the proposition of John Skirving to the chairman of the Committee on Public Buildings, seven thousand nine hundred and seventy-three dollars.

Capitol, grounds, &c.

For annual repairs of the Capitol, attending furnaces and water-closets, lamp-lighting, oil, laborers on the Capitol grounds, tools, keeping iron pipes and wooden fences in order, attending at the western gates, gardener's salary, and top dressing for plants, for the eighteen months ending thirtieth June, one thousand eight hundred and forty-four, eleven thousand two hundred and thirty-one dollars and fifty cents.

President's house, grounds, &c.

For annual repairs at the President's house, gardener's salary, laborers, tools, and top dressing for plants, for the eighteen months ending thirtieth June, one thousand eight hundred and forty-four, three thousand seven hundred and thirty-four dollars and twenty-five cents.

Treasury, Post Office, &c.

For the amount due for work and materials on the Treasury building, on the General Post Office, and the bridge on Pennsylvania avenue, seven thousand and four dollars and forty-four cents.

Treasury.

For iron-railing and gates on the lower terrace of the Treasury building, and tripods and lamps on the blocking in front of the portico, three thousand seven hundred dollars.

Post Office.

For tripods with lamps, for the blocking in front of the General Post Office, two hundred dollars.

Iron pipe.

For repairing damage to iron pipes by freshet, seven hundred and thirty-three dollars and fifty-one cents

For materials and work for bulkhead frames and doors and windows in the cellar of the Capitol, two hundred and twenty-one dollars.

Capitol.

For marble basin at the fountain on the terrace of the Capitol, one hundred and twenty dollars.

Fountain.

For pay of James Kelly, amount allowed him by the commissioners under the resolution of Congress, fifty dollars and forty-four cents.

J. Kelly.

For preparing and publishing charts, and otherwise carrying into effect the act of August twenty-six, one thousand eight hundred and forty-two, for publishing an account of the discoveries of the exploring expedition, under the supervision and direction of the Joint Committee on the Library, twenty thousand dollars.

Charts of the exploring expedition.  
1842, ch. 204.

SEC. 2. *And be it further enacted*, That in case the sum appropriated for any object of contingencies, should be found more than sufficient to meet the expense thereby contemplated, the surplus may be applied under the direction of the head of the proper department, to supply the deficiency of any other item in the same department or office: *Provided*, That the expenditure for newspapers and periodicals shall not exceed the amount specifically appropriated to that object by this act, except in the State Department.

Application of surplus appropriations.

Proviso.

APPROVED, March 3, 1843.

STATUTE III.

CHAP. CI.—*An Act for the relief of the Stockbridge tribe of Indians, in the Territory of Wisconsin.*

March 3, 1843.

1846, ch. 85.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the township of land, containing twenty-three thousand and forty acres, (or whatever quantity now remains to them,) lying on the east side of Winnebago lake, in the Territory of Wisconsin, which, by the proviso of a treaty made with the Menomonic Indians on the seventeenth day of February, in the year eighteen hundred and thirty-one, and ratified on the ninth day of July, eighteen hundred and thirty-two, was reserved for the use of the Stockbridge tribe of Indians, and which, by a subsequent treaty with the Menomonic tribe, bearing date twenty-seventh October, eighteen hundred and thirty-two, and ratified thirteenth March, eighteen hundred and thirty-three, was further secured to the said Stockbridge tribe of Indians, may be partitioned and divided among the different individuals composing said tribe of Stockbridge Indians, and may be held by them, separately and severally, in fee simple, after such division shall have been made in the manner hereinafter mentioned.

Land reserved for Stockbridge Indians may be divided.

SEC. 2. *And be it further enacted*, That, for the purpose of making partition and division of said lands among the individuals of said tribe of Stockbridge Indians, a board of commissioners shall be constituted, to consist of five of the principal or head men of said tribe, a majority of whom shall constitute a quorum to do business, whose duty it shall be to make a just and fair partition and division of said lands among the members of said tribe, or among such of them as, by the laws and customs and regulations of said tribe, are entitled to the same, and in such proportions and in such manner as shall be consistent with equity and justice, and in accordance with the existing laws, customs, usages, or agreements of said tribe.

Board of commissioners to make the division, how constituted.

SEC. 3. *And be it further enacted*, That, for the purpose of electing or choosing said board of commissioners, a meeting of said tribe shall be held at their church or principal public place, on the reservation of land aforesaid, on the first Monday in April, eighteen hundred and forty-three, at which all the male members of said tribe, over the age of twenty-one years, shall be allowed to vote for such commissioners; and the said five commissioners shall then and there be elected or chosen by the said tribe, by a majority of the whole number of such voters then

Manner of electing the commissioners.



present. And the judge of the district in which said lands are situated (or, in his absence, the register of the land office at Green Bay, or the commanding officer of the United States troops at Fort Howard) shall attend at the time and place aforesaid, and preside at said meeting, superintend the said election, and see that the proceedings are fairly conducted. And the said presiding officer may, in his discretion, prescribe whether the said election shall be by ballot or viva voce, and shall, in other respects, cause the proceedings to be conducted in such a manner as to ensure a fair and proper choice or election; and after the said commissioners shall have been so chosen or elected, the said presiding officer shall immediately certify that fact, setting forth the names of the commissioners who shall be elected, and shall make two copies of said certificate, one of which he shall file in the office of the register of the land district at Green Bay, and the other he shall transmit by mail to the President of the United States.

How the division shall be made.

SEC. 4. *And be it further enacted*, That after the said commissioner shall have been elected or chosen as above prescribed, and as soon thereafter as conveniently may be, they shall proceed to make partition and division of all the lands aforesaid, among the individual members of said tribe, or among such of them as, by the laws, customs, usages, or agreements of said tribe, are justly entitled to the same, and in such way and manner, and upon such principles, and in such proportions, as shall be agreeable to equity and justice, and consistent with the laws, usages, customs, and agreements of said tribe: *Provided, however*, That the buildings and improvements, and the farms on which the same are situated, which are now held or possessed in severalty by the members of said tribe, shall, so far as the same can consistently be done, be allotted or apportioned to the present occupants; and that no person or individual of said tribe shall be dispossessed or deprived of the improvements or land which they now occupy, unless it shall be found by the said commissioners that such person or persons are in possession of and occupying more land than they are justly entitled to, and then the overplus may be apportioned to others.

Proviso.

Commissioners to make a report of their proceedings, with a map.

SEC. 5. *And be it further enacted*, That after the said commissioners shall have made such partition and division as aforesaid, they shall make, or cause to be made, a full report of their proceedings in the premises, setting forth the name of each person to whom they have apportioned any part of said land, the quantity apportioned or allotted to each, with the metes and bounds, or other definite description of each several piece or parcel of land; and they shall accompany the said report with a fair and accurate map of the whole, showing the divisions and partitions aforesaid; which report and map, or a true copy thereof, shall be deposited with the town clerk of said tribe, on or before the first day of July, eighteen hundred and forty-three, and shall remain open for inspection to all for the space of twenty days thereafter; and if any member or members of said tribe shall object to the partition or division so made by the said commissioners, or shall deem himself or themselves aggrieved thereby, he or they may, within ten days thereafter, give notice thereof to the said commissioners, who shall, within twenty days thereafter, meet to hear and determine such grievances, and take testimony, if necessary, and, after such hearing, shall have power to alter or modify such partition, if, in their judgment, any alteration or modification is necessary, in order to do equal and exact justice to all parties interested.

Mode of proceeding in case of the division being unsatisfactory.

Three copies of report and map to be made and disposed of, how.

SEC. 6. *And be it further enacted*, That, after the said report shall be finally completed, the commissioners shall cause three fair copies of the said report, and of the map accompanying the same, as finally agreed upon and settled, to be made and signed by said commissioners, one copy of which shall be deposited in the office of the Secretary of said

Territory, one copy in the office of the clerk of the county within which said lands are situated, and the other shall be transmitted to the President of the United States, who shall thereupon cause patents to be issued to the several individuals named in said report, for the lands so apportioned to them respectively, by which the said persons shall be authorized to hold the said land in fee simple, to themselves and their heirs and assigns.

Patents to be issued.

SEC. 7. *And be it further enacted*, That the said report and map shall be filed with the Secretary of said Territory, and in the clerk's office of said county, and shall also be transmitted to the President, on or before the first day of January, eighteen hundred and forty-four; and, after the same shall have been filed and transmitted to the President as aforesaid, the said Stockbridge tribe of Indians, and each and every of them, shall then be deemed to be, and from that time forth are hereby declared to be, citizens of the United States, to all intents and purposes, and shall be entitled to all the rights, privileges, and immunities of such citizens, and shall, in all respects, be subject to the laws of the United States and of the Territory of Wisconsin, in the same manner as other citizens of said Territory; and the jurisdiction of the United States and of said Territory shall be extended over the said township or reservation now held by them, in the same manner as over other parts of said Territory; and their rights as a tribe or nation, and their power of making or executing their own laws, usages, or customs, as such tribe, shall cease and determine: *Provided, however*, That nothing in this act contained shall be so construed as to deprive them of the right to any annuity now due them from the State of New York or the United States, but they shall be entitled to receive any such annuity, in the same manner as though this act had not been passed.

Disposition of the report and map to be made on or before 1st January 1844; after which the Indians shall be citizens of the United States.

Proviso.

APPROVED, March 3, 1843.

STATUTE III.

CHAP. CII.—*An Act granting a pension to certain revolutionary soldiers.*

March 3, 1843.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the widow of any person who served in the war of the Revolution in the manner set forth in the act approved the seventh day of June, eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the Revolution," and whose widow, in virtue of an act approved the seventh day of July, eighteen hundred and thirty-eight, entitled "An act granting half pay and pensions to certain widows," and an act approved the twenty-third day of August, eighteen hundred and forty-two, amendatory thereof, and a resolution approved the sixteenth day of August, eighteen hundred and forty-two, entitled "A resolution declarative of the pension act of July seventh, eighteen hundred and thirty-eight," received, or is entitled to an annuity or pension for the term of five years from the fourth of March, eighteen hundred and thirty-six, shall be entitled to receive the same annuity or pension which she received, or is entitled to receive, under said acts or said resolution, or either of them, for and during the further term of one year from the fourth day of March, eighteen hundred and forty-three, or during such portion of said term as said widow shall survive, subject in all respects, however, to the rules, limitations, and conditions, in and by said acts and resolution made and provided.

Pensions to certain widows continued for one year. 1832, ch. 126. 1838, ch. 189. 1842, ch. 191. Resolution of April 16, 1842.

SEC. 2. *And be it further enacted*, That the sum of three hundred and eighty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the annuities or pensions in and by this act granted.

Appropriation therefor.

APPROVED, March 3, 1843.

## STATUTE III.

March 3, 1843. CHAP. CXL.—*An Act further to continue in force the act for the payment of horses and other property lost in the military service of the United States.*

Act of Jan. 18, 1837, ch. 5.

Act of Aug. 23, 1842, ch. 185.

Act of 18th Jan. 1837, continued for two years.

Proviso.

Proviso.

*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 the payment of horses and other property lost in the military service of the United States," approved on the eighteenth day of January, eighteen hundred and thirty-seven, and which has been continued in force until the end of the present session of Congress, be, and the same is hereby, continued in force for two years from and after the end of the present session of Congress: Provided, That at the end of the last aforesaid term of two years, all claims intended to be provided for by said act, shall be forever barred and irrecoverable before any tribunal whatever: Provided further, That in making proof of the loss of a horse, under the provisions of the aforesaid act, for want of forage, the additional proof of hard service connected therewith, shall not be construed to invalidate the proof of such loss by reason of the failure of the Government to furnish forage, the proof of want of forage being satisfactory.*

APPROVED, March 3, 1843.

## RESOLUTIONS.

Jan. 20, 1843. No. 1. *Joint Resolution for the distribution of catalogues of the library of Congress.*

Distribution.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That of the copies of the Catalogue of the Library of Congress last published, now remaining on hand, there be distributed by the librarian one copy to each of the colleges and universities in the United States that has not already been furnished with the same and to each person entitled to the use of the library.*

APPROVED, January 20, 1843.

Feb. 18, 1843.

No. 2. *Joint Resolution to establish agencies for water-rotted hemp.*

Agencies to be established in Kentucky and Missouri.

Proviso.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to establish an agency in the State of Kentucky, and an agency in the State of Missouri, for the inspection, test, and purchase of water-rotted hemp for the use of the American navy: Provided, That domestic hemp shall not cost more than foreign hemp of the same quality in the seaport towns of the United States.*

APPROVED, February 18, 1843.

Feb. 24, 1843.

No. 3. *A Resolution for the distribution of certain copies of the Census returns and of the Compendium of the Sixth Census.*

Distribution of sixth census.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That of the extra copies of the Census returns for eighteen hundred and forty, and of the Compendium of the said Census now remaining on hand, there be retained until further order two hundred copies of each; and that the residue of said Census returns and Compendium there be distributed, in the same manner as the laws of Congress are distributed, two hundred and fifty copies of each to the Secretary of State for his department and for distribution, in like manner by him, to ministers and diplomatic agents of this Go-*

vernment and of foreign Governments, and to universities, colleges, and literary institutions now entitled to receive congressional documents, printed by order of either House, allowing one copy of each work to each; that the said Secretary in like manner distribute of said residue to the Library of Congress the same number of copies of each as it is entitled to receive of said congressional documents, and for the same purposes; to the library of the Senate three copies of each work; to the library of the House of Representatives three copies of each work; to every other department, bureau, public office or officer now entitled to receive congressional documents as aforesaid, one copy of each work, for preservation in such department, bureau or office; to every other person, body politic and functionary now entitled to receive congressional documents as aforesaid, one copy of each work; and that the said Secretary of State distribute the remaining copies of each work aforesaid to the several States, Territories, and District of Columbia in proportion to their respective population, in the same manner as the laws of Congress are apportioned and distributed; and that of the extra copies of each Census taken before eighteen hundred and forty, all over fifty copies (if so many remain on hand) be distributed to said States, Territories and District in like proportion and in like manner.

Distribution of each previous census.

APPROVED, February 24, 1843.

No. 4. *Joint Resolution directing certain papers relating to titles to land in Louisiana, to be returned to the General Land Office.*

March 3, 1843.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, instructed to furnish to the Commissioner of the General Land Office, the original reports from the several Land Offices in the State of Louisiana, made under the provisions of an act entitled "An act for the final adjustment of claims to land in the State of Louisiana," approved February sixth, one thousand eight hundred and thirty-five; also the title-papers and evidence relating to claims in said reports, confirmed by an act entitled "An act confirming certain land claims in Louisiana," approved July sixth, one thousand eight hundred and forty-two: *Provided,* That claimants shall be entitled to withdraw their original title-papers after fair copies shall have been taken by the Commissioner of the General Land Office.

Certain papers to be returned to the General Land Office.

1835. ch. 17.

1842, ch. 50. Proviso.

APPROVED, March 3, 1843.

No. 5. *Joint Resolution, in relation to certain property purchased for the United States in the city of Detroit.*

March 3, 1843.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury shall have charge of the banking house, with the appurtenances, late of the Bank of Michigan, situate in the city of Detroit, in the State of Michigan, purchased for the United States by direction of the Solicitor of the Treasury; and he shall have power to set apart the said premises for the use of the courts of the United States, the officers of such courts; and the post office in the said city of Detroit, and for such other public uses as he may judge to be expedient and proper, until the further order of Congress in the premises.

Banking house, &c. to be set apart for U.S. courts and post-office at Detroit.

APPROVED, March 3, 1843.

March 3, 1843. No. 6. *Joint Resolution for continuing an additional clerk in the Second Auditor's office.*

Clerk authorized by act 26th August 1842, ch. 202, continued.

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provision contained in the act of twenty-sixth August, one thousand eight hundred and forty-two, "legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without other authority of law, and for other purposes," for one additional clerk in the Second Auditor's office at one thousand dollars, be, and the same is, continued until the thirtieth day of June, one thousand eight hundred and forty-four.

APPROVED, March 3, 1843.

March 3, 1843.

No. 7. *Joint Resolution relating to patents for bounty lands.*

Mode of issuing patents to the heirs of persons entitled to bounty lands.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where an officer or soldier of the revolutionary war, or a soldier of the last war, was entitled to bounty land, has died before obtaining a patent for the land, and where application is made by a part only of the heirs of such deceased officer or soldier for such bounty land, it shall be the duty of the proper officers of the War Department to issue the warrant or patent in the name of the heirs of such deceased officer or soldier, without specifying each; and the patent so issued in the name of the heirs, generally, shall inure to the benefit of the whole, in such portions as they are severally entitled to by the laws of descent in the State or Territory where the officer or soldier belonged at the time of his death.

APPROVED, March 3, 1843.

# ACTS OF THE TWENTY-EIGHTH CONGRESS

OF THE

## UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the 4th day of December, 1843, and ended the 17th day of June, 1844.*

JOHN TYLER, President of the United States. WILLIE P. MANGUM, President of the Senate, pro tempore. JOHN W. JONES, Speaker of the House of Representatives.

### STATUTE I.

CHAP. I. — *An Act to supply a deficiency in the appropriation for the fiscal year ending the thirtieth of June, eighteen hundred and forty-four, for the relief and protection of American seamen.* Jan. 22, 1844.  
[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of forty thousand five hundred dollars be and the same is hereby appropriated, to be paid out of any unappropriated money in the Treasury for the relief and protection of American seamen, to be expended under the direction of the Secretary of State, in pursuance of the act supplementary to the act concerning consuls and vice-consuls and for the further protection of American seamen, passed the twenty-eighth day of February, one thousand eight hundred and three.

Relief of American seamen.

1803, ch. 9.

APPROVED, January 22, 1844.

### STATUTE I.

CHAP. II. — *An Act to refund the fine imposed on General Andrew Jackson.* Feb. 16, 1844.  
[Obsolete.]

*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 dollars, paid by General Andrew Jackson, as a fine imposed on him at New Orleans, the thirty-first day of March, Anno Domini one thousand eight hundred and fifteen, be repaid to him, together with the interest, at the rate of six per centum a year since then, out of any moneys in the Treasury not otherwise appropriated.

To refund \$1000 with interest from 31st March 1815.

APPROVED, February 16, 1844.

### STATUTE I.

CHAP. III. — *An Act to authorize the President of the United States to direct transfers of appropriation in the naval service, under certain circumstances.* Feb. 23, 1844.

*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 to direct the transfer from unexpended balances of appropriations for the Naval Service, of the sum of two hundred thousand dollars, or so much thereof as the public service may require during the present fiscal year to the appropriation for "the increase, repairs, armament, and equipment of the Navy, and wear and tear of vessels in commission." But no part of said sum shall be transferred from any unexpended balance which may be necessary for the purposes for which the appropriation was originally made; nor from any unexpended balances of appropriations for the respective Navy Yards and Docks. Nor shall

Unexpended balances to be transferred for the increase, &c. of the navy.

Not to be transferred if wanted for original purposes, &c.

the transfer be made from any head or object of appropriation which may require another appropriation at any future time to supply the deficiency created by said transfer.

APPROVED, February 23, 1844.

STATUTE I.

March 4, 1844.

CHAP. IV.—*An Act changing the time of holding the courts at Clarksburg and at Wheeling, in the western district of Virginia, (a) and the circuit court of the United States for the district of Arkansas. (b)*

To be held at Clarksburg, when.

At Wheeling.

Circuit court of Arkansas, to be held when.

*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, required by law to be holden at Clarksburg, in the western district of Virginia, shall hereafter commence its sessions on the last Mondays of March and of August of every year; and that the sessions of said court required by law to be held at Wheeling, within said district, shall hereafter commence on the Wednesdays after the first Mondays in April and September of every year, instead of the times now fixed by law for holding said courts, respectively; and that the circuit court of the United States for the district of Arkansas, shall hereafter be held on the second Monday of April of each year, instead of the time now designated by law; and that all actions, suits, recognizances, processes, writs, and proceedings whatever, pending, or which may be pending, in said courts, respectively, 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 sessions had not been hereby altered.*

SEC. 2. *And be it further enacted, That this act be in force from and after the passage thereof.*

APPROVED, March 4, 1844.

STATUTE I.

March 26, 1844.

Act of June 1, 1842, ch. 31.  
Act of 1st June 1842 repealed.

CHAP. V.—*An Act to repeal the act entitled "An act to amend the act of the tenth of March, one thousand eight hundred and thirty-eight, entitled 'An act to change the time of holding the circuit and district courts in the district of Ohio.'"*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to amend the act of the tenth of March, one thousand eight hundred and thirty-eight, entitled 'An act to change the time of holding the circuit and district courts in the district of Ohio,'"* approved June 1st, one thousand eight hundred and forty-two, be, and the same is hereby, repealed: *Provided, That this act shall not take effect until from and after the next July term of said court at Cincinnati.*

APPROVED, March 26, 1844.

Proviso.

STATUTE I.

April 2, 1844.

CHAP. VII.—*An Act to amend the act entitled "An act to establish branches of the Mint of the United States."*

How oath required by 3d section of act of 3d March 1835, ch. 39, may be taken.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the oath or affirmation required by the third section of an act passed March third, eighteen hundred and thirty-five, entitled "An act to establish branches of the Mint of the United States," may be taken before any judge of the superior court, or of any court of record, in the State where the branch of which the person taking said oath is an officer or clerk, is situated.*

APPROVED, April 2, 1844.

(a) See notes of the acts relating to the District Courts of Virginia, vol. 3, 479.

(b) Act of April 17, 1828, chap. 29.

STATUTE I.  
April 2, 1844.

CHAP. VIII.—*An Act directing the disposition of certain unclaimed goods, wares, or merchandise, seized for being illegally imported into the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter, in all cases of seizure of any goods, wares, or merchandise, which shall, in the opinion of the collector or other principal officer of the revenue making such seizure, be of the appraised value of one hundred dollars or less, and which shall have been so seized for having been illegally imported into the United States, the said collector of the customs, or other principal officer of the revenue making such seizure, shall proceed as follows, that is to say: he shall cause a list, containing a particular description of the goods, wares, or merchandise, so seized, to be prepared in duplicate, and an appraisement of the same to be made by two sworn appraisers under the revenue laws, if there are such appraisers in such place of seizure; and if the said seizure be made where there are no such appraisers, then by two respectable and disinterested citizens of the United States, residing at the place where the seizure may be made, and to be selected by him for said purpose. The aforesaid list and appraisement shall be properly attested by such collector or other officer and the persons making the appraisement; and for which service said appraisers shall be allowed, out of the revenue, the sum of one dollar and fifty cents per day each. If the said goods shall be found by such appraisers to be of the value of one hundred dollars or less, the said collector or other officer shall publish a notice, for the space of three weeks, in some newspaper of the county or place where the seizure was made, describing the articles, and stating the time, place, and cause of their seizure, and requiring any person or persons claiming them to appear and make such claim within ninety days from the date of the first publication of such notice: *Provided,* That any person or persons claiming the goods, wares, or merchandise, so seized, within the time specified in the notice, may file with such collector or other officer a claim, stating his or their interest in the articles seized, and may execute a bond to the United States, in the penalty of two hundred and fifty dollars, with two sureties, to be approved by the collector or other officer referred to, conditioned that, in case of condemnation of the articles so seized, the obligors will pay all the costs and expenses of the proceedings to obtain such condemnation; and upon the delivery of such bond to the collector or other officer mentioned, he shall transmit the same, with the duplicate list and description of the goods seized, to the United States district attorney for the district, who shall proceed thereon in the ordinary manner prescribed by law: *And provided, also,* That if there shall be no claim interposed and no bond given, within the time above specified, the collector or other officer, as the case may be, shall give twenty days' notice of the sale of the goods, wares, or merchandise, in the manner before mentioned; and, at the time and place specified in such notice, shall sell the articles so seized at public auction, and, after deducting the expenses of appraisement and sale, he shall deposite the proceeds to the credit of the Treasurer of the United States, as shall be directed by the Secretary of the Treasury.

SEC. 2. *And be it further enacted,* That within one year after the sale of any goods, wares, or merchandise, in virtue of this act, any person or persons claiming to be interested in the goods, wares, or merchandise, so sold, may apply to the Secretary of the Treasury for a remission of the forfeiture thereof, or any of them, and a restoration of the proceeds of the said sale, which may be granted by the said Secretary, upon satisfactory proof, to be furnished in such manner as he shall prescribe: *Provided,* That it shall be satisfactorily shown that the applicant, at the time of the seizure and sale of the goods in question, and

Goods seized, of not exceeding \$100 in value, to be appraised.

Fee for appraising.  
If not appraised at more than \$100, notice of seizure to be published, &c.

Persons claiming within 90 days may give bond for payment of costs, &c., and District Attorney may proceed thereon in the ordinary manner prescribed by law.

If no claim be interposed, and no bond given, &c.

Within one year after sale, persons interested may apply to Secretary of Treasury for remission of forfeiture, &c.

Which may be granted on certain conditions.



during the intervening time, was absent out of the United States, or in such circumstances as prevented him from knowing of such seizure, and that he did not know of the same; and, also, that the said forfeiture was incurred without wilful negligence or any intention of fraud on the part of the owner or owners of such goods.

If no application within one year, proceeds to be distributed.

SEC. 3. *And be it further enacted*, That if no application for such restoration be made within one year, as herein before prescribed, then, at the expiration of the said time, the Secretary of the Treasury shall cause the proceeds of the sale of the said goods, wares, or merchandise, to be distributed according to law, as in the case of goods, wares, and merchandise, condemned and sold pursuant to the decree of a competent court.

Former provisions of law inconsistent with this, repealed.

SEC. 4. *And be it further enacted*, That all provisions of any former law inconsistent with this act shall be, and the same are hereby, repealed.

APPROVED, April 2, 1844.

STATUTE I.

April 4, 1844.

CHAP. X. — *An Act requiring one of the judges of the circuit court for the District of Columbia hereafter to reside in Alexandria.*

In case of vacancy of one of the present judges, his successor to reside in Alexandria.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever hereafter a vacancy shall occur in the circuit court of the District of Columbia, by reason of the death, resignation, or removal, of any one of the judges now composing said circuit court, the vacancy so occasioned shall be supplied by the appointment of some suitable person, whose duty it shall be to reside within the town of Alexandria, in said District of Columbia, during his continuance in office; and after the happening of such vacancy, as is herein before contemplated, one of the judges of the said circuit court shall thenceforth always be required to reside in the said town of Alexandria: *Provided, however*, That nothing herein contained shall be so construed as to prevent, at any time, an exchange of residence between the judges of said court, should they think proper to make such exchange, so that some one of said judges shall at all times, after the next appointment hereafter to be made of a judge of said court, reside in the said town of Alexandria.

Afterwards one of the judges always to reside there.

The judges may make an exchange of residence between them to that end.

APPROVED, April 4, 1844.

STATUTE I.

April 4, 1844.

Act of Aug. 23, 1842, ch. 186.

CHAP. XI. — *An Act to repeal so much of the act approved the twenty-third of August, one thousand eight hundred and forty-two, as requires the second regiment of dragoons to be converted into a regiment of riflemen after the fourth day of March, one thousand eight hundred and forty-three.* (a)

Repeal of so much of act as requires 2d regiment of dragoons to be converted into a regiment of riflemen.

*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 respecting the organization of the army, and for other purposes," approved the twenty-third day of August, one thousand eight hundred and forty-two, as requires the second regiment of dragoons to be converted into a regiment of riflemen after the fourth day of March, one thousand eight hundred and forty-three, be, and the same is hereby, repealed.

Regiment to be remounted, &c.

SEC. 2. *And be it further enacted*, That the present regiment of riflemen, formerly the second regiment of dragoons, shall, as soon as it can be effected after the passage of this act, be remounted, and called the second regiment of dragoons, and shall in all things be governed by the same organization and regulations as are provided by the act raising the first regiment of dragoons, entitled "An act for the more perfect defence of the frontier," approved the second day of March, one thou-

1833, ch. 76.

(a) See notes to the act of July 5, 1838, chap. 162.

sand eight hundred and thirty-three, and shall, in all respects, be placed upon the same footing as the said first regiment of dragoons.

APPROVED, April 4, 1844.

STATUTE I.

April 12, 1844.

CHAP. XII.—*An Act to change the time of holding the Spring term of the District Court of the United States for the Eastern District of Virginia, and of the Circuit Court of Alabama.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Spring term of the District Court of the United States for the Eastern District of Virginia, which is now directed by law to commence on the first day of May in the borough of Norfolk, shall hereafter commence on the thirtieth day of May in each year: *Provided,* That whenever the day on which the term of said Court is herein provided for shall happen to be on Sunday, then the term of said Court shall commence on the following day:

Spring term of District Court of Virginia, when to commence.

SEC. 2. *And be it further enacted,* That from and after the passing of this act, all proceedings and process depending in, or issuing out of the said Court, which are, or may be made returnable to any other time for holding the Spring term of the said Court than as above specified, shall be deemed legally returnable on the day herein before prescribed and not otherwise. And that all suits and other proceedings in said Court, which stand continued to any other time, for the Spring term of said Court than as above specified shall be deemed continued to the time prescribed by this act, and no other.

Process, when returnable.

SEC. 3. *And be it further enacted,* That hereafter the Spring term of the Circuit Court of the United States for the Fifth Judicial Circuit and Southern District of Alabama, shall commence on the third Monday in April; and the Fall term of said Court shall commence on the fourth Monday in December in each and every year, instead of the periods now fixed by law, and continued in session as long as the business may require.

Terms of the Circuit Court of Alabama, when to commence.

SEC. 4. *And be it further enacted,* That if from any cause there should be a failure to hold the said Circuit Court at the periods designated in this act, the judges thereof shall have power, and are hereby authorized to hold an extra term of said Court at such time as they may think proper.

The Judges may hold an extra term.

APPROVED, April 12, 1844.

STATUTE I.

April 12, 1844.

CHAP. XIII.—*An Act making appropriations for the support of the Military Academy for the fiscal year ending on the thirtieth day of June, eighteen hundred and forty-five.*

[Obsolete.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums, in addition to unexpended balances, be, and the same are hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the fiscal year commencing on the first day of July, eighteen hundred and forty-four, and ending on the thirtieth day of June, eighteen hundred and forty-five.

Appropriations for the fiscal year ending June 30, 1845.

For pay of officers, instructors, cadets and musicians, fifty-one thousand five hundred and thirty-eight dollars and thirty-three cents; for commutation of subsistence, thirty-three thousand one hundred and fifty dollars and forty-eight cents; for commutation of forage for officers' horses, two thousand nine hundred and sixty-seven dollars and sixty-

Pay of officers, &c.  
Commutation, &c.  
Commutation, of forage, &c.

(a) See notes of the acts which relate to the District Court of Virginia, vol. 3, 479. Circuit Court of Alabama: act of Feb. 19, 1831, chap. 28; act of Feb. 22, 1838, chap. 12; act of March 3, 1839, chap. 81.

Proviso.  
Commutation  
of clothing.  
Increase of  
library.  
Other expen-  
ses.

nine cents—*Provided*, That forage shall be allowed only for horses actually mustered; for commutation of clothing for their servants, four hundred and twenty dollars; for increase and expense of library, one thousand three hundred dollars; for the other various current and ordinary expenses, twenty-seven thousand four hundred and sixty-nine dollars.

APPROVED, April 12, 1844.

STATUTE I.

April 22, 1844.

[Obsolete.]

Appropriation  
for increase, &c.  
of the navy.

CHAP. XIV.—*An Act making an appropriation of certain moneys in the Treasury 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 sum of one hundred and sixteen thousand nine hundred and twenty-two dollars and seventy-nine cents, being the amount of proceeds of sales of certain condemned naval stores, be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the increase, repair, armament and equipment of the navy, and wear and tear of vessels in commission.

APPROVED, April 22, 1844.

STATUTE I.

April 30, 1844.

Appropriations.

Invalid pensions.

Pensions under act of 18th March 1818, ch. 19.

Under act of July 7, 1838, ch. 189, and Aug. 23, 1842, ch. 189.

Under act of July 4, 1836, ch. 362.

For deficiency in appropriations under acts of March 3, 1843, ch. 76, July 7, 1838, ch. 189, and Aug. 23, 1842, ch. 189.

Proviso.

Sec. War may transfer appropriations under acts of July 7, 1838, ch. 189, and Aug. 23, 1842, ch. 189, to pay arrearages under said acts, and act of March 3, 1843, ch. 76.

Half-pay pensions to widows and orphans.

CHAP. XV.—*An Act making appropriations for the payment of revolutionary and other pensioners of the United States, for the fiscal year ending on the thirtieth of June, one thousand eight hundred and forty-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, out of any money in the Treasury not otherwise appropriated, for the pensioners of the United States for the fiscal year commencing on the first day of July, one thousand eight hundred and forty-four, and ending on the thirtieth day of June, one thousand eight hundred and forty-five:

For invalid pensions, one hundred and eighty-four thousand eight hundred dollars;

For pensions under the act of eighteenth March, eighteen hundred and eighteen, one hundred and ninety-six thousand dollars;

For pensions under the act of July seventh, eighteen hundred and thirty-eight, and the act supplementary thereto, passed the twenty-third of August, eighteen hundred and forty-two, four hundred thousand dollars;

For pensions under the act of July the fourth, eighteen hundred and thirty-six, one hundred and thirty-four thousand two hundred and fifty dollars;

For supplying a deficiency in former appropriations for the fiscal year ending June thirty, one thousand eight hundred and forty-four, for pensions under the act of March three, one thousand eight hundred and forty-three, and under the act of seventh of July, eighteen hundred and thirty-eight, and the act of twenty-third of August, eighteen hundred and forty-two, forty thousand dollars: *Provided*, That the Secretary of War may direct the transfer of a part, not exceeding two hundred and twenty thousand dollars, of the sum of four hundred thousand dollars, appropriated in this act for the payment of pensions under the act of seventh of July, eighteen hundred and thirty-eight, and the act of twenty-third August, eighteen hundred and forty-two, to the payment of arrearages under the said acts, and also under the act of third of March, eighteen hundred and forty-three;

For half-pay pensions to widows and orphans, payable through the Second and Third Auditor's offices, one thousand dollars;

For arrearages of pensions prior to July, eighteen hundred and fif-

teen, payable through Third Auditor's office, two thousand dollars: *Provided*, That no pension shall be hereafter granted to a widow for the same time that her husband received one. *And provided, also*, That 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.

Arrearages prior to July 1815.  
 Proviso.  
 Proviso.  
 Post, p. 796.

APPROVED, April 30, 1844.

CHAP. XVI.—*An Act giving the assent of Congress to the holding of an extra session of the Legislative Assembly of the Territory of Iowa.*

STATUTE I.  
 April 30, 1844.

[Obsolete.]

*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 to the holding of an extra session of the Legislative Assembly of the Territory of Iowa, in the month of June, eighteen hundred and forty-four: *Provided*, That no portion of the expense of such extra session shall be paid by the Government of the United States.

Extra session of Legislative Assembly of Iowa in 1844.  
 Proviso.

APPROVED, April 30, 1844.

CHAP. XVII.—*An Act for the relief of the citizens of towns upon the lands of the United States, under certain circumstances.*

STATUTE I.  
 May 23, 1844.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever any portion of the surveyed public lands has been or shall be settled upon and occupied as a town site, and therefore not subject to entry under the existing pre-emption laws, it shall be lawful, in case such town or place shall be incorporated, for the corporate authorities thereof, and, if not incorporated, for the judges of the county court for the county in which such town may be situated, to enter, at the proper land office, and at the minimum price, the land so settled and occupied, in trust, for the several use and benefit of the occupants thereof, according to their respective interests; the execution of which trust, as to the disposal of the lots in such town, and the proceeds of the sales thereof, to be conducted under such rules and regulations as may be prescribed by the legislative authority of the State or Territory in which the same is situated: *Provided*, That the entry of the land intended by this act be made prior to the commencement of the public sale of the body of land in which it is included, and that the entry shall include only such land as is actually occupied by the town, and be made in conformity to the legal subdivisions of the public lands authorized by the act of twenty-fourth April, one thousand eight hundred and twenty, and shall not in the whole exceed three hundred and twenty acres; *And provided, also*, That any act of said trustees, not made in conformity to the rules and regulations herein alluded to, shall be void and of none effect: *And provided, also*, That the corporate authorities of the town of Weston, in the county of Platte, State of Missouri, or the county court of Platte county, in said State, shall be allowed twelve months, from and after the passage of this act, to enter at the proper land office, the lands upon which said town is situate.

When public lands are occupied as a town site, corporate authorities, &c. to enter the same in trust for the occupants.

Execution of the trust, &c. to be regulated by the Legislature.

Proviso.

Any act of trustees not made agreeable to regulations, void.

Authorities of Weston, &c.

APPROVED, May 23, 1844.

CHAP. XVIII.—*An Act to authorize the transfer of the names of pensioners from the agencies in the State of Kentucky to the agency in Cincinnati in the State of Ohio.*

STATUTE I.  
 May 23, 1844.

1844, ch. 63.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary

On application of any pensioners resident in Kentucky, their names to be transferred to agency in Cincinnati.

of the Treasury be, and he is hereby authorized to direct the names of any pensioners, resident in the State of Kentucky, to be transferred, on the application of such pensioner, from the agencies in the State of Kentucky, to the agency in Cincinnati, in the State of Ohio.

APPROVED, May 23, 1844.

STATUTE I.  
May 31, 1844.

Port of entry under act of March 3, 1803, ch. 26, sec. 4, to be a port of entry for vessels and cargoes from Cape of Good Hope and beyond.

CHAP. XXX.—*An Act relating to the port of entry in the district of Passamaquoddy, in the State of Maine.*

*Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the port of entry and delivery which now is, or hereafter may be, constituted by virtue of the fourth section of the act approved March third, one thousand eight hundred and three, shall, while the same shall remain such, be also a port of entry for ships and vessels and their cargoes, arriving from the Cape of Good Hope and from places beyond the same.*

APPROVED, May 31, 1844.

STATUTE I.  
May 31, 1844.

Act of Sept. 24, 1789, ch. 20. Appeal to lie from Circuit to Supreme Court of the U. S. in any civil suit arising under revenue laws without regard to the amount.

CHAP. XXXI.—*An Act to amend the judiciary act passed the twenty fourth of September, one thousand seven hundred and eighty-nine.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That final judgments in any circuit court of the United States, in any civil action brought by the United States for the enforcement of the revenue laws of the United States, or for the collection of the duties due, or alleged to be due, on merchandise imported therein, may be re-examined, and reversed or affirmed, in the Supreme Court of the United States, upon writ of error, as in other cases, without regard to the sum or value in controversy in such action, at the instance of either party.*

APPROVED, May 31, 1844.

STATUTE I.  
May 31, 1844.

[Obsolete.]

CHAP. XXXII.—*An Act making appropriations for certain fortifications of the United States for the fiscal year beginning on the first day of July 1844, and ending on the thirtieth of June 1845.*

*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 the preservation, repairs, and construction of certain fortifications for the fiscal year beginning on the first day of July, one thousand eight hundred and forty-four, and ending on the thirtieth day of June, one thousand eight hundred and forty-five :*

Detroit.  
1841, ch. 17.

For defensive works near Detroit, Michigan, including the sum of twenty-eight thousand two hundred and forty-five dollars, being a balance of a former appropriation which was subject to revert to the surplus fund on the thirty-first of December last, thirty-five thousand dollars ;

Buffalo.  
1841, ch. 17.

For defensive works near Buffalo, New York, including the sum of thirteen thousand five hundred dollars, being a balance of a former appropriation, which was subject to revert to the surplus fund on the thirty-first of December last, twenty thousand dollars ;

Fort Ontario.

For repairs of Fort Ontario, New York, and preservation of its site, ten thousand dollars ;

Lake Champlain.

For fortifications at the outlet of Lake Champlain, being part of a balance of fifty-eight thousand three hundred and eight dollars and ten cents of a former appropriation, which was subject to revert to the surplus fund on the thirty-first of December last, forty thousand dollars ;

1841, ch. 17.  
Governor's Island.

For repairs of fortifications on Governor's Island, Boston harbor, and the purchase of the portion of the island not now owned by the United States, including the sum of seven thousand four hundred and twenty-seven

dollars and seventy-two cents, being the amount of balances of former appropriations for West Head and Southeast batteries on said island, which was subject to revert to the surplus fund on the thirty-first of December last, ten thousand four hundred and twenty-seven dollars and seventy-two cents;

For repairs of Fort Independence, and sea-wall of Castle Island, Boston harbor, eight thousand dollars; Fort Independence.

For Fort Warren, Boston harbor, fifteen thousand dollars; Fort Warren.

For Fort Adams, Rhode Island, eight thousand dollars; Fort Adams.

For rebuilding Fort Trumbull, New London harbor, Connecticut, twenty thousand dollars; Ft. Trumbull.

For Fort Schuyler, East river, New York, thirty thousand dollars; Fort Schuyler.

For repairs of Castle Williams, New York harbor, eight thousand dollars; Castle Williams, Governor's island.

For repairs of Fort Wood, Bedlow's Island, New York harbor, thirteen thousand dollars; Fort Wood.

For repairs of Fort Hamilton, New York harbor, eight thousand dollars; Fort Hamilton.

For repairs of Fort Mifflin, being the balance of a former appropriation of five thousand dollars, which was subject to revert to the surplus fund on the thirty-first day of December last, four thousand nine hundred dollars; Fort Mifflin.

For Fort Delaware, Delaware river, provided the title to the Peapatch island shall be decided to be in the United States, being part of a balance of eighty-one thousand four hundred and sixty-five dollars and twenty-five cents of former appropriations, which was subject to revert to the surplus fund on the thirty-first of December last, twenty thousand dollars; Ft. Delaware. Proviso. 1841, ch. 17.

For repairing forts at Annapolis harbor, Maryland, being the amount of a former appropriation, which was subject to revert to the surplus fund on the thirty-first day of December last, five thousand dollars; Forts at Annapolis.

For repairs of Fort Washington, Potomac river, Maryland, fifteen thousand dollars; Fort Washington.

For Fort Monroe, Virginia, fifteen thousand dollars; Fort Monroe.

For Fort Calhoun, Virginia, being part of a balance of sixteen thousand two hundred and fifty-two dollars and one cent, of former appropriations, which was subject to revert to the surplus fund on the thirty-first of December last, five thousand dollars; Fort Calhoun.

For repairs of Fort Macon, Beaufort harbor, North Carolina, five thousand dollars; Fort Macon.

For preservation of the site of Fort Caswell, at the mouth of Cape Fear river, North Carolina, six thousand five hundred dollars; Fort Caswell.

For preservation of the site of Fort Moultrie, Charleston harbor, South Carolina, ten thousand dollars; Fort Moultrie.

For dike to Drunken Dick shoal, for the preservation of Sullivan's Island and the site of Fort Moultrie, Charleston harbor, South Carolina, twenty thousand dollars; Drunken Dick shoal.

For Fort Sumter, Charleston harbor, South Carolina, forty-three thousand dollars; Fort Sumter.

For preservation of the site of Fort Johnson, Charleston harbor, South Carolina, one thousand five hundred dollars; Fort Johnson.

For Fort Pulaski, mouth of Savannah river, Georgia, thirteen thousand dollars; Fort Pulaski.

For Fort McRee, Pensacola harbor, Florida, five thousand dollars; Fort McRee.

For Fort Barrancas, Pensacola harbor, Florida, twelve thousand five hundred dollars; Ft. Barrancas.

For repairs of Fort Morgan, Mobile Point, Alabama, twelve thousand dollars; Fort Morgan.

- Fort Pike. For repairs of Fort Pike, and preservation of sites, Rigolets, Louisiana, eleven thousand dollars;
- Fort Jackson. For repairs of Fort Jackson, Mississippi river, Louisiana, five thousand dollars;
- Ft. Livingston. For Fort Livingston, Grand Terre Island, Barrataria bay, Louisiana, forty thousand dollars;
- Fort Smith. For the public buildings at Fort Smith, Arkansas, the sum of thirty thousand dollars;
- Fort Gibson. For the construction of suitable barracks and defences, at Fort Gibson, in addition to the former appropriation for that purpose, fifteen thousand dollars;
- Fort Towson. For completing the public buildings at Fort Towson, on the Kiameche, six thousand dollars;
- Proviso. *Provided*—That the said appropriations shall be applied in the first instance to the completion of the barracks, quarters, and other needful buildings, which may have been commenced or are in progress of construction at the said Western posts: and the Secretary of War is hereby required to take all proper measures to effect that object by the employment of such of the United States troops as may be stationed there, in aid of said appropriations.
- Troops to be employed to aid the work.
- Contingent expenses. For contingent expenses of fortifications, being part of the sum of two balances which were subject to revert to the surplus fund on the thirty-first of December last; namely, the balance of fifteen thousand four hundred and eighty-seven dollars and seven cents remaining of appropriations for "contingencies of fortifications," and the balance of twelve thousand three hundred and eleven dollars and fifty cents remaining of appropriation for "incidental expenses attending repairs of fortifications," twenty-five thousand one hundred and seventy-two dollars and twenty-eight cents.

APPROVED, May 31, 1844.

STATUTE I.

June 3, 1844.

CHAP. XXXVII. — *An Act directing a disposition of the maps and charts of the Survey of the Coast.*

Maps and charts may be disposed of, &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, authorized to dispose of the maps and charts of the survey of the coast of the United States at such prices and under such regulations as may from time to time be fixed by the said Secretary; and that a number of copies of each sheet, not to exceed three hundred, be presented to such foreign governments, and departments of our own government, and literary and scientific associations as the Secretary of the Treasury may direct.

APPROVED, June 3, 1844.

STATUTE I.

June 4, 1844.

CHAP. XXXVIII.—*An Act to alter the places of holding the District Court of the United States for the District of New Jersey. (a)*

District Court of U.S. for New Jersey to be held at Trenton.

*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, in and for the district of New Jersey, shall hereafter be held at the city of Trenton, in said State, instead of the cities of New Brunswick and Burlington, the places heretofore established by law. And all indictments, informations, recognizances, writs, suits, pleas, actions, motions, and all other proceedings, civil and criminal, shall be heard, tried, proceeded with, and determined by the said court at the said city of Trenton, in the same manner as might and ought to have

Indictments, &c. to be tried at Trenton.

(a) See notes of acts relating to the District Court of New Jersey, vol. 3, 678.

been done had the said court been holden at the places heretofore directed by law.

APPROVED, June 4, 1844.

CHAP. XXXIX.—*An Act relating to bonds to be given by custom-house officers.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all custom-house officers who now are, or hereafter may be, required by law to give bond with surety for the faithful discharge of the duties of their office, shall give such bond, with surety, according to the requirements of law, before they shall be qualified to enter upon the performance of said duties.

APPROVED, June 4, 1844.

STATUTE I.

June 4, 1844.

Custom-house officers to give requisite bond before entering upon their duties.

CHAP. XLIV.—*An Act making appropriations for the improvement of certain harbors 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 the prosecution and completion of the following works, viz :

For the improvement of the Ohio river between Pittsburg and the Falls of Louisville, one hundred thousand dollars :

For the improvement of the Ohio river below the Falls at Louisville, and of the Mississippi, Missouri, and Arkansas rivers, one hundred and eighty thousand dollars :

For removing obstructions to the navigation in the harbor of St. Louis, twenty-five thousand dollars :

For the continuation of the breakwater structure at Burlington, Lake Champlain, State of Vermont, ten thousand dollars :

For the continuation of the breakwater structure at Plattsburg, on Lake Champlain, State of New York, ten thousand dollars :

For the continuation of the works at Port Ontario, Lake Ontario, five thousand dollars :

For the continuation of the works at the harbor of Oswego, Lake Ontario, State of New York, twenty thousand dollars :

For the further removal of obstructions at the mouth of the Genesee river, in the State of New York, ten thousand dollars :

For the continuation of the work at Oak Orchard Creek, Lake Ontario, five thousand dollars :

For continuing the improvement at Big Sodus bay, Lake Ontario, five thousand dollars :

For continuation and enlargement of the present harbor at Buffalo, State of New York, forty thousand dollars :

For continuation of the works at Dunkirk, State of New York, five thousand dollars :

For continuation of the works at the harbor of Erie, on Lake Erie, forty thousand dollars :

For the continuation of the works at Conneaut harbor, in the State of Ohio, five thousand dollars :

For continuing the improvement of the harbor at Ashtabula, Ohio, five thousand dollars :

For the further improvement of Grand River harbor, in the State of Ohio, ten thousand dollars :

For continuing the works at the Huron harbor, on Lake Erie, five thousand dollars :

STATUTE I.

June 11, 1844.

[Obsolete.]

Ohio river.

Harbor of St. Louis.

Breakwater at Burlington, Vt.

Breakwater at Plattsburg, N. York.

Port Ontario.

Oswego harbor.

Genesee river.

Oak Orchard creek.

Big Sodus bay.

Buffalo harbor.

Dunkirk.

Erie harbor.

Conneaut harbor.

Ashtabula harbor.

Grand River harbor.

Huron harbor.



Cleveland harbor.

For the continuation of the works at the harbor of Cleveland, Ohio, twenty-five thousand dollars :

Harbor of Sandusky city.

For the preservation of the harbor at Sandusky city, Ohio, and improving the same, fifteen thousand dollars; the same to be expended under the orders of the Secretary of War, and according to such plan of improvement as may be recommended by him :

River Raisin harbor.

For the further improvement of River Raisin harbor, Michigan, twenty thousand dollars :

Harbor of St. Joseph.

For the further improvement of the harbor at St. Joseph, Michigan, twenty thousand dollars :

Harbor of Michigan city.

For continuing the improvement of the harbor of Michigan city, State of Indiana, twenty-five thousand dollars :

Harbor of Chicago.

For the further improvement of the harbor of Chicago, Illinois, thirty thousand dollars :

Harbor of Milwaukee.

For continuing the works at the harbor at Milwaukee, Wisconsin, twenty thousand dollars :

Harbors on the lakes, not enumerated, but authorized by law.

For the preservation and repair of harbors on the lakes, other than those enumerated, the construction of which has been authorized by law, and which have been partially completed, twenty thousand dollars.

APPROVED, June 11, 1844.

STATUTE I.

June 12, 1844.

CHAP. XLV.—*An Act to amend an act entitled "An act to reorganize the General Land Office."*

Act of July 4, 1836, ch. 352.

Office of Solicitor of the General Land Office abolished.

Duties to be performed by the Recorder, &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 passing of this act, the office of Solicitor of the General Land Office shall be, and the same is hereby, abolished; and that all the duties heretofore by law required to be performed by the said Solicitor shall hereafter be performed by the Recorder, or by such other person or persons in the employ of the United States in said General Land Office, as the Commissioner of said General Land Office may from time to time direct.

Acts inconsistent herewith repealed.

SEC. 2. *And be it further enacted,* That the fifth section of the act entitled "An act to reorganize the General Land Office," and all other acts and parts of acts contrary to the provisions of this act, be, and the same are hereby repealed.

APPROVED, June 12, 1844.

STATUTE I.

June 12, 1844.

CHAP. XLVI.—*An Act to establish a port of delivery at the city of Lafayette, in the State of Louisiana.*

1845, ch. 36.

Lafayette a port of delivery.

Surveyor to be appointed.

Ships and vessels to make report and entry at New Orleans before unloading at Lafayette.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the city of Lafayette, in the State of Louisiana, shall be a port of delivery, and shall be subject to the same regulations and restrictions as other ports of delivery of the United States, except as is hereinafter provided; that a surveyor shall be appointed to reside at said port; that all ships and vessels bound to said port shall first make report and entry at the port of New Orleans, within the time limited by law, and shall be permitted to unload their cargoes at the said city of Lafayette, adjoining the city of New Orleans, under the rules and regulations prescribed by law, and such further regulations as may be deemed necessary by the Secretary of the Treasury.

Vessels departing from Lafayette to clear at the custom-house at New Orleans.

SEC. 2. *And be it further enacted,* That all vessels about to depart from the said port of Lafayette, for foreign ports and places, shall be permitted, under such regulations as the Secretary of the Treasury may prescribe, to clear out with their cargoes at the custom-house in the city of New Orleans, and depart as from the port of New Orleans; and

goods or merchandise imported into the United States, and exported from said port of Lafayette, under the regulations aforesaid, shall be entitled to the benefit of 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.

Goods, &c. entitled to drawback.

APPROVED, June 12, 1844.

STATUTE I.

CHAP. XLVII.—*An Act relating to the unloading of foreign merchandise on the right bank of the river Mississippi, opposite New Orleans.*

June 12, 1844.

*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, under such rules and regulations as he shall prescribe, to permit salt imported from foreign places to be unladen on the right bank of the river Mississippi opposite the city of New Orleans, at any point on said right bank between the upper and lower corporate limits of the municipalities of said city.

Salt from foreign ports may be unladen on the right bank of the Mississippi, opposite New Orleans.

APPROVED, June 12, 1844.

STATUTE I.

CHAP. XLIX.—*An Act for repairing the roof of the court-house in Alexandria.*

June 15, 1844.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of five hundred and fifty dollars be, and the same is hereby appropriated, out of any unappropriated money in the treasury, for covering the roof of the United States court-house in Alexandria, District of Columbia, with tin; and that the same shall be expended, or so much of it as may be necessary, under the direction of the Commissioner of Public Buildings, who is authorized to contract for the same.

[Obsolete.] Appropriation for covering the roof of the court house with tin.

SEC. 2. *And be it further enacted,* That the said Commissioner of the Public Buildings is hereby authorized and instructed to dispose of the zinc with which the court-house in Alexandria is at present covered; and to use the proceeds in part payment of the new covering.

The zinc at present on it to be disposed of.

APPROVED, June 15, 1844.

STATUTE I.

CHAP. L.—*An Act granting a section of land for the improvement of Grant river at the town of Potosi, in Wisconsin Territory.*

June 15, 1844.

*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 Territory of Wisconsin, section number thirty-four, in township number three north, in range number three west, of the fourth principal meridian in the said Territory, for the purpose of improving Grant river, known as the Grant Slue, at the town of Potosi, in the said Territory, and for no other use or purpose whatever: and the said land shall be surveyed, and divided into lots, and shall be sold and disposed of in such manner, and under such regulations and restrictions, as the Legislature of the said Territory shall establish: *Provided,* That in disposing of the same, pre-emption rights shall be granted to actual settlers and occupants residing on said lots, at the time of the passage of this act, according to the provisions and restrictions in the next section provided.

One section of land granted to be divided into lots and disposed of.

PROVISIO.

SEC. 2. *And be it further enacted,* That the Surveyor General of Wisconsin and Iowa, shall appoint three disinterested commissioners, whose duty it shall be to view and examine all the lots which are actually occupied and improved, and assess the true value of said lots, without taking into the estimation, any of the improvements on the same; and the occupants of said lots, by paying, within one year from the passage

Commissioners to be appointed to value occupied lots, &c.

of this act, the assessed value as aforesaid of their respective lots, shall be entitled to the right of pre-emption as aforesaid; and upon the failure of any, or all said occupants to do so, the said lot or lots to the extent of such failure, shall be sold as other lots in said town: *Provided*, That the said occupants may at any time before said lots are sold, pay the assessed value and thereby save their right of pre-emption aforesaid: *And provided further*, That the said commissioners aforesaid shall, before they enter upon their duties as such, be sworn faithfully to discharge their duties according to the provisions of this act; and they shall receive a compensation for their services to be prescribed by the Legislature of said Territory: *Provided*, That the whole compensation to said commissioners shall not exceed the sum of one hundred and twenty dollars.

APPROVED, June 15, 1844.

STATUTE I.

June 15, 1844.

CHAP. LI. — *An Act relating to certain collection districts, and for other purposes.*

Certain collection districts abolished, and annexed to other districts.

*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 districts of Ipswich, Massachusetts, St. Mary's, and Snow Hill, Maryland, Folly Landing and East River, Virginia, and Sunbury, Hardwick, and Brunswick, Georgia, shall be and hereby are, abolished as separate collection districts, and shall hereafter be annexed to other districts, as follows, that is to say: Ipswich, to the district of Newburyport; St. Mary's, Maryland, to Annapolis; Snow Hill, to Vienna; Folly Landing, to Cherrystone; East River, to Yorktown; Sunbury and Hardwick to Savannah; and Brunswick, to St. Mary's, Georgia: *Provided*, That the following places shall be, and are hereby, constituted ports of delivery, at each or any of which the President of the United States is authorized (if deemed necessary for the public interests) to appoint surveyors of the customs, to wit: At Ipswich, Massachusetts; St. Mary's and Snow Hill, Maryland; Sunbury, Hardwick, and Brunswick, Georgia; at or near Folly Landing, East River, Virginia: *And provided*, That the following mentioned ports of delivery are hereby discontinued, and the office of surveyor established at said ports, respectively, is hereby abolished, to wit: Chester and Nanjemoy, Maryland; South Quay, Virginia; Hertford, Murfreesborough, and Swansborough, North Carolina: *And provided, also*, That the office of assistant collector, to reside at the town of Jersey, in the State of New Jersey, authorized by the act approved March two, one thousand eight hundred and eleven, is hereby abolished.

Proviso.

Proviso.

Proviso.

1811, ch. 33. Shieldsborough, Miss., to be a port of entry, and Pearlington not.

Proviso.

To be called the district of New Orleans.

SEC. 2. *And be it further enacted*, That, from and after the passage of this act, the town of Shieldsborough, on the bay of St. Louis, in the State of Mississippi, shall be the port of entry for the district of Pearl River, and the collector of said district shall reside at said Shieldsborough; and the present port of entry at Pearlington, in said district, shall cease to be the port of entry: *Provided*, That Pearlington for said district, shall be, and hereby is, constituted a port of delivery.

SEC. 3. *And be it further enacted*, That the name of the district hereinafter mentioned shall be changed, and bear the following name, that is to say, Mississippi to be called the district of New Orleans.

APPROVED, June 15, 1844.

CHAP. LII.—*An Act to establish a navy yard and depot at or adjacent to the city of Memphis, on the Mississippi river, in the State of Tennessee. (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 is hereby, authorized to select and purchase a site for a navy yard and depot at the city of Memphis, in the State of Tennessee, and to erect such buildings and make such improvements thereon as may be necessary for the construction and repair, and for the accommodation and supply, of vessels of war of the United States; and that the President be authorized and empowered to purchase any water rights which may be required to propel the machinery appertaining to said navy yard, or which may be useful in the operations of said navy yard; and that he be further empowered to receive any donations of lands, water rights, or rights of way, which the authorities of the city of Memphis, or any other body corporate, or any person or persons, may deem proper to make or grant to the Government of the United States; and that the sum of one hundred thousand dollars be appropriated to the objects aforesaid, out of any money in the Treasury not otherwise appropriated.

APPROVED, June 15, 1844.

STATUTE I.

June 15, 1844.

President to select and purchase a site, erect buildings, &c.

Appropriation.

CHAP. LIII. — *An Act for the relief of the widows and orphans of the officers, seamen and marines of the United States schooner Grampus, 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 the purpose of fixing the time at which shall commence the pensions, under the existing laws, of the widows of the officers, seamen, and marines, who were lost in the United States schooner Grampus, as well as the time to which the pay of said officers, seamen, and marines, shall be allowed, the twentieth day of March, one thousand eight hundred and forty-three, shall be deemed and taken to be the day on which the said schooner Grampus foundered at sea; and that, for the like purposes, the first day of May, one thousand eight hundred and thirty-nine, shall be deemed and taken to be the day on which the United States schooner Sea Gull was lost in like manner.

SEC. 2. *And be it further enacted,* That if any of the said officers, seamen, or marines, shall have left no widow, or having left a widow she shall have died before the passage of this act, and there shall be living at the date of the passage of this act, a child or children of said officers, seamen, or marines, under sixteen years of age, such child or children shall be entitled to the same pension to which the widow, had there been one as aforesaid, would have been entitled, for the like period of five years; but in case of the death or intermarriage of the widow before the expiration of the said term of five years, the said pension for the remainder of the said term, shall go to the child or children of the said deceased officer, seamen, or marine: *Provided,* That such pension shall cease upon the death of such child or children.

SEC. 3. *And be it further enacted,* That the proper accounting officers of the Treasury Department be, and hereby are, authorized and directed to settle the accounts of James S. Thacher, late purser in the navy, who was lost in said schooner Grampus, with all his accounts, and vouchers for expenditures and payments made by him, and with all the money,

STATUTE I.

June 15, 1844.

For fixing time of pensions, &c.

March 20, 1843, to be considered the day the Grampus foundered; and May 1, 1839, as the day on which the Sea Gull was lost.

If there is no widow, but children under 16, they are to have the pension.

In case of death or marriage of widow, pension to go to children.

Proviso.

J.S. Thacher's accounts to be settled, &c.

(a) An act authorizing an examination and survey of the harbor of Memphis, in Tennessee; March 3 1843, chap. 93.

A resolution to suspend a part of the third section of the joint resolution of 11th Sept. 1841. relating to armories; Feb. 13, 1845.

stores and supplies procured for the use of said vessel, and to allow him a credit for whatever sum appears to be due from him on the books of the department.

APPROVED, June 15, 1844.

STATUTE I.

June 15, 1844.

March 3, 1843,  
ch. 88.

Act of March  
3, 1843, re-  
pealed.

Northern line  
run by J. S.  
Sprigg to be  
northern bound-  
ary of reserva-  
tion.

CHAP. LIV.—*An Act to repeal an act entitled "An act directing the survey of the northern line of the reservation for the half-breeds of the Sac and Fox tribes of Indians, by the treaty of August, one thousand eight hundred and twenty-four," approved March third, one thousand eight hundred and forty-three.*

*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 directing the survey of the northern line of the reservation for the half-breeds of the Sac and Fox tribes of Indians, by the treaty of August, one thousand eight hundred and twenty-four," approved March third, one thousand eight hundred and forty-three, be, and the same is hereby repealed.*

SEC. 2. *And be it further enacted, That the northern line of said reservation, as run and marked by Jenifer S. Sprigg, in the years one thousand eight hundred and thirty-two and one thousand eight hundred and thirty-three, under contract with William Clark, superintendent of Indian affairs, be, and the same is hereby, ratified, approved, and established, as the correct northern boundary of said reservation.*

APPROVED, June 15, 1844.

STATUTE I.

June 15, 1844.

When a 16th  
section is inclu-  
ded in a private  
claim, lands  
adjacent may be  
selected in lieu.

Proviso.

CHAP. LV.—*An Act to authorize the selection of certain school lands in the Territories of Florida, Iowa, and Wisconsin.*

*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 Territories, 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, within any land district in said Territories most adjacent to said lands so taken up by private claims, "which have been offered at public sale, and remain unsold," 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 the purpose of showing that the sixteenth section, or part thereof, has been included in the manner above mentioned.*

APPROVED, June 15, 1844.

STATUTE I.

June 15, 1844.

Two half lots  
granted to the  
town.

CHAP. LVI.—*An Act granting to the county of Dubuque, certain lots of ground in the town of Dubuque.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following described pieces or parcels of land are hereby granted and given to the county of Dubuque, in the Territory of Iowa, to wit: Two lots and a half lying and being situate in the town of Dubuque, on the northwest corner of Seventh and Locust streets, in said county, being the same land upon which the old county jail now stands, and is designated on the Government plat of said town as "public square."*

SEC. 2. *And be it further enacted, That the county commissioners of the county of Dubuque be, and they are hereby authorized and em-*

powered to make sale, or otherwise dispose of the lots of land described in the first section of this act, in such manner as will best subserve the interests of said county.

APPROVED, June 15, 1844.

Two lots may be disposed of by the county commissioners.

CHAP. LVII.—*An Act to confirm to the city of Fernandina in Florida, certain lots reserved for public use by the Spanish Government.*

STATUTE I.  
June 15, 1844.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That lots, numbers five and seven of block number two, in the plan of the city of Fernandina, be and are hereby confirmed and relinquished to the corporate authorities of the said city for such uses as were designed by the Spanish Government in the original plan of the said city: *Provided,* That before the issue of patents for the same, it shall be shown to the satisfaction of the President of the United States, that the said lots were intended to be reserved in the plan of said city, for a public use.

APPROVED, June 15, 1844.

Two lots granted for purposes designed by Spanish government.

Proviso.

CHAP. LVIII. — *An Act making appropriations for the payment of navy pensions for the year ending thirtieth June, eighteen hundred and forty-five.*

STATUTE I.  
June 15, 1844.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the payment of navy pensions for the year ending thirtieth June, eighteen hundred and forty-five :

To pay invalid pensions, forty thousand dollars ;

To pay widows' pensions, under the act of thirtieth June, eighteen hundred and thirty-four, six thousand dollars ;

To pay widows' and orphans' pensions, under the act of third March, eighteen hundred and thirty-seven, sixteen thousand dollars.

For payment of invalid pensioners, heretofore paid from the privateer pension fund, their several pensions to commence from the time they were stopped in consequence of the exhaustion of said fund, eighteen thousand dollars ;

For payment of pensions to the widows and orphans of those persons who were lost in the United States' schooner *Sea Gull* and in the United States' schooner *Grampus*, agreeably to the provisions of an act passed at the present session entitled "An act for the relief of the widows and orphans of the officers, seamen and marines of the United States' schooner *Grampus*," ten thousand dollars.

APPROVED, June 15, 1844.

Invalid pensions.

Widows' pensions under act of June 30, 1834 ch. 134.

Widows and orphans, act of March 3, 1837, ch. 42.

Invalid pensions, from the time they were stopped.

Widows and orphans of persons lost in the *Grampus* and *Sea Gull*.  
1844, ch. 53.

STATUTE I.

June 15, 1844.

CHAP. LIX.—*An Act to test the utility of the sub-marine telescope.*

*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 authorized and directed to institute such experiments under the superintendence of competent and trustworthy persons, as will fully test the utility of the sub-marine telescope invented by Mrs. Sarah P. Mather, and ascertain its value, if any, to the public service; and the expenses of which shall be paid out of any moneys in the treasury not otherwise appropriated: *Provided,* That said expenses shall not exceed the sum of two thousand dollars.

APPROVED, June 15, 1844.

Sec. Navy to institute the experiments to test it.

Proviso.

## STATUTE I.

June 15, 1844.

[Obsolete.]

Harbor at  
Southport, Wis-  
consin.Topographical  
engineers to se-  
lect location.Money to be  
expended under  
direction of  
War Dep't.CHAP. LX.—*An Act making appropriations for certain improvements on the west-  
ern shore of Lake Michigan.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of twelve thousand five hundred dollars be, and is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, for the construction of a harbor at the town of Southport, in the Territory of Wisconsin.

SEC. 2. *And be it further enacted,* That the corps of topographical engineers shall select, from actual examination and survey, the point of location of said harbor.

SEC. 3. *And be it further enacted,* That the money hereby appropriated shall be expended under the direction of the War Department.

APPROVED, June 15, 1844.

## STATUTE I.

June 15, 1844.

[Obsolete.]

Appropriation.

To be expend-  
ed under direc-  
tion of War  
Department.CHAP. LXI.—*An Act making appropriations to aid in completing the harbor at  
Racine, on the western shore of Lake Michigan.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of twelve thousand five hundred dollars be, and is hereby appropriated, to be paid out of any moneys in the treasury not otherwise appropriated, to aid in the completion of a harbor already commenced by the citizens of the town of Racine, at the mouth of Root river, in the Territory of Wisconsin.

SEC. 2. *And be it further enacted,* That the money hereby appropriated shall be expended under the direction of the War Department

APPROVED, June 15, 1844.

## STATUTE I.

June 15, 1844.

[Obsolete.]

Appropriations.

July 2, 1836,  
ch. 270.Transportation  
of mail.Compensation  
to postmasters.

Letters.

Wrapping pa-  
per.Office furni-  
ture.

Advertising.

Mail-bags, &amp;c.

Blanks.

Mail-locks,  
&c.Mail depreda-  
tions, &c.Clerks for  
offices.

Miscellaneous.

CHAP. LXII.—*An Act making appropriations for the service of the Post Office  
Department, for the fiscal year ending thirtieth June, eighteen hundred and  
forty-five.*

*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 the service of the Post Office Department for the fiscal year ending on the thirtieth June, eighteen hundred and forty-five, out of any moneys in the treasury arising from the revenues of the said department, in conformity to the act of second July, eighteen hundred and thirty-six, viz :

For transportation of the mail, three millions one hundred and fifty thousand dollars ;

For compensation to postmasters, nine hundred and fifty thousand dollars ;

For ship, steamboat, and way letters, twenty-two thousand dollars ;

For wrapping paper, eighteen thousand dollars ;

For office furniture, (for the offices of postmasters,) seven thousand dollars ;

For advertising, thirty-two thousand dollars ;

For mail-bags, eighteen thousand dollars ;

For blanks, twenty-five thousand dollars ;

For mail-locks, keys and stamps, ten thousand dollars ;

For mail depreinations and special agents, twenty-eight thousand dol-  
lars ;

For clerks for offices (for the offices of postmasters,) two hundred and fifteen thousand dollars ;

For miscellaneous, fifty-five thousand dollars.

APPROVED, June 15, 1844.

CHAP. LXIII.—*An Act transferring the execution of a certain act from the Secretary of the Treasury to the Secretary of War.*

STATUTE I.  
June 15, 1844.

*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 transfer of the names of pensioners from the agencies in the State of Kentucky, to the agency in Cincinnati, in the State of Ohio," and approved May twenty-third, eighteen hundred and forty-four, shall be executed by the Secretary of War, instead of the Secretary of the Treasury.

Act of May 23, 1844, ch. 18, to be executed by the Secretary of War.

APPROVED, June 15, 1844.

CHAP. LXIV.—*An Act making appropriations for certain objects of expenditure therein named in the year ending June thirty, eighteen hundred and forty-four.*

STATUTE I.  
June 15, 1844.

[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, to be paid out of any money in the treasury for the respective objects of expenditure herein specified, being principally for arrearages or deficiencies arising in consequence of expenses improperly incurred beyond the amounts appropriated for the year ending the thirtieth of June, eighteen hundred and forty-four, or for objects not authorized by law :

Appropriations.

For the pay of superintendents, naval constructors and all the civil establishments of the several yards, twelve thousand dollars ;

Superintendents, &c.  
Increase, &c.  
of the navy.

For the increase, repair, armament and equipment of the navy, including steamers on the lakes, and wear and tear of vessels in commission, one hundred and thirty-eight thousand five hundred dollars and sixty-two cents ;

For contingencies enumerated, one hundred and fifty thousand dollars ;

Contingencies enumerated.

For contingencies not enumerated, one thousand five hundred dollars ;

Contingencies not enumerated.  
Building iron steamer.

For the building of an iron steamer at Pittsburg, Pennsylvania, on Lieutenant Hunter's plan, and now in progress of construction there, one hundred thousand dollars ;

For the purchase of clothing, including transportation and every other expense, to be reimbursed out of the sales of the clothing, one hundred and thirty thousand dollars.

Clothing, &c.

APPROVED, June 15, 1844.

CHAP. LXV.—*An Act to establish certain post roads in the Territory of Florida.*

STATUTE I.  
June 15, 1844.

*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 the Territory of Florida, to wit :

Post-roads established in Florida.

From Alligator to Blount's Ferry on the Suwannee river,

From Pilatka to Enterprise on the St. John's river,

From Pilatka to Tampa, via Orange creek, Fort King, Warm Spring, Fort Dade and Fort Foster,

From Watchahotie to Fort Dade, via Emathila, Fort Izard, Homosassa, Annutiliga, and Chocachattie,

From St. Augustine to Miami river and Key West, via New Smyrna and St. Lucie,

From Enterprise to New Smyrna,

From Newmansville, via Cassinville, to Cedar Key.

APPROVED, June 15, 1844.



## STATUTE I.

June 15, 1844.

[Obsolete.]

Appropriations, how to be expended.

Dubuque harbor, provided it will make a permanent improvement.

Bridges on the 'Agency' road.

Bridges on military road from Dubuque to Missouri.

CHAP. LXVI.—*An Act making appropriation for certain improvements in the Territory of Iowa.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums of money be, and they are 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.

For the improvement of the harbor at the town of Dubuque, seven thousand five hundred dollars; *Provided,* upon due examination and survey, under the direction of the Secretary of War, it shall appear that a permanent improvement can be accomplished and completed for this amount, so as to admit the landing of steamers of the largest class navigating the river at the town of Dubuque at all seasons of the year.

For the construction and keeping in repair bridges on the "Agency" road, (so called,) laid out by the United States in the year eighteen hundred and thirty-nine, five thousand dollars.

For the construction and keeping in repair bridges on the Military road, (so called,) from Dubuque to the northern boundary of the State of Missouri, which road was laid out by the United States in the year eighteen hundred and thirty-nine, ten thousand dollars.

APPROVED, June 15, 1844.

## STATUTE I.

June 15, 1844.

[Obsolete.]

To be expended under direction of Secretary of War.

Choctawhatchie and Holmes rivers.

Survey for railroad.

Connecting Indian river and Mosquito lagoon.

St. Mark's river.

CHAP. LXVII.—*An Act making appropriations for certain improvements 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 following sums be, and they are hereby appropriated for improvements in the Territory of Florida, to be expended under the direction of the Secretary of War, to wit:

For removal of obstructions to the navigation of the rivers Choctawhatchie, and Holmes, ten thousand dollars;

For survey of routes for a railroad across the peninsula of Florida, three thousand dollars;

For connecting the waters of Indian river and Mosquito lagoon, at the Haulover, one thousand five hundred dollars;

For removal of obstructions in the navigation of the river St. Mark's, above its confluence with the Wakulla river, two thousand five hundred dollars.

APPROVED, June 15, 1844.

## STATUTE I.

June 15, 1844.

To be expended under direction of Sec. of Treasury. Proviso.

CHAP. LXVIII.—*An Act to provide for the erection of a marine hospital at Key West, 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 sum of twenty-five thousand dollars be, and is hereby appropriated for the erection and furnishing of a marine hospital at Key West, to be expended under the direction of the Secretary of the Treasury: *Provided,* That the said Secretary shall be able to cause a suitable hospital to be erected, and properly furnished for the amount hereby appropriated.

APPROVED, June 15, 1844.

## STATUTE I.

June 15, 1844.

CHAP. LXIX.—*An Act to authorize the Legislatures of the several Territories to regulate the apportionment of representation, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be com-

petent to the Legislatures of the several Territories, to readjust and apportion the representation in the two branches of their respective bodies in such manner from time to time as may seem to them just and proper: *Provided*, That the numbers of said bodies as authorized by existing laws shall not be increased.

SEC. 2. *And be it further enacted*, That justices of the peace, and all general officers of the militia in the several Territories shall be elected by the people in such manner as the respective Legislatures thereof may provide by law.

APPROVED, June 15, 1844.

Legislatures to apportion the representation from time to time  
Proviso.

Justices of the peace, &c. to be elected by the people.

STATUTE I.

June 15, 1844.

CHAP. LXX.—*An Act to authorize the issuing of Patents for certain lands in the St. Augustine land district in Florida, the sales of which were not regularly reported.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all cases where it shall appear, to the satisfaction of the Commissioner of the General Land Office, that individuals had applied to John C. Cleland, late receiver at St. Augustine, in Florida, while acting as receiver, for the entry of any of the lands in that district, and had made payment to him therefor, as required by law, and where said Cleland failed to furnish the usual evidence of such payments to the register of the land office aforesaid, and to make the usual returns thereof to the General Land Office, such individuals shall be entitled to receive patents for such entries, where the lands applied for by them have not since been sold: but if sold, the money paid by them may be applied to the purchase of any other land in that district subject to entry at private sale: *Provided*, That this act shall only apply to those cases where evidence that such application was made, is now in the General Land Office.

APPROVED, June 15, 1844.

Where application and payment were made to J. C. Cleland, but he did not make the returns, patents to issue.

Proviso.

STATUTE I.

June 15, 1844.

CHAP. LXXI.—*An Act to amend an act entitled "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of Florida."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in any case in which it shall appear to the Commissioner of the General Land Office that the location made by a settler under the act approved August fourth, eighteen hundred and forty-two, entitled, "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of Florida," was located upon lands which were discovered after the issue of the permit to be liable to overflow, it shall be lawful for the said Commissioner to authorize the change of the location to any other vacant quarter section within the same land district: *Provided* application for permission to change the location shall have been made at the proper land office before the fourth day of August, eighteen hundred and forty-three.

SEC. 2. *And be it further enacted*, That in all cases in which settlements have been made under the provisions of said act, upon lands not surveyed before the issue of permit, the settler may, after survey, locate his quarter section in any legal subdivisions of continuous or contiguous sections, or fractional sections, so as to make up the quantity of one hundred and sixty acres, as may be, and to include his improvements, and as much of the lands described in his permit as is consistent with the system of the public surveys.

SEC. 3. *And be it further enacted*, That the settlers under said act may erect their dwellings, and reside upon other than the quarter

Where location under act of Aug. 4, 1842, ch. 122, was made upon land liable to overflow, it may be changed.

Proviso.

When settlement was made before survey, settler may locate upon legal subdivisions, so as to include his improvement.

Settler may reside on land not in permit.

Proviso.

section described in their permit, *Provided*, The land upon which they so erect their habitation shall be entered and paid for by them, if in market, or if not in market, shall be so entered within three months after it shall have been offered at public sale. *And provided, also*, That the condition of cultivation on the land described in the permit shall be faithfully complied with according to the terms of the act to which this is an amendment.

Proviso.

When title of U. S. is defective, settler may locate elsewhere.

SEC. 4. *And be it further enacted*, That in any case in which the title of the United States to the land or any part of it, not less than forty acres, described in the permit issued by the land office to any settler, or contained in the quarter section upon which he shall have been located, shall prove to be defective, a tract of land equal in quantity to that of which the title shall have proved defective as aforesaid, may be located elsewhere upon vacant surveyed lands within the same township, or within the nearest township in which there shall be sufficient quantity of vacant arable land.

Settler may perfect his title, how.

SEC. 5. *And be it further enacted*, That it shall be competent for any settler under the said act to perfect his title to the quarter section located and described in the permit, by paying to the receiver of the land office in the appropriate district the sum of one dollar and twenty-five cents per acre for the said quarter section: *Provided*, that such settler shall prove to the satisfaction of the register and receiver for the proper land district, that up to the date of his application to make payment, he has fully complied with the requirements of the act to which this is an amendment.

Proviso.

APPROVED, June 15, 1844.

STATUTE I.

June 15, 1844.

CHAP. LXXII. — *An Act making appropriation for the support of insane persons in the District of Columbia, and for other purposes.*

Appropriation for support, &c. of insane paupers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of four thousand dollars be, and the same is hereby, appropriated, out of any unappropriated money in the Treasury, for the support, clothing, and medical treatment of the insane paupers of the District of Columbia, for the fiscal year ending June thirtieth, one thousand eight hundred and forty-five: *Provided*, That the amount paid for each person shall not exceed four dollars per week: *And provided further*, That the Marshal of the District of Columbia be, and he is hereby, authorized to maintain at Baltimore or some other suitable lunatic asylum, all such lunatic persons who are paupers as are now confined in the lunatic asylum at Baltimore by order of Congress, or are in the jails of Washington and Alexandria counties, and all such as may hereafter be committed as lunatics by order of the Circuit or Criminal Courts, they being paupers of said District of Columbia, and their support being legally chargeable thereto, and that he pay the expenses of their removal and of their maintenance in such asylum as he may select, and be allowed for the same in the settlement of his accounts at the Treasury of the United States.

Proviso.

Proviso.

Medical faculty to have the use of the insane hospital for an infirmary, &c.

SEC. 2. *And be it further enacted*, That the Commissioner of Public Buildings be directed to allow the Medical Faculty of the Columbian College, District of Columbia, to occupy the insane hospital with the adjoining grounds, situated on the Judiciary Square in Washington, for the purposes of an infirmary for medical instruction and for scientific purposes, on condition that they shall give satisfactory security to keep the said building in repair, and return it, with the grounds, to the Government, in as good condition as they are now in, whenever required to do so.

APPROVED, June 15, 1844.

CHAP. LXXIII.—*An Act making an appropriation for the payment of horses lost by the Missouri volunteers in the Florida war.*

STATUTE I.  
June 15, 1844.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby appropriated the sum of thirty-four thousand five hundred dollars to be expended out of any money in the Treasury not otherwise appropriated for the purpose of paying the Missouri volunteers the value of their horses and equipage lost or cast away at sea, or which perished or died in consequence of suffering at sea in the voyage from New Orleans to Tampa Bay, in the year eighteen hundred and thirty-seven; and also for such horses as were turned over to the Government by the order of the commanding officer. The value of all horses to be ascertained, and the settlement of all claims to be made according to the provisions of an act entitled "An act making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-nine" approved third of March, eighteen hundred and thirty-nine, or so much of said act as provides for paying the value of horses and equipage of the Tennessee and other volunteers who have at any time been in the service of the United States in the Territory of Florida: and according to the provisions of the fourth section of an act entitled "An act making appropriations for the support of the army for the year one thousand eight hundred and thirty-nine," approved third of March eighteen hundred and thirty-nine: and the said acts, or so much of them as relates to or has a bearing upon those claims as aforesaid, and other existing claims be and the same are hereby revived and continued in force for two years from the passage of this act.

Appropriation.

Value of horses, any settlement of claims, to be made according to act of March 3, 1839, ch. 93

Act of March 3, 1839, ch. 94. Acts relating to claims for horses, &c., revived.

Act of Jan. 18, 1837, ch. 5, revived.

Act of March 3, 1843, ch. 103. Proviso.

APPROVED, June 15, 1844.

CHAP. LXXIV.—*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.*

STATUTE I.  
June 15, 1844.

*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 issue patents on all entries made in the St. Augustine land office in the Territory of Florida, under the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved twenty-second June, eighteen hundred and thirty-eight, where the land so entered was public land and liable to the operations of said act, any informality in the proof, or other existing defect therein, or in the mode of entry, to the contrary notwithstanding: *Provided,* That this act shall apply only to the cases where the settlers were forced from their homes by reason of Indian hostilities, and consequently were unable to make out the continuous residence required by the law.

Patents to issue on all entries made at St. Augustine under act of June 22, 1838, ch. 119, notwithstanding defect in proof.

Proviso.

APPROVED, June 15, 1844.

## STATUTE I.

June 15, 1844.

CHAP. LXXV.—*An Act for the relief of persons residing within the reputed limits of the States of Arkansas or Louisiana, and beyond the boundary line between the United States and the Republic of Texas, as established by the commissioners appointed to ascertain the same.*

Persons formerly in the reputed limits of the U. S., but now in Texas, allowed to remove with all their property into the U. S.

Proviso.

*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 who, on the twenty-first day of May, which was in the year of our Lord one thousand eight hundred and forty, resided within the reputed limits of the States of Arkansas or Louisiana, as the same were then known and understood, and who, since the demarcation of the boundary line between the United States and the Republic of Texas, by the commissioners of the respective Governments, has been found to reside within the limits of Texas, to remove within the limits of the United States; and to bring with such person, into the United States, all his or her moveable property of every kind and description whatever, any law to the contrary notwithstanding: *Provided, always,* That any person desirous of availing him or herself of the provisions of this act, shall present a petition in writing to the district judge of the district of Arkansas or Louisiana, as the case may be, setting forth the facts necessary to entitle him or her to the benefit of the same, and containing a descriptive list of the property which he or she is desirous of bringing with him or her into the United States; which petition shall be verified by the oath of the petitioner, and on due proof of the facts therein set forth, by competent witnesses, to the satisfaction of the said judge, it shall and may be lawful for him, and he is hereby required, to grant to such petitioner a certificate thereof, and that such petitioner has complied, in all respects, with the provisions of this act, and is entitled to bring into the United States the property specified and described in the said petition and certificate.

APPROVED, June 15, 1844.

## STATUTE I.

June 17, 1844.

Act of May 26,  
1830, ch. 104.

CHAP. XCIV.—*An Act to amend the act entitled "An act to incorporate the Alexandria Canal Company," approved on the twenty-sixth day of May, eighteen hundred and thirty.*

Persons injuring canal to pay a fine.

Justice to issue warrant, and party convicted to be confined in close jail.  
Proviso.

*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 wilfully or maliciously, by any means whatever, injure, impair, or destroy any part of the Alexandria canal, or of its aqueducts, dams, locks, culverts, walls, embankments, bridges, buildings, or other works now constructed, or which may hereafter be constructed by the Alexandria Canal Company, under the authority of the beforementioned act, such person or persons so offending shall each of them, for every such offence, forfeit and pay a sum not less than five dollars, nor more than fifty dollars, to be recovered, with costs, in the name and for the use of the said company, before any justice of the peace of the District of Columbia; and any such justice may, on his own view, or on application to him made, verified by affidavit, issue his warrant, describing the injury committed; and upon conviction, such justice shall commit the offender to close jail, without bail or mainprize, until such fine and costs be paid, or until discharged by due course of law: *Provided, however,* That nothing in this section contained shall be so construed as to prevent the said company from recovering damages from any person or persons who may commit any of the trespasses aforesaid.

No person allowed to walk or ride upon the aqueduct over the Potomac.

SEC. 2. *And be it further enacted,* That it shall not be lawful for any person or persons, other than such as shall be engaged in navigating the said canal, or in the employment of the said company, to walk or ride over or upon the aqueduct erected by the said company over the

Potomac river, or to lead or drive any animal over or upon the same; and every person offending herein shall be liable to a fine of not less than one dollar nor more than five dollars, for each offence, to be recovered with costs, in the name, and for the use of the said company, by warrant before any justice of the peace of the District of Columbia.

SEC. 3. *And be it further enacted*, That the president and directors of the Alexandria Canal Company, or a majority of them, acting in behalf of the said company, shall be, and they are hereby authorized and empowered, from time to time, to pass all by-laws which may be necessary for the exercise of the powers vested in the said company by the beforementioned act, or which they may consider necessary for the orderly and convenient conducting of the trade and travel upon the said canal, its aqueducts, basins, and other works, and for preventing and removing impediments to the navigation thereof; and the same to alter or repeal at pleasure: *Provided*, That no such by-law be contrary to any law of the United States. And any person who shall wilfully offend against any such by-law, after a copy thereof shall have been set up for public inspection at least ten days at the toll house or houses on the said canal, shall, for every such offence, forfeit and pay to the said company the sum of five dollars, to be recovered with costs. in the name of the said company, by warrant before any justice of the peace in the District of Columbia.

Canal company may pass by-laws.

Proviso. Persons violating by-laws subject to a fine.

SEC. 4. *And be it further enacted*, That the said president and directors, or a majority of them, acting in behalf of the said company, may prescribe the form, dimensions, and equipments of the boats and floats to be used upon the said canal, with a view to prevent accidental injury to them, or to the works of the canal, in passing each other, or in passing by or through any of the said works: and if the owner, captain, or other person having charge of any boat or float, shall wilfully or negligently violate, or refuse to comply with, any such regulation, the said president and directors may require such owner, captain or other person, to withdraw his boat or float from the canal by one of the outlets thereof; or, in the event of his failure to do so, on reasonable notice, may order the same to be broken up and removed from the canal, or any of its basins, ponds, aqueducts, or other works; and in like manner, may be broken up and removed therefrom any boat or float, or other substance floating loose upon, or sunk therein, the owner of which is unknown, or if known, refuses or neglects, after reasonable notice, to remove the same; and the materials of every such broken boat, float or other substance, so broken up and removed, shall be sold under the direction of the said president and directors: and the proceeds of every such sale, after paying the costs of breaking up and removing the same, shall be paid over to the owner thereof.

Company may prescribe the form, &c. of boats.

SEC. 5. *And be it further enacted*, That it shall be lawful for the said company to charge the customary rates of dockage and wharfage upon vessels lying at, and goods, and other things laden or unladen at or upon any pier, mole, or wharf, which they may erect in the Potomac river in connexion with their said canal, and not interfering with the corporate rights of the city of Alexandria.

Company may charge dockage and wharfage.

SEC. 6. *And be it further enacted*, That nothing in this act contained, shall be construed to impair any right possessed by the said company before the passage thereof: *Provided always*, That Congress may at any time alter or repeal the foregoing act, or any of its provisions.

Rights of the company not to be impaired by this act. Proviso.

APPROVED, June 17, 1844.

## STATUTE I.

June 17, 1844.

CHAP. XCV.—*An Act to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers. (a)*

Provisions of act of May 26, 1824, so far as they related to the State of Missouri, revived and extended.

1824, ch. 173.

District Court to have jurisdiction of French, Spanish and British claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the expired act of the twenty-sixth of May, one thousand eight hundred and twenty-four, entitled "An act to enable claimants to land within the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims," as related to the State of Missouri (excluding all such portions of said act as referred to the territory of Arkansas) be, and is hereby, revived and re-enacted, and continued in force for the term of five years, and no longer; and the provisions of that part of the aforesaid act hereby revived and re-enacted shall be, and hereby are, extended to the States of Louisiana and Arkansas, and to so much of the States of Mississippi and Alabama as is included in the district of country south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers, in the same way and with the same rights, powers, and jurisdictions, to every extent they can be rendered applicable, as if these States had been enumerated in the original act hereby revived, and the enactments expressly applied to them as to the State of Missouri; and the district court, and the judges thereof, in each of these States, shall have and exercise the like jurisdiction over the land claims, in their respective States and districts, originating with either the Spanish, French, or British authorities, as by said act was given to the court, and the judge thereof, in the State of Missouri.

APPROVED, June 17, 1844.

## STATUTE I.

June 17, 1844.

CHAP. XCVI.—*An Act concerning the Supreme Court of the United States.*

Act of Aug. 1, 1842, ch. 180.  
Session of Supreme Court, to commence when.

Proceedings, &c.

Justice of Supreme Court only required to attend one term of circuit court in each year; term to be designated by him.

May attend any other terms.

*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 Supreme Court, heretofore commenced and held on the second Monday of January, annually, shall instead thereof be commenced and held the first Monday of December, annually; and all actions, suits, appeals, recognizances, 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 sessions had not been hereby altered.

SEC. 2. *And be it further enacted,* That hereafter it shall not be the duty of the Justice of the Supreme Court assigned to any circuit to attend more than one term of the circuit court within any district of such circuit in any one year; such term to be by him from time to time designated with reference to the nature and importance of the business pending therein and the public convenience; and at such term, appeals and writs of error from the district court, questions of law arising upon statements of fact agreed by the parties or specially reserved by the district judge, and cases at law and in equity of peculiar interest or difficulty, shall have precedence in the arrangement of the business of the court; but nothing herein contained shall be construed to take away the right of such Justice of the Supreme Court, in his discretion, to attend

(a) Notes of the acts which have been passed relative to land claims in Missouri, vol. 2, 812.

Notes of the decisions of the Supreme Court on land titles in Missouri, vol. 2, 748, 812.

Notes of the decisions of the Supreme Court on land titles in Louisiana, vol. 2, 288.

Notes of the acts which have been passed relating to land and land titles in Louisiana, vol. 2, 324.

Notes of the acts relating to the Territory, afterwards the State, of Arkansas; vol. 3, 493.

any other terms of such circuit court, whenever, in his opinion, the public interest or special exigencies may require it.

APPROVED, June 17, 1844.

CHAP. XCVII. — *An Act respecting the northern boundary of the State of Missouri.*

STATUTE I.  
June 17, 1844.

*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 Governor of Iowa Territory, by and with the advice and consent of the Council of said Territory, a commissioner, to act in conjunction with such commissioner as may be appointed by the State of Missouri, and such third person, not a citizen of the State of Missouri or Territory of Iowa, as may be designated by the two commissioners aforesaid; the duty of which said three persons it shall be, to ascertain, survey, and mark out the northern boundary line of the State of Missouri, and to cause plats of the said line, when so ascertained, surveyed, and marked out, to be returned to the offices of the Secretary of State of the United States, of the State of Missouri, and of the Territory of Iowa, which plats shall be accompanied by reports of their proceedings in the premises.

Commissioners to be appointed to run the boundary line between Iowa and Missouri.

SEC. 2. *And be it further enacted,* That said three commissioners, or a majority of them, shall have authority to appoint a surveyor, and engage the necessary assistants and laborers, to enable them to ascertain, survey, and mark the said line; and the compensation of said commissioners, and of the surveyor employed by them, shall be at the rate of eight dollars per day, for so many days as they may necessarily be employed about the business aforesaid; and the laborers and assistants shall be paid such compensation as may be agreed upon between each of them and the commissioners, or a majority of them, not to exceed two dollars per day.

Commissioners to appoint a surveyor.

Compensation limited.

SEC. 3. *And be it further enacted,* That the report, as aforesaid, of any two of said commissioners, shall be final and conclusive, and the line so ascertained, surveyed, marked out and returned as aforesaid, by any two of said commissioners, shall be the northern boundary line of the State of Missouri.

Report of majority of commissioners fixing the boundary line, to be final.

SEC. 4. *And be it further enacted,* That this act shall not go into force until the Legislature of the State of Missouri shall have assented to the same, and agreed to abide by the award of said commissioners, or any two of them, as final and conclusive; and the sum of four thousand dollars is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to carry into effect the provisions of this act.

Act, when to take effect.

Appropriation.

APPROVED, June 17, 1844.

CHAP. XCVIII. — *An Act to extend the charters of the District Banks.*

STATUTE I.  
June 17, 1844.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all actions, suits and judgments in law or equity commenced and now pending or which may hereafter be commenced by or against either of the banks of the District of Columbia whose charters expire on the fourth day of July eighteen hundred and forty-four for the collection of any debt due or the recovery of any right belonging to said banks shall not abate or be in any manner estopped by reason of the expiration of the charter of the bank commencing the same, but may be prosecuted to final judgment and execution in the same manner as though said charter had continued in existence, any law, usage, or custom, to the contrary notwithstanding; and all goods, chattels, lands, tenements, and hereditaments, seized on mesne process, attached, levied upon, set off, or in any way assigned and

May 31, 1838, ch. 91.

Aug. 25, 1841, ch. 12.

Suits, &c. in which the bank is a party, not to abate by reason of the expiration of its charter; and all property to enure to the trustees, &c.



made over to said bank, or which would in any manner have become the property of said bank had the same continued in existence in any action, suit, judgment, or execution aforesaid or otherwise, shall enure to the trustee or trustees, assignee or assignees, receiver or receivers of said bank, if any shall be appointed by the stockholders or otherwise.

Trustees, &c. to have power to commence suits, &c., and prosecute to final judgment and execution.

Proviso.

SEC. 2. *And be it further enacted,* That the trustee or trustees, assignee or assignees, receiver or receivers, who may be appointed to collect and receive the assets of any bank whose charter shall expire as aforesaid, and to adjust, settle, and liquidate, the debts due from said banks, shall have full power to commence and institute all necessary actions, suits, or other proceedings, in law or equity, in the name of said bank, and prosecute the same to final judgment and execution, *Provided,* That the Court in which such legal or equitable proceeding shall be commenced, shall first receive sufficient security for the costs which may be recovered by the opposite party.

APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

CHAP. XCIX.—*An Act to enable the War Department to supply certain balances of appropriation, and for other purposes.*

Balances under acts of June 12, 1838, ch. 97, and March 3, 1839, ch. 93, how to be applied.

*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 direct the application of any balances now remaining in the treasury, or which may come into the treasury on the settlement of accounts under any of the specific heads of appropriation in the acts of the twelfth June eighteen hundred and thirty-eight and third March eighteen hundred and thirty-nine, to any arrearages chargeable to the general head of suppression of Indian hostilities.

Balances under acts of April 29, 1836, ch. 57, June 12, 1838, ch. 97, and March 3, 1839, ch. 93, re-appropriated.

SEC. 2. *And be it further enacted,* That the balances of appropriations made twenty-ninth April eighteen hundred and thirty-six, twelfth June, eighteen hundred and thirty-eight and third March eighteen hundred and thirty-nine for suppression of Indian hostilities, which have been carried to the surplus fund, be and the same are hereby re-appropriated for the settlement of arrearages for suppression of Indian hostilities so far as the same may be necessary in the payment of accounts audited and passed for settlement by the accounting officers of the Treasury.

APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

Act of Aug. 1, 1842, ch. 108, 1843, ch. 40.

No person to be held to bail or imprisoned in a civil action, when the debt is less than \$50, &c.

1845, ch. 2.

Proviso.

CHAP. C.—*An Act supplementary to an act entitled "An act to regulate arrests on mesne process in the District of Columbia," approved August first, eighteen hundred and forty-two.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no person shall hereafter be held to bail or imprisoned in any civil action in the District of Columbia, in any case where the debt or claim, exclusive of interest and costs, is less than fifty dollars, and in cases where he may have been, or shall hereafter be, held to bail under the act, to which this is a supplement; and that every person who at the time of the passage of this act, shall be held in prison or prison bounds, in any civil action, except in the cases hereinbefore mentioned, shall thereupon be immediately discharged: *Provided,* That if any plaintiff in any civil action after judgment shall have been obtained by him or her, shall make oath according to law, that the defendant or defendants has or have conveyed away, lessened, or disposed of his or their property, rights, or credits, or is, or are about to remove, or hath or have removed, his or their property from this District, as he or she believes

with intent thereby to hinder or delay the recovery or payment of his debts, the clerk of the court of the county in which such judgment shall have been rendered, shall thereupon issue a *capias ad satisfaciendum* in the same manner as though this act had not been passed: and upon the arrest of any such defendant or defendants under such *capias ad satisfaciendum*, he or they may be brought by *habeas corpus* before the court of such county, if in term time, and before one of the judges thereof in vacation, and may call upon the plaintiff or plaintiffs, to show cause why he or they, the said defendant or defendants shall not be discharged from said imprisonment; and upon such notice, either party may demand a trial by jury; and thereupon the said court or judge shall direct an issue or issues to be framed upon the affidavit so filed, and shall cause a jury to be impanelled and sworn to try such issue or issues, and if the finding of the jury upon such issue or issues shall be for the plaintiff, such defendant or defendants shall be thereupon remanded to prison, and be dealt with as though this act had not been passed: *And provided further*, that nothing in this act shall be construed to authorize the custody or imprisonment of any female person on civil process, nor to any non-resident for any debt contracted out of the District of Columbia: *Provided*, That nothing contained in this act shall prevent the execution of process already in the hands of the marshal and not yet executed.

Proviso.

Proviso.

APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

CHAP. CI.—*An Act concerning conveyances, or devises of places of public worship 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 when any lot, or part of a lot, tract, or parcel of land has been heretofore conveyed or devised, to one or more trustees, for the use and benefit of any religious congregation as a place of public worship, the same, and all buildings and other improvements thereupon, shall be held by such trustee or trustees (or their successors) for the purpose of the trust, and not otherwise.

All conveyances, &c. of places of public worship to be held by trustees for the purpose of the trust.

SEC. 2. *And be it further enacted*, That when any conveyance or devise has been heretofore, or shall hereafter be made, of such property for the use, and benefit, and purpose aforesaid, the same shall not be void or frustrated by reason of the want of trustees to take and hold the same in trust, but trustees may be appointed in the manner hereinafter directed.

Not to be void for want of trustees.

SEC. 3. *And be it further enacted*, That when such conveyance or devise has been heretofore, or shall hereafter be made, whether by the intervention of trustees, or not, the circuit court of the District of Columbia, sitting in the county where such property is, or may be situated, shall, on application of the United States attorney for the District of Columbia, on behalf of the authorized authorities of any such religious congregation, have full power and authority to appoint trustees, originally, when there are none, or to substitute others, from time to time, in cases of death, refusal, or neglect to act, removal from the county, or other inability to execute the trust beneficially and conveniently; and the legal title shall thereupon become exclusively vested in the whole number of the trustees and their successors.

Circuit court may appoint trustees, and legal titles to be in them and their successors.

SEC. 4. *And be it further enacted*, That a majority of the acting trustees for any such congregation may sue and be sued in their own names, in relation to the title, possession, or enjoyment of such property without abatement by the death of any of the trustees, or substitution of others; but the action or suit may, notwithstanding, be prosecuted to its final termination in the names of the trustees by or against

Majority of acting trustees may sue and be sued, &c.

Proviso.

Property only to be held for religious purposes.

whom the same was instituted, and all other proceedings had in relation thereto, in like manner as if such death or substitution had not occurred: *Provided, however,* That such trustees, for the use of any religious congregation, shall not hereafter take or hold at any one time, any tract of land in the county exceeding in quantity fifty acres, or in any incorporated town exceeding three acres; nor shall such real property be held by them for any other use than as a place of public worship, religious or other instruction, burial ground or residence of their minister.

APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

Act of March 3, 1843, ch. 102, granting pensions to widows, extended for 4 years from March 4, 1844.

CHAP. CII.—*An Act to continue the pensions of certain widows.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act granting pensions to the widows of certain revolutionary soldiers, approved the third day of March, one thousand eight hundred and forty-three, be and the same is hereby revived and extended from and during the term of four years from and after the fourth day of March, one thousand eight hundred and forty-four, to have the same effect as if said act had been a grant of pensions for five years instead of one year from and after the fourth day of March, one thousand eight hundred and forty-three.

Widows entitled to benefit of act of July 7, 1838, ch. 189, to have benefit of this.

SEC. 2. *And be it further enacted,* That such widows as have been or shall be admitted by special acts of Congress to the benefit of the pension act, approved the seventh day of July, one thousand eight hundred and thirty-eight, or to the benefit of the act hereby revived and extended, shall be entitled and shall be admitted to the benefit of this act, subject, however, to the rules, limitations, and conditions in and by said acts prescribed.

APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

1834, ch. 161.

Courts of Arkansas to have jurisdiction over certain territory.

CHAP. CIII.—*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.*

*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 and for the district of Arkansas, be, and they hereby are, vested with the same power and jurisdiction, to hear, try, determine and punish all crimes committed within that Indian country designated in the twenty-fourth section of the act to which this is a supplement, and therein and thereby annexed to the Territory of Arkansas, as were vested in the courts of the United States for said Territory before the same became a State. And that for the sole purpose of carrying this act into effect, all that Indian country heretofore annexed by the said twenty-fourth section of the act aforesaid to the Territory of Arkansas, be and the same hereby is annexed to the State of Arkansas.

APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

1st and 2d articles of treaty with Chippewas of Jan. 23, 1838, how to be construed.

CHAP. CIV.—*An Act explanatory of the Treaty made with the Chippewa Indians at Saganaw, the twenty-third of January, eighteen hundred and thirty-eight.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first and second articles in the treaty made with the Chippewa Indians on the twenty-third of January, one thousand eight hundred and thirty-eight, shall be so construed as to prevent the sales of land ceded by said treaty for a less sum than two dollars and fifty cents per acre from and after the first day of September, one thousand eight hundred and forty-three; and that

the minimum price of said lands, from and after that day, shall be two dollars and fifty cents per acre.

APPROVED, June 17, 1844.

CHAP. CV.—*An Act making appropriations for the civil and diplomatic expenses of Government for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-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 sums be, and hereby are, appropriated to the objects hereinafter expressed, for the fiscal year ending on the thirtieth day of June, eighteen hundred and forty-five; to be paid out of any unappropriated money in the treasury, namely:

For compensation and mileage of Senators and members of the House of Representatives, and Delegates, three hundred and fifty-one thousand six hundred dollars;

For compensation of the officers and clerks of both Houses of Congress, twenty-nine thousand and ten dollars and fifty cents;

For stationery, fuel, printing, and all other contingent expenses of the Senate, sixty thousand dollars;

For stationery, fuel, printing, and all other contingent expenses of the House of Representatives, seventy-five thousand dollars; *Provided*, That no part of the sums appropriated for the contingent expenses of either House of Congress shall be applied to any other than the ordinary expenditures of the Senate and House of Representatives, nor as extra allowance to any clerk, messenger, or other attendant of the said two Houses, or either of them; nor as payment or compensation to any clerk, messenger, or other attendant of the said two Houses, or either of them, unless such clerk, messenger, or other attendant, be so employed by a resolution or order of one of said Houses. *And provided, also*, That the Secretary of the Senate and the Clerk of the House of Representatives be directed, in the future disbursements of the public moneys for the use of their respective bodies, to confine their purchases exclusively to articles the growth and manufacture of the United States, provided the same can be procured of such growth and manufacture, of suitable quality and at reasonable prices upon as good terms as to quality and price as can be obtained of foreign growth and manufacture.

*Library of Congress.*—For compensation of librarian, and two assistant librarians, and messenger of the library, four thousand five hundred dollars;

For contingent expenses of said library, six hundred dollars; for purchase of books for said library, two thousand five hundred dollars; for purchase of law books for said library, one thousand dollars;

*Executive.*—For compensation of the President of the United States, twenty-five thousand dollars;

For repairs of the capitol, attending furnaces and water-closets, lamp-lighting, oil, laborers on the capitol grounds, tools, keeping iron pipes and wooden fences in order, attending at the western gates, and top-dressing for plants, for trees and plants, repairs of public stable, pumps, flagging, enclosures, extra labor in removing snow, &c., for taking down and rebuilding four chimneys on the capitol, for one bulk-head containing sixty-four lights, baize doors, &c., complete, for one large fan-light and frame, ten feet by five feet, containing thirty-seven lights, and for three additional lamps for the capitol, and alteration in water-works, and for fish, nine thousand and eighty-four dollars.

For repairs to windows, glass, and glazing, heretofore done by John Purdy, one hundred and fifty dollars and twenty-five cents.

For digging out the crypt, excavating and making sufficient drains,

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STATUTE I.

June 17, 1844.

Appropriations.

Congress.

Officers of the Senate and H. of Reps.  
Contingent expenses of the Senate.  
Contingent expenses of the House of Reps.  
Proviso.

Proviso.

Library of Congress.  
Librarian, &c.  
Contingent expenses.  
Purchase of books.  
Law books.  
Executive.  
President of United States.  
Capitol, grounds, &c.

Repairs to windows, &c., by Purdy.  
Digging out crypt, &c.

paving points and whitewashing lower story under the north wing of the capitol, cutting out additional windows for drying and improving the Supreme Court room and passages, constructing a fuel vault pursuant to the proposition of John Skirving, under date June third, eighteen hundred and forty-four, seventeen hundred and fifty dollars.

President's house, &c.

For repairs of the President's house, gardeners' salary, laborers, cartage, tools, manure and straw for top-dressing, for repairs of copper roof, new floor in basement story, chimney tops, trees for fountain square and Pennsylvania Avenue, and for repairs of fence at Lafayette square, fountain square, and President's garden, three thousand one hundred and seventy-seven dollars;

Gardener.  
Repairing iron pipes, &c.

For salary of the public gardener, twelve hundred dollars;  
For repairing damage done to iron pipes by freshet and fixing jet d'eau, one thousand eight hundred dollars;

Repairing figure in tympanum of capitol.  
Removing Persico's statues, &c.

For repairing the figure in the tympanum of the capitol, two hundred dollars;

Painting, &c. in post-office.

For removing Persico's statues from the Navy Yard to the capitol, preparing the pedestal, erecting the statues and enclosing the same with an iron railing, one thousand three hundred and fifty dollars;

State Department.

For painting, glazing, and whitewashing in the post office, three hundred and eighty-six dollars.

Secretary, &c.

*Department of State.*—For compensation of the Secretary of State, and the clerks, messenger, and assistant messenger, in his department, twenty-six thousand three hundred dollars.

Contingent expenses, including printing of laws, &c.

For the incidental and contingent expenses of said department, viz :  
For publishing the laws, and packing and distributing the laws and documents, including proof-reading, labor, boxes, and transportation, nine thousand dollars;

For stationery, blank books, and binding, two thousand dollars;

For labor, and attendance, twelve hundred dollars;

For furniture, fixtures, repairs, painting, and glazing, twelve hundred dollars;

For extra clerk hire and copying, two thousand dollars;

For printing, letter-press and copperplate, and advertising, one thousand dollars;

For newspapers, two hundred dollars;

For books and maps, one thousand dollars;

For miscellaneous items, one thousand dollars.

N. E. executive building.  
Contingent expenses.

For the contingent expenses of the northeast executive building, viz :

For labor, one thousand dollars;

For fuel and light, twelve hundred dollars;

For miscellaneous items, eleven hundred dollars.

Treasury Department.  
Secretary, &c.

*Treasury Department.*—For compensation of the Secretary of the Treasury, and the clerks, messenger, and assistant messenger, in his office, twenty-six thousand and fifty dollars.

First Comptroller, &c.

For compensation of the First Comptroller, and the clerks, messenger, and assistant messengers, in his office, twenty-two thousand six hundred dollars.

Second Comptroller, &c.

For compensation of the Second Comptroller, and the clerks and messenger in his office, fifteen thousand two hundred and fifty dollars.

1st Auditor, &c.

For compensation of the First Auditor, and the clerks and messenger in his office, eighteen thousand nine hundred dollars.

2d Auditor, &c.

For compensation of the Second Auditor, and the clerks and messenger in his office, twenty thousand nine hundred dollars.

3d Auditor, &c.

For compensation of the Third Auditor, and the clerks, messenger, and assistant messenger, in his office, thirty-five thousand and fifty dollars.

4th Auditor, &c.

For compensation of the Fourth Auditor, and the clerks and messenger in his office, eighteen thousand nine hundred and fifty dollars.

For compensation of the Fifth Auditor, and the clerks and messenger in his office, twelve thousand eight hundred dollars.

5th Auditor,  
&c.

For compensation of the Treasurer of the United States, and the clerks and messenger in his office, thirteen thousand seven hundred and fifty dollars.

Treasurer, &c.

For compensation of the Register of the Treasury, and the clerks, messenger and assistant messenger, in his office, twenty-seven thousand two hundred dollars.

Register, &c.

For compensation of the Commissioner of the General Land Office, and the recorder, solicitor, draughtsman, assistant draughtsman, clerks, messengers and packers in his office, ninety-eight thousand five hundred dollars.

Commiss'r of  
General Land  
Office, &c.

For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, seven thousand four hundred and fifty dollars.

Solicitor, &c.

Contingencies of the Treasury Department :

For the incidental and contingent expenses of said department, and the various offices and bureaus connected therewith, viz :

Contingencies  
of the Dep't  
and its bureaus.  
Office of the  
Secretary.

In the office of the Secretary of the Treasury :

For blank books, binding, and stationery, three thousand five hundred dollars ;

For labor, one hundred and fifty dollars ;

For sealing ships' registers, one hundred dollars ;

For compensation for carrying the department mails, and for arrearages for two years, seven hundred and fifty dollars ;

For translations, one hundred and fifty dollars ;

For extra clerk hire, one thousand five hundred dollars ;

For printing, including public accounts, two thousand five hundred and fifty dollars ;

For miscellaneous expenses, one thousand dollars.

In the office of the First Comptroller :

For blank books, binding, stationery and printing, one thousand dollars ;

First Comp-  
troller.

For labor, four hundred and fifty dollars ;

For miscellaneous items, three hundred dollars.

In the office of the Second Comptroller :

For blank books, binding, stationery, and printing blanks, seven hundred dollars ;

Second Comp-  
troller.

For labor, office furniture, and miscellaneous items, five hundred dollars ;

In the office of the First Auditor :

For blank books, binding and stationery, five hundred dollars ;

For miscellaneous items, one hundred and fifty dollars :

In the office of the Second Auditor :

For blank books, binding and stationery, four hundred and fifty dollars ;

For labor, two hundred and fifty dollars ;

For miscellaneous items, including printing blanks, one hundred and fifty dollars.

In the office of the Third Auditor :

For blank books, binding, printing and stationery, six hundred dollars ;

For labor, office furniture, and miscellaneous items, four hundred dollars.

In the office of the Fourth Auditor :

For blank books, binding and stationery, six hundred dollars ;

For printing, fifty dollars ;

For labor, fifty dollars ;

For miscellaneous items, two hundred dollars.

4th Auditor.

3d Auditor.

2d Auditor.

1st Auditor.

- 5th Auditor. In the office of the Fifth Auditor :  
For blank books, binding and stationery, two hundred and fifty dollars ;  
For labor, one hundred and twenty-five dollars ;  
For miscellaneous items, three hundred and fifty dollars.
- Treasurer. In the office of the Treasurer :  
For blank books, binding and stationery, four hundred dollars ;  
For labor, three hundred and seventy-five dollars.
- Solicitor. In the office of the Solicitor :  
For blank books, binding and stationery, six hundred dollars ;  
For printing circulars, blank forms for returns of district attorneys, marshals, clerks of courts, and collectors of the customs, three hundred dollars ;  
For labor, one hundred and fifty dollars ;  
For miscellaneous items, two hundred dollars.
- Register. In the office of the Register :  
For the employment of a clerk qualified to conduct and execute the statistical compilations and returns required to be prepared in the Treasury Department for the use of Congress, agreeably to the joint resolution of the present session, fifteen hundred dollars ;  
For blank books, binding and stationery, five hundred dollars ;  
For printing, five hundred dollars ;  
For labor, six hundred dollars ;  
For miscellaneous items, four hundred dollars.
- Post, p. 719. In the General Land Office :  
For stationery, including blank books, and blank forms for the district land offices, five thousand dollars ;  
For pieces of parchment and printing patents, four thousand dollars ;  
For advertising land sales in newspapers, and in hand-bill form, public notices, and printing circulars, three thousand dollars ;  
For office furniture, and repairs of same, one thousand dollars ;  
For pay of laborers employed in the office, five hundred dollars ;  
For miscellaneous items and public documents, seven hundred and eighty dollars.
- General Land Office. For contingent expenses of the southeast executive building, namely :  
For labor, four thousand dollars ;  
For fuel and light, three thousand seven hundred dollars ;  
For miscellaneous items, one thousand seven hundred dollars.
- S. E. executive building. Contingent expenses. *War Department.*—For compensation of the Secretary of War, and the clerks, messenger and assistant messenger in his office, nineteen thousand four hundred and fifty dollars ;
- War Department. Secretary, &c. For compensation of the Commissioner of Indian Affairs, and the clerks, messenger and assistant messenger in his office, nineteen thousand four hundred dollars ;
- Commiss'r of Indian Affairs, &c. For compensation of the Commissioner of Pensions, and the clerks and messengers in his office, thirteen thousand five hundred dollars.
- Commissioner of Pensions, &c. For compensation of the clerk in the office of the Commanding General, one thousand dollars.
- Clerk in office of Com'dg Gen. For compensation of the clerks in the office of the Adjutant General, seven thousand one hundred and fifty dollars.
- Adj. General. For compensation of the clerks and messenger in the office of the Quartermaster General, including the clerks that were attached to the purchasing department, eleven thousand five hundred dollars.
- Quartermaster General. For compensation of the clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars.
- Paymaster General. For compensation of the clerks and messenger in the office of the Commissary General of Subsistence, three thousand eight hundred dollars.
- Com. Gen. of Subsistence. For compensation of the clerks and messenger in the office of the Chief Engineer, five thousand one hundred and fifty dollars.
- Chief Engineer.

For compensation of the clerk in the office of the Surgeon General, one thousand dollars.	Surgeon Gen eral.
For compensation of the clerks in the office of the Colonel of Ord- nance, eight thousand one hundred and fifty dollars.	Colonel of Ordnance.
For compensation of the clerk in the bureau of Topographical En- gineers, one thousand dollars.	Topographical Bureau.
Contingencies of the War Department, viz :	Contingencies.
For the incidental and contingent expenses of said department, and the various offices and bureaus connected therewith, viz :	War Dep't and its bureaus.
In the office of the Secretary of War :	Office of the Secretary.
For blank books, binding and stationery, six hundred dollars ;	
For labor, three hundred dollars ;	
For printing, three hundred dollars ;	
For miscellaneous items, five hundred and fifty dollars ;	
For books, maps, and plans, one thousand dollars ;	
For extra clerk hire, three thousand dollars.	
In the office of the Commissioner of Indian Affairs :	Commissioner of Ind. Affairs.
For blank books, binding, and stationery, six hundred dollars ;	
For labor, fifty dollars ;	
For miscellaneous items, eight hundred and fifty dollars ;	
In the office of the Commissioner of Pensions :	Commissioner of Pensions.
For extra clerk hire, for one year, two thousand one hundred dollars ;	
For blank books, binding, and stationery, four hundred dollars ;	
For printing blank forms and regulations, and for advertising, two hundred and fifty dollars ;	
For fuel, one hundred and fifty dollars ;	
For miscellaneous items, one hundred dollars ;	
For rent of houses occupied by the pension office, six hundred dol- lars ;	
In the office of the Commanding General :	Commanding General.
For miscellaneous items, three hundred dollars.	
In the office of the Adjutant General :	Adjutant Gen eral.
For printing Army Register and orders, six hundred and fifty dollars ;	
For blank books, binding, and stationery, four hundred dollars ;	
For miscellaneous items, three hundred and fifty dollars.	
In the office of the Quartermaster General, and office that was at- tached to it :	Quartermaster General.
For blank books, binding, and stationery, four hundred dollars ;	
For labor, one hundred dollars ;	
For printing, one hundred dollars ;	
For miscellaneous items, eight hundred dollars ;	
In the office of the Paymaster General :	Paymaster General.
For blank books, binding and stationery, two hundred dollars ;	
For fuel, one hundred and twenty-five dollars ;	
For miscellaneous items, four hundred dollars.	
In the Office of Commissary General of Subsistence :	Comm'y Gen. of Subsistence.
For blank books, binding and stationery, two hundred and fifty dol- lars ;	
For printing and advertising, twelve hundred dollars ;	
For labor, one hundred dollars ;	
For fuel and miscellaneous items, two hundred and fifty dollars ;	
In the office of the Chief Engineer :	Chief Engi- neer.
For blank books, binding and stationery, two hundred dollars ;	
For printing, two hundred dollars ;	
For fuel, one hundred and fifty dollars ;	
For miscellaneous items, three hundred and fifty dollars.	
In the office of the Surgeon General :	Surgeon Gen- eral.
For blank books, binding and stationery, sixty dollars ;	
For printing, fifty dollars ;	



- For fuel, seventy-five dollars ;  
 For miscellaneous items, sixty-five dollars ;  
 In the office of the Colonel of Ordnance :  
 For blank books, binding and stationery, four hundred dollars ;  
 For printing, eighty dollars ;  
 For fuel, one hundred and fifty dollars ;  
 For miscellaneous items, two hundred dollars.
- Colonel of Ordnance.
- In the Bureau of Topographical Engineers :  
 For blank books, binding and stationery, four hundred dollars ;  
 For labor, one hundred dollars ;  
 For fuel, two hundred and fifty dollars ;
- Topographical Engineers.
- For miscellaneous items, five hundred dollars : *Provided*, That in all cases under this bill, when the appropriations for the contingencies of a department proper, and of the bureaus of that department, or any of them, shall be separately made, the head of the department may in his discretion, consolidate those items of appropriations under the respective heads, and consider them as single sums appropriated for the " contingencies of the department and its several bureaus ;" and, in that case, the head of such department may direct the expenditure of those consolidated sums between the department and its bureaus, having regard to the heads of appropriation, according to his discretion, so far as expenditures therefrom shall become necessary ; but such head of a department shall, in his annual report to be made to Congress, state the portion of it expended for the department proper, and for each bureau.
- Miscellaneous Proviso.
- For the contingent expenses of the northwest executive building, viz :
- N. W. executive building. Contingent expenses.
- For labor, four hundred dollars ;  
 For fuel and light, two thousand dollars ;  
 For miscellaneous items, one thousand six hundred dollars.
- Navy Department. Office of Secretary. Bureau of Navy Yards and Docks.
- Navy Department.*—For compensation of the Secretary of the Navy, and the clerks, messenger, and assistant messenger in his office, nineteen thousand three hundred and fifty dollars ;
- For compensation of the chief of the Bureau of Navy Yards and Docks, and to the civil engineer, draughtsman, clerks, and messenger in his office, ten thousand four hundred dollars ;
- For compensation of the chief of the Bureau of Construction, Equipment, and Repairs, and to the assistant constructor, clerks, and messenger in his office, nine thousand seven hundred dollars ;
- For compensation of the chief of the Bureau of Provisions and Clothing, and to the clerks and messenger in his office, seven thousand one hundred dollars ;
- Bureau of Construction, equipment and repairs. Bureau of Provisions and Clothing.
- For compensation of the chief of the Bureau of Ordnance and Hydrography, and to the draughtsman, clerks, and messenger in his office, eight thousand four hundred dollars ;
- Bureau of Ordnance and Hydrography.
- For compensation of the chief of the Bureau of Medicine and Surgery, and to the clerks and messenger in his office, five thousand two hundred dollars.
- Bureau of Medicine and Surgery.
- For contingent expenses of said department, and all the bureaus connected therewith, viz :
- Contingencies of Department and bureaus.
- For blank books, binding, and stationery, two thousand four hundred and sixty dollars ;  
 For printing, three hundred dollars ;  
 For extra clerk hire, six thousand dollars ;  
 For labor, seven hundred and forty dollars ;
- For compensation of assistant surgeon, detailed for duty in the Bureau of Medicine and Surgery, at the rate of fourteen hundred dollars per annum, including arrearages since the twenty-fourth of April, one thousand eight hundred and forty-four, sixteen hundred and fifty six dollars and fifty cents.
- Assistant Surgeon, including arrearages.

For miscellaneous items, one thousand one hundred and twenty dollars;	Miscellaneous.
For the contingent expenses of the southwest executive building, viz :	S. W. execu-
For labor, three hundred and twenty-five dollars;	tive build-
For fuel and light, one thousand three hundred and fifty dollars;	ing. Con-
For miscellaneous items, one thousand one hundred and fifty dollars.	tigent
<i>Patent Office.</i> —For the purchase of such scientific works as are	expenses.
necessary for the use of the Patent Office, one thousand dollars;	Patent Office.
For the collection of agricultural statistics, and for other purposes,	Scientific
two thousand dollars;	works.
For covering the coping of the Patent Office, to protect the building	Agricultural
from injury by water, seven hundred dollars;	statistics.
For an iron railing on the portico, and for lamp posts, six hundred	Covering the
dollars; which several sums, amounting in the aggregate to four thou-	coping of patent
sand three hundred dollars, to be paid out of the patent fund.	office.
<i>Post Office Department.</i> —For compensation to the Postmaster Gen-	Iron railing,
eral, three Assistant Postmasters General, clerks, messenger, three	&c.
assistant messengers, and two watchmen, of the said department, seventy-	To be paid out
four thousand three hundred [dollars :] <i>Provided</i> , That no extra com-	of patent fund.
penensation shall be paid to clerks in any department for extra services ;	Post Office
For additional compensation to the four assistant messengers em-	Department.
ployed in the Post Office Department, two hundred dollars, so as to	Postmaster
increase their compensation to four hundred dollars per year ;	General, &c.
For the contingent expenses of said department, viz :	Proviso.
For blank books, binding, and stationery, one thousand eight hun-	Increase of pay
ded dollars ;	to 4 assistant
For fuel and oil, two thousand one hundred dollars ;	messengers.
For printing, nine hundred dollars ;	Contingent
For labor, one thousand two hundred and fifty dollars ;	expenses.
For day watch, three hundred and sixty dollars ;	
For miscellaneous items, eight hundred dollars ; including compen-	Miscellaneous,
sation to the superintendent of the General Post Office building from	including com-
the first of January, one thousand eight hundred and forty-two, to the	penensation to su-
thirtieth of June, one thousand eight hundred and forty-four, at the	perintendent of
rate of two hundred and fifty dollars a year.	building.
For compensation of the Auditor for the Post Office Department, and	Auditor, &c.
the clerks, messenger, and assistant messenger, in his office, eighty-	
five thousand seven hundred dollars.	Contingent
For contingent expenses of said office, viz :	expenses.
For labor, two thousand and forty dollars ;	
For blank books, binding, and stationery, one thousand one hun-	
ded dollars ;	
For printing blanks and circulars, one thousand and twenty dollars ;	
For miscellaneous items, seven hundred dollars ;	
<i>Surveyors and their Clerks.</i> —For compensation of the surveyor	Surveyors and
general northwest of the Ohio, and the clerks in his office, eight thou-	their clerks.
sand three hundred dollars.	North-west of
For compensation of the surveyor general in Illinois and Missouri,	the Ohio.
and the clerks in his office, five thousand eight hundred and twenty	Illinois and
dollars.	Missouri.
For compensation of the surveyor general in Arkansas, and the	Arkansas.
clerks in his office, four thousand three hundred dollars.	
For compensation of the surveyor general in Louisiana, and the	Louisiana.
clerks in his office, four thousand five hundred dollars.	
For compensation of the surveyor general of Mississippi, and the	Mississippi.
clerks in his office, three thousand dollars.	
For compensation of the surveyor general in Alabama, and the	Alabama.
clerks in his office, four thousand dollars.	
For compensation of the surveyor general in Florida, and the clerks	Florida.
in his office, four thousand five hundred dollars.	

Wisconsin.	For compensation of the surveyor general of Wisconsin, and the clerks in his office, three thousand one hundred dollars.
Clerks, to be apportioned.	For compensation of the clerks in the offices of the surveyors general, to be apportioned to them according to the exigencies of the public service, ten thousand dollars.
Clerks to transcribe field notes.	For clerks in the offices of the surveyors general, to transcribe field notes of survey for the purpose of preserving them at the seat of Government, in addition to former appropriations, as follows :
North-west of the Ohio.	Office of surveyor general northwest of [the] Ohio, four thousand five hundred dollars.
Wisconsin and Iowa.	Office of surveyor general of Wisconsin and Iowa, two thousand dollars.
Illinois and Missouri.	Office of surveyor general of Illinois and Missouri, four thousand dollars.
Arkansas.	Office of surveyor general of Arkansas, one thousand dollars.
Alabama.	Office of surveyor general of Alabama, one thousand dollars.
Secretary to sign patents.	For compensation of the secretary to sign patents for public lands, one thousand five hundred dollars.
Commissioner of public buildings.	For compensation of the Commissioner of the Public Buildings in Washington city, two thousand dollars ;
Assistants, &c. at Potomac bridge.	For compensation to four assistants, draw-keepers at the Potomac bridge, including oil for lamps and machinery, fire wood and repairs of bridge, and for arrearages due, five thousand five hundred dollars.
Mint and branches.	<i>Mint of the United States and Branches.</i> —For compensation of the officers and workmen of the mint at Philadelphia, namely :
Mint at Philadelphia—officers.	For the director, three thousand five hundred dollars ;
	For the treasurer, two thousand dollars ;
	For the chief coiner, two thousand dollars ;
	For the assayer, two thousand dollars ;
	For the engraver, two thousand dollars ;
	For the assistant assayer, one thousand three hundred dollars ;
	For the melter and refiner, two thousand dollars ;
	For four clerks, four thousand four hundred dollars ;
Workmen.	For wages to workmen, twenty-four thousand dollars.
Contingent expenses.	For incidental and contingent expenses, including fuel, materials, stationery, water rent and repairs, four thousand dollars.
Specimens.	For specimens of ores and coins to be reserved at the mint, eight hundred dollars.
Purchase of patent right for counting coins.	For the purchase of the perpetual right, for the mint and branch mints of the United States, to the use of a patented apparatus for counting coins, invented by the late Rufus Tyler, two thousand five hundred dollars.
Branch mint at Charlotte—officers.	For compensation of the officers and workmen of the branch mint at Charlotte, in North Carolina, viz :
	For the superintendent, two thousand dollars ;
	For the assayer, fifteen hundred dollars ;
	For the coiner, fifteen hundred dollars ;
	For the clerk, one thousand dollars ;
Workmen.	For wages to workmen, three thousand five hundred dollars ;
Contingent expenses.	For the incidental and contingent expenses of said branch, including fuel, materials, stationery, repairs and wastage of gold, fifteen hundred dollars ;
New roof to mint.	For renewing the roof of the mint, one thousand dollars ;
Branch mint at Dahlonega—officers.	For compensation of the officers and workmen of the branch mint at Dahlonega, Georgia, viz :
	For the superintendent, two thousand dollars ;
	For the assayer, fifteen hundred dollars ;
	For the coiner, fifteen hundred dollars ;
	For the clerk, one thousand dollars ;

For wages to workmen, four thousand three hundred and twenty dollars;	Workmen.
For incidental and contingent expenses of said branch, including fuel, materials, stationery, repairs, and wastage of gold, three thousand three hundred dollars;	Contingent expenses.
For compensation of the officers and workmen of the branch mint at New Orleans, viz;	Branch mint at New Orleans—officers.
For the superintendent, two thousand five hundred dollars;	
For the treasurer, two thousand dollars;	
For the coiner, two thousand dollars;	
For the assayer, two thousand dollars;	
For the melter and refiner, two thousand dollars;	
For two clerks, two thousand four hundred dollars;	
For wages to workmen, eighteen thousand dollars;	Workmen.
For incidental and contingent expenses of said branch, including fuel, materials, stationery, water rent, repairs and wastage of gold and silver, twenty-three thousand dollars;	Contingent expenses.
For machinery and machinists, four thousand dollars.	Machinery and machinists.
<i>Governments in the Territories of the United States.</i> —For compensation of the officers of Wisconsin Territory, viz :	Territories. Wisconsin.
For Governor, two thousand five hundred dollars;	Governor.
For three judges, five thousand four hundred dollars;	Judges.
For secretary, one thousand two hundred dollars;	Secretary.
For contingent expenses of said Territory, three hundred and fifty dollars;	Contingent expenses.
For compensation and mileage of the members of the Legislative Assembly of said Territory, pay of their clerks, librarian, and superintendent of public buildings, printing, stationery, fuel, lights, arrearages of previous sessions and all other incidental and miscellaneous objects, seventeen thousand two hundred and fifty dollars.	Legislative Assembly.
For compensation of the officers of Iowa Territory, viz :	Iowa.
For Governor, two thousand five hundred dollars;	Governor.
For three judges, five thousand four hundred dollars;	Judges.
For secretary, one thousand two hundred dollars;	Secretary.
For contingent expenses of said Territory, three hundred and fifty dollars;	Contingent expenses.
For compensation and mileage of the members of the Legislative Assembly of said Territory, pay of officers, printing, stationery, fuel, lights, and all other incidental and miscellaneous objects, including arrearages of expenses of previous sessions of said Assembly, sixteen thousand nine hundred and eighty-three dollars.	Legislative Assembly.
For compensation of the officers of Florida Territory, viz :	Florida.
For the Governor, two thousand five hundred dollars;	Governor.
For the five judges, nine thousand five hundred dollars;	Judges.
For the secretary, one thousand five hundred dollars;	Secretary.
For contingent expenses of said Territory, three hundred and fifty dollars;	Contingent expenses.
For pay and mileage of the members of the Senate and House of Representatives and their officers, fourteen thousand one hundred and eighty-nine dollars and twenty cents.	Members of Senate and H. of Reps.—pay and mileage.
For contingent expenses of the Legislative Assembly, including printing, stationery, fuel, and all other incidental objects and arrearages, seven thousand six hundred and seventy-five dollars.	Legislative Assembly, contingent expenses.
<i>Judiciary.</i> —For compensation of the Chief Justice of the Supreme Court, and the eight Associate Judges, forty-one thousand dollars.	Judiciary. Chief justice and associate judges.
For compensation of the district judges, fifty-two thousand nine hundred dollars	District judges.
For compensation of the chief justice of the District of Columbia, the associate judges, the judges of the criminal and orphan's courts of said District, eleven thousand seven hundred dollars.	Judges of District Columbia.

Attorney General, &c.

For compensation of the Attorney General, clerk and messenger in his office, five thousand five hundred dollars.

Contingent expenses.  
Reporter of Supreme Court.  
District attorneys.

For contingent expenses of said office, five hundred dollars.

For compensation of the reporter of the decisions of the Supreme Court, one thousand three hundred dollars.

Marshals.

For compensation of the district attorneys, including those in the several Territories, as prescribed by law, eight thousand dollars.

For compensation of the marshals, including those in the several Territories, as prescribed by law, seven thousand two hundred dollars.

Expenses of the Supreme, Circuit and District 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 fiscal year ending thirtieth June, one thousand eight hundred and forty-five and previous 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, four hundred thousand dollars: *Provided*, That no part of the sum hereby or hereafter to be appropriated for this object shall be paid to or in any way allowed to any person or persons who has or have neglected or who shall hereafter neglect, to comply with all and every requirement contained in the one hundred and sixty-seventh paragraph of the first section of the twenty-ninth chapter of the Laws of the United States entitled "An act making appropriations for the civil and diplomatic expenses of the Government for the year one thousand eight hundred and forty-two," and approved May eighteenth one thousand eight hundred and forty-two.

1842, ch. 29.

To the State of Kentucky for supporting convicts.

And the sum of three thousand three hundred and nineteen dollars and sixty-seven cents is hereby appropriated and directed to be paid to the State of Kentucky, in discharge of a claim for that amount due the said State, for receiving, keeping and supporting the convicts of the Federal court for the district of Kentucky from the year one thousand eight hundred and four up to the first day of December one thousand eight hundred and forty-three.

Printing for Supreme Court to be let by contract.

From and after the passage of this act the printing ordered by or for the Supreme Court in the city of Washington or any of its officers for the use of said court, shall be let by contract to the lowest bidder, in the same manner as is now done for the printing of the Executive Departments.

Miscellaneous. Annuities and grants.

*Miscellaneous.*—For the payment of annuities and grants by special acts of Congress, seven hundred and fifty dollars.

Keepers of Florida archives.

For compensation of two keepers of the public archives in Florida, one thousand dollars.

Expenses of loan.

For expenses in relation to the loan, two thousand five hundred dollars.

Penitentiary of D. C.

For the support and maintenance of the penitentiary of the District of Columbia, five thousand dollars.

H. Greenough for statues.

For payment to Horatio Greenough for statues for the east front of the Capitol, four thousand dollars.

L. Persico for services, &c.

For compensation to Luigi Persico for services rendered and expenses incurred in bringing the group of statues made by him to this country and placing it on the pedestal by direction of the Secretary of the Treasury, four thousand dollars.

Deficiency in fund for relief of seamen.

To make good a deficiency in the fund for the relief of sick and disabled seamen, twenty-five thousand dollars.

Auxiliary guard.

For compensation and contingent expenses of the auxiliary guard, after deducting the unexpended balance of one thousand one hundred and fifty-two dollars and sixty-eight cents, five thousand six hundred and twenty-two dollars and thirty-three cents.

For lighting Pennsylvania avenue during the sessions of Congress, six hundred dollars;

Lighting Pennsylvania avenue.  
Indices to Washington papers.

For preparing indices to the manuscript papers of the Confederation and the papers of Washington, one thousand two hundred and fifty-two dollars;

For compensation of the commissioner and clerk appointed to mark the boundary between the United States and Great Britain and for other expenses of the commission, including the purchase and repair of instruments, wages of persons employed, and other contingencies, thirty-five thousand dollars.

Expenses of commission to mark the boundary between U. S. and Great Britain.

For compensation to two commissioners to examine claims under the treaty with the Cherokees of one thousand eight hundred and thirty-five, and pay of secretary, including provisions for Indians during the session of the board, and for contingent expenses, eleven thousand five hundred dollars.

Expenses of commission under Cherokee treaty.

For defraying the contingent expenses of commissioners to adjust claims to Choctaw reservations under the treaty of one thousand eight hundred and thirty with the Choctaws, six thousand one hundred dollars: *Provided*, That the duration of either of said commissions shall not extend beyond one year after the passage of this act.

Expenses of commission under Choctaw treaty.  
Proviso.

To pay the expenses that may be incurred in conveying to the seat of Government the votes of the electors of the several States for President and Vice President of the United States, twelve thousand dollars.

Expenses of conveying votes of electors to Washington.  
Coast survey.  
Proviso.

For survey of the coast of the United States, including compensation of superintendent and assistants, eighty thousand dollars: *Provided*, That officers of the army and navy shall, as far as practicable, be employed in the work, whenever and in the manner required by the Department having charge thereof.

For carrying on the work of the custom-house [at] Boston, fifty thousand dollars.

Boston custom-house.

For continuing the preparation and publication of the Narrative and Account of the Exploring Expedition, forty thousand dollars.

Publication of narrative of exploring exped'n.  
Maps of exploring exped'n.

For the publication, under the direction of the Secretary of the Navy and of the Secretary of the Treasury, of such of the maps of the exploring expedition as, in their judgment, will be serviceable to the navy and the commerce of the country, two thousand dollars.

To defray the expenses of taking care of and preserving the botanical and horticultural specimens brought home by the exploring expedition, and for the salary of the keeper of, and enlarging the green house under the direction and control of the joint committee on the library, twenty-two hundred dollars.

Botanical and horticultural specimens, &c.

*Light-house Establishment.*—For the support and maintenance of light-houses, floating lights, beacons, buoys, and stakeages, including the purchase of lamps, oil, wicks, buff-skins, whiting, and cotton cloth, transporting oil, and for keepers' salaries, repairs, improvements, and contingent expenses, three hundred and eighty-five thousand four hundred and sixty-five dollars and seventy-five cents.

Light-house establishment.  
Supplies, &c.

For expenses of superintendents in visiting their light-houses annually, and examining and reporting their condition, two thousand dollars.

Expenses of superintendents

For superintendents' commissions, at two and a half per centum, nine thousand six hundred and ninety-four dollars and fourteen cents: *Provided*, That no superintendent shall receive any of the commissions whose compensation may exceed two thousand dollars per annum.

Superintendents' commissions.  
Proviso.

*Surveys of Public Lands.*—For surveying the public lands, in addition to the unexpended balance of former appropriations, to be apportioned to the several districts, according to the exigencies of the public service, exclusive of surveys in Louisiana, one hundred and ten thousand dollars.

Surveying public lands.

For surveying, with reference to mines and minerals, in that portion

Surveying with reference to mines.

of Michigan south of Lake Superior, at a rate not exceeding five dollars per mile, under the special direction of the Secretary of the Treasury, and such rules and regulations as he may prescribe, twenty thousand dollars.

Survey of private claims.

For survey of private claims in Alabama, and their connexion with the adjacent public lands, at a rate not exceeding eight dollars per mile, being in addition to the appropriations made for a similar object by the acts of sixth April, one thousand eight hundred and thirty-eight, and March third, one thousand eight hundred and forty-three, one thousand five hundred dollars.

1838, ch. 54.  
1843, ch. 100.

Surveys in Illinois and Missouri.

For the survey of detached tracts in Illinois and Missouri, in addition to the appropriation of the third of March, one thousand eight hundred and forty-three, for that purpose, at a rate not exceeding six dollars a mile, and including office work, three thousand dollars.

Surveying in Louisiana.

For surveying in the State of Louisiana, as follows: At a rate not exceeding eight dollars a mile, to pay for the excess of the contracts over the amount heretofore provided and expended, twenty-one thousand six hundred and twenty-three dollars; at a rate not exceeding eight dollars a mile, for the correction of the surveys in the Greensburg district, under the act of twenty-ninth August, one thousand eight hundred and forty-two, including office work, thirty-three thousand four hundred and eighty dollars; at a rate not exceeding four dollars a mile, and incidental expenses, being in addition to the unexpended balance of former appropriations, eleven thousand nine hundred and seven dollars.

1842, ch. 258.

Survey of private claims in Florida.

For the survey of private claims in Florida, and their connexion with the adjacent public lands, at a rate not exceeding five dollars a mile, five thousand dollars.

Foreign intercourse.  
Ministers.

*Intercourse with Foreign Nations.*—For salaries of the ministers to Great Britain, France, Russia, Prussia, Austria, Spain, Mexico, and Brazil, seventy-two thousand dollars.

Secretaries of legation.

For salaries of secretaries of legation to the same places, sixteen thousand dollars.

Chargés des affaires.

For salaries of chargés des affaires to Portugal, Denmark, Sweden, Holland, Belgium, Chili, Peru, Venezuela, New Granada, Texas, Naples, Sardinia, and Buenos Ayres, fifty-eight thousand five hundred dollars.

Minister to Turkey.  
Drogoman.

For salary of a minister resident to Turkey, six thousand dollars.

For salary of a drogoman to the legation to Turkey, two thousand five hundred dollars.

Barbary powers.

For expenses of intercourse with the Barbary Powers, ten thousand dollars;

Contingent expenses.

For contingent expenses of foreign intercourse, in addition to the balance that may remain thirtieth June, one thousand eight hundred and forty-four, fifteen thousand dollars;

Cont. exp. of missions.  
Consul at London.

For contingent expenses of all the missions abroad, fifteen thousand dollars.

Consul at Beyroot.  
Outfits.

For salary of the consul at London, two thousand dollars.

For salary of consul to Beyroot, five hundred dollars.

For outfits of the late and present ministers to Brazil and the minister to Mexico, and of chargés des affaires to Portugal, Sardinia, Chili, Texas, Belgium, and Buenos Ayres, fifty-four thousand dollars: *Provided*, That the appointment of a chargé d'affaires to Belgium be made during the present session of Congress.

Proviso.

Outfit of minister to Turkey.  
Outfit of D. Porter.

For outfit of a minister resident to Turkey, six thousand dollars.

For outfit to David Porter, late minister resident to Turkey, to be paid to his legal representatives, six thousand dollars.

Consulate at London.

For clerk hire, office rent, and other expenses of the office of the consul at London, two thousand eight hundred dollars.

American seamen abroad.

For the relief and protection of American seamen in foreign countries, thirty thousand dollars.

For interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, and Alexandria, fifteen hundred dollars.

For compensation to the commissioner to the Sandwich Islands, three thousand dollars.

For payment of the fourth and fifth volumes of the Documentary History, under contract with the Secretary of State, forty-eight thousand two hundred and ninety-seven dollars.

For compensation to the copying clerk hereby authorized to be employed in the office of the Solicitor of the Treasury, including arrearages since May 7th, one thousand eight hundred and forty-three, at six hundred dollars a year, twelve hundred and ninety-one dollars and twenty-four cents.

For additional compensation to the assistant messenger of the General Land Office, so as to increase it to the rate of one dollar and seventy-five cents per day, two hundred and eighty-eight dollars and seventy-five cents.

For additional compensation to the assistant messenger in the office of the Register of the Treasury, two hundred dollars.

For compensation for preparing a classified synoptical index of public documents in the office of the Secretary and Comptroller of the Treasury, and making examinations for information thereon to answer inquiries from the department and the different bureaus, from July thirteen, one thousand eight hundred and forty-three, to June thirty, one thousand eight hundred and forty-four, eleven hundred and fifty-eight dollars.

For compensation of four clerks, hereby authorized to be appointed and employed for one year only, in the office of the Comptroller of the Treasury, five thousand six hundred dollars.

For additional compensation to the watchmen employed at the War Department, for services rendered by day under the regulations of the department, three hundred and sixty-five dollars.

For additional compensation to the watchmen of the Navy Department, for services rendered by day under the regulations of the Department, two hundred and seventy-five dollars and seventy-five cents.

For the purchase of the building in the city of Philadelphia, formerly the Bank of the United States, for a custom-house for the port of Philadelphia, in addition to the proceeds of sale of the present custom-house, two hundred and twenty-five thousand dollars: *Provided*, That the whole cost shall not exceed two hundred and seventy-five thousand dollars

SEC. 2. *And be it further enacted*, That whenever, hereafter, in submitting to Congress the annual estimates from the several Executive departments of the Government, it shall be found that the usual items of such estimates vary materially in amount from the appropriation ordinarily asked for the object named, and especially from the appropriation granted for the same objects for the year next preceding, and whenever new items not theretofore usual shall be introduced into such estimates for any year, the estimates shall be accompanied by minute and full explanations from the head of the appropriate department, of all such variations and new items, setting forth the reasons and grounds upon which the amounts are required, and the different items added: and whenever any such estimate, whether annual or special, shall ask an appropriation for any new specific expenditure, such as the construction of a fort, the erection of a custom-house, or other public building, or the construction of any other public work requiring a plan before the building or work can be properly completed, every such estimate shall be accompanied by a full plan and detailed estimates of the cost of the whole work; and all subsequent estimates for every such work shall give the original estimated cost, the aggregate amount theretofore appropriated for the same, and the amount actually expended thereupon, as well as

Expenses of consulates at Constantinople, Smyrna, &c.

Commissioner to the Sandwich islands.

Documentary History.

Copying clerk in Solicitor's office.

Additional compensation to assistant messenger in Land Office.

Additional to assistant messenger in Register's Office.

Indexing public documents.

Four clerks to be employed in Comptroller's office.

Additional to watchmen at War Dep't.

Additional to watchmen at Navy Dep't.

Purchase of building for custom-house in Philadelphia. *Provido*.

When the usual items vary materially in amount from the ordinary appropriation for that object, &c.

All estimates for works requiring a plan must be accompanied with one, &c.



the amount asked for the current year for which such estimates shall be made; and whenever any such subsequent estimate shall ask for an appropriation for any such work beyond the original estimate of the cost, the full reasons for the excess, and the extent of the anticipated excess, shall be also stated.

Part of 6th sec. of act of Aug. 26, 1842, ch. 202, repealed.

SEC. 3. *And be it further enacted*, That so much of the sixth section of the act entitled "An act legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the departments and offices of the Government, and for other purposes," approved on the twenty-sixth day of August, one thousand eight hundred and forty-two, and which enacts, that the several offices and employments therein before mentioned, except such as were otherwise limited by the act, shall be continued until the first day of July, one thousand eight hundred and forty-four, be and is hereby repealed; and the various provisions of the said act concerning the said several offices and employments thereby legalized are hereby re-enacted, and declared to be in full force and operation until the first day of July, one thousand eight hundred and forty-five, and no longer. That, for the compensation of the several offices and employments legalized by the said act of the twenty-sixth day of August, one thousand eight hundred and forty-two, for the fiscal year ending the thirtieth day of June, one thousand eight hundred and forty-five, the sum of forty-one thousand eight hundred and eighty-two dollars and fifty cents be, and is hereby, appropriated. That the Secretary of the Senate, and Clerk of the House of Representatives be, and they are hereby, authorized to continue, for one year, the employment of the additional clerks authorized by any existing resolution of their respective Houses, and the sum of nine thousand dollars be, and hereby is, appropriated for their compensation.

Provisions of said act re-enacted, and to be in force till July 1, 1845.

Compensation of offices, &c. legalized by said act.

Additional clerks to be continued for one year.

For deficiencies in appropriations for the year ending June 30, 1844.

SEC. 4. *And be it further enacted*, That the following sums are hereby appropriated to supply deficiencies in the appropriations for various objects made for the service of the fiscal year ending thirtieth June, one thousand eight hundred and forty-four, to be paid out of any unappropriated money in the Treasury, namely:

Arranging letters.

For expenses incurred in the office of the First Comptroller of the Treasury in preserving and arranging important letters of the office which have been lying in mass since the burning of the Treasury, in continuation of an appropriation last year, twelve hundred dollars;

S. E. executive building.

For arrearages of salaries of superintendent and watchmen of the southeast executive building, including ten dollars short, appropriated for the calendar year, ending thirtieth June, one thousand eight hundred and forty-three, and twenty dollars for the fiscal year ending thirtieth June, one thousand eight hundred and forty-four, thirty dollars;

Contingencies in Adj. General's office.

For arrearages of contingent expenses in the office of the Adjutant General, five hundred dollars;

Clerk to naval constructor.

For clerk to the chief naval constructor from July eighth, to November second, one thousand eight hundred and forty-three, three hundred and thirty-five dollars;

Extra clerk hire, bureau of Provisions and Clothing.

For arrears of extra clerk hire in the bureau of Provisions and Clothing, five hundred and thirty-eight dollars;

Book-cases for executive office, Florida.

For three large book-cases, made for the use of the Executive office Florida Territory, one hundred and twenty dollars;

Legislative Council of Florida.

For arrearages of former sessions of the Legislative Council of Florida, four hundred dollars;

Purchase of site for light-house on Boddy's island, N. C.

For amount expended for the purchase of a site for a light house on Boddy's island, North Carolina, being part of the amount appropriated for that purpose, carried to the surplus fund on the thirty-first of De

ember, one thousand eight hundred and forty, three hundred and fifteen dollars and forty-nine cents;

For preparing indices to the manuscript papers of Washington, being an arrearage for the fiscal year ending thirtieth June, one thousand eight hundred and forty-four, one thousand one hundred and eight dollars;

For completing the work of the custom-house in Wilmington, North Carolina, including the purchase of a lot adjoining the site, nineteen thousand nine hundred dollars;

For expenses incident to the issue of Treasury notes, four thousand dollars: *Provided*, That no part of this appropriation be applied, and no compensation shall be made to any officer whose salary is established by law for preparing, signing or issuing said Treasury notes.

For expenses in relation to the loan, eight thousand dollars;

For salary of an assistant surveyor, to survey the private claims in Florida, under the direction and supervision of the surveyor general of Florida, one thousand dollars;

For pay of chain carriers, markers, transportation, provisions, &c., for ditto, fifteen hundred dollars;

For salary of an assistant surveyor, to have charge and oversight of the re-surveys in the Greensburg (late St. Helena) district, Louisiana, under the direction and supervision of the surveyor general of Louisiana, one thousand dollars;

For outfit of the late chargé d'affaires to Texas, four thousand five hundred dollars;

For arrearages in Black Hawk war, in one thousand eight hundred and thirty-two, due Captain R. Anderson, on report of the accounting officers, four hundred and forty-one dollars and forty-seven cents;

For arrearages due marshals and district attorneys, one thousand five hundred dollars;

For arrearages of contingent expenses of branch mint at New Orleans, ten thousand dollars;

For arrearages on account of a survey for an extension of the National Road to Jefferson, Missouri, one thousand three hundred and fifty-nine dollars and eighty-one cents;

For the purpose of completing and rendering secure and tenantable the State House in Florida, twenty thousand dollars: *Provided*, That this act shall not be construed as sanctioning any excess of expenditure heretofore made beyond former appropriations for that object, nor as authorizing any further expenditure beyond the amount hereby appropriated in completing said building;

For settlement of the claims of Sextus Shearer for goods furnished the New York Indians, one thousand five hundred and twenty-three dollars and five cents, to be paid out of balances of appropriations heretofore made for blacksmiths' establishments in the Indian service;

For completing the marine hospital at the town of McDonough, opposite to the city of New Orleans, thirty thousand dollars;

For the payment of Jeremiah Smith, jr., as per schedule to the Sac and Fox treaty, concluded eleventh of October, one thousand eight hundred and forty-two, and the act of Congress of third of March, one thousand eight hundred and forty-three, for carrying into effect the provisions of said treaty, four thousand dollars.

To defray arrearages of expense of the commission appointed to mark the boundary line between the United States and Great Britain, eight thousand dollars;

To satisfy the claims of the State of Maine, under the stipulations of the treaty between the United States and Great Britain, concluded on the ninth of August, one thousand eight hundred and forty-two, a sum not exceeding eighty thousand dollars;

Indices to Washington papers.

Custom-house at Wilmington, N. C.

Issue of Treasury notes. Proviso.

Expenses of loan. Assistant surveyor in Florida.

Chain carriers, &c. for same.

Assistant surveyor, Greensburg district.

Chargé d'affaires to Texas.

Capt. R. Anderson.

Marshals and district attorneys.

Cont. exp. of mint at New Orleans.

Survey of National Road.

Completing state-house in Florida. Proviso.

S. Shearer.

Marine hospital at McDonough. Jeremiah Smith.

1843, ch. 80.

Commission to mark boundary between U. S. and Gr. Britain.

Claims of Maine under treaty with Great Britain.

Expenses of procuring information respecting foreign commerce.

To defray expenses incurred and to be incurred in complying with the resolutions of the House of Representatives of the third of September, one thousand eight hundred and forty-one, and of the third of March, one thousand eight hundred and forty-three, and of the Senate of the thirty-first of August, one thousand eight hundred and forty-two and of the fourteenth of February, one thousand eight hundred and forty-three, calling for information respecting the foreign commerce of the United States, its restrictions and privileges, prices of commodities, &c., ten thousand dollars.

Sec. to publish monthly the last preceding weekly statement of the Treasurer, &c.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury cause to be published in some newspaper of the city of Washington, on the first day of each month, the last preceding weekly statement of the Treasurer of the United States, showing the amount to his credit in the different banks, in the mint, or other depositories, the amount for which drafts have been given, and those remaining unpaid, and the balance remaining subject to his draft; and that he also specially note any changes that have been made in the depositories of the Treasury during the preceding month, and report to Congress, at the commencement of its next session, the reasons for such changes. And that no changes be made except for non-compliance with the instructions of the Department or the failure to furnish sufficient security.

Quarterly statement of receipts and expenditures to be published.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury at the expiration of thirty days from the end of each quarter, cause to be published in some newspaper of the city of Washington a statement of the whole receipts of such quarter, specifying the amount received from customs, from public lands, and from miscellaneous sources, and, also, the whole amount of payments made during the said quarter, specifying the general head of appropriation, whether for the civil list, the army, the navy, Indian department, fortifications, or pensions.

Number of officers in custom-houses not to be increased, &c.

SEC. 7. *And be it further enacted*, That the number of inspectors, gaugers, weighers, measurers, or markers, in any custom-house shall not be increased beyond the number now in service; and that no allowance shall be made to any inspector, for any services, subsistence, travelling or any other amount beyond the amount fixed by law of three dollars per day, and not to exceed ten cents per mile for travelling expenses when actually engaged in the performance of his duties at any other place than the port or custom-house from the collector of which he has received his appointment.

APPROVED, June 17, 1844.

#### STATUTE I.

June 17, 1844.

[Obsolete.]

CHAP. CVI.—*An Act making appropriations for the support of the army for the fiscal year ending on the thirtieth day of June, eighteen hundred and forty-five.*

In addition to unexpended balances.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums in addition to unexpended balances of former appropriations 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 fiscal year, commencing on the first day of July, one thousand eight hundred and forty-four, and ending on the thirtieth day of June, one thousand eight hundred and forty-five.

Army.

For pay of the army, one million fifty-eight thousand five hundred and twenty-one dollars and sixty-seven cents.

Commutation of subsistence.

For commutation of officers' subsistence, two hundred and eighty-four thousand five hundred and ninety-seven dollars and seventy-seven cents

Commutation of forage. Proviso.

For commutation of forage of officers' horses, seventy thousand dollars: *Provided*, That forage shall be allowed only for horses actually mustered.

<p>For payments in lieu of clothing for discharged soldiers and officers' servants, thirty-four thousand eight hundred and seventy-seven dollars and fifty-seven cents.</p>	<p>Clothing.</p>
<p>For subsistence in kind, two hundred and twenty-six thousand three hundred and sixteen dollars and eighty cents.</p>	<p>Subsistence.</p>
<p>For clothing for the army, camp and garrison equipage, one hundred and forty thousand dollars.</p>	<p>Clothing.</p>
<p>For expenses of recruiting, twenty-seven thousand three hundred and sixty-four dollars and seventy cents.</p>	<p>Recruiting.</p>
<p>For three months' extra pay to non-commissioned officers, musicians and privates, nine thousand four hundred and twenty dollars.</p>	<p>Extra pay.</p>
<p>For the regular supplies of the quartermaster's department, consisting of fuel, forage in kind for the authorized number of officers' horses, and for the horses, mules, and oxen belonging to the quartermasters' department at the several military posts and stations, and for the horses of the regiment of dragoons, and the four companies of light artillery; of straw for soldiers' bedding, and of stationery including company and other blank books for the army, certificates for discharged soldiers, blank forms for the pay and quartermasters' departments, and the printing of department orders, army regulations, and general regulations, one hundred and ninety-five thousand dollars.</p>	<p>Supplies of Quartermaster's department</p>
<p>For the incidental expenses of the quartermasters' department, consisting of postage on letters and packages received by officers on public service; expenses of courts martial and courts of inquiry, including the additional compensation to judge advocates, members and witnesses while on that service, under the act of sixteenth of March, eighteen hundred and two; extra pay to soldiers employed in the erection of barracks and quarters, the construction of roads and other constant labor, for a period of not less than ten days, under the act of second of March, eighteen hundred and nineteen; expenses of expresses from the frontier posts; of escorts to paymasters; of the necessary articles for the interment of non-commissioned officers and soldiers; hire of laborers; compensation to clerks to the officers of the quartermasters' department at posts where their duties cannot be performed without such aid; and compensation to agents in charge of dismantled works; and to such wagon and forage masters as it may be necessary to employ under the act of fifth of July, eighteen hundred and thirty-eight; various expenditures necessary to keep the regiment of dragoons and the four companies of light artillery complete, including the purchase of horses to supply the place of those which may be lost, and become unfit for service; shoeing horses; and the apprehension of deserters, and the expenses incidental to their pursuit, ninety thousand dollars.</p>	<p>Incidental expenses.</p>
<p>For the purchase of horses, equipments and forage, and to pay [the] other expenses caused by the act entitled "An act to repeal so much of the act approved twenty-third of August, eighteen hundred and forty-two, as requires the second regiment of dragoons to be converted into a regiment of riflemen, after the fourth day of March, eighteen hundred and forty-three," one hundred and ten thousand dollars.</p>	<p>Act of March 16, 1802, ch. 9.</p>
<p>For barracks, quarters and store-houses, including repairing and enlarging barracks, quarters, store-houses and hospitals at the several posts; for erecting temporary cantonments at such posts as may be occupied during the year, and gun-houses for the protection of the cannon at the several posts and military works, including the necessary tools and materials for the objects enumerated; and for the authorized furniture for the barrack-rooms of non-commissioned officers and soldiers; building and repairing stables for dragoons and light artillery; for rent of quarters for officers, barracks for troops at posts where there are no public buildings for their accommodation, and of store-houses for the safe-keeping of subsistence, clothing, &amp;c.; and of grounds for summer can-</p>	<p>Act of July 5, 1838, ch. 162.</p>
	<p>Horses, &amp;c. for 2d regiment of dragoons. Act of April 4, 1844, ch. 11.</p>
	<p>Barracks, &amp;c.</p>

tonments and encampments for military purposes, one hundred and forty thousand dollars;

For transportation of officers' baggage, when travelling on duty without troops, thirty-five thousand dollars;

For transportation of troops and supplies of the army, including the baggage of troops when moving either by land or water; freights and ferriages; the purchase or hire of horses, mules, oxen, carts, wagons and boats for the transportation of 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 public transports between the posts on the Gulf of Mexico, and of procuring water at such posts, as from their situation require it; of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and from the places of delivery, under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance, ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, and frontier posts, one hundred and seventy thousand dollars;

For medical and hospital department, twenty-seven [thousand] eight hundred dollars;

For continuing the meteorological observations at the military posts of the United States, under the direction of the Surgeon General for said fiscal year, two thousand dollars;

For the contingencies of the army, five thousand dollars;

For surveys in reference to the military defences of the frontiers, inland and Atlantic, ten thousand dollars;

For military and geographical surveys west of the Mississippi, twenty thousand dollars;

For continuing the surveys of the Northern and Northwestern lakes, twenty thousand dollars;

For purchase of ordnance, ordnance stores, and supplies, seventy-five thousand dollars;

For armament of fortifications, one hundred thousand dollars;

For current expense of ordnance service, ninety-five thousand dollars;

For manufacture of arms at the national armories, two hundred thousand dollars;

For arsenals, one hundred thousand dollars;

For purchase of saltpetre and brimstone, forty thousand dollars;

For expense of preparing drawings of artillery, one thousand dollars;

For repairs and improvements and new machinery at Springfield armory, twenty-five thousand dollars;

For repairs and improvements and new machinery at Harper's Ferry armory, twelve thousand dollars;

For barracks, quarters, &c., at Fort Atkinson, to close outstanding accounts, nine thousand four hundred and seventy-six dollars and eighty-eight cents;

To settle accounts of C. Thomas and E. B. Alexander. To settle the accounts of Major Charles Thomas and Captain Edward B. Alexander, being a re-appropriation of part of two former appropriations for the erection of a fort on the Arkansas frontier, which has been carried to the surplus fund, twenty-eight thousand eight hundred and fifty-seven dollars and seventy-one cents;

SEC. 2. *And be it further enacted*, That the sum of ten thousand dollars be and hereby is appropriated out of any money in the Treasury not otherwise appropriated, for the purpose of repairing the present buildings and erecting such others as may be necessary at the military post at Newport, Kentucky.

APPROVED, June 17, 1844.

Transportation of officers' baggage.

Transportation of troops and supplies.

Medical department.

Meteorological observations.

Contingencies.

Surveys.

Surveys west of Mississippi.

Surveys on lakes.

Ordnance and stores.

Fortifications.

Ordnance service.

Manufacture of arms.

Arsenals.

Saltpetre and brimstone.

Drawings.

Springfield armory.

Harper's Ferry armory.

Fort Atkinson.

To settle accounts of C. Thomas and E. B. Alexander.

Building at Newport, Ky.

STATUTE I.  
June 17, 1844.

CHAP. CVII.—*An Act making appropriations for the naval service for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-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 out of any unappropriated money in the Treasury, in addition to the unexpended balances of former appropriations for the naval service for the fiscal year commencing on the first day of July, eighteen hundred and forty-four, and ending on the thirtieth day of June, eighteen hundred and forty-five :

For pay of commission, warrant and petty officers and seamen, including the engineer corps of the navy, two millions five hundred and nine thousand one hundred and eighty-nine dollars : *Provided,* That the whole number of petty officers, seamen, ordinary seamen, landsmen and boys in the naval service, shall not exceed seven thousand five hundred at any one time during the fiscal year for which this appropriation is made : *And provided, further,* That no portion of the said sum be applied to the pay of any officers of any grade of the navy beyond the number allowed by law, in the respective grades, on the first day of September, eighteen hundred and forty-two : *And provided, further,* That all persons who may have been appointed as masters mates since the fourth day of August, eighteen hundred and forty-two, and who were not at the time of their appointment able seamen of the first class, shall be forthwith discharged, except such as shall have actually gone to sea ; and those at sea shall be discharged and sent back in the first national ship returning to the United States, and paid to the period of their return ; and in case no opportunity for returning shall be presented before the expiration of the cruise of the ship to which they are attached, then they shall be discharged on the return of such ship and paid to that time.

For pay of the civil establishment at the navy-yard in Kittery, Maine, viz :

For pay of naval store-keeper, fourteen hundred dollars ;

For pay of clerk to naval store-keeper, seven hundred and fifty dollars ;

For pay of naval constructor, two thousand three hundred dollars ;

For pay of clerk of navy-yard, nine hundred dollars ;

For pay of clerk of commandant, nine hundred dollars ;

For pay of clerk of naval constructor, four hundred dollars ;

For pay of porter of navy-yard, three hundred dollars ;

For pay of inspector of timber, seven hundred dollars ;

For pay of the civil establishment at navy-yard in Charlestown, Massachusetts, viz :

For pay of naval store-keeper, seventeen hundred dollars ;

For pay of three clerks to naval store-keeper, twenty-one hundred and fifty dollars ;

For pay of naval constructor, two thousand three hundred dollars ;

For pay of inspector of timber, one thousand and fifty dollars ;

For pay of clerk of navy-yard, nine hundred dollars ;

For pay of two clerks to commandant of navy-yard, sixteen hundred and fifty dollars ;

For pay of clerk to naval constructor, six hundred and fifty dollars ;

For pay of porter of navy-yard, three hundred dollars ;

For pay of keeper of magazine, four hundred and eighty dollars ;

For pay of the civil establishment at the navy-yard in Brooklyn, New York, viz :

For pay of naval store-keeper, seventeen hundred dollars ;

For pay of three clerks for naval store-keeper, twenty-one hundred and fifty dollars ;

In addition to unexpended balances.

Pay of officers and seamen.

Proviso.

Proviso.

Proviso.

Kittery.

Storekeeper.

Clerk.

Constructor.

Clerks.

Porter.

Inspector.

Charlestown.

Storekeeper.

Clerks.

Constructor.

Inspector.

Clerks.

Porter.

Magazine

keeper.

Brooklyn.

Storekeeper.

Clerks.

Constructor.	For pay of naval constructor, two thousand three hundred dollars;
Inspector.	For pay of inspector of timber, one thousand and fifty dollars;
Clerks.	For pay of clerk of the navy-yard, nine hundred dollars;
	For pay of two clerks to commandant of the navy-yard, sixteen hundred and fifty dollars;
	For pay of clerk to naval constructor, six hundred and fifty dollars;
Porter.	For pay of porter of navy-yard, three hundred dollars;
Magazine keeper.	For pay of keeper of the magazine, four hundred and eighty dollars;
Philadelphia.	For pay of the civil establishment of the navy-yard in Philadelphia, viz :
Storekeeper.	For pay of naval store-keeper, twelve hundred and fifty dollars;
Clerk.	For pay of clerk to naval store-keeper, seven hundred and fifty dollars;
Constructor.	For pay of naval constructor, two thousand three hundred dollars;
Inspector.	For pay of inspector of timber, nine hundred dollars;
Clerks.	For pay of clerk of navy-yard, nine hundred dollars;
	For pay of clerk to commandant of the navy-yard, nine hundred dollars;
	For pay of clerk to naval constructor, four hundred dollars;
Porter.	For pay of porter of navy-yard, three hundred dollars.
Washington.	For pay of the civil establishment at the navy-yard in Washington, District of Columbia, viz :
Constructor.	For pay of chief naval constructor, three thousand dollars;
Steam engineer.	For pay of principal steam engineer, twenty-five hundred dollars;
Storekeeper.	For pay of naval store-keeper, seventeen hundred dollars;
Clerk.	For pay of clerk of naval store-keeper, seven hundred and fifty dollars;
Inspector.	For pay of inspector of timber, nine hundred dollars;
Clerks.	For pay of clerk of navy-yard, nine hundred dollars;
	For pay of two clerks to commandant of navy-yard, sixteen hundred and fifty dollars;
	For pay of porter of the navy-yard, three hundred dollars;
Porter.	For pay of keeper of the magazine, four hundred and eighty dollars;
Magazine keeper.	For pay of the civil establishment at the navy-yard in Gosport, Virginia, viz :
Gosport.	
Storekeeper.	For pay of the naval store-keeper, seventeen hundred dollars;
Clerks.	For pay of three clerks to naval store-keeper, twenty-one hundred and fifty dollars;
Constructor.	For pay of naval constructor, two thousand three hundred dollars;
Inspector.	For pay of inspector of timber, one thousand and fifty dollars;
Clerks.	For pay of clerk of navy-yard, nine hundred dollars;
	For pay of two clerks to commandant of navy-yards, sixteen hundred and fifty dollars;
	For pay of clerk to naval constructor, six hundred and fifty dollars;
	For pay of porter of the navy-yard, three hundred dollars;
Porter.	For pay of the keeper of the magazine, four hundred and eighty dollars;
Magazine keeper.	
Pensacola.	For pay of the civil department of the navy-yard at Pensacola, in Florida, viz :
Storekeeper.	For pay of naval store-keeper, seventeen hundred dollars;
Clerks.	For pay of two clerks to naval store-keepers, twelve hundred dollars;
	For pay of clerk of navy-yard, nine hundred dollars;
	For pay of two clerks to commandant of navy-yard, sixteen hundred and fifty dollars;
	For pay of porter of the navy-yard, three hundred dollars;
Porter.	And it is hereby directed that the Secretary of the Navy shall order a competent commissioned or warrant officer of the Navy to take charge of the naval stores for foreign squadrons in the place of naval store-keepers at each of the foreign ports where said stores may be deposited
Warrant officer to take charge of stores in foreign ports.	

and where a store-keeper is necessary: <i>Provided</i> , That said officers shall be required to give a bond in such amount as may be fixed by the Secretary of the Navy for the faithful performance of his duty: <i>And provided also</i> , That the annual compensation for all his services except travelling, shall not exceed fifteen hundred dollars.	Proviso. Proviso.
For provisions for the navy, including transportation, cooerage, and other expenses, six hundred and fifteen thousand eight hundred and twenty-eight dollars;	Provisions.
For surgeons' necessaries and appliances, for the sick and hurt of the naval service, including the marine corps, twelve thousand two hundred and fifty dollars;	Surgeons' necessaries, &c.
For the increase, repair, armament and equipment of the navy, and wear and tear of vessels in commission, one million dollars;	Increase of navy, &c.
For ordnance and ordnance stores, including all incidental expenses and liabilities on outstanding contracts, three hundred and seventy thousand eight hundred and eighty-five dollars;	Ordnance, &c.
For books, maps, charts and instruments, binding and repairing the same, and all expenses of the Hydrographical office, twenty-three thousand two hundred dollars;	Books, &c.
For grading and enclosing University Square in the city of Washington, upon which the depot of charts and instruments has been erected, twelve thousand five hundred dollars;	University Square.
For improvements and necessary repairs of navy-yards, viz :	Improvements of yards.
At Kittery, Maine, twenty-four thousand eight hundred dollars;	Kittery.
At Charlestown, Massachusetts, twenty-four thousand five hundred and fifty dollars;	Charlestown.
At Brooklyn, New York, thirty-eight thousand six hundred and eighteen dollars, and the unexpended balance of the appropriation for the said navy-yard of one hundred and twenty-nine thousand one hundred dollars, made by the act entitled "An act making appropriations for the naval service for the year eighteen hundred and forty-two," approved on the fourth day of August, eighteen hundred and forty-two, shall be immediately expended under the direction of the Secretary of the Navy in continuance of the work already commenced at said navy-yard, for the construction of a stone dry dock in the said place, or in the construction of a dry dock on some other plan, if he shall deem the same better suited for the purposes of the navy, as in his discretion he shall deem best for the public interest.	Brooklyn, for construction of a dry dock.
	Act of August 4, 1842, ch. 121.
At Philadelphia, Pennsylvania, nine thousand two hundred and twenty-two dollars and sixty-six cents;	Philadelphia.
At Washington, District of Columbia, sixteen thousand two hundred and sixty-seven dollars;	Washington.
At Gosport, Virginia, twenty-nine thousand eight hundred and eighty dollars;	Gosport.
At Pensacola, Florida, sixteen thousand three hundred and thirty-seven dollars; and the further sum of fifty thousand three hundred and seventy-one dollars, which, with the sum of one hundred thousand dollars heretofore appropriated for the construction of a floating dry dock at that place by the act of March third one thousand eight hundred and forty-three, making together the sum of one hundred and fifty thousand three hundred and seventy-one dollars, shall be expended in the construction of the following works and in the following proportions, to wit: for a permanent wharf, sixty thousand dollars; for a ship-house and building slip, forty thousand dollars; for a store-house, twenty thousand dollars; for a timber shed, twenty thousand dollars, and for a temporary wharf, ten thousand three hundred and seventy-one dollars; according to the plan and report communicated to the Senate by the Secretary of the Navy in compliance with a resolution of the twenty-ninth April, one thousand eight hundred and forty-four.	Pensacola. Continuation of certain works specified.
	Act of March 3, 1843, ch. 83.



Examination  
of Pensacola  
harbor.

For the examination of the navy-yard and bottom of the harbor of Pensacola, for the purpose of ascertaining whether a dry dock can be constructed and at what cost; and whether a dry dock or a floating dock with or without a basin and railways would be most suitable for that place; and the Secretary of the Navy is hereby directed to appoint a competent board of officers and engineers to examine and report to Congress at its next session the relative properties and advantages of a dry dock, and of the different kinds of floating docks with or without a basin and railways; five thousand dollars. And that a similar examination be made at the navy-yard near Portsmouth, New Hampshire, and a report made on the expediency of making a dry dock there.

Yard at Ports-  
mouth to be  
examined.

Magazines at  
Charleston.  
Brooklyn.  
Washington.  
Norfolk.

For magazines, viz :  
At Charleston, two hundred dollars;  
At Brooklyn, two hundred dollars;  
At Washington, two hundred dollars;  
At Norfolk, seven hundred and fifty dollars.

Contingent  
expenses.

For contingent expenses that may accrue for the following purposes, viz :

Freight, books,  
&c.

For the freight and transportation of materials and stores of every description; for printing and stationery; for books, maps, charts, mathematical and nautical instruments, chronometers, models and drawings; for the purchase and repair of fire-engines, and for machinery of every description; for the repair of steam-engines in yards; for the purchase and maintenance of horses and oxen; for carts, timber-wheels, and workmen's tools of every description; for postage of letters on public service; for coals and other fuel; for candles and oil for use of vessels of war in commission and of navy-yards and shore stations; for incidental labor at navy-yards and on board vessels not chargeable to any other appropriation; for labor attending the delivery of public stores and supplies on foreign stations; for wharfage, dockage, storage and rent, travelling expenses of officers, and transportation of seamen; house rent to pursers, when duly authorized; funeral expenses, commissions, clerk hire, store rent, office rent, stationery and fuel to navy agents and naval storekeepers; premiums, and incidental expenses of recruiting; apprehending deserters; per diem allowance to persons attending courts-martial and courts of inquiry, or other services authorized by law; compensation to judge advocates; printing and stationery of every description, and for working the lithographic press; pilotage and towing vessels of war; assistance rendered to vessels in distress; and for no other purpose whatever, four hundred thousand dollars;

Contingencies.

For contingent expenses for objects not hereinbefore enumerated, five thousand dollars;

Coal, &c.

For coal and other fuel for steam vessels, forty thousand eight hundred and eighty dollars;

Marine corps.  
Officers, &c.  
on shore.

*Marine Corps.*—For pay of officers, non-commissioned officers, musicians, privates and servants serving on shore, and subsistence of officers, two hundred thousand eight hundred and fifteen dollars and sixty cents;

Clothing.  
President may  
direct transfer of  
balance.

For clothing, forty-three thousand six hundred and thirty-five dollars: and the President of the United States is hereby authorized to direct the transfer of any unexpended balance of appropriation heretofore made for the pay or subsistence of the marine corps, to the head of clothing for the marine corps;

Provisions.

For provisions, forty-five thousand and eleven dollars and ninety-five cents;

Fuel.

For fuel, sixteen thousand two hundred and seventy-four dollars and twelve cents;

Military  
Stores, &c.

For military stores, repair of arms, pay of armorers, accoutrements,

ordnance stores, flags, drums, fifes, and musical instruments, two thousand eight hundred dollars;

For transportation of officers and troops, and for expenses of recruiting, eight thousand dollars;

Transportation of officers and troops. Barracks.

For repair of barracks and rent of temporary barracks, six thousand dollars;

For contingencies, viz:

Contingencies. Freights, &c.

Freight, ferriage, toll wharfage and cartage; compensation to judge advocates; per diem for attending courts-martial and courts of inquiry; per diem to enlisted men on constant labor; house rent where no public quarters are assigned; the burial of deceased marines; printing; stationery; forage; postage; the pursuit of deserters; candles and oil; straw; barrack furniture; bed sacks; spades; axes; shovels; picks; carpenters' tools; and keeping a horse for the messenger, seventeen thousand nine hundred and eighty dollars.

SEC. 2. *And be it further enacted*, That there be and there is hereby appropriated the sum of fifty thousand dollars to purchase American water-rotted hemp for the use of the navy and to pay the cost of agencies of purchase as established by law. And no further purchases of foreign hemp shall be made for the navy of the United States, except so far as a supply of American hemp of proper quality and at as cheap a price cannot be obtained.

American hemp.

Foreign hemp prohibited.

SEC. 3. *And be it further enacted*, That so much of the first section of the act entitled "An act to regulate the pay of the Navy," approved the third of March, one thousand eight hundred and thirty-five, and the twelfth section of an act entitled "An act to regulate the pay of pursers and other officers of the Navy, passed August twenty-sixth, eighteen hundred and forty-two, as provides that 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, be and the same are hereby repealed.

Part of act giving officers doing higher duty, the pay of that grade, repealed. 1835, ch. 27. 1842, ch. 206. 1845, ch. 26.

SEC. 4. *And be it further enacted*, That no person shall be employed or continued abroad, to receive and pay money for the use of the naval service on foreign stations whether under contract or otherwise, or to perform the duties usually performed by navy agents, who has not been or shall not be appointed by and with the advice and consent of the Senate: *Provided*, That this shall not apply to the disbursement of any sum now in the hands of any person heretofore employed for such purposes.

Disbursing agents abroad to be confirmed by the Senate.

Proviso.

SEC. 5. *And be it further enacted*, That the Secretary of the Navy be empowered to relinquish and pay all reservations of the ten per centum upon deliveries made under all contracts with the Navy Department, where these reservations have arisen and the contracts been afterwards extended, or where the contracts have been completed after the time of delivery by and with the consent of the Department, or in all cases where the contracts have been dissolved by the like consent, or been put an end to, or an extension thereof been prevented by operation of law, where no injury has been sustained by the public service: *Provided*, That this section shall not extend or apply to any case where the reservations shall have been made on contracts which have been expired more than five years before the first day of January last.

Secretary may relinquish and pay all of 10 per cent. on deliveries.

Proviso.

SEC. 6. *And be it further enacted*, That the sum of fifty thousand dollars be and the same is hereby appropriated, for the commencement of fortifications on the Florida reef, including Key West, and the Dry Tortugas, at such positions as, in the opinion of the President, may be best adapted for the command of the straits of Florida, and the general defence of the Gulf of Mexico.

Fortifications on Florida reef.

APPROVED, June 17, 1844.

## STATUTE I.

June 17, 1844.

[Obsolete.]

CHAP. CVIII.—*An Act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the fiscal year commencing on the first day of July, 1844, and ending on the thirtieth day of June, 1845.*

*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 fiscal year commencing on the first day of July, eighteen hundred and forty-four, and ending on the thirtieth day of June, eighteen hundred and forty-five, for the purpose of paying the current and contingent expenses of the Indian department, and fulfilling treaty stipulations with the various Indian tribes, to be paid out of any money in the treasury not otherwise appropriated.

Indian department.

Superintendent at St. Louis, and Indian agents.

1834, ch. 162.

1837, ch. 31.

Interpreters.

Superintendent's clerk.

1834, ch. 47.

1842, ch. 202.

Clerk to acting superintendent.

Postage, &c.

Treaty stipulations.

Christian Indians.

1824, ch. 151.

1826, ch. 110.

Chippewas.

Money.

Goods.

Blacksmiths.

Farmers.

Provisions.

Tobacco.

Chippewas of Saganaw.

Annuities

For the current and contingent expenses of the Indian department, viz :

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as provided by the acts of June thirtieth, eighteen hundred and thirty-four, and of March third, eighteen hundred and thirty-seven, sixteen thousand five hundred dollars ;

For pay of interpreters, authorized by the same act, eleven thousand three hundred dollars ;

For pay of clerk to superintendent at St. Louis, authorized by the acts of eighteenth June, eighteen hundred and thirty-four, and of twenty-sixth of August, eighteen hundred and forty-two, one thousand two hundred dollars ;

For pay of clerk to acting superintendent of western territory, authorized by the act of March third, eighteen hundred and forty-three, one thousand dollars ;

For postages, rents, stationery, fuel for offices, and other contingencies of the Indian department, and for transportation and incidental expenses, twenty thousand dollars ;

For fulfilling treaty stipulations with various Indian tribes, viz :

*To the Christian Indians.*—For permanent annuity, stipulated in the acts of May twenty-sixth, eighteen hundred and twenty-four, and May twentieth, eighteen hundred and twenty-six, four hundred dollars ;

*To the Chippewas of the Mississippi.*—For payment in money, for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, nine thousand five hundred dollars ; for payment in goods, for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, nineteen thousand dollars ; for establishing three blacksmiths' shops, supporting three smiths, and furnishing iron and steel, for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, three thousand dollars ;

For support of farmers, purchase of implements, grain, or seed, and to carry on their agricultural pursuits, for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, one thousand dollars ;

For purchase of provisions, for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, two thousand dollars ;

For purchase of tobacco, for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, five hundred dollars.

*To the Chippewas of Saganaw.*—For permanent annuity, stipulated in the fourth article of the treaty of third August, seventeen hundred and ninety-five, one thousand dollars ;

For permanent annuity, stipulated in the second article of the treaty of seventeenth November, eighteen hundred and seven, eight hundred dollars ;

For permanent annuity, stipulated in the fourth article of the treaty of twenty-fourth September, eighteen hundred and nineteen, one thousand dollars ;

For support of blacksmith at Saganaw, and for farming utensils and cattle, and for the employment of persons to aid them in agriculture, stipulated in the eighth article of the treaty of twenty-fourth September, eighteen hundred and nineteen, and act of fifteenth May, eighteen hundred and twenty, two thousand dollars ;

Blacksmith.  
&c.

1820, ch. 137.

For education during the pleasure of Congress, stipulated in the sixth article of the treaty of fifth August, eighteen hundred and twenty-six, one thousand dollars.

Education.

*To the Chippewas, Menomonies, Winnebagoes, and New York Indians.*—For education during the pleasure of Congress, stipulated in the fifth article of the treaty of eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Chippewas,  
Menomonies,  
&c.  
Education.

*To the Chippewas, Ottawas, and Pottawatomies.*—For permanent annuity, stipulated in the second article of the treaty of twenty-ninth July, one thousand eight hundred and twenty-nine, sixteen thousand dollars ;

Chippewas,  
Ottawas, and  
Pottawatomies.  
Annuities.

For limited annuity, for twenty years, stipulated in the third article of the treaty of twenty-sixth of September, one thousand eight hundred and thirty-three, fourteen thousand dollars ;

For limited annuity, for twenty years, stipulated in the second (supplemental) article of the treaty of twenty-sixth of September, one thousand eight hundred and thirty-three, two thousand dollars ;

For life annuity to chiefs, stipulated in the second article of the treaty of twenty-sixth September, one thousand eight hundred and thirty-three, seven hundred dollars ;

For blacksmith and assistant, stipulated in the second article of the treaty of the twenty-ninth July, one thousand eight hundred and twenty-nine, seven hundred and twenty dollars ;

Blacksmith.

For iron and steel, two hundred and twenty dollars ;

Iron.  
Salt.

For purchase of salt, stipulated in the second article of the treaty of twenty-ninth July, one thousand eight hundred and twenty-nine, two hundred and fifty dollars.

*To the Choctaws.*—For permanent annuity, stipulated in the second article of the treaty of sixteenth November, eighteen hundred and five, three thousand dollars ;

Choctaws.  
Annuities.

For permanent annuity, stipulated in the thirteenth article of the treaty of eighteenth of October, eighteen hundred and twenty, six hundred dollars ;

For permanent annuity, stipulated in the second article of the treaty of twentieth January, eighteen hundred and twenty-five, six thousand dollars ; for life annuity to chief, (Bob Cole,) stipulated in the tenth article of the treaty of twentieth of January, eighteen hundred and twenty-five, one hundred and fifty dollars ;

For life annuity to three district chiefs, (two hundred and fifty dollars each,) stipulated in the fifteenth article of the treaty of twenty-seventh of September, eighteen hundred and thirty, seven hundred and fifty dollars ;

For limited annuity, for twenty years, stipulated in the seventeenth article of the treaty of twenty-seventh September, eighteen hundred and thirty, twenty thousand dollars ;

For education of forty youths, for twenty years, including support of teachers in the nation, (two thousand five hundred dollars per annum,) stipulated in the twentieth article of the treaty of twenty-seventh September, eighteen hundred and thirty, twelve thousand five hundred dollars ;

Education.

- Blacksmith. For blacksmith and assistant, stipulated in the sixth article of the treaty of eighteenth October, eighteen hundred and twenty, and ninth article of the treaty of twentieth January, eighteen hundred and twenty-five, six hundred dollars ;
- Iron. For iron and steel, three hundred and twenty dollars ;
- Blacksmiths. For three blacksmiths and assistants, for sixteen years, stipulated in the twentieth article of the treaty of twenty-seventh September, eighteen hundred and thirty, twenty-five hundred and twenty dollars ;
- Iron. For iron and steel, nine hundred and sixty dollars ;
- Millwright. For pay of millwright, stipulated in the twentieth article of the treaty of twenty-seventh September, eighteen hundred and thirty, six hundred dollars.
- Creeks.  
Annuities. *To the Creeks.*—For permanent annuity, stipulated in the fourth article of the treaty of seventh August, seventeen hundred and ninety, one thousand five hundred dollars ;
- For permanent annuity, stipulated in the second article of the treaty of sixteenth June, eighteen hundred and two, three thousand dollars ;
- For permanent annuity, stipulated in the fourth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, twenty thousand dollars ;
- For limited annuity for fifteen years, stipulated in the eighth article of the treaty of twenty-fourth March, eighteen hundred and thirty-two, ten thousand dollars ;
- Blacksmith. For blacksmith and assistant, and use of shop and tools, stipulated in the eighth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, eight hundred and forty dollars ;
- Iron. For iron and steel, two hundred and seventy dollars ;
- Blacksmiths. For two blacksmiths and assistants, and use of shops and tools, for twenty years, stipulated in the thirteenth article of the treaty of twenty-fourth March, eighteen hundred and thirty-two, one thousand six hundred and eighty dollars ;
- Iron. For iron and steel, five hundred and forty dollars ;
- Blacksmith. For blacksmith and assistant, and use of shop and tools, during the pleasure of the President, stipulated in the fifth article of the treaty of fourteenth February, eighteen hundred and thirty-three, eight hundred and forty dollars ;
- Iron. For iron and steel, two hundred and seventy dollars ;
- Wheelwright. For wheelwright, stipulated in the eighth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, six hundred dollars ;
- Wagonmaker. For wagonmaker, stipulated in the fifth article of the treaty of fourteenth February, eighteen hundred and thirty-three, six hundred dollars ;
- Agricultural implements. For agricultural implements, stipulated in the eighth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, two thousand dollars ;
- Education. For education, for twenty years, stipulated in the thirteenth article of the treaty of twenty-fourth March, eighteen hundred and thirty-two, three thousand dollars ;
- For education, stipulated in the fifth article of the treaty of fourteenth February, eighteen hundred and thirty-three, one thousand dollars ;
- Interest. For interest, at five per centum, on three hundred and fifty thousand dollars, (seventh year,) stipulated in the third article of the treaty of twenty-third November, eighteen hundred and thirty-eight, seventeen thousand five hundred dollars.
- Chickasaws.  
Annuity. *To the Chickasaws.*—For permanent annuity, stipulated in the act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars ;
- Education. For education, for fifteen years, stipulated in the second supplemental article of the treaty of twenty-fourth May, eighteen hundred and thirty-four, three thousand dollars :

<p><i>To the Cherokees.</i>—For four blacksmiths and assistants, stipulated in the fourth article of the treaty of fourteenth of February, eighteen hundred and thirty-three, three thousand three hundred and sixty dollars;</p>	<p>Cherokees. Blacksmiths.</p>
<p>For iron and steel, one thousand and eighty dollars;</p>	<p>Iron.</p>
<p>For wagon-maker, stipulated in the fourth article of the treaty of fourteenth of February, eighteen hundred and thirty three, six hundred dollars;</p>	<p>Wagon-maker.</p>
<p>For wheelwright, stipulated in the fourth article of the treaty of fourteenth February, eighteen hundred and thirty-three, six hundred dollars.</p>	<p>Wheelwright.</p>
<p><i>To the Chippewas of Lake Superior and Mississippi.</i>—For limited annuity for twenty-five years, (in money,) stipulated in the fourth article of the treaty of fourth of October, eighteen hundred and forty-two, twelve thousand five hundred dollars;</p>	<p>Chippewas of Lake Superior and Mississippi. Annuity in money.</p>
<p>For limited annuity for twenty-five years, (in goods,) stipulated for in same article, same treaty, ten thousand five hundred dollars;</p>	<p>Annuity in goods.</p>
<p>For purchase of tobacco and provisions, stipulated in the fourth article of the treaty of fourth of October, eighteen hundred and forty-two, two thousand dollars; for the support of two blacksmiths' shops, including pay of smiths and assistants, and furnishing iron and steel, stipulated for in same article, same treaty, two thousand dollars;</p>	<p>Tobacco and provisions.</p>
<p>For the support of two farmers, stipulated for in same article, same treaty, one thousand dollars;</p>	<p>Farmers.</p>
<p>For the pay of two carpenters, stipulated for in same article, same treaty, twelve hundred dollars;</p>	<p>Carpenters.</p>
<p>For the support of schools, stipulated for in same article, same treaty, two thousand dollars;</p>	<p>Schools.</p>
<p>For payment of debts due by the nation to claimants designated in the schedule attached to the treaty, in full satisfaction, payable within three years, as stipulated in same article, same treaty, seventy-five thousand dollars;</p>	<p>Debts.</p>
<p>For pay of two carpenters, in part, (omitted to be appropriated last year,) two hundred dollars.</p>	<p>Carpenters.</p>
<p><i>To the Delawares.</i>—For permanent annuity, stipulated in the fourth article of the treaty of the third of August, seventeen hundred and ninety-five, one thousand dollars;</p>	<p>Delawares. Annuities.</p>
<p>For permanent annuity, stipulated in the fifth article of the treaty of third of October, eighteen hundred and eighteen, four thousand dollars;</p>	
<p>For permanent annuity, stipulated in the third article of the treaty of thirtieth of September, eighteen hundred and nine, five hundred dollars;</p>	
<p>For permanent annuity, stipulated in the supplemental treaty of twenty-fourth of September, eighteen hundred and twenty-nine, one thousand dollars;</p>	
<p>For life annuity to two chiefs, stipulated in private and confidential articles of supplemental treaty of twenty-fourth of September, eighteen hundred and twenty-nine, to treaty of third of October, eighteen hundred and eighteen, two hundred dollars;</p>	
<p>For life annuity to three chiefs, stipulated in supplemental article to treaty of twenty-sixth of October, eighteen hundred and thirty-two, three hundred dollars;</p>	
<p>For the purchase of salt, as stipulated in the third article of treaty of seventh June, eighteen hundred and three, one hundred dollars;</p>	<p>Salt.</p>
<p>For blacksmith and assistant, as stipulated in the sixth article of treaty of third October, eighteen hundred and eighteen, seven hundred and twenty dollars;</p>	<p>Blacksmith.</p>
<p>For iron and steel, &amp;c., for shops, two hundred and twenty dollars;</p>	<p>Iron.</p>
<p>For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by the treaty of eighteen hundred and twenty-nine, for education, as stipulated in re-</p>	<p>Interest.</p>

- solution of Senate of nineteenth January, eighteen hundred and thirty-eight, two thousand three hundred and four dollars ;
- Florida Indians. Blacksmith. *To the Florida Indians.*—For blacksmith and assistant, as stipulated in the sixth article of the treaty of eighteenth of September, eighteen hundred and twenty-three, and treaty of ninth of May, eighteen hundred and thirty-two, one thousand dollars ;
- Education. Iowas. Interest. For education, as stipulated in same treaties, five hundred dollars ;
- To the Iowas.*—For one year's interest on one hundred and fifty-seven thousand five hundred dollars, to be invested at five per centum, as stipulated in the second article of the treaty of nineteenth October, eighteen hundred and thirty-eight, seven thousand eight hundred and seventy-five dollars ;
- Kickapoos. Annuity. *To the Kickapoos.*—For limited annuity for nineteen years, as stipulated in the fourth article of the treaty of twenty-fourth of October, eighteen hundred and thirty-two, five thousand dollars ;
- Kansas. Annuity. *To the Kansas.*—For limited annuity for twenty years, as stipulated in the third article of the treaty of third of June, eighteen hundred and twenty-five, three thousand five hundred dollars ;
- Blacksmith. For blacksmith and assistant, as stipulated in the fourth article of the treaty of third of June, one thousand eight hundred and twenty-five, seven hundred and twenty dollars ;
- Iron. For iron, steel, &c., two hundred and twenty dollars ;
- Agriculture. For agricultural assistance, as stipulated in same article, same treaty, one thousand six hundred dollars ;
- Miamies. Annuity. *To the Miamies.*—For permanent annuity, as stipulated in the fourth article of the treaty of twenty-third October, one thousand eight hundred and twenty-six, twenty-five thousand dollars ;
- Blacksmith. For blacksmith and assistant, as stipulated in the fifth article of treaty of sixth October, eighteen hundred and eighteen, seven hundred and twenty dollars ;
- Iron. For iron and steel, &c., for shop, two hundred and twenty dollars ;
- Tobacco. For one thousand pounds of tobacco, two thousand pounds of iron, one thousand pounds of steel, as stipulated in the fourth article of the treaty of twenty-third October, eighteen hundred and twenty-six, seven hundred and seventy dollars ;
- Miller. For pay of miller in lieu of gunsmith, as stipulated in fifth article of treaty of sixth of October, eighteen hundred and eighteen, six hundred dollars ; for one hundred and sixty bushels of salt, as stipulated in same article, same treaty, three hundred and twenty dollars ;
- Salt. For education and support of the poor, as stipulated in the sixth article of treaty of twenty-third October, eighteen hundred and twenty-six, two thousand dollars ;
- Education. For the eighth of ten instalments, as stipulated in second article of treaty of twenty-fourth of October, eighteen hundred and thirty-four, ten thousand dollars ;
- 8th instalment of 1834
- 7th instalment of 1838. For the seventh of ten instalments, as stipulated in third article of treaty of sixth November, eighteen hundred and thirty-eight, twelve thousand five hundred and sixty-eight dollars ;
- Agriculture. For agricultural assistance, as stipulated in fifth article of treaty of sixth October, eighteen hundred and eighteen, two hundred dollars ;
- 4th instalment of 1840. For the fourth of twenty instalments, as stipulated in second article of treaty of twenty-eighth November, eighteen hundred and forty, twelve thousand five hundred dollars ;
- In lieu of laborers. For payment in lieu of laborers, as stipulated in sixth article of treaty of twenty-eighth November, eighteen hundred and forty, two hundred and fifty dollars ;
- Eel Rivers, (Miamies.) Annuities. *To the Eel Rivers, (Miamies.)*—For permanent annuity, stipulated in the fourth article of the treaty of third of August, seventeen hundred and ninety-five, five hundred dollars ;

For permanent annuity, stipulated in the third article of the treaty of twenty-first of August, eighteen hundred and five, two hundred and fifty dollars;

For permanent annuity, stipulated in the third article of the treaty of thirtieth of September, eighteen hundred and nine, three hundred and fifty dollars;

*To the Menomonies.*—For limited annuity for twenty years, stipulated in the second article of the treaty of third September, eighteen hundred and thirty-six, twenty thousand dollars;

For two blacksmiths and assistants, stipulated in the same, one thousand four hundred dollars;

For iron and steel, &c., for shops, four hundred and forty dollars;

For purchase of provisions, stipulated in the same, three thousand dollars;

For two thousand pounds of tobacco, stipulated in the same, three hundred dollars;

For farming utensils, cattle, &c., stipulated in the same, five hundred dollars; for thirty barrels of salt, stipulated in the same, one hundred and fifty dollars;

*To the Omahas.*—For blacksmith and assistant, for ten years, and during the pleasure of the President, stipulated in the fourth article of the treaty of fifteenth July, eighteen hundred and thirty, seven hundred and twenty dollars;

For iron and steel, for shop, two hundred and twenty dollars;

For agricultural implements, during the pleasure of the President, stipulated in the same, five hundred dollars;

*To the Ottawas and Chippewas.*—For limited annuity, for twenty years, stipulated in the fourth article of the treaty of twenty-eighth March, eighteen hundred and thirty-six, thirty thousand dollars;

For interest to be paid annually, on two hundred thousand dollars, as annuity, per Senate resolution, twelve thousand dollars;

For ninth of ten instalments, to be paid out of five thousand dollars for half-breeds, stipulated in the sixth article of the treaty of twenty-eighth March, eighteen hundred and thirty-six, five hundred dollars;

For education, for twenty years, and during the pleasure of Congress, stipulated in the same, three thousand dollars;

For missions, for twenty years, and during the pleasure of Congress, stipulated in the same, three thousand dollars;

For vaccine matter, medicines, and pay of physician, stipulated in the same, three hundred dollars;

For purchase of provisions, for twenty years, stipulated in the same, two thousand dollars;

For six thousand five hundred pounds of tobacco, for twenty years, stipulated in the same, nine hundred and seventy-five dollars;

For one hundred barrels of salt, for twenty years, stipulated in the same, three hundred and fifty dollars;

For five hundred fish barrels, for twenty years, stipulated in the same, seven hundred and fifty dollars;

For three blacksmiths and assistants, stipulated in the seventh article of the same, two thousand one hundred and sixty dollars;

For iron and steel, &c., for shops, six hundred and sixty dollars;

For gunsmith at Mackinac, stipulated in the same, six hundred dollars;

For iron and steel, &c., for shop, two hundred and twenty dollars;

For keeper of dormitory, for ten years stipulated in the same, six hundred dollars;

For one hundred and fifty cords of wood for dormitory, for ten years, stipulated in the same, four hundred and fifty dollars;

For pay of two farmers and assistants, stipulated in the same, sixteen hundred dollars;

Menomonies.  
Annuity.

Blacksmiths.

Iron.

Provisions.

Tobacco.

Farming.  
Salt.

Omahas.  
Blacksmith.

Iron.

Agricultural  
implements.

Ottawas and  
Chippewas.  
Annuity.

Interest.

9th instalment  
to half-breeds.

Education.

Missions.

Vaccine matter,  
&c.

Provisions.

Tobacco.

Salt.

Fish barrels.

Blacksmiths.

Iron.

Gunsmith.

Iron.

Dormitory  
keeper.

Wood.

Farmers.



- Mechanics. For pay of two mechanics, stipulated in the same, twelve hundred dollars ;
- Ottoes and Missouriias. Blacksmith. *To the Ottoes and Missouriias.*—For blacksmith and assistant, for ten years, and during the pleasure of the President, stipulated in the fourth article of the treaty of fifteenth July, eighteen hundred and thirty, seven hundred and twenty dollars ;
- Iron. For iron and steel, &c., for shop, two hundred and twenty dollars ;
- Agricultural implements. For agricultural implements, for ten years, from eighteen hundred and forty, stipulated in the third article of the treaty of twenty-first September, eighteen hundred and thirty-three, five hundred dollars ;
- Education. For education, during pleasure of the President, stipulated in the same, five hundred dollars ;
- Annuity. For limited annuity, for ten years, stipulated in the second article of the same, two thousand five hundred dollars ;
- Farmers. For two farmers, for five years, and during pleasure of the President, stipulated in the fifth article of the same, twelve hundred dollars ;
- Osages. Interest. *To the Osages.*—For interest, at five per centum, on sixty-nine thousand one hundred and twenty dollars, the valuation of fifty-four sections of land set apart by treaty of eighteen hundred and twenty-five, for education, per resolution of the Senate of nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars ;
- Annuity. For limited annuity, for twenty years, stipulated in the second article of the treaty of eleventh January, eighteen hundred and thirty-nine, twenty thousand dollars ; for the support of two smiths' establishments, stipulated in the same, two thousand dollars ; for pay of two millers, for fifteen years, stipulated in the same, twelve hundred dollars ;
- Assistant millers. For pay of two assistant millers, for eleven years, stipulated in the same, four hundred and fifty dollars ;
- Ottawas. Annuities. *To the Ottawas.*—For permanent annuity, stipulated in the fourth article of the treaty of third August, seventeen hundred and ninety-five, one thousand dollars ;
- For permanent annuity, stipulated in the second article of the treaty of seventeenth of November, eighteen hundred and seven, eight hundred dollars ;
- For permanent annuity, stipulated in the fourth article of the treaty of seventeenth September, eighteen hundred and eighteen, fifteen hundred dollars ;
- For permanent annuity, stipulated in the fourth article of the treaty of twenty-ninth August, eighteen hundred and twenty-one, one thousand dollars ;
- Pottawatamies. Annuities. *To the Pottawatamies.*—For permanent annuity, stipulated in the fourth article of the treaty of third August, seventeen hundred and ninety-five, one thousand dollars ;
- For permanent annuity, stipulated in the third article of the treaty of thirtieth September, eighteen hundred and nine, five hundred dollars ;
- For permanent annuity, stipulated in the third article of the treaty of second October, eighteen hundred and eighteen, two thousand five hundred dollars ;
- For limited annuity, for twenty-two years, stipulated in the third article of the treaty of sixteenth October, eighteen hundred and twenty-six, two thousand dollars ;
- For permanent annuity, stipulated in the second article of the treaty of twentieth September, eighteen hundred and twenty-eight, two thousand dollars ;
- For limited annuity, for twenty years, stipulated in the same article, one thousand dollars ;
- For life annuity to chief, stipulated in the same article, one hundred dollars ;

For education, during pleasure of Congress, stipulated in the same article, one thousand dollars ;	Education.
For purchase of salt, stipulated in the third article of treaty of seventh June, eighteen hundred and three, one hundred and forty dollars ;	
For one hundred and sixty bushels of salt, stipulated in the third article of the treaty of sixteenth October, eighteen hundred and twenty-six, three hundred and twenty dollars ;	
For education, during pleasure of Congress, stipulated in the same article, two thousand dollars ;	Education.
For blacksmith and assistant, stipulated in the same article, seven hundred and twenty dollars ;	Blacksmith.
For iron and steel, &c. for shop, two hundred and twenty dollars ;	Iron.
For blacksmith and assistant, stipulated in the third article of the [treaty] of twentieth September, eighteen hundred and twenty-eight, seven hundred and twenty dollars ;	Blacksmith.
For iron and steel, &c. for shop, two hundred and twenty dollars ;	Iron.
For two thousand pounds of tobacco, fifteen hundred pounds of iron, and three hundred and fifty pounds of steel, stipulated in the third article of the treaty of twentieth September, eighteen hundred and twenty-eight, four hundred dollars ;	Tobacco, &c.
<i>To the Pottawatomies of Huron.</i> —For permanent annuity, stipulated in the second article of the treaty of seventeenth November, eighteen hundred and seven, four hundred dollars ;	Pottawatomies of Huron. Annuity.
<i>To the Pottawatomies of the Prairie.</i> —For limited annuity for twenty years, stipulated in the third article of the treaty of twentieth October, eighteen hundred and thirty-two, fifteen hundred dollars ;	Pottawatomies of the Prairie. Annuities.
For life annuity to two chiefs, stipulated in the same article, four hundred dollars ;	
<i>To the Pottawatomies of the Wabash.</i> —For limited annuity for twenty years, stipulated in the third article of the treaty of twenty-sixth October, eighteen hundred and thirty-two, twenty thousand dollars ;	Pottawatomies of the Wabash. Annuity.
<i>To the Pottawatomies of Indiana.</i> —For education, during pleasure of Congress, stipulated in the fourth article of the treaty of twenty-seventh October, eighteen hundred and thirty-two, two thousand dollars ;	Pottawatomies of Indiana. Education.
<i>To the Piankeshaws.</i> —For permanent annuity, as per fourth article of the treaty of third August, seventeen hundred and ninety-five, five hundred dollars ;	Piankeshaws. Annuities.
For permanent annuity, as per fourth article of the treaty of thirtieth December, eighteen hundred and five, three hundred dollars ;	
<i>To the Pawnees.</i> —For limited annuity for twelve years, stipulated in third article of the treaty of ninth October, eighteen hundred and thirty-three, four thousand six hundred dollars ;	Pawnees. Annuity.
For agricultural implements for five years, and during pleasure of President, stipulated in fourth article of ninth of October, eighteen hundred and thirty-three, two thousand dollars ;	Agriculture.
To supply a deficiency in the appropriation for the fiscal year ending June thirtieth, eighteen hundred and forty-four ; to wit :	Deficiency in former appropriation.
For education, per fifth article of treaty of ninth of October, eighteen hundred and thirty-three, five hundred dollars ; for two blacksmiths and assistants, per sixth article of same treaty, one thousand dollars ;	Education. Blacksmiths.
<i>To the Seminoles.</i> —To pay them for improvements relinquished to the United States by the first article of the treaty made with them on the ninth day of May, eighteen hundred and thirty-two, fifteen thousand four hundred dollars ;	Seminoles. Improvements relinquished by them.
<i>To the Sacs and Foxes.</i> —For payment of interest on eight hundred thousand dollars, at five per cent., per second article of the treaty of eleventh of October, eighteen hundred and forty-two, forty thousand dollars ;	Sacs and Foxes. Interest.
<i>To the Chippewas of Lake Superior and Mississippi.</i> —To carry into effect the stipulations of a treaty, concluded with them on the fourth of October, eighteen hundred and forty-two ; viz :	Chippewas of Lake Superior and Mississippi. Treaty.

Annuity in specie.	For payment of the limited annuity in specie, per fourth article, twelve thousand five hundred dollars ;
Goods.	For payment in goods, per the same article, ten thousand five hundred dollars ; for purchase of provisions and tobacco, per same article, two thousand dollars ;
Provisions and tobacco.	
Blacksmiths.	For support of two blacksmiths' shops, including pay of smith and assistants, and furnishing iron and steel, per same article, two thousand dollars ;
Farmers.	For pay of two farmers, per same article, one thousand dollars ;
Carpenters.	For pay of two carpenters, per same article, twelve hundred dollars ;
Schools.	for support of schools for Indians, parties to the treaty, per same article, two thousand dollars ;
Balance due Shawnees.	For balance due the Shawnees, under the treaty of eighteen hundred and twenty-five, two thousand and sixty-two dollars ;
Expenses of Cherokee delegation.	For payment of the expenses of the delegation of the Cherokees at Washington the winter past, and for their return home, two thousand two hundred and twenty-five dollars ;
Amount due Chippewas of Lake Superior.	<i>Amount due the Chippewas of Lake Superior.</i> —For balance of interest due the Shawnees, under treaty of August eighth, eighteen hundred and thirty-one, two thousand six hundred and forty dollars and seventy-two cents.
Interest due Shawnees.	
Wyandotts for improvements.	And that there be paid to the Wyandott nation of Indians for their improvements in accordance with the fifth article of the treaty of Upper Sandusky, dated the seventeenth of March eighteen hundred and forty-two, fifty thousand dollars : <i>Provided</i> , That no greater sum shall be paid out of this appropriation to said Indians than that admitted to be due under the second valuation of the said improvements, until otherwise directed by the future action of Congress : <i>And provided further</i> , That nothing be paid for any improvements or property without the limits of the reserve.
Proviso.	
Proviso.	
Quapaws. Annuity.	<i>To the Quapaws.</i> —For limited annuity for twenty years, stipulated in fourth article of the treaty of thirteenth May, eighteen hundred and thirty-three, two thousand dollars ;
Education.	For education during pleasure of President, stipulated in same article, one thousand dollars ;
Blacksmith.	For blacksmith and assistant, during the pleasure of the President, stipulated in the third article of same treaty, eight hundred and forty dollars ;
Iron.	For iron and steel, &c. for shop, two hundred and twenty dollars ;
Farmer.	For pay of farmer, stipulated in the third article of the treaty of thirteenth of May, eighteen hundred and thirty-three, six hundred dollars ;
Six Nations of New York. Annuity.	<i>To the Six Nations of New York.</i> —For permanent annuity, stipulated in the sixth article of the treaty of eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars ;
Senecas of New York. Annuity.	<i>To the Senecas of New York.</i> —For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars ;
Sioux of Mississippi. Blacksmith.	<i>To the Sioux of Mississippi.</i> —For blacksmith and assistant, for ten years, during the pleasure of the President, stipulated in the fourth article of the treaty of fifteenth July, eighteen hundred and thirty, eight hundred and forty dollars ;
Iron.	For iron and steel, &c. for shop, two hundred and twenty dollars ;
Agriculture.	For agricultural improvements, during the pleasure of the President, stipulated in the fourth article of the treaty of fifteenth July, eighteen hundred and thirty, seven hundred dollars ;
Interest.	For interest on investment in stock at five per centum on three hundred thousand dollars, stipulated in the second article of treaty of twenty-ninth September, eighteen hundred and thirty-seven, fifteen thousand dollars ;
Annuity.	For limited annuity for twenty years, stipulated in second article of

the treaty of twenty-ninth September, eighteen hundred and thirty-seven, ten thousand dollars :

For purchase of medicines, agricultural implements, and stock, support of farmers, physicians, blacksmith, and for other beneficial objects, for twenty years, stipulated in second article of treaty of twenty-ninth September, eighteen hundred and thirty-seven, eight thousand two hundred and fifty dollars; for purchase of provisions, for twenty years, stipulated in second article of treaty of twenty-ninth September, eighteen hundred and thirty-seven, five thousand five hundred dollars;

*To the Yancton and Santee Sioux.*—For blacksmith and assistant for ten years, and during the pleasure of the President, stipulated in the fourth article of treaty of fifteenth July, eighteen hundred and thirty, seven hundred and twenty dollars; for iron and steel, &c. for shop, two hundred and twenty dollars; for agricultural implements during the pleasure of the President, stipulated in the fourth article of treaty of fifteenth July, eighteen hundred and thirty, four hundred dollars;

*To the Sacs and Foxes of Missouri.*—For interest on investment in stock at five per centum, on one hundred and fifty-seven thousand four hundred dollars, stipulated in second article of treaty of twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars;

*To the Sacs and Foxes of Mississippi.*—For permanent annuity stipulated in third article of treaty of third November, eighteen hundred and four, one thousand dollars;

For limited annuity, for thirty years, stipulated in third article of treaty of twenty-first September, eighteen hundred and thirty-two, twenty thousand dollars;

For blacksmith and assistant during the pleasure of the President, stipulated in fourth article of treaty of fourth August, eighteen hundred and twenty-four, eight hundred and forty dollars;

For iron and steel, &c. for shop, two hundred and twenty dollars;

For blacksmith and assistant for thirty years, stipulated in fourth article of treaty of twenty-first September, eighteen hundred and thirty-two, eight hundred and forty dollars;

For iron and steel, &c. for shop, two hundred and twenty dollars;

For gunsmith, for thirty years, stipulated in fourth article of treaty of twenty-first September, eighteen hundred and thirty-two, six hundred dollars; for iron and steel, &c. for shop, two hundred and twenty dollars;

For agricultural implements, during pleasure of the President, stipulated in fourth article of treaty of fourth August, eighteen hundred and twenty-four, eight hundred dollars;

For forty barrels of salt, for thirty years, stipulated in fourth article of treaty of twenty-first September, eighteen hundred and thirty-two, two hundred dollars; for forty kegs of tobacco, for thirty years, stipulated in fourth article of treaty of twenty-first September, eighteen hundred and thirty-two, six hundred dollars;

For limited annuity, for ten years, stipulated in second article of [treaty of] twenty-eighth September, eighteen hundred and thirty-six, ten thousand dollars;

For interest on investment in stock at five per centum on two hundred thousand dollars, stipulated in fourth article of treaty of twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars;

For interest on eight hundred thousand dollars at five per centum, stipulated in second article of treaty of eleventh October, eighteen hundred and forty-two, forty thousand dollars;

*To the Shawnees.*—For permanent annuity, stipulated in fourth article of treaty of third August, seventeen hundred and ninety-five, one thousand dollars;

Medicines, &c.

Provisions.

Yancton and Santee Sioux. Blacksmith.

Iron. Agriculture.

Sacs and Foxes of Missouri. Interest.

Sacs and Foxes of Mississippi. Annuities.

Blacksmith.

Iron. Blacksmith.

Iron. Gunsmith.

Iron. Agriculture.

Salt.

Tobacco.

Annuity.

Interest.

Shawnees. Annuities.

For permanent annuity, stipulated in fourth article of treaty of twenty-ninth September, eighteen hundred and seventeen, two thousand dollars;

1832, ch. 228. For limited annuity, per act of fourteenth July, eighteen hundred and thirty-two, two thousand dollars;

Salt. For purchase of salt, stipulated in third article of treaty of seventh June, eighteen hundred and three, sixty dollars;

Blacksmith. For blacksmith and assistant, during pleasure of President, stipulated in fourth article of treaty of eighth August, eighteen hundred and thirty-one, eight hundred and forty dollars;

Iron. For iron and steel, &c. for shop, two hundred and twenty dollars;

Senecas and Shawnees. Annuity. *To the Senecas and Shawnees.*—For permanent annuity, stipulated in fourth article of treaty of seventeenth September, eighteen hundred and eighteen, one thousand dollars;

Blacksmith. For blacksmith and assistant, during pleasure of the President, stipulated in fourth article of treaty of twentieth July, eighteen hundred and thirty-one, eight hundred and forty dollars;

Iron. For iron and steel, &c. for shop, two hundred and twenty dollars;

Senecas. Annuities. *To the Senecas.*—For permanent annuity, stipulated in fourth article of treaty of twenty-ninth September, eighteen hundred and seventeen, five thousand dollars;

For permanent annuity, stipulated in fourth article of treaty of seventeenth September, eighteen hundred and eighteen, five hundred dollars;

Blacksmith. For blacksmith and assistant, during pleasure of President, stipulated in fourth article of treaty of twenty-eighth February, eighteen hundred and thirty-one, eight hundred and forty dollars;

Iron. For iron and steel, &c. for shop, two hundred and twenty dollars;

Miller. For pay of miller, during pleasure of the President, stipulated in fourth article of treaty of twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars;

Wyandotts. Annuity. *To the Wyandotts.*—For permanent annuity, in lieu of all former annuities, stipulated in third article of the treaty with them of seventeenth March, eighteen hundred and forty-two, seventeen thousand five hundred dollars;

Blacksmith. For the support of a blacksmith and assistant, stipulated in the tenth article of the treaty of twenty-ninth of September, eighteen hundred and seventeen, seven hundred and twenty dollars;

Iron. For the purchase of iron, steel, &c. for shop, two hundred and twenty dollars; for the support of a blacksmith and assistant, stipulated in the eighth article of the treaty of seventeenth of March, eighteen hundred and forty-two, seven hundred and twenty dollars;

Blacksmith. For the purchase of iron, steel, &c. for shop, two hundred and twenty dollars;

Iron. Weas. Annuity. *To the Weas.*—For permanent annuity, stipulated in the fourth article of the treaty with them of the second October, eighteen hundred and eighteen, three thousand dollars;

Winnebagoes. Annuities. *To the Winnebagoes.*—For limited annuity, stipulated in the second article of the treaty with them of the first of August, eighteen hundred and twenty-nine, eighteen thousand dollars;

For limited annuity, stipulated in the third article of the treaty of the fifteenth of September, eighteen hundred and thirty-two, ten thousand dollars;

Salt. For the purchase of fifty barrels of salt, stipulated in the second article of the treaty of the first of August, eighteen hundred and twenty-nine, two hundred and fifty dollars;

Tobacco. For the purchase of three thousand pounds of tobacco, stipulated in the same, three hundred and fifty dollars;

For the purchase of one thousand five hundred pounds of tobacco, stipulated in the fifth article of the treaty of fifteenth September, eighteen hundred and thirty-two, one hundred and seventy-five dollars;

Blacksmiths. For the support of three blacksmiths and assistants, stipulated in the

third article of the treaty of the first of August, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars;

For the purchase of iron, steel, &c., for shops, six hundred and sixty dollars; Iron.

For pay of laborers and for oxen, stipulated in the same, three hundred and sixty-five dollars; Laborers.

For the purpose of education, stipulated in the fourth article of the treaty of the fifteenth September, eighteen hundred and thirty-two, three thousand dollars; Education.

For the support of six agriculturists, purchase of oxen, ploughs, and other implements, stipulated in the fifth article of the same, two thousand five hundred dollars; Agriculture.

For the pay of two physicians, stipulated in the fifth article of the same, four hundred dollars; Physicians.

For interest on investment in stock, at five per centum, on one million one hundred thousand dollars, stipulated in the fourth article of the treaty of first November, eighteen hundred and thirty-seven, fifty-five thousand dollars. Interest.

To make good the interest on [the] investments in State stocks and bonds for Indian tribes, not yet paid by the States, to be reimbursed out of the interest when collected, twenty-seven thousand three hundred and sixty-six dollars and eighty-nine cents.

For ransoming a white boy, by the name of Frank Lee Witter, from the Camanches, two hundred dollars. Ransom of boy from the Camanches.

For expenses attending the holding of a Treaty with the Caddoes and other wandering tribes, under the act of March third, one thousand eight hundred and thirty-five, to be audited and settled by the proper accounting officers of the Department, in addition to former appropriations, two thousand one hundred and eighty-seven dollars and fifty cents, or so much thereof as may be necessary. Holding treaty with Caddoes and others.

Act of March 3, 1835, ch. 50.

APPROVED, June 17, 1844.

STATUTE I.

CHAP. CXVII.—*An Act to authorize the entry of certain lands, occupied by the branch pilots of the port of New Orleans, and others, in the State of Louisiana.*

June 17, 1844.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Andrew Anderson, James T. Allen, George Benson, John Bailey, John R. Brown, Edward Bourguin, Jacob Baker, William Brownson, Robert Cooper, Edward Clarke, Thomas Cross, William C. Davis, Edward G. Davis, Ephraim Eldridge, William Ellis, Dennis Finn, Nathaniel J. France, John Fowler, Robert Holliday, John Holland, David Johnston, Henry Johnson, James J. Jarvis, George Linton, Cyrus Lamontt, Cyrus Morgan, James W. Morgan, John Miller, Hans Myers, Erasmus Newman, John Parker, John Perrin, Asa Payson, Peter Robinson, James B. Read, Francisco Reeper, David Shepherd, Joseph Shepherd, William T. Smith, Christopher Scheltz, William Stevens, James Scott, John Swiler, James Tyson, William D. Tolbortt, William Taylor, Thomas J. Vanderslice, James B. Williams, Hiram B. Webster, James Kelly, William Denford, Edward Hansbury, Joseph E. Dunham, Charles Linguist, Gilbert Leonard, and Joseph Lampade, all of the parish of Plaquemines in the State of Louisiana, or their legal representatives, be, and they are hereby, authorized to enter at the land office in the southeastern land district in said State, within six months after the passage of this act, section seventeen and lots one and two of section eighteen, in township twenty-three, of range thirty-three east, situated in said district, upon payment to the receiver of the said land office of one dollar and twenty-five cents per acre: *Provided*, That at the time of making said entry, they shall file in the land office a survey and plat of the land entered, signed by them.*

Allowed to enter certain lands in Louisiana.

Proviso.

To enure to their benefit severally.  
Proviso.

or their legal representatives, specifying thereon the extent of their several claims by occupancy; and that when the said entry shall be made, the same shall enure to the benefit of such persons, severally, in the proportions and according to the quantities specified on said plat: *And provided further*, That this act shall not invalidate any rights which any other person, not herein named, may be entitled to under any law heretofore passed.

APPROVED, June 17, 1844.

### RESOLUTIONS.

March 4, 1844. No. 1. *A Joint Resolution accepting the sword of Washington and staff of Franklin.*

Preamble.

Whereas, by a joint resolution which passed both Houses of Congress during the third session of the twenty-seventh Congress, the sword of *Washington* and the staff of *Franklin*, presented to Congress by Samuel T. Washington, of Kenawha county, Virginia, were accepted in the name of the nation, and the thanks of Congress were presented therefor to the donor, and the President of the United States was directed to communicate to the said Samuel T. Washington a copy of said resolution. And whereas, said resolution did not reach the President of the United States before the adjournment of Congress, and did not therefore receive his approval and signature. And whereas, the President of the United States did communicate to the said Samuel T. Washington a copy of said resolution: Therefore, in order to vest the title to said relics in the United States,

Sword and staff accepted; to be deposited in State Dep't.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That said sword and staff are hereby accepted in the name of the Nation, and that they be deposited in the Department of State of the United States for safe-keeping.

APPROVED, March 4, 1844.

April 30, 1844. No. 2. *Joint Resolution of respect for the memory of the donor of the Camp Chest of General Washington.*

Sense of the value of the bequest testified to the widow and family of W. S. Winder by Congress.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Senate and House of Representatives take pleasure in recognising to the widow and family of the late William Sydney Winder, their high sense of the value of the bequest contained in his will, and in expressing their respect for the memory of the donor.

APPROVED, April 30, 1844.

April 30, 1844. No. 3. *Joint Resolution accepting the Camp Chest of General Washington.*

Camp chest accepted, and to be deposited as a precious relic in the Dep't of State.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Camp Chest of General George Washington, which he used during the revolutionary war, bequeathed, by the last will of the late William Sydney Winder, to the Congress of the United States, be and the same is hereby accepted, and that the same be deposited, as a precious relic, to be preserved in the Department of State.

APPROVED, April 30, 1844.

April 30, 1844. No. 4. *Joint Resolution respecting the application of certain appropriations heretofore made.*

Settlements for supplies furnished militia under

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in settling for supplies furnished to militia in the service of the United States under the act

of twenty-third August, eighteen hundred and forty-two, the accounting officers be directed to discharge the claims for said supplies in the following order, to wit: First, the amounts due to individual claimants, and secondly, those due to the Territory of Florida: *Provided*, that the whole amount of supplies paid for shall not exceed the quantity of each description to which the said troops were entitled by existing laws.

APPROVED, April 30, 1844.

act of Aug. 23, 1842, ch. 192, how to be discharged.

Proviso.

Post, p. 797.

No. 5. *Joint Resolution providing for the printing of additional copies of the journals and public documents.*

April 30, 1844.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall hereafter be printed fifty copies of the public journals and documents of the Senate, and one hundred copies of the public journals and documents of the House of Representatives, in addition to the number now required by law to be printed; and that fifty copies of said journals and documents, in addition to the number now deposited with the Secretary of State, shall hereafter be annually delivered to that officer for distribution according to law; and the residue of said journals and documents shall be deposited in the Library of Congress.

APPROVED, April 30, 1844.

Additional copies of journals and documents to be printed, &c.

Post, p. 718.

No. 6. *Joint Resolution in relation to certain property purchased for the use of the United States at the port of Bath, in the State of Maine.*

May 23, 1844.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury shall have charge of a certain lot, with the buildings thereon and appurtenances, late the property of the President, Directors and Company of the Bath Bank, in the town of Bath, in the State of Maine, taken in execution at the suit of the United States, sold and bought in by the United States, some years since; and he shall have power to set apart the said premises for the use of a custom-house and such other public uses as he may judge to be expedient and proper, until the further order of Congress in the matter.

APPROVED, May 23, 1844.

Sec. Treas. to have-charge of a lot sold as the property of the Bath Bank, and bought in by the United States.

No. 9. *Resolution authorizing the corporation of Baltimore to use a building of the United States at Lazaretto Point.*

June 3, 1844.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the mayor and city council of Baltimore be and they are hereby authorized to use, as often as may be found necessary, the public building at Lazaretto Point, near the harbor of the port of Baltimore, for the reception and accommodation of such passengers in ships or vessels arriving at that port as may from time to time be reported in an unhealthful state: *Provided*, That in such use of said building by the city of Baltimore, the same shall not interfere with or obstruct the occupation thereof in the manner and for the purposes required by the Government: *And provided, further*, That the said occupation of said building by the city of Baltimore, shall be discontinued or suspended upon the requisition of the Secretary of the Treasury, whenever he shall deem it necessary for the use of the Government.

APPROVED, June 3, 1844.

Corporate authorities of Baltimore may use the building at Lazaretto Point, &c.

Proviso.

Proviso.



June 12, 1844.

No. 10. *A Resolution respecting receipts issued by the Treasurer of the United States, in payment for public lands.*

Treasurer's certificates of deposits for the purchase of lands under act of April 24, 1820, ch. 51, when assigned, to be received in payment for public lands.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That any certificates which have been issued by the Treasurer of the United States, in favor of individuals who have deposited moneys at the Treasury in payment for lands intended by them to be purchased under the act of Congress, approved April the twenty-fourth, in the year of our Lord one thousand eight hundred and twenty, entitled "An act making further provision for the sale of the public lands," and which certificates have been assigned, may be received in payment for public lands purchased at public sale or by private entry; and any receiver of public moneys who may have received such certificates in payment, as aforesaid, may be credited with the amount thereof, upon delivering them duly transferred to the Treasury.

APPROVED, June 12, 1844.

June 12, 1844.

No. 11. *A Resolution suspending the joint resolution providing for the printing of additional copies of the journals and public documents.*

Suspended till next session of Congress.  
Ante, p. 717.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the resolution "providing for the printing of additional copies of the journals and public documents," shall be suspended and take effect only from the commencement of the next session of Congress.

APPROVED, June 12, 1844.

June 12, 1844.

No. 12. *A Resolution to continue two clerks in the business of reservations and grants under Indian treaties.*

Continued till otherwise directed by Congress.

Ante, p. 583.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the authority given to the Secretary of War by the joint resolution, approved May eighteenth, one thousand eight hundred and forty-two, to continue for two years the employment of two clerks in the business of reservations and grants under Indian treaties, is hereby extended and continued till otherwise directed by Congress.

APPROVED, June 12, 1844.

June 15, 1844.

No. 14. *A Joint Resolution in relation to the transmission of the British mail between Boston and Canada, and for other purposes.*

Postmaster Gen'l to make arrangements with British government for transmission of the mails between Boston and Canada.

Arrangements to be made for transmission of the mail betw'n the U. S. and Europe.

Ports of Bremen, Havre, and others, to be secured, &c.

*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 make such arrangements as may be deemed expedient with the Post Office Department of the British government for the transmission of the British mail in its unbroken state or condition between Boston and Canada.

*Be it further resolved,* That the Postmaster General be and he is hereby authorized to enter into such arrangement or arrangements with the proper authorities in France and Germany, and the owners or agents of vessels plying regularly between those countries and the United States, whereby a safe and as near as possible a regular direct mail communication, under official guaranty, between the United States and the continent of Europe, viz.: the ports of Bremen in Germany and Havre in France, and such other principal ports on said continent as the Postmaster General may deem most proper, shall be secured — so that the entire inland and foreign postage on letters and all other mail matter,

sent over sea from and to the United States, to and from any part of France and of the States comprehended within the German Customs Union, and of those countries on the continent, between which and France and of the said German States there exists a continued arrangement of the like kind, may be paid at the place where they are respectively mailed or received.

APPROVED, June 15, 1844.

No. 15. *A Resolution for the relief of certain claimants under the Cherokee treaty of one thousand eight hundred and thirty-six.*

June 15, 1844.

*Resolved 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 pay, or cause to be paid, the several sums found due to claimants under the Cherokee treaty of one thousand eight hundred and thirty-six, upon the certificates issued by the board of commissioners appointed in pursuance of the seventeenth article of said treaty, out of the unexpended balance of appropriations made for the payment of such claims, upon the presentation of said certificates.

Certificates issued or allowed by commissioners under Cherokee treaty, to be paid.

APPROVED, June 15, 1844.

No. 16. *A Joint Resolution authorizing the transfer of certain clerks in the Treasury Department.*

June 15, 1844.

*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 authorized to transfer from any office or offices of the Treasury Department from which their services may, in his opinion, be dispensed with, three or more clerks to be employed under his direction in collecting, arranging and classifying such statistical information as may be procured, showing or tending to show each year the condition of the agriculture, manufactures, domestic trade, currency and banks of the several States and Territories of the United States. The clerks which may be transferred and employed under this authority shall receive the same salaries as at present—and a report containing the results of the information obtained upon the before mentioned subjects, shall be annually made to Congress by the Secretary of the Treasury, on the first Monday of January.

Sec. of Treas. may transfer three clerks to arrange statistical information, &c.

Clerks to receive same pay as before.

APPROVED, June 15, 1844.

No. 17. *A Resolution relating to the public lands appertaining to the armories at Springfield and Harper's Ferry.*

June 17, 1844.

*Resolved 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 alter, establish and settle the boundary lines between the United States' lands at the Springfield armory and the contiguous lands belonging to the town of Springfield in the State of Massachusetts, and to individual citizens, in such a way as may be best calculated to allow the laying out and altering of streets and highways for the mutual convenience and advantage of all parties; and for this purpose he is further authorized to exchange and convey, and to receive from the corporate authorities of Springfield, or to and from individual proprietors, such fractional parts of land as may be necessary for the accommodation and convenience of the town of Springfield in running its public streets and highways, and of the armory in securing the safety of, and free access to its workshops, arsenals, and other public buildings; and to grant on the part of the United States, and receive from the corporative authorities of Springfield, or from individual proprie-

Sec. of War may alter the boundaries, so as to allow the laying out, &c. of streets.

May exchange, convey, or receive land for that purpose.

tors, deeds and titles for the lands so exchanged and disposed of to establish convenient boundaries.

Authorized to ratify the exchange made with the Wager family of land at Harper's Ferry.

SEC. 2. *And be it further resolved*, That the Secretary of War be, and he is hereby authorized and empowered to ratify and confirm an exchange of land at Harper's Ferry, in the State of Virginia, which has been made between the United States and the Wager family for the purpose of securing a more convenient access to the workshops of the United States armory at that place, and to give and receive deeds to and from the persons lawfully holding the land thus obtained from the United States, and the legal owners of the land, the occupancy of which was transferred to the United States in exchange therefor.

APPROVED, June 17, 1844.

June 17, 1844.

No. 18. *Joint Resolution tendering the thanks of Congress to the British authorities at Gibraltar, and the commander, officers, and crew of her Britannic Majesty's ship Malabar.*

President to communicate to them the high sense of Congress of their zeal displayed on the burning of the Missouri.

*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 communicate to the British Government, in such manner as he may deem proper, the high sense entertained by Congress of the generous zeal displayed by the British authorities at Gibraltar, and the commander, officers and crew of her Britannic Majesty's ship Malabar, in endeavoring to save from destruction the American steam frigate Missouri, and in preserving the lives of her officers and crew, as well as of the kindness and hospitality which characterized their treatment of the ship's company of that vessel, after her unfortunate destruction by fire.

APPROVED, June 17, 1844.

# ACTS OF THE TWENTY-EIGHTH 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 2d day of December, 1844, and ended the 3d day of March, 1845.*

JOHN TYLER, President of the United States. WILLIE P. MANGUM, President of the Senate, pro tempore. JOHN W. JONES, Speaker of the House of Representatives.

### STATUTE II.

CHAP. I.—*An Act to establish a uniform time for holding elections for electors of President and Vice President in all the States of the Union.*(a) Jan. 23, 1845.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the electors of President and Vice President shall be appointed in each State on the Tuesday next after the first Monday in the month of November of the year in which they are to be appointed: *Provided,* That each State may by law provide for the filling of any vacancy or vacancies which may occur in its college of electors when such college meets to give its electoral vote: *And provided, also,* when any State shall have held an election for the purpose of choosing electors, and shall fail to make a choice on the day aforesaid, then the electors may be appointed on a subsequent day in such manner as the State shall by law provide.

APPROVED, January 23, 1845.

Election day fixed.

Vacancies.

In case of no election.

### STATUTE II.

CHAP. II.—*An Act to correct a clerical error in the act supplementary to an act to regulate arrests on mesne process in the District of Columbia, and to amend the title thereof.* Feb. 4, 1845.

*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 supplementary to an act entitled 'An act to regulate arrests on mesne process in the District of Columbia,'" approved June seventeenth, eighteen hundred and forty-four, be corrected, so as to insert, between the words "and" and "in," in the sixth line, the words "in cases where the principal of the debt exceeds that amount, no person shall be imprisoned as aforesaid, except."

Correction of the error. Act of June 17, 1844, ch. 100.

SEC. 2. *And be it further enacted,* That the title of the said act be amended by adding the words: "and to abolish imprisonment for debt in the District of Columbia, except in cases of fraud."

Title amended.

SEC. 3. *And be it further enacted,* That nothing in the said act pass-

(a) Election of President and Vice President of the United States:

Constitution of the United States, art. 2, sec. 1, vol. 1, 15, 16. Twelfth amendment to the constitution of the United States, vol. 1, 22.

An act relative to the election of a President and Vice President of the United States, and declaring the officer who shall act as President in case of vacancies in the office of both President and Vice President; March 1, 1792, chap. 8.

An act supplementary to the act entitled "An act relative to the election of a President and Vice President of the United States, and declaring the officer who shall act as President, in case of vacancies in the office of both President and Vice President; March 26, 1804, chap. 50.

Certain suits or actions excepted.

ed the seventeenth of June, one thousand eight hundred and forty-four, or in this act, shall be so construed as to extend to any suit or action brought by the corporate authorities of either of the cities of the said District to recover a penalty imposed by any ordinance or by law of such corporation for an infraction of its by-laws and ordinances.

APPROVED, February 4, 1845.

STATUTE II.

Feb. 7, 1845.

Act of March 3, 1837, ch. 51.

Act confirmed.

Appendix No. 2, post, 802.

Proviso.

Further proviso.

CHAP. IV. — *An Act confirming and assenting to an act of the Legislature of Virginia, entitled "An act further to amend the act incorporating 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 act of the Legislature of Virginia, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," which was passed on the twentieth day of January, in the year one thousand eight hundred and forty-four, be, and the same is hereby, ratified, confirmed, and assented to: *Provided,* That this assent and confirmation shall not be so construed as to bind the United States beyond their interest in the stock in said company, nor as either affirming or denying the validity of the rights or liens of the State of Maryland referred to in the third section of the said act of Virginia: *Provided, also,* That nothing herein contained shall be held or construed to impair the rights of any individual or corporation derived from the original act of incorporation of the said Chesapeake and Ohio Canal Company.

APPROVED, February 7, 1845.

STATUTE II.

Feb. 13, 1845.

1845, ch. 19.

Act of March 3, 1823, ch. 44, repealed.

Actions or suits pending, &c. to be transferred to Dist. Court at New Orleans. 1845, ch. 19.

One term to be held annually for the business of the western district.

CHAP. V. — *An Act to repeal "An act for the better organization of the district court of the United States within the State of Louisiana," 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 entitled "An act for the better organization of the district court of the United States within the State of Louisiana," approved on the third of March, one thousand eight hundred and twenty-three, be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted,* That all criminal actions or civil suits which have arisen in the district court of the United States for the western district of the State of Louisiana, and which are now pending therein, together with all process, writs, recognizances, and records, belonging thereto, shall be transferred to New Orleans, and there disposed of by the district court of the United States for the eastern district of Louisiana, as suits are disposed of originating in the eastern district of said State.

SEC. 3. *And be it further enacted,* That the district court of the United States for the State of Louisiana shall hold one term of said court in each and every year, in the city of New Orleans, which shall commence on the first Monday of January, and continue unless the business shall be disposed of, for the trial of all criminal actions and civil suits which have arisen, or which may hereafter arise, within the present limits of the said western district of the State of Louisiana.

APPROVED, February 13, 1845.

STATUTE II.

Feb. 20, 1845.

CHAP. XIII. — *An Act for the purchase of certain copies of the History of Oregon, California, and the other Territories on the Northwest coast of America.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary

(a) Notes of the acts relating to the District Court of Louisiana, vol. 3, 774.

of State be, and he hereby is, authorized to purchase from Robert Greenhow one thousand five hundred copies of the History of Oregon, California, and the other Territories on the northwest coast of America, published by him: *Provided*, That the said copies be furnished at a rate not exceeding two dollars per copy.

Purchase of 1500 copies authorized.

SEC. 2. *And be it further enacted*, That the sum of three thousand dollars, or so much thereof as may be necessary for the purchase of said books, be, and the same hereby is appropriated, out of any moneys in the Treasury not otherwise appropriated.

Appropriation therefor.

SEC. 3. *And be it further enacted*, That from the said copies, so purchased, one shall be furnished to the President and one to the Vice President of the United States; one to the attorney general, and one to each of the heads of the departments; one to each of the judges of the Supreme Court of the United States; one to each member of the present Congress; one to the Governor and one to the Secretary of State of each State and Territory in the Union; and that twenty copies shall be deposited in the library of Congress, twenty copies in the office of the Secretary of the Senate, and thirty copies in the library of the House of Representatives; and that the Secretary of State be, and he is hereby, authorized to distribute copies of said work to ministers and diplomatic agents of this government, and of such foreign governments as are in the habit of furnishing to this government works published by them; and to universities, colleges and literary institutions now entitled to receive congressional documents printed by order of either House, allowing one copy to each; and the remaining copies, if any, to be kept by the Secretary of State, in his department, subject to the order of Congress.

Distribution thereof.

APPROVED, February 20, 1845.

STATUTE II.

CHAP. XIV. — *An Act making appropriations for the payment of revolutionary and other pensioners of the United States, for the year ending the thirtieth June, eighteen hundred and forty-six.*

Feb. 20, 1845.

[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 for the payment of pensions for the year ending the thirtieth June, eighteen hundred and forty-six:

For revolutionary pensions under the act of eighteenth March, eighteen hundred and eighteen, one hundred and eighty-six thousand two hundred dollars;

Revolutionary pensions. 1818, ch. 19.

For invalid pensions under various laws, one hundred and eighty-four thousand eight hundred dollars;

Invalid pensions.

For pensions to widows and orphans under the act of fourth July, eighteen hundred and thirty-six, two hundred and twenty thousand five hundred dollars;

Pensions to widows and orphans. 1836, ch. 362.

For pensions to widows under the act of seventh July, eighteen hundred and thirty-eight and the supplementary act of twenty-third August, eighteen hundred and forty-two, one hundred and eighty thousand dollars;

1838, ch. 189.  
1842, ch. 191.

For pensions to widows under the act of third March, eighteen hundred and forty-three, eighty thousand dollars;

1843, ch. 102.

For pensions to widows under the act of seventeenth June, eighteen hundred and forty-four, one million and ninety-six thousand dollars—a part of which sum may be applied to the payment of pensions allowed under said act in the year ending on the thirtieth June eighteen hundred and forty-five;

1844, ch. 102.

For half pay pensions to widows and orphans, payable through the Auditor's office, one thousand five hundred dollars;

Arrearages.  
1817, ch. 60.  
1820, ch. 53.

Deficiencies  
for year ending  
30th June 1845.

1836, ch. 362.

1838, ch. 189.

1842, ch. 191.

1843, ch. 102.

For arrearages provided for by acts of third March, eighteen hundred and seventeen, and second [first] May, eighteen hundred and twenty, payable through the accounting offices, one thousand dollars.

SEC. 2. *Be it further enacted*, That the following sums be, and the same are hereby appropriated, to supply deficiencies in the appropriations made for the payment of pensions during the fiscal year ending on the thirtieth June, eighteen hundred and forty-five, under the following heads, viz :

For pensions under the act of July fourth, eighteen hundred and thirty-six, seventy-six thousand dollars;

For widows' pensions under acts of July seventh, eighteen hundred and thirty-eight, and August twenty-third, eighteen hundred and forty-two, two hundred thousand dollars;

For widows' pensions under the act of March third, eighteen hundred and forty-three, twenty-nine thousand dollars.

APPROVED, February 20, 1845.

STATUTE II.

Feb. 20, 1845.

CHAP. XV.—*An Act restricting the grant of pensions in certain cases.*

Widows' pen-  
sions limited.

*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 a pension shall not be granted to any widow for or during any part or portion of the time her husband may have received one, whose declaration therefor shall not have been made on or before the thirtieth day of April one thousand eight hundred and forty-four, and shall not have been received at the pension office on or before the twenty-third day of January, one thousand eight hundred and forty-five.

APPROVED, February 20, 1845.

STATUTE II.

Feb. 20, 1845.

CHAP. XVI.—*An Act to quiet the titles to certain lots of land in the towns of Perrysburg and Croghansville, in the State of Ohio.*

Lots of which  
the titles are  
confirmed.

1823, ch. 16.

List of lots to  
be furnished to  
General Land  
Office.

Confirmations  
only a relin-  
quishment of  
the right of the  
United States.  
Lands not com-  
prehended in  
this act.

Act of April  
26, 1816, ch.  
102.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all titles to town lots and out lots in the towns of Perrysburg and Croghansville, in the State of Ohio, derived from said State under color of the grant made to said State by virtue of the act of Congress entitled "An act for laying out and making a road from the lower rapids of the Miami of Lake Erie to the western boundary of the Connecticut western reserve, in the State of Ohio, agreeably to the provisions of the treaty of Brownstown," approved the twenty-eighth of February, one thousand eight hundred and twenty-three, be, and the same are hereby, recognised as valid and confirmed, in the same manner as though the title to said lots had been vested in the State under the aforesaid act: *Provided*, That the authorities of the said State shall, within one year from and after the passage of this act, furnish the Commissioner of the General Land Office with a certified list of all lots heretofore sold and disposed of under color of the above recited act: *And provided, also*, That all the confirmations intended by this act shall amount only to a relinquishment forever, on the part of the United States, of all their right and title whatever to the lots of land so confirmed: *And provided, further*, That nothing in this act contained shall be construed to comprehend within the provisions thereof such town lots and out lots, or other tract or tracts of land, as may have been reserved, or directed to be reserved, within the limits of either of said towns of Perrysburg or Croghansville, for the support of schools within the same, in and by the third section of the act entitled "An act providing for the sale of the tract of land at the lower rapids of Sandusky river," or in and by any provision contained in the act en-

titled "An act providing for the sale of the tract of land at the British fort of the Miami of the Lake, at the foot of the rapids, and for other purposes." But all such town lots and out lots, or other tract or tracts of land, reserved, or directed to be reserved, as aforesaid, shall be holden subject to the uses and trusts in said acts, and in other acts relating to such reserves, designated or intended. But nothing contained in this act shall prevent the original purchasers of the lots or lands within the limits of the said towns of Perrysburg and Croghansville, and not relinquished to the United States, from paying to the State of Ohio or the General Government for the use of said road or the United States the money with the interest remaining due thereon, on all such lots and lands as may not have heretofore been disposed of by the authorities of the said State for the benefit of said road.

Act of April 27, 1816, ch. 132.

Payments due the U. S. and Ohio not affected.

APPROVED, February 20, 1845.

STATUTE II.

Feb. 20, 1845.

CHAP. XVII. — *An Act to amend the act entitled "An act to provide for the enlistment of boys for the naval service, and to extend the term of enlistment of seamen."*

*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 provisions of the second and third sections of the act entitled "An act to provide for the enlistment of boys for the naval service, and to extend the term of the enlistment of seamen," approved March second, one thousand eight hundred and thirty-seven, which authorize and provide for the detention of any person enlisted for the navy, after the expiration of the enlistment, until the return of such person to the United States, shall be understood and construed to authorize and provide for the detention of such person until the arrival of the vessel in which he shall be so detained at a port of the United States, and until he shall have received his regular discharge by order of the Secretary of the Navy: *Provided,* That such detention shall not exceed the term of thirty days from the time of the arrival of the said vessel in a port of the United States.

Seamen to be detained under 2d and 3d secs. act of 2d March 1837, ch. 21, until arrival of vessel in U. S., and until disch'd.

Proviso.

SEC. 2. *And be it further enacted,* That the commanding officer of any vessel, squadron or fleet of the navy of the United States, when upon the high seas or in any foreign port where there is no resident consul of the United States, shall be and is hereby authorized and empowered to exercise all the powers of a consul in relation to mariners of the United States.

Naval officers clothed with powers of consuls in certain cases.

APPROVED, February 20, 1845.

STATUTE II.

Feb. 20, 1845.

CHAP. XVIII.—*An Act to organize a new land district in the southern part of the State of Arkansas.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the section of country in the southern part of the State of Arkansas, south of the base line, and east of the meridian, comprised within the following boundaries, to wit: between the line dividing ranges five and six on the east, the line dividing ranges twenty and twenty-one on the west, the dividing line between townships ten and eleven on the north, and the State line on the South, be made to form a separate district, to be called the Champagnole district, the seat of the land office for which shall be at the town of Champagnole, and be subject to removal by the President of the United States, whenever, in his judgment, it may be proper so to do.

Champagnole land district established.

Office to be in Champagnole.

Register and receiver to be appointed, &c.

SEC. 2. *And be it further enacted,* That there shall be a register and receiver of public moneys appointed for said land district, who shall



give security in the same manner and in the same sums, and whose duties and authority, compensation and emoluments, shall in every respect be the same, in relation to the lands to be disposed of in said district, as are or may be provided by law in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Registers, &c.  
at Little Rock  
and Washing-  
ton to transfer  
documents, &c.

SEC. 3. *And be it further enacted*, That it shall be the duty of the registers and receivers for the districts of land subject to sale at Little Rock and Washington, in the State aforesaid, under the direction of the Commissioner of the General Land Office, to transfer to the register and receiver for the district hereby created all the proper evidences, documents, records, and township plats, in relation to lands heretofore sold or subject to sale at those offices, respectively, which fall within the limits of the district hereby created.

Act to take ef-  
fect in 3 months.

SEC. 4. *And be it further enacted*, That this act shall take effect and be in force from and after the expiration of three calendar months from the date of the passing hereof.

APPROVED, February 20, 1845.

STATUTE II.

Feb. 26, 1845.

Act of Feb.  
20, 1845, ch. 5.

Circuit court  
causes in district  
court for west-  
ern dist. trans-  
ferred to circuit  
court for eastern  
district.

CHAP. XIX.—*An Act supplementary to "An act to repeal an act for the better organization of the district court of the United States within the State of Louisiana," and for other purposes, approved February thirteenth, one thousand eight hundred and forty-five.* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the causes now pending in the district court of the United States for the western district of the State of Louisiana, which appropriately belong to the circuit court jurisdiction, shall be transferred to the circuit court of the United States for the eastern district of Louisiana, there to be proceeded in according to law, and in the same manner, as if they had originated in that court; and the causes which belong to the jurisdiction of the district court shall be and remain in the district court for the eastern district court, to be proceeded in according to law, and in the same manner as if they had originated therein.

APPROVED, February 26, 1845.

STATUTE II.

Feb. 26, 1845.

In matters of  
contract and  
tort, dist. courts  
to have the  
same jurisdic-  
tion upon the  
lakes as on the  
high seas.  
Act of Sept.  
24, 1789, ch. 20.

Modes of pro-  
ceeding, &c.

Decisions, how  
to be made.

CHAP. XX.—*An Act extending the jurisdiction of the district courts to certain cases, upon the lakes and navigable waters connecting the same.*

*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 shall have, possess, and exercise, the same jurisdiction in matters of contract and tort, arising in, upon, or concerning, steamboats and other vessels of twenty tons burden and upwards, enrolled and licensed for the coasting trade, and at the time employed in business of commerce and navigation between ports and places in different States and Territories upon the lakes and navigable waters connecting said lakes, as is now possessed and exercised by the said courts in cases of the like steamboats and other vessels employed in navigation and commerce upon the high seas, or tide waters, within the admiralty and maritime jurisdiction of the United States; and in all suits brought in such courts in all such matters of contract or tort, the remedies, and the forms of process, and the modes of proceeding, shall be the same as are or may be used by such courts in cases of admiralty and maritime jurisdiction; and the maritime law of the United States, so far as the same is or may be applicable thereto, shall constitute the rule of decision in such suits, in the same manner, and to the same ex-

(a) See notes of the acts relating to the District Court of Louisiana, vol. 3, 774.

tent, and with the same equities, as it now does in cases of admiralty and maritime jurisdiction; saving, however, to the parties the right of trial by jury of all facts put in issue in such suits, where either party shall require it; and saving also to the parties the right of a concurrent remedy at the common law, where it is competent to give it, and any concurrent remedy which may be given by the State laws, where such steamer or other vessel is employed in such business of commerce and navigation.

APPROVED, February 26, 1845.

STATUTE II.

Feb. 26, 1845.

CHAP. XXII.—*An Act explanatory of an act entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-nine."* (a)

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That nothing contained in the second section of the act entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-nine," approved on the third day of March, one thousand eight hundred and thirty-nine, shall take away, or be construed to take away or impair, the right of any person or persons who have paid or shall hereafter pay money, as and for duties, under protest, to any collector of the customs, or other person acting as such, in order to obtain goods, wares, or merchandise, imported by him or them, or on his or their account, which duties are not authorized or payable in part or in whole by law, to maintain any action at law against such collector, or other person acting as such, to ascertain and try the legality and validity of such demand and payment of duties, and to have a right to a trial by jury, touching the same, according to the due course of law. Nor shall any thing contained in the second section of the act aforesaid be construed to authorize the Secretary of the Treasury to refund any duties paid under protest; nor shall any action be maintained against any collector, to recover the amount of duties so paid under protest, unless the said protest was made in writing, and signed by the claimant, at or before the payment of said duties, setting forth distinctly and specifically the grounds of objection to the payment thereof.

Construction of 2d section of act 3d March 1839, ch. 82, sec. 2, relative to duties paid under protest.

APPROVED, February 26, 1845.

STATUTE II.

Feb. 26, 1845.

CHAP. XXIV.—*An Act to authorize the South Carolina Railroad Company to import certain pipes and machinery free of duty.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the South Carolina Railroad Company be, and hereby is, authorized to import into the United States, without payment of duties thereon, all such pipes as have been or may be invented or used for the application of the atmospheric pressure as a propelling power on railroads, not to exceed what is sufficient for a road one mile in length, and also all the machinery connected therewith, or which is necessary for the use and working thereof, under such regulations as the Secretary of the Treasury may prescribe.

Sec. Treas. to prescribe the regulations of importation.

APPROVED, February 26, 1845.

STATUTE II.

Feb. 26, 1845.

CHAP. XXV.—*An Act to amend an act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations."*

Act of July 4, 1836, ch. 355.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the

(a) See notes to the act of March 3, 1839, chap. 82, ante, p. 349.

So much of the 4th sec. of the act as requires the Sec. Treas. to select the lands granted for schools in the Chickasaw purchase, repealed.

Proviso.

Governor of Alabama authorized to select the lands within two years.

What is requisite to perfect the selections.

1819 ch. 47.

Land to vest in Alabama, subject to the uses, &c. of 16th sections.

Gov. of Alabama to notify the Register of the Land Office of his selections.

fourth section of the act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations," as purports to require that a quantity of land, equal to the one thirty-sixth part of the lands lying within the State of Alabama, which were disposed of, or directed to be disposed of, in and by the treaty between the United States and the Chickasaw Indians, made and concluded at the city of Washington, on the twenty-fourth day of May, one thousand eight hundred and thirty-four, shall be selected, under the direction of the Secretary of the Treasury, within any land district in said State of Alabama, contiguous to said lands within said State so disposed of, &c., by the said Chickasaws, as aforesaid, be, and the same is hereby, repealed: *Provided*, That nothing herein contained shall be so construed as in any wise to affect the validity and binding force of any such selections as may heretofore have been made, in virtue of said fourth section, and sanctioned and accepted by the inhabitants of those surveyed townships, respectively, for whom they may have been made, as an equivalent and substitute for section number sixteen, within such surveyed township.

SEC. 2. *And be it further enacted*, That said lands, equal in quantity to one thirty-sixth part of the lands so, in virtue of said treaty, disposed of, &c., within said State of Alabama, (deducting therefrom such quantity, if any, as may have been selected, as aforesaid, under the authority of said fourth section, and accepted, as aforesaid, in lieu of said section number sixteen, by the inhabitants of the proper surveyed township,) may be selected, under the direction of the Governor of Alabama, at any time within two years from the passing of this act, in sections, half-sections, quarter-sections, or previously defined fractions, out of any of the surveyed public lands, within any of the land districts in the States of Alabama or Mississippi, subject to sale at private sale, and not in any wise encumbered by any prior claim, lien, or reservation, as the Governor of the said State of Alabama may direct. But the same selections, respectively, shall not be holden to have been perfected, until the same, as from time to time they shall have been made, shall have been reported to the Commissioner of the General Land Office, together with proofs, taken in such manner as the Legislature of the State of Alabama shall prescribe, of the assent of the inhabitants of the surveyed townships, respectively, for whose benefit the same may have been selected; and that the said inhabitants consent to and accept the same, in lieu of, and as a full equivalent for, the school section which, by the sixth section of the act entitled "An act to enable the people of the Alabama 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," was guarantied to them.

SEC. 3. *And be it further enacted*, That when the land shall have been so as aforesaid selected and reported, and, as aforesaid, so accepted by said inhabitants of said surveyed township, respectively, the same shall vest in the State of Alabama, subject to the same disposition and uses, and shall be holden subject to the same conditions and terms, in all respects whatsoever, as, by the said sixth section of the act herein above referred to, were prescribed or intended in relation to sections number sixteen, within said State of Alabama. And it shall be competent for the said Governor of Alabama, as from time to time such selections may be made, and before they are perfected as aforesaid, to give notice thereof to the register of the proper land office of the land district in which such selection may be made, in such form as the Commissioner of the General Land Office shall prescribe; and, thereupon, the land so selected shall, during such convenient time as such Com-

missioner of the General Land Office may prescribe, be considered, for the time being, as withdrawn from sale, and not subject to entry.

APPROVED, February 26, 1845.

STATUTE II.  
Feb. 26, 1845.

CHAP. XXVI.—*An Act to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending the thirtieth day of June, one thousand eight hundred and forty-five."*

*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 making appropriations for the naval service for the fiscal year ending the thirtieth day of June, one thousand eight hundred and forty-five," approved June seventeen, one thousand eight hundred and forty-four, shall not be understood or construed to apply to the claim of an officer employed on a foreign station who would be entitled, under the provisions of previous acts of Congress, to receive the pay of a higher grade, while temporarily performing the duties of such higher grade, until information of the passage of the said act shall have been received on board of the vessel to which such officer was or is attached.

APPROVED, February 26, 1845.

3d sec. act 17th June 1844, ch. 107, not applicable to officers on foreign stations, until after receipt of information of its passage.

STATUTE II.  
Feb. 26, 1845.

CHAP. XXVIII.—*An Act to authorize a relocation of land warrants number three, four, and five, granted by Congress to General Lafayette.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the legal holders or assignees of land warrants numbered three, four, and five, granted by the act of Congress of twenty-seventh March, one thousand eight hundred and four, to General Lafayette, and located at Point Coupee, in the State of Louisiana, in three adjoining surveys of one thousand acres each, and which locations are shown to have been made in material conflict with several older and better grants, shall, upon exhibiting to the register and receiver of any land office within the State of Louisiana, his or their evidence of right to the warrants above described, be permitted, under the same rules and restrictions of the original law under which said locations were authorized, to enter and locate a like quantity of land on any of the unappropriated public lands in the State of Louisiana: *Provided,* That, before any such register and receiver shall issue to such holders or assignees any certificate of relocation, the holders or assignees shall deposit a copy of their derangement of title from General Lafayette, and a release of title to the lands located at Point Coupee.

APPROVED, February 26, 1845.

Act of March 27, 1804, ch. 61, sec. 14. Holders of the warrants authorized to enter other lands, &c.

Proviso.

STATUTE II.  
March 1, 1845

CHAP. XXXV.—*An Act to change the time for holding the Circuit and Criminal Courts in the county of Washington.*

*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 for the county of Washington, District of Columbia, shall hereafter be held on the third Monday of October of each year, instead of the fourth Monday of November designated by law.

Sec. 2. *And be it further enacted,* That hereafter there shall be but three terms of the criminal court for Washington county, in the District of Columbia, instead of the four terms of said court now fixed by law; and that said three terms hereafter shall commence and be held on the first Monday in March, the third Monday in June, and the first Monday in December, in each and every year. All process whatsoever in the said criminal court now issued or which may be issued in the county of Washington, in said District, returnable to the days now fixed by law

Time of holding full term of circuit court changed.

Times of holding criminal court now fixed

Process returnable on days now fixed.

for said county, shall be returnable and returned on the days for holding said criminal court, prescribed by this statute.

APPROVED, March 1, 1845.

STATUTE II.

March 1, 1845.

CHAP. XXXVI. — *An Act in alteration of an act entitled "An act to establish a port of delivery at the city of Lafayette, in the State of Louisiana."*

Vessels may, after proceeding to Lafayette, make report and entry at New Orleans.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all vessels bound to the city of Lafayette, in the State of Louisiana, may, 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 said Lafayette, under the rules and regulations prescribed by law, and such further regulations as the Secretary of the Treasury may deem necessary. And so much of the first section of the act entitled "An act to establish a port of delivery at the city of Lafayette, in the State of Louisiana," approved June twelve, one thousand eight hundred and forty-four, as is inconsistent with this act, is hereby repealed.

Act of June 12, 1844, ch. 46.

APPROVED, March 1, 1845.

STATUTE II.

March 1, 1845.

[Obsolete.]

CHAP. XXXVII. — *An Act making appropriations for the payment of navy pensions for the year ending thirtieth June, eighteen hundred and forty-six.*

Invalid pensions.  
Privateer pensions.  
Widows' pensions.  
Deficiency in widows' pensions.  
Act of June 30, 1834, ch. 134.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of navy pensions for the year ending the thirtieth June, eighteen hundred and forty-six.

To pay invalid pensions, forty thousand dollars;

To pay the privateer pensions, three thousand dollars;

To pay widows' pensions, twelve thousand dollars;

To supply a deficiency in the appropriation for paying widows' pensions under the act of June thirtieth, eighteen hundred and thirty-four, for the year ending thirtieth June, eighteen hundred and forty-five, six thousand dollars.

APPROVED, March 1, 1845.

STATUTE II.

March 1, 1845.

[Obsolete.]

CHAP. XXXVIII. — *An Act to authorize the sale of two Arabian horses, received as a present by the Consul of the United States at Zanzibar, from the Imaum of Muscat.*

Horses, when to be sold.

*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 the two horses received as a present by the Consul of the United States at Zanzibar, from the Imaum of Muscat, to be sold in Washington city by public auction, on the last Saturday of February, one thousand eight hundred and forty-five, and to cause the proceeds thereof to be placed in the Treasury of the United States.

APPROVED, March 1, 1845.

STATUTE II.

March 1, 184 .

CHAP. XXXIX. — *An Act to change the time of holding the Federal courts in Kentucky, North Carolina, South Carolina, Georgia, Alabama and Louisiana.*

Circuit and district courts in Kentucky.

*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 fall sessions of the circuit and district courts of the said United States for the district of Kentucky, heretofore commenced and held on the third Monday in November, annually, shall in-

stead thereof be commenced and held the second Monday in November, annually. That the circuit courts of the United States for the district of North Carolina shall be held at Raleigh on the Monday preceding the first Monday in December, and after the year eighteen hundred and forty-five on the second Monday in March. That the spring term of said court shall be held in and for the district of South Carolina at Charleston, on the Wednesday preceding the fourth Monday in March, after the ensuing term shall have been held at the time now appointed by law. That the spring term of said court shall be held in [and] for the district of Georgia at Savannah, on the second Monday in April after the ensuing term shall have been held at the time now appointed by law. That the circuit court of the United States for the southern district of Alabama, shall commence its spring term at Mobile, on the second Monday of April in each and every year after the ensuing spring term of said court shall have been held at the time now appointed by law. And the circuit court for the district of Louisiana shall commence its spring term at New Orleans on the fourth Monday of April in each and every year, after the ensuing spring term of said court shall have been held at the time now appointed by law. And all actions, suits, appeals, recognizances, processes, writs and proceedings whatever, pending, or which may be pending in said courts, 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 courts or sessions had not been hereby altered.

Circuit courts  
in N. Carolina.

S. Carolina.

Georgia.

Southern district of Alabama.

Louisiana.

Process returnable, how.

APPROVED, March 1, 1845.

STATUTE II.

CHAP. XLI.—*An Act renewing certain naval pensions for the term of five years.*

March 3, 1845.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the pensions for the period of five years, which have been heretofore granted out of the naval pension fund, to the widows of officers, seamen, and marines, who have been killed or died by reason of a wound received in the line of their duty, or who have died by reason of disease contracted, or of a casualty, by drowning or otherwise, or of injury received while in the line of their duty, and which pensions have ceased in consequence of the expiration of the period for which they were originally granted, or for which they were subsequently renewed, shall be continued for another period of five years, to such of the said widows as have remained unmarried; to commence from the day on which such pensions, respectively, terminated; and to be paid out of any money in the Treasury not otherwise appropriated: *Provided,* That every pension hereby renewed shall cease on the death or intermarriage of the widow to whom the same is hereby granted.

Pensions heretofore granted to widows continued.

Proviso.

APPROVED, March 3, 1845.

STATUTE II.

CHAP. XLII.—*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.

Act of Feb. 27, 1841, ch. 12.

*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 said State in extending and completing the Wabash and Erie canal from Terre Haute, in the county of Vigo, in said State, to the Ohio river, at Evansville, in said State, as the course thereof has been established and surveyed by the authority of said State, one moiety of the public lands, (remaining unsold, and not otherwise disposed of, encumbered or appropriated,) in a strip five miles in width on each side of said canal; to

Lands granted on the canal.

Lands reserved.

Chart of the canal to be reported to Gen'l Land Office.

Lands granted in Vincennes district.

Their selection.

Lands selected to be reported to the register.

Disposal of the lands granted by 1st and 2d sections of this act.

Sale of lands in Vincennes district suspended.

U. S. to have use of the canal free.

Canal to be completed in 15 years, or land to revert to the United States.

Price of the lands limited.

be selected by an agent or agents to be appointed by the Governor of said State, subject to the approval of the Secretary of the Treasury of the United States; reserving to the United States each alternate section, (or other proper subdivision of said land,) from one end of said canal to the other; and before the selection, to be made as aforesaid by such agent or agents, shall be deemed to have been made and perfected, a chart or charts, showing the courses and distances and points of termination of said canal, shall be reported, or caused to be reported by the Governor of Indiana, or by some person or persons by him appointed to the Commissioner of the General Land Office.

SEC. 2. *And be it further enacted*, That, for the purpose hereinbefore mentioned, there be, and hereby is, granted to the said State, in addition to the grant hereinbefore provided for, one moiety of all the other lands in the Vincennes land district, in said State, and which remain, as aforesaid, unsold, and not otherwise disposed of, encumbered or appropriated, to be selected under the authority and by the direction of the Governor of said State: *Provided*, That, in the selection of the lands by this section provided for, no lands shall be comprehended which, in and by the first section of this act, are (in alternate sections or other proper subdivisions) directed to be reserved as aforesaid; and the lands so selected shall be reported, or caused to be reported, by the Governor of said State, to the register of the land office at Vincennes, before such selection shall be deemed to be made and completed.

SEC. 3. *And be it further enacted*, That all the lands, by the first and second sections of this act granted as aforesaid, shall, after the selections thereof shall have been made and completed as aforesaid, be subject to be disposed of by the General Assembly of said State, for the purpose aforesaid, and no other; and the President shall direct the further sales of the public lands, in the Vincennes land district aforesaid, to be suspended until the Governor of said State shall have caused the selections aforesaid to be made and perfected as aforesaid, and shall have notified the Secretary of the Treasury thereof: *Provided*, That such suspension shall not continue longer than twelve months from and after the passing of this act.

SEC. 4. *And be it further enacted*, 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 or along the same; and shall be completed within fifteen years from and after the passing of this act, or the State shall be holden to pay to the United States the amount of the price or prices for which any and all of said land which may have been disposed of by said State may have sold; and such of said lands as may not have been thus disposed of shall, from and after said fifteen years, if said canal should not then have been completed, revert to and again become the property of the United States: *Provided always*, That it shall not be competent for the said General Assembly to dispose of said lands, or any of them, at a price lower than, for the time being, shall be the minimum price of other public lands.

APPROVED, March 3, 1845.

#### STATUTE II.

March 3, 1845.

Post, p. 800.  
After 1st July next, members of Congress may, during recess, receive letters free.

CHAP. XLIII.—*An Act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department.*

*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, members of Congress and delegates from Territories, may receive letters, not exceeding two ounces in weight, free of post-

age, during the recess of Congress, anything to the contrary in this act notwithstanding; and the same franking privilege which is granted by this act to the members of the two Houses of Congress, is hereby extended to the Vice President of the United States; and in lieu of the rates of postage now established by law, there shall be charged the following rates, viz: For every single letter, in manuscript, or paper of any kind by or upon which information shall be asked for or communicated in writing, or by marks and signs, conveyed in the mail, for any distance under three hundred miles, five cents; and for any distance over three hundred miles, ten cents: and for a double letter there shall be charged double these rates; and for a treble letter, treble these rates; and for a quadruple letter, quadruple these rates; and every letter or parcel not exceeding half an ounce in weight shall be deemed a single letter, and every additional weight of half an ounce, or additional weight of less than half an ounce, shall be charged with an additional single postage. And all drop letters, or letters placed in any post office, not for transmission by mail, but for delivery only, shall be charged with postage at the rate of two cents each. And all letters which shall hereafter be advertised as remaining over in any post office shall, when delivered out, be charged with the costs of advertising the same in addition to the regular postage, both to be accounted for as other postages now are.

Franking privilege granted to Vice Pres't.

Postage on—  
Letters.

Parcels.

Drop letters.

Advertised letters.

SEC. 2. *And be it further enacted,* That all newspapers of no greater size or superficies than nineteen hundred square inches may be transmitted through the mail by the editors or publishers thereof, to all subscribers or other persons within thirty miles of the city, town, or other place in which the paper is or may be printed, free of any charge for postage whatever; and all newspapers of and under the size aforesaid, which shall be conveyed in the mail any distance beyond thirty miles from the place at which the same may be printed, shall be subject to the rates of postage chargeable upon the same under the thirtieth section of the act of Congress approved the third of March, one thousand eight hundred and twenty-five, entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department;" and upon all newspapers of greater size or superficial extent than nineteen hundred square inches, there shall be charged and collected the same rates of postage as are prescribed by this act to be charged on magazines and pamphlets.

Postage on newspapers.

Act of March 3, 1825, ch. 64.

SEC. 3. *And be it further enacted,* That all printed or lithographed circulars and handbills or advertisements, printed or lithographed on quarto post or single cap paper, or paper not larger than single cap, folded, directed, and unsealed, shall be charged with postage at the rate of two cents for each sheet, and no more, whatever be the distance the same may be sent; and all pamphlets, magazines, periodicals, and every other kind and description of printed or other matter, (except newspapers,) which shall be unconnected with any manuscript communication whatever, and which it is or may be lawful to transmit by the mail of the United States, shall be charged with postage at the rate of two and a half cents for each copy sent, of no greater weight than one ounce, and one cent additional shall be charged for each additional ounce of the weight of every such pamphlet, magazine, matter, or thing, which may be transmitted through the mail, whatever be the distance, the same may be transported; and any fractional excess of not less than one-half of an ounce, in the weight of any such matter or thing, above one or more ounces, shall be charged for as if said excess amounted to a full ounce.

Postage on—  
Printed circulars, handbills, &c.

Pamphlets, magazines, &c.

SEC. 4. *And be it further enacted,* That the Postmaster General be and he is hereby, authorized, upon all mail routes over or upon which the amount of matter usually transported, or which may be offered or

Letter mail may be separated from the other mail, in certain cases, for expedition.



deposited in the post office or post offices for transportation, is or may become so great as to threaten materially to retard the progress or endanger the security of the letter mail, or to cause any considerable augmentation of the cost of transporting the whole mail at the present rate of speed, to provide for the separate and more secure conveyance of the letter mail, at a speed at least equal to that at which the mail is now transported over such route, taking care to allow in no case of any greater delay, in the transportation of the other matters and things to be transported in the mail on any such route, than may appear to be absolutely necessary, regard being had to the cost of expediting its transportation, and the means at his disposal or under his control for effecting the same.

27th sec. of act of 3d March 1825, ch. 64, repealed.

SEC. 5. *And be it further enacted*, That the twenty-seventh section of the act of Congress entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department," approved and signed the third day of March, in the year one thousand eight hundred and twenty-five, and all other acts, and parts of acts granting and conferring upon any person whatsoever the right or privilege to receive and transmit through the mail, free of postage, letters, packets, newspapers, periodicals, or other matters, be, and the same are hereby, utterly abrogated, and repealed.

Officers of government having the franking privilege, to keep account of postage, &c.

SEC. 6. *And be it further enacted*, That from and after the passage of this act, all officers of the Government of the United States, heretofore having the franking privilege, shall be authorized and required to keep an account of all postage charged to and payable by them, respectively, upon letters, packages, or other matters received through the mail, touching the duties or business of their respective offices; and said accounts for postage, upon being duly verified by said officers, respectively, shall be allowed and paid quarter yearly, out of the contingent fund of the bureau or department to which the officers aforesaid may respectively belong or be attached. And the three Assistant Postmasters General shall be entitled to have remitted by the postmaster in Washington all postage charged upon letters, packages, or other matter, received by them, respectively, through the mail, touching the business of the Post Office Department, or the particular branch of that business committed to them, respectively; and each of the said Assistant Postmasters General shall be, and hereby is, authorized to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to his official duties, or to the business of the Post Office Department; but he shall, in every such case, endorse on the back of the letter or package so to be sent free of postage, over his own signature, the words "official business." And for any such endorsement falsely made, the person so offending shall forfeit and pay three hundred dollars. And the several deputy postmasters throughout the United States shall be authorized to charge, and have allowed to them in the settlement of their accounts with the Post Office Department all postage which they may have paid or had charged to them, respectively, for letters, packages, or other matters, received by them on the business of their respective offices or of the Post Office Department, upon a verification on oath of their accounts for the same, and the transmission of the charged letters as vouchers; and the said several deputy postmasters shall be, and hereby are, authorized to send through the mail, free of postage, all letters, and packages, which it may be their duty, or they may have occasion, to transmit to any person or place, and which shall relate exclusively to the business of their respective offices, or to the business of the Post Office Department; but in every such case, the deputy postmaster sending any such letter or package shall endorse thereon, over his own signature, the words "Post Office business." And for any and every such endorsement falsely made, the person making

Assistant Postmasters General to have postage on business letters remitted, &c.

Deputy postmasters to be paid postage on business letters, &c.

the same shall forfeit and pay three hundred dollars. And when the commissions of any postmaster amount to less than twenty-five dollars per annum, it shall be lawful for the Postmaster General to increase the rate of his commissions, provided that they do not exceed fifty per cent. on letter postage accruing at such office, and the Postmaster General is hereby required to cause accounts to be kept of the postage that would be chargeable at the rates prescribed in this act upon all matter passing free through the mail according to the provisions of this act; and the sums thus chargeable shall be paid to the Post Office Department from the contingent funds of the two Houses of Congress and of the other Departments of the Government for which such mail service may have been performed, and where there is no such fund, that they be paid out of the Treasury of the United States.

Commissions to postmasters.

Accounts to be kept of postage that would be chargeable on all matter passing free. Sums charged to be paid.

SEC. 7. *And be it further enacted*, That the act of Congress entitled "An act authorizing the Governors of the several States to transmit by mail certain books and documents," approved June the thirtieth, one thousand eight hundred and thirty-four, shall remain and continue in full force, any thing hereinbefore to the contrary notwithstanding; and the Members of Congress, the Delegates from Territories, the Secretary of the Senate, and the Clerk of the House of Representatives, shall be, and they are hereby, authorized to transmit, free of postage, to any post office within the United States, or the Territories thereof, any documents which have been or may be printed by order of either House of Congress, any thing in this law to the contrary notwithstanding.

Act of June 30, 1834, ch. 168, continued in force.

Members of Congress, and others, authorized to transmit public documents free of postage

SEC. 8. *And be it further enacted*, That each member of the Senate, each member of the House of Representatives, and each Delegate from a Territory of the United States, the Secretary of the Senate, and the Clerk of the House of Representatives, may, during each session of Congress, and for a period of thirty days before the commencement and thirty days after the end of each and every session of Congress, send and receive through the mail, free of postage, any letter, newspaper, or packet, not exceeding two ounces in weight; and all postage charged upon any letters, packages, petitions, memorials, or other matters or things, received during any session of Congress, by any Senator, Member or Delegate of the House of Representatives, touching his official or legislative duties, by reason of any excess of weight, above two ounces, of the matter or thing so received, shall be paid out of the contingent fund of the House of which the person receiving the same may be a member. And they shall have the right to frank written letters from themselves during the whole year, as now authorized by law.

Franking privilege granted to members of Congress, &c.

Limitation.

Postage charged for excess of weight to be paid out of contingent fund.

SEC. 9. *And be it further enacted*, That it shall not be lawful for any person or persons to establish any private express or expresses for the conveyance, nor in any manner to cause to be conveyed, or provide for the conveyance or transportation by regular trips, or at stated periods or intervals, from one city, town, or other place, to any other city, town, or place in the United States, between and from and to which cities, towns, or other places the United States mail is regularly transported, under the authority of the Post Office Department, of any letters, packets, or packages of letters, or other matter properly transmittable in the United States mail, except newspapers, pamphlets, magazines and periodicals; and each and every person offending against this provision, or aiding and assisting therein, or acting as such private express, shall, for each time any letter or letters, packet or packages, or other matter properly transmittable by mail, except newspapers, pamphlets, magazines, periodicals, shall or may be, by him, her, or them, or through his, her, or their means or instrumentality, in whole or in part, conveyed or transported, contrary to the true intent, spirit, and meaning of this section, forfeit and pay the sum of one hundred and fifty dollars.

Authorized to frank their own letters.

Private expresses for letters forbidden on mail routes.

Penalty for offending.

Mailable matter not to be conveyed over any regular mail route otherwise than in the mail.

Exceptions.

Penalty.

Penalty for transporting persons engaged in carrying mail matter over any mail route.

Carrying of letters, &c. by private hands, without compensation, not prohibited.

Penalty for transmitting, by private express, matter forbidden by this act.

Transmission of letters by steamboats, under act of 3d March 1825, ch. 64, secs. 5, 6, not prohibited. Proviso: requirements of 6th sec. act of 3d March 1825, ch. 64, to be complied with.

SEC. 10. *And be it further enacted*, That it shall not be lawful for any stage-coach, railroad car, steamboat, packet boat, or other vehicle or vessel, nor any of the owners, managers, servants, or crews of either, which regularly performs trips at stated periods on a post route, or between two or more cities, towns, or other places, from one to the other of which the United States mail is regularly conveyed under the authority of the Post Office Department, to transport or convey, otherwise than in the mail, any letter or letters, packet or packages of letters, or other mailable matter whatsoever, except such as may have relation to some part of the cargo of such steamboat, packet boat, or other vessel, or to some article at the same time conveyed by the same stage-coach, railroad car, or other vehicle, and excepting also, newspapers, pamphlets, magazines, and periodicals; and for every such offence, the owner or owners of the stage-coach, railroad car, steamboat, packet boat, or other vehicle or vessel, shall forfeit and pay the sum of one hundred dollars; and the driver, captain, conductor, or person having charge of any such stage-coach, railroad car, steamboat, packet boat, or other vehicle or vessel, at the time of the commission of any such offence, and who shall not at that time be the owner thereof, in whole nor in part, shall, in like manner, forfeit and pay, in every such case of offence, the sum of fifty dollars.

SEC. 11. *And be it further enacted*, That the owner or owners of every stage-coach, railroad car, steamboat, or other vehicle or vessel, which shall, with the knowledge of any owner or owners, in whole or in part, or with the knowledge or connivance of the driver, conductor, captain, or other person having charge of any such stage-coach, railroad car, steamboat, or other vessel or vehicle, convey or transport any person or persons acting or employed as a private express for the conveyance of letters, packets, or packages of letters, or other mailable matter, and actually in possession of such mailable matter, for the purpose of transportation, contrary to the spirit, true intent, and meaning of the preceding sections of this law, shall be subject to the like fines and penalties as are hereinbefore provided and directed in the case of persons acting as such private expresses, and of persons employing the same; but nothing in this act contained shall be construed to prohibit the conveyance or transmission of letters, packets, or packages, or other matter, to any part of the United States, by private hands, no compensation being tendered or received therefor in any way, or by a special messenger employed only for the single particular occasion.

SEC. 12. *And be it further enacted*, That all persons whatsoever who shall, after the passage of this act, transmit by any private express, or other means by this act declared to be unlawful, any letter or letters, package or packages, or other mailable matter, excepting newspapers, pamphlets, magazines, and periodicals, or who shall place or cause to be deposited at any appointed place, for the purpose of being transported by such unlawful means, any matter or thing properly transmittable, by mail, excepting newspapers, pamphlets, magazines and periodicals, or who shall deliver any such matter, excepting newspapers, pamphlets, magazines and periodicals for transmission to any agent or agents of such unlawful expresses, shall, for each and every offence, forfeit and pay the sum of fifty dollars.

SEC. 13. *And be it further enacted*, That nothing in this act contained shall have the effect, or be construed to prohibit the conveyance or transportation of letters by steamboats, as authorized by the sixth section of the act entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department, approved the third of March, one thousand eight hundred and twenty-five." *Provided*, That the requirements of said sixth section of said act be strictly complied with, by the delivery, within the time specified by said act, of all

letters so conveyed, not relating to the cargo, or some part thereof, to the postmaster or other authorized agent of the Post Office Department at the port or place to which said letters may be directed, or intended to be delivered over from said boat; and the postmaster or other agent of the Post Office Department shall charge and collect upon all letters or other mailable matter, so delivered to him, except newspapers, pamphlets, magazines, and periodicals, the same rates of postage as would have been charged upon said letters had they been transmitted by mail from the port or place at which they were placed on board the steamboat from which they were received; but it is hereby expressly provided, that all the pains and penalties provided by this act, for any violation of the provisions of the eleventh section of this act, shall attach in every case to any steamboat, or to the owners and persons having charge thereof, the captain or other person having charge of which shall not, as aforesaid, comply with the requirements of the sixth section of the said law of one thousand eight hundred and twenty-five. And no postmaster shall receive, to be conveyed by the mail, any packet which shall weigh more than three pounds.

Penalties provided by this act, to whom to attach.

No packet weighing over 3 pounds to be sent by mail.

SEC. 14. *And be it further enacted*, That the Postmaster General shall have power, and he is hereby authorized, to contract with the owners or commanders of any steamboat plying upon the Western or other waters of the United States, for the transportation of the mail for any length of time or number of trips, less than the time for which contracts for transporting the mail of the United States are now usually made under existing laws, and without the previous advertisements now required before entering into such contracts, whenever in his opinion the public interest and convenience will be promoted thereby: *Provided*, That the price to be paid for such service shall in no case be greater than the average rate paid for such service under the last preceding or then existing regular contract for transporting the mail upon the route he may so for a less time contract for the transportation of the mail upon.

P. M. General authorized to contract with owners of steamboats for conveying the mail, without previous advertisement.

Proviso.

SEC. 15. *And be it further enacted*, That "mailable matter," and "matter properly transmittable by mail," shall be deemed and taken to mean, all letters and newspapers, and all magazines and pamphlets periodically published, or which may be published in regular series or in successive numbers, under the same title, though at irregular intervals, and all other written or printed matter whereof each copy or number shall not exceed eight ounces in weight, except bank notes, sent in packages or bundles, without written letters accompanying them; but bound books, of any size, shall not be held to be included within the meaning of these terms. And any packet or packets, of whatever size or weight, being made up of any such mailable matter, shall subject all persons concerned in transporting the same to all the penalties of this law, equally as if it or they were not so made up into a packet or packages. But nothing in this act contained shall be so construed as to prohibit any person whatever from transporting, or causing to be transported, over any mail route, or any road or way parallel thereto, any books, magazines, or pamphlets, or newspapers, not marked, directed, or intended for immediate distribution to subscribers or others, but intended for sale as merchandise, and transported in the usual mode of transporting merchandise over the particular route used, and sent or consigned to some bona fide dealer or agent for the sale thereof; nor shall any thing herein be construed to interfere with the right of any traveller to have and take with him or her, for his or her own use, any book, pamphlet, magazine or newspaper.

What constitutes "mailable matter."

Transportation of books, &c., intended for sale as merchandise, not prohibited.

Travellers may carry books, &c. for their own use.

SEC. 16. *And be it further enacted*, That the term "newspaper," hereinbefore used, shall be, and the same is hereby defined to be, any printed publication, issued in numbers, consisting of not more than two

What is understood by "newspaper."

Free exchange of newspapers between publishers not prohibited.

1825, ch. 65.

Penalties, &c. under this act, one-half to go to informer, and one-half to U. S.

Prosecution of offenders.

Contracts for transporting the mail to be let to the lowest responsible bidder.

Letters to be advertised, &c.

Transportation of the mail by rail-roads.

Proviso, compensation limited.

In case a contract cannot be made with a rail-road, how the mail may be transmitted.

sheets, and published at short stated intervals of not more than one month, conveying intelligence of passing events, and bona fide extras and supplements of any such publication. And nothing herein contained shall be so construed as to prevent the free exchange of newspapers between the publishers thereof, as provided for under the twenty-ninth section of the act entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department, approved the third day of March, one thousand eight hundred and twenty-five."

SEC. 17. *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; and 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 cognizance thereof, and proceed to judgment and execution, as in other cases.

SEC. 18. *And be it further enacted,* That it shall be the duty of the Postmaster General in all future lettings of contracts for the transportation of the mail, to let the same, in every case, to the lowest bidder, tendering sufficient guarantees for faithful performance, without other reference to the mode of such transportation than may be necessary to provide for the due celerity, certainty, and security of such transportation; nor shall any new contractor hereafter be required to purchase out, or take at a valuation, the stock or vehicles of any previous contractor for the same route. And all advertisements made under the orders of the Postmaster General, in a newspaper or newspapers, of letters uncalled for in any post office, shall be inserted in the paper or papers, of the town or place where the office advertising may be situated, having the largest circulation, provided the editor or editors of such paper or papers shall agree to insert the same for a price not greater than that now fixed by law; and in case of question or dispute as to the amount of the circulation of any papers, the editors of which may desire this advertising, it shall be the duty of the postmaster to receive evidence and decide upon the fact.

SEC. 19. *And be it further enacted,* That to insure, as far as may be practicable, an equal and just rate of compensation, according to the service performed, among the several railroad companies in the United States, for the transportation of the mail, it shall be the duty of the Postmaster General to arrange and divide the railroad routes, including those in which the service is partly by railroad and partly by steamboats, into three classes according to the size of the mails, the speed with which they are conveyed, and the importance of the service; and it shall be lawful for him to contract for conveying the mail with any such railroad company, either with or without advertising for such contract: *Provided,* That, for the conveyance of the mail on any railroad of the first class, he shall not pay a higher rate of compensation than is now allowed by law; nor for carrying the mail on any railroad of the second class, a greater compensation than one hundred dollars per mile per annum; nor for carrying the mail on any railroad of the third class, a greater compensation than fifty dollars per mile per annum. And in case the Postmaster General shall not be able to conclude a contract for carrying the mail on any of such railroad routes, at a compensation not exceeding the aforesaid maximum rates, or for what he may deem a

reasonable and fair compensation for the service to be performed, it shall be lawful for him to separate the letter mail from the residue of the mail, and to contract, either with or without advertising, for conveying the letter mail over such route, by horse express or otherwise, at the greatest speed that can reasonably be obtained; and also to contract for carrying over such route the residue of the mail, in wagons or otherwise, at a slower rate of speed: *Provided*, That if one-half of the service, on any railroad, is required to be performed in the night season, it shall be lawful for the Postmaster General to pay twenty-five per cent. in addition to the aforesaid maximum rates of allowance: *And provided further*, That if it shall be found necessary to convey over any railroad route more than two mails daily, it shall be lawful for the Postmaster General to pay such additional compensation as he may think just and reasonable, having reference to the service performed and the maximum rate of allowance established by this act.

Proviso.

SEC. 20. *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 any circuit or district court of the United States, or the District of Columbia, or of the Territories of the United States.

Courts for trial of offenders against this act.

SEC. 21. *And be it further enacted*, That for the purpose of guarding against the possibility of any embarrassment in the operations of the Post Office Department consequent upon any deficiency of the revenues of said department which may be occasioned by the reduction of the rates of postage by this act made, there be, and hereby is, appropriated the sum of seven hundred and fifty thousand dollars, to be paid out of any money in the Treasury not otherwise appropriated, and to be placed to the credit of the Post Office Department in the Treasury of the United States, to be applied, under the direction of the Postmaster General, to supply any deficiency in the regular revenues from postage, in the same manner as the revenues of said department are now by law applied.

Appropriation to guard against a deficiency in the revenues of the post-office department.

SEC. 22. *And be it further enacted*, That in case the amount of postages collected from the rates of postage prescribed by this act, with the annual appropriation from the treasury of seven hundred and fifty thousand dollars herein granted, shall prove insufficient to defray the expense of the mail service throughout the United States to an extent equal to what is now enjoyed by the public, and also the expense of extending and enlarging the same in due proportion with the increase and expansion of the population, particularly in the new States and Territories, the deficiency that may so arise shall be paid out of any moneys in the Treasury not otherwise appropriated: *Provided*, That the amount of expenditure for the Post Office Department shall not in the entire aggregate, exclusive of salaries of officers, clerks, and messengers, of the General Post Office, and the contingent fund of the same, exceed the annual amount of four million five hundred thousand dollars.

Additional appropriation for deficiencies in revenues of the post office.

SEC. 23. *And be it further enacted*, That nothing in this act contained shall be construed to repeal the laws heretofore enacted, granting the franking privilege to the President of the United States when in office, and to all ex-Presidents, and to the widows of the former Presidents Madison and Harrison.

Proviso.

Franking privilege continued to President and others.

APPROVED, March 3, 1845.

STATUTE II.

CHAP. XLIV. — *An Act making appropriations for the service of the Post Office Department, for the year ending thirtieth June, eighteen hundred and forty-six.*

March 3, 1845.

*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 the service

Appropriations from revenues of Post Office Department.

of the Post Office Department for the year ending on the thirtieth June, eighteen hundred and forty-six, out of any moneys in the Treasury arising from the revenues of the said department, in conformity to the act of second July, eighteen hundred and thirty-six, viz :

Transportation.	For transportation of the mail, three million and fifty thousand dollars;
Postmasters.	For compensation to postmasters, nine hundred and seventy-five thousand dollars;
Letters.	For ship, steamboat, and way letters, twelve thousand dollars;
Wrapping paper.	For wrapping paper, sixteen thousand dollars;
Office furniture.	For office furniture, (for the offices of postmasters,) four thousand dollars;
Advertising.	For advertising, thirty thousand dollars;
Mail bags.	For mail bags, sixteen thousand dollars;
Blanks.	For blanks, twenty-two thousand dollars;
Mail locks.	For mail locks, keys, and stamps, six thousand dollars;
Depredations, &c.	For mail depredations and special agents, thirty thousand dollars:
Pay and allowances to special agents fixed.	<i>Provided, however,</i> That no greater sum shall be paid to any mail agent of any description than one thousand dollars per annum, and no greater sum for all his travelling and incidental expenses, than at the rate of two dollars for each day he shall be actually employed in the capacity of mail agent;
Clerks.	For clerks for offices, (for the offices of postmasters,) two hundred thousand dollars;
Miscellaneous.	For miscellaneous, fifty-five thousand dollars.

APPROVED, March 3, 1845.

#### STATUTE II.

March 3, 1845.

Act of March 3, 1843, ch. 92.

Value of florin of Austria fixed. 1846, ch. 23.

CHAP. XLV.—*An Act supplementary to an act entitled "An act to fix the value of certain foreign moneys of account in computations at the custom-houses."*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in all computations of the value of foreign moneys of account at the custom-houses of the United States, the florin of Austria shall be deemed and taken to be at the value of forty-eight cents; and all former laws inconsistent herewith are hereby repealed.

APPROVED, March 3, 1845.

#### STATUTE II.

March 3, 1845.

1848, ch. 122.

Certain surveys confirmed as actually made.

Surveyor General to certify the return and plat of survey to the register and receiver for the Augusta district

Register and receiver to give a certificate, &c.

CHAP. XLVI.—*An Act to confirm the survey and location of claims for lands in the State of Mississippi, east of the Pearl river, and south of thirty-first degree of north latitude.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all surveys and plats of confirmed claims and settlement rights for lands situate in the State of Mississippi, east of Pearl river, and south of thirty-first degree of north latitude, which had been made and returned to the surveyor general's office south of Tennessee on or before the first day of January, one thousand eight hundred and thirty-nine, shall be, and are hereby, confirmed, as actually surveyed on the ground; and the said surveyor general is hereby authorized and directed, on the request of any party interested in any such claim, to certify the return and plat of any such actual survey, so remaining in his office, to the register and receiver for lands in the Augusta district, in said State, who are hereby directed to receive and regard said surveys, plats, and location of the claims they represent, as correctly made; and the said register and receiver shall thereupon issue, in the name of the confirmer of the claim a patent certificate for each claim; which certificate, being first duly recorded in the said register's office, shall be delivered to such person as is entitled to repre-

sent the claim, and which, being presented to the General Land Office at Washington, shall entitle the party interested to a patent therefor: *Provided*, That any claimant to a tract of land so surveyed and platted as aforesaid, who shall, within one year from the passage of this act, file, in writing, with the surveyor general south of Tennessee, his exception to the regularity of the survey so heretofore made, setting forth in what respect said survey is erroneous, the surveyor general shall examine such exception, and, if found to be well taken, shall order a re-survey of the claim, and (a) after proper notice to the party interested; and, after proper notice, he may order a re-survey of any other claims which, in his opinion, may be indispensably necessary, by reason of errors or defects in the survey, on the ground, which, being returned and approved, shall be certified to the register and receiver at Augusta, on which a patent certificate shall be issued, as before directed: *Provided, also*, That all actual surveys of claims in said district, which shall not be excepted to within the year aforesaid, or which the surveyor general may not find it indispensably necessary to have re-surveyed by reason of any errors or defects, as aforesaid, shall, after that time, be deemed unexceptionable, so far as relates to the title of the United States, and shall thenceforth be proceeded in and perfected to patent.

Proviso.

Further proviso.

SEC. 2. *And be it further enacted*, That all re-surveys which may be ordered by virtue of this act shall be executed under the direction of the surveyor south of Tennessee, subject to orders from the General Land Office; and all services which shall be rendered in execution of this act shall be audited, charged, and paid for, as similar services were required to be by former laws and regulations in reference to similar claims.

Re-surveys to be executed under direction of surveyor south of Tennessee. Expenses of survey.

SEC. 3. *And be it further enacted*, That when, in any case it shall appear to the surveyor general that the survey of any claim hereby confirmed is deficient in the quantity of land confirmed to the claimant, by a number of acres equal to forty or more, then the said surveyor general shall issue to the claimant a warrant, entitling him to a quantity of land, which in the subdivision of the public lands of the United States, shall not exceed in quantity the number of acres found deficient in the claimant's original survey; which entry may be made on any lands subject to entry in said district.

Surveyor to issue a warrant for deficiencies in a resurvey.

SEC. 4. *And be it further enacted*, That this act shall not be construed as aiding the title survey or location of any claim, to the prejudice of any other claim with which its pretensions and location may conflict; but all such conflicting rights and locations shall remain subject to existing laws: *Provided, however*, That, in any such case of conflict, in addition to the powers conferred on the surveyor general by this act, it shall be lawful for him, when the conflicting claimants may compromise, by the relinquishment of one of the claimants of his entire location, or so much of it as conflicts with the location of another claim, to grant a warrant to the relinquishing claimant, which shall entitle him to enter an equal quantity with the land relinquished of any land subject to entry in the district of the land surrendered.

Conflicting claims to be decided under existing laws.

Proviso.

SEC. 5. *And be it further enacted*, That all confirmation and evidence of title which shall be made or issued in the name of the original claimant or confirmer, by virtue of this act, shall inure to the use and benefit of those who may be jointly or severally entitled to the lands in the several claims referred to, either by descent or purchase, as if such persons were specially named therein.

Confirmation or evidence of title issued in name of original claimants, to inure to the benefit of persons entitled.

APPROVED, March 3, 1845.

(a) It is "and" in the original, but probably a mistake.



## STATUTE II.

March 3, 1845.

CHAP. XLVII. — *An Act making appropriations for the support of the Military Academy for the year ending the thirtieth June, eighteen hundred and forty-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 in the treasury not otherwise appropriated, for the support of the Military Academy, for the year ending on the thirtieth of June, eighteen hundred and forty-six:
- Appropriations. For the pay of officers, instructors, cadets, and musicians, seventy-nine thousand four hundred and sixty dollars;
- Pay. For commutation of subsistence, three thousand five hundred and seventy-seven dollars;
- Subsistence. For commutation of forage for officers' horses, two thousand five hundred and ninety-two dollars;
- Forage of officers' horses. For clothing for their servants, four hundred and twenty dollars;
- Clothing of officers' servants. For repairs and improvements, fuel and apparatus, forage of public horses and oxen, stationery, printing and other incidental and contingent expenses, twenty-two thousand dollars;
- Incidental and contingent expenses. For the building of barracks for cadets, thirty thousand dollars: *Provided*, That this appropriation, and the unexpended balance of the one heretofore made for this object, shall be applied exclusively to the completion of that portion of the barracks which is designed to accommodate the cadets usually quartered in the "old south barracks."
- Barracks. SEC. 2. *And be it further enacted*, That from and after the thirtieth June, eighteen hundred and forty-five, the pay of a cadet shall be twenty-four dollars per month, in lieu of the present pay and emoluments.
- Pay of a cadet. APPROVED, March 3, 1845.

## STATUTE II.

March 3, 1845.

CHAP. XLVIII.—*An Act for the admission of the States of Iowa and Florida into the Union. (a)*

- Preamble. Whereas, the people of the Territory of Iowa did, on the seventh day of October, eighteen hundred and forty-four, by a convention of delegates called and assembled for that purpose, form for themselves a constitution and State government; and whereas, the people of the Territory of Florida did, in like manner, by their delegates, on the eleventh day of January, eighteen hundred and thirty-nine, form for themselves a constitution and State government, both of which said constitutions are republican; and said conventions having asked the admission of their respective Territories into the Union as States, on equal footing with the original States:
- Act of March 3, 1845, ch. 75, and ch. 76. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the States of Iowa and Florida be, and the same are hereby, declared to be States of the United States of America, and are hereby admitted into the Union on equal footing with the original States, in all respects whatsoever.
- Iowa and Florida declared to be States, on an equal footing with the original States. SEC. 2. *And be it further enacted*, That the following shall be the boundaries of the said State of Iowa, to wit: Beginning at the mouth of the Des Moines river, at the middle of the Mississippi, thence by the middle of the channel of that river to a parallel of latitude passing through the mouth of the Mankato, or Blue-Earth river, thence west along the said parallel of latitude to a point where it is intersected by a meridian line, seventeen degrees and thirty minutes west of the meridian of Washington city, thence due south to the northern boundary line of the State of Missouri, thence eastwardly following that boundary to the
- Boundaries of Iowa. 1846, ch. 82.

(a) Notes to the act of June 12, 1838, ch. 96.

point at which the same intersects the Des Moines river, thence by the middle of the channel of that river to the place of beginning.

SEC. 3. *And be it further enacted*, That the said State of Iowa shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said State of Iowa, so far as the said rivers shall form a common boundary to said State, and any other State or States now or hereafter to be formed or bounded by the same: Such rivers to be common to both: And that the said river Mississippi, and the navigable waters leading into the same, shall be common highways, and forever free as well to the inhabitants of said State, as to all other citizens of the United States, without any tax, duty, impost, or toll therefor, imposed by the said State of Iowa.

Iowa to have concurrent jurisdiction on the Mississippi and other rivers.

SEC. 4. *And be it further enacted*, That it is made and declared to be a fundamental condition of the admission of said State of Iowa into the Union, that so much of this act as relates to the said State of Iowa shall be assented to by a majority of the qualified electors at their township elections, in the manner and at the time prescribed in the sixth section of the thirteenth article of the constitution adopted at Iowa city the first day of November, anno Domini eighteen hundred and forty-four, or by the legislature of said State. And as soon as such assent shall be given, the President of the United States shall announce the same by proclamation; and therefrom and without further proceedings on the part of Congress the admission of the said State of Iowa into the Union, on an equal footing in all respects whatever with the original States, shall be considered as complete.

Assent of people of Iowa to this act necessary.

SEC. 5. *And be it further enacted*, That said State of Florida shall embrace the territories of East and West Florida, which by the treaty of amity, settlement and limits between the United States and Spain, on the twenty-second day of February, eighteen hundred and nineteen, were ceded to the United States.

Boundaries of Florida.

SEC. 6. *And be it further enacted*, That until the next census and apportionment shall be made, each of said States of Iowa and Florida shall be entitled to one representative in the House of Representatives of the United States.

Iowa and Florida each to have one representative in Congress.

SEC. 7. *And be it further enacted*, That said States of Iowa and Florida are admitted into the Union on the express condition that they shall never interfere with the primary disposal of the public lands lying within them, nor levy any tax on the same whilst remaining the property of the United States: *Provided*, That the ordinance of the convention that formed the constitution of Iowa, and which is appended to the said constitution, shall not be deemed or taken to have any effect or validity, or to be recognised as in any manner obligatory upon the Government of the United States.

Iowa and Florida not to interfere with, or tax the public lands.

Ordinance of the convention of Iowa not obligatory on U.S.

APPROVED, March 3, 1845.

STATUTE II.

CHAP. LXIII. — *An Act making appropriations for certain fortifications of the United States, for the year ending on the thirtieth of June, eighteen hundred and forty-six.*

March 3, 1845.

[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, to be paid out of any unappropriated money in the Treasury for the preservation, repairs, and construction of certain fortifications for the fiscal year beginning on the first day of July, one thousand eight hundred and forty-five, and ending on the thirtieth day of June, one thousand eight hundred and forty-six:

Appropriations.

For defensive works and barracks near Detroit, Michigan, thirty-five thousand dollars;

Detroit.

- Buffalo. For defensive works and barracks near Buffalo, New York, thirty-five thousand dollars;
- Fort Ontario. For repairs of Fort Ontario, near Oswego, New York, seven thousand five hundred dollars;
- Lake Champlain. For fortifications at the outlet of Lake Champlain, New York, thirty thousand dollars;
- Penobscot river. For fort at narrows of the Penobscot river, near Bucksport, Maine, twenty thousand dollars;
- Fort Preble. For repairs of Fort Preble, Portland harbor, Maine, ten thousand dollars;
- Fort McClary. For repairs of Fort McClary, Portsmouth harbor, New Hampshire, two thousand five hundred dollars;
- Fort Independence. For repairs of Fort Independence, and sea-wall of Castle island, Boston harbor, Massachusetts, seven thousand dollars;
- Fort Warren. For Fort Warren, Boston harbor, Massachusetts, fifty thousand dollars;
- Fort Adams. For Fort Adams, Newport harbor, Rhode Island, ten thousand dollars;
- Ft. Trumbull. For rebuilding Fort Trumbull, New London harbor, Connecticut, thirty thousand dollars;
- Fort Schuyler. For Fort Schuyler, East river, New York, sixty thousand dollars;
- Fort Wood. For repairs of Fort Wood, and sea-wall of Bedloe's island, New York, thirty-five thousand dollars;
- Fort Hamilton. For repairs of Fort Hamilton, New York, twenty thousand dollars;
- Fort Washington. For repairs of Fort Washington, Potomac river, Maryland, twenty thousand dollars;
- Fort Monroe. For Fort Monroe, Hampton roads, Virginia, sixty thousand dollars;
- Fort Calhoun. For Fort Calhoun, Hampton roads, Virginia, fifteen thousand dollars;
- Fort Macon. For repairs and protection of site of Fort Macon, Beaufort harbor, North Carolina, six thousand dollars;
- Fort Moultrie. For preservation of the site of Fort Moultrie, Charleston harbor, South Carolina, twelve thousand dollars;
- Drunken Dick shoal. For dike to Drunken Dick shoal, Charleston harbor, South Carolina, thirty-five thousand dollars;
- Fort Sumter. For Fort Sumter, Charleston harbor, South Carolina, seventy thousand dollars;
- Fort Johnson. For preservation of the site of Fort Johnson, Charleston harbor, South Carolina, one thousand dollars;
- Fort Pulaski. For Fort Pulaski, Savannah river, Georgia, seventeen thousand dollars;
- Fort Jackson. For repairs of Fort Jackson, Savannah river, Georgia, ten thousand dollars;
- St. Augustine. For completing the sea-wall at St. Augustine, including the transfer of the sum of one thousand one hundred and thirty-three dollars and four cents, being a balance remaining in agent's hands of an appropriation for the repairs of Fort Marion, six thousand four hundred dollars;
- Fort Pickens. For Fort Pickens, Pensacola harbor, Florida, twelve thousand dollars;
- Ft. Barrancas. For Fort Barrancas, Pensacola harbor, Florida, thirty thousand dollars;
- Fort Morgan. For repairs of Fort Morgan, Mobile point, Alabama, fifteen thousand dollars;
- Fort Jackson. For repairs of Fort Jackson, Mississippi river, Louisiana, seven thousand dollars;
- Fort St. Philip. For repairs of Fort St. Philip, Mississippi river, Louisiana, ten thousand dollars;
- Ft. Livingston. For Fort Livingston, Grand Terre island, Barrataria bay, Louisiana, fifty thousand dollars;

For fortifications on the Florida reef, thirty thousand dollars;  
 For contingencies of fortifications, forty-one thousand six hundred dollars.

Florida reef.  
 Contingencies.

APPROVED, March 3, 1845.

STATUTE II.

March 3, 1845.

CHAP. LXIV.—*An Act providing payment for certain military services in Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War cause to be paid the following militia forces of the Territory of Florida for the periods of their respective service as hereinafter specified, to wit:

Militia forces to be paid.

Colonel Robert Brown's command, from the sixth April to the twenty-second July, eighteen hundred and thirty-eight, except the company of Captain North, which shall only be paid to the twelfth July, eighteen hundred and thirty-eight.

Col. Brown's.

Major Isaac Garrison's command, from the nineteenth March to fifth July, eighteen hundred and thirty-eight.

Maj. Garrison's.

Captain Arthur Robert's company, from September thirteenth, eighteen hundred and thirty-eight, to January thirteenth, eighteen hundred and thirty-nine.

Capt. Robert's.

Captain J. L. Thigpen's company, from first March to thirty-first August, eighteen hundred and thirty-eight.

Capt. Thigpen's.

Captain William William's company, from sixteenth August, eighteen hundred and thirty-eight, to February sixteenth, eighteen hundred and thirty-nine.

Capt. Williams'.

Captains William Cone and John Bryan's companies, from sixteenth August to fifteenth September, eighteen hundred and forty.

Captains Cone and Bryan's.

Captain J. L. Stewart's company, from nineteenth August to thirtieth September, eighteen hundred and forty.

Capt. Stewart's.

Captain Stephen Daniel's company, from October thirteenth to November twenty-sixth, eighteen hundred and forty-two.

Capt. Daniel's.

SEC. 2. *And be it further enacted,* That the Secretary of War also cause payment to be made for such supplies as were actually purchased for the use of any of said troops, and that to the extent to which they furnished themselves equitable allowance be made therefor.

Supplies to be paid for.

SEC. 3. *And be it further enacted,* That the muster rolls according to which the above payments shall be made, shall be sworn to by the captain of each company, or senior living officer present in Florida, and approved by the Governor of Florida.

Muster rolls to be sworn to, &c.

SEC. 4. *And be it further enacted,* That all balances remaining unexpended out of appropriations heretofore made for payment of Florida volunteers or militia, or for supplies furnished to militia serving in Florida, be and the same are hereby made applicable to the payment of the militia and supplies provided for in this act, so far as the same may be necessary; and if such balances be insufficient, the remainder of the amount required is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Appropriation.

APPROVED, March 3, 1845.

STATUTE II.

March 3, 1845.

CHAP. LXV.—*An Act making appropriations for the support of the army, for the year ending on the thirtieth of June, eighteen hundred and forty-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 be paid out of any money in the treasury not otherwise appropriated, for the support of the

army for the fiscal year ending on the thirtieth of June, eighteen hundred and forty-six :

Pay.	For pay of the army, one million three hundred and twenty-eight thousand nine hundred and sixty-six dollars ;
Commutation of subsistence.	For commutation of officers' subsistence, four hundred and sixty-three thousand nine hundred and thirty-four dollars ;
Commutation of forage. Proviso.	For commutation of forage for officers' horses, sixty-four thousand dollars : <i>Provided</i> , That general and field officers shall not be entitled, in time of peace, to draw forage, or money in lieu thereof, for more than three horses each, to be owned and actually kept in service ; officers of the regiments of dragoons below the rank of field officers, for two horses each ; and all other officers now entitled to forage, for one horse each, to be owned and actually kept in service ;
Pay for clothing.	For payments in lieu of clothing for discharged soldiers and officers' servants, twenty-eight thousand eight hundred and ninety dollars ;
Subsistence.	For subsistence in kind, three hundred and six thousand and ninety-seven dollars and fifty dollars [cents] ;
Clothing, &c.	For clothing for the army, camp and garrison equipage, one hundred and eighty thousand dollars ;
Recruiting.	For expenses of recruiting, twenty-four thousand eight hundred and twenty-seven dollars and eight [cents] ;
Extra pay.	For three months extra pay to non-commissioned officers, musicians, and privates, twelve thousand nine hundred and six dollars ;
Supplies of Quartermaster's department.	For the regular supplies of the quartermaster's department, consisting of fuel, forage in kind for the authorized number of officers' horses, and for the horses, mules, and oxen belonging to the quartermaster's department at the several military posts and stations, and for the horses of the two regiments of dragoons, and the four companies of light artillery ; of straw for soldiers' bedding ; and of stationery, including company and other blank books for the army, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments, and the printing of department orders, army regulations, and general regulations, one hundred and forty-seven thousand dollars ;
Incidental expenses.	For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received by officers on public service ; expenses of courts martial and courts of inquiry, including the additional compensation to judge advocates, members, and witnesses, while on that service, under the act of sixteenth of March, eighteen hundred and two ; extra pay to soldiers employed in the erection of barracks and quarters, the construction of roads, and other labor, for a period of not less than ten days, under the act of second of March, eighteen hundred and nineteen ; expenses of expresses from the frontier posts ; of escorts to paymasters ; of the necessary articles for the interment of non-commissioned officers and soldiers ; hire of laborers ; compensation to clerks to the officers of the quartermaster's department, at posts where their duties cannot be performed without such aid ; and compensation to agents in charge of dismantled works, and to such wagon and forage masters as it may be necessary to employ under the act of the fifth of July, eighteen hundred and thirty-eight ; various expenditures necessary to keep the two regiments of dragoons and the four companies of light artillery complete, including the purchase of horses to supply the place of those which may be lost and become unfit for service ; shoeing horses ; and the apprehension of deserters, and the expenses incidental to their pursuit, ninety thousand dollars.
1802, ch. 9.	
Act of March 2, 1819, ch. 45.	
Act of July 5, 1838, ch. 162.	
Barracks, &c.	For repairing and enlarging barracks, quarters, store-houses, and hospitals, at the several posts ; for erecting temporary cantonments at such posts as may be occupied during the year, and gun-houses for the protection of the cannon at the several posts and military works, including the necessary tools and materials for the objects enumerated ; and

for the authorized furniture for the barrack-rooms of non-commissioned officers and soldiers; building and repairing stables for dragoons and light artillery; for rent of quarters for officers, barracks for troops at posts where there are no public buildings for their accommodation, and of store-houses for the safe-keeping of subsistence, clothing, &c.; and of grounds for summer cantonments and encampments for military purposes, one hundred and seventy thousand dollars;

For transportation of officers' baggage, when travelling on duty without troops, forty thousand dollars; Transportation.

For transportation of troops and supplies of the army, including the baggage of troops when moving either by land or water; freights and ferriages; the purchase or hire of horses, mules, oxen, carts, wagons and boats for the transportation of 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 public transports between the posts on the Gulf of Mexico, and of procuring water at such posts as, from their situation, require it; of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and from the places of delivery, under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance, ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, and frontier posts, one hundred and forty thousand dollars;

For medical and hospital department, twenty-seven thousand eight hundred dollars; Medical and hospital department.

For the contingencies of the army, five thousand dollars;

For continuing the meteorological observations at the military posts of the United States, under the direction of the surgeon general, the sum of two thousand dollars; Contingencies. Meteorological observations.

For purchase of ordnance, and ordnance stores, and supplies, eighty thousand dollars; Ordnance and stores.

For current expenses of ordnance service, one hundred thousand dollars;

For manufacture of arms at the national armories, three hundred and sixty thousand dollars; of which the sum of one hundred thousand dollars may be used for repairs, provided it can be used for that purpose, without injury to the public service. Manufacture of arms.

For arsenals, one hundred thousand dollars;

For purchase of saltpetre and brimstone, forty thousand dollars;

For repairs and improvements and new machinery at Springfield armory, twenty-nine thousand five hundred dollars; Arsenals. Saltpetre and brimstone. Springfield armory.

For repairs and improvements and new machinery at Harper's Ferry armory, eighteen thousand dollars; Harper's Ferry armory.

For armament of fortifications, one hundred thousand dollars;

For surveys in reference to the military defences of the frontier, inland and maritime, twenty thousand dollars; Fortifications. Surveys.

For military and geographical surveys west of the Mississippi, thirty thousand dollars;

For continuing the surveys of the northern and northwestern lakes, twenty thousand dollars;

To settle the accounts of Lieutenant Colonel H. Whiting, being a re-appropriation of part of former appropriations for a road from Fort Howard to Fort Crawford, and for barracks at Fort Brady, which has been carried to the surplus fund, eight hundred and forty-five dollars and seventy-two cents. Accounts of Lt. Col. H. Whiting.

APPROVED, March 3, 1845.

STATUTE II.  
 March 3, 1845. CHAP. LXVI.—*An Act regulating commercial intercourse with the Islands of Miquelon and St. Pierre.* (a)

Duties. *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 Miquelon and St. Pierre, either in ballast or 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 this act shall not take effect until the President of the United States shall have received satisfactory information that similar privileges have been allowed to American vessels and their cargoes at said islands by the Government of France, and shall have made proclamation accordingly, and whenever said privileges shall have been revoked or annulled, the President is hereby authorized, by proclamation, to suspend the operation of this act.

APPROVED, March 3, 1845.

STATUTE II.  
 March 3, 1845. CHAP. LXVII.—*An Act to continue the harbor improvement already commenced at the town of Southport, in the town of Southport, in the Territory of Wisconsin.*

Appropriation. *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, out of any money in the treasury not otherwise appropriated, for the purpose of aiding in the completion of the harbor already commenced at the town of Southport, in the Territory of Wisconsin; and that the same be expended under the direction of the War Department.

APPROVED, March 3, 1845.

STATUTE II.  
 March 3, 1845. CHAP. LXVIII.—*An Act for the construction and improvement of certain roads in the Territory of Wisconsin.*

Appropriations for roads from *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 construction and improvement of the following roads in the Territory of Wisconsin, to be expended under the direction of the Secretary of War, to wit:

Sheboygan to Fox river. For the construction and improvement of the road from Sheboygan, by way of Taychudah and Fond du Lac, to the Fox river, in the vicinity of "Green lake," three thousand dollars;

Fort Howard to Fond du Lac. For repairing the United States' military road between Fort Howard and Fond du Lac, the sum of two thousand dollars;

Southport to Beloit. For the improvement of the road from Southport, by way of Geneva, to the town of Beloit, five thousand dollars.

APPROVED, March 3, 1845.

STATUTE II.  
 March 3, 1845. CHAP. LXIX.—*An Act to provide for the transportation of the mail between the United States and foreign countries, and for other purposes.*

Postmaster General to make contracts. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General of the United States be, and he is hereby authorized, under the restrictions and provisions of the existing laws, to contract for the trans-

(a) See the acts relating to discriminating duties, vol. 4, 2.

portation of the United States' mail between any of the ports of the United States and a port or ports of any foreign power, whenever, in his opinion, the public interest will thereby be promoted; and it shall be his duty to report to the next ensuing Congress a copy of each of said contracts, with a statement of the amount of postage derived under the same, as far as the returns of the department will enable him to do. And such contracts may be made, if it shall appear to the Postmaster General to be required by the public interest, for any greater period than four years, and not exceeding ten years.

To report the same to Congress.

Time for which they may be made.

SEC. 2. *And be it further enacted*, That all such contracts shall be made with citizens of the United States, and the mail to be transported in American vessels, by American citizens. Each contract entered into under the provisions of this act, besides the usual stipulations for the right of the Postmaster General to discontinue the same, shall contain the further stipulation that it may, at any time, be terminated by a joint resolution of the two houses of Congress.

Contracts to be made with American citizens, &c.  
May be discontinued by joint resolutions of Congress.

SEC. 3. *And be it further enacted*, That the rates of postage to be charged and collected on all letters, packages, newspapers, and pamphlets, or other printed matter, between the ports of the United States and the ports of foreign governments enumerated herein, transported in the United States mail under the provisions of this act, shall be as follows: Upon all letters and packets not exceeding one-half ounce in weight, between any of the ports of the United States and the ports of England or France, or any other foreign port not less than three thousand miles distant, twenty-four cents, with the inland postage of the United States added, when sent through the United States mail to or from the post office at a port of the United States; upon letters and packets over one-half an ounce in weight, and not exceeding one ounce, forty-eight cents; and for every additional half ounce or fraction of an ounce, fifteen cents; upon all letters and packets not exceeding one-half ounce, sent through the United States mail between the ports of the United States and any of the West India islands, or islands in the gulf of Mexico, ten cents; and twenty cents upon letters and packets not exceeding one ounce; and five cents for every additional half ounce or fraction of an ounce; upon each newspaper, pamphlet and price current, sent in the mail between the United States and any of the ports and places above enumerated, three cents, with inland United States postage added when the same is transported to or from said port of the United States in the United States mail.

Rates of postage.

Between the U. S. and England or France.

Between the U. S. and the West India islands and Gulf of Mexico.

SEC. 4. *And be it further enacted*, That it shall not be lawful for any person to carry or transport any letter, packet, newspaper, or printed circular or price current, (except newspapers in use, and not intended for circulation in the country to which such vessel may be bound,) on board the vessels that may hereafter transport the United States mail, as provided for in this act; and for every violation of this provision, a penalty of five hundred dollars is hereby imposed, to be recovered by presentment, by information, or *qui tam* action—one half for the use of the informer, and the other half for the use of the Post Office Department.

Persons not allowed to carry letters, &c. in vessels employed to transport the mail.

Penalty.

SEC. 5. *And be it further enacted*, That if any person or persons shall forge or counterfeit, or shall utter or use knowingly, any counterfeit stamp of the Post Office Department of the United States issued by authority of this act, or by any other act of Congress, within the United States, or the post office stamp of any foreign Government, he shall be adjudged guilty of felony, and, on conviction thereof in any court having jurisdiction of the same, shall undergo a confinement at hard labor for any length of time not less than two years, nor more than ten, at the discretion of the court.

Penalty for counterfeiting the post office stamp.

SEC. 6. *And be it further enacted*, That the Postmaster General, or



Consuls in foreign countries to pay postage on letters for the U. S.

To be collected in U. S., and repaid to said consuls.

Preference to be given to steam-ships in making contracts.

Steamships to be delivered on demand to the United States.

The owners to receive full value therefor.

Value, how to be ascertained.

Transportation of the mail in the Gulf of Mexico, in steamers.

#### STATUTE II.

March 3, 1845.

Exportation to Chihuahua and Santa Fé, for drawback.

Merchandise to be in original packages, and invoice certified by collector.

Re-inspection of goods in Arkansas and Missouri.

the Secretary of State, be, and he is hereby, authorized to empower the consuls of the United States to pay the foreign postage of such letters, destined for the United States, as may be detained at the ports of foreign countries for the non-payment of postage; which postage shall be by the consul marked as paid by him, and the amount thereof shall be collected in the United States, as other postage, on the delivery of the letters, and repaid to said consul, or credited on his account at the State Department.

SEC. 7. *And be it further enacted*, That the Postmaster General shall, in all cases of offers to contract for carrying the mail between any of the ports of the United States and any foreign port or place, give the preference to such bidder for the contract as shall propose to carry the mail in a steam ship or ships, and the said contractor stipulating to deliver said ship or ships to the United States, or to their proper officer, upon demand made, for the purpose of being converted into a vessel or vessels of war; the United States being bound, on their part, to pay to said owner or owners the fair full value of every such ship or vessel at the time of such delivery; said value to be ascertained by four appraisers to be appointed two by the President of the United States, and two by the owner or owners; and in case of disagreement among said appraisers, the President of the United States to select and appoint an umpire, who shall fix the value.

SEC. 8. *And be it further enacted*, That the Postmaster General may, if he shall deem it to be for the public interest, make contracts to continue not exceeding ten years, for the transportation of the mail from place to place in the United States in steamboats by sea and on the Gulf of Mexico and on the Mississippi river from the mouth thereof up to the city of New Orleans, on the conditions specified in the last preceding section of this act.

APPROVED, March 3, 1845.

CHAP. LXX.—*An Act allowing drawback upon foreign merchandise exported in the original packages to Chihuahua and Santa Fé, in Mexico: and to the British North American provinces adjoining the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any imported merchandise which has been entered, and the duties paid or secured according to law, for drawback, may be exported to Chihuahua, in Mexico, or Santa Fé, in New Mexico, either by the route of the Arkansas river, through Van Buren, or by the route of the Red river through Fulton, or by the route of the Missouri river through Independence.

SEC. 2. *And be it further enacted*, That all the merchandise so exported shall be in the original packages as imported, a true invoice whereof, signed by the exporter, shall be made, to the satisfaction of the collector, describing accurately each package with its contents and all the marks upon it, exclusive of the name of the exporter, the place of destination, and the route by which it is to be exported; all which shall be inscribed thereon, upon which invoice the collector shall certify that he is fully convinced the same is true, that the goods are in the original packages as imported, that they are duly entered for drawback, and to be exported by the owner, (naming him,) to either of the places aforesaid, (naming it,) and by one of the aforesaid routes, (naming it.)

SEC. 3. *And be it further enacted*, That upon the arrival of such goods at either of the places in Arkansas or Missouri above named, they shall be again inspected and compared with the invoice and certificate aforesaid, by an officer of the United States, who shall, if fully convinced that the several packages are identical, having remained unbroken and unchanged, also certify on said invoice the facts, in such form as the Secretary of the Treasury shall prescribe.

SEC. 4. *And be it further enacted,* That upon the arrival of any such goods at Santa Fé or Chihuahua, they, with the invoice and certificates aforesaid, shall be submitted to the inspection of the Consul of the United States, or such agent as the President may appoint for that purpose; who, if fully convinced thereof, shall, in such form as the Secretary of the Treasury shall prescribe, certify upon said invoice that the goods have arrived there in the original packages as imported, without change or alteration, and have been exported from the United States in good faith, to be disposed of and consumed in a foreign country.

Goods to be inspected and invoice certified by consul at Santa Fé or Chihuahua.

SEC. 5. *And be it further enacted,* That if the exporter shall give bond, with satisfactory sureties, in thrice the amount of duties, that the said merchandise by him exported has been delivered at either of the places aforesaid without the United States, in good faith, to be sold and consumed there, and shall also produce said invoice, with the regular certificates thereon, the collector shall thereupon pay to him the usual drawback allowed by law.

Exporter to give bond for duties.

Drawback, when payable.

SEC. 6. *And be it further enacted,* That the Secretary of the Treasury shall appoint inspectors to reside at each of the following places to wit: Van Buren, Fulton, and Independence, abovenamed, or such other place in Missouri as the Secretary of the Treasury shall designate; who shall each have a salary of two hundred and fifty dollars, and make a full report of all the trade that passes under their inspection, to the Secretary of the Treasury, semi-annually, giving an account of the number of packages, the kind of goods, the value, and the names of the exporters.

Sec. Treas. to appoint inspectors, their salary and duty.

SEC. 7. *And be it further enacted,* That any imported merchandise which has been entered, and the duties paid or secured according to law, for drawback, may be exported to the British North American Provinces adjoining the United States; and the ports of Plattsburg, in the District of Champlain; Burlington, in the District of Vermont; Sacketts Harbor, Oswego, and Ogdensburg, in the District of Oswegatchie; Rochester, in the District of Genesee; Buffalo and Erie, in the District of Prequ'isle; Cleveland, in the District of Cuyahoga; Sandusky and Detroit, together with such ports on the seaboard from which merchandise may now be exported, for the benefit of drawback, are hereby declared ports from whence foreign goods, wares, and merchandise, on which the import duty has been paid, or secured to be paid, may be exported to ports in the adjoining British Provinces, and to which ports foreign goods, wares, and merchandise may be transported inland, or by water from the port of original importation, under existing provisions of law, to be thence exported for benefit of drawback: *Provided,* That such other ports situated on the frontiers of the United States, adjoining the British North American Provinces, as may hereafter be found expedient, may have extended to them the like privileges, on the recommendation of the Secretary of the Treasury, and proclamation duly made by the President of the United States, specially designating the ports to which the aforesaid privileges are to be extended.

Exportation to the British North American provinces, for drawback.

Ports from which goods may be export ed.

Proviso.

SEC. 8. *And be it further enacted,* That all laws now in force in relation to the allowance of drawback of duties upon goods imported into the United States and exported therefrom, and in relation to the conditions and evidence on which such drawback is to be paid, shall be applicable to the drawback allowed by this act. And, in addition to existing provisions on the subject, to entitle exporters of goods to the drawback allowed by this act, they shall produce to the collector of the port from which such goods, wares, and merchandise were exported, the certificate, under seal of the collector or other chief revenue officer of the port to which the said goods, wares, and merchandise were exported in the said adjoining provinces; which certificate shall be endorsed upon a duplicate or certified copy of the manifest granted at the time of such

Laws now in force, in relation to drawback, applicable to the present act.

Additional provisions to secure drawback.

exportation, and shall state that the same identical goods contained in the said manifest had been landed at such foreign port, and duly entered at the custom-house there, and that the duties imposed by the laws in force at such port upon the said goods had been paid, or secured to be paid, in full; and the said exporters shall also produce the affidavit of the master of the vessel in which the said goods were exported, that the same identical goods specified in the manifest granted at the time of such exportation had been carried to the port named in the clearance or manifest, and had been landed and entered at the custom-house, and that the duties imposed thereon at the said foreign port had been paid, or secured to be paid; and that the goods referred to in the certificate of the collector or chief revenue officer of such foreign port herein mentioned, were the same identical goods described in the manifest aforesaid, and in the said affidavit.

Goods exported under this act forfeited on being brought into the U. S.

Penalty to persons concerned.

Two and a half per cent. on duties to be reserved by collectors for the United States.

Sec. Treas. to prescribe rules for carrying this act into effect.

Acts repealed.

SEC. 9. *And be it further enacted*, That no goods, wares or merchandise, exported according to the provisions of this act, shall be voluntarily landed or brought into the United States; and on being so landed or brought into the United States, they shall be forfeited; and the same proceeding shall be had for their condemnation, and the distribution of the proceeds of their sales, as in other cases of forfeiture of goods illegally imported. And every person concerned in the voluntary landing or bringing such goods into the United States shall be liable to a penalty of four hundred dollars.

SEC. 10. *And be it further enacted*, That from the amount of duties upon any goods, wares, and merchandise imported into the United States, and which shall be exported according to the provisions of this act, there shall be deducted two and a half per centum of such amount, which shall be retained by the respective collectors for the use of the United States, and the residue only shall be the drawback to be paid to the exporters of such goods, wares and merchandise.

SEC. 11. *And be it further enacted*, That the Secretary of the Treasury is hereby further authorized to prescribe such rules and regulations, not inconsistent with the laws of the United States, as he may deem necessary to carry into effect the provisions of this act, and to prevent the illegal re-importation of any goods, wares, or merchandise which shall have been exported as herein provided; and that all acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, March 3, 1845.

#### STATUTE II.

March 3, 1845.

CHAP. LXXI.—*An Act making appropriations for the civil and diplomatic expenses of the Government for the year ending the thirtieth June, eighteen hundred and forty-six, and for other purposes.*

Appropriations for the year ending June 30, 1846.

*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 hereby are, appropriated to the objects hereinafter expressed, for the year ending the thirtieth of June, eighteen hundred and forty-six, to be paid out of any unappropriated money in the Treasury, viz:

Congress.

For compensation and mileage of Senators and Members of the House of Representatives and Delegates, five hundred thousand dollars.

Officers.

For compensation of the officers and clerks of both Houses of Congress, thirty-two thousand and ten dollars and fifty cents.

For compensation of three clerks employed in the office of the Secretary of the Senate, under resolutions of the Senate, four thousand five hundred dollars.

Contingencies—Senate.

For stationery, fuel, printing, and all other contingent expenses of the Senate, sixty thousand dollars.

For stationery, fuel, printing, and all other contingent expenses of the House of Representatives, one hundred thousand dollars.	House of Reps.
For contingent expenses of the House of Representatives arising under the resolution of June fourteenth, eighteen hundred and forty-four, providing for the distribution of certain books, eighty-seven thousand seven hundred and fifty-five dollars, or so much thereof as may be necessary. <i>Provided</i> , That the accounts for the said books shall be settled at the Treasury Department upon satisfactory evidence of the delivery of the same according to the intent of said resolution.	Distribution of books.
<i>Library of Congress.</i> —For compensation of librarian, two assistant librarians, and messenger of the library, four thousand five hundred dollars.	Library of Congress. Officers.
For contingent expenses of said library, six hundred dollars.	Contingent expenses.
For purchase of books for said library, five thousand dollars.	Books.
For purchase of law books for said library, one thousand dollars.	
<i>Executive.</i> —For compensation of the President of the United States, twenty-five thousand dollars.	Executive. President.
For repairing and painting the Presidential mansion, six thousand dollars, and for furnishing the same with furniture of American manufacture, in addition to the proceeds of the sale of the old furniture, fourteen thousand dollars; <i>Provided</i> , That the painting of the same shall be done under contract to be made with the lowest bidder, after proposals for the same shall have been published in two of the principal newspapers printed in the city of Washington, for the period of sixty days.	Repairing and furnishing President's house.
For compensation of the Vice President of the United States, five thousand dollars.	Vice President.
<i>Department of State.</i> —For compensation of the Secretary of State, and the clerks, messenger, and assistant messenger, in his office, twenty-six thousand three hundred dollars.	State Department. Secretary, &c.
For the incidental and contingent expenses of said department, viz :	Contingent expenses.
For publishing the laws, and packing and distributing the laws and documents, including proof-reading, labor, boxes, and transportation, nine thousand dollars;	
For stationery, blank books, binding, labor, attendance, furniture, fixtures, repairs, painting and glazing, four thousand four hundred dollars;	
For extra clerk hire and copying, two thousand dollars;	
For printing, letter-press and copperplate, advertising, books and maps, two thousand dollars;	
For newspapers, two hundred dollars;	
For miscellaneous items, one thousand dollars.	
For the contingent expenses of the northeast executive building, viz :	N. E. executive building.
For labor, fuel, and light, two thousand two hundred dollars;	
For miscellaneous items, eleven hundred dollars;	
For compiling, printing, and binding the Biennial Register, one thousand eight hundred and forty-five dollars, in addition to an unexpended balance of former appropriation.	Biennial Register.
<i>Treasury Department.</i> —For compensation of the Secretary of the Treasury, and the clerks, messenger, and assistant messenger in his office, twenty-seven thousand eight hundred and fifty dollars.	Treasury Department. Officers in office of—
For compensation of the First Comptroller, and the clerks, messenger and assistant messenger, in his office, twenty-eight thousand five hundred and fifty dollars.	Secretary. First Comptroller.
For compensation of the Second Comptroller, and the clerks and messenger in his office, fifteen thousand two hundred and fifty dollars.	Second Comptroller.
For compensation of the First Auditor, and the clerks and messenger in his office, nineteen thousand nine hundred dollars.	1st Auditor.
For compensation of the Second Auditor, and the clerks and messenger in his office, twenty-one thousand nine hundred dollars.	2d Auditor.
For compensation of the Third Auditor, and the clerks, messenger,	3d Auditor.

and assistant messenger, in his office, thirty-eight thousand three hundred and fifty dollars.

- 4<sup>th</sup> Auditor. For compensation of the Fourth Auditor, and the clerks and messenger in his office, twenty thousand nine hundred and fifty dollars.
- 5<sup>th</sup> Auditor. For compensation of the Fifth Auditor, and the clerks and messenger in his office, fourteen thousand eight hundred dollars.
- Treasurer. For compensation of the Treasurer of the United States, and the clerks and messenger in his office, thirteen thousand seven hundred and fifty dollars.
- Register. For compensation of the Register of the Treasury, and the clerks, messenger, and assistant messenger, in his office, thirty thousand three hundred dollars.
- General Land Office. For compensation of the Commissioner of the General Land Office, and the recorder, draughtsman, assistant draughtsman, clerks, messengers, and packers, in his office, ninety-six thousand five hundred dollars; *Provided*, That it shall be the duty of the Secretary of the Treasury to reduce the number of clerks to be employed in the General Land Office from and after the thirtieth day of June next, to sixty; and any excess of appropriations herein made for clerks in that office, shall be carried to the surplus fund of the Treasury.
- Solicitor. For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, thirteen thousand dollars.
- Contingencies in office of—  
Secretary of the Treasury. Contingencies of the Treasury Department:  
For blank books, binding, stationery, labor, sealing ships' registers, compensation for carrying the department mails, translations, printing, including public accounts, eight thousand two hundred dollars;  
For miscellaneous expenses, one thousand dollars.
- First Comptroller. In the office of the First Comptroller:  
For blank books, binding, stationery, printing, and labor, one thousand seven hundred dollars;  
For miscellaneous items, three hundred dollars.  
For expenses incident to loans, three thousand dollars.
- Second Comptroller. In the office of the Second Comptroller:  
For blank books, binding, stationery, printing blanks, including pay for the National Intelligencer and Globe, to be filed, bound, and preserved for the use of the office, labor, and office furniture, one thousand two hundred dollars;  
For miscellaneous items, three hundred dollars.
- 1<sup>st</sup> Auditor. In the office of the First Auditor:  
For blank books, binding, and stationery, five hundred dollars;  
For miscellaneous items, one hundred and fifty dollars.
- 2<sup>d</sup> Auditor. In the office of the Second Auditor:  
For blank books, binding, stationery, labor, and printing blanks, seven hundred and fifty dollars;  
For miscellaneous items, one hundred dollars.
- 3<sup>d</sup> Auditor. In the office of the Third Auditor:  
For blank books, binding, printing, stationery, labor, and office furniture, eight hundred dollars;  
For miscellaneous items, two hundred dollars.
- 4<sup>th</sup> Auditor. In the office of the Fourth Auditor:  
For blank books, binding, stationery, printing, and labor, seven hundred dollars;  
For miscellaneous items, two hundred dollars.
- 5<sup>th</sup> Auditor. In the office of the Fifth Auditor:  
For blank books, binding, stationery, and labor, three hundred and seventy-five dollars;  
For miscellaneous items, three hundred and fifty dollars.
- Treasurer. In the office of the Treasurer:

For labor, three hundred and seventy-five dollars:	
In the office of the Register of the Treasury:	Register.
For blank books, binding, printing, stationery, and labor, two thousand dollars;	
For miscellaneous items, one thousand dollars.	
In the office of the Commissioner of the General Land Office:	General Land Office.
For stationery, including blank books, and blank forms for the district land offices, pieces of parchment and printing patents, advertising land sales in newspapers and in hand-bill form, public notices, and printing circulars, office furniture and repairs of the same, and pay of laborers employed in the office, twelve thousand five hundred dollars;	
For miscellaneous items, seven hundred dollars.	
In the office of the Solicitor of the Treasury:	Solicitor.
For blank books, binding, stationery, printing circulars and blank forms for returns of district attorneys, marshals, clerks of courts, collectors of the customs, and labor, one thousand and fifty dollars;	
For miscellaneous items, two hundred dollars.	
For the contingent expenses of the southeast executive building, namely:	S. E. executive building.
For labor, fuel, and light, seven thousand seven hundred dollars;	
For miscellaneous items, one thousand seven hundred dollars.	
<i>War Department.</i> —For compensation of the Secretary of War, and the clerks, messenger, and assistant messenger in his office, nineteen thousand four hundred and fifty dollars.	War Department. Officers in office of— Secretary. Commiss'r of Indian Affairs.
For compensation of the Commissioner of Indian Affairs, and the clerks, messenger and assistant messenger in his office, nineteen thousand four hundred dollars;	
For compensation of the Commissioner of Pensions, and the clerks in his office, fourteen thousand five hundred dollars;	Commissioner of Pensions.
For compensation of the clerk in the office of the Commanding General, one thousand dollars;	Com'dg Gen.
For compensation of clerks in the office of the Adjutant General, seven thousand one hundred and fifty dollars.	Adj. General.
For compensation of clerks and messenger in the office of the Quartermaster General, including clerks that were attached to the purchasing department, eleven thousand five hundred dollars.	Quartermaster General.
For compensation of clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars.	Paymaster General.
For compensation of clerks in the office of the Commissary General of Subsistence, three thousand eight hundred dollars.	Com. Gen. of Subsistence.
For compensation of clerks in the office of the Chief Engineer, five thousand one hundred and fifty dollars.	Chief Engineer.
For compensation of the clerk in the office of the Surgeon General, one thousand dollars.	Surgeon General.
For compensation of clerks in the office of the Colonel of Ordnance, eight thousand one hundred and fifty dollars.	Colonel of Ordnance.
For compensation of the clerk in the bureau of Topographical Engineers, one thousand dollars.	Topographical Engineers.
Contingencies of the War Department, viz:	Contingencies in office of—
For the incidental and contingent expenses of said department, and the various offices and bureaus connected therewith, viz:	
In the office of the Secretary of War:	Secretary.
For blank books, binding, stationery, labor, and printing, one thousand two hundred dollars;	
For books, maps, and plans, one thousand dollars;	
For miscellaneous items, five hundred and fifty dollars.	
In the office of the Commissioner of Pensions:	Commissioner of Pensions.
For stationery, blank books, binding, printing blank forms and regulations, advertising, and fuel, eight hundred dollars;	

- For rent of houses occupied by the Pension Office, six hundred dollars ;
- For miscellaneous items, one hundred dollars.
- Commanding General. In the office of the Commanding General :
- For miscellaneous items, three hundred dollars.
- Adjutant General. In the office of the Adjutant General :
- For printing Army Register and orders, blank books, binding, and stationery, one thousand and fifty dollars ;
- For miscellaneous items, three hundred and fifty dollars.
- Quartermaster General. In the office of the Quartermaster General, including the office at Philadelphia :
- For blank books, binding, stationery, labor, and printing, six hundred dollars ;
- For miscellaneous items, eight hundred dollars.
- Paymaster General. In the office of the Paymaster General :
- For blank books, binding, stationery, and fuel, three hundred and twenty-five dollars ;
- For miscellaneous items, four hundred dollars.
- Comm'y Gen. of Subsistence. In the office of the Commissary General of Subsistence :
- For blank books, binding, stationery, printing, advertising, labor, and fuel, one thousand six hundred and fifty dollars ;
- For miscellaneous items, one hundred dollars.
- Chief Engineer. In the office of the Chief Engineer :
- For blank books, binding, stationery, and fuel, four hundred and fifty dollars ;
- For miscellaneous items, four hundred and fifty dollars.
- Surgeon General. In the office of the Surgeon General :
- For blank books, binding, stationery, printing, and fuel, one hundred and eighty-five dollars ;
- For miscellaneous items, sixty-five dollars.
- Colonel of Ordnance. In the office of the Colonel of Ordnance :
- For blank books, binding, stationery, printing, and fuel, six hundred and thirty dollars ;
- For miscellaneous items, two hundred dollars.
- Topographical Engineers. In the bureau of Topographical Engineers :
- For blank books, binding, stationery, labor, and fuel, seven hundred and fifty dollars ;
- For miscellaneous items, five hundred dollars.
- For the contingent expenses of the northwest executive building, viz :
- For labor, fuel, and light, two thousand four hundred dollars ;
- For miscellaneous items, one thousand six hundred dollars ;
- Navy Department.*—For compensation of the Secretary of the Navy, and the clerks, messenger, and assistant messenger in his office, nineteen thousand five hundred and fifty dollars ;
- For compensation of the chief of the bureau of Navy Yards and Docks, and to the civil engineer, draughtsman, clerks, and messenger in his office, ten thousand four hundred dollars ;
- For compensation of the chief of the bureau of Construction, Equipment, and Repair, and to the assistant constructor, clerks and messenger in his office, nine thousand seven hundred dollars ;
- For two clerks at the rate of twelve hundred dollars each, and one clerk at the rate of one thousand dollars, hereby authorized to be appointed in the Bureau of Construction, Equipment and Repairs, three thousand four hundred dollars ;
- For salaries of the chief naval constructor and engineer-in-chief, six thousand dollars ;
- For compensation of the chief of the bureau of Ordnance and Hydrography, and to the draughtsman, clerks, and messenger in his office, eight thousand four hundred dollars ;
- Navy Department. Officers in—Office of Secretary. Bureau of Navy Yards and Docks. Bureau of Construction, equipment and repairs.
- Chief Naval Constructor, and Engineer-in-chief. Bureau of Ordnance and Hydrography.

For compensation of the chief of the bureau of Provisions and Clothing, and to the clerks and messenger in his office, seven thousand one hundred dollars; Bureau of Provisions and Clothing.

For one additional clerk, hereby authorized to be appointed in the Bureau of Provisions and Clothing, twelve hundred dollars;

For compensation of the chief of the bureau of Medicine and Surgery, and to the clerks, assistant surgeon, and messenger in his office, six thousand six hundred dollars; Bureau of Medicine and Surgery.

For contingent expenses of said department, and all the bureaus connected therewith, viz: Contingent expenses.

For blank books, binding, stationery, printing, and labor, four thousand one hundred and forty dollars;

For miscellaneous items, one thousand six hundred and sixty dollars; For the contingent expenses of the southwest executive building, namely: S.W. executive building.

For labor, fuel, and light, one thousand six hundred and seventy-five dollars;

For miscellaneous items, one thousand one hundred and fifty dollars;

*Post Office Department.*—For compensation to the Postmaster General, three assistant Postmasters General, clerks, messengers, assistant messengers, superintendent and watchmen of the said department, seventy-four thousand five hundred and fifty dollars; Post Office Department. Postmaster General, &c.

For the contingent expenses of the said department, viz: Contingent expenses.

For blank books, binding, stationery, fuel, oil, printing, labor, and day watchmen, six thousand one hundred and sixty dollars;

For miscellaneous items, eight hundred dollars;

For compensation of the Auditor for the Post Office Department, clerks, messenger, and assistant messengers in his office, eighty-five thousand seven hundred dollars; Auditor, &c.

For contingent expenses of said office, viz:

For labor, blank books, binding, stationery, printing blanks and circulars, four thousand one hundred and sixty dollars; Contingent expenses.

For miscellaneous items, seven hundred dollars;

To enable the Postmaster General to purchase, for the use of the Post Office Department, the remainder of the square on which the General Post Office building is situated, at the prices agreed upon with the owners of the property, twenty-eight thousand two hundred and fifty dollars; Purchase of lots.

For defraying the expenses of the magnetic telegraph from the city of Washington to Baltimore for the current year, ending on the first day of February next, the said sum to be disbursed under the direction and superintendence of the Postmaster General, eight thousand dollars; Magnetic telegraph.

*Patent Office.*—For the purchase of such scientific works as are necessary for the use of the Patent Office, one thousand dollars; for the collection [of] agricultural statistics, and other purposes, three thousand dollars—which several sums, amounting in the whole, to four thousand dollars, to be paid out of the patent fund. Patent office.

*Public Buildings and Grounds.*—For repairs of the Capitol, lamp lighters, oil for lamps, wick and repairs of lamps and lamp posts, attending furnaces and water closets, cleaning the rotundo and crypt, laborers and cartage on the Capitol grounds, tools, wire, leather, nails, and manure and straw for grounds, trees and shrubs, attendance at the western gates of the Capitol, repairs of public stables and sewers, keeping in order the iron pipes that conduct the water to the Capitol and public offices, for repairs of the roof of the Capitol and hose for the grounds, eight thousand two hundred and seventy-four dollars and fifty cents. Public buildings, &c. Contingencies for Capitol and grounds.

For gardener's salary, twelve hundred dollars. Gardener.

For repairs of the President's house, laborers and cartage, tools, wire, twine, leather, stakes, nails, and manure and straw for grounds, trees President's house, &c.



for the President's grounds, Fountain square, Lafayette square, and Pennsylvania avenue, repairs of fence at Fountain square, Lafayette square, President's garden, and for repairs of pumps and sewers, three thousand and seventy-seven dollars.

Water-posts, flagging, &c.

For improved iron water posts on Pennsylvania avenue, for flagging in front of the Treasury buildings, for repairs of the figure on the tympanum of the Capitol, and for the purchase of hose for the Anacostia Fire Engine Company, four thousand three hundred and twenty-seven dollars.

Pennsylvania avenue, &c.

For paving and repairing Pennsylvania avenue and repairing the road to the Congressional burial ground and to the navy-yard, agreeably to the mode, and under the superintendence provided in a bill for that purpose, which passed the Senate February twenty, one thousand eight hundred and forty-four, thirty-eight thousand dollars.

Plans for War and Navy Department buildings.

And the President of the United States is hereby authorized to appoint a skilful architect to prepare and submit to him the necessary plans for a fire-proof building upon such plan of arrangement as may be ultimately required for the War and Navy Departments; and that he submit the same to Congress at its next session with an estimate of the cost of erecting such buildings for its action and decision.

Surveyors and their clerks.

North-west of the Ohio.

Proviso, office to be removed to Michigan.

Papers to be handed over.

*Surveyors and their Clerks.*—For compensation of the surveyor general northwest of the Ohio, and the clerks in his office, eight thousand three hundred dollars: *Provided*, That said surveyor general's office northwest of the Ohio shall be removed to and kept at such place in the State of Michigan as the President of the United States shall from time to time direct. And that on the removal of the said office as aforesaid, or as soon thereafter as practicable, the surveyor general of said district shall be required to deliver over to the Secretaries of State of the States of Ohio and Indiana or such other officers as may be authorized to receive them, all the field notes, maps, records, and other papers appertaining to the surveys and land titles within their limits.

Illinois and Missouri.

For compensation of the surveyor general in Illinois and Missouri, and the clerks in his office, five thousand eight hundred and twenty dollars.

Arkansas.

For compensation of the surveyor general in Arkansas, and the clerks in his office, four thousand three hundred dollars.

Louisiana.

For compensation of the surveyor general in Louisiana, and the clerks in his office, four thousand five hundred dollars.

Mississippi.

For compensation of the surveyor general in Mississippi, and the clerks in his office, three thousand six hundred dollars.

Alabama.

For compensation of the surveyor general in Alabama, and the clerks in his office, four thousand dollars.

Florida.

For compensation of the surveyor general in Florida, and the clerks in his office, five thousand five hundred dollars.

Wisconsin and Iowa.

For compensation of the surveyor general in Wisconsin and Iowa, and the clerks in his office, three thousand one hundred dollars.

Apportionment of compensation to clerks.

For compensation of the clerks in the offices of the surveyors general, to be apportioned to them according to the exigencies of the public service, and, if necessary, to be employed in transcribing field notes of surveys, for the purpose of preserving them at the seat of Government, fifteen thousand dollars.

Secretary to sign patents.

For compensation of the secretary to sign patents for public lands, one thousand five hundred dollars.

Commissioner of public buildings.

For compensation of the Commissioner of Public Buildings, in Washington city, two thousand dollars.

Potomac bridge.

For compensation to four assistants, draw keepers at the Potomac bridge, including oil for lamps and machinery, fire wood, and repairs of the bridge, and for arrearages due, four thousand two hundred and ninety dollars.

<i>Mint of the United States and Branches.</i> —At Philadelphia, viz. :	
For salaries of the director, treasurer, chief coiner, melter and refiner, engraver, assayer, assistant assayer, and four clerks, nineteen thousand two hundred dollars.	Mint and branches. Mint at Philadelphia—officers.
For wages of workmen, twenty-four thousand dollars.	
For incidental and contingent expenses, including fuel, materials, stationery, repairs, water rent, and wastage, six thousand dollars.	Contingent expenses.
For specimens of ores, to be reserved at the mint, three hundred dollars.	
At Charlotte, North Carolina, viz. :	
For the erection of a building in the place of the one destroyed by fire, twenty-five thousand dollars; and the Secretary of the Treasury is hereby required so to arrange the plan of the building, and the execution of it, that the whole cost of the building shall not exceed the aforesaid sum;	Branch mint at Charlotte—Building.
For the purchase of machinery and tools, including repairs of the old, and contingencies, ten thousand dollars; and that the expenditure of the appropriations for the erection of the building and the purchase and repair of machinery be commenced as soon as practicable after the passage of this act;	Machinery, &c.
For salaries of superintendent, assayer, coiner and clerk, six thousand dollars; and the Secretary of the Treasury is hereby required, immediately after the passage of this act, to suspend the payment of salaries to any of the said officers until the branch is in a condition to resume its operations, unless he shall consider it advisable to retain the services of one or more of them in superintending the erection of the building herein provided for.	Officers; salaries to be suspended.
At Dahlonega, Georgia, viz. :	
For salaries of the superintendent, assayer, coiner, and clerk, six thousand dollars;	Branch mint at Dahlonega—officers.
For wages of workmen, three thousand six hundred dollars;	
For incidental and contingent expenses, including fuel, materials, stationery, repairs, and wastage, three thousand three hundred dollars;	Contingent expenses.
At New Orleans, viz. :	
For salaries of superintendent, treasurer, coiner, assayer, melter and refiner, and two clerks, twelve thousand nine hundred dollars;	Branch mint at New Orleans—officers.
For wages of workmen, nineteen thousand dollars;	
For incidental and contingent expenses, including fuel, materials, stationery, water rent, repairs, and wastage, twenty-three thousand dollars;	Contingent expenses.
<i>Governments in the Territories of the United States.</i> —Wisconsin Territory :	
For salaries of Governor, three judges, and Secretary, nine thousand one hundred dollars; for contingent expenses of said Territory, three hundred and fifty dollars;	Territories. Wisconsin. Executive officers.
For compensation and mileage of the members of the Legislative Assembly, pay of officers and attendants, printing, stationery, fuel, and other incidental and contingent expenses, thirteen thousand seven hundred dollars;	Contingent expenses. Legislative Assembly.
Iowa Territory :	Iowa.
For salaries of Governor, three judges, and secretary, nine thousand one hundred dollars;	Executive officers.
For contingent expenses of said Territory, three hundred and fifty dollars;	Contingent expenses.
For compensation and mileage of the members of the Legislative Assembly of said Territory, pay of officers and attendants, printing, stationery, fuel, and other incidental and contingent expenses, fourteen thousand and fifty dollars;	Legislative Assembly.
Florida Territory :	Florida.

- Executive officers. For salaries of Governor, five judges, and secretary, thirteen thousand five hundred dollars;
- Contingent expenses. For contingent expenses of said Territory, three hundred and fifty dollars;
- Legislative Assembly. For compensation and mileage of the members of the Legislative Assembly of said Territory, pay of officers and attendants, printing, stationery, fuel, and other incidental and contingent expenses, twenty thousand six hundred and seventy-nine dollars and thirty-three cents: *Provided*, That the appropriations made for the Territories of Iowa and Florida shall be applied only to the payment of expenses that may be incurred before their admission as States into the Union.
- Application of appropriations for Iowa and Florida. *Judiciary.*—For salaries of the Chief Justice of the Supreme Court, and the eight Associate Judges, forty-one thousand dollars.
- Judiciary. Chief justice and associate judges. For salaries of the district judges, fifty-two thousand nine hundred dollars.
- District judges. For salaries of the chief justice of the district of Columbia, the associate judges, the judges of the criminal and orphans' courts of said district, eleven thousand seven hundred dollars.
- Judges of District Columbia. For salaries of the Attorney General, and clerk in his office, five thousand dollars.
- Attorney General. &c. For contingent expenses of the office of Attorney General, five hundred dollars.
- Reporter of Supreme Court. For salary of the reporter of the decisions of the Supreme Court, thirteen hundred dollars.
- District attorneys. For compensation of the district attorneys, including those in the several Territories, as prescribed by law, eight thousand dollars.
- Marshals. For compensation of the marshals, including those in the several Territories, as prescribed by law, seven thousand two hundred dollars.
- Contingent expenses. 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 fiscal year ending on the thirtieth June, eighteen hundred and forty-six, and previous years; and likewise for defraying the expenses of suits in which the United States are concerned, and for prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, four hundred thousand dollars, a part of which may be applied to make good any deficiency that may exist in the appropriation for this object for the year ending the thirtieth June, eighteen hundred and forty-five.
- Additional counsel. For the employment of additional counsel or agents for the defence of the interests of the United States, in suits authorized to be brought against the United States by virtue of the act of the seventeenth day of June, one thousand eight hundred and forty-four, entitled "An act to provide for the adjustment of land claims within the States of Missouri, Arkansas and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Perdido and Mississippi rivers," five thousand dollars.
- Act of June 17, 1844, ch. 95. *Miscellaneous.*—For the payment of annuities and grants by special acts of Congress, seven hundred and fifty dollars.
- Miscellaneous, Annuities and grants. For compensation of two keepers of the public archives in Florida, one thousand dollars.
- Keepers of Florida archives. For preparing indices to the manuscript papers of the Confederation and of Washington, one thousand two hundred and fifty-two dollars.
- Confederation and Washington papers. For the adjustment of claims arising under the act of the fifth of March, one thousand eight hundred and fifteen, [sixteen,] for the relief of Lieutenant Colonel William Lawrence and others, being a re-appropriation of an amount heretofore carried to the surplus fund, three hundred and forty-seven dollars and sixty-seven cents.
- Claims under act of March 5, 1816, ch. 23.

For compensation and contingent expenses of the auxiliary guard, six thousand seven hundred and seventy-five dollars.	Auxiliary guard.
For the support of the penitentiary in the District of Columbia, six thousand dollars.	Penitentiary of D. C.
For survey of the coast of the United States, including compensation to the superintendent and assistants, eighty-eight thousand dollars.	Coast survey.
For the publication of maps and charts, the materials for which have been accumulating in the office of the coast survey, twelve thousand dollars.	
For completing the publication of the work on the Exploring Expedition, including the printing of an extra number of charts, and for the salary of the horticulturist, ten thousand dollars.	Exploring expedition.
For completing the work of the custom-house at Boston, one hundred thousand dollars.	Boston custom-house.
For plans and estimates for the erection of a custom-house in the city of New Orleans, in front of the square now occupied for that purpose, five hundred dollars: <i>Provided</i> , That the site for said ground be conveyed by the first municipality of New Orleans, in full title, absolutely and unconditionally, to the United States; that its location and extent be deemed satisfactory to the Secretary of the Treasury, who is hereby authorized to agree upon such conditions for the settlement of the conflicting pretensions of the United States and the first municipality to said custom-house square, and the ground in front of it, as he may consider just and equitable.	New Orleans custom-house.
For repairs of the custom-house at Charleston, five thousand dollars.	Charleston custom-house.
For the erection of a custom-house building in the city of Savannah, Georgia, thirty thousand dollars.	Savannah custom-house.
For the liquidation and settlement of the debt due to the Maryland hospital for the support of lunatic paupers of the District of Columbia from the tenth of March, eighteen hundred and forty-three, to tenth of June, eighteen hundred and forty-four, five thousand dollars; the same, or so much thereof as may be necessary, to be disbursed by the order of the marshal of the District of Columbia, and according to such adjustment of the said account as he may find correct.	Maryland hospital.
For the support, clothing, and medical treatment of the insane paupers of the District of Columbia, four thousand dollars: <i>Provided</i> , That the amount paid for each person shall not exceed four dollars per week: <i>And provided, further</i> , That the marshal of the District of Columbia be, and he hereby is authorized to maintain at Baltimore or some other suitable lunatic asylum, all such lunatic persons being paupers, who are now confined in the lunatic asylum at Baltimore by order of Congress or are in the jails of Washington and Alexandria counties, and all such as may hereafter be committed as lunatics by order of the circuit or criminal courts, they being paupers of said District of Columbia, and their support being legally chargeable thereto; and that he pay the expenses of their removal and maintenance in such asylum as he may select, and be allowed for the same in the settlement of his accounts at the Treasury Department.	Insane paupers in D. C.
<i>Light-house Establishment.</i> —For supplying light-houses, containing two thousand six hundred and seventy-one lamps, with oil, tube glasses, buff skins, whiting and cotton cloth, expenses of transportation, and for keeping the lighting apparatus in repair, one hundred thousand one hundred and seventy-three dollars and sixty-four cents.	Light-house establishment. Supplies.
For repairs, incidental expenses, refitting, and improvements of light-houses, and buildings connected therewith, eighty-three thousand dollars.	Repairs.
For salaries of two hundred and thirty-six keepers, and sixteen assistant keepers, of light-houses, (seventeen of them charged with double	Keepers.

and two with triple lights,) ninety-nine thousand three hundred and eighty-eight dollars and thirty cents.

Floating lights. For salaries of thirty keepers of floating lights, sixteen thousand dollars.

For seamen's wages, repairs, and supplies of thirty floating lights, sixty-two thousand dollars.

Buoys, &c. For weighing, mooring, cleansing, repairing, and supplying the loss of beacons, buoys, chains, and sinkers, twenty-two thousand six hundred and sixteen dollars and sixty-seven cents.

Annual examination. For expenses incurred by superintendents in visiting their light-houses, annually, and examining and reporting the condition of each, two thousand dollars.

Superintendents' commissions. For superintendents' commissions, at two and a half per centum, nine thousand six hundred and twenty-nine dollars and forty-five cents: *Provided*, That no superintendent or collector, or other officer acting as superintendent, whose compensation may exceed two thousand dollars per annum, shall receive any commissions allowed by this or any other act: *And provided, further*, That the fifth Auditor of the Treasury,

5th Auditor to superintend light-houses. shall continue to superintend the several matters and things connected with the light-houses, beacons, buoys, and public piers, as heretofore, of the United States, and to perform all the duties connected therewith, under the direction of the Secretary of the Treasury, until otherwise ordered by law.

Surveys. Assistant surveyor, &c. in Florida. 1844, ch. 105. *Surveys of Public Lands.*—For salary of an assistant surveyor, to survey the private claims in Florida, under the direction and supervision of the surveyor general in Florida, in addition to the unexpended balance of the appropriation of the seventeenth June, eighteen hundred and forty-four, for the same object, one thousand dollars.

For pay of chain carriers, markers, transportation, provisions, &c., for the above, in addition to fifteen hundred dollars, the unexpended balance of the appropriation therefor, fifteen hundred dollars.

Assistant surveyor in Greensburg district, La. For salary of an assistant surveyor, to have charge and oversight of the resurveys in the Greensburg, (late St. Helena,) district, Louisiana, under the direction and supervision of the surveyor general in Louisiana, in addition to the unexpended balance of the former appropriation for the same object, one thousand dollars.

Surveys in Illinois and Missouri. For the correction of erroneous and defective surveys in Illinois and Missouri, at a rate not exceeding six dollars per mile, twelve hundred dollars.

Michigan. For the correction of erroneous and defective surveys in Michigan, at a rate not exceeding six dollars per mile, ten thousand dollars.

Alabama. For resurveys in Alabama, to supply the field notes destroyed with the office of the surveyor general by fire, in addition to a former appropriation for the same object, ten thousand dollars.

Arkansas. For the survey of small detached tracts in Arkansas, at a rate not exceeding six dollars per mile, sixteen hundred and fifty dollars.

Florida. For resurveys in Florida, to replace the field marks obliterated by Indians and other causes, two thousand dollars.

Louisiana. For surveying in Louisiana, as follows: at a rate not exceeding eight dollars per mile, for the correction of the surveys in the Greensburg district, under the act of twenty-ninth August, eighteen hundred and forty-two, including office work, in addition to the unexpended balance of a former appropriation for the same object, eleven thousand six hundred and fifty dollars; at a rate not exceeding eight dollars per mile, for the correction of the surveys in the four other districts, including office work, twenty thousand dollars.

1842, ch. 258. For surveying the public lands, in addition to the unexpended balance of former appropriations, to be apportioned to the several districts, according to the exigencies of the public service, exclusive of surveys at

Surveying public lands.

augmented rates in Louisiana, one hundred thousand dollars: *Provided*, That the surveyor general for the States of Ohio, Indiana, and Michigan, shall be, and hereby is, authorized to pay for the surveys to be made in the northern peninsula of Michigan and in the northern part of the southern peninsula of that State, at a rate not exceeding five dollars per mile for township boundaries, and four dollars per mile for section lines.

*Intercourse with Foreign Nations.*—For salaries of ministers to Great Britain, France, Russia, Prussia, Spain, Mexico, and Brazil, sixty-three thousand dollars; and for outfits of said ministers, sixty-three thousand dollars, or so much thereof as may be necessary.

For salaries of secretaries of legation to the same places, fourteen thousand dollars.

For compensation to a Commissioner to reside in China, five thousand dollars.

For salary of secretary and Chinese interpreter to that mission, two thousand five hundred dollars.

For salaries of *chargés des affaires* to Portugal, Austria, Denmark, Sweden, Holland, Belgium, Chili, Peru, New Grenada, Venezuela, Texas, Naples, Sardinia, and Buenos Ayres, sixty-two thousand five hundred dollars.

For salary of a minister resident to Turkey, six thousand dollars.

For salary of a drogoman to the legation to Turkey, two thousand five hundred dollars.

For contingent expenses of all the missions abroad, fifteen thousand dollars.

For salary of the consul at London, two thousand dollars.

For salary of the consul at Beyroot, five hundred dollars.

For outfits of *chargés des affaires* to Texas, Austria, Peru, and Venezuela, seventeen thousand five hundred dollars.

For clerk hire, office rent, and other expenses of the office of the consul at London, two thousand eight hundred dollars.

For compensation of a commissioner to the Sandwich islands, three thousand dollars.

For interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, and Alexandria, fifteen hundred dollars.

For salary as *chargé d'affaires*, and outfit to Henry Ledyard, while so employed in France, nine thousand four hundred and fifty-six dollars.

For compensation to Benjamin E. Green, while officiating as *chargé d'affaires* in Mexico, one thousand and sixty-nine dollars and forty cents.

For compensation to J. Pemberton Hutchinson, in full, for diplomatic services at Lisbon, during the interval between the suspension of the mission of T. L. L. Brent, and the recognition of his successor at the Court of Portugal, two thousand nine hundred dollars.

For compensation to Arthur Middleton, in full for diplomatic services in Spain, during several periods in the years eighteen hundred and thirty-six, eighteen hundred and thirty-seven, and eighteen hundred and forty, fourteen hundred and fifty-four dollars.

For the relief and protection of American seamen in foreign countries, seventy-five thousand dollars;

For running and marking the boundary line between the United States and the possessions of Great Britain, seventy-five thousand dollars.

SEC. 2. *And be it further enacted*, That no part of the appropriations which may be made for the contingent expenses of either House of Congress, shall be applied to any other than the ordinary expenditures of the Senate and House of Representatives, respectively, nor as extra allowance to any clerk, messenger, or attendant of the said two Houses,

Foreign intercourse.  
Ministers.

Secretaries of legation.

Commissioner to China.

*Chargés des affaires*.

Minister to Turkey.  
Drogoman.

Contingent expenses.  
Consul at London.  
Consul at Beyroot.  
Outfits.

Consulate at London.

Commiss'r to Sandwich isl'ds.  
Consulates at Constantinople, Smyrna, &c.  
H. Ledyard.

B. E. Green.

J. P. Hutchinson.

A. Middleton.

Relief of American seamen.

N. E. boundary.

Application of the contingent fund of the two Houses of Congress.

or either of them, nor as payment or compensation to any clerk, messenger, or other attendant [to] be so employed by a resolution of one of said Houses, nor in the purchase of books to be distributed to members. And all Congressional printing, executed under an order of either House, made after the fourth of March, eighteen hundred and forty-five, shall be paid for at prices twenty per centum less than those fixed in the joint resolution of the third of March, eighteen hundred and nineteen.

Congressional printing.

Application of appropriation for the judicial expenses.

Act of May 18, 1842, ch. 29.

Adjusted accounts not to be re-opened. 1846, ch. 13, § 3. Time for presenting acc'ts limited. 1846, ch. 175, § 5.

Proviso.

Certain officers and persons continued.

1842, ch. 202.

1844, ch. 105.

Reduction of clerks in General Land Office.

Application of the excess of appropriations.

Appropriations for the year ending June 30th, 1845.

Vice President.

Register's office.

SEC. 3. *And be it further enacted*, That no part of any appropriation that may be made for the judicial expenses of the United States, shall be paid, or in any way allowed, to any person or persons who has or have neglected, or who shall hereafter neglect, to comply with all and every requirement contained in the one hundred and sixty-seventh paragraph of the first section of the twenty-ninth chapter of the Laws of the United States, entitled "An act making appropriations for the civil and diplomatic expenses of the Government for the year one thousand eight hundred and forty-two," approved May eighteenth, one thousand eight hundred and forty-two.

SEC. 4. *And be it further enacted*, That from and after the passage of this act, no accounts which have been adjusted by the accounting officers of the Treasury, shall be re-opened without authority of law, nor shall the accounting officers of the Treasury act upon any account which shall not be presented within six years from the date when the claim first existed, unless the person having the claim was an infant, lunatic, or feme covert, and then within six years after the removal of the disability: *Provided*, That this section shall not apply to cases where special acts have passed, or shall pass, for the relief of individuals.

SEC. 5. *And be it further enacted*, That it shall be lawful for the respective heads of departments to continue in service, during the next fiscal year, the officers and persons, and at the salaries and compensations authorized in the act approved the twenty-sixth of August, one thousand eight hundred and forty-two, entitled "An act legalizing and making appropriations for such necessary objects, as have been usually included in the general appropriation bills, without authority of law, and to fix and provide for certain incidental expenses of the departments and offices of the Government, and for other purposes," and also, the clerks authorized to be employed in the office of the First Comptroller of the Treasury, by the act of June seventeenth, one thousand eight hundred and forty-four, entitled "An act making appropriations for the civil and diplomatic expenses of the Government, for the fiscal year ending the thirtieth of June, one thousand eight hundred and forty-five, and for other purposes," and also the copying clerk, authorized by the same act, in the office of the Solicitor of the Treasury, and also, the clerk in the office of the Second Auditor, by the same act.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, from and after the thirtieth June, eighteen hundred and forty-five, to cause the number of clerks in the General Land Office to be reduced to sixty. And the excess of appropriations made for payment of salaries in the General Land Office, shall be and hereby is applied to the payment of any additional clerks that may be required in the other offices of the Treasury Department.

SEC. 7. *And be it further enacted*, That the following sums be and the same are hereby appropriated for the service of the year ending the thirtieth June, eighteen hundred and forty-five:

For compensation to the Vice President of the United States from the fourth of March to June thirtieth, eighteen hundred and forty-five, sixteen hundred and twenty dollars and eighty-eight cents.

For arrearages of contingent expenses in the office of the Register of the Treasury, including paper printing, ruling and binding sixteen

books for entering collectors' returns of imports and exports, eight hundred dollars.

For cases for the safe-keeping of settled accounts, two hundred dol-

Cases.

lars. To make good a deficiency (anticipated) in the appropriation for the relief and protection of American seamen in foreign countries, thirty thousand dollars.

Relief of American seamen.

To supply a deficiency in the appropriation for the compensation of the Commissioner of Pensions and the clerks and messenger in his office, for the year ending the thirtieth of June, eighteen hundred and forty-five, two thousand dollars.

Office of Commissioner of Pensions.

For the payment of mudding duties, erroneously charged by the Danish Government, and refunded in the year eighteen hundred and thirty-seven, being a balance remaining in the hands of the agent of the Department of State, and by him paid into the Treasury March tenth, eighteen hundred and forty-one, four hundred and eighty-one dollars and ninety cents.

Mudding duties.

For additional compensation to the district judges of Missouri, Arkansas, Louisiana, Mississippi and Alabama, under the provisions of the first section of the act of seventeenth June, eighteen hundred and forty-four, seven thousand six hundred and sixty-six dollars and sixty-seven cents.

Additional compensation to district judges. 1844, ch. 95.

To make good a deficiency in the appropriation for stationery, fuel, printing, and all other contingent expenses of the House of Representatives, fifty thousand dollars, out of which shall be paid to William L. Goggin the sum of eight hundred and twenty-four dollars, his pay and mileage as a member of the House of Representatives while contesting the seat of Thomas W. Gilmer of Virginia, the same being at the rate of eight dollars per day from the seventh day of December, eighteen hundred and forty-three, to the seventeenth day of February, eighteen hundred and forty-four inclusive.

House of Representatives.

W. L. Goggin.

To supply a deficiency in the appropriation for the contingent expenses of the Senate, seventy thousand dollars.

Senate.

To defray arrearages of expenses of the commission appointed to mark the boundary line between the United States and Texas, ninety-four dollars and sixty cents.

Texas boundary.

For paying the April and July instalments of the Mexican indemnities due in eighteen hundred and forty-four, the sum of two hundred and seventy-five thousand dollars: *Provided*, It shall be ascertained to the satisfaction of the American Government, that said instalments have been paid by the Mexican Government to the agent appointed by the United States to receive the same in such manner as to discharge all claim on the Mexican Government, and said agent to be a delinquent in remitting the money to the United States.

Mexican indemnity.

SEC. 8. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to pay, out of any money in the treasury not otherwise appropriated, the amount of postages which may be chargeable to any of the Executive Departments or the Bureaus thereof, under the provisions of an act passed the present session of Congress, entitled "An act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department," the accounts for the same being first audited and allowed by the proper officer of the Treasury Department; the amount thereof to be reported to Congress at the next session.

Postage of the Executive Departments.

1845, ch. 43.

APPROVED, March 3, 1845.



## STATUTE II.

March 3, 1845.

CHAP. LXXII.—*An Act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the fiscal year commencing on the first day of July, eighteen hundred and forty-five, and ending on the thirtieth day of June, eighteen hundred and forty-six.*

## 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 they are hereby, appropriated for the fiscal year commencing on the first day of July, eighteen hundred and forty-five, and ending on the thirtieth day of June, eighteen hundred and forty-six, for the purpose of paying the current and contingent expenses of the Indian Department, and fulfilling treaty stipulations with the various Indian tribes; to be paid out of any money in the treasury not otherwise appropriated.

For the current and contingent expenses of the Indian Department, viz.:

Superintendent and agents.  
1834, ch. 162.  
1837, ch. 31.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as provided by the acts of June thirtieth, eighteen hundred and thirty-four, and of March third, eighteen hundred and thirty-seven, sixteen thousand five hundred dollars;

Clerk to superintendent at St. Louis.  
1834, ch. 47.  
1842, ch. 202.

For pay of clerk to superintendent at St. Louis, authorized by the acts of eighteenth June, eighteen hundred and thirty-four, and twenty-sixth of August, eighteen hundred and forty-two, one thousand two hundred dollars;

Clerk and superintendent of western territory.

For pay of clerk to acting superintendent of western territory, authorized by the act of March third, eighteen hundred and forty-three, one thousand dollars;

Contingencies.

For postages, rents, stationery, fuel for offices, and other contingencies of the Indian Department, and for transportation and incidental expenses, thirty-six thousand five hundred dollars;

For fulfilling treaty stipulations with various Indian tribes, viz.:

Christian Indians.  
1824, ch. 174.  
1826, ch. 110.

*To the Christian Indians.*—For permanent annuity, stipulated in the acts of May twenty-sixth, eighteen hundred and twenty-four, and May twentieth, eighteen hundred and twenty-six, four hundred dollars;

Chippewas of Mississippi and Lake Superior.  
Annuity.

*To the Chippewas of Mississippi and Lake Superior.*—For payment in money, for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, nine thousand five hundred dollars;

Goods.

For payment in goods, for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, nineteen thousand dollars; for establishing three blacksmiths' shops, supporting three smiths, and furnishing iron and steel for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, three thousand dollars;

Blacksmiths, iron, &c.

Farmers' implements, &c.

For support of farmers, purchase of implements, grain, or seed, and to carry on their agricultural pursuits for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, one thousand dollars;

Provisions.

For purchase of provisions for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, two thousand dollars;

Tobacco.

For purchase of tobacco for twenty years, stipulated in the second article of the treaty of twenty-ninth July, eighteen hundred and thirty-seven, five hundred dollars;

Annuities.

For limited annuity for twenty-five years, (in money,) stipulated for in the fourth article of the treaty of fourth of October, eighteen hundred and forty-two, twelve thousand five hundred dollars;

For limited annuity for twenty-five years, (in goods,) stipulated for in same article, same treaty, ten thousand five hundred dollars;

For purchase of tobacco and provisions, stipulated in the fourth article of the treaty of fourth of October, eighteen hundred and forty-two, two thousand dollars ;	Tobacco and provisions.
For support of two blacksmiths' shops, including pay of smiths and assistants, and furnishing iron and steel, stipulated for in same article, same treaty, two thousand dollars ;	Blacksmiths, iron, &c.
For support of two farmers, stipulated for in same article, same treaty, one thousand dollars ;	Farmers.
For the pay of two carpenters, stipulated for in same article, same treaty, twelve hundred dollars ;	Carpenters.
For the support of schools, stipulated for in same article, same treaty, two thousand dollars ;	Schools.
<i>To the Chippewas of Saganaw.</i> —For permanent annuity, stipulated in the fourth article of the treaty of third August, seventeen hundred and ninety-five, one thousand dollars ;	Chippewas of Saganaw. Annuities.
For permanent annuity, stipulated in the second article of the treaty of seventeenth November, eighteen hundred and seven, eight hundred dollars ;	
For permanent annuity, stipulated in the fourth article of the treaty of twenty-fourth September, eighteen hundred and nineteen, one thousand dollars ;	
For support of blacksmith at Saganaw, and for farming utensils and cattle, and for the employment of persons to aid them in agriculture, stipulated in the eighth article of the treaty of twenty-fourth September, eighteen hundred and nineteen, two thousand dollars ;	Blacksmith, &c.
For education, during the pleasure of Congress, stipulated in the sixth article of the treaty of fifth August, eighteen hundred and twenty-six, one thousand dollars ;	Education.
<i>To the Chippewas, Menomonies, Winnebagoes, and New York Indians.</i> —For education, during the pleasure of Congress, stipulated in the fifth article of the treaty of eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars ;	Chippewas, Menomonies, &c. Education.
<i>To the Chippewas, Ottawas, and Pottawatomes.</i> —For permanent annuity, stipulated in the second article of the treaty of twenty-ninth July, one thousand eight hundred and twenty-nine, sixteen thousand dollars ;	Chippewas, Ottawas, and Pottawatomes Annuities
For limited annuity, for twenty years, stipulated in the third article of the treaty of twenty-sixth September, one thousand eight hundred and thirty-three, fourteen thousand dollars ;	
For limited annuity, for twenty years, stipulated in the second (supplemental) article of the treaty of twenty-sixth of September, one thousand eight hundred and thirty-three, two thousand dollars ;	
For life annuity to chiefs, stipulated in the third article of the treaty of twenty-sixth September, one thousand eight hundred and thirty-three, seven hundred dollars ;	
For blacksmith and assistant, stipulated in the second article of the treaty of twenty-ninth July, one thousand eight hundred and twenty-nine, seven hundred and twenty dollars ; for iron and steel, two hundred and twenty dollars ; for purchase of salt, stipulated in the second article of the treaty of twenty-ninth July, one thousand eight hundred and twenty-nine, two hundred and fifty dollars.	Blacksmith. Iron and steel Salt.
<i>To the Choctaws.</i> —For permanent annuity, stipulated in the second article of the treaty of sixteenth November, eighteen hundred and five, three thousand dollars ;	Choctaws. Annuities.
For permanent annuity, stipulated in the thirteenth article of the treaty of eighteenth October, eighteen hundred and twenty, six hundred dollars ;	
For permanent annuity, stipulated in the second article of the treaty of twentieth January, eighteen hundred and twenty-five, six thousand dollars ;	

For life annuity to chief, (Bob Cole,) stipulated in the tenth article of the treaty of twentieth January, eighteen hundred and twenty-five, one hundred and fifty dollars;

For life annuity to three district chiefs, (two hundred and fifty dollars each,) stipulated in the fifteenth article of the treaty of twenty-seventh September, eighteen hundred and thirty, seven hundred and fifty dollars;

For limited annuity, for twenty years, stipulated in the seventeenth article of the treaty of twenty-seventh September, eighteen hundred and thirty, twenty thousand dollars;

Education. For education of forty youths, for twenty years, including support of teachers in the nation, (two thousand five hundred dollars per annum,) stipulated in the twentieth article of the treaty of twenty-seventh September, eighteen hundred and thirty, twelve thousand five hundred dollars;

Blacksmith. For blacksmith and assistant, stipulated in the sixth article of the treaty of eighteenth October, eighteen hundred and twenty, and ninth article of the treaty of twentieth January, eighteen hundred and twenty-five, six hundred dollars;

Iron and steel. For iron and steel, three hundred and twenty dollars;

Blacksmiths. For three blacksmiths and assistants, for sixteen years, stipulated in the twentieth article of the treaty of twenty-seventh September, eighteen hundred and thirty, twenty-five hundred and twenty dollars; for iron and steel, nine hundred and sixty dollars; for pay of millwright, stipulated in the twentieth article of the treaty of twenty-seventh September, eighteen hundred and thirty, six hundred dollars;

Chickasaws. *To the Chickasaws.*—For permanent annuity, stipulated in the act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars;

Education. For education, for fifteen years, stipulated in the second supplemental article of the treaty of twenty-fourth May, eighteen hundred and thirty-four, three thousand dollars;

Creeks. *To the Creeks.*—For permanent annuity, stipulated in the fourth article of the treaty of seventh August, seventeen hundred and ninety, one thousand five hundred dollars;

For permanent annuity, stipulated in the second article of the treaty of sixteenth June, eighteen hundred and two, three thousand dollars;

For permanent annuity, stipulated in the fourth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, twenty thousand dollars;

For limited annuity, for fifteen years, stipulated in the eighth article of the treaty of twenty-fourth March, eighteen hundred and thirty-two, ten thousand dollars;

Blacksmith. For blacksmith and assistant, and use of shop and tools, stipulated in the eighth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, eight hundred and forty dollars;

Iron and steel. For iron and steel, two hundred and seventy dollars;

Blacksmiths. For two blacksmiths and assistants, and use of shops and tools, for twenty years, stipulated in the thirteenth article of the treaty of twenty-fourth March, eighteen hundred and thirty-two, one thousand six hundred and eighty dollars;

Iron and steel. For iron and steel, five hundred and forty dollars;

Blacksmith. For blacksmith and assistant, and use of shop and tools, during the pleasure of the President, stipulated in the fifth article of the treaty of fourteenth February, eighteen hundred and thirty-three, eight hundred and forty dollars;

Iron and steel. For iron and steel, two hundred and seventy dollars;

Wheelwright. For wheelwright, stipulated in the eighth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, six hundred dollars;

For wagonmaker, stipulated in the fifth article of the treaty of fourteenth February, eighteen hundred and thirty-three, six hundred dollars;	Wagonmaker.
For agricultural implements, stipulated in the eighth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, two thousand dollars;	Agricultural implements.
For education, for twenty years, stipulated in the thirteenth article of the treaty of twenty-fourth March, eighteen hundred and thirty-two, three thousand dollars;	Education.
For education, stipulated in the fifth article of the treaty of fourteenth February, eighteen hundred and thirty-three, one thousand dollars;	
For interest, at five per centum, on three hundred and fifty thousand dollars, (eighth year,) stipulated in the third article of the treaty of twenty-third November, eighteen hundred and thirty-eight, seventeen thousand five hundred dollars.	Interest.
<i>To the Cherokees.</i> —For four blacksmiths and assistants, stipulated in the fourth article of the treaty of fourteenth of February, eighteen hundred and thirty-three, three thousand three hundred and sixty dollars;	Cherokees. Blacksmiths.
For iron and steel, one thousand and eighty dollars;	Iron and steel.
For wagonmaker, stipulated in the fourth article of the treaty of fourteenth February, eighteen hundred and thirty-three, six hundred dollars; for wheelwright, stipulated in the fourth article of the treaty of fourteenth February, eighteen hundred and thirty-three, six hundred dollars;	Wagonmaker. Wheelwright.
<i>To the Delawares.</i> —For permanent annuity, stipulated in the fourth article of the treaty of the third of August, seventeen hundred and ninety-five, one thousand dollars;	Delawares. Annuities.
For permanent annuity, stipulated in the fifth article of the treaty of third of October, eighteen hundred and eighteen, four thousand dollars;	
For permanent annuity, stipulated in the third article of the treaty of thirtieth of September, eighteen hundred and nine, five hundred dollars;	
For permanent annuity, stipulated in the supplemental treaty of twenty-fourth of September, eighteen hundred and twenty-nine, one thousand dollars;	
For life annuity to two chiefs, stipulated in private and confidential articles of supplemental treaty of twenty-fourth of September, eighteen hundred and twenty-nine, to treaty of third of October, eighteen hundred and eighteen, two hundred dollars;	
For life annuity to three chiefs, stipulated in supplemental article to treaty of twenty-sixth of October, eighteen hundred and thirty-two, three hundred dollars;	
For the purchase of salt, as stipulated in the third article of treaty of seventh June, eighteen hundred and three, one hundred dollars;	Salt.
For blacksmith and assistant, as stipulated in the sixth article of treaty of third October, eighteen hundred and eighteen, seven hundred and twenty dollars;	Blacksmith.
For iron, steel, &c., for shops, two hundred and twenty dollars;	Iron and steel.
For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land, set apart by the treaty of eighteen hundred and twenty-nine, for education, as stipulated in resolution of the Senate of nineteenth January, eighteen hundred and thirty-eight, two thousand three hundred and four dollars;	Interest.
<i>To the Florida Indians.</i> —For blacksmith and assistant, as stipulated in the sixth article of the treaty of eighteenth of September, eighteen hundred and twenty-three, and treaty of ninth of May, eighteen hundred and thirty-two, one thousand dollars;	Florida Indians. Blacksmith.
<i>To the Iowas.</i> —For one year's interest on one hundred and fifty-seven thousand five hundred dollars, to be invested at five per centum,	Iowas. Interest.

as stipulated in the second article of the treaty of nineteenth October, eighteen hundred and thirty-eight, seven thousand eight hundred and seventy-five dollars ;

- Kickapoos.  
Annuity. *To the Kickapoos.*—For limited annuity, for nineteen years, as stipulated in the fourth article of the treaty of twenty-fourth of October, eighteen hundred and thirty-two, five thousand dollars ;
- Kanzas.  
Blacksmith. *To the Kanzas.*—For blacksmith and assistant, as stipulated in the fourth article of the treaty of third of June, one thousand eight hundred and twenty-five, seven hundred and twenty dollars ;  
For iron and steel, &c., two hundred and twenty dollars ;
- Agriculture. For agricultural assistance, as stipulated in same article, same treaty, one thousand six hundred dollars ;
- Miamies.  
Annuity. *To the Miamies.*—For permanent annuity, as stipulated in the fourth article of the treaty of twenty-third October, one thousand eight hundred and twenty-six, twenty-five thousand dollars ;
- Blacksmith. For blacksmith and assistant, as stipulated in the fifth article of treaty of sixth October, eighteen hundred and eighteen, seven hundred and twenty dollars.
- Iron and steel. For iron and steel, &c., for shop, two hundred and twenty dollars ;
- Tobacco, iron,  
and steel. For one thousand pounds of tobacco, two thousand pounds of iron, one thousand pounds of steel, as stipulated in the fourth article of the treaty of twenty-third October, eighteen hundred and twenty-six, seven hundred and seventy dollars ;
- Miller. For pay of miller in lieu of gunsmith, as stipulated in fifth article of treaty of sixth of October, eighteen hundred and eighteen, six hundred dollars ; for one hundred and sixty bushels of salt, as stipulated in same article, same treaty, three hundred and twenty dollars ;
- Salt. For education and support of the poor, as stipulated in the sixth article of treaty of twenty-third October, eighteen hundred and twenty-six, two thousand dollars ;
- Education and  
support of poor.
- Instalments. For the ninth of ten instalments, as stipulated in second article of treaty of twenty-fourth October, eighteen hundred and thirty-four, ten thousand dollars ;  
For the eighth of ten instalments, as stipulated in third article of treaty of sixth November, eighteen hundred and thirty-eight, twelve thousand five hundred and sixty-eight dollars ;  
For the fifth of twenty instalments, as stipulated in second article of treaty of twenty-eighth November, eighteen hundred and forty, twelve thousand five hundred dollars ;
- Payment in  
lieu of laborers. For payment in lieu of laborers, as stipulated in sixth article of treaty of twenty-eighth November, eighteen hundred and forty, two hundred and fifty dollars ;
- Agricultural  
assistance. For agricultural assistance, as stipulated in fifth article of treaty of sixth October, eighteen hundred and eighteen, two hundred dollars ;
- Eel Rivers,  
(Miamies.)  
Annuities. *To the Eel Rivers, (Miamies.)*—For permanent annuity, stipulated in the fourth article of the treaty of third of August, seventeen hundred and ninety-five, five hundred dollars ;  
For permanent annuity, stipulated in the third article of the treaty of twenty-first August, eighteen hundred and five, two hundred and fifty dollars ;  
For permanent annuity, stipulated in the third article of the treaty of thirtieth of September, eighteen hundred and nine, three hundred and fifty dollars ;
- Menomonies.  
Annuity. *To the Menomonies.*—For limited annuity for twenty years, stipulated in the second article of the treaty of third September, eighteen hundred and thirty-six, twenty thousand dollars ;
- Blacksmiths. For two blacksmiths and assistants, stipulated in the same, one thousand four hundred and forty dollars ;
- Iron and steel. For iron and steel, &c., for shops, four hundred and forty dollars ;

For purchase of provisions, stipulated in the same, three thousand dollars ;	Provisions.
For two thousand pounds of tobacco, stipulated in the same, three hundred dollars ;	Tobacco.
For farming utensils, cattle, &c., stipulated in the same, five hundred dollars ;	Farming.
For thirty barrels of salt, stipulated in the same, one hundred and fifty dollars ;	Salt.
For blacksmith and assistant, forty dollars ; (Omitted to be appropriated last year.)	Blacksmith.
<i>To the Omahas.</i> —For blacksmith and assistant, for ten years, and during the pleasure of the President, stipulated in the fourth article of the treaty of fifteenth July, eighteen hundred and thirty, seven hundred and twenty dollars ;	Omahas. Blacksmith.
For iron and steel, for shop, two hundred and twenty dollars ;	Iron and steel.
For agricultural implements, during the pleasure of the President, stipulated in the same, five hundred dollars ;	Agricultural implements.
<i>To the Ottawas and Chippewas.</i> —For limited annuity for twenty years, stipulated in the fourth article of the treaty of twenty-eighth March, eighteen hundred and thirty-six, thirty thousand dollars ;	Ottawas and Chippewas. Annuity.
For interest to be paid annually, on two hundred thousand dollars, as annuity, per Senate resolution, twelve thousand dollars ;	Interest.
For tenth of ten instalments, to be paid out of five thousand dollars for half-breeds, stipulated in the sixth article of the treaty of twenty-eighth March, eighteen hundred and thirty-six, five hundred dollars ;	Instalment.
For education for twenty years, and during the pleasure of Congress, stipulated in the fourth article of the same, five thousand dollars ;	Education.
For missions, for twenty years, and during the pleasure of Congress, stipulated in the same, three thousand dollars ;	Missions.
For vaccine matter, medicines, and pay of physician, stipulated in the same, three hundred dollars ;	Vaccine matter, &c.
For purchase of provisions, for twenty years, stipulated in the same, two thousand dollars ;	Provisions.
For six thousand five hundred pounds of tobacco, for twenty years, stipulated in the same, nine hundred and seventy-five dollars ;	Tobacco.
For one hundred barrels of salt, for twenty years, stipulated in the same, three hundred and fifty dollars ;	Salt.
For five hundred fish barrels, for twenty years, stipulated in the same, seven hundred and fifty dollars ;	Fish barrels.
For three blacksmiths and assistants, stipulated in the seventh article of the same, two thousand one hundred and sixty dollars ;	Blacksmiths.
For iron and steel, &c., for shops, six hundred and sixty dollars ;	Iron and steel.
For gunsmith at Mackinac, stipulated in the same, six hundred dollars.	Gunsmith.
For iron and steel, &c., for shop, two hundred and twenty dollars ;	Iron and steel.
For pay of two farmers, and assistants, stipulated in the same, six-hundred dollars ;	Farmers.
For pay of two mechanics, stipulated in the same, twelve hundred dollars ;	Mechanics.
For and on account of education, for twenty years, and during the pleasure of Congress, stipulated in the fourth article of the treaty of twenty-eighth March, eighteen hundred and thirty-six, (omitted to be appropriated last year,) two thousand dollars ;	Education.
<i>To the Ottos and Missourias.</i> —For blacksmith and assistant, for ten years, and during the pleasure of the President, stipulated in the fourth article of the treaty of fifteenth July, eighteen hundred and thirty, seven hundred and twenty dollars ;	Ottos and Missourias. Blacksmith.
For iron and steel, &c., for shop, two hundred and twenty dollars ;	Iron and steel.
For agricultural implements, for ten years, from eighteen hundred	Agricultural implements.

and forty, stipulated in the third article of the treaty of twenty-first September, eighteen hundred and thirty-three, five hundred dollars ;

Education.

For education, during the pleasure of the President, stipulated in the fourth article of the same, five hundred dollars ;

Annuity.

For limited annuity, for ten years, stipulated in the second article of the same, two thousand five hundred dollars ;

Farmers.

For two farmers, for five years, and during the pleasure of the President, stipulated in the fifth article of the same, twelve hundred dollars ;

Osages.

Interest.

*To the Osages.*—For interest, at five per centum, on sixty-nine thousand one hundred and twenty dollars, the valuation of fifty-four sections of land set apart by treaty of eighteen hundred and twenty-five, for education, per resolution of the Senate of nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars ;

Annuity.

For limited annuity, for twenty years, stipulated in the second article of the treaty of eleventh January, eighteen hundred and thirty-nine, twenty thousand dollars ; for the support of two smiths' establishments, stipulated in the same, two thousand dollars ;

Smiths.

Millers.

For pay of two millers, for fifteen years, stipulated in the same, twelve hundred dollars ;

For pay of two assistant millers, for eleven years, stipulated in the same, four hundred and fifty dollars ;

Ottawas.

Annuities.

*To the Ottawas.*—For permanent annuity, stipulated in the fourth article of the treaty of third August, seventeen hundred and ninety-five, one thousand dollars ;

For permanent annuity, stipulated in the second article of the treaty of seventeenth of November, eighteen hundred and seven, eight hundred dollars ;

For permanent annuity, stipulated in the fourth article of the treaty of seventeenth September, eighteen hundred and eighteen, fifteen hundred dollars ;

For permanent annuity, stipulated in the fourth article of the treaty of twenty-ninth August, eighteen hundred and twenty-one, one thousand dollars ;

Pottawatomies.

Annuities.

*To the Pottawatomies.*—For permanent annuity, stipulated in the fourth article of the treaty of third August, seventeen hundred and ninety-five, one thousand dollars ;

For permanent annuity, stipulated in the third article of the treaty of thirtieth September, eighteen hundred and nine, five hundred dollars ;

For permanent annuity, stipulated in the third article of the treaty of second October, eighteen hundred and eighteen, two thousand five hundred dollars ;

For limited annuity, for twenty-two years, stipulated in the third article of the treaty of sixteenth October, eighteen hundred and twenty-six, two thousand dollars ;

For permanent annuity, stipulated in the second article of the treaty of twentieth September, eighteen hundred and twenty-eight, two thousand dollars ;

For limited annuity, for twenty years, stipulated in the same article, one thousand dollars ;

For life annuity to chief, stipulated in the same article, one hundred dollars ;

Education.

For education, during pleasure of Congress, stipulated in the same article, one thousand dollars ;

Salt.

For purchase of salt, stipulated in the third article of treaty of seventh June, eighteen hundred and three, one hundred and forty dollars ;

For one hundred and sixty bushels of salt, stipulated in the third article of the treaty of sixteenth October, eighteen hundred and twenty-six, three hundred and twenty dollars ;

For education, during pleasure of Congress, stipulated in the same article, two thousand dollars; for blacksmith and assistant, stipulated in the same article, seven hundred and twenty dollars; for iron and steel, &c., for shop, two hundred and twenty dollars;

Education.  
Blacksmith.  
Iron and steel.

For blacksmith and assistant, stipulated in the third article of the treaty of twentieth September, eighteen hundred and twenty-eight, seven hundred and twenty dollars;

Blacksmith.

For iron and steel, &c. for shop, two hundred and twenty dollars;

Iron and steel.

For two thousand pounds of tobacco, fifteen hundred pounds of iron, and three hundred and fifty pounds of steel, stipulated in the second article of the treaty of twentieth September, eighteen hundred and twenty-eight, four hundred dollars;

Tobacco, &c.

*To the Pottawatomies of Huron.*—For permanent annuity, stipulated in the second article of the treaty of seventeenth November, eighteen hundred and seven, four hundred dollars;

Pottawatomies  
of Huron.  
Annuity.

*To the Pottawatomies of the Prairie.*—For limited annuity for twenty years, stipulated in the third article of the treaty of the twentieth October, eighteen hundred and thirty-two, fifteen thousand dollars; for life annuity to two chiefs, stipulated in the same article, four hundred dollars;

Pottawatomies  
of the Prairie.  
Annuities.

For and on account of limited annuity, for twenty years, (omitted to be appropriated last year,) thirteen thousand five hundred dollars;

*To the Pottawatomies of the Wabash.*—For limited annuity for twenty years, stipulated in the third article of the treaty of twenty-sixth October, eighteen hundred and thirty-two, twenty thousand dollars;

Pottawatomies  
of the Wabash.  
Annuity.

*To the Pottawatomies of Indiana.*—For education, during pleasure of Congress, stipulated in the fourth article of the treaty of twenty-seventh October, eighteen hundred and thirty-two, two thousand dollars;

Pottawatomies  
of Indiana.  
Education.

*To the Piankeshaws.*—For permanent annuity, as per fourth article of the treaty of third August, seventeen hundred and ninety-five, five hundred dollars;

Piankeshaws.  
Annuities.

For permanent annuity, as per fourth article of the treaty of thirtieth December, eighteen hundred and five, three hundred dollars;

*To the Pawnees.*—For agricultural implements for five years, and during the pleasure of the President, stipulated in fourth article of the treaty of ninth October, eighteen hundred and thirty-three, two thousand dollars;

Pawnees.  
Agricultural  
implements.

*To the Quapaws.*—For limited annuity for twenty years, stipulated in fourth article of the treaty of thirteenth May, eighteen hundred and thirty-three, two thousand dollars; for education, during the pleasure of the President, stipulated in third article, one thousand dollars; for blacksmith and assistant, during the pleasure of the President, stipulated in the third article of the same treaty, eight hundred and forty dollars;

Quapaws.  
Annuity.

Education.

Blacksmith.

For iron and steel, &c., for shop, two hundred and twenty dollars;

Iron and steel.

For pay of farmer, stipulated in the third article of the treaty of thirteenth of May, eighteen hundred and thirty-three, six hundred dollars;

Farmer.

*To the Six Nations of New York.*—For permanent annuity, stipulated in the sixth article of the treaty of eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars;

Six Nations of  
New York.  
Annuity.

*To the Senecas of New York.*—For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars;

Senecas of  
New York.  
Annuity.

*To the Sioux of Mississippi.*—For blacksmith and assistant, for ten years, during the pleasure of the President, stipulated in the fourth article of the treaty of fifteenth July, eighteen hundred and thirty, eight hundred and forty dollars;

Sioux of Mis-  
sissippi.  
Blacksmith.

For iron and steel, &c., for shop, two hundred and twenty dollars;

Iron and steel,

For agricultural implements, during the pleasure of the President, stipulated in the fourth article of the treaty of fifteenth July, eighteen hundred and thirty, seven hundred dollars;

Agricultural  
implements.



- Interest. For interest on investment in stock, at five per centum, on three hundred thousand dollars, stipulated in the second article of treaty of twenty-ninth September, eighteen hundred and thirty-seven, fifteen thousand dollars;
- Annuity. For limited annuity for twenty years, stipulated in second article of treaty of twenty-ninth September, eighteen hundred and thirty-seven, ten thousand dollars;
- Medicines, agricultural implements, &c. For purchase of medicines, agricultural implements, and stock, support of farmers, physicians, blacksmith, and for other beneficial objects, for twenty years, stipulated in second article of treaty of twenty-ninth September, eighteen hundred and thirty-seven, eight thousand two hundred and fifty dollars;
- Provisions. For purchase of provisions, for twenty years, stipulated in second article of treaty of twenty-ninth September, eighteen hundred and thirty-seven, five thousand five hundred dollars;
- Yancton and Santee Sioux. Blacksmith. *To the Yancton and Santee Sioux.*—For blacksmith and assistant for ten years, and during the pleasure of the President, stipulated in the fourth article of the treaty of fifteenth July, eighteen hundred and thirty, seven hundred and twenty dollars;
- Iron and steel. For iron and steel, &c. for shop, two hundred and twenty dollars;
- Agricultural implements. For agricultural implements during the pleasure of the President, stipulated in fourth article of treaty of fifteenth July, eighteen hundred and thirty, four hundred dollars;
- Sacs and Foxes of Missouri. Interest. *To the Sacs and Foxes of Missouri.*—For interest on investment in stock at five per centum on one hundred and fifty-seven thousand four hundred dollars, stipulated in second article of treaty of twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars;
- Sacs and Foxes of Mississippi. Annuities. *To the Sacs and Foxes of Mississippi.*—For permanent annuity, stipulated in third article of treaty of third November, eighteen hundred and four, one thousand dollars;
- For limited annuity for thirty years, stipulated in third article of treaty of twenty-first September, eighteen hundred and thirty-two, twenty thousand dollars;
- Blacksmith. For blacksmith and assistant, during the pleasure of the President, stipulated in fourth article of treaty of fourth August, eighteen hundred and twenty-four, eight hundred and forty dollars;
- Iron and steel. For iron and steel, &c. for shop, two hundred and twenty dollars;
- Blacksmith. For blacksmith and assistant, for thirty years, stipulated in fourth article of treaty of twenty-first September, eighteen hundred and thirty-two, eight hundred and forty dollars; for iron and steel, &c. for shop, two hundred and twenty dollars; for gunsmith, for thirty years, stipulated in fourth article of treaty of twenty-first September, eighteen hundred and thirty-two, six hundred dollars;
- Iron and steel. For iron and steel, &c. for shop, two hundred and twenty dollars;
- Agricultural implements. For agricultural implements, during pleasure of the President, stipulated in fourth article of treaty of fourth August, eighteen hundred and twenty-four, eight hundred dollars;
- Salt. For forty barrels of salt, for thirty years, stipulated in fourth article of treaty of twenty-first September, eighteen hundred and thirty-two, two hundred dollars; for forty kegs of tobacco, for thirty years, stipulated in fourth article of treaty of twenty-first September, eighteen hundred and thirty-two, six hundred dollars;
- Tobacco.
- Annuity. For limited annuity, for ten years, stipulated in second article of treaty of twenty-eighth September, eighteen hundred and thirty-six, ten thousand dollars;
- Interest. For interest on investment in stock at five per centum, on two hundred thousand dollars, stipulated in fourth article of treaty of twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars;

For interest on eight hundred thousand dollars, at five per centum, stipulated in second article of treaty of eleventh October, eighteen hundred and forty-two, forty thousand dollars;

*To the Shawnees.*—For permanent annuity, stipulated in fourth article of treaty of third August, seventeen hundred and ninety-five, one thousand dollars;

Shawnees.  
Annuities.

For permanent annuity, stipulated in fourth article of treaty of twenty-ninth September, eighteen hundred and seventeen, two thousand dollars;

For limited annuity, per act fourteenth July, eighteen hundred and thirty-two, two thousand dollars;

For purchase of salt, stipulated in third article of treaty of seventh June, eighteen hundred and three, sixty dollars;

Salt.

For blacksmith and assistant, during pleasure of the President, stipulated in fourth article of treaty of seventh November, eighteen hundred and twenty-five, eight hundred and forty dollars;

Blacksmith.

For iron and steel, &c. for shop, two hundred and twenty dollars;

Iron and steel.

For blacksmith and assistant, during pleasure of the President, stipulated in fourth article of treaty of eighth August, eighteen hundred and thirty-one, eight hundred and forty dollars;

Blacksmith.

For iron and steel, &c. for shop, two hundred and twenty dollars;

Iron and steel.

For blacksmith and assistant, during the pleasure of the President, stipulated in fourth article of treaty of seventh November, eighteen hundred and twenty-five, (omitted to be appropriated last year,) eight hundred and forty dollars;

Blacksmith.

For iron and steel, &c. for shop, (omitted to be appropriated last year,) two hundred and twenty dollars;

Iron and steel.

*To the Senecas and Shawnees.*—For permanent annuity, stipulated in fourth article of treaty of seventeenth September, eighteen hundred and eighteen, one thousand dollars;

Senecas and  
Shawnees.  
Annuity.

For blacksmith and assistant, during the pleasure of the President, stipulated in fourth article of treaty of twentieth July, eighteen hundred and thirty-one, eight hundred and forty dollars;

Blacksmith.

For iron and steel, &c. for shop, two hundred and twenty dollars;

Iron and steel.

*To the Senecas.*—For permanent annuity, stipulated in fourth article of treaty of twenty-ninth September, eighteen hundred and seventeen, five hundred dollars;

Senecas.  
Annuities.

For permanent annuity, stipulated in fourth article of treaty of seventeenth September, eighteen hundred and eighteen, five hundred dollars;

For blacksmith and assistant, during the pleasure of the President, stipulated in fourth article of treaty of twenty-eighth February, eighteen hundred and thirty-one, eight hundred and forty dollars;

Blacksmith.

For iron and steel, etc. for shop, two hundred and twenty dollars;

Iron and steel.

For pay of miller, during the pleasure of the President, stipulated in fourth article of treaty of twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars;

Miller.

*To the Wyandotts.*—For permanent annuity, in lieu of all former annuities, stipulated in the third article of the treaty with them of seventeenth March, eighteen hundred and forty-two, seventeen thousand five hundred dollars;

Wyandotts.  
Annuity.

The valuation of the Wyandot lands, made by John Caldwell, Samuel Waggoner, and James Justice, and reported to the Secretary of War on the thirtieth of August, eighteen hundred and forty-four, is hereby confirmed; and so much of the appropriation of the last session, in the act passed the seventeenth of June, eighteen hundred and forty-four, for the payment of the Wyandotts' improvement in Ohio and Michigan, shall be paid to said Indians according to the terms of the treaty: *Provided*, That the same shall be in full satisfaction of all claims and demands for improvements, under the fifth article of the treaty of the seventeenth of March, eighteen hundred and forty-two;

Valuation of  
Wyandot lands  
confirmed, and  
payment to be  
made.  
1844, ch. 108.

Proviso.

- Blacksmith. For the support of a blacksmith and assistant, stipulated in the tenth article of the treaty of twenty-ninth September, eighteen hundred and seventeen, seven hundred and twenty dollars ;
- Iron and steel. For the purchase of iron, steel, &c., for shop, two hundred and twenty dollars ;
- Blacksmith. For the support of a blacksmith and assistant, stipulated in the eighth article of the treaty of seventeenth March, eighteen hundred and forty-two, seven hundred and twenty dollars ; for the purchase of iron, steel, &c., for shop, two hundred and twenty dollars ;
- Weas. Annuity. *To the Weas.*—For permanent annuity, stipulated in the fifth article of the treaty with them of the second of October, eighteen hundred and eighteen, three thousand dollars ;
- Winnebagoes. Annuities. *To the Winnebagoes.*—For limited annuity, for thirty years, stipulated in the second article of the treaty with them, of the first of August, eighteen hundred and twenty-nine, eighteen thousand dollars ;  
For limited annuity, for twenty-seven years, stipulated in the third article of the treaty of the fifteenth of September, eighteen hundred and thirty-two, ten thousand dollars ;
- Salt. For the purchase of fifty barrels of salt, for thirty years, stipulated in the second article of the treaty of the first of August, eighteen hundred and twenty-nine, two hundred and fifty dollars ;
- Tobacco. For the purchase of three thousand pounds of tobacco, for thirty years, stipulated in the same, three hundred and fifty dollars ;  
For the purchase of one thousand five hundred pounds of tobacco, for twenty-seven years, stipulated in the fifth article of the treaty of fifteenth of September, eighteen hundred and thirty-two, one hundred and seventy-five dollars ;
- Blacksmiths. For the support of three blacksmiths and assistants for thirty years, stipulated in the third article of the treaty of the first of August, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars ; for the purchase of iron, steel, &c., for shops, six hundred and sixty dollars ; for pay of laborer and for oxen, for thirty years, stipulated in the same, three hundred and sixty-five dollars ;
- Iron and steel. Laborer and oxen. Education. For the purpose of education, for twenty-seven years, stipulated in the fourth article of the treaty of the fifteenth September, eighteen hundred and thirty-two, three thousand dollars ;
- Agriculturists. For the support of six agriculturists, purchase of oxen, ploughs, and other implements, for twenty-seven years, stipulated in the fifth article of the same, two thousand five hundred dollars ;
- Physicians. For the pay of two physicians, stipulated in the fifth article of the same, four hundred dollars ;
- Interest. For interest on investment in stock, at five per centum, on one million one hundred thousand dollars, stipulated in the fourth article of the treaty of first November, eighteen hundred and thirty-seven, fifty-five thousand dollars.
- W. Armstrong. For payment to William Armstrong, to make good the loss sustained by him in consequence of the explosion of the boilers of the steamer Cherokee, while transporting government funds from New Orleans to the Indian country west of Arkansas, in the year one thousand eight hundred and forty, one hundred and forty-one dollars.
- T. Dole. For payment of the claim of Thomas Dole, for goods and provisions furnished the New York Indians, in the years one thousand eight hundred and thirty-nine and one thousand eight hundred and forty, allowed by the accounting officers of the Treasury, nine hundred and sixty-four dollars and eighty-one cents.
- Annuity to the Christian Indians. For the re-appropriation of the annuity due the Christian Indians, for the years one thousand eight hundred and thirty-eight and one thousand eight hundred and thirty-nine, refunded by Major Garland, late disbursing agent of the Indian Department, and subsequently used in

closing accounts, under the authority contained in the act of third of March, one thousand eight hundred and forty-three, eight hundred dollars. Act of March 3, 1843, ch. 80.

For carrying into effect the Cherokee treaty of one thousand eight hundred and thirty-five, being the amount of the fund appropriated in one thousand eight hundred and thirty-six, lost in transportation by the explosion of the steamer Black Hawk, in December, one thousand eight hundred and thirty-seven, eight thousand six hundred and ten-dollars. Cherokee treaty.

For the removal of the Choctaws west of the Mississippi, and for their subsistence for one year, including contingent expenses connected therewith, one hundred and thirteen thousand five hundred and forty dollars. Removal of Choctaws.

To make good the interest on investments in State stocks and bonds, for various Indian tribes, not yet paid by the States, to be reimbursed out of the interest when collected, sixty-eight thousand four hundred and thirty-nine dollars and ninety-three cents. Interest due Indians on State stocks.

For payment to the Bank of Michigan, or its assigns, for moneys advanced under authority of the Secretary of War, and Secretary of the Treasury, in fulfilment of a treaty with the Chippewas of Saginaw, of January one thousand eight hundred and thirty-seven, together with interest on the principal sum due said bank from the first day of February one thousand eight hundred and forty, at six per cent. per annum, twelve thousand five hundred dollars, or so much thereof as may be necessary: *Provided*, That of the scrip which has been awarded, or which shall be awarded, to Choctaw Indians under the provisions of the law of twenty-third August, one thousand eight hundred and forty-two, that portion thereof, not deliverable East, by the third section of said law, in these words "not more than one half of which shall be delivered to said Indian until after his removal to the Choctaw territory, west of the Mississippi river," shall not be issued or delivered in the West, but the amounts awarded for land on which they resided, but which it is impossible for the United States now to give them, shall carry an interest of five per cent., which the United States will pay annually to the reservees under the treaty of one thousand eight hundred and thirty, respectively, or to their heirs and legal representatives, forever, estimating the land to which they may be entitled, at one dollar and twenty-five cents per acre: *Provided, further*, That so much of the law of twenty-third August, one thousand eight hundred and forty-two, as is inconsistent herewith, is hereby repealed. Bank of Michigan for moneys advanced.

Act of Aug. 23, 1842, ch. 187.

SEC. 2. *And be it further enacted*, That the sum of five thousand dollars, appropriated under the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending the thirtieth June, one thousand eight hundred and forty-five," and approved seventeenth June, one thousand eight hundred and forty-four, for payment to the Senecas of a permanent annuity, stipulated in the fourth article of the treaty of twenty-ninth September, one thousand eight hundred and seventeen, four thousand five hundred dollars be carried to the surplus fund, being that amount appropriated more than was necessary to the fulfilment of the said treaty stipulation. Annuity to the Senecas.

Act of June 17, 1844, ch. 108.

SEC. 3. *And be it further enacted*, That the Secretary of War be directed to settle and pay the expenses incurred in the partition of the lands of the Stockbridge Indians under the act of the third of March, eighteen hundred and forty-three, upon the same principle that the expenses of the partition of the lands of the Brotherton Indians were made under the act of the third of March, eighteen hundred and thirty-nine, to be paid out of any money in the Treasury not otherwise appropriated. Expenses of the partition of the Stockbridge lands.

Act of March 3, 1843, ch. 80.  
1839, ch. 83

## STATUTE II.

March 3, 1845.

CHAP. LXXIII. — *An Act making appropriations for certain improvements in the Territory of Iowa.*

Appropriations.

Improvement of roads from—  
Mississippi bluffs to Iowa city.Mississippi bluffs to Fox agency.  
Proviso.

Dubuque to Missouri.

Harbor at Dubuque.

*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 they are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, for the improvement and construction of the following roads in the Territory of Iowa, to wit:

From the Mississippi bluffs, opposite to the town of Bloomington, to Iowa city, five thousand dollars;

From the Mississippi bluffs, opposite the town of Burlington, to the old Sac and Fox agency, (Agency road, so called,) five thousand dollars: *Provided,* That such changes in the location of said road, and in the positions of the bridges thereon, may be adopted as shall be approved by the War Department;

From Dubuque, to the northern boundary of Missouri (the Military road, so called,) eight thousand dollars;

For the improvement of the harbor at the town of Dubuque, in addition to the appropriation of last year, seven thousand dollars.

APPROVED, March 3, 1845.

## STATUTE II.

March 3, 1845.

CHAP. LXXIV.—*An Act to establish certain post routes.*

Post roads established.

Maine.

*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:

*Maine.*—From Letter B to Wilson's Mills, in township Number Five, in the second range, county of Oxford. From Winthrop to North Wayne, in the county of Kennebec. From Springfield, in the county of Penobscot, through townships Numbers Six and Seven, to Topsfield, in the county of Washington. From Vassalboro', Connecticut, through North Vassalboro', Winslow, Sabasticook, Clinton, Burnham, Pittsfield, Detroit, Plymouth and Elma, to Carmel. From Thomaston to South Thomaston, in the county of Lincoln. From Oldtown through Argyle and Edinburg, to Howland. From Augusta to Thomaston, to East Thomaston, about four miles. From Morison, through Wilson to Greenville, at the foot of Moose Head Lake. From Freyburg corner in the county of Oxford, by Bridgton Centre, in the county of Cumberland, North Bridgton, Harrison to Norway village in said county of Oxford.

New Hampshire.

*New Hampshire.*—From Antrim South Village, via Bennington village, to the middle of Francestown, in the county of Hillsborough. From Gilford, in Belknap county, by Lake Village, Meredith Village, Holderness to Plymouth, in Grafton county. From Hillsborough Bridge, through the centre of Deering to Francistown. From Hillsborough bridge to Frenertown, through the centre of Deering, in the county of Hillsborough, and that the present route from Deering through Wier, to Concord, be discontinued.

Vermont

*Vermont.*—From Brunswick, in Essex county, on Connecticut river, via townships of Brunswick, Wenlock, Ferdinand, Brighton, Charles-ton, and Brownington, to Irasburg.

Massachusetts.

*Massachusetts.*—From Ashburnham to New Ipswich, New Hampshire.

New York.

*New York.*—From Baldwinsville, via Plainville, Cato Four Corners, Cato, Victory, and Westbury, to Wolcott. From Holland Patent, via Floyd, to Oriskany. From Almond, via Ebenezer Allen's house and Cartwright and Waldroff's store, to Phillipsville. From Wilna, via Natural Bridge, to Diana. From Stockholm, via Brasher's Falls and Helena, to Hogsamburg. From Richfield Springs, via Page's Corners, Jordanville, and

Dennison's Corners, to Mohawk. From Brooklyn to Gravesend. From Truxton to Tully. From Ithaca, by Rumsey's Settlement, Cayutaville, and Catharine Centre, to Havana. From Elmira, via Post's Corners, South Chemung, and Athens Valley, to Athens, Pennsylvania. From Mount Morris, via Keyserville, and Woodville, to Dansville. From Prattsville, via Lexington, Westkill, and Melville, to Shandaken. From Stokes to Lee Centre. From Westville to Milford. From Bath via Thruston, West Addison through Allen's Settlement in Cameron, to Woodhull. From Bath via Campbell Creek, Towlesville, East Canisteo, Canisteo to Greenwood. From Oneonto, via Butternuts, to Newberlin. From Greenwood, via Canisteo, East Canisteo, Towlesville, Campbell creek to Bath. From Pen Yan, via Branchport, Italy Hill, Italy Hollow, Naples, Bloods Corners, to Danville. From the village of Serry, via East Castile, to Munda valley.

*New Jersey.*—From Deckertown, in Sussex county, through the Clove and Mount Salem, to Minisink. From Flemington to Baptistown. New Jersey.

*Pennsylvania.*—From Belfonte to Boalsburg, via Centre Furnace. Pennsylvania.  
 From Indiana to Blairsville. From Sunbury, Northumberland county, by Snyderstown and Rushville, to Danville, in Columbia county. From Newcastle, in Mercer county, to Butler, in Butler county, by Princeton and Portersville. From Athens to Rome. From Wattsontown to Muncy Dam. From Stroudsburg, in Monroe county, by Snydersville and Fennersville, Kunkletown and Kreogeville, to Lehigh Gap, in Carbon county. From Sennamahoning post office to Rathans'. From Ruseburg to Sugar Grove. From Tunkhannock to Bowman's Creek. From Pittsburg, by Logan's Ferry, to Shearersburg. From Washington, via Cross Creek and Eldersville, to Steubenville, Ohio. From Attleborough, Bucks county, by way of Oxford and Fallsington, to Morrisville. From Wilmington, Delaware, by Centreville, Pennsylvania, Hamerton and Kennets Square to Unionville, Chester county. From Penningtonville in Chester county, to the Buck, in Lancaster county. From Willsgrove, in Lycoming county, by way of the Hogland branch of Plunkets creek, through Fox township, to Canton corner, in Bradford county. From Washington, Pennsylvania, through Cross Creek village and Eldersville, to Steubenville, Ohio.

*Maryland.*—From Snowhill to Nasaongo, in Worcester county. Maryland  
 From Barren Creek Springs, Maryland, via Sharp Town, to Laurel, Delaware. From Jarretsville, Hartford county, to Parkton, on the Susquehanna railroad.

*Virginia.*—From Buchanan, in Lewis county, to Beverly, in Randolph county. Virginia.  
 From Charleston, in Kanawha, via upper falls of Coal river, and the falls of Guyandotte, to Wayne court-house. From Chatham Hill to Bradford, in Smyth county. From Arnoldsville, in Kanawha county, to Ripley, in Jackson county. From Little Plymouth, in King and Queen county, to Urbanna, in Middlesex county. From Germantown, via Wearsville, to Summerville, Fauquier county. From Looney's Creek, via north fork of the south branch of the Potomac river, to Crab Bottom, in Pendleton county. From New Martinsville, via Sistersville, to Parkersburg. From Prince Edward court-house to Gilead, in Prince Edward's county. From Chatham Hill, in Smyth county, to Buck's Garden, in Tazewell county. From Broadford, in Smyth county, to Tazewell court-house. From Newburn, in Pulaski county, via back road, to Wytheville. From Abingdon, Virginia, via McConnell's, to Elizabethton, in Tennessee. From Tazewell court-house, via Clear fork of Sandy river to its mouth; thence down said river to the house of Philip Lambert; thence to Eli Lusk's, on Little Huff's creek; and down said creek to Guyandotte river, crossing at the Beaver Bown, to the mouth of Gilbert's creek; thence to Thompson's fork, Island creek; thence down said creek to Logan court-house. From Osborn's ford, in Scott county, or from Beckley's mills, in Russell county,

as the Postmaster General may deem most expedient, via Guest's station, glades and pound, in Russell county, to Letcher court-house, in the State of Kentucky. From Hillsville, in Carroll county, to Floyd court-house. From Chatham Hill, in Smyth county, to Sharon, in Wythe county.

North Carolina.

*North Carolina.*—From Rutherfordton, via Poorsford, Edwin Thorns', Buck creek, and R. H. Hicks's, to Shelby court-house. From Catawba View to Deal's Mill. From Rutherfordton, via White Oak, Green river, Edneyville, and Hendersonville, to Mill's river. From Jamestown, via Deep river, Browntown, Midway, Hussey's Store, and Philips' Ferry, to Mocksville. From Ashboro' to Laurenceville. From Merry Hill to Edenton. From Kinston, Lenoir county, via R. D. Nunn's, Lewis Jones', and Stephen M. Graddy's, to Hallsville, Duplin county. From Hallsville, in Duplin county, to Richland, in Onslow county. From Hunts cross roads to Nashville, in North Carolina. From Chilhovea, Blount county, Tennessee, to Cheoce, Cherokeee county, North Carolina.

South Carolina.

*South Carolina.*—From Newbury court-house, Shop Spring, John Williams, Wells' Store, Island Ford, and Saluda Homestead, thence to Woodville, in Abbeville district. From Laurens court-house, via Anderson court-house, to Athens, Georgia. From Augusta, Georgia, to Greenville, South Carolina, so that it shall run from Abbeville court-house, by Due West Corner, and Craytonsville, to Anderson court-house. From Union court-house, by Meansville, Smiths Store, and Rogers bridge, on Tygers river, to Woodruffs, in Spartanburg district. From Cannons Store, in Spartansburg district, by Furgers Mill, to Buck creek. From Sumterville, in Sumter district, to Gadsden, in Richland district.

Georgia.

*Georgia.*—From Hawkinsville, by Milwood, Vienna, Cedar creek, and Holydaysville, to Albany, Georgia. From Monticello, by Indian Springs, to Jackson, Butts county. From Marthasville, De Kalb county, by Newnan, Corinth, and Lagrange, to West Point, Troun county. From Marthasville, De Kalb county, by way of Villarica, Carrollton, Carroll county, to Jacksonville, Benton county, Alabama. From Talbotton to Pineville. From Marietta, through Roswell to Cumming. From Villarica, Carroll county, through Van Wert, Paulding county, via Carpenter's Store, to Cassville, Cass county. From Savannah to Charleston, by sea. From Greenville, in Meriwether county, to Newnan, in Coweta county. From Sumpterville, in Sumpter district, to Gadsden, in Richland district.

Kentucky.

*Kentucky.*—From Mills Point to Little Prairie, Missouri. From Somerset in Pulaski county, Kentucky, to London, in Laurel county, via John Babbitt's. From Lancaster, via Crab Orchard and Elkinsville, to Somerset, in Pulaski county. From Somerset, in Pulaski county, via Harrison, to Jamestown, Russell county. From Somerset, Pulaski county, via Gilmer's store and Mount Vernon, to Richmond. From the Poplar Plains, in Fleming county, via the dwelling-house of William Philips in the same county, and the dwelling-house of Joshua Knap, in Carter county, to Grayson, the seat of justice in Carter county. From Mount Sterling, in Montgomery county, via the store of Thomas T. Dobbins, and North Middleton, to Paris, the seat of justice of Bourbon county. From Morefield, in Nicholas county, via the dwelling-house of Thomas Hawkins on Licking river, in Bath county, and the dwelling-house of Thomas A. Matthews, to Sharpsburg, in Bath county. From West Liberty, in Morgan county, via the dwelling-house of Daniel Horton, to the dwelling-house of William Brown on Paint Creek, intersecting the mail route from West Liberty, in Morgan county, to Louisa, in Lawrence county. From Princeton in Caldwell county, via the house of John W. Jenkins, to Providence, in Hopkins county. From Murray, via New Concord, to Pine Bluff, on the Tennessee river, in Calloway county. From Newport, by the way of the mouths of Four mile and Twelve mile creeks, to Carthage, in Campbell county. From Warsaw, in Gallatin county,

by way of Napoleon or Buck Park in said county, and Downingsville and Williamstown in Grant county, to Falmouth in Pendleton county.

*Tennessee.*—From Wilcocks to Milledgeville. From Rodgersville, via Thomas I. Lee's, to Russelville. From Charleston, via Georgetown and Harrison, (late Vanville,) to Cattanooga. From Charleston to Benton. From Cleveland, via Red Clay, Georgia, Dogwood and Medicinal Springs, to Rome, Georgia. From Cleveland, via Carother's Cross Roads, Harrison, Poe's Turnpike, Walling's Ridge, Rankin's on Brush Creek, crossing the main Cumberland mountain at Hill's Turnpike, to McMinnville, Warren county. From Murfreesborough, via Lebanon, to Gallatin. From Lynchburg, Tennessee, via William A. Tucker's, Arnold's Store, Shelton's Creek, and Jacob Hamilton's, to New Market, Madison county, Alabama. From Lynchburg, Tennessee, via Jacob Awalt's, to Winchester Springs. From Fayetteville, via Stone Bracker, and McCarty's Mills, and Arnold's Store, to Salem, in Franklin county. From Lafayette, via Witcher's Cross Roads, Highland, and Flinn's Lick, to Kinchlow's, in Putnam county. From Jackson, via Brownsville, Wesley Haywood, to Memphis. From Battle Creek, via Rice's Ferry, to Lebanon, Alabama. From Waterloo, Alabama, by State line ferry, Lester's Sulphur Springs, to Jacinto, in Mississippi. From Mount Pleasant, via Waynsboro, Roaches Bluff, on Tennessee river, Bolivar and Somerville to Memphis. From Savannah in Tennessee, by Hamburg to Jacinto in Mississippi. From Somerville, Fayette county, to T. W. Herveys, thence ten miles to Whiteville, Hardman county, thence to Meden, Madison county, thence to Jackson.

Tennessee.

*Ohio.*—From Ripley, on the Ohio river, via Russelville, Fincastle, New Market, Hillsborough, Petersborough, Greenfield, and Frankford, to Circleville. From Uniontown, Muskingum county, via Buckeye Cottage, Rehoboth, New Lexington, and Straitsville, to Logan, in Hocking county. From Finley, in Hancock county, via Cannonsburg, William Morrison's in Orange township, and Armorsville, to Round Head in Hardin county. From Sunbury, in Delaware county, by way of Fredericktown and Newville, to Ashland in Richland county. From Bucyrus, in Crawford county, via Upper Sandusky, Crawfordsville, and Cary, to Finley, in Hancock county. To continue mail route, number two thousand and fifty-five: from Youngstown, in Trumbull county, to Kelloggsville, in Ashtabula county, and thence by Sheffield and Plymouth, to Ashtabula. From Portsmouth, on the Ohio river, by Locust Grove, Belfast, and Marshall, to Hillsborough. From Cleveland, via the township of Brooklyn, Rockport, Middleburg, Olmstead, Ridgeville, Eaton, Laporte, and Carlisle, to Oberlin. From Strongsville, via Berea to Olmsted. For extension of route from Meadville and Kinsman, Ohio, via the towns of Gustavus, Johnson, Mecca and Bezetta. From Marietta, via the valley of the Little Muskingum, Conner's Mill, Chambers' Mill, Flint's Mill, and Gaysville, to Woodsfield. From Toledo, via Lyman Parker's Farm, Chatfield's Mill, Bridgewater, Angola, Jackson, Prairie Lima, and White Pigeon, to St. Joseph, in Michigan. From Cincinnati, by Mears' Farm, Withamville, Amelia, Bantam, [and] Bethel to Felicity. From Goshen, Clermont county, Ohio, through Sloansville and Woodsville to West Borough, Clinton county, Ohio.

Ohio.

*Indiana.*—From Indianapolis, via Broad Ripple, Bethlehem, Westfield, Farmington, Shieldville, Canton, and Kokamo, to Peru. From Columbus, in Bartholomew county, via Rock Creek, to West Point, in Decatur county. From Franklin, via Hensley and Bean Blossom, to Nashville. From Decatur, in Adams county, via Port Mahon, to Liberty Mills, in Wabash county. From Rochester, in Fulton county, via Troy, Gilead, Niconza, and Joseph Beckner's, to Wabash town, in Wabash county. From Lafayette, via Parish's Grove, Milford, Illinois, Spring Creek, and Oliver's Grove, to Peoria, Illinois. From Lafayette, via Rensselaer, John

Indiana.



Jones's, in Porter county, and Valparaiso, to City West. From Washington, in Davis county, via Edwardsport and Robin's prairie, in Knox county, to Carlisle, in Sullivan county. From Sinking Spring, via Bryantsville and Dougherty Shoals, to Mount Pleasant, in Martin county. From Mooresville, via Wadsville, Millgrove, Upper Falls, Eel river, and Samuel Kaufman's to Poland post office, in Clay county. From Mount Pleasant, in Martin county, via Harrisonville, to Bedford, in Lawrence county. From Madison, via Paris and Springford, to Brownstown, in Jackson county. From Slatford to Rockford, in Jackson county. From Brookville, via Jennings, Oldenburg, Enochsburg, Georgus, and Allen's Mills, to Greensburg. From Jamestown, in Boone county, via Darlington and Yorktown, to Dayton, in Tippecanoe county. From Fort Wayne to Van Wert, in Van Wert county, Ohio. From Delphi, in Carroll county, through the great Miami reserve, to Marion, in Grant county. From Clinton, Vermillion county, via Indiana Furnace, in said county, to Paris, Illinois. From Noble court-house, via Springfield, Northport, Wright's Corners, and Ontario, to Lima, La-grange county. From Princeton, in Gibson county, via the road commonly called the "Buckskin road," to Boonville, in Warrick county. From Bluffton, Wills county, to Fort Wayne, in Allen county. From South Bend, in St. Joseph county, to Carmel, via Hammonds and North Liberty. From Sages ferry, to Rockford, in Jackson county. From Indianapolis, Hampton, Danville, New Winchester, Bainbridge, Portland Mills, Rockville, Homansburgh, Montezuma, to the State line between Indiana and Illinois, in the direction of Springfield, Illinois.

Illinois.

*Illinois.*—From Monmouth, in the county of Warren, in the State of Illinois, via Berwick, Greenbush, Woodville, Ellisville, and Centreville, to Lewiston, in the county of Fulton, in the State of Illinois. From Peoria, in the county of Peoria, via Mount Hawley, Wyoming, Toulon, Wethersfield, Cambridge, Geneseo, Sharon, and Crandall's Ferry, to Fulton city, in the county of Whiteside. From Indianapolis, Hampton, Danville, New Winchester, Bainbridge, Portland Mills, Rockville, Armiesburg, Montezuma, to the State line between Indiana and Illinois, in the direction of Springfield, Illinois. From Peoria, in the county of Peoria, via Mount Hawley, Wyoming, Toulon, Wethersfield, Geneseo, Sharon, and Crandall's Ferry, to Albany, in the county of Whiteside. From Peoria, in the county of Peoria, via Mount Hawley, Wyoming, Toulon, Wethersfield, Geneseo, Sharon, Crandall's Ferry, Parker's Grove, Otter creek, and Johnson's creek, to Savannah, in the county of Carroll. From Macomb, in the county of McDonough, via Bladensville, La Harpe, Camp creek, Pontotoc, and Appanoe, to Nauvoo, in the county of Hancock. From Freeport, in the county of Stephenson, via Panama and High Point, to Savannah, in the county of Carroll. From Savannah, in the county of Carroll, via Mount Carroll and High Point, to Freeport, in the county of Stephenson. From Pekatoneca, in the county of Winnebago, to Rock Grove, in the county of Stephenson. From Monmouth, in the county of Warren, via Cedar Creek, McBride's Mill, and Millersburg, to Illinois city, in the county of Rock Island. From the city of Galena, in the county of Joe Daviess, via Bellview, to Andrew, in the county of Jackson, in the Territory of Iowa. From Petersburg, in Menard county, to Beardstown, in Cass county. From Springfield, via Petersburg, Bath, and Macomb to Burlington, in the Territory of Iowa. From Jacksonville, in Morgan county, via Petersburg and Middletown, to Postville, in Logan county. From Beardstown, in Cass county, via Arenzville, Exeter, Winchester, Glasgow, and Wilmington, to Carrollton, in Green county. From Bellville, in St. Clair county, via Fayetteville, Sparta and Georgetown, to Murphysboro', in Jackson county. From Murphysboro', in Jackson county, via Vergennes Prairie and Pinckneysville, to Nashville, in Washington county. From Bell-

ville, in St. Clair county, via Athens and Pinckneysville, and then to intersect the mail route from Shawneetown to Bellville at or near the Iowa, or Little Muddy post office. From Equality, via Elizabethtown, to Salem in the State of Kentucky. From Golconda to Metropolis city. From Shawneetown, via Cypressville, Equality, Benton, and Nashville, to Bellville and St. Louis. From Benton, in Franklin county, to Mount Vernon, via Baine's Mills and Compton's post office and Spring Garden. From Palestine, in Crawford county, via Robinson, the Morris Settlement, and Bellair, to Greenup in Cumberland county. From Charleston, in Coles county, via Moddrell's Point, Independence, Daniel's Mills, and New Albany, to Urbanna, in Champaign county. From Springfield, via Decatur, Monticello, and Danville, to Lafayette, in the State of Indiana. From Perry, in Pike county, via Coughenan's Mill, to Mount Sterling, in Brown county. From Fayette, in Green county, to Springfield, in Sangamon county. From Carlinville, via Scottville, to Jacksonville, in Morgan county. From Mount Vernon, via Frankfort, Marion, Vienna, and Metropolis city, to Paducah, in the State of Kentucky. From Equality, via Sarahsville, to Marion. From Chicago, via Monroe, Elk Grove, Wickliffe, Miller's Grove, Cornishville, Crystalville, McHenry, Centre, Hartland, Dunham's Corner, Cold Spring, Amazon, Hunter, and Round Prairie to Roscoe, in Winnebago county, Illinois. From Belvidere, Boon county, via Amazon, and Burton's Corner, to Darien, in the Territory of Wisconsin. From Libertyville, Lake county, via Salem to Burlington, in the Territory of Wisconsin. From Lafayette, in the State of Indiana, via Parish's Grove, Milford in the State of Illinois, Spring Creek, and Oliver's Grove, to Peoria. From Ottawa, via Munsontown and Sutphen's Point, to Pawpaw Grove. From Blue Island, in Cook county, via Bachelor's Grove, and Hadley, to Juliet, in Will county. From Belvidere, in Boone county, to Roscoe, in Winnebago county. From Chicago, via Babcock's Grove, St. Charles, Sycamore, Coltonville, and Grand De Tour, to Albany, in Whiteside county. From Ottawa, in La Salle county, via Middlepoint, Newark, Yorkville, and Oswego, to Naperville, in Du Page county. From Chicago, via Blue Island, Thornton, Crete, Kankakee upon Crossing, Concord, Parish's Grove, in the State of Indiana, and Mechicor Bridge, to Lafayette, in the State of Indiana. From St. Charles, Kane county, via Berkshire, Genoa, and Hicks' Mills, to Cleveland, Boon county. From Georgetown, Vermillion county, to Chillicothe, Vermillion county. From Littlefort, Lake county, via McHenry, Hartland, Nepersink, and Stevenson, (on the Piskesaw creek,) to Belvidere. From Bloomington, McLean county, via Lexington Indian Grove, Avoca, Pontiac, Sunbury, and Eagle, to Ottawa. From Springfield in Illinois by Lick creek, Waverly, Cummington, Chesterfield, and Brighton, to Alton, Illinois. From Oquawka, in the county of Henderson, via Warren McQueens Mill or Shokokon, East Bend, Appanooce, and Nauvoo, to Warsaw in the county of Hancock. From Centreville, the seat of justice of McHenry county, via Solomon Beldin's on the north side of the Kishwaukee to Marengo. From Carlyle in Clinton county, via Hanover, to Mascontah, in St. Clair county. From Carlyle, via Pleasant Ridge, Covington, and Sassafras Hill, to Nashville in Washington county. From Olney in Richland county, to Louisville, in Clay county, and thence by Nicholsville or Jerolds, to Vandalia in Fayette county.

*Louisiana.*—From Thibodeauville to Field's Mill. From Houma, in the parish of Terre Bonne, through Bayou Black and Bayou Bœuf, to Paterersonville. From Fort Jesup to G. B. Beers's on the Sabine river. From Minden Bayou to Union court-house in the State of Arkansas. From Minden to Conway, in the State of Arkansas. From Monroe to Union court-house in the State of Arkansas. From Shreveport, via Willow Chute, to the seat of justice of the parish of Bossier, thence to Con-

way in the State of Arkansas. From New Orleans to the Balize. From Farmersville in Union Parish to Eldorado in Union county, Arkansas, once a week on horse-back. From Morganza in the Parish of Point Coupee to Opelousas. From Natchitoches to Mount Lebanon, via St. Maurice Cedar Creek, Saline Mills, Mr. Prothers, Mobley's Mills, and Robinson's Mills, weekly. From Natchitoches to Monroe, Wachita, via Saline Mills, weekly.

## Alabama.

*Alabama.*—From Jacksonville, by the way of Rabbittown, Carmichael's Pounds, Kemp's Creek, Defries's, and Boiling Spring, and back to Jacksonville. From Tuscaloosa, in Tuscaloosa county, through Jasper, to Somerville, Alabama. From Elkton, Tennessee, through Athens, to Decatur, Alabama. From Summerville, Georgia, to Chattoogaville, to be extended to Gaylesville, Alabama, and Jefferson. From Tuscaloosa to Columbus, Mississippi, on the upper Columbus road. From McDonald, county seat of Randolph county, Alabama, to Franklin, county seat of Heard county, Georgia. From Tuskegee, Macon county, to Troy, Pike county. From Mount Pleasant, Monroe county, to Suggsville, Clarke county. From Barboursville, in Wilcox county, by way of Bear Creek, Shiloh, and Dixon's Mills, to Nanafalia. From Centreport, Dallas county, to Greenville, Butler county. From Nanafalia, Marengo county, Alabama, through Tompkinsville, to Marion, in the county of Lauderdale, Mississippi. From Bolivar, Alabama, to Winchester, Tennessee. From Greensboro', by Withers' Landing and Buzzard's Roost, to Livingston, in Sumter county. From Tuskegee, in the county of Macon, via the Warrins Stand, Steam Mills, and Enon, in the said county, to Eufaula in the county of Barbour. From Eufaula, in the county of Barbour, via Abbeville, Colombia and Woodville in the county of Henry, Daleville, in the county of Dale, to Geneva in the county of Coffee. From Woodville in the county of Henry, to Bainbridge in the county of Decatur, Georgia, via Mariana in Florida. From Wetumpka, in the county of Coosa, to Talladega Springs, in Talladega county, by the old Jackson trace. From Clinton via Warsaw, Cooksville, Macon, and Mashulaville, to Louisville, Mississippi. From Alexandria, Benton county, by Cane creek, Iron Works, Ten Islands, to Ashville, St. Clair county. From Elyton, in Jefferson, by Ashville, St. Clair county, to Rome, Georgia. From Tuscaloosa, via Fayetteville, Hughs' Mill, to Russelville.

## Arkansas.

*Arkansas.*—A post route from Batesville, via Heath's Ferry, Little Rocky Bayou, Richwood's post office, Sylamon creek, and Wylie's Cove to Lebanon, in Searcy county. A post route from Camden, in the State of Arkansas, to Minden, in the State of Louisiana, via Tait's bridge, on the Surackover creek. A post route from Pocahontas, in Randolph county, to Eleven Point post office, Ripley county, in the State of Missouri. A post route from Carrollton to Curiton, in Barry county, Missouri, via the mouth of Butler's creek, on White river, through the settlement in Prairie township, in Carroll county. A post route from Little Rock, by the residence of Presley Watts on the Washita ridge, to the town of Camden, on the Washita river, in the State of Arkansas. A post route beginning at Little Rock, thence to Manville, twenty-five miles; thence to Perryville, sixteen miles; thence to Petit Jean, twenty-five miles; thence to Danville, sixteen miles; thence to Sugar creek, twenty-six miles; thence to Walter Canthron's, ten miles; thence to a place called Dallas, in the State of Arkansas. A post route from Perryville, via William Houston's, Green Smith's, James Briggs', William J. Park's, to Park's post office, in the State of Arkansas. A post route from Columbia, Chicot county, via Clarke's plantation on the Bartholomew Fountain prairie, Longview, Burk's Landing, to Eldorado, the seat of justice of Union county. A post route from Eldorado, Union county, Arkansas, to Farmersville, in Union parish, in Louisiana. A post route

from Izard court-house, in Arkansas, to Springfield, in Missouri, via John T. Talbot's, Thomas Stone's, on Little North Fork of White river. A post route from Benton, via Joel Brown's and M. K. Edward's, to Stacy Lockhart's, on Lost creek. A post route from Little Rock to Fort Smith, on the south side of Arkansas river. A post route from Little Rock, via the residence of James Lewson, jr., and North Fork settlement, the nearest route to Hot Springs.

*Mississippi.*—From Providence, Louisiana, via Princeton, Mississippi, Bolivar court-house, Victoria, and Coahomo, to Commerce, in Mississippi. From Oxford, Lafayette county, Mississippi, to Houston, Chickasaw county, in said State. From Ripley, in Tippah county, Mississippi, via Carrollville, to Fulton, in Itawamba county. From Kosciusko, in Attala county, via Conn's Ferry, to Franklin, in Holmes county. From Shieldsborough, Hancock county, via Pass Christian, Mississippi City, to Biloxi, Harrison county. From Augusta, Greene county, to Pass Christian, Hancock county. From Memphis, Tennessee, via McMahan, Chulohoma, College Hill, to Oxford, Lafayette county. From Gray's Port, Yalabusha county, to Houston, Chickasaw county. From Colbert, Lowndes county, by way of West Point to Savannah, Chickasaw county.

Mississippi.

*Missouri.*—From Fredericktown, in Madison county, via Lesterville and Shannon court-house, to Ellsworth, in Wright county. From Port William, in Franklin county, to Shelby Crawford's, in Little Prairie, Crawford county. From New Madrid, in the county of New Madrid, to Osceola, Mississippi county, Arkansas. From Warsaw, in Benton county, to Osceola, in St. Clair county. From Howard's, in Morgan county, via Georgetown, Fairview, and Mulky's Old Mills, to Warrensburg, in Johnson county. From Lexington, in Lafayette county, via Warrensburg, in Johnson county, to Clinton, in Henry county. From High Creek post office, in Holt county, to Daniel Huntsacker's on the Nishenabotna. From Bolivar, in Polk, by Greenfield, in Dade county, thence by Oakland College and Sarcxie, to Neosho, in Newton county, once a week, on horse-back. From Warsaw, in Benton, to Buffalo, in Niangua county. From West Port, Jackson county, to Van Buren, in Arkansas, once a week, on horse-back. From Jefferson city, via Stones Port, to Columbia in Boon county, once a week, on horse-back. From Benton, in Scott county, to Mills Point, Kentucky, via Miller's Steam Mill, once a week, on horse-back. From Tuscombia, in Miller, to Springfield, in Green county. From Savannah by back and Moore's Mills, to the Three Forks of Nodaway river to Andrew Brown's Mill. From Independence by West Port and Fort Leavenworth to Weston. From Warsaw, Benton county, by way of Buffalo, Dallas county, to Springfield. From Mount Ridge, in Clinton county, via Grindstone Fork, to Sandsville on Green river. From the city of Warsaw, in Benton county, via Buffalo in the county of Niagara, to Waynesville in the county of Pulaski. From Savannah, via Round Prairie and Brown's Mills to the Three Forks of the Nodaway river.

Missouri.

*Arkansas.*—From Jackson, Lawrence county, via and up Spring river, to the court-house, in Fulton county. From Arkadelphia, in Clark county, via Janes's Ferry, on the Little Missouri river, Clark's Mills and Spring Hill, to Fulton, in Hempstead county. From Fulton, on Red river, via Pine Prairie and Laynesport, to Fort Towson, on said river. From Paraclifta, in Sevier county, via Casetete Bayou, to Boonville, in Scott county. From Joseph Tomlinsons, on the route from Washington, in Hempstead county, via Black Jack and Vache Grass, to Fort Smith. From Clarksville, in Johnson county, via Piney P. O. and Jasper court-house, to Carrollton, in Carroll county. From Carrollton to Flat creek post office, in Barry county, Missouri. From Champagnole, on the Washita river, via Eldorado, to Murrells, on the military road from Washington, Hempstead county, to Natchitoches, Louisiana.

Arkansas.

Michigan.

*Michigan.*—From Maumee city, Ohio, to Monclovia, via to Swanton, Fulton, Actria, Chesterfield, Morenci, Canandaigua, Clayton, Hudson, Osceola, and Hillsdale, to Jonesville. From Oakville, Michigan, north-east six miles on the surveyed road leading through the centre of the township of Sumpter, in the county of Wayne, until it intersects the territorial road leading from Pontiac to Monroe, one mile south of the centre of the township of Sumpter, thence northerly on said territorial road to Wayne depot, on the Central rail-road. From the Grand Rapids, in the county of Kent, via Allegan, Allegan county, to Pawpaw, Van Buren county. From Ionia, in Ionia county, via Dexter's and Butterfield's, to Grand Rapids, in the county of Kent. From Corunna, in the county of Shiawassee, to Northampton, in the county of Saganaw. From Pontiac, in Oakland county, to Orion, in said county. From Pontiac, via New Canandaigua, to Lapeer. From Port Huron, via Burchville, to Lexington. From Mount Clemens, via Vienna, Myers' school-house at Ray Centre, to Romeo. From Grand Rapids, in the county of Kent, via Tallmadge and Nortonville to Grand Haven, in the county of Ottawa. From Grand Rapids, in the county of Kent, to the Muskegon Mills, on the Muskegon river, in Newaygo county. From Grand Rapids, in the county of Kent, via Plainfield and Courtland, to Lincoln's Mills, in the county of Montcalm. From Lincoln's Mills, in the county of Montcalm, to Ionia, in Ionia county. From Ionia, in Ionia county, to Marshall, in Calhoun county. From Ionia, Ionia county, to Yankee Springs, in Barry county. From Lyons, in Ionia county, to North Plains, in the same county. From Grand Haven, in Ottawa county, to the mouth of Muskegon river, in the same county. From the mouth of the Muskegon river, in Ottawa county, to the Muskegon Mills, in Newaygo county. From Mount Clemens, in Macomb county, through the towns of Macomb and Ray, to Romeo, in said county. From the Sault de St. Marie to Fort Wilkins, on Lake Superior.

Florida.

*Florida.*—From Newnansville to McKinney's, in Columbia county. From Marianna to St. Andrews bay.

Wisconsin.

*Wisconsin.*—From Milwaukee, via Wawatoosa, Brookfield, Lisbon, Warren, Pipeville, and Watertown, to Washita. From Milwaukee, via Watertown, to Fort Winnebago. From Prairieville, Milwaukee county, via North Prairie, in said county, and Palmyra, Jefferson county, to White Water, Walworth county. From Milwaukee, via Lisbon and Warren, to Summit, Milwaukee county. From Milwaukee, via Jefferson, to Madison. From Prairieville, via Bark river, to Fort Atkinson. From Lancaster, in Grant county, to Wingville, in the same county. From Madison to Fort Atkinson, Jefferson county. From Prairieville, via Genesee, North Prairie, Eagle Prairie, White Water, Fort Atkinson, and Snell's Lake, to Madison. From Mukwonego, via Eagle Prairie, White Water, and Fort Atkinson, to Madison. From Milwaukee, via Mukwonego, White Water, Outlet of Lake Kuskonong, and McFaden's, to Mineral Point. From Mukwonego, via English Prairie, White Water, and Fort Atkinson, to Madison. From Milwaukee, via Jefferson, to Madison. From Milwaukee, via Hustis Rapids, in Dodge county, and Columbus, in Portage county, to Fort Winnebago. From Mukwonego, via Eagle Prairie, White Water, Fort Atkinson, and Cottage Grove, to Madison. From Madison, via Sun Prairie, Columbus, and Beaver Dam, to Wampum. From Fort Winnebago, via Green Lake, to Fond du Lac. From Milwaukee, via Hustis rapids, on Rock river, to Fort Winnebago. From Milwaukee, via St. Mary's, Muskego, Great Bend, Rochester, in Racine county, Troy, in Walworth county, Elk Horn and Delevan, to Beloit, in Rock county. From Ottawa, Illinois, via Fox river and Elgin, to Racine, in Wisconsin Territory. From Chicago, Illinois, via Wheeling, McHenry, and Solon, in said State, to Geneva, Walworth county, Wisconsin Territory. From Milwaukee, via Wanman-

toosa, Brookfield, Lisbon, and Warren, to Summit. From Madison, via Sun Prairie, Columbus, and Beaver, to Wapun, Fond du Lac county. From Aztalon, via Waterloo, and Columbus, to Fort Winnebago. From Racine to Prairieville, in Milwaukie county, passing through Caledonia and Muskigo. From Racine to Wheatland, and Geneva, Walworth county, through Pikes Grove, and Kellogs corners. From Racine to Betort, in Rock county, passing through Burlington, Lyonsville, Delevan and Darien. From Gratiot's Grove, Iowa county, to Madison, the seat of Government. From Janesville, Rock county, Wisconsin, to Belvidere, Boon county, Illinois, via Waterloo, Northwest corner of section five, township forty-six north. From Green Bay to Fort Wilkins, on Lake Superior, in the State of Michigan.

*Iowa.*—From Washington court-house, via Keekuk court-house, to Mahaska court-house. From Brighton, via Richland, to Mahaska court-house. From Keosauqua, via Davis' court-house, to the centre of Appenoose county. From Fairfield, via "Agency city," Ottamwa, and Eddyville, through the Six-mile prairie in Mahaska county, to the present United States Indian agency on the Des Moines river. From Fairfield to Mahaska court-house. From Bloomington, via Moscow, Tipton, and Franklin, to Marion, Linn county. From Bellview, via Spring Brook, and Coxe's Mill, to Springfield. From Nauvoo, Illinois, to Montrose, Iowa. From Burlington, via Captain Henry Settle's, John Salliday's, and Iowa river to Toolsborough. From Galena, Illinois, via Bellview, Iowa, to Andrew, Jackson county. From Galena, Illinois, via Bellview, to Makokety post office, Thorn's and Anderson's Mills, on the Wapsipinicon, and Tipton, to Iowa city. From Dubuque, via Garry Owen, (Irish settlement,) Lodge's Ford, on the Makokety river, and Thorn's Mills, on the Wapsipinicon, to Bloomington. From Dubuque, on the Territorial road, via the "Colony," or Moreland's Settlement, and Eads's Grove, to Fort Atkinson, on Turkey river. From Dubuque, (in two horse coaches,) via Cascade and Marion, to Iowa city. From Fairfield, via the "Colony" and Iowaville, to the county seat of Davis county. From Iowa city, to the county seat of Poweshick county. From Marion, to the county seat of Benton county. From Dubuque, via the county seat of Delaware county, to the county seat of Buchanan county. From Jacksonville, Clayton county, via the county seat of Fayette county, to Fort Atkinson. From Iowa city, to the county seat of Mahaska county. From Oscaloosa, county seat of Mahaska county, via Lake Prairie, to Red Rock. From Marion, in Linn county, through the settlements of McGonigle, Lockhart, Osborn and Davis, to Quasqueton, Buchanan county, Iowa. From Galena, Illinois, via Bellview, Spring Brook, and Brush Creek, to Andrew, in Iowa. From Eddyville, in Wappello county, to Clark's Point, in Kishkeekosh county. From Oscaloosa, via the "Six-mile Prairie," to the Mills, near where the Red Cedar Creek empties into the Des Moines.

Iowa.

SEC. 2. *And be it further enacted,* That the above routes shall go into operation on the first day of July, eighteen hundred and forty-five, or sooner, should the funds of the department justify the same: *Provided,* That as soon as a responsible contractor shall offer to transport the mails over any portion of the routes included in this bill, or in that approved on the thirty-first of August, eighteen hundred and forty-two, entitled "An act establishing certain post roads," for the revenue derived from the new offices to be established thereon, the Postmaster General shall have the power forthwith to put them into operation.

Routes to go into operation, when. Proviso.

1842, ch. 274.

APPROVED, March 3, 1845.

## STATUTE II.

March 3, 1845.

Act of June 3, 1845, ch. 48.

Grant of lands for seat of government, public schools, &amp;c.

Application of U. S. laws to Florida.

Florida to compose one district. District court. Judge. Jurisdiction.

Act of Sept. 24, 1789, ch. 20, sec. 10. Clerk.

Extra sessions of the court.

Annual sessions.

Compensation of the judge.

U. S. attorney to be appointed. Compensation.

U. S. marshal to be appointed.

Compensation.

Salary of district judges of Ohio, Indiana, Illinois and Missouri.

CHAP. LXXV.—*An Act supplemental to the act for the admission of Florida and Iowa into the Union, 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 consideration of the concessions made by the State of Florida in respect to the public lands, there be granted to the said State eight entire sections of land for the purpose of fixing their seat of Government; also, section number sixteen in every township, or other lands equivalent thereto, for the use of the inhabitants of such township, for the support of public schools; also, two entire townships of land, in addition to the two townships already reserved, for the use of two seminaries of learning—one to be located east, and the other west of the Suwannee river; also, five per centum of the net proceeds of the sale of lands within said State, which shall be hereafter sold by Congress, after deducting all expenses incident to the same; and which said net proceeds shall be applied by said State for the purposes of education.

SEC. 2. *And be it further enacted,* That all the laws of the United States which are not locally inapplicable, shall have the same force and effect within the said State of Florida, as elsewhere within the United States.

SEC. 3. *And be it further enacted,* That the said State shall compose one district, to be called the district of Florida. And a district court shall be held in said district, to consist of one judge who shall reside within the district to which he is appointed, and be called a district judge; and shall in all things have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky district under an act entitled An act to establish the judicial courts of the United States, the said judge shall appoint a clerk at the place at which a court is holden within the district, who shall reside and keep the records of the court at the place of holding the same; and shall receive, for the services he may perform, the same fees to which the clerk of the Kentucky district is entitled for similar services.

SEC. 4. *And be it further enacted,* That the judge of the district of Florida shall hold extra sessions at any time when the public interest may, in his opinion, require the same.

SEC. 5. *And be it further enacted,* That the judge of the district of Florida shall hold one session annually at the following places, to wit: at Tallahassee, on the first Monday of January; at St. Augustine, on the first Monday of April; and at Key West, on the first Monday in August.

SEC. 6. *And be it further enacted,* That there shall be allowed to the judge aforesaid, an annual compensation of two thousand dollars, to commence from the date of his appointment, to be paid quarter-yearly at the treasury of the United States.

SEC. 7. *And be it further enacted,* That there shall be appointed in said district a person learned in the law, to act as attorney for the United States; who shall in addition to his stated fees, be paid by the United States, two hundred dollars, as a full compensation for all extra services.

SEC. 8. *And be it further enacted,* That a marshal shall be appointed in said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees as are prescribed to marshals in other districts; and shall moreover, be entitled to the sum of two hundred dollars annually as a compensation for all extra services. And that the salary of the district judges of the district courts of the districts of Ohio, Indiana, Illinois and Missouri, shall hereafter be, one thousand five hundred dollars per annum.

APPROVED, March 3, 1845

CHAP. LXXVI. — *An Act supplemental to the act for the admission of the States of Iowa and Florida into the Union.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws of the United States, which are not locally inapplicable, shall have the same force and effect within the State of Iowa as elsewhere within the United States.*

SEC. 2. *And be it further enacted, That the said State shall be one district, and be called the district of Iowa; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called a district judge. He shall hold, at the seat of government of the said State, two sessions of the said district court annually, on the first Monday in January, and he shall, in all things, have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky district, under an act entitled "An act to establish the judicial courts of the United States." He shall appoint a clerk for the said district, who shall reside and keep the records of the said court at the place of holding the same; and shall receive, for the services performed by him, the same fees to which the clerk of the Kentucky district is by law entitled for similar services.*

SEC. 3. *And be it further enacted, That there shall be allowed to the judge of the said district court the annual compensation of fifteen hundred dollars, to commence from the date of his appointment, to be paid quarterly at the treasury of the United States.*

SEC. 4. *And be it further enacted, That there shall be appointed in the said district, a person learned in the law, to act as attorney for the United States; who shall, in addition to his stated fees, be paid annually by the United States two hundred dollars, as a full compensation for all extra services: the said payment to be made quarterly, at the treasury of the United States.*

SEC. 5. *And be it further enacted, That a marshal shall be appointed for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as are prescribed and allowed to marshals in other districts; and shall, moreover, be entitled to the sum of two hundred dollars annually, as a compensation for all extra services.*

SEC. 6. *And be it further enacted, That in lieu of the propositions submitted to the Congress of the United States, by an ordinance passed on the first day of November, eighteen hundred and forty-four, by the convention of delegates at Iowa city, assembled for the purpose of making a constitution for the State of Iowa, which are hereby rejected, the following propositions be, and the same are hereby, offered to the legislature of the State of Iowa, for their acceptance or rejection; which, if accepted, under the authority conferred on the said legislature, by the convention which framed the constitution of the said State, shall be obligatory upon the United States:*

First. *That section numbered sixteen in every township of the public lands, and, where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of schools.*

Second. *That the seventy-two sections of land set apart and reserved for the use and support of a university, by an act of Congress approved on the twentieth day of July, eighteen hundred and forty, entitled "An act granting two townships of land for the use of a university in the Territory of Iowa," are hereby granted and conveyed to the State, to be appropriated solely to the use and support of such university, in such manner as the legislature may prescribe.*

STATUTE II.  
March 3, 1845.

Act of March 3, 1845, ch. 48.  
Act of March 3, 1845, ch. 75.  
Application of U. S. laws to Iowa.

District court.

Sessions.

Jurisdiction.

Act of Sept. 24, 1789, ch. 20, sec. 10.  
Clerk.

Compensation of the judge.

U. S. attorney to be appointed.

Compensation.

U. S. marshal to be appointed.

Compensation.

Propositions to be submitted to the Legislature of Iowa.

Grant of lands for the use of schools.

Grant of lands for the use of a university.  
Act of July 20, 1840, ch. 90.



Grant of lands for completing the public buildings.

Third. That five entire sections of land, to be selected and located under the direction of the legislature, in legal divisions of not less than one quarter section, from any of the unappropriated lands belonging to the United States within the said State, are hereby granted to the State for the purpose of completing the public buildings of the said State, or for the erection of public buildings at the seat of government of the said State, as the legislature may determine and direct.

Salt springs granted to the State.

Fourth. That all salt springs within the State, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to the said State for its use; the same to be selected by the legislature thereof, within one year after the admission of said State, and the same, when so selected, to be used on such terms, conditions, and regulations, as the legislature of the State shall direct: *Provided*, That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided, also*, That the General Assembly shall never lease or sell the same, at any one time, for a longer period than ten years, without the consent of Congress.

Proviso.

Further proviso.

Five per cent. of net proceeds of public lands appropriated for roads and canals.

Fifth. That five per cent. of the net proceeds of sales of all public lands lying within the said State, which have been, or shall be sold by Congress, from and after the admission of said State, after deducting all the expenses incident to the same, shall be appropriated for making public roads and canals within the said State, as the legislature may direct: *Provided*, That the five foregoing propositions herein offered are on the condition that the legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide, by an ordinance, irrevocable without the consent of the United States, that the said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers thereof; and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents, respectively.

Proviso.

Iowa not to interfere with disposal of public lands, &c.

U. S. lands not to be taxed.

Non-residents not to be taxed higher than residents.

Bounty lands exempt from taxation for three years.

APPROVED, March 3, 1845.

STATUTE II.

March 3, 1845.

CHAP. LXXVII.—*An Act making appropriations for the naval service for the year ending the thirtieth June, eighteen hundred and forty-six.*

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 out of any unappropriated money in the treasury, in addition to the unexpended balances of former appropriations, for the naval service, for the fiscal year commencing on the first day of July, eighteen hundred and forty-five, and ending on the thirtieth day of June, eighteen hundred and forty-six:

Pay of officers and seamen, including engineering corps.

Proviso.

For pay of commission, warrant, and petty officers, and seamen, including the engineer corps of the navy, two million five hundred and nine thousand one hundred and eighty-nine dollars: *Provided*, That the whole number of petty officers, seamen, ordinary seamen, landsmen, and boys, in the naval service, shall not exceed seven thousand five hundred at any one time during the fiscal year for which this appropriation is made;

For pay of principal steam engineer, two thousand five hundred dollars;	Principal steam engineer.
For the support of the civil establishments at the several navy-yards, the officers and others to be paid the annual compensation that was allowed to them, severally, in "the act making appropriations for the naval service for the year ending on the thirtieth June, eighteen hundred and forty-five," approved the seventeenth June, eighteen hundred and forty-four, viz :	Civil establishments at navy-yards. 1844, ch. 107.
For clothing for the navy, sixty thousand dollars.	Clothing.
At <i>Kittery, Maine</i> .—For pay of storekeeper, naval constructor, inspector of timber, clerk to the yard, clerk to the commandant, clerk to the storekeeper, clerk to the naval constructor, and porter, seven thousand six hundred and fifty dollars.	Kittery.
At <i>Charlestown, Massachusetts</i> .—For pay of storekeeper, naval constructor, measurer, and inspector of timber, clerk to the yard, two clerks to the commandant, three clerks to the storekeeper, clerk to the naval constructor, keeper of magazine, and porter, eleven thousand one hundred and eighty dollars.	Charlestown.
At <i>Brooklyn, New York</i> .—For pay of storekeeper, naval constructor, measurer and inspector of timber, clerk to the yard, two clerks to the commandant, three clerks to the storekeeper, clerk to the naval constructor, keeper of the magazine, and porter, eleven thousand one hundred and eighty dollars.	Brooklyn.
At <i>Philadelphia</i> .—For pay of storekeeper, naval constructor, measurer and inspector of timber, clerk to the yard, clerk to the commandant, clerk to storekeeper, clerk to naval constructor, and porter, seven thousand seven hundred dollars.	Philadelphia.
At <i>Washington</i> .—For pay of storekeeper, measurer and inspector of timber, clerk to the yard, two clerks to commandant, clerk to the storekeeper, keeper of the magazine, and porter, six thousand six hundred and eighty dollars.	Washington.
At <i>Gosport, Virginia</i> .—For pay of storekeeper, naval constructor, measurer and inspector of timber, clerk to the yard, two clerks to the commandant, three clerks to the storekeeper, clerk to the naval constructor, keeper of the magazine, and porter, eleven thousand one hundred and eighty dollars.	Gosport
At <i>Pensacola</i> .—For pay of storekeeper, naval constructor, clerk to the yard, two clerks to the commandant, two clerks to the storekeeper, and porter, eight thousand and fifty dollars.	Pensacola.
At <i>Memphis, Tennessee</i> .—For pay of storekeeper, one thousand five hundred and fifty dollars; for pay of clerk to the yard, nine hundred dollars; for pay of clerk to the commandant, nine hundred dollars; for pay of porter, three hundred dollars;	Memphis.
For provisions, including transportation, cooperage, and other expenses, six hundred and fifteen thousand eight hundred and twenty-eight dollars; for surgeons' necessaries and appliances for the sick and hurt of the naval service, including the marine corps, thirty thousand dollars;	Provisions.
For the increase, repair, armament, and equipment of the navy, and wear and tear of vessels in commission, one million of dollars; for ordnance and ordnance stores, including all incidental expenses, three hundred and seventy thousand eight hundred and eighty-five dollars;	Surgeons' necessaries for the navy and the marine corps. Increase, repair, &c. Ordnance.
For books, maps, charts, and instruments, binding and repairing the same, and all the expenses of the Hydrographical Office, twenty-five thousand five hundred dollars.	Books, charts, &c.
For improvements and necessary repairs of navy-yards, viz :	Improvement of navy-yards—
At <i>Kittery, Maine</i> .—For removing old cob-work in timber dock, one thousand one hundred and fifty-eight dollars; for removing timber shed number thirteen, and steam-box house, five thousand seven hundred and forty-six dollars; for saw-pits, hoop-heating furnace, and wells, one thousand and forty-one dollars;	Kittery.

For repairs of all kinds, five thousand four hundred and forty-six dollars ;

Charlestown.

*At Charlestown, Massachusetts.*—For reservoir, two thousand five hundred dollars ; for coal-house, eight thousand dollars ;

For pier-wharf, between number one and number thirty-nine, ten thousand dollars ;

For completing wharf between H and I, and rebuilding wharf, seven thousand dollars ;

For repairs of all kinds, twelve thousand dollars ;

Brooklyn.

*At Brooklyn, New York.*—For brick stables, two thousand two hundred and fifty dollars ;

For completing cob-wharf and slips, thirty thousand dollars ;

For water-tank, one thousand dollars ;

For coal-house, six thousand two hundred and fifty dollars ;

For repairs of all kinds, seventeen thousand five hundred dollars ;

For continuing the dry-dock, one hundred and fifty thousand dollars ;

Philadelphia.

*At Philadelphia.*—For wharfing across timber dock, and filling up, two thousand seven hundred and six dollars ;

For repairs of all kinds, five thousand eight hundred and thirty-five dollars ;

Washington.

*At Washington.*—For new boilers in the camboose shop, and blowing chain-cable fires in machine shop, three thousand seven hundred and fifty-three dollars ;

For completing laboratory, three thousand dollars ;

For repairs of all kinds, five thousand dollars ;

Gosport.

*At Gosport.*—For completing building and launching slip number forty-eight, nine thousand five hundred dollars ;

For completing store-house number sixteen, five thousand dollars ;

For completing bridge across timber-dock, three thousand five hundred dollars ; for coal-house, eight thousand dollars ; for repairs of all kinds, nine thousand six hundred and thirty-five dollars ;

Pensacola.

*At Pensacola.*—For completing the permanent wharf, twenty-five thousand dollars ;

For completing ship-house and slip, ten thousand dollars ; for completing store-house, fourteen thousand dollars ; for completing timber-shed, fourteen thousand dollars ; for coal-house, eight thousand five hundred dollars ; for repairs of all kinds, six thousand one hundred and thirty-two dollars ;

Memphis.

*At Memphis.*—For improvements at this yard, for embankments, graduation, excavation, and walling, to secure the river fronts ; for six dwelling-houses, and for foundation for the rope-walk, two hundred thousand dollars ;

Sackett's Harbor.

*Sackett's Harbor.*—For repairs of all kinds, six hundred dollars ;

For repairs and building bulk-head or sea-wall, for repairing ship-house, and for stores for ship on the stocks, three thousand dollars ;

For improvements of the naval hospitals and naval asylum, viz :

Naval hospitals—  
Chelsea.

*At Chelsea.*—For a cistern, &c., to supply the hospital with water, seven hundred dollars ;

For dead-house to the hospital, five hundred dollars ;

Brooklyn.

*At Brooklyn.*—For completing present hospital building, and furnishing south wing, six thousand five hundred and forty dollars ;

For additional building for small-pox patients, five thousand dollars ;

Gosport.

*Near Gosport.*—For completion of walls, one thousand eight hundred and ninety-eight dollars ;

For repair of hospital buildings, two thousand seven hundred and fifty dollars ;

Pensacola.

*At Pensacola.*—For centre building of hospital, nineteen thousand two hundred and twelve dollars ;

For repairs of hospitals and quarters, three thousand nine hundred and twelve dollars ;

<p><i>Naval Asylum near Philadelphia.</i>—For two small porters' lodges, seven hundred dollars;</p>	<p>Philadelphia.</p>
<p>For cemetery and dead-house, one thousand two hundred dollars.</p>	
<p>For magazines, viz :</p>	<p>Magazines—</p>
<p>At Charlestown, one hundred and fifty dollars; at Brooklyn, two hundred dollars; at Washington, one hundred and fifty dollars; at Gosport, three hundred and twenty-five dollars.</p>	<p>Charlestown. Brooklyn. Washington. Gosport.</p>
<p>For contingent expenses that may accrue for the following purposes, viz : For freight and transportation; printing and stationery; books, models and drawings; purchase and repair of fire-engines, and for machinery; repair of steam-engines in yards; purchase and maintenance of horses and oxen; carts, timber-wheels, and workmen's tools, postage of letters on public service; coal and other fuel, and oil and candles for navy-yards and shore stations; incidental labor, not chargeable to any other appropriation; labor attending the delivery of public stores, and supplies on foreign stations; wharfage, dockage, storage and rent; traveling expenses of officers; funeral expenses; commissions, clerk-hire, store-rent, office-rent, stationery and fuel to navy agents and storekeepers; premiums, and incidental expenses of recruiting; apprehending deserters; per diem allowance to persons attending courts martial and courts of inquiry, or other services authorized by law; compensation to judge advocates; pilotage and towing vessels, and assistance rendered to vessels in distress, six hundred thousand dollars; a part of which sum, not exceeding one hundred thousand dollars, may be applied to supply any deficiency that may arise in the appropriation made under this head for the service of the fiscal year ending on the thirtieth June, eighteen hundred and forty-five; <i>Provided also</i>, That out of the latter the sum of seventeen thousand two hundred and two dollars and eighty-two cents, be applied to the appropriation for the construction of a depot of charts and instruments, to balance expenditures heretofore made, and to pay arrearages now due for that object.</p>	<p>Contingent expenses.</p>
<p>For contingent expenses for objects not heretofore enumerated, five thousand dollars;</p>	
<p>For coal and other fuel for steam-vessels, forty thousand eight hundred and eighty dollars;</p>	<p>Fuel.</p>
<p>For the purpose of enabling the Secretary of the Navy to test the value of such inventions, for preventing explosions of steam-boilers, as he may think proper, by applying the same to steam-engines on board of vessels of the United States, five thousand dollars;</p>	<p>Explosion of steam-boilers.</p>
<p><i>Marine Corps.</i>—For pay of officers, non-commissioned officers, musicians, privates, and servants, serving on shore, and subsistence of officers, two hundred thousand seven hundred and seventy-one dollars and sixteen cents;</p>	<p>Marine corps. Pay. Subsistence of officers.</p>
<p>For clothing, forty-three [thousand] six hundred and sixty-two dollars and fifty cents; for provisions, forty-five thousand and sixty-nine dollars and ninety cents;</p>	<p>Clothing. Provisions.</p>
<p>For fuel, sixteen thousand two hundred and seventy-four dollars and twelve cents;</p>	<p>Fuel.</p>
<p>For military stores, repair of arms, pay of armorers, accoutrements, ordnance stores, flags, drums, fifes, and musical instruments, two thousand three hundred dollars;</p>	<p>Military stores, &amp;c.</p>
<p>For transportation of officers and troops, and for expenses of recruiting, eight thousand dollars;</p>	<p>Transportation.</p>
<p>For repair of barracks, and rent of temporary barracks, six thousand dollars;</p>	<p>Barracks.</p>
<p>For contingencies, viz.</p>	<p>Contingencies.</p>
<p>Freight, ferriage, toll, wharfage and cartage; compensation to judge advocates; per diem for attending courts martial and courts of inquiry; per diem to enlisted men on constant labor; house-rent, where no public</p>	

quarters are assigned; the burial of deceased marines; printing, stationery, forage, postages, and the pursuit of deserters; candles and oil; straw; barrack furniture; bed sacks, spades, axes, shovels, picks; carpenters' tools; and keeping a horse for the messenger, seventeen thousand nine hundred and eighty dollars.

R. P. Anderson.

To R. P. Anderson for printing and binding for the Navy Department, by contract, thirteen hundred and thirty-one dollars.

Naval constructors.

SEC. 2. *And be it further enacted*, That naval constructors may be required to perform duty at any navy-yard or other station; and, when so ordered, shall be entitled to the same allowance for travel which is made to officers of the navy.

Ordnance, &c. and supplies purchased out of U. S. for vessels on foreign stations, not required to be furnished by contract.  
1843, ch. 83.

SEC. 3. *And be it further enacted*, That so much of the proviso to the act of third March, eighteen hundred and forty-three, entitled "An act making appropriations for the naval service for the half-calendar year, beginning the first of January, and ending the thirtieth day of June, eighteen hundred and forty-three, and for the fiscal year, beginning the first of July, eighteen hundred and forty-three, and ending the thirtieth day of June, eighteen hundred and forty-four," as requires that provisions, and all other materials of every name and nature, for the use of the navy, to be furnished by contract, with the lowest bidder, after advertisement, shall be, and the same is hereby, so far modified that it shall not apply to ordnance, gunpowder, medicines, or the supplies which it may be necessary to purchase out of the United States, for vessels on foreign stations.

Pay of passed midshipmen.

SEC. 4. *And be it further enacted*, That no more than one hundred and eighty passed midshipmen, and those senior in rank, shall at the same time receive the pay fixed by law for that class of officers.

Appointment of midshipmen.

SEC. 5. *And be it further enacted*, That midshipmen shall hereafter be appointed from each State and Territory with reference and in proportion, as near as may be, to the number of representatives and delegates to Congress; and that, until such a proportion shall have been established, all future appointments shall be made from such States and Territories as have not their relative proportion of midshipmen on the navy list, whenever there are suitable applicants from such States or Territories; and provided further, that in all cases of appointment, the individual selected shall be an actual resident of the State from which the appointment purports to be made, and that the District of Columbia be considered as a Territory in this behalf.

Furloughs.

1835, ch. 27.

SEC. 6. *And be it further enacted*, That so much of the act entitled an act to regulate the pay of the navy of the United States, approved March third, one thousand eight hundred and thirty-five, as provides, that no officer shall be put on furlough but at his own request, be and the same is hereby repealed.

Appointment of engineers of the navy.

SEC. 7. *And be it further enacted*, That in lieu of the mode heretofore provided by law, the engineer-in-chief, and chief engineers of the navy shall be appointed by the President, by and with the advice and consent of the Senate; and that the President, by and with the like advice and consent, may appoint six engineers, to be employed in the revenue service of the United States, and the Secretary of the Treasury may appoint six assistant engineers, to be employed in the like service, one engineer and one assistant to be assigned to each steamer in the said service, if the same shall be deemed necessary by the Secretary of the Treasury, who shall prescribe the duties to be performed by said officers respectively; each of the said engineers shall be entitled to receive the same pay as now is, or hereafter may be, by law, allowed to first lieutenants in the Revenue service; and that each assistant engineer, shall be entitled to receive the same pay that now is, or hereafter may be, by law, allowed to third lieutenants in said service.

Engineers in the revenue service.

SEC. 8. *And be it further enacted*, That no more than one Purser doing duty at any navy-yard shall at the same time be entitled to the pay fixed by law for that service.

Pay of pursers at navy-yards.

SEC. 9. *And be it further enacted*, That the term "persons," mentioned in the second and third sections of an act passed March second, one thousand eight hundred and thirty-seven, entitled "An act to provide for the enlistment of boys for the naval service, and to extend the term of enlistment of seamen," shall be construed to include marines.

2d and 3d secs. act of 2d March 1837, ch. 21, extended to marines.

SEC. 10. *And be it further enacted*, That the accounting officers of the Treasury Department be authorized and directed, in the settlement of the account of Rodman M. Price, as purser of the United States steam-ship Missouri, to credit him with such portion of the amount of the slops, small stores, and money, with which he stands charged on the books of the Fourth Auditor of the Treasury, as they shall be satisfied was consumed or lost by the burning of said vessel; not, however, to exceed the sum of twelve thousand and sixty dollars; and that the said Rodman M. Price be, and he is hereby, exonerated from all liability on account of the provisions which were lost with said vessel.

Settlement of R. M. Price's account as purser of the Missouri.

SEC. 11. *And be it further enacted*, That the sum of twenty-five thousand dollars be and the same is hereby appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated, for the purpose of erecting marine hospitals upon the sites owned by the United States at Pittsburg in Pennsylvania, Louisville in Kentucky, and at Cleveland in Ohio, under the direction of the Secretary of the Treasury.

Erection of marine hospitals at Pittsburg, Louisville, and Cleveland.

SEC. 12. *And be it further enacted*, That in all cases where proposals for any contract or contracts, to be made by any of the Executive Departments or Bureaus, and in all cases where notices of any description, issuing from the same, are now required by law to be advertised, the same shall be advertised by publication in the two newspapers, in the city of Washington, having the largest permanent subscription, and at the discretion of the Executive in any third paper that may be published in said city: *Provided*, That the charges for such publications shall not be higher than such as are paid by individuals for advertising in said papers: *And provided also*, That the same publications shall be made in each of said papers equally, as to frequency.

Publication for proposals, &c. by Executive Departments.

APPROVED, March 3, 1845.

STATUTE II.  
March 3, 1845.

CHAP. LXXVIII.—*An Act relating to revenue cutters and steamers.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That no revenue cutter or revenue steamer shall hereafter be built (excepting such as are now in the course of building and equipment) nor purchased, unless an appropriation be first made, by law, therefor.

No revenue cutter or steamer to be built, &c. without an appropriation therefor.

J. W. JONES,

*Speaker of the House of Representatives.*

WILLIE P. MANGUM,

*President pro tempore of the Senate.*

IN SENATE OF THE UNITED STATES,  
March 3, 1845.

The President of the United States having returned to the Senate, in which it originated, the bill entitled "An act relating to revenue cutters and steamers," with his objections thereto, the Senate proceeded, in pursuance of the Constitution, to reconsider the same; and,

*Resolved*, That the said bill do pass, two thirds of the Senate agreeing to pass the same.

Attest:

ASBURY DICKINS,  
*Secretary of the Senate.*

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,  
 March 3, 1845.

The House of Representatives having been notified by the Senate that the bill entitled "An act relating to revenue cutters and steamers," had been returned by the President, with his objections, to the Senate, in which it originated, and that the Senate having proceeded, in pursuance of the Constitution, to reconsider the same, had "*Resolved*, That the said bill do pass, two thirds of the Senate agreeing to pass the same," the House of Representatives proceeded, in pursuance of the Constitution, to reconsider the said bill, and

*Resolved*, That the said bill do pass, two thirds of the House of Representatives agreeing to pass the same.

Attest:

B. B. FRENCH,  
 Clerk of the Ho. Reps. U. S.

### RESOLUTIONS.

Jan. 23, 1845.

No. 1. *A Resolution explanatory of "An act making appropriations for the payment of revolutionary and other pensions of the United States for the fiscal year ending the thirtieth of June, one thousand eight hundred and forty-five."*

Claims pending at the passage of this resolution, not affected by the pension appropriation act. Act of April 30, 1844, ch. 15.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the act entitled "An act making appropriations for the payment of revolutionary and other pensions of the United States for the fiscal year ending on the thirtieth of June, one thousand eight hundred and forty-five," shall not be so construed as in any way to affect the claims of those widows whose application for a pension, or an arrear of pension, at the passage of this resolution, shall have been made and filed in the Pension Office, awaiting the decision of the Commissioner of Pensions thereon.

APPROVED, January 23, 1845.

Feb. 13, 1845.

No. 3. *A Resolution to suspend a part of the third section of the joint resolution of the eleventh of September, one thousand eight hundred and forty-one, relating to armories.*

Suspended in case of the naval depot at Memphis. Act of March 3, 1843, ch. 93.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the third section of the joint resolution of the eleventh of September, one thousand eight hundred and forty one, as requires the consent of the State before the expenditure of any public money, upon any site or land purchased by the United States, for the purpose of armories, arsenals, posts, fortifications, navy-yards, custom-houses, light-houses, or other public buildings of any kind, be, and the same is hereby, suspended, so far as the same is applicable to the naval depot at Memphis, in the State of Tennessee, until after the adjournment of the first session of the legislature of said State which may be held after the passage of this resolution.

APPROVED, February 13, 1845.

Feb. 20, 1845.

No. 4. *Joint Resolution authorizing the Postmaster General of the United States to contract with railroad companies, in certain cases, without advertising for proposals therefor.*

Authority to contract with any railroad.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General be, and he hereby is, authorized to make and enter into contracts with any railroad company for the transmission of the mail, without advertising for bids on such railroads, as now required by law.

APPROVED, February 20, 1845.

No. 5. *A Resolution for distributing the work on the Exploring Expedition.*

Feb. 20, 1845.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That as each part of the work now in course of publication on the "Exploring Expedition" shall be completed, fifty-eight copies of the same shall be delivered to the Secretary of State, to be distributed as follows, that is to say: To each of these United States, one copy; to the government of France, two copies; Great Britain, two copies; Russia, two copies; and one copy each to Sweden, Denmark, Prussia, Austria, Bavaria, the Netherlands, Belgium, Portugal, Spain, Sardinia, Greece, Tuscany, the Ecclesiastical States, the Two Sicilies, Turkey, China, Mexico, New Granada, Venezuela, Chili, Peru, the Argentine Republic, Brazil, Texas, and the Sandwich Islands; and one copy to the Naval Lyceum in Brooklyn, New York.

Fifty-eight copies to Secretary of State for distribution.

Vol. ix. p. 111.

SEC. 2. *And be it further resolved,* That one copy of said work be given to Charles Wilkes, esquire, the commander of said expedition, one copy to William L. Hudson, esquire, and one copy to Cadwallader Ringold, esquire, commandants of vessels in said expedition.

Further disposition.

SEC. 3. *And be it further resolved,* That two copies of said work be placed in the Library of Congress, and that the residue of said work shall be delivered to the Librarian, to be by him preserved for future distribution.

APPROVED, February 20, 1845.

No. 7. *A Resolution amendatory of the resolution passed April thirty, one thousand eight hundred and forty-four, "respecting the application of certain appropriations heretofore made."*

March 1, 1845.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That nothing contained in the joint Resolution of April thirty, one thousand eight hundred and forty-four, or in any other act or Resolution, shall be understood or construed to prevent the Secretary of War from allowing and paying any just and equitable claims for supplies furnished, or advances or loans of money made to provide for the defence of the inhabitants and suppression of Indian hostilities in the Territory of Florida, provided that the amount so allowed and paid shall not exceed the sums already appropriated by law.

Payment for supplies, &c. for defence of inhabitants of Florida.

Resolution of April 30, 1844, ante, p. 716.

APPROVED, March 1, 1845.

No. 8. *Joint Resolution for annexing Texas to the United States.*

March 1, 1845.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress doth consent that the territory properly included within, and rightfully belonging to the Republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said republic, by deputies in convention assembled, with the consent of the existing government, in order that the same may be admitted as one of the States of this Union.

Consent of Congress to the erection of Texas into a State for admission into the Union.

2. *And be it further resolved,* That the foregoing consent of Congress is given upon the following conditions, and with the following guarantees, to wit: *First,* Said State to be formed, subject to the adjustment by this government of all questions of boundary that may arise with other governments; and the constitution thereof, with the proper evidence of its adoption by the people of said Republic of Texas, shall be transmitted to the President of the United States, to be laid before Congress for its final action, on or before the first day of January, one thousand eight hundred and forty-six. *Second.* Said State, when ad-

Conditions of admission.



mitted into the Union, after ceding to the United States, all public edifices, fortifications, barracks, ports and harbors, navy and navy-yards, docks, magazines, arms, armaments, and all other property and means pertaining to the public defence belonging to said Republic of Texas, shall retain all the public funds, debts, taxes, and dues of every kind, which may belong to or be due and owing said republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas, and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct; but in no event are said debts and liabilities to become a charge upon the Government of the United States. *Third.* New States, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the federal constitution. And such States as may be formed out of that portion of said territory lying south of thirty-six degrees thirty minutes north latitude, commonly known as the Missouri compromise line, shall be admitted into the Union with or without slavery, as the people of each State asking admission may desire. And in such State or States as shall be formed out of said territory north of said Missouri compromise line, slavery, or involuntary servitude, (except for crime,) shall be prohibited.

Or the President may negotiate with Texas for admission, and

Texas to be admitted, as soon as Texas and the U. S. agree upon the terms.

Appropriation.

3. *And be it further resolved,* That if the President of the United States shall in his judgment and discretion deem it most advisable, instead of proceeding to submit the foregoing resolution to the Republic of Texas, as an overture on the part of the United States for admission, to negotiate with that Republic; then,

*Be it resolved,* That a State, to be formed out of the present Republic of Texas, with suitable extent and boundaries, and with two representatives in Congress, until the next apportionment of representation, shall be admitted into the Union, by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such admission, and the cession of the remaining Texian territory to the United States shall be agreed upon by the Governments of Texas and the United States: And that the sum of one hundred thousand dollars be, and the same is hereby, appropriated to defray the expenses of missions and negotiations, to agree upon the terms of said admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted to the two houses of Congress, as the President may direct.

APPROVED, March 1, 1845.

March 3, 1845.

No. 9. *A Resolution directing an examination of Putnam's ploughing and dredging machine.*

Machine to be examined and tested.

*Resolved 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 examine a machine invented by, and patented to the late Dr. James R. Putnam of New Orleans, called a Ploughing and Dredging Machine for the removal of obstructions and bars in Rivers and Harbors, &c., and to appoint a Board of three officers to test the practical utility of said machine.

APPROVED, March 3, 1845.

March 3, 1845.

No. 10. *A Resolution to authorize the Attorney General to contract for copies of a proposed edition of the Laws and Treaties of the United States.*

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Attorney General

is hereby authorized and directed to contract, on behalf of the General Government, with Messieurs Little and Brown, for one thousand copies of their proposed edition of the Laws and Treaties of the United States, at a price not exceeding three dollars and fifty cents a volume: *Provided, nevertheless*, That the contract aforesaid shall be made upon the terms and conditions following, that is to say: *First*, That the work shall be executed, from stereotype plates, in the style proposed by the said Little and Brown in their memorial presented to Congress at the present session thereof, in volumes, well bound, of not less than eight hundred super-royal octavo pages, with a very wide text, and a syllabus of each section in small type; the text to be on long primer, the types having a full round face, and being entirely new, and the paper to be of the best quality, sized, so that notes, in manuscript, may be written on the margin of the pages. *Second*. That the work shall contain the articles of Confederation, the Constitution, all the public and all the private laws and resolves, whether obsolete, repealed, or in force, and whether temporary or permanent, as well those respecting the District of Columbia as all others, and all treaties with foreign nations and Indian tribes; but the treaties may be printed separately, and the private laws separately, in the same style and in the same order of arrangement with the others; the general laws and resolves to be contained in four octavo volumes, and the private laws and treaties in two additional octavo volumes. *Third*. There shall be a reference by a foot note, in small type, at the bottom of each page, to all laws passed subsequently or previously to that in the text, on the same subject whether printed in pamphlet or otherwise, with such explanations as may aid in obtaining a knowledge of the changes of Congressional legislation on the subjects of the laws; and in the volumes of the treaties there shall be such reference, and by a similar note, to all the legislation of Congress, on the subjects of the treaties. *Fourth*. If parts of a law only have been repealed, or parts only are in force, it shall be accurately and exactly marked in the margin. *Fifth*. The laws, resolves, and treaties shall be arranged in strict chronological order; the laws of each session furnishing chapters, designated numerically to the end of each session, and the whole series of laws of each session to be described as one statute; the day of the approval of each act to be stated at the end thereof; a running title at the head of each page, to express the session of Congress, the date and chapter of each act; and at the beginning of each Congress shall be stated the place where the session was held, the name of the President of the United States, of the President of the Senate, and the Speaker of the House of Representatives. *Sixth*. At the foot of each page, in a note, reference shall be made to all decisions of the supreme, circuit and district courts, construing or applicable to the law or treaty in the text. *Seventh*. There shall be a full alphabetical verbal general index of all the matters of the laws, resolves, and treaties, at large, under the leading heads, with full reference, under the minor heads, to all the matters, according to the plan and illustration in the memorial aforesaid; and a separate index of the matters in each volume, prepared in the same manner as the general index, shall be subjoined to each volume. There shall be an appendix at the end of each volume, containing a complete list of all the acts, resolves, and treaties, in the volume, chronologically arranged, with a brief and general description of the subject of the act, in this form, that is to say:

Stat. 1789, chap. 1. Oaths of office.

Stat. 1789, chap. 2. Duties.

Stat. 1789, chap. 3. Duties on tonnage.

Stat. 1789, chap. 4. Establishment of Executive Departments.

*Eighth*. The said Little and Brown shall stipulate, with good and sufficient and satisfactory security, to furnish the United States with such

Attorney General authorized to contract with Little & Brown.

Proviso, conditions of contract.

additional copies of the work, in all respects like the foregoing, as the Government from time to time may require, at prices not to exceed two dollars and seventy-five cents a volume; and they shall stipulate, with such security for the faithful performance of all parts of the contract which the Attorney General is herein authorized to make; and, in addition to such security, they shall execute to the United States a conveyance of the stereotype plates from which the first copies shall be printed, for the purpose of printing the additional copies thereof, in such form that in whosoever hands the plates may be at any future and distant period of time, the delivery of such additional copies to the United States may be effectually secured; they shall make immediate insurance on such plates, for the benefit of the United States and the proprietors of the plates, against loss by fire; and on the plates of the title page of each volume the interest of the United States in the plates as defined by this resolution, shall be printed. *Ninth.* Before the United States shall be called on to pay for any volume of the work, it shall be submitted to the Attorney General, or to such other officer or officers of the Government as Congress may designate; and on his or their approbation thereof, and his or their decision that it is edited and printed in all respects according to the contract, it shall be paid for from the Treasury of the United States.

Appropriation. SEC. 2. *And be it further enacted,* That, for the purpose aforesaid, there be appropriated and paid, out of any money in the Treasury not otherwise appropriated, a sum not exceeding twenty-one thousand dollars.

APPROVED, March 3, 1845.

March 3, 1845.

No. 11. *A Joint Resolution authorizing the Secretary of War to pay any balance that may be due the Shawnee Indians who served in the Florida war.*

Secretary of War to pay for their services in Florida.

*Resolved 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 pay any balance that may be due the Shawnee Indians who served in the Florida war, under an order issued by the Secretary of War, dated July twenty-second, eighteen hundred and thirty-seven, in which the Indians were promised the sum of two hundred and seventy dollars for six months' service; and that the Secretary be required to pay, according to said order, to the chiefs of said tribe of Indians, out of any money in the Treasury not otherwise appropriated.

APPROVED, March 3, 1845.

March 3, 1845.

No. 13. *Joint Resolution to fix the time when the act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department, passed at this session, shall go into effect.*

Act of March 3, 1845, ch. 43.

Act to go into effect on 1st July 1845.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act "to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department," passed at the present session, shall go into effect on and after the first day of July next, and not sooner, anything in said act to the contrary notwithstanding.

APPROVED, March 3, 1845.

No. 14. *A Joint Resolution directing the Secretary of the Treasury, whenever any State shall have been or may be in default for the payment of interest or principal on investments in its stocks or bonds held by the United States in trust, to retain certain moneys to which such State is entitled for the purposes therein named.*

March 3, 1845.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever any State shall have been or may be in default for the payment of interest or principal on investments in its stocks or bonds, held by the United States in trust, it shall be the duty of the Secretary of the Treasury to retain the whole, or so much thereof as may be necessary, of the per centage to which such State may be entitled, of the proceeds of the sales of the public lands within its limits, and apply the same to the payment of said interest or principal, or to the reimbursement of any sums of money expended by the United States for that purpose.

Amount due on State stocks held by U. S. in trust, to be withheld from the States under certain circumstances.

APPROVED, March 3, 1845.

No. 15. *A Resolution authorizing the employment of additional inspectors of the customs at the port of New Orleans.*

March 3, 1845.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for the collector of the customs for the district of New Orleans, with the approbation of the Secretary of the Treasury, to employ, from time to time, if the public service requires it, at the port of New Orleans, persons as occasional inspectors of the customs, not exceeding ten in number, in addition to the inspectors now authorized by law, who shall be subject to the same rules and regulations as are now prescribed by law for occasional inspectors.

Collector may employ not exceeding ten.

APPROVED, March 3, 1845.

# APPENDIX.

## No. I.

*Proclamation issued by the President of the United States, under the act of June 7, 1836, chap. 86.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Preamble.

WHEREAS, by an act of Congress of the 7th of June, 1836, it was enacted that when the Indian title to all the lands lying between the State of Missouri and the Missouri river should be extinguished, the jurisdiction over said land should be ceded by the said act to the State of Missouri, and the western boundary of said State should be then extended to the Missouri river, reserving to the United States the original right of soil in said lands, and of disposing of the same; and whereas, it was in and by the said act provided that the same should not take effect until the President should, by proclamation, declare that the Indian title to said lands had been extinguished, nor until the State of Missouri should have assented to the provisions of the said act:

And whereas, an act was passed by the General Assembly of the State of Missouri, on the 16th of December, 1836, expressing the assent of the said State to the provisions of the said act of Congress, a copy of which act of the General Assembly, duly authenticated, has been officially communicated to this Government, and is now on file in the Department of State:

The President declares that the Indian title has been extinguished.

NOW, THEREFORE, I, MARTIN VAN BUREN, President of the United States of America, do, by this my proclamation, declare and make known, that the Indian title to all the said lands lying between the State of Missouri and the Missouri river, has been extinguished, and that the said act of Congress of the 7th of June, 1836, takes effect from the date hereof.

Given under my hand at the city of Washington, this 28th day of March, A. D. 1837, and of the Independence of the United States of America the sixty-first.

MARTIN VAN BUREN.

*By the President:*

JOHN FORSYTH,  
*Secretary of State.*

## No. II.

BY THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF VIRGINIA.

*"An act further to amend the act incorporating the Chesapeake and Ohio Canal Company—Passed February twenty-seventh, eighteen hundred and twenty-nine."*

Act of Gen. Ass. of Va., passed 27th Feb. 1829.

The Chesapeake and Ohio Canal company may in lieu of bridges substitute boats, &c.

*"Be it enacted by the General Assembly, That the Chesapeake and Ohio Canal Company be, and they are hereby, empowered, whenever it shall be, in the judgment of the president and directors thereof, expedient, in lieu of bridges, to substitute boats, properly fitted, for the transportation of persons, wagons and carriages of every description, across the canal, whenever a public or private road shall render a bridge or ferry necessary, and such road cannot be conveniently conducted under the canal.*

President and Directors may, with consent of company, sell, &c. any surplus water.

*"Be it further enacted, That the said president and directors, acting in behalf of the said company, and with the consent and approbation thereof, expressed at some general meeting thereof, in which a majority in interest of said stock is represented, may sell, let, or otherwise dispose of, any surplus water in any part of the said canal, or of any feeder or reservoir thereof, if they shall be of opinion that no injury will result therefrom to the navigation of the canal.*

*“Be it further enacted,* That whenever it may be necessary to form heavy embankments, piers, or moles, at the mouths of creeks, or along the river shore, for basins and other purposes, and the president and directors may deem it expedient to give a greater strength to the same, by widening them, and constructing them of the most solid materials, the ground so formed for such useful purpose may by them, when so improved, be sold out, or let for terms of years, as they may deem most expedient for the company, on such conditions as may direct the application of the proceeds thereof to useful purposes, and at the same time repay the necessary expense of the formation of such embankments, piers, or moles: *Provided,* That this power shall in no case be exercised so as to injure the navigation of the canal.

“This act shall be in force, so far as relates to the eastern section of the canal, on its receiving the assent of the Legislature of Maryland, and of the Congress of the United States; and shall be valid as relates to both sections, on its receiving the further assent of the Legislature of Pennsylvania.

“APPROVED, March 3, 1837.”

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Proviso.

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