BY AUTHORITY OF CONGRESS.

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, IMPOTS AND TOLLAGE, THE PUBLIC LANDS, ETC.

EDITED BY RICHARD PETERS, ESQ., COUNSELLOR AT LAW.

The rights and interest of the United States in the stereotype plates from which this work is printed, are hereby recognized, acknowledged, and declared by the publishers, according to the provisions of the joint resolution of Congress, passed March 3, 1845.

VOL. V.

BOSTON: CHARLES C. LITTLE AND JAMES BROWN. 1846.
Entered according to Act of Congress, in the year 1846, by
Charles C. Little & James Brown,
in the Clerk's Office of the District Court of the District of Massachusetts.

PHILADELPHIA:
STEREOGRAPHED BY J. FAGAN.

WHITE AND POTTER, PRINTERS,
SPRING LANE, BOSTON.
LIST
OF THE
PUBLIC ACTS OF CONGRESS,
CONTAINED IN VOLUME FIFTH.


STATUTE I—1836.

*Hostilities with the Seminole Indians.* An act making an appropriation for repressing hostilities commenced by the Seminole Indians. Jan. 14, 1836. ............................................................... 1

*Hostilities with the Seminole Indians.* An act making an additional appropriation for repressing hostilities commenced by the Seminole Indians. (Obsoleted.) Jan. 29, 1836. ............................................................... 1

*Banks in the District of Columbia.* 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. (Expired.) Feb. 9, 1836. ............................................................... 1

*Appropriations for the support of the Government.* An act making appropriations, in part, for the support of Government, for the year one thousand eight hundred and thirty-six. (Obsoleted.) Feb. 11, 1836. ............................................................... 2

*Fire Insurance Company of Alexandria.* An act to incorporate a fire insurance company in the town of Alexandria, in the District of Columbia. Feb. 17, 1836. ............................................................... 2


*Courts in Florida.* An act authorizing a special term of the court of appeals for the Territory of Florida, and for other purposes. Feb. 25, 1836. ............................................................... 5

*Relief of sufferers by fire in the city of New York.* An act for the relief of the sufferers by the fire in the city of New York. (Obsoleted.) March 19, 1836. ............................................................... 6

*Hostilities with the Seminole Indians.* 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. (Obsoleted.) March 19, 1836. ............................................................... 6

*Volunteers and militia corps in the service of the United States.* An act to provide for the payment of volunteers and militia corps in the service of the United States. March 19, 1836. ............................................................... 7

*Hostilities with the Seminole Indians.* An act making a further appropriation for the suppression of Indian hostilities in Florida. (Obsoleted.) April 1, 1836. ............................................................... 8

*Relief of sufferers by fire in the city of New York.* An act amendatory of "the Act for the relief of the sufferers by fire in the city of New York," passed March 19th, 1836. (Obsoleted.) April 9, 1836. ............................................................... 8

*Appropriations for the support of the Government.* 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." (Expired.) April 9, 1836. ............................................................... 8

(iii)
<table>
<thead>
<tr>
<th>Act Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Bank of the United States not required to perform the duties of ...</td>
<td>April 11th, 1836</td>
</tr>
<tr>
<td>Pensions. An act making appropriations for the payment of the ...</td>
<td>April 14, 1836</td>
</tr>
<tr>
<td>Indian Treaties. An act to carry into effect the treaties concluded by ...</td>
<td>April 20, 1836</td>
</tr>
<tr>
<td>Wisconsin Territory. An act establishing the Territorial Government of ...</td>
<td>April 20, 1836</td>
</tr>
<tr>
<td>Mackerel Fisheries. An act in addition to the act of twenty-fourth ...</td>
<td>April 20, 1836</td>
</tr>
<tr>
<td>Pensions. An act to prescribe the mode of paying pensions heretofore ...</td>
<td>April 20, 1836</td>
</tr>
<tr>
<td>Railroad through Public Lands in Massachusetts. An act to authorize ...</td>
<td>April 29, 1836</td>
</tr>
<tr>
<td>Appropriations for the support of the Government. An act making ...</td>
<td>April 29, 1836</td>
</tr>
<tr>
<td>Salaries of Clerks, &amp;c., in the Public Offices. An act providing for ...</td>
<td>May 9, 1836</td>
</tr>
<tr>
<td>Appropriations for the Navy. An act making appropriations for the ...</td>
<td>May 14, 1836</td>
</tr>
<tr>
<td>Appropriations for the Army. An act making appropriations for the ...</td>
<td>May 14, 1836</td>
</tr>
<tr>
<td>Patents for the Public Lands. An act to give effect to patents for ...</td>
<td>May 20, 1836</td>
</tr>
<tr>
<td>Pensions. An act explanatory of the act entitled “An act to prevent ...</td>
<td>May 20, 1836</td>
</tr>
<tr>
<td>Corporations in the District of Columbia. An act for the relief of ...</td>
<td>May 20, 1836</td>
</tr>
<tr>
<td>Army of the United States. An act authorizing the President of ...</td>
<td>May 23, 1836</td>
</tr>
<tr>
<td>Hostilities by the Creek Indians. An act making appropriations for ...</td>
<td>May 23, 1836</td>
</tr>
<tr>
<td>Expenses of Volunteers for the defence of Florida. An act to provide ...</td>
<td>May 28, 1836</td>
</tr>
<tr>
<td>Pensioners in Virginia and Ohio. An act to provide for the payment ...</td>
<td>June 7, 1836</td>
</tr>
<tr>
<td>Western Boundary of Missouri. An act to extend the western boundary ...</td>
<td>June 7, 1836</td>
</tr>
<tr>
<td>Convention between the United States and Spain. An act to carry into ...</td>
<td>June 7, 1836</td>
</tr>
<tr>
<td>Expenses of the Indian Department. An act making appropriations for ...</td>
<td>June 14, 1836</td>
</tr>
<tr>
<td>Arsenal in North Carolina. An act to establish an arsenal of ...</td>
<td>June 14, 1836</td>
</tr>
<tr>
<td>Bank of the United States. An act repealing the fourteenth section ...</td>
<td>June 15, 1836</td>
</tr>
</tbody>
</table>
LIST OF THE PUBLIC ACTS OF CONGRESS.

Green Bay Land District. An act to divide the Green Bay land district in Michigan, and for other purposes. June 15, 1836. .............................................. 43

Northern Boundary of Ohio. State of Michigan. 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. June 15, 1836. .............................................. 49

Depositories of the Public Money. An act to regulate the depositories of the public money. (Repealed.) June 23, 1836. .............................................. 52

Bank of the United States. 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. June 23, 1836. .............................................. 56

Northern Boundary of Ohio. An act to settle and establish the northern boundary line of the State of Ohio. June 23, 1836. .............................................. 57

Land Office in Mississippi. An act to remove the land office from Clinton to Jackson in the State of Mississippi. June 23, 1836. .............................................. 57

Improvement of Rivers in Alabama. 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. .............................................. 57

State of Arkansas. 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." June 23, 1836. .............................................. 58

State of Michigan. 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." June 23, 1836. .............................................. 59

Pensioners in Tennessee. An act to provide for the paying of certain pensioners of the United States at Pulaski, in the State of Tennessee. June 23, 1836. .............................................. 60

Acts of the Legislature of Florida disapproved and annulled. An act to disapprove and annul certain acts of the Territorial Legislature of Florida, and for other purposes. July 1, 1836. .............................................. 61

District Court in the Western District of Virginia. 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. .............................................. 61

Railroad Iron. 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. .............................................. 61

State of Michigan. An act to provide for the due execution of the laws of the United States within the State of Michigan. July 1, 1836. .............................................. 61

Penitentiary in the District of Columbia. An act making appropriations 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 eighteen hundred and thirty-six. (Obsolet.) July 1, 1836. .............................................. 62

Sale of Lands for a Seminary of Learning in Florida. 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. July 1, 1836. .............................................. 63

Road on the Lands of the United States in Massachusetts. 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. July 1, 1836. .............................................. 63

Bridge at Harper's Ferry. 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. July 1, 1836. .............................................. 63

Smithsonian Legacy. 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. July 1, 1836. .............................................. 64

Officers of Revenue Cutters. An act to regulate the compensation of certain officers of revenue cutters. July 2, 1836. .............................................. 65

Hostilities with the Seminole Indians. An act making appropriations for the suppression of Indian hostilities, and for other purposes. July 2, 1836. .............................................. 65

Railroad through the Public Lands. An act to grant to the New Orleans and Nashville Railroad Company, the right of way through the public lands of the United States. July 2, 1836. 65
<table>
<thead>
<tr>
<th>Title</th>
<th>Description</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renewal of the Gold Medal presented to General Morgan.</td>
<td>An act to renew the gold medal struck and presented to General Morgan, by order of Congress, in honor of the battle of Cowpens.</td>
<td>July 2, 1836</td>
<td>66</td>
</tr>
<tr>
<td>Arsenal at Charleston, South Carolina.</td>
<td>An act to repair and extend the United States' Arsenal at Charleston, South Carolina.</td>
<td>July 2, 1836</td>
<td>66</td>
</tr>
<tr>
<td>Protection of the Western Frontier.</td>
<td>An act to provide for the better protection of the western frontier.</td>
<td>July 2, 1836</td>
<td>67</td>
</tr>
<tr>
<td>Delaware Breakwater. Improvement of Harbors and Rivers.</td>
<td>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.</td>
<td>July 2, 1836</td>
<td>67</td>
</tr>
<tr>
<td>Banks in the District of Columbia.</td>
<td>An act to extend the charters of certain Banks in the District of Columbia, and for other purposes.</td>
<td>July 2, 1836</td>
<td>69</td>
</tr>
<tr>
<td>Courts in Florida.</td>
<td>An act regulating the terms of the Superior Courts of the Middle District of Florida, and for other purposes.</td>
<td>July 2, 1836</td>
<td>69</td>
</tr>
<tr>
<td>Towns in Wisconsin Territory.</td>
<td>An act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Boque, and Peru, in the county of Du Boque, Territory of Wisconsin, and for other purposes.</td>
<td>July 2, 1836</td>
<td>70</td>
</tr>
<tr>
<td>Volunteers of Missouri and Indiana.</td>
<td>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-six.</td>
<td>July 2, 1836</td>
<td>71</td>
</tr>
<tr>
<td>Cumberland Road.</td>
<td>An act for the continuation of the Cumberland Road in the States of Ohio, Indiana and Illinois.</td>
<td>July 2, 1836</td>
<td>71</td>
</tr>
<tr>
<td>Military Academy at West Point.</td>
<td>An act making appropriations for the Military Academy of the United States, for the year eighteen hundred and thirty-six.</td>
<td>July 2, 1836</td>
<td>72</td>
</tr>
<tr>
<td>Public Lands.</td>
<td>An act to confirm the sales of public lands in certain cases.</td>
<td>July 2, 1836</td>
<td>73</td>
</tr>
<tr>
<td>Indian Treaties.</td>
<td>An act making further appropriations for carrying into effect certain Indian Treaties.</td>
<td>July 2, 1836</td>
<td>73</td>
</tr>
<tr>
<td>Fortifications.</td>
<td>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.</td>
<td>July 2, 1836</td>
<td>77</td>
</tr>
<tr>
<td>Post Office.</td>
<td>An act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof.</td>
<td>July 2, 1836</td>
<td>80</td>
</tr>
<tr>
<td>Post-Roads.</td>
<td>An act to establish certain post-roads, and to alter and discontinue others, and for other purposes.</td>
<td>July 2, 1836</td>
<td>90</td>
</tr>
<tr>
<td>Franking privilege to Mrs. Madison.</td>
<td>An act to extend the privilege of franking letters and packages to Dolly P. Madison.</td>
<td>July 2, 1836</td>
<td>107</td>
</tr>
<tr>
<td>General Land Office.</td>
<td>An act to reorganize the General Land Office.</td>
<td>July 4, 1836</td>
<td>107</td>
</tr>
<tr>
<td>Appropriations for the support of Government.</td>
<td>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.”</td>
<td>July 4, 1836</td>
<td>113</td>
</tr>
<tr>
<td>Five per cent. Fund in Alabama and Mississippi.</td>
<td>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.</td>
<td>July 4, 1836</td>
<td>116</td>
</tr>
<tr>
<td>Additional Paymasters in the Army.</td>
<td>An act to authorize the appointment of additional paymasters, and for other purposes.</td>
<td>July 4, 1836</td>
<td>117</td>
</tr>
<tr>
<td>Patents for useful Inventions.</td>
<td>An act to promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose.</td>
<td>July 4, 1836</td>
<td>117</td>
</tr>
<tr>
<td>Discriminating Duties.</td>
<td>An act to suspend the discriminating duties upon goods imported in vessels of Portugal, and to reduce the duties on wines.</td>
<td>July 4, 1836</td>
<td>125</td>
</tr>
<tr>
<td>Purchase of the Patents of W. H. Bell, for Invention for elevating and pointing Cannon.</td>
<td>An act for the purchase of certain rights or inventions of William H. Bell, of North Carolina.</td>
<td>July 4, 1836</td>
<td>126</td>
</tr>
</tbody>
</table>
LIST OF THE PUBLIC ACTS OF CONGRESS.

Public Lands in Missouri. An act confirming claims to land in the State of Missouri, and for other purposes. July 4, 1836.

Pensions to Widows and Orphans. 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. July 4, 1836.

Improvement of Harbors. 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. (Obsolet.) July 4, 1836.

Certificates to Importers of Wines. 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. July 4, 1836.

RESOLUTIONS.

No. 1. Rations to Inhabitants of Florida. Resolution authorizing the President to furnish rations to certain inhabitants of Florida. Feb. 1, 1836.

No. 2. Post-Roads in Missouri and Arkansas. Resolution to establish certain post roads in Missouri and Arkansas. March 10, 1836.

No. 3. Public Lands acquired by the Treaty of Dancing Rabbit Creek. Resolution to suspend the sale of a part of the public lands acquired by the Treaty of Dancing Rabbit Creek. May 9, 1836.

No. 4. Post Office. A resolution to change the time of making contracts for the transportation of the mail. May 14, 1836.

No. 5. Claims of Massachusetts and of other States. 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. May 14, 1836.


No. 9. Claims of Fulton's Heirs. 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.

No. 10. Bridge over the Potomac. Resolution to apply the unexpended balance of the appropriation for the Potomac bridge to the improvement of Maryland avenue, leading thereunto, and for other purposes. July 1, 1836.

STATUTE II.—1837.

Lands ceded to the United States by Indian Tribes. 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.

Hostilities with the Seminole Indians. An act making an appropriation for the suppression of Indian hostilities. (Obsolet.) Jan. 9, 1837.

Mint. An act supplementary to the act entitled "An act establishing a Mint, and regulating the coin of the United States." Jan. 16, 1837.

Pensions. 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. (Obsolet.) Jan. 18, 1837.

Horses and property destroyed in the Military Service. An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States. (Expired.) Jan. 18, 1837.

State of Michigan. An act to admit the State of Michigan into the Union upon an equal footing with the original States. Jan. 26, 1837.


Port of New Orleans. An act to extend the limits of the Port of New Orleans. Feb. 9, 1837.
LIST OF THE PUBLIC ACTS OF CONGRESS.

Collection District of Fall River, a Port of Entry. An act to change the name of the Collection District of Dighton, in the State of Massachusetts, to Fall River, and for other purposes. Feb. 13, 1837. 146

Branch Mints. 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. Feb. 13, 1837. 147

Duties on Imports. An act to suspend certain provisions 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. (Obsolete.) March 1, 1837. 147

District Court of Arkansas. An act to extend the jurisdiction of the District Court of the United States for the district of Arkansas. March 1, 1837. 147

Appropriations for the Army in 1837. An act making appropriations for the support of the army, for the year one thousand eight hundred and thirty-seven, and for other purposes. March 1, 1837. 148

Military Academy at West Point. An act to provide for the support of the Military Academy of the United States for the year eighteen hundred and thirty-seven. (Obsolete.) March 2, 1837. 151

Discriminating Duties. An act respecting discriminating duties upon Dutch and Belgian vessels and their cargoes. March 2, 1837. 152

Hostilities with the Seminole Indians. An act making an additional appropriation for the suppression of Indian hostilities for the year one thousand eight hundred and thirty-seven. (Obsolete.) March 2, 1837. 152

Enlistment of Boys in the Naval Service, &c. An act to provide for the enlistment of boys for the naval service, and to extend the term of the enlistment of seamen. March 2, 1837. 153

Pilots. An act concerning pilots. March 2, 1837. 158

Relief of Insolvent Debtors of the United States. An act to extend for a longer period the several acts now in force for the relief of certain insolvent debtors of the United States. March 2, 1837. 154

Titles to Land allotted for the Cultivation of the Vine and Olive. An act to provide for the adjustment of title and final disposition of the four reserved sections in the tract of territory allotted to the Tombecbee Association for the encouragement of the cultivation of the vine and olive. March 2, 1837. 154

Appropriations for the Navy for 1837. An act making appropriations for the naval service, for the year one thousand eight hundred and thirty-seven. March 3, 1837. 155

Indian Department and Indian Treaties. 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. (Obsolete.) March 3, 1837. 158

Titles of Officers of the Navy. An act to change the titles of certain officers in the navy. March 3, 1837. 163

Appropriations for the support of Government for 1837. An act making appropriations for the civil and diplomatic expenses of Government, for the year eighteen hundred and thirty-seven. (Obsolete.) March 3, 1837. 163

Supreme and Circuit Courts. An act supplementary to the act entitled "An act to amend the judicial system of the United States." March 3, 1837. 176

Treasury of the United States. 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 the 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. (Obsolete.) March 3, 1837. 178

Towns in Iowa and Wisconsin. An act to amend an act entitled, "An act for laying off the towns of Port Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buge and Peru, in the county of Du Buge, and Mineral Point, in the county of Iowa, territory of Wisconsin, and for other purposes," approved July second, eighteen hundred and thirty-six. (Obsolete.) March 3, 1837. 178

Convention between the United States and Spain. 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." (Obsolete.) March 2, 1837. 179

Navy Pension Fund. An act for the more equitable administration of the Navy Pension Fund. March 3, 1837. 180
LIST OF THE PUBLIC ACTS OF CONGRESS.

Claims to Land under the Treaty with the Choctaw Indians. 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. March 3, 1837...

Light-Houses. An act making appropriations for building light-houses, light-boats, beacons, boxes, and dolphins for the year one thousand eight hundred and thirty-seven. March 3, 1837...

Sale of Reservations of Land under the Treaty with the Creek Indians. 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. March 3, 1837...

Pensions to Widows and Orphans. 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." March 3, 1837...

Commissioner of Pensions. An act to continue the office of Commissioner of Pensions. March 3, 1837...

Improvement of Harbors and Rivers. 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. March 3, 1837...

Patents for useful Inventions. An act in addition to the act to promote the progress of science and useful arts. March 3, 1837...

Roads. The Cumberland Road. Road in Florida. Surveys. 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-two. March 3, 1837...

Railroad on the Public Lands in Florida. An act to grant the Atchafalaya Railroad and Banking Company the right of way over the public lands of the United States. March 3, 1837...

Chesapeake and Ohio Canal. An act further to amend the act incorporating the Chesapeake and Ohio Canal Company. March 3, 1837...

Railroad in Louisiana. 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. March 3, 1837...

Banks in Wisconsin Territory. 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...

RESOLUTIONS.

No. 1. Post Office. A resolution to enable the Postmaster General more readily to change the commencement of the contract year in the Post Office Department. March 2, 1837...

No. 2. Pension to Susan Decatur. A resolution granting a pension to Susan Decatur, widow of the late Stephen Decatur. March 3, 1837...

No. 4. Correction of an error in the awards under the Treaty with France. 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. March 3, 1837...

No. 5. Payment for the Stock of the United States in the Bank of the United States. 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. March 3, 1837...

Acts of the Twenty-Fifth Congress of the United States.

STATUTRE I.—1837.

Postponement of the Fourth Instalment of Deposits with the States. An act to postpone the fourth instalment of deposits with the States. Oct. 2, 1837...

Treasury Notes. An act to authorize the issuing of Treasury Notes. Oct. 19, 1837...

Fees of District Attorney. An act to regulate the fees of District Attorney in certain cases. Oct. 19, 1837...
LIST OF THE PUBLIC ACTS OF CONGRESS.

Laws of the United States continued in force. An act to continue in force certain laws to the close of the next session of Congress. Oct. 13, 1837. ........................................ 204

Payment for Horses lost or destroyed in the Military Service. 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 19th, 1837. Oct. 14, 1837. ........................................ 204


Hostilities with the Seminole Indians. An act making an additional appropriation for the suppression of Indian hostilities, for the year one thousand eight hundred and thirty-seven. Oct. 16, 1837. ........................................ 205

Postponement of the Payment of Duty Bonds. An act authorizing a further postponement of payment upon duty bonds. Oct. 16, 1837. ........................................ 205

Claims on the Deposit Banks. An act for adjusting the remaining claims upon the late deposit banks. Oct. 16, 1837. ........................................ 206

Appropriations for the Government in 1837. An act making further appropriations for the year eighteen hundred and thirty-seven. (Obsolet.) Oct. 16, 1837 ........................................ 207

RESOLUTION.

Express Mail. A resolution directing the postage on letters sent by the Express Mail to be paid in advance. (Obsolet.) Oct. 12, 1837. ........................................ 207

STATUTE II.—1837, 1838.

Public Vessels to cruise on the Coast in Winter. 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. Dec. 20, 1837. ........................................ 208

Official acts of John Pope, Governor of Arkansas. An act to ratify and confirm certain official acts of John Pope, late Governor of Arkansas. Jan. 16, 1838. ........................................ 208

Annuities to the Osages. 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. (Obsolet.) Jan. 16, 1838 ........................................ 209

Hostilities with the Seminole Indians. An act making a partial appropriation for the suppression of Indian hostilities, for the year eighteen hundred and thirty-eight. (Obsolet.) Jan. 30, 1838. ........................................ 209

Protection of the Northern Frontier. An act making an appropriation for the protection of the northern frontier of the United States. (Obsolet.) Jan. 30, 1838. ........................................ 209

Circuit Court in Alabama. An act to establish the Circuit Court at Huntsville, in the State of Alabama, and for other purposes. Feb. 22, 1838. ........................................ 210

Claims to Reservations under the Treaty with the Choctaw Indians. 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." (Expired.) Feb. 22, 1838. ........................................ 211

Bank of the United States. 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. Mar. 2, 1838. ........................................ 211

District Courts in Virginia. 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, by law to be held in the city of Richmond. Mar. 2, 1838. ........................................ 219

Punishment of Military Expeditions against the contiguous Territory of foreign governments at peace with the United States. 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. March 10, 1838. ........................................ 212

Pensions. 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. (Obsolet.) March 10, 1838. ........................................ 214

Circuit Courts in Indiana, Illinois, Michigan, and Ohio. An act to change the times of holding the Circuit and District Courts of the United States in the Seventh Circuit. Mar. 10, 1838 215

Assent to an Act of the Legislature of Maryland. An act to continue in force an act therein mentioned, relating to the Port of Baltimore. Mar. 19, 1838. ........................................ 215
LIST OF THE PUBLIC ACTS OF CONGRESS.

District Courts of Western Virginia. An act to restore circuit jurisdiction to the District Courts of the Western District of Virginia. March 26, 1838. .................................................. 215

Appropriations for the support of Government for 1838. An act making appropriations for the civil and diplomatic expenses of government for the year eighteen hundred and thirty-eight. (Obsolet.) April 6, 1838. ................................................................. 216

Appropriations for the support of the Army. An act making appropriations for the support of the army for the year one thousand eight hundred and thirty-eight. (Obsolet.) April 6, 1838. ................................................................. 216

Unclaimed Pensions. 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. ................................................................. 224

District of Columbia. Quitting Possessions and securing Estates to Purchasers. 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. April 20, 1838. ................................................................. 226

Removal of the Rafter in Red River. An act making an appropriation for the removal of the great raft in Red River. (Obsolet.) April 20, 1838. ................................................................. 231

Treasury Notes. An act to authorize the issuing of Treasury Notes to meet the current expenses of the Government. May 21, 1838. ................................................................. 226

Cumberland Road. An act making appropriations for the continuation of the Cumberland Road in Ohio, Indiana, and Illinois, and for other purposes. May 25, 1838. ................................................................. 228


Banks in the District of Columbia. An act to continue the corporate existence of the Banks in the District of Columbia. (Expired.) May 31, 1838. ................................................................. 233

Appropriations for the Navy in 1838. An act making appropriations for the naval service for the year one thousand eight hundred and thirty-eight. (Obsolet.) May 31, 1838. ................................................................. 233

Duties. An act to repeal certain provisions of "An act to alter and amend the several state impost duties on imports," approved the fourteenth day of July, eighteen hundred and thirty-two. May 31, 1838. ................................................................. 234

Territory of Iowa. An act to divide the Territory of Wisconsin, and to establish the Territorial Government of Iowa. June 12, 1838. ................................................................. 235

Appropriations for suppressing Indian Hostilities. An act making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-eight, and for armamges for the year eighteen hundred and thirty-seven. (Obsolet.) June 12, 1838. ................................................................. 241

Commissions on Duty Bonds. An act to secure the payment of certain commissions on duty bonds to collectors of customs. June 12, 1838. ................................................................. 242

Surveyor of the Public Lands in the Territory of Wisconsin. An act to create the office of Surveyor of Public Lands in the Wisconsin Territory. June 13, 1838. ................................................................. 243

Land Offices in the Wisconsin Territory. An act to establish two additional land offices in that part of Wisconsin Territory west of the river Mississippi. June 13, 1838. ................................................................. 248

Boundary Line of Michigan and Wisconsin. An act to ascertain and designate the boundary line between the State of Michigan and the Territory of Wisconsin. June 13, 1838. ................................................................. 248

Wisconsin Territory. An act concerning a seminary of learning in the Territory of Wisconsin. June 13, 1838. ................................................................. 248

Land granted to Wisconsin for a Canal. 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 13, 1838. ................................................................. 248

District Courts of Mississippi. An act to reorganize the District Courts of the United States in the State of Mississippi. June 16, 1838. ................................................................. 249

Boundary of Iowa. 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 16, 1838. ................................................................. 249

Public Buildings in Wisconsin. An act making an appropriation for completing the public buildings in Wisconsin. June 18, 1838. ................................................................. 249

District Courts of Tennessee. An act to require the Judge of the District Courts of East and West Tennessee to hold a Court at Jackson, in said State. June 18, 1838. ................................................................. 249
LIST OF THE PUBLIC ACTS OF CONGRESS.

Pre-emption Rights. An act to grant pre-emption rights to the settlers on the public lands. Page 251

Boilers of Steam-engines. 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 28, 1838. Page 253

Orphan's Court of Alexandria. An act relating to the Orphan's Court of Alexandria County, in the District of Columbia. June 28, 1838. Page 253

Confirmation of an Act of the Legislature of Florida. 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. June 28, 1838. Page 253

Pensions. An act to provide for paying certain pensions at Tuscaloosa, in the State of Alabama. June 28, 1838. Page 254


Land granted for a Seat of Justice in Alabama. An act to grant Cherokee County, Alabama, the tract of land on which the seat of justice of said County has been located. July 5, 1838. Page 254

Deposit Act. 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. July 5, 1838. Page 255

Pensions. 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. July 5, 1838. Page 255

Vessels prevented entering the Ports of Mexico by the Blockade. 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. July 5, 1838. Page 255

Patents for Lands in the Creek Reservation. An act to authorize the issuing of patents to the last bona fide transferee of reservation 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. July 5, 1838. Page 256

Army of the United States. An act to increase the present military establishment of the United States, and for other purposes. July 5, 1838. Page 256

Test of Inventions for the Improvement of Steam-Boilers. 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. July 7, 1838. Page 261


Sale of Lands near the Wabash and Erie Canal. 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. July 7, 1838. Page 261

Virginia Military Land Warrants. An act to extend the time for locating Virginia military land warrants and returning surveys thereon to the General Land Office. July 7, 1838. Page 262


Government of Florida. An act to re-organize the Legislative Council of Florida, and for other purposes. July 7, 1838. Page 263

Military Academy at West Point. An act to provide for the support of the Military Academy of the United States for the year one thousand eight hundred and thirty-eight, and for other purposes. (Obsolete.) July 7, 1838. Page 264

Claims of New York for the Services of her Militia. An act to provide for the settlement of the claim of the State of New York for the services of her militia. July 7, 1838. Page 268

Improvement of Harbors and Rivers. 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. (Obsolete.) July 7, 1838. Page 268


Appropriations for Fortifications. An act making appropriations for certain fortifications of the United States for the year one thousand eight hundred and thirty-eight. (Obsolete.) July 7, 1838. Page 294
<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duties on Goods destroyed by Fire in New York remitted. An act to remit the duties upon certain goods destroyed by fire at the late conflagration in the City of New York.</td>
</tr>
<tr>
<td>Collection District in Mississippi. An act to establish a new collection district in the State of Mississippi.</td>
</tr>
<tr>
<td>Land Offices in Louisiana. An act to establish additional land offices in the States of Louisiana and Arkansas.</td>
</tr>
<tr>
<td>Payment for Horses, &amp;c., destroyed in the Military Service. An act to continue in force the act for the payment of horses and other property lost in the military service. (Expired.)</td>
</tr>
<tr>
<td>Coal on board of Steamboats, &amp;c. 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.</td>
</tr>
<tr>
<td>A Compilation of the Laws of Florida. An act making appropriation for the compilation of the laws of Florida. (Obsolete.)</td>
</tr>
<tr>
<td>Light-Houses, &amp;c. An act making appropriations for building light-houses, light-boats, beacons, lights, buoys, and making surveys, for the year one thousand eight hundred and thirty-eight. (Obsolete.)</td>
</tr>
<tr>
<td>Judicial District in Florida. An act to establish a new judicial district in the Territory of Florida.</td>
</tr>
<tr>
<td>Circuit and District Courts for the Northern District of New York. An act to increase and regulate the terms of the Circuit Court and District Courts for the Northern District of the State of New York.</td>
</tr>
<tr>
<td>Road from the Foot of the Rapids of the Miami of the Lakes. An act ceding to the State of Ohio the interest of the United States in a certain road within that State.</td>
</tr>
<tr>
<td>Sale of the Bonds of the Bank of the United States. An act to authorize the sale of certain bonds belonging to the United States.</td>
</tr>
<tr>
<td>Prohibition of the Circulation of Bills of Corporations created by Acts of Congress which have expired. 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.</td>
</tr>
<tr>
<td>Appropriations for the Indian Department. An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling the treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and thirty-eight. (Obsolete.)</td>
</tr>
<tr>
<td>Acts and Resolutions of Congress. 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.”</td>
</tr>
<tr>
<td>Cultivation of Tropical Plants. An act to encourage the introduction and promote the cultivation of tropical plants in the United States.</td>
</tr>
<tr>
<td>Pensions. An act granting half pay and pensions to certain widows.</td>
</tr>
<tr>
<td>Roads in Wisconsin. An act making appropriation for certain roads in the Territory of Wisconsin.</td>
</tr>
<tr>
<td>Security of Passengers on board of Vessels propelled by Steam. 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.</td>
</tr>
<tr>
<td>A Criminal Court in the District of Columbia established. An act to establish a criminal court in the District of Columbia.</td>
</tr>
<tr>
<td>Circuit Court in Tennessee and in Maryland. An act to change the time of holding the United States Circuit Court in the District of East Tennessee and the District of Maryland.</td>
</tr>
<tr>
<td>Military Establishment of the United States. 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.</td>
</tr>
<tr>
<td>Prohibition of Circulation of small Notes in the District of Columbia. An act to restrain the circulation of small notes as a currency in the District of Columbia, and for other purposes.</td>
</tr>
<tr>
<td>Madison Papers. An act authorizing the printing of the Madison papers.</td>
</tr>
</tbody>
</table>
LIST OF THE PUBLIC ACTS OF CONGRESS.

RESOLUTIONS.

No. 1. Walls of the late Post-Office to be removed. Joint resolution authorizing the Commissioneer of the Public Buildings to cause the removal of the walls of the late Post-Office Building. March 19, 1838. ................................................................. 310

No. 2. A Fort near the Western Boundary of Arkansas. A resolution to authorize the Secretary of War to purchase a site for a fort at or near the western boundary of Arkansas, April 4, 1838. ................................................................. 310

No. 4. Public Revenue. A resolution relating to the public revenue and dues to the Government. May 31, 1838. ......................................................... 310

No. 5. An act of the Legislature of Wisconsin chartering a Bank disapproved. Resolution to disapprove and disaffirm an act of the Legislative Council of the Wisconsin Territory chartering a bank. June 12, 1838 ................................................................. 310

No. 6. Authorities of Savannah to re-open certain Streets. Joint resolution in favour of the authorities of the City of Savannah, in the State of Georgia. June 18, 1838. ................................................................. 311

No. 7. Pensions. A resolution for the benefit of the widows of certain revolutionary officers and soldiers. July 7, 1838. ......................................................... 311

STATUTE III.—1838, 1839.

Appropriations for the support of Government: 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.) Dec. 29, 1838 ................................................................. 319

Appropriation to carry into effect the Treaty with Texas, etc. 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. Jan. 11, 1839. ................................................................. 319

District Courts in Tennessee. An act to amend an act entitled "An act to require the Judge of East and West Tennessee to hold a Court at Jackson in said State," approved June eighteenth, eighteen hundred and thirty-eight. Jan. 16, 1839. ................................................................. 319

Transportation of the Mail on Railroads. An act further to regulate the transportation of the mail upon railroads. Jan. 29, 1839. ................................................................. 314

District Courts in Alabama. An act to reorganize the District Courts of the United States in the State of Alabama. Feb. 6, 1839. ................................................................. 315

Seminole Indians. An act to re-organize the District Courts of the United States in the State of Florida. (Obsolete.) Feb. 13, 1839. ................................................................. 316

Pensions. 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. (Obsolete.) Feb. 13, 1839. ................................................................. 316

Compromises with certain Banks. 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. Feb. 16, 1839. ................................................................. 317

District Courts in Mississippi. An act to amend "An act to re-organize the District Courts of the United States in the State of Mississippi," approved June eighteenth, eighteen hundred and thirty-eight. Feb. 16, 1839. ................................................................. 317

Penitentiary in the District of Columbia. An act making an appropriation for the support of the Penitentiary in the District of Columbia. (Obsolete.) Feb. 16, 1839. ................................................................. 318

Prohibition of Challenges in the District of Columbia. 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. Feb. 20, 1839. ................................................................. 318

A Criminal Court in the District of Columbia established. An act to amend an act entitled "An act to establish a Criminal Court in the District of Columbia." Feb. 20, 1839. ................................................................. 319

Suit by the Bank of Columbia, in Georgetown, not to abate. 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. ................................................................. 321

Imprisonment for Debt. An act to abolish imprisonment for debt in certain cases. Feb. 28, 1839. ................................................................. 321

Jurisdiction and Proceedings in the Courts of the United States. An act in amendment of the acts respecting the judicial system of the United States. Feb. 28, 1839. ................................................................. 321
LIST OF THE PUBLIC ACTS OF CONGRESS.

Treasury Notes. An act to revise and extend "An act to authorize the issuing of Treasury Notes to meet the current expenses of Government," approved the twenty-first of May, eighteen hundred and thirty-eight. March 3, 1839. 323

Public Buildings in Florida. An act to provide for the erection of public buildings in the Territory of Florida. March 3, 1839. 323

Appropriations for the Indian Department. 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. (Obsolete.) March 3, 1839. 333

Improvements in Wisconsin. An act to authorize the construction of certain improvements in the Territory of Wisconsin, and for other purposes. March 3, 1839. 328

Virginia Military Land Warrants. 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. March 3, 1839. 329

Relief of Umbrella Makers. An act for the relief of umbrella makers. (Obsolete.) March 3, 1839. 329

Purchase of Land for the Navy-Yard at Charlestown, Massachusetts. 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. (Obsolete.) March 3, 1839. 330

A Pier at the Extremity of Winnebago Lake. An act making appropriations for building a pier at the northern extremity of Winnebago lake, and for other purposes. (Obsolete.) March 3, 1839. 330

Lands for Public Buildings in Iowa. An act making a donation of land to the Territory of Iowa for the purpose of erecting public buildings thereon. March 3, 1838. 331

Improvement of Rivers and Repair of Roads in Florida. An act for the improvement and survey of certain rivers, and the repair of certain roads in Florida. (Obsolete.) March 3, 1839. 331

Compensation of the Judges of the Supreme Court of Iowa. 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. 331

Census. An act to provide for taking the sixth census or enumeration of the inhabitants of the United States. March 3, 1839. 331

Courts in Missouri, Tennessee, Alabama, Wisconsin, Michigan, Arkansas and New York. 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." March 3, 1839. 337

Appropriations for the support of Government. An act making appropriations for the civil and diplomatic expenses of Government, for the year eighteen hundred and thirty-nine. (Obsolete.) March 3, 1839. 339

Relief of the Brotherton Indians. An act for the relief of the Brotherton Indians, in the Territory of Wisconsin. March 3, 1839. 349

Protection of the Northern and North-Western Frontier. An act making an appropriation for the protection of the northern and north-western frontier of the United States. (Obsolete.) March 3, 1839. 351

Adjutant General included in the Act regulating Brevet Pay, &c. An act to amend an act entitled "An act regulating the pay and emoluments of brevet officers," passed April 16, 1818. March 3, 1839. 353

Road in Iowa. 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. March 3, 1839. 359

Fire-proof Building in the General Post-Office. An act providing for the erection of a fire-proof building for the use of the General Post-Office Department. March 3, 1839. 357

Patents for useful Inventions. An act in addition to "An act to promote the progress of the useful arts." March 3, 1839. 353

Defence of the United States in case of Invasion. 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. (Expired.) March 3, 1839. 355

Wisconsin and Iowa Territories. An act to alter and amend the organic law of the Territories of Wisconsin and Iowa. March 3, 1839. 356
LIST OF THE PUBLIC ACTS OF CONGRESS.

Boundary of Iowa. An act to define and establish the eastern boundary line of the Territory of Iowa. March 3, 1839. .......................................................... 357

Iowa. An act to authorize the election or appointment of certain officers in the Territory of Iowa, and for other purposes. March 3, 1839. .......................................................... 357

Hostilities with the Seminole Indians. An act making appropriations for preventing and suppressing Indian hostilities, for the year eighteen hundred and thirty-nine. (Obsolete.) March 3, 1839. .......................................................... 357

Appropriations for the support of the Army. An act making appropriations for the support of the army for the year one thousand eight hundred and thirty-nine. (Obsolete.) March 3, 1839. .......................................................... 359

Appropriations for the support of the Navy. An act making appropriations for the naval service for the year one thousand eight hundred and thirty-nine. (Obsolete.) March 3, 1839. .......................................................... 362

Jail in the City of Washington. An act to provide for the erection of a new jail in the City of Washington, District of Columbia. March 3, 1839. .......................................................... 364

Potomac Bridge. An act to extend the jurisdiction of the corporation of the City of Washington over the Potomac bridge. March 3, 1839. .......................................................... 364

RESOLUTIONS.

No. 1. Claims of the Workmen upon the Public Buildings. Resolution authorizing an examination and payment of the claims of the workmen upon the public buildings. Jan. 18, 1839. .......................................................... 365

No. 2. Purchase of an Island at the Confluence of the St. Peters and Mississippi Rivers. A resolution for the purchase of the island at the confluence of the St. Peters and Mississippi rivers. Feb. 13, 1839. .......................................................... 365

No. 3. Land Titles in the District of Columbia. A resolution directing the manner in which certain laws of the District of Columbia shall be executed. Feb. 16, 1839. .......................................................... 365

No. 4. Certificates of Deposits. A resolution authorizing certain certificates of deposit to be cancelled and re-issued. Feb. 29, 1839. .......................................................... 366

No. 5. Purchase of the Pea-Patch, in the Delaware. A resolution to authorize the purchase of an island in the river Delaware, called the Pea-Patch, and for other purposes. March 3, 1839. .......................................................... 366

Acts of the Twenty-Sixth Congress of the United States.

STATUTE L—1840.

Appropriations for the support of Government. An act making appropriations, in part, for the support of Government for the year eighteen hundred and forty. (Obsolete.) Jan. 8, 1840. .......................................................... 367

Pensions. An act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year eighteen hundred and forty. Feb. 22, 1840. .......................................................... 367

Census. 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. Feb. 26, 1840. .......................................................... 368

Commissioner of Pensions. 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. March 4, 1840. .......................................................... 369

Treasury Notes. An act additional to the act on the subject of Treasury Notes. March 31, 1840. .......................................................... 370

Vessels employed in the Whale Fishery. 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. April 4, 1840. .......................................................... 370

Appropriations for Civil and Diplomatic Expenses. An act making appropriations for the civil and diplomatic expenses of the Government for the year eighteen hundred and forty. May 8, 1840. .......................................................... 371
LIST OF THE PUBLIC ACTS OF CONGRESS.

District Court of the United States in the Western District of Pennsylvania. An act for altering the time for holding the District Court of the United States for the Western District of Pennsylvania at Williamsport. May 8, 1840. 380

Soldiers in the late War authorized to surrender Bounty Lands. An act to revive an act authorizing soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof, and for other purposes. May 27, 1840. 380

Insolvent Debtors of the United States. An act to extend for a longer period the several acts now in force for the relief of insolvent debtors of the United States. (Expired.) May 27, 1840. 381

Sippican and Mattapoisett Districts. 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. May 27, 1840. 381

Pre-emption Rights to Settlers on the Public Lands. An act supplemental to the act entitled "An act to grant pre-emption rights to the settlers on the public lands," approved June twenty-second, eighteen hundred and thirty-eight. June 1, 1840. 382

Convention between the United States and Mexico. An act to carry into effect a Convention between the United States and the Mexican Republic. (Obsolete.) June 12, 1840. 383

Registers and Receivers of Public Lands to administer Oaths. An act to authorize registers and receivers to administer oaths required to be taken by purchasers of public land. June 12, 1840. 384

Discontinuance of the Office of Surveyor General in certain Districts. 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. June 12, 1840. 384

Prisoners of the United States in Rhode Island. An act concerning prisoners of the United States committed to the gaol in the County of Providence, and State of Rhode Island. June 12, 1840. 385

Pensions. An act making provision for the payment of pensions to the executors or administrators of deceased pensioners in certain cases. June 12, 1840. 385

Collection and safe-keeping of the Revenue. An act to provide for the collection, safe-keeping, transfer and disbursement of the public revenue. July 4, 1840. 385

District Court of Tennessee. 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 the said State,' approved June the eighteenth, eighteen hundred and thirty-eight," and for other purposes. July 4, 1840. 389

Adjournment of the Circuit Courts, &c. An act in addition to the acts respecting the judicial system of the United States. July 4, 1840. 389

Land Office at Grenada. An act to remove the land office from Choctawma to Grenada, in the State of Mississippi. July 4, 1840. 393

Jurors in the Courts of the United States. 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.'" July 20, 1840. 394

Seamen of the Merchant Service, &c. An act in addition to the several acts regulating the shipment and discharge of wares, and the duties of Consuls. July 20, 1840. 394

Coosa Land District. An act to annex a certain tract of land to the Coosa Land District, and for other purposes. July 20, 1840. 397

Appropriation for the Military Academy at West Point. An act to provide for the support of the Military Academy for the year eighteen hundred and forty. (Obsolete.) July 20, 1840. 397

Appropriations for the Navy. An act making appropriations for the naval service, for the year one thousand eight hundred and forty. (Obsolete.) July 20, 1840. 398

Exploration and Survey of the North-Eastern Boundary. An act to provide for the expenses of making an exploration and survey of that part of the north-eastern boundary line of the United States which separates the States of Maine and New Hampshire from the British Provinces. (Obsolete.) July 20, 1840. 402

Appropriations for the Indian Department. 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. July 20, 1840. 409

VOL. V.—(3)
LIST OF THE PUBLIC ACTS OF CONGRESS.

Appropriations for the Support of the Army. An act making appropriations for the support of the army, for the year one thousand eight hundred and forty. (Obsolete.) July 20, 1840. 404

Appropriations for Fortifications. An act making appropriations for certain fortifications of the United States for the year one thousand eight hundred and forty. July 21, 1840. 407

RESOLUTIONS.

No. 1. Clerks in the Office of Commissioner of Indian Affairs. Joint resolution authorizing the Secretary of War to continue certain clerks employed in the Office of the Commissioner of Indian Affairs. May 2, 1840. 409

No. 2. Statue of Washington. A resolution concerning the Statue of Washington by Greenough. May 27, 1840. 409

No. 4. Presents from the Imaum of Muscat. A resolution to authorize the President to dispose of certain presents from the Imaum of Muscat and the Emperor of Morocco. July 20, 1840. 409

No. 5. Exchange of Books, &c. Joint resolution for the exchange of books and public documents for foreign publications. July 26, 1840. 409

STATUTE II.—1840, 1841.

Appropriations for the Support of Government. An act making appropriations, in part, for the support of Government for the year one thousand eight hundred and forty-one. (Obsolete.) Dec. 18, 1840. 410

Imprisonment for Debt abolished in certain Cases. An act supplementary to an act to abolish imprisonment for debt in certain cases. Jan. 14, 1841. 410

Sixth Census. 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. Jan. 14, 1841. 411

Treasury Notes. An act to authorize the issuing of Treasury Notes. (Obsolete.) Feb. 15, 1841. 411

Pensions. 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. (Obsolete.) Feb. 18, 1841. 412

Public Lands in Tennessee. 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. Feb. 18, 1841. 412

Survey of the North-Eastern Boundary. An act to make further provision for the expenses of an exploration and survey of that part of the north-eastern boundary line of the United States which separates the States of Maine and New Hampshire from the British Provinces. Feb. 27, 1841. 413

Wabash and Erie Canal. 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. Feb. 27, 1841. 414

Payment for Horses, &c., lost in the Military Service. 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. (Expired.) Feb. 27, 1841. 414

Appropriation for a Delegation to the Seminole Indians, &c. An act making an appropriation to defray the expenses of a delegation of the Seminole Indians west of the Mississippi to Florida, and for other purposes. (Obsolete.) March 2, 1841. 414

Appropriations for Fortifications. An act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and forty-one. (Obsolete.) March 3, 1841. 414

Military Academy at West Point. An act to provide for the support of the Military Academy for the year one thousand eight hundred and forty-one. (Obsolete.) March 3, 1841. 415

Patents for Lands. An act to confirm land patents. March 3, 1841. 416

Appropriations for the Indian Department. 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. (Obsolete.) March 3, 1841. 417
LIST OF THE PUBLIC ACTS OF CONGRESS.

Appropriations for the Navy of the United States. An act making appropriations for the naval service for the year one thousand eight hundred and forty-one. (Obsolet.) March 3, 1841. ......................................................... 419

Appropriations for the Civil and Diplomatic Expenses. An act making appropriations for the civil and diplomatic expenses of the Government for the year eighteen hundred and forty-one. (Obsolet.) March 3, 1841. 421

Appropriations for the Army for 1841. An act making appropriations for the support of the army for the year one thousand eight hundred and forty-one. (Obsolet.) March 3, 1841. 433

Support and Removal of Indians. 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. March 3, 1841. .......... 435

The Provisions of the Act of July 20, 1840, relating to Juries, not to apply to Pennsylvania. An act to amend the act entitled "An act to amend the act approved May thirteenth, eighteen hundred, entitled "An act to establish the Judicial Courts of the United States." (Expire.) March 3, 1841. 436

Collection District of Currituck Inlet. An act to abolish the port of delivery and the office of Surveyor of the Customs at Currituck Inlet, in North Carolina. March 3, 1841. .... 436

RESOLUTION.


Acts of the Twenty-Seventh Congress of the United States.

STATUTE I—1841.

Appropriations for the Expenses of Congress. An act making appropriations for the present session of Congress. (Obsolet.) June 25, 1841. ......................................................... 437

Mrs. Harrison, Widow of the late President of the United States. An act for the relief of Mrs. Harrison, widow of the late President of the United States. June 30, 1841. 437

Loan of twelve millions. An act authorizing a loan not exceeding the sum of twelve millions of dollars. July 21, 1841. ................................................................. 438

Home Squadron. An act making appropriation for the pay, subsistence, &c., of a Home Squadron. (Obsolet.) Aug. 1, 1841. ................................................................. 438

Maintenance of Pauper Lunatics in the District of Columbia. An act making further provision for the maintenance of pauper lunatics in the District of Columbia. Aug. 3, 1841. .... 439

Repeal of the Act establishing the Sub-Treasury. 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. Aug. 13, 1841. ................................................................. 439

Navy Pensions. An act to provide for the payment of navy pensions. Aug. 16, 1841. ................................................................. 440

Bankrupt Act. An act to establish a uniform system of bankruptcy throughout the United States. (Repealed.) Aug. 19, 1841. ................................................................. 440

Virginia Military Land-Warrants. An act further to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office. Aug. 19, 1841. ................................................................. 440

Recovering of Fines and Forfeitures under the Charter of Georgetown, &c. An act to authorize the recovering of fines and forfeitures incurred under the charter, laws, and ordinances of Georgetown, before justices of the peace. Aug. 19, 1841. 449

Banks in the District of Columbia. An act to revive and extend the charters of certain Banks in the District of Columbia. Aug. 25, 1841. ................................................................. 449

Funeral of William Henry Harrison. An act making an appropriation for the funeral expenses of William Henry Harrison, deceased, late President of the United States. Sept. 1, 1841. 451
LIST OF THE PUBLIC ACTS OF CONGRESS.

Convention with the Mexican Republic. An act in addition to an act entitled an act to carry into effect a Convention between the United States and the Mexican Republic. Sept. 1, 1841. 452

Sixth Census. An act to amend the act entitled "An act 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. Sept. 1, 1841. 452

Proceeds of the Public Lands and Pre-emption Rights. An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights. Sept. 4, 1841. 453

Fortifications. Ordnance. Indian Hostilities. An act making appropriations for various fortifications, for ordnance, and for preventing and suppressing Indian hostilities. Sept. 9, 1841. 458

Greenough's Statue of Washington. An act to provide for placing Greenough's Statue of Washington in the Rotunda of the Capitol, and for expenses therein mentioned. Sept. 9, 1841. 460

Franking privilege granted to Mrs. Harrison. An act authorizing the transmission of letters and packets to and from Mrs. Harrison free of postage. Sept. 9, 1841. 461

Appropriations for the Post-Office Department. An act to make appropriations for the Post-Office Department. (Obsolet.) Sept. 9, 1841. 461

Naval Ordnance and Ordnance Stores. An act making an appropriation for the purchase of naval ordnance and ordnance stores, and for other purposes. (Obsolet.) Sept. 11, 1841. 461

Outfits and Salaries of Diplomatic Agents. An act making appropriations for outfits and salaries of diplomatic agents, and for other purposes. (Obsolet.) Sept. 11, 1841. 461

Repairing the Potomac Bridge. An act to provide for repairing the Potomac Bridge. Sept. 11, 1841. 462

Duties and Drawbacks. An act relating to duties and drawbacks. Sept. 11, 1841. 463

Military Academy at West Point. 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. Sept. 11, 1841. 463

RESOLUTIONS.

No. 1. Respect for the memory of William Henry Harrison, late President of the United States. A resolution manifesting the sensibility of Congress upon the event of the death of William Henry Harrison, late President of the United States. June 14, 1841. 466

No. 9. Light-Boats at Sandy Hook and Bartlett's Reef. A resolution relating to the light-boats now stationed at Sandy Hook and Bartlett's Reef. Aug. 25, 1841. 466

No. 3. Distribution of the Digest of Patents. A resolution for the distribution of seven hundred copies of the Digest of Patents. Sept. 1, 1841. 466

No. 4. Distribution of the Returns of the Sixth Census. A resolution to provide for the distribution of the printed returns of the sixth census. Sept. 1, 1841. 467

No. 5. Domestic water-rotted Hemp. A resolution in relation to the purchase of domestic water-rotted hemp for the use of the United States Navy. Sept. 11, 1841. 467

No. 6. Examination by the Attorney General of the Titles to Lands, &c., for Public Works. A 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. Sept. 11, 1841. 468

STATUTE II.—1841, 1842.

Appropriations for the support of Government. An act making appropriations, in part, for the civil department, for the year one thousand eight hundred and forty-two. (Obsolet.) Dec. 29, 1841. 469

Treasury Notes. An act to authorize an issue of Treasury Notes. (Obsolet.) Jan. 31, 1842. 469

Relief and Protection of American Seamen. An act making an appropriation for the relief and protection of American seamen in foreign countries. (Obsolet.) Feb. 12, 1842. 470

Pensions. An act making appropriations for pensions in the year one thousand eight hundred and forty-two. (Obsolet.) Feb. 12, 1842. 470

Disposition of Lands in Alabama acquired by the Treaty with the Cherokees. An act to provide for the early disposition of the lands lying in the State of Alabama acquired from the
LIST OF THE PUBLIC ACTS OF CONGRESS.

Cherokee Indians by the treaty of twenty-ninth of December, eighteen hundred and thirty-five. March 4, 1842. ........................................... 470

Special Session of the District Court of the Eastern District of Pennsylvania. 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. March 19, 1842. ........................................... 470

Commissioners to select Jurors for the Courts of the United States in Pennsylvania. 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 to establish the judicial courts of the United States." March 19, 1842. ........................................... 471

Lands to be selected for Internal Improvements in Illinois, Arkansas and Missouri. An act to authorize the Governor of the States of Illinois, Arkansas and Missouri, to cause to be selected the lands therein mentioned. March 19, 1842. ........................................... 471

District Court of the United States in West Tennessee. An act to amend the several acts establishing a District Court of the United States at Jackson, in the District of West Tennessee. April 14, 1842. ........................................... 471

Lands in Louisiana. An act to confirm certain entries of lands in the State of Louisiana, and to authorize the issuing of patents for the same. April 14, 1842. ........................................... 472

Construction of a War-Steamer for Harbor Defence. An act authorizing the construction of a war-steamer for harbor defence. April 14, 1842. ........................................... 472

Post-Roads. An act to establish certain post-roads. April 14, 1842. ........................................... 473

Invalid Pensions to certain Cherokee Warriors. 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. April 14, 1842. ........................................... 473

Lands granted to Exiles from Poland. An act to authorize the Governor of the States of Illinois, Arkansas and Missouri, to cause to be selected the lands therein mentioned. March 19, 1842. ........................................... 471

Loans and Treasury Notes. 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. April 15, 1842. ........................................... 473

Appropriations for the support of Government. An act making appropriations for the civil and diplomatic expenses of Government, for the year eighteen hundred and forty-two. (Obso. May 18, 1842. ........................................... 475

Circuit and District Courts of East and West Tennessee. An act changing the time of holding the Circuit and District Courts of the United States for the Districts of East and West Tennessee. May 18, 1842. ........................................... 488

Circuit and District Courts in Ohio. 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. June 1, 1842. ........................................... 488

Commercial Intercourse with Cayenne and Guiana. An act regulating commercial intercourse with the port of Cayenne, in the colony of French Guiana, and to remit certain duties. June 1, 1842. ........................................... 489

Collection District of Fairfield. An act to authorize the Collector of the district of Fairfield to reside in either of the towns of Fairfield or Bridgeport. June 1, 1842. ........................................... 489

Claims of the State of Maine. An act to provide for the settlement of the claims of the State of Maine for the services of her militia. June 13, 1842. ........................................... 490

Compact between Alabama and Mississippi relating to the Five Per Cent. Fund. 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." June 13, 1842. ........................................... 490

Appportionment of Representatives among the several States. An act for the apportionment of Representatives among the several States according to the sixth census. June 23, 1842. ........................................... 491

Land Claims in Louisiana. An act confirming certain land claims in Louisiana. July 6, 1842. ........................................... 491

Appropriations for the Indian Department. 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. (Obso. July 17, 1842. ........................................... 493

Value of the Pound Sterling at the Treasury. An act to regulate the value to be affixed to the pound sterling by the Treasury Department. July 27, 1842. ........................................... 496

**LIST OF THE PUBLIC ACTS OF CONGRESS.**

<table>
<thead>
<tr>
<th>Act Title</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Court for the Western District of Pennsylvania. 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.</td>
<td>July 27, 1842</td>
<td>496</td>
</tr>
<tr>
<td>Bounty Lands. An act to provide for satisfying claims for bounty lands for military services in the late war with Great Britain, and for other purposes.</td>
<td>July 27, 1842</td>
<td>497</td>
</tr>
<tr>
<td>Corporation of Georgetown. An act to extend the jurisdiction of the corporation of Georgetown.</td>
<td>July 27, 1842</td>
<td>497</td>
</tr>
<tr>
<td>Lighting Pennsylvania Avenue. An act to provide for erecting and lighting lamps on Pennsylvania Avenue.</td>
<td>July 27, 1842</td>
<td>498</td>
</tr>
<tr>
<td>Clerks in the Post-Office Department. 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.</td>
<td>July 27, 1842</td>
<td>498</td>
</tr>
<tr>
<td>Act of 1838 made applicable to States since admitted into the Union. 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.</td>
<td>Aug. 1, 1842</td>
<td>499</td>
</tr>
<tr>
<td>Collection District. An act to constitute the ports of Stonington, Mystic River, and Pawcatuck River, a collection district.</td>
<td>Aug. 3, 1842</td>
<td>499</td>
</tr>
<tr>
<td>Appropriations for the Naval Service for 1842. An act making appropriations for the naval service, for the year one thousand eight hundred and forty-two. (Obsolet.)</td>
<td>Aug. 4, 1842</td>
<td>500</td>
</tr>
<tr>
<td>Armed Occupation and Settlement of Florida. An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida.</td>
<td>Aug. 4, 1842</td>
<td>502</td>
</tr>
<tr>
<td>District Court of the Northern District of Alabama. An act to regulate appeals and writs of error from the District Court of the United States for the Northern District of Alabama.</td>
<td>Aug. 4, 1842</td>
<td>504</td>
</tr>
<tr>
<td>Collection District of Tiverton, Rhode Island. 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.</td>
<td>Aug. 9, 1842</td>
<td>504</td>
</tr>
<tr>
<td>Claims of the State of Georgia. An act to provide for the settlement of the claims of the State of Georgia for the services of her militia.</td>
<td>Aug. 11, 1842</td>
<td>504</td>
</tr>
<tr>
<td>Land Titles in Arkansas. An act to settle the title to certain tracts of land in the State of Arkansas.</td>
<td>Aug. 11, 1842</td>
<td>505</td>
</tr>
<tr>
<td>Services of the Judges of Iowa. An act regulating the services of the several Judges in the Territory of Iowa.</td>
<td>Aug. 11, 1842</td>
<td>505</td>
</tr>
<tr>
<td>Collection Districts of Stonington, Mystic River, and Pawcatuck River. An act explanatory of an act entitled “An act to constitute the ports of Stonington, Mystic River, and Pawcatuck River a collection district.”</td>
<td>Aug. 16, 1842</td>
<td>506</td>
</tr>
<tr>
<td>Claims of the State of Alabama. An act authorising the settlement and payment of certain claims of the State of Alabama.</td>
<td>Aug. 16, 1842</td>
<td>506</td>
</tr>
<tr>
<td>Name of Portland changed to Sandusky, on Lake Erie. An act to change the name of the port of entry on Lake Erie, known as Portland, to that of Sandusky.</td>
<td>Aug. 16, 1842</td>
<td>507</td>
</tr>
<tr>
<td>Circuit and District Courts—Fourth, Fifth, and Sixth Circuits. 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.’”</td>
<td>Aug. 16, 1842</td>
<td>507</td>
</tr>
<tr>
<td>Changes in the Commercial Systems of other Nations to be laid before Congress. An act requiring foreign regulations of commerce to be laid annually before Congress.</td>
<td>Aug. 16, 1842</td>
<td>507</td>
</tr>
<tr>
<td>Dubuque Claim, Iowa Territory. An act to grant pre-emption rights to the settlers on the “Dubuque Claim” so called, in the territory of Iowa.</td>
<td>Aug. 16, 1842</td>
<td>507</td>
</tr>
<tr>
<td>Appropriations for the Support of the Army, &amp;c. for 1842. An act making appropriations for the support of the army, and the military academy, for the year one thousand eight hundred and forty-two. (Obsolet.)</td>
<td>Aug. 30, 1842</td>
<td>508</td>
</tr>
<tr>
<td>Auxiliary Watch in the City of Washington. An act to establish an auxiliary watch for the protection of public and private property in the City of Washington.</td>
<td>Aug. 31, 1842</td>
<td>511</td>
</tr>
</tbody>
</table>
Payment for Horses and other Property lost or destroyed in the Military Service of the United States. 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. Aug. 23, 1842...

Reduction of Dragoons, end of the Army, &c. An act respecting the organization of the army, and for other purposes. Aug. 23, 1842.

Claims under the Treaty of Dancing Rabbit Creek. 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.

Supreme, Circuit and District Courts. 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. Aug. 23, 1842.

Navy Pension Fund. An act making an appropriation to supply a deficiency in the navy pension fund. (Obsolete.) Aug. 23, 1842.


Pensions. An act to amend the acts of July, eighteen hundred and thirty-six, and eighteen and thirty-eight, allowing pensions to certain widows. Aug. 23, 1842.

Payment of the Florida Militia. An act for the payment of Florida militia called into service in the years eighteen hundred and thirty-nine and eighteen hundred and forty. (Obsolete.) Aug. 23, 1842.

Selection of School Lands granted to Sac and Fox Indians. An act to authorize the selection of school lands in lieu of those granted to half-breeds of the Sac and Fox Indians. Aug. 23, 1842.

Appropriations for objects not specially included in the former Appropriation Acts. 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. Aug. 23, 1842.

District Court in Western Virginia. An act to establish a District Court of the United States in the city of Wheeling, in the State of Virginia. Aug. 26, 1842.

Publication of the Discoveries made by the Exploring Expedition. 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. Aug. 26, 1842.

Patents for Lands entered under Pre-emption Rights. An act to confirm the sale of public lands in certain cases. Aug. 26, 1842.

Regulation of the Pay of Pursera in the Navy. An act to regulate the pay of pursera and other officers of the navy. Aug. 26, 1842.

Definition and Establishment of the Fiscal Year at the Treasury. An act to define and establish the fiscal year of the Treasury of the United States. Aug. 26, 1842.

Penitentiary in Iowa. An act to make an appropriation for certain expenses in the erection of a penitentiary in the territory of Iowa. Aug. 29, 1842.

Insane Hospital in the District of Columbia. An act to provide an insane hospital for the District of Columbia. Aug. 29, 1842.

An Edition of the Laws of the United States and Regulations of the Post-Office Department. 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. Aug. 29, 1842.

Land District in Missouri, &c. An act for creating a new land district in the State of Missouri, and for changing the boundaries of the south-western and western land districts in said State. Aug. 29, 1842.

The Justices of the Supreme Court, &c. empowered to grant Writs of Habeas Corpus when Subjects of Foreign Countries are in custody. An act to provide further remedial justice in the Courts of the United States. Aug. 29, 1842.

Lands in Louisiana. An act in relation to lands sold in the Greensburgh, late St. Helena, land district, in the State of Louisiana, and authorizing the re-survey of certain lands in said district. Aug. 29, 1842.

Accounts for the support of Government in the Territory of Wisconsin. An act to provide for the settlement of certain accounts for the support of Government in the territory of Wisconsin, and for other purposes. Aug. 29, 1842.
<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Claims in Detroit, &amp;c.</td>
<td>541</td>
</tr>
<tr>
<td>Payment to the State of Louisiana for Expenses of Volunteer Militia.</td>
<td>542</td>
</tr>
<tr>
<td>Lands granted for the Wabash and Erie Canal, &amp;c.</td>
<td>549</td>
</tr>
<tr>
<td>Promotion of the useful Arts.</td>
<td>543</td>
</tr>
<tr>
<td>Reports of the Decisions of the Supreme Court of the United States.</td>
<td>545</td>
</tr>
<tr>
<td>Marine Hospital in North Carolina.</td>
<td>545</td>
</tr>
<tr>
<td>Marine Hospitals.</td>
<td>546</td>
</tr>
<tr>
<td>Navy Ration.</td>
<td>546</td>
</tr>
<tr>
<td>Purchase of the Right to use Babbit's anti-attrition Metal.</td>
<td>547</td>
</tr>
<tr>
<td>District Court of Western Virginia.</td>
<td>547</td>
</tr>
<tr>
<td>Duties on Imports.</td>
<td>548</td>
</tr>
<tr>
<td>Land Office in Florida.</td>
<td>567</td>
</tr>
<tr>
<td>Relief of the Assistants of the United States' Marshal for Kentucky.</td>
<td>567</td>
</tr>
<tr>
<td>Post-Roads.</td>
<td>568</td>
</tr>
<tr>
<td>Treaty with the Wyandott Indians.</td>
<td>576</td>
</tr>
<tr>
<td>Professors of Mathematics in the Navy.</td>
<td>576</td>
</tr>
<tr>
<td>Construction of a Depot of Charts.</td>
<td>576</td>
</tr>
<tr>
<td>Engineers in the Navy.</td>
<td>577</td>
</tr>
<tr>
<td>Payment of the Florida Militia.</td>
<td>578</td>
</tr>
<tr>
<td>Collection District of Wiscasset.</td>
<td>578</td>
</tr>
<tr>
<td>Sales of Lottery Tickets prohibited in the District of Columbia after January 1843.</td>
<td>578</td>
</tr>
<tr>
<td>Penitentiary in the District of Columbia.</td>
<td>579</td>
</tr>
<tr>
<td>Re-organization of the Navy Department.</td>
<td>579</td>
</tr>
<tr>
<td>Sales of Public Stock. Treasury Notes.</td>
<td>581</td>
</tr>
<tr>
<td>Appropriations for Fortifications.</td>
<td>588</td>
</tr>
</tbody>
</table>
LIST OF THE PUBLIC ACTS OF CONGRESS.

RESOLUTIONS.

No. 1  Printing of Tables of the Sixth Census.  Joint resolution on the subject of printing the tables of the sixth census. April 14, 1842. .................................................. 583

No. 3.  Distribution of the Returns of the Sixth Census.  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. 583

No. 4.  Clerks in the business of Indian Reservations, &c.  Joint resolution to continue two clerks in the business of reservations and grants under Indian treaties. May 18, 1842. .................................................. 583

No. 5.  Mail of the United States from Mobile to New Orleans.  A resolution to authorize the extension of the contract for carrying the mail on the route between Mobile and New Orleans. June 1, 1842. ........................................................................ 583

No. 7.  Rules and Regulations for the Naval Service.  Joint resolution to authorize the commission appointed to prepare rules and regulations for the naval service to appoint a clerk. Aug. 11, 1842. .................................................. 584

No. 8.  Benefits of the Pension Act of July 7, 1838, not to be withheld from certain Widows. A resolution declarative of the pension act of July seventh, eighteen hundred and thirty-eight. Aug. 16, 1842. .................................................. 584

No. 10.  Title to Rush Island.  Joint resolution to institute proceedings to ascertain the title to Rush Island, ceded in the Caddo Treaty. Aug. 30, 1842. .................................................. 584

No. 12.  Colt's Submarine Battery.  Joint resolution authorizing experiments to be made for the purpose of testing Samuel Colt's submarine battery, and for other purposes. Aug. 31, 1842. .................................................. 584

No. 13.  Expenses of the Legation to Mexico.  A resolution to provide for the payment of the expenses incurred by the Legation at Mexico. Aug. 31, 1842. .................................................. 585

No. 14.  Mail of the United States on the Potomac.  A resolution to authorize an extension of a contract for carrying the mail. Aug. 31, 1842. .................................................. 585

STATUTE III.—1842, 1843.

Appropriations for the support of Government.  An act making appropriations for the civil and diplomatic expenses of Government for the half calendar year ending thirtieth of June, eighteen hundred and forty-three. (Obsolete.) Dec. 24, 1842. .................................................. 586

District Court of Western Virginia.  An act to amend the act establishing the District Court of the United States at Wheeling, Virginia. Jan. 20, 1843. .................................................. 597

Continuance of the Office of Commissioner of Pensions.  An act to continue the office of Commissioner of Pensions. Jan. 20, 1843. .................................................. 597

Relief of Insolvent Debtors.  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. Jan. 28, 1843. .................................................. 598

Payment of Georgia Militia.  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. Feb. 4, 1843. .................................................. 599

Pensions.  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. Feb. 14, 1843. .................................................. 599

Charter of the Town of Alexandria.  An act to amend the charter of the town of Alexandria. Feb. 15, 1843. .................................................. 600

Chief Clerk in the Office of the Secretary of State empowered to frank Letters.  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. (Obsolete.) Feb. 15, 1843. .................................................. 600

Circuit and District Courts of the District of Maine.  An act to change the place of holding the Circuit and District Courts in the District of Maine. Feb. 15, 1843. .................................................. 600

Sale of Lands in the States of Illinois, Arkansas, Louisiana, and Tennessee, appropriated for the use of Schools in those States.  An act to authorize the Legislatures of the States of Illinois, Arkansas, Louisiana, and Tennessee, to sell lands heretofore appropriated for the use of schools in those States. Feb. 15, 1843. .................................................. 600

Vol. V.—(4)
LIST OF THE PUBLIC ACTS OF CONGRESS.

Funds received from the British Government as an Indemnity for Slaves lost on board the Comet and Encomium. An act for the relief of the owners of the fund received from the British Government as an indemnity for loss of slaves lost on board the Comet and Encomium, at Nassau, Bahamas. (Obsolete.) Feb. 18, 1843. 601

Circuit Court for the District of Connecticut. An act altering the times of holding the Circuit Court of the United States for the district of Connecticut. Feb. 24, 1843. 601

Act of the State of Maryland relative to Tonnenge in the Port of Baltimore. An act to continue in force an act therein mentioned, relating to the port of Baltimore. Feb. 24, 1843. 603

Branch Mint at Dahlonega, Georgia. An act amendatory of an act establishing the branch mint at Dahlonega, Georgia, and defining the duties of assayer and coiner. Feb. 27, 1843. 602

Marine Hospital in North Carolina. 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.” Feb. 27, 1843. 602

Relief of sick and disabled Seamen. An act amendatory of an “Act for the relief of sick and disabled seamen.” March 1, 1843. 603

Titles under New Madrid Locations and Pre-emption. An act to perfect the titles to land south of the Arkansas river, held under New Madrid locations, and pre-emption rights under the act of one thousand eight hundred and fourteen. March 1, 1843. 603

The Per Cent. Fund in the State of Mississippi. An act in relation to the two per cent. fund of the State of Mississippi. (Obsolete.) March 1, 1843. 604

Appropriations for the Military Academy, Armories, arsenals, Munitions of War, and Surveys. 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. (Obsolete.) March 1, 1843. 604

The Per Cent. Fund in the State of Alabama. 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. (Obsolete.) March 1, 1842. 606

Currency of Foreign Gold and Silver Coins in the United States. An act regulating the currency of foreign gold and silver coins in the United States. March 3, 1843. 607

Appropriations for Fortifications. 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.) March 3, 1843. 607

Port of Delivery, Robbinstown in Maine. An act declaring Robbinstown, in the State of Maine, to be a port of delivery. March 3, 1843. 609

Entry of Merchandise recovered from Wrecks free from Duty. An act to permit the entry of merchandise recovered from shipwreck, in certain cases, free from duty. March 3, 1843. 609

Surveyor of the Port of Camden, New Jersey. An act to reduce the salary of the surveyor of the port of Camden, New Jersey. March 3, 1843. 610

Circuit and District Courts in East Tennessee. An act to change the times of holding the Circuit and District Courts for the district of East Tennessee. March 3, 1843. 610

Commissioner of the Public Buildings. An act to fix the compensation of the Commissioner of Public Buildings. March 3, 1843. 610

Appropriations for the Payment of Navy Pensions. 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. (Obsolete.) March 3, 1843. 610

Reservations of Timber for the Navy in Louisiana. An act to set aside certain reservations of land, on account of fire-wood, in the south-eastern district of Louisiana. March 3, 1843. 611

Sale by the United States of Lands and Improvements, erected for Agents, Teachers, Farmers, &c., employed among the Indians. 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. March 3, 1843. 611

Collection District of Wisconsin. An act to repeal an act entitled “An act to extend the collection district of Wisconsin.” March 3, 1843. 612
<table>
<thead>
<tr>
<th>Act Description</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriations for Indian Treaties and for the Indian Department.</td>
<td>March 3, 1843</td>
<td>612</td>
</tr>
<tr>
<td>Treasury Notes. An act authorizing the re-issue of Treasury Notes, and for other purposes. (Obsolete.)</td>
<td>March 3, 1843</td>
<td>614</td>
</tr>
<tr>
<td>Appropriations for the Naval Service. 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, and for other purposes. (Obsolete.)</td>
<td>March 3, 1843</td>
<td>614</td>
</tr>
<tr>
<td>Electro-Magnetic Telegraphs. An act to test the practicability of establishing a system of electro-magnetic telegraphs by the United States.</td>
<td>March 3, 1843</td>
<td>618</td>
</tr>
<tr>
<td>Investigation of Frauds under the Pre-emption Laws. An act to authorize the investigation of alleged frauds under the pre-emption laws, and for other purposes.</td>
<td>March 3, 1843</td>
<td>619</td>
</tr>
<tr>
<td>Sale of the Real Estate of Infants in the District of Columbia. An act to provide, in certain cases, for the sale of the real estate of infants within the District of Columbia.</td>
<td>March 3, 1843</td>
<td>621</td>
</tr>
<tr>
<td>Survey of the Northern Line of the Reservations for the Half-breeds of the Sac and Fox Indians. 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.</td>
<td>March 3, 1843</td>
<td>622</td>
</tr>
<tr>
<td>The Treaty with Great Britain of August, 1842. 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.</td>
<td>March 3, 1843</td>
<td>623</td>
</tr>
<tr>
<td>Sale of Lands in Ohio and Michigan, ceded by the Wyandot Indians. 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.</td>
<td>March 3, 1843</td>
<td>624</td>
</tr>
<tr>
<td>Value of Foreign Money in Computations at the Custom-Houses. An act to fix the value of certain foreign moneys of account, in computations at the custom-houses.</td>
<td>March 3, 1843</td>
<td>625</td>
</tr>
<tr>
<td>Security of the Lives of Passengers in Steamboats. 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.</td>
<td>March 3, 1843</td>
<td>626</td>
</tr>
<tr>
<td>Exemplifications of Records of Patents, &amp;c., in the several Land Offices. 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 re-organize the General Land Office.”</td>
<td>March 3, 1843</td>
<td>626</td>
</tr>
<tr>
<td>Supplies to the Florida Militia. An act providing for the settlement of claims for supplies furnished the Florida militia.</td>
<td>March 3, 1843</td>
<td>627</td>
</tr>
<tr>
<td>Circuit Courts in the Western District of Pennsylvania. An act to provide for holding Circuit Courts at Williamsport, in the western district of Pennsylvania.</td>
<td>March 3, 1843</td>
<td>628</td>
</tr>
<tr>
<td>Imprisonment for Debt in the District of Columbia. An act to amend the laws regulating imprisonment for debt within the District of Columbia.</td>
<td>March 3, 1843</td>
<td>628</td>
</tr>
<tr>
<td>Election or Appointment of Officers in the Territory of Wisconsin. An act to authorize the election or appointment of officers in the territory of Wisconsin.</td>
<td>March 3, 1843</td>
<td>629</td>
</tr>
<tr>
<td>Appropriations for the Support of Government. 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. (Obsolete.)</td>
<td>March 3, 1843</td>
<td>630</td>
</tr>
</tbody>
</table>
Supply of a Deficiency of Appropriations for the Protection of American Seamen. 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

Fine imposed on General Andrew Jackson refunded. An act to refund the fine imposed on General Andrew Jackson. Feb. 16, 1844

Transfers of Appropriations in the Naval Service. An act to authorize the President of the United States to direct transfers of appropriations in the naval service under certain circumstances. Feb. 23, 1844

District Courts at Clarksburg and Wheeling, in the Western District of Virginia, and the Circuit Court in Arkansas. 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

Circuit and District Courts in Ohio. 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.'" March 26, 1844

Oath of Persons employed in the Branch Mints, how taken. An act to amend the act entitled "An act to establish branches of the Mint of the United States." April 2, 1844

Disposition of unclaimed Merchandise seized for illegal Importation. An act directing the disposition of certain unclaimed goods, wares or merchandise, seized for being illegally imported into the United States. April 2, 1844

One of the Judges of the Circuit Court of the District of Columbia required to reside in Alexandria. An act requiring one of the Judges of the Circuit Court for the District of Columbia hereafter to reside in Alexandria. April 4, 1844

Repeal of part of the Act requiring the Second Regiment of Dragoons to be converted into Riflemen. An act to repeal so much of the act approved the twenty-third of August, one
LIST OF THE PUBLIC ACTS OF CONGRESS.

District Court for the Eastern District of Virginia and Circuit Court of Alabama. 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 19, 1844. 655

Appropriations for the Military Academy. 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.) April 12, 1844. 655

Appropriations for the increase of the Navy. An act making an appropriation for certain moneys in the Treasury for the naval service. (Obsolete.) April 23, 1844. 656

Appropriations for the Payment of Pensions. An act making an appropriation for the payment of revolutionary and other pensioners of the United States, for the fiscal year ending on the thirtieth day of June, eighteen hundred and forty-five. (Obsolete.) April 30, 1844. 656

Assent to the holding of an Extra Session of the Legislature of Iowa. An act giving the assent of Congress to the holding of an extra session of the Legislative Assembly of the territory of Iowa. (Obsolete.) April 30, 1844. 657

Occupation of the Public Lands as a Town Site. Disposition of the Lands. An act for the relief of the citizens of towns upon the lands of the United States, under certain circumstances. May 23, 1844. 657

Transfer of Names of Pensioners in Kentucky to Cincinnati, Ohio. 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. May 33, 1844. 657

Passamaquoddy to be a Port of Entry for Cargoes of Vessels from the Cape of Good Hope and beyond. An act relating to the port of entry in the district of Passamaquoddy, in the State of Maine. May 31, 1844. 658

Appeal from the Circuit Court to the Supreme Court in any Case arising under the Revenue Laws. An act to amend the judiciary act passed the twenty-fourth of September, one thousand eight hundred and eighty-nine. May 31, 1844. 658

Appropriations for Fortifications. An act making appropriations for certain fortifications of the United States, for the fiscal year beginning on the first day of July, eighteen hundred and forty-four, and ending on the thirtieth day of June, eighteen hundred and forty-five. May 31, 1844. 658

Disposition of the Maps and Charts of the Survey of the Coast. An act directing a disposition of the maps and charts of the survey of the coast. June 3, 1844. 660

District Court of New Jersey. An act to alter the places of holding the District Court of the United States for the District of New Jersey. June 4, 1844. 660

Custom House Officers to give the requisite Bond before they enter on the Duties of Office. An act relating to bonds to be given by custom house officers. June 4, 1844. 661

Appropriations for the Improvement of Harbors and Rivers. An act making appropriations for the improvement of certain harbors and rivers. June 11, 1844. 661

Office of Solicitor of the General Land Office abolished. An act to amend an act entitled "An act to re-organize the General Land Office." June 12, 1844. 662

La Fayette, in Louisiana, made a Port of Entry. An act to establish a port of delivery at the city of La Fayette in the State of Louisiana. June 12, 1844. 663

Unloading Foreign Merchandise on the Right Bank of the Mississippi, opposite New Orleans. An act relating to the unloading of foreign merchandise on the right bank of the river Mississippi, opposite New Orleans. June 12, 1844. 663

Repairing the Roof of the Court-House in Alexandria. An act for repairing the roof of the Court-House in Alexandria. June 15, 1844. 663

Improvement of Grant River, in Wisconsin. An act granting a section of land for the improvement of Grant River, at the town of Potosi, in Wisconsin Territory. June 15, 1844. 663

Collection Districts abolished. Sheffieldborough and Pearlington Districts established. District of New Orleans. An act relating to certain collection districts, and for other purposes. June 15, 1844. 664

Establishment of a Navy Yard and Depot at Memphis, Tennessee. 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. 665

O2
LIST OF THE PUBLIC ACTS OF CONGRESS.

Relief of the Officers, Seamen, &c., of the Grampus. 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. June 15, 1844. .................................................. 665

Repeal of the Act directing the Survey of the Northern Line of the Reservation for the Half-breeds of the Sac and Fox Tribes of Indians. 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. June 15, 1844. .... 666


Grant to the County of Dubuque of Lots in the Town of Dubuque. An act granting to the county of Dubuque certain lots of ground in the town of Dubuque. June 15, 1844. .... 666

Title to Lots confirmed to the City of Fernandina. An act to confirm to the city of Fernandina, in Florida, certain lots reserved for public use by the Spanish Government. June 15, 1844. ...... 667


Submarine Telescope. An act to test the utility of the submarine telescope. June 15, 1844. .... 667

Harbor of Southport, Wisconsin. An act making appropriations for certain improvements on the western shore of Lake Michigan. June 15, 1844. .................................................. 668

Harbor of Racine on the Western Shore of Lake Michigan. An act making appropriations to aid in completing the harbor at Racine, on the western shore of Lake Michigan. June 15, 1844. .................................................. 668

Appropriations for the Post-Office Department. An act making appropriations for the services of the Post-Office Department, for the fiscal year ending thirtieth June, eighteen hundred and forty-five. (Obsolete.) June 15, 1844. .......... 668

The Act to transfer the Names of Pensioners in Kentucky to Cincinnati, Ohio, to be executed by the Secretary of War. An act transferring the execution of a certain act from the Secretary of the Treasury to the Secretary of War. June 15, 1844. .... 669

Appropriations for Deficiencies arising from Expenses improperly incurred beyond Amounts appropriated for the Year ending June 30, 1844. An act making appropriations for certain objects of expenditure therein named in the year ending June thirty, eighteen hundred and forty-four. June 15, 1844. .... 669


Appropriation for Improvements in Iowa. An act making appropriation for certain improvements in the territory of Iowa. June 15, 1844. .... 670


Marine Hospital at Key West, Florida. An act to provide for the erection of a marine hospital at Key West, in the territory of Florida. June 15, 1844. .... 670

The Legislatures of the Territories authorized to regulate the Apportionment of Representation. An act to authorize the Legislatures of the several territories to regulate the apportionment of representation, and for other purposes. June 15, 1844. .... 670

Patents for Lands in the St. Augustine Land District, Florida. 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. June 15, 1844. .... 671

Amendment to the Act for the Armed Occupation of Florida. 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." June 15, 1844. .... 671

Appropriation for the Support of Insane Persons in the District of Columbia, &c. An act making appropriation for the support of insane persons in the District of Columbia, and for other purposes. June 15, 1844. .... 672

Appropriation for Payment for Horses lost by the Missouri Volunteers in the Florida War. An act making an appropriation for the payment of horses lost by the Missouri volunteers in the Florida war. June 15, 1844. .... 673

Confirmation of certain Entries in the St. Augustine Land District. 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 June 23d, 1838. June 15, 1844. .... 673
LIST OF THE PUBLIC ACTS OF CONGRESS.

Persons formerly in the United States and now in Texas permitted to remove within the United States. An act for the relief of persons residing within the reported 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. 674

Alexandria Canal. 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. June 17, 1844. 674

Land Claims in Missouri, Arkansas, Louisiana, Mississippi and Alabama. 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. June 17, 1844. 676

Supreme and Circuit Courts of the United States. An act concerning the Supreme Court of the United States. June 17, 1844. 676

Northern Boundary of the State of Missouri. An act respecting the northern boundary of the State of Missouri. June 17, 1844. 677

Charters of the Banks in the District of Columbia. An act to extend the charters of the District Banks. June 17, 1844. 677

Balances of Appropriation for the Suppression of Indian Hostilities. An act to enable the War Department to supply certain balances of appropriation, and for other purposes. June 17, 1844. 678


Conveyances of Places of Worship in the District of Columbia. An act concerning conveyances or devises of places of worship in the District of Columbia. June 17, 1844. 679

Pensions to certain Widows extended. An act to continue the pensions of certain widows. June 17, 1844. 680

Jurisdiction of the Courts of Arkansas over the Indian Country. An act supplementary to the act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," passed thirtieth June, one thousand eight hundred and thirty-four. June 17, 1844. 680

Explanation of the Treaty with the Chippewa Indians. An act explanatory of the treaty made with the Chippewa Indians at Saginaw, the twenty-third of January, eighteen hundred and thirty-eight. June 17, 1844. 680

Appropriations for the Expenses of Government. 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. June 17, 1844. 681

Appropriations for the Support of the Army. 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. June 17, 1844. 696

Appropriations for the Naval Service. An act making appropriations for the naval service for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-five. June 17, 1844. 696

Appropriations for the Expenses of the Indian Department and Indian Treaties. 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-four, and ending on the thirtieth day of June, eighteen hundred and forty-five. June 17, 1844. 704

Entry of Lands occupied by Branch Pilots of the Port of New Orleans. 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. 715

RESOLUTIONS.

No. 1. Acceptation of the Sword of Washington and the Staff of Franklin. A joint resolution accepting the sword of Washington and staff of Franklin. March 4, 1844. 716


List of the Public Acts of Congress.

No. 4. Settlement for Supplies furnished the Militia in the Service of the United States. Joint resolution respecting the application of certain appropriations heretofore made. April 30, 1844. 716

No. 5. Printing and Distribution of Copies of the Journals and Public Documents. Joint resolution providing for the printing of additional copies of the journals and public documents. April 30, 1844. 717

No. 6. The Secretary of the Treasury to have charge of the Property of the United States at Bath, in Maine. 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 25, 1844. 717

No. 9. The Corporation of Baltimore authorized to use a certain Building. Resolution authorizing the corporation of Baltimore to use a building of the United States at Lazaretto Point. June 9, 1844. 717

No. 10. Receipts issued by the Treasurer to be received in Payment for Public Land. A resolution respecting receipts issued by the Treasurer of the United States, in payment for public land. June 19, 1844. 718

No. 11. The Joint Resolution for Printing additional Copies of the Journals and Public Documents suspended. A resolution suspending the joint resolution providing for the printing of additional copies of the journals and public documents. June 19, 1844. 718

No. 12. Clerks in the Business of Reservations and Grants under Indian Treaties continued. A resolution to continue two clerks in the business of reservations and grants under Indian treaties. June 19, 1844. 718

No. 14. Transmission of the British Mail between Boston and Canada. A joint resolution in relation to the transmission of the British mail between Boston and Canada, and for other purposes. June 15, 1844. 718

No. 15. Claims under the Cherokee Treaty. A resolution for the relief of certain claimants under the Cherokee treaty of one thousand eight hundred and thirty-six. June 15, 1844. 719

No. 16. Clerks in the Treasury Department. A joint resolution authorizing the transfer of certain clerks in the Treasury Department. June 15, 1844. 719

No. 17. Public Lands at Springfield and Harper's Ferry. A resolution relating to the public lands appertaining to the armories of Springfield and Harper's Ferry. June 17, 1844. 719

No. 18. Thanks of Congress tendered to the British Authorities at Gibraltar, and others. 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. June 17, 1844. 720

Statute II.—1845.

Elections of President and Vice President of the United States. An act to establish a uniform time for holding elections for electors of President and Vice President in all the States of the Union. Jan. 23, 1845. 721

Correction of a clerical Error in the Act to regulate Arrests on Mesne Process in the District of Columbia. 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. 721

Chesapeake and Ohio Canal. 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.” Feb. 7, 1845. 721

District Court in Louisiana. 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. Feb. 13, 1845. 721

History of Oregon, California, &c. An act for the purchase of certain copies of the History of Oregon, California, and the other Territories on the north-west coast of America. Feb. 20, 1845. 721

Pensions. An act making appropriations for the payment of revolutionary and other pensioners of the United States for the year ending thirtieth June, eighteen hundred and forty-six. Feb. 20, 1845. 723

Pensions. An act restricting the grant of pensions in certain cases. Feb. 20, 1845. 724

Lands at Perrysburg and Croghan'sville, Ohio. An act to quiet the title to certain lots of land in the towns of Perrysburg and Croghan'sville, in the State of Ohio. Feb. 20, 1845. 724

Detention of Seamen until Arrival in the United States, &c. 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.” Feb. 29, 1845. 725
<table>
<thead>
<tr>
<th>Act Title</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land District in Arkansas. An act to organize a new land district in the southern part of the State of Arkansas.</td>
<td>Feb. 20, 1845</td>
<td>725</td>
</tr>
<tr>
<td>District Court in Louisiana. An act supplementary to &quot;An act to repeal an act for the better organization of the District Court of the United States within the State of Louisiana,&quot; and for other purposes, approved February thirteenth, one thousand eight hundred and forty-five.</td>
<td>Feb. 26, 1845</td>
<td>726</td>
</tr>
<tr>
<td>Admiralty jurisdiction vested in the District Courts in certain cases on the Lakes, &amp;c. An act extending the jurisdiction of the District Courts to certain cases, upon the lakes and navigable waters connecting the same.</td>
<td>Feb. 26, 1845</td>
<td>726</td>
</tr>
<tr>
<td>Appropriations for the support of Government. An act explanatory of an act entitled &quot;An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-nine.</td>
<td>Feb. 26, 1845</td>
<td>727</td>
</tr>
<tr>
<td>Importation of certain Iron Pipes and Machinery free of Duty. An act to authorize the South Carolina Railroad Company to import certain pipes and machinery free of duty.</td>
<td>Feb. 26, 1845</td>
<td>727</td>
</tr>
<tr>
<td>Compacts of Alabama and Mississippi relative to the Five Per Cent. Fund, &amp;c. An act to amend an act entitled &quot;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.&quot;</td>
<td>Feb. 26, 1845</td>
<td>727</td>
</tr>
<tr>
<td>Appropriations for the Naval Service for the Year 1845. An act to amend the act entitled &quot;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.&quot;</td>
<td>Feb. 26, 1845</td>
<td>729</td>
</tr>
<tr>
<td>Lands granted to General La Fayette. An act to authorize a re-location of land warrants number three, four, and five, granted by Congress to General La Fayette.</td>
<td>Feb. 26, 1845</td>
<td>729</td>
</tr>
<tr>
<td>Circuit and Criminal Courts in the County of Washington. An act to change the time for holding the Circuit and Criminal Courts in the county of Washington.</td>
<td>March 1, 1845</td>
<td>730</td>
</tr>
<tr>
<td>Port of Delivery at the City of La Fayette. An act in alteration of an act entitled &quot;An act to establish a port of delivery at the city of La Fayette, in the State of Louisiana.&quot;</td>
<td>March 1, 1845</td>
<td>730</td>
</tr>
<tr>
<td>Navy Pensions. An act making appropriations for the payment of navy pensions for the year ending thirtieth June, eighteen hundred and forty-six.</td>
<td>March 1, 1845</td>
<td>730</td>
</tr>
<tr>
<td>Sale of Arabian Horses presented by the Imam of Muscat. 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 Imam of Muscat.</td>
<td>March 1, 1845</td>
<td>730</td>
</tr>
<tr>
<td>Courts in Kentucky, North Carolina, South Carolina, Georgia, Alabama and Louisiana. An act to change the time of holding the Federal Courts in Kentucky, North Carolina, South Carolina, Georgia, Alabama and Louisiana.</td>
<td>March 1, 1845</td>
<td>730</td>
</tr>
<tr>
<td>Naval Pensions. An act renewing certain naval pensions for the term of five years.</td>
<td>March 3, 1845</td>
<td>731</td>
</tr>
<tr>
<td>Wabash and Erie Canal. 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.</td>
<td>March 3, 1845</td>
<td>731</td>
</tr>
<tr>
<td>Reduction of Postage, &amp;c. 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.</td>
<td>March 3, 1845</td>
<td>732</td>
</tr>
<tr>
<td>Appropriations for the Post-Office Department for 1846. An act making appropriations for the service of the Post-Office Department, for the year ending thirtieth June, eighteen hundred and forty-six.</td>
<td>March 3, 1845</td>
<td>739</td>
</tr>
<tr>
<td>Value of the Florin of Austria at the Custom-Houses. An act supplementary to an act entitled &quot;An act to fix the value of certain foreign moneys of account in computations at the custom-houses.&quot;</td>
<td>March 3, 1845</td>
<td>739</td>
</tr>
<tr>
<td>Land Claims in the State of Mississippi. 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.</td>
<td>March 3, 1845</td>
<td>740</td>
</tr>
<tr>
<td>Appropriations for the Military Academy. An act making appropriations for the support of the Military Academy for the year ending the thirtieth June, eighteen hundred and forty-six.</td>
<td>March 3, 1845</td>
<td>740</td>
</tr>
<tr>
<td>Admission of Iowa and Florida into the Union. An act for the admission of the States of Iowa and Florida into the Union.</td>
<td>March 3, 1845</td>
<td>742</td>
</tr>
</tbody>
</table>

**VOL. V.—(5)**
List of the Public Acts of Congress.

Appropriations for Fortifications for 1846. 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. 745

Military Services in Florida. An act providing payment for certain military services in Florida. March 3, 1845. 745

Appropriations for the Support of the Army for 1846. An act making appropriations for the support of the army, for the year ending on the thirtieth of June, eighteen hundred and forty-six. March 3, 1845. 745


Improvement of the Harbor of Southport, in Wisconsin. An act to continue the harbor improvement already commenced at the town of Southport, in the town of Southport, in the territory of Wisconsin. March 3, 1845. 746

Construction and Improvement of Roads in Wisconsin. An act for the construction and improvement of certain roads in the territory of Wisconsin. March 3, 1845. 746

Transportation of the Mail between the United States and Foreign Countries. An act to provide for the transportation of the mail between the United States and foreign countries, and for other purposes. March 3, 1845. 746

Drawback on certain Exports of Merchandise. An act allowing drawback upon foreign merchandise exported in the original packages to Chihuahua and Santa Fe, in Mexico, and to the British North American provinces adjoining the United States. March 3, 1845. 750

Appropriations for the Support of Government for 1846. 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. March 3, 1845. 758

Appropriations for the Indian Department and for Indian Treaties. 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. March 3, 1845. 766

Improvements in the Territory of Iowa. An act making appropriations for certain improvements in the territory of Iowa. March 3, 1845. 778

Post-Roads. An act to establish certain post-routes. March 3, 1845. 778

Admission of Iowa and Florida into the Union. Acts supplemental to the act for the admission of the States of Iowa and Florida into the Union. March 3, 1845. 789

Appropriations for the Naval Service for the Year 1846. An act making appropriations for the naval service for the year ending the thirtieth June, eighteen hundred and forty-six. March 3, 1845. 788, 789

Revenue Cutters and Steamers. An act relating to revenue cutters and steamers. March 3, 1845. 795

Resolutions.

No. 1. Explanation of an Act for the Payment of Revolutionary Pensions. 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. Jan. 23, 1845. 796

No. 3. Suspension of part of the Third Section of the Joint Resolution of 1841, as it affects the Dep't at Memphis. 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. Feb. 13, 1845. 796

No. 4. Contracts with Railroad Companies for Carrying the Mail. Joint resolution authorizing the Postmaster General of the United States to contract with railroad companies, in certain cases, without advertising for proposals therefor. Feb. 30, 1845. 796


No. 7. Payment of Supplies, &c., for the Defence of the Inhabitants of Florida. A resolution amending the resolution passed April thirty, one thousand eight hundred and forty-four, in respect of the application of certain appropriations heretofore made. March 1, 1845. 797

No. 8. Annexation of Texas to the United States. Joint resolution for annexing Texas to the United States. March 1, 1845. 797
LIST OF THE PUBLIC ACTS OF CONGRESS.


No. 11. Shawnee Indians. 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. March 3, 1845. 800

No. 12. Reduction of Postage, &c. 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 revenue of the Post-Office Department, passed at this session, shall go into effect. March 3, 1845. 800

No. 13. Defaults by States in the Payment of Interest or Principal of Investments on Bonds held by the United States. 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. 801

No. 14. Additional Inspectors at the Port of New Orleans. A resolution authorizing the employment of additional Inspectors of the Customs at the port of New Orleans. March 3, 1845. 801

APPENDIX NO. 1.

Proclamation issued by the President of the United States under the act of June 1838, Chap. 86. 802

APPENDIX NO. 2.

An act further to amend the act incorporating the Chesapeake and Ohio Canal Company, passed February twenty-seventh, eighteen hundred and twenty-nine. 802
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 L

CHAPTER I.—An Act making an appropriation for repressing hostilities commenced by the Seminole Indians.

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.

APPROVED, January 14, 1836.

CHAP. III.—An Act making an additional appropriation for repressing hostilities commenced by the Seminole Indians.

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."

APPROVED, January 29, 1836.

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.

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,
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:

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

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

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

For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, two thousand 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, shall 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 Summer'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 continuances, 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. 3 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 eighteenth 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.

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.

In the case of a policy applied to before the loss or damage by fire, as to a 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, unaccustomed 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, 215.

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, and not void; but the other contracting party had not declared it void, nor called for a compliance with it. L. & P. had an executory contract. The Columbia Ins. Co. v. Lawrence, 2 Peters, 46.

That an equitable interest may be insured; 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 the law, is as if the property were destroyed. If the property were destroyed, the 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 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 beenendorsed 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 assured, 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 assured, 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 engaged 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 assigned to them, nor was a memorandum thereof made on the policy. By the Court: No doubt can exist that the mortgagor and the mortgagees may each separately assign their own distinct interest in property against loss by fire. But there is this important distinction between the cases; that where the mortgagees 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, if he sustains no damage thereby; neither can the mortgagee 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, 425.

When the insurance is made by the mortgagor, he will, notwithstanding the mortgage or other encumbrances thereon, be entitled to recover the full amount of his loss, not exceeding the insurance, since the whole loss is his own. The mortgagee is entitled to the amount of his debt; whereas to 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; 5 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 the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.

The property of the late company vested in the company newly created, subject, however, to all debts, contracts, and engagements of the former company.

Election of officers, when held.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 41. 1836.

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.

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.

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)

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 held 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 held according to law.

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 held, it shall and may be lawful for the judges thereof to appoint a special term.

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.

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.
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.

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.

Approved, March 19, 1836.
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.

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 army 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.

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.

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.

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.

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

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.

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.

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 1836," 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 other-
wise 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.

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.

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.

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.

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 dollars and seventy cents, the sum of three hundred and forty-seven thousand six hundred and twenty-nine dollars.

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.

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 fifty-dollar balance of two hundred and twenty-five dollars.

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 anything but gold or silver a legal tender by any individual, or by the United States.

Approved, April 14, 1836.

Vol. V.—2
TWENTY-FOURTH CONGRESS.  Sess. I. Ch. 53, 54. 1836.

STATUTE I.
April 20, 1836.

Chap. LI. - 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.

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.

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.

STATUTE I.
April 20, 1836.

Chap. LIV. - An Act establishing the Territorial Government of Wisconsin. (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, 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: Bound 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 town of Bellevue, Du Buque and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes, July 2, 1836, chap. 59.
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 town 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 16, 1838, chap. 117.
An act to establish the Territory of Wisconsin, and to establish the Territorial Government of Iowa, June 19, 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 18, 1839, 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. 69.
An act to define and establish the eastern boundary line of the Territory of Wisconsin, March 3, 1839, ch. 9.
Appropriation for the survey and examination of the country between the mouths of the Menomonee 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 Menomonic 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 west; 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 in 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 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.

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.

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

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 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 Dubuque certain lots of ground in the town of Dubuque, June 15, 1844, chap. 55.
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.

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; 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.

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.

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.

Sec. 8. 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 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.

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
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 64. 1886.

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.

Section 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.

Section 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 quarterly, 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 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,
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 55, 66. 1836.

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.

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 L

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)

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 L

April 20, 1836.

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

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 3, 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.

CHAP. LVIII.—An act to authorize the construction of a railroad, 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.

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.

For clerks and messengers in the office of the Secretary of State, nineteen thousand four hundred dollars.

For clerks, machinist, and messenger in the Patent Office, five thousand four hundred dollars.

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.

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

Approved, May 9, 1836.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 59. 1836.

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.
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 thousand 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.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 59. 1836.

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 clerks in said Bureau, one thousand dollars.
For the salary of the Commissioner of Pensions, two thousand five hundred dollars.
For salaries of clerks transferred from the office of the Secretary of War, four thousand eight hundred dollars.
For 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.
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.
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.

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.

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

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

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

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

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.

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

For compensation to the Secretary appointed by the President to sign all patents for lands sold or granted under the authority of the United States, per act of second of March, eighteen hundred and thirty-three, one thousand five hundred dollars.

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

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

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.

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.

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.

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.

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.

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 United States, and of the Judges of the Orphans' courts of the said District, nine thousand five hundred dollars.

For compensation to the Attorney General of the United States, four thousand dollars.

For compensation to the clerk in the office of the Attorney General, eight hundred dollars.

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

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

For compensation to the District Attorneys and Marshals, as granted by law, including those in the several Territories, twelve thousand 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.

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

For the support and maintenance of 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.

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.

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.

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

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

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

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

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.

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.

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

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

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be ascertained and admitted in due course of settlement at the Treasury, twelve thousand dollars.

For the salaries of the Secretaries of Legation to the same places, eight thousand dollars.

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 chargé des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Chili, Peru, Mexico, Central America, New Grenada, Prussia, and Venezuela, sixty-three thousand dollars.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 59. 1836.

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

At Baltimore.

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

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 and fifty-five dollars and seventy-six cents.

Astronomical observations, north boundary of Ohio. 1832, ch. 229.

Proviso.

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.


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.

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

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

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.

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

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

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

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

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

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

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.

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.

Approved, May 9, 1836.
CHAP. LIX.—An Act providing for the salaries of certain officers therein named, 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 translator of foreign languages and the librarian in the Department of State, shall receive a salary of sixteen hundred dollars.

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

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.

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

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

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.

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

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.

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.

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.

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

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

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

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.

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.

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 one thousand eight hundred and thirty-six, shall be paid out of any money in the Treasury not otherwise appropriated.

Approved, May 9, 1836.

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.

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

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

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

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

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

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

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

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

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

For improvement and necessary repairs of the navy yard at Pensacola, forty-nine thousand dollars.

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.

For powder magazine, seventeen thousand dollars.

For wall or enclosure of brick three yards high, and a half yard thick, as recommended by Commodore Dallas, twenty-four thousand dollars.

For ordnance and ordnance stores, sixty-four thousand nine hundred dollars.

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, 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 piloting 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.

For contingent expenses for objects not hereinbefore enumerated, three thousand dollars.

For completing the steam vessel now building at the navy yard at Brooklyn, one hundred and fifty thousand dollars.

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.

For completing the powder magazines near New York and Boston, with the landings, enclosures, and dependencies, nineteen thousand two hundred dollars.

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.

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.

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 yard, thirty-eight thousand six hundred and fifty-five dollars.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 93. 1836.

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, fife, 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.

Sect. 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.

STATUTES L

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.

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

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

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

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

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

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

For the medical and hospital department, thirty-one thousand five hundred dollars.
For various expenses in the quartermaster’s department, viz: fuel, forage, straw, stationery, blanks, and printing; repairing and enlarging barracks, quarters, storehouses, and hospitals, at the various posts; erecting temporary cantonments at such posts as shall be occupied during the year, including huts for the dragoons, and gun-houses at the Atlantic posts, and those on the Gulf of Mexico, with the necessary tools and materials; providing materials for the authorized furniture of the rooms of non-commissioned officers and soldiers; rent of quarters, barracks and storehouses, and of grounds for summer cantonments and encampments; including a farm at Fort Monroe for military practice; postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers under an act of Congress of the second 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.

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.

For contingencies of the army, three thousand dollars.

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.

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 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.

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

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-
TWENTY-FOURTH CONGRESS. Sess. L Cn. 76, 77, 78. 1836.

For the national armories, three hundred and thirty thousand dollars.
For the current expenses of the ordnance service, seventy-five thousand 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.

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

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.

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."

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.

CHAP. LXXIX.—An act for the relief of the several corporate cities of 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 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.
Corporations to deposit the stock with the Treasurer of the United States, &c.

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

TWENTY-FOURTH CONGRESS. Sess. I. Ch. 80. 1836.

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.

STATUTES I.

May 23, 1836. [Expired.]

SEC. 2. And be it further enacted, That 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.

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 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. 4. And be it further enacted, That the President of the United States be, and he is hereby authorized to organize companies, battalions, squadrons, regiments, brigades, or divisions, as soon as the number of volunteers shall render such organization 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
be may deem proper; but, until called into actual service, such compa-
nies, 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.

Sec. 6. And be it further enacted, That there shall be raised and orga-
nized, 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 allow-
ances, 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.

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.

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.

Approved, May 23, 1836.

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

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 expen-
ses 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 con-
stitution 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, maki-
g 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.

Approved, May 23, 1836.

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.

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 Ter-
ritory of Florida, on account of the militia or volunteers received into
the service of the United States for the defence of Florida. Provided,

TWENTY-FOURTH CONGRESS. Sess. 1. Ch. 86, 86, 87. 1836.

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

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.

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.

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.

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.

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.

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.

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 and Spain, 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 regula-
tions, not contravening the laws of the land, the provisions of this act,
or the provisions of the said convention, for carrying his said commis-
sion into full and complete effect.

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 attend-
ance 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.

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 commis-
sioner aforesaid.

Sec. 5. And be it further enacted, That the compensation of the
respective officers for whose appointment provision is made by this act,
shall not exceed the following sums, namely: To 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 Presi-
dent 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.

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 afore-
said 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.

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 there-
upon 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
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.

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,

For the 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.

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

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

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

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

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

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

For contingencies, Indian Department; four thousand dollars.

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.

To the young king, a chief, for life, as provided for by the act of the twenty-sixth of April, eighteen hundred and twenty-six, two hundred dollars.

To the Senecas of New York.—For the permanent annuity, in lieu of interest on stock, provided for by the act of the nineteenth of February, eighteen hundred and thirty-one, six thousand dollars.

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.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 88. 1836.

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 seventh 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, 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 fifty, one thousand dollars.

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 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.

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 twenty, 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.

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 Potawatamies.—For the permanent annuity, stipulated in the fourth article of the treaty with them of the third of August, seventeen hundred and ninety-five, one thousand dollars.

For the purchase of salt, stipulated in the third article of the treaty.
of the seventh of June, eighteen hundred and three, one hundred and forty dollars.

For the permanent annuity, stipulated in the third article of the treaty of the thirtieth of September, eighteen hundred and nine, five hundred dollars.

For the permanent annuity, stipulated in the third article of the treaty of the second of October, eighteen hundred and eighteen, two thousand five hundred dollars.

For the limited annuity, stipulated in the fourth article of the treaty of 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 the limited annuities, stipulated in the same, one thousand dollars.

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

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 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.

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.

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, seven 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.

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, seventeen hundred and ninety-five, one thousand dollars.

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 Sioux of Mississippi.

To the Yancton and Santee bands.

To the Omahas.

To the Sacs of Missouri.

To the Sacs.

To the Foxes.

To the Ioways.

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 Foxes.

To the Ioways.

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.

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, two hundred dollars.

To the Sac.

To the Foxes.

To the Ioways.
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.

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

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 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 Kanzas.—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.

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.

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.—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 Pories.—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 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, seven hundred and twenty dollars.

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

To the Kaskaskias and Pories.—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 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, seven hundred and twenty dollars.

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

To the Kaskaskias and Pories.—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 and Pories.—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 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, seven hundred and twenty dollars.

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

To the Kaskaskias, Pories, Weas, and Piankeshaws.—For the permanent annuity, stipulated in the fourth 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.—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.—For the permanent annuity, stipulated in the fifth article of the treaty with them, of the second of October, eighteen hundred and thirteen, three thousand dollars.

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 Shawnees.—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
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 88. 1836.

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 Shawanee 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 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 Senecas of Lewistown.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-eighth of February, eighteen hundred and thirty-one, seven hundred and twenty 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.

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-five, 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
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 88. 1836.

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 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.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the seventh of August, seventeen hundred and ninety-one, 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.—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.—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, or wagon maker, 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 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.

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.

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.

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.

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

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 Shawnees, on the twentieth July, eighteen hundred and thirty-one, and with the Shawnees
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 southwest side of the river Missouri.

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 Sac and Foxes north of Missouri, twenty-two thousand dollars.

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.

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.

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.

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.

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

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.

Sec. 3. And be it further enacted, That the Secretary of War be, and he is hereby authorized to allow and pay to David Brearly, 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.

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.

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.

Approved, June 14, 1836.

CHAP. LXXXIX.—An Act to establish an arsenal of construction in the State of 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 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 deposits and general construction, near the town of Fayetteville, in the State of North Carolina.

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)

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.

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.

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 north 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.

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 plans and 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.

Sec. 5. 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 plans and 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.

Sec. 6. 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 the conditions therein expressed. (a)

Act of June 15, 1836.

STATUTE L

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.

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 Menomonee 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 Menomonee 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

(a) See notes to the act of February 16, 1819, ch. 23, for the acts relating to the Territory of Michigan.
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.

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.**


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:

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-
The boundaries of the state of Arkansas shall be:

**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.

**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.

**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.

**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.

**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.

**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.

**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
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.

STATUTES 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 deposits of the public money. (c)

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 establishe an agency, or agencies, in the States, Territories or Districts so destitute of banks, as banks of deposit; and to receive through such agencies such deposits 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 deposit 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 deposit 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 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.

Where there is no bank which the Secretary approves, or where banks refuse, a selection 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

(a) See act of July 4, 1840, chap. 40; 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 agree-
ment 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.

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 Sec-
retary 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: Pro-
vided, That this shall not be construed to imply a right of inspecting
the account of any private individual or individuals with the bank.

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 Tre-
sury, 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 charg-
ing commissions or claiming allowance on account of difference of
exchange.

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 deposite 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, publish, 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.

Sec. 6. And be it further enacted, That the Secretary of the Tre-
sury 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 depos-
ited therein, and the faithful performance of the duties required by this
act.
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.

Sec. 8. And be it further enacted, That no bank which shall be selected or employed as the place of deposit 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 deposit 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 deposit of the public money for any of the causes hereinbefore provided, it shall be lawful for the Secretary of the Treasury to deposit the money thus withdrawn in some other banks of deposite already selected, or to select some other bank as a place of deposit, upon the terms and conditions prescribed by this act. And in default of any bank to receive such deposit, 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.

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 deposit 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.

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.

Sec. 11. And be it further enacted, That whenever the amount of public deposits 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 deposits 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 money 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.

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, above to be deposited with such of the several States, in proportion to their respective representation in the Senate and House of Representa-

Provisions in which the deposits shall be made.

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


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.

Sec. 15. And be it further enacted, That to enable the Secretary of the Treasury to carry into effect the provisions of this act, be be author-
TWENTY-FOURTH-CONGRESS. Sess. I. Ch. 116, 117. 1836.

statute L
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.

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.

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.

Sec. 3. And be it further enacted, That the Secretary of the Treasury be authorized and directed to receive and deposit 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 L
June 23, 1836.

chap. CXVII.—An Act to settle and establish the northern boundary line of the State of Ohio.

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

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.

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.

Approved, June 23, 1836.

Statute L

Chap. CXVIII.—An act to remove the Land Office from Clinton to Jackson 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 present established at Clinton in the State of Mississippi be hereafter kept at Jackson, in the same State.

Approved, June 23, 1836.

Statute L

Chap. CXIX.—An act to amend an act to grant certain relinquished and appropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahaba and Black Warrior river.

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.

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-

Vol. V.—§
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 L

June 23, 1836.

Chap. OXX.—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 equiva-
 lent 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 hun-
dred 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 con-
structed 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 of the said State, to be appropriated solely to the use of such seminary 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 28, 1836.

STATUTE I.

CHAP. CXXI.—An act supplementary to the act entitled "An act establishing 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.
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.

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.

STATUTES I.

June 23, 1836.

Chap. CCXXX.—An Act to provide for the paying of certain pensioners of the United States, at Pulaski, in the State of Tennessee.

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.

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. Stafford, 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.
TWENTY-FOURTH CONGRESS.  Sess. I. Ch. 231, 232, 233, 234.  1836.  61

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.

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

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

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.

APPROVED, July 1, 1836.

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.

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.

APPROVED, July 1, 1836.

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.

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.

APPROVED, July 1, 1836.

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

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.

(a) Notes of the acts which have been passed relative to Michigan: act of Feb. 16, 1819, chap. 22.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 235. '1836.

Statute I.

July 1, 1836.

District court.

Act of June 15, 1836, ch. 22.

Act of June 23, 1836, ch. 121.

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

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.

Salary to be paid the judge.

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."

Approved, July 1, 1836.

Statute II.

July 1, 1836.

[Obsoleted.]

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.

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.

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.
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. Story, J. Loring Woart, Ashbeel Steal, 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.

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.

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

Statute I

July 1, 1836.

Lands may be sold.

1833, ch. 36, sec. 11.

Statute I

July 1, 1836.

A street may be laid out.

Proviso.

Proviso.

Proviso.

May erect a toll-house.
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.

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, or on account of, said legacy.

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.

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. CCLI.—An Act to regulate the compensation of certain officers of revenue cutters.

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.

Approved, July 2, 1836.

Chap. CCLI.—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.

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, and the act of April fifth, eighteen hundred and thirty-two, making appropriations for the payment of volunteers and militia corps in the service of the United States.

Approved, July 2, 1836.

Chap. CCLI.—An Act to grant to the New Orleans and Nashville Railroad 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 Railroad 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.
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.

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.

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.

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.

Approved, July 2, 1836.

STATUTE I. July 2, 1836.

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.

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 Des Moines river, upon such route as may appear best calculated to effect the purposes of this act, to Red river.

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.

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.

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.

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.

Approved, July 2, 1836.

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.

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.

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

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

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

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

Approved, July 2, 1836.

President to cause a military road to be surveyed.

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

Military posts to be established.

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

Appropriation.

Delaware breakwater.

For Chicago, Illinois.

Big Sodus bay.

Provincetown, Mass.

Plymouth beach.

[Obsolete.]
For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan Territory, fifteen thousand dollars.

For continuing the removal of obstructions at Black river, Ohio, six thousand six hundred and sixty dollars.

For continuing the permanent improvement of Cleaveland harbor, Ohio, fifteen thousand dollars.

For continuing the removal of obstructions at Grand river, Ohio, six thousand dollars.

For continuing the removal of obstructions at Cunningham creek, Ohio, one thousand two hundred and seventy-five dollars.

For continuing the improvement of the harbor of Conneaut creek, Ohio, two thousand five hundred dollars.

For continuing the improvement of the harbor of Presque Isle, Pennsylvania, according to Colonel Totten's recommendation, fifteen thousand dollars.

For continuing the improvement at Dunkirk harbor, New York, eleven thousand dollars.

For a dredging machine on Lake Erie, eight thousand dollars.

For continuing the works at the mouth of Genesee river, New York, twenty thousand dollars.

For continuing the pier and mole at Oswego harbor, New York, twenty thousand dollars.

For continuing the pier at Kennebunk, Maine, seven thousand five hundred dollars.

For 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.

For continuing the improvement of the harbor of New Castle, Delaware, twenty-five thousand dollars.

For continuing the removal of obstructions at Ocracoke inlet, North Carolina, nine thousand dollars.

For continuing the improvement of the navigation of the Cape Fear river, below Wilmington, North Carolina, twenty thousand dollars.

For the improvement of the navigation of the Ohio river, between Pittsburgh 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.

For the improvement of the navigation of the Ohio and Mississippi rivers from Louisville to New Orleans, sixty thousand dollars.

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.

For continuing the removal of obstructions in Red river, Louisiana, and Territory of Arkansas, forty thousand eight hundred dollars.

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.

For continuing the improvement of the Cumberland river, in Kentucky and Tennessee, twenty thousand dollars.

For continuing the removal of obstructions in the Chipola river, in the Territory of Florida, four thousand dollars.

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.

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.

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

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

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

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

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

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

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

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

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

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.

APPROVED, July 2, 1836.

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

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

APPROVED, July 2, 1836.

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

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

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

Statutes I.

July 2, 1836.

[Expired.]

Charters extended to July 4, 1838.

Statutes I.

July 2, 1836.

Act of Territorial Legislature of 18th Feb. 1836 approved.

Trials may be removed from the southern to the eastern or middle district.
An Act for laying off 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.

Sec. 2. And be it further enacted, That it shall be the duty of the Surveyor to class the lots, in 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 hereafter 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

Statute I.

July 2, 1836.

1837, ch. 34.

Town of
Fort Madison,
Burlington,
Belleview,
Du Buque and Pe-ru, Wisconsin Territory.

Proviso.

Surveyor to
class the lots.
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.

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.

Approved, July 2, 1836.

Chap. CCLXII.—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.

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. Sigler, 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.

Approved, July 2, 1836.

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

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.

(a) See notes of the acts which have been passed relating to the Cumberland Road, vol. 2, 357.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 365. 1836.

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)

Statutes L.

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.

APPROVED, July 2, 1836.

(a) By the act of March 3, 1837, chap. 44, sec. 2, this section is repealed.
CHAP. CCLXVI.—An Act to confirm the sales of public lands in certain cases.  

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.

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.

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: 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. 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. 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. For commutation of the permanent annuity of ten thousand dollars, according to the eleventh article of said treaty, two hundred and fourteen 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 Chero-
kee Indians west of the Mississippi river, seven thousand dollars.

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 thou-
sand 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 hun-
dred 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 hun-
dred 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 thou-
sand 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 dol-
lars.

For two strikers, four hundred and eighty 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.
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 Chiminoaqut, 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, fourteen 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 Leftambois, 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 thirty dollars and twenty-five cents.
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.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 267. 1836.

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.

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.

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-qua-back 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-ba-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 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.

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.

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.

And be it further enacted, That no part of the appropriation hereby 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.

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.

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.
For Fort Warren, Boston harbor, two hundred thousand dollars.
For Fort Adams, Rhode Island, two hundred thousand dollars.
For Fort Schuyler, East river, New York, two hundred thousand dollars.
For repairs of Fort Columbus and Castle Williams, and officers' quarters, on Governor's Island, New York harbor, twenty thousand dollars.
For Fort Delaware, Delaware river, one hundred and fifty thousand dollars.
For Fort Calhoun, Virginia, one hundred and fifty thousand dollars.
For Fort Caswell, Oak Island, North Carolina, sixty thousand dollars.
For fortifications, Charleston harbor, South Carolina, and preservation of the site of Fort Moultrie, one hundred and fifty thousand dollars.
For Fort Pulaski, Cockspur Island, Georgia, one hundred and seventy thousand dollars.
For Fort Pickens, Pensacola, Florida, fifty thousand dollars.
For the purchase of additional land in their neighbourhood, one hundred thousand dollars.
For repairs of Fort Schuyler, East river, New York, two hundred thousand dollars.
For repairs of Fort Columbus and Castle Williams, and officers' quarters, on Governor's Island, New York harbor, twenty thousand dollars.
For Fort Delaware, Delaware river, one hundred and fifty thousand dollars.
For Fort Calhoun, Virginia, one hundred and fifty thousand dollars.
For Fort Caswell, Oak Island, North Carolina, sixty thousand dollars.
For fortifications, Charleston harbor, South Carolina, and preservation of the site of Fort Moultrie, one hundred and fifty thousand dollars.
For Fort Pulaski, Cockspur Island, Georgia, one hundred and seventy thousand dollars.
For Fort Pickens, Pensacola, Florida, fifty thousand dollars.
For the purchase of additional land in their neighbourhood, one hundred thousand dollars.
For repairs of Fort Schuyler, East river, New York, two hundred thousand dollars.
For repairs of Fort Columbus and Castle Williams, and officers' quarters, on Governor's Island, New York harbor, twenty thousand dollars.
For Fort Delaware, Delaware river, one hundred and fifty thousand dollars.
For Fort Calhoun, Virginia, one hundred and fifty thousand dollars.
For Fort Caswell, Oak Island, North Carolina, sixty thousand dollars.
For fortifications, Charleston harbor, South Carolina, and preservation of the site of Fort Moultrie, one hundred and fifty thousand dollars.
For Fort Pulaski, Cockspur Island, Georgia, one hundred and seventy thousand dollars.
For Fort Pickens, Pensacola, Florida, fifty thousand dollars.
For the purchase of additional land in their neighbourhood, one hundred thousand dollars.
For contingencies of fortifications, ten thousand dollars.
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.

And the following sums, necessary to close accounts in the Office of the Third Auditor, viz.
For a fort on Cockspur Island, Georgia, two thousand three hundred and eight dollars and fifty-six cents.
For contingencies of fortifications, sixty-one dollars and eight cents.
For fortifications at Pensacola, one thousand two hundred and twenty-three dollars and thirty-one cents.
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
For Fort McHenry, Redoubt Wood, and Covington Battery, near Baltimore, fifty thousand dollars.

For Fort Monroe, one hundred and fifty thousand dollars.

For the repairs of Fort Marion, and the sea-wall at St. Augustine, Florida, fifty thousand dollars.

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.

For accoutrements for the army, one hundred and two thousand three hundred and five dollars.

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.

For the purchase of twenty-eight fire engines, and the necessary apparatus, twenty-two thousand four hundred dollars.

For storehouses at Newport, Kentucky, one thousand five hundred dollars.

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.

For erecting a piazza in front of the building occupied as barracks by the troops at Augusta arsenal, Georgia, four hundred and fifty dollars.

For barracks, quarters, storehouses, hospital, stables, and materials for the same, at Fort Jesup, Louisiana, twenty-five thousand dollars.

For rebuilding the wharf, and materials for the same, at Fort Wolcott, Newport, Rhode Island, five hundred dollars.

For constructing a wood-yard, and a wood-yard wharf, and for materials for the same, at Fort Monroe, Virginia, one thousand dollars.

For constructing a wharf, and for materials for the same, at Fort Severn, Maryland, one thousand dollars.

For rebuilding and repairing barracks, quarters, hospital, store-houses, and materials for the same, at Fort Brady, Michigan Territory, five thousand dollars.

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:

For national armory at Harper's Ferry, seventy-seven thousand eight hundred and ninety-seven dollars.

For national armory at Springfield, forty-five thousand dollars.

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.

For the construction of furnaces for heating cannon balls, twelve thousand dollars.

Soc. 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.


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.

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.

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.

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.

Approved, July 2, 1836.
STATUTE I.

July 2, 1836.

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 depre- dations, 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.

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.

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.

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
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.

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.

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."

Sec. 13. And be it further enacted, That the bonds and contracts of contracts with 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.

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.

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-
authorized 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.

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.

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.

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.
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.

**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.

**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.

**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.

**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 depredations, 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 depredations 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
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.

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 Post-
masters 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 Post-
master 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.

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 em-
ployed 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 con-
tactor, 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
carrying the mail
to be recorded.

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 Post-
master 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
guaranteed, 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.

Sec. 29. And be it further enacted, That no contract for the transportation of the mail shall knowingly be made with persons who have entered into combination. Contracts not to be made with persons who have entered into combination.

Sec. 30. 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.

Sec. 31. 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.

Sec. 32. 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.

Sec. 33. 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.

Sec. 34. 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 Postmasters to be furnished with schedule of times of arrival and departure.

Certain postmasters to be appointed by and with the

Part of act of March 3, 1825, ch. 65, repealed.

No payment to be made until after the execution of contract.

Proviso.

Penalty for detaining letters, &c. in a post office.

Certain postmasters to be appointed by and with the
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.

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.

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.

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 anything 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. 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.

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.

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 offense 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.

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.
Sess. 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.

Sess. 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.

Sess. 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 conveniences 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.

Sess. 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:

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.

Sess. 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:

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.
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.

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.

Chap. CCLXXI.—An 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 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 Chepehetchet, 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 Rhode Island.—From Woonsocket falls, Rhode Island, through South Bellingham, Massachusetts, to Franklin, and thence to East Medway. From Newport, Rhode Island, by water, to Wickford.

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 Zear, 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 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 Mechanicville, to Westport. From Alburgh to West Alburgh. From Windsor, by Hartland, Queechy 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.

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 Genesee. From Stanfordville to Sharon, in Connecticut. From Gibbonsville, by way of Cohoes, to Waterford. From Schenectady, by Princeton and Duanesburg, to Schoharie. From Poughkeepsie, by Pleasant Valley, Dover, Bullbridge, and Kent Post Office, to Washington, in Connecticut. From Ithaca, through Green, Oxford, Guilford, and 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 villages of Battenkill, and Shaws Mills, to the village of Salem, in the county of Washington; and that the post road from Battenkill to Jackson be discontinued. From Waterborough, in the county of Chautauqua, by Cattaragus, to Persia, in the county of Cattaragus. From Westfield, in the county of Chautauqua, to Columbus, in the county of Warren, in the State of Pennsylvania. From Sand Bank to Mannsville. From Clintonville to Rhinebeck. From Russia to Moorehouse village.


In Pennsylvania. From Reamstown, in Lancaster county, by the way of Sheonuk, Whitehall, and Springville, in said county, to Shaefferstown, in Lebanon county. From Columbus, Luzerne county, Pennsylvania, 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 Warren 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, Trumboursville, in Bucks county, Everhart's, Jacob Hertz's, to Cooperstown, 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, Rosscommon, 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 Alexandria, Washington county, to West Liberty, in Ohio county, Virginia. From West Alexandria, Washington county, to Waynesburg, in Green county. From Zelienople, 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 Sterevesville. From Wind gap, in Northampton county, by Fleeglesville 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 Tanevville, in Lycoming county, by Heddleston's to Columbus, in Luzerne county. From Butler, in Butler county, by Whitestown, Zelienople. 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 Tanuanguwat 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, Klausers', Shooersville, Boyertown, New Hanover, to The Trappe, in Montgomery county. From Minersville, in Schuylkill county, by the way of Waynesburg, Kingerstown, 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 Shannontown 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 Euston, in Maryland.

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 Virginia.—From Poplar Hill, Giles county, to Sharon, Wythe county. From Waynesboro to Greenville. From Fishing creek, in Tyler county, Pine Grove, and Mount Linnaeus, to Polesly's mills, in the county of Monongalia. From Weston, in the county of Lewis, to Charlestown, in the county of Kanawha. From Louisa court-house to Yanceysville. From Prillimour'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 Charlottesville, via
Scottsville, to Buckingham court-house. From Belfield, in the county of Greensville, to Newsom’s depot, in the county of Southampton. From Polk’s mills, in the county of Monongalia, via Armitt’s store, to Blacksville. From Staunton, via Buffalo gap, and Joseph Bell’s, to Milborough. From the town of Weldon, North Carolina, via Sykes’ Old Store, Randal’s Ordinary, Powellton, James’ Square, Gholsonville, Oakgrove, Nicholson’s, Wartman’s, Charles Ogburn’s, Shackleford’s, Christiansville, Dupree’s Store, Charlotte court-house, Armstrong 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, Russell county, via Osborne 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 Drummond town, 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 Catesville. 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.—From Franklin, North Carolina, to Jamesville, Grady’s store, and Huntingdon, 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’ store and Diamond Hill. From Limestone post office, in Buncombe county, by Edneyville and E. S. Porter’s, to Earlsville, Spartansburg district, South Carolina. From Carthage, in Moore county, thence to Eli Phillips’s, and Parish and McNeil’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’, Buffalo 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 Beattiesford 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 Cabarrus county, to Cobourne’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-
TWENTY-FOURTH CONGRESS.  Sess. I. Ch. 371.  1836.


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 Russell 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 Harlan 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 Rockhold’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 Russell 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 Boone 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.


Vol. V.—13
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 Pontotoc, 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 Louisiana.—From Grand Gulf, in the State of Mississippi, via Lake Saint Joseph, New Carthage, Roundaway, Walnut, and Bushy
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 Caledonia, in Opelousas county, to Blevay's ferry, on Sabine river. From Harrisburg, in the parish of Catahoula, 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 Campti, 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.—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 Manwaring's, on Sugar creek, Greenwood, Farewell, and Mooresville, to Monrovia, Morgan county. From Noblesville, via Westfield, in Hamilton county, Northfield, Lebanon, Jamestown, and Russellville, 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 Hardin's store, Wilminton, 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 Greensboro, to Pendleton. From Fort Wayne, via McCormick's, Noblesville, and Allisonville, to Indianapolis. From Toledo, via Whitemansville, Lima, Bristol, Carrollton, Elkhart, Mishawaka, South Bend, Terra 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, Cassopolis, Whitemansville, and Little Prairie, to Bronson, in Michigan. From Newton, 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 Russellville, 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 Vicana, to the Slate ford, on the Muskatatuck, to Rockford, Jackson county. From Brownstown, Jackson county, via Sage's ferry, on the Muskatatuck, to Charlestown, in Clark county. From Peru, in Miami county, to Fulton court-house, in Fulton county. From Evansville, in Vanderburgh county, via Diamond island, to Mount Vernon, in Posey county. From New Harmony, in Posey county, via Jesse Nashe's and Blair's Mills, on Big Creek, to Evansville, in Vanderburgh county. From New Albany, in Floyd county, via Georgetown, Salisbury, Milltown, Mount Prospect, Jasper, Petersburg, Princeton, and Columbus, to Mount Carmel, in Illinois. From Laporte, in Indiana, via Salt creek, Adel, Vanness, on the Vincennes road, the head of Hickory creek, and down the same to
TWENTY-FOURTH CONGRESS. 3rd Sess. I. Ch. 371. 1836.


In Mississippi.—From Canton, via Warsaw, to Beatie's bluff. From Vicksburg, via Benton, Lexington, Black hawk, Carrollton, Grenada, Coffeeville, Holly Spring, and Patapawha court-house, via La Grange, to Bolivar, Tennessee. From Madisonville, via Canton and Mont gomery, Franklin, to Lexington, in Holmes county. From Memphis,

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, northwesterly, 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 Simon'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, Gillis's ferry, on the Mississippi, to Jackson, Cape Girardeau county, in Missouri. From Danville, via Decatur, to Springfield. From Carrolton and Grafton, to Portage Des Sioux and Saint Charles, in Missouri. From Danville to Ottowa. 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 Green ville, to Hillsboro'. From Meredith, 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 Hanavan, 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 Bennettsville, in St. Clair county. From Tuscaloosa, via Romulus, Mosely and Cook's store, to Pleasant Ridge post office, in Pickens
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, Chattooga, 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 Narkets, 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 Uniointown, 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 Monticole, 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 Tramp county, Georgia, via Dickson's mills, Randolph court-house, to Tallaheega, in Talladega county, Alabama. From Haynesville, via Hickory grove, to the nearest point on the road running from Montgomery to Patsalaggo, and from thence to the nearest point on the route via Monticello, in Pike county, to Gaines's store. From Vernon, in Tramp county, Georgia, via Hare's store, to Lafayette, in Chambers county, Alabama. From Jacksonville, Benton county, via White plains and Boiling springs, Randolph court-house, Lafayette and Caskets, to Gerard, thence to Columbus, Georgia. From Talladega court-house to Lafayette, in Chambers county. From West Point, in Tramp county, Georgia, via Cassis 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 Ferry county. From Rockford, in Coosa county, via Cheesnut creek, to Mapleview, 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 Tallassee, 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 Tallapoosa river at Sawyers' ferry, via White plains, Jacksonville, in Benton county, thence crossing Coosa river at Walker's ferry, by Double spring, by

In Florida.—From Marianna to Daleville, Alabama. From Marianna to Saint Josephs. From Pensacola, by Florida Town; Pittman's ferry, to Campbelltown.

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 bluff, by Cabeen'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 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 bluff, by Cabeen'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 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-
TWENTY-FOURTH CONGRESS. Sess.I. Ch. 290, 353. 1836. 107

ville, and Prairie du Chien, to Fort Snelling. From Bellevue to Galena, Illinois. From Mineral point, by way of T. J. Parrish's, to the English prairie. From Galena, Illinois, by way of White Oak springs, Gratiot's Grove, and Wiota, McNut'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, Mishawaukie, South Bend, and Laporte. From Jacksonsburg to White Pigeon, via Spring Arbor, Concord, Homer, Tekonsha, Goodwinville, Durham, Nottawa and Centreville. From Warsaw, Illinois, by Keokuk, Fort Desmones, 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, Milwaukee, Chebawgan, Pigeon, Manitowack, 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, 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 Milwaukee. From Milwaukee, by the city of the Four Lakes, to the Blue mound, there to intersect the route from Green bay to Prairie du Chien.

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.

APPROVED, July 2, 1836.

CHAP. CCXC.—An Act to extend the privilege of franking letters and packages to Dolly P. Madison.

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.

APPROVED, July 2, 1836.

CHAP. CCCLII.—An Act to reorganize 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 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, 1833, 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.
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 in possession 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 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 evidence, and decide all matters respecting such claims, and to determine them, 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 of the Mississippi below New Orleans, 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 power to grant the soil and freedom 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 applicable. 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. Nelson, 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 such 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. Sure. 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. M'Intosh, 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 by the line of right of occupancy only to the Indian right of possession 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-
Sect. 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 on 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.

A principal clerk of public lands, and one on private land claims, was an incomplete title within that act. Ibid.

In the act applied to both classes. Ibid.

of an incomplete claim under French or Spanish authority, which bore date anterior to the let 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.
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. Omer v. Fruit, 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. Strafford, 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 it was 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, 690.

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 1829, 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, recognized 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 not be subject to reversal by the Supreme Court, under the 23d section of the Judiciary Act. M'Donough v. Mullander, 3 Howard, 593.

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, recognized 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 possess or have received by compact with the new States for that purpose. Pollock's Lessee v. Hager, 3 Howard, 212.

The act of Congress of 29th April 1816, chap. 159, requiring the Surveyor to make a league square, restricted it to one of these surveys, is not against the validity of a title existing under an act of Congress; and 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. Geer, 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 36th 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 statute concerning mining had been, and now is, by the states and counties, in which it is so called, as a municipal eminence, which it may be supported by the soil and property of the same, and which may be granted to the public lands. Ibid.

Just as 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.

Sec. 4. And be it further enacted, That there shall be appointed by the President, by and with the advice and 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.

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.

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.

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.

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.

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.

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
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.

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.

Sec. 13. And be it further enacted, That if any person shall apply for false 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.

Sec. 14. And be it further enacted, That all and every of the officers whose salaries are hereinbefore provided for, are hereby prohibited from 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 4th, 1836.
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.

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.

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 importation 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-six...
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.

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 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.

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.

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.

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.

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.

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.

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.

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.

Approved, July 4, 1836.


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 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.

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.

Approved, July 4, 1836.
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.

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.

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.

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.

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.

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.

APPROVED, 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 consent of the Senate.

(a) For notice 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 per-
form, 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.

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 seven-
teen hundred dollars, and to be called the Chief Clerk of the Patent
Office; who, in all cases during the necessary absence of the Commis-
sioner, 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 examin-
ing 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 ap-
pointed 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 dis-
covery which has been, or may hereafter be, granted.

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 enter-
ing 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.

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 per-
son 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.

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
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 357. 1836.

Sec. 5. 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.

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 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.

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.

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
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.

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 deposite banks to the credit of the Treasurer, 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.

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.

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.

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
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.

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 may 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 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.
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 herefore 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.

SEC. 15. And beit 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; and 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 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.

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-
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.

Actions cognizable in circuit courts of United States, &c.

Proviso.

Patents may be extended seven years in certain cases.

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.

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.

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.

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.

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.

Approved, 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.

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

PROVISO.
TWENTY-FOURTH CONGRESS. Sess. I. Ch. 360, 361. 1836.

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 4th, 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.

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,
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 More, 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 Hardy, six hundred and fifty arpens; William Morris-
son, seven hundred and fifty arpens; Solomon Bell, three hundred
and fifty arpens; Paschal Detchemendez, seven thousand and fifty-six
arpens; Baptiste Amure, two hundred and forty arpens; Alexander
Maurice, four hundred arpens; Jean Baptiste Vallee, twenty thousand
arpens; Israel Dodge, one thousand arpens; Walter Fenwick, ten
thousand arpens; John Smith, 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 pre-
viously located, or had been surveyed and sold by the United States,
this prior 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 divi-

sions 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,
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 4th, 1836.

STATUTE I.

July 4, 1836.

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 ser-
vice of the United States, since the twentieth of April, eighteen hun-
dred 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
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.

STATUTE I.

July 4, 1836.

[Obsolete.]

Appropriations.


Chap. CCCCLXIII.—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.

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.

For deepening the channel of the Cochecho branch of the Piscataqua river, leading into Dover harbour, five thousand dollars.

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.

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.

For the preservation of Rainsford island, in the harbor of Boston, fifteen thousand dollars.

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.

For improving the harbor of Saybrook, by removing the bar at the mouth of Connecticut river, twenty thousand dollars.

For improving the harbor of Westport, agreeably to the report of John Anderson, of the Engineer corps, three thousand dollars.

For a sea-wall to preserve Fairweather island, near Black Rock harbor, ten thousand dollars.

For securing the public works at the harbor of Southport, one thousand five hundred dollars.

For further securing the beach at Cedar point, in Connecticut, one thousand dollars.

For deepening the channel leading into Bridgeport harbor, ten thousand dollars.

For deepening the channel of the river Thames, leading into Norwich harbor, ten thousand dollars.

For building a breakwater or pier at the harbor of Burlington, ten thousand dollars.

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.

For the improvement of the harbor of Portland, on Lake Erie, ten thousand dollars.

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.

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.

For the improvement of the harbor at the mouth of Black river, in the county of Jefferson, five thousand dollars.

For building a breakwater or pier at the harbor of Plattsburg, ten thousand dollars.

For improving the harbor at the mouth of Cattaraugus creek, on Lake Erie, fifteen thousand dollars.
For improving the entrance of Whitehall harbor, on Lake Champlain, eight thousand dollars.

For building an ice-breaker on Staten Island, nineteen thousand five hundred dollars.

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.

For the protection and improvement of Little Egg harbor, according to the plan reported to the War Department, five thousand dollars.

For a survey of Crow Shoal in Delaware bay, to ascertain the expediency of constructing a breakwater or artificial harbor, one thousand dollars.

For repairs at the harbor of Chester, three thousand dollars.

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.

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.

For deepening the harbor of Baltimore, twenty thousand dollars.

For a survey of the head waters of Chesapeake bay, pursuant to a resolution of the Legislature of Maryland, five hundred dollars.

For a survey of James river, with the view of improving the harbor of Richmond, five hundred dollars.

For improving the navigation of the natural channels at the northern and southern entrances of the Dismal Swamp canal, fifteen thousand dollars.

For removing a sand shoal in Pamlico river, five thousand dollars, by means of the dredging machine now in operation at Ocracoke inlet.

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.

To improve the harbor of Beaufort, five thousand dollars.

For a survey of the bar and harbor at Georgetown, one thousand dollars.

For the removal of the Brunswick bar, with the view of improving the harbor of Brunswick, ten thousand dollars.

For constructing two piers and improving the navigation at the mouth of Vermilion river, ten thousand dollars, according to the plan reported to the War Department.

For the construction of a harbor at Michigan city, according to the plan reported to the War Department, twenty thousand dollars.

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.

For a pier to give direction to the current of the Mississippi river, near the city of St. Louis, fifteen thousand dollars.

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.

For removing a mud shoal, called the Bulk Head, in the channel from East Pass to Appalachechola, ten thousand dollars.

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.

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.

APPROVED, 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 fortieith and forty-first sections of said act, is hereby repealed.

APPROVED, July 4, 1836.

Resolutions.

No. 1. Resolution authorizing the President to furnish rations to certain inhabitants of Florida.

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.

APPROVED, February 1, 1836.

No. 2. Resolution to establish certain post roads in Missouri and Arkansas.

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 courthouse, 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.

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.

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
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.

No. 4. A Resolution to change the time of making contracts for the transportation of the mail.

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.

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.

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.

No. 6. A Resolution authorizing the repair of the bridge across the river Potomac, at Washington.

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.
TWENTY-FOURTH CONGRESS. Sess. I. Res. 7, 8, 9. 1836.

No. 7.  A Resolution providing for the distribution of weights and measures.

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 an uniform standard of weights and measures may be established throughout the United States.

APPROVED, June 14, 1836.

No. 8.  A Resolution to furnish the Rotundo with paintings.

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 panels of the Rotundo; the subjects to be left to the choice of the artists under the control of the committee.

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.

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.

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.

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.

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.

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.

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
of the United
States, and re-
port to Con-
gress.

of the United
States, and re-
port to Con-
gress.

of the United
States, and re-
port to Con-
gress.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-
ation to be ex-
pended on Ma-
ryland avenue.

The balance
of the appropi-

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.

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.

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.

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.

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.

APPROVED, January 9, 1837.

[Outsole.] $2,000,000 appropriation.
(135)
TWENTY-FOURTH CONGRESS.  Sess. II.  Ch. 3.  1837.

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.

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 that 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, 346.
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.

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.

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.

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 herein-after 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.

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.

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.

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.
Dollars, &c., shall be legal tenders, &c.

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.

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 deposit, 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 deposit, 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.

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.

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.

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.

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.

SEC. 25. And be it further enacted, That in adjusting the weights of
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.

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 recoined.

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.

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.

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.

Sec. 30. And be it further enacted, That when the coins which are the equivalent to any deposit 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 deposit 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 deposit 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 deposit, 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.

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.

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.

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.

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 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. 55.
June 7, 1832, ch. 126.
July 4, 1836, ch. 362.
Invalid pensioners.
Widows and orphans.

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 accoutre-
ments.

SEC. 2. And be it further enacted, That any person who, in the said
Volunteers or
military service as a volunteer, or draughted militiaman, furnished or
drabbed
shall furnish himself with arms and military accoutrements, and sus-
tained 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.

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 im-
pressment or contract, except in cases where the risk to which the pro-
erty 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.

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 Presi-
dent, 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.

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 judg-
ment shall be in favor of such claim, the claimant, or his legal repre-
sentative, shall be entitled to the amount thereof upon the production
of a copy thereof certified by said Auditor at the Treasury of the Uni-
ted States.

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 Uni-
ted 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
Persons other than minors to be paid for property risked by them which has been lost.

Acts of 19 February, 1833, ch. 38; and 30 June, 1834, ch. 193, repealed.

Limitation of act.

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.

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.

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.

CHAP. VI.—An Act to admit the State of Michigan into the Union, upon an equal footing with the original States.

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:

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.

CHAP. IX.—An Act to authorize certain rail-road companies to construct rail-roads through the public lands 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 East Florida Rail-road Company, a corporation established by an act of the Governor
and Legislative Council of the Territory of Florida, approved the fourteen- 
theenth 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 Appalachicola rivers, 
which may be selected by said company.

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.

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 deposit and leave such mate-
rials upon such lands, whenever it may be necessary; also, to cut drains, 
where necessary, through the same; and during the period of the con-
struction of said way, to occupy said lands along said route, doing as 
little injury thereto as may be.

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:

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 accu-
trately 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 unob-
structed.

Fourth, Wherever it shall cross a stream or low grounds, such pro-
vision 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;
and if said company shall fail to give prompt and seasonable notice in both the above cases, they shall forfeit their privileges under this act.

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.

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.

SEC. 8. And be it further enacted, That the said East Florida Railroad 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.

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.

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.

SEC. 11. And be it further enacted, That the Pensacola and Perdido Railroad 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 Railroad 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.

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.

Approved, January 31, 1837.

CHAP. XII.—An Act to extend the limits of the Port of New Orleans.

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.

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.

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.

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 fol-
lows: for the branch at New Orleans, to the superintendent, two thou-
sand 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 dol-
lars; 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," ap-
proved 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.

CHAP. XV.—An Act to suspend certain provisions 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 provisions 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.

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 jurisd-
ciction 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 regu-
late trade and intercourse with the Indian tribes, and to preserve peace
on the frontiers," or by any subsequent acts of Congress, concerning
offenses, 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.

(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.

Chapter 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;

For the pay of the army, one million ninety thousand one hundred and thirteen dollars:

For the subsistence of officers, three hundred and thirty-two thousand six hundred and thirty-eight dollars:

For forage of officers' horses, seventy thousand nine hundred and eighty-seven dollars:

For clothing for officers' servants, twenty-six thousand five hundred and fifty dollars:

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

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:

For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, two hundred and six thousand nine hundred and forty dollars:

For the medical and hospital department, thirty-eight thousand five hundred dollars:

For the regular supplies furnished by the Quartermaster's Department, consisting of fuel, forage, straw, stationery, and printing, two hundred and eight thousand dollars:

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:

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

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
TWENTY-FOURTH CONGRESS. Sess. II. Ch. 17. 1837.

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:

For contingencies of the army, three thousand dollars:

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:

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:

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

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

For the current expenses of the ordnance service, one hundred and twenty-three thousand nine hundred and seventy-five dollars:

For arsenals, three hundred and seventy-three thousand four hundred and twenty-nine dollars

For the purchase of percussion cannon locks, fifteen thousand dollars:

For the manufacture of elevating machines for barbette and casemate carriages, eight thousand two hundred and fifty dollars:

For the manufacture of sponges for field and battery cannon, one thousand nine hundred and sixty dollars:

For the rifle factory at the Harper's Ferry armory, eight thousand five hundred and sixty-nine dollars:

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:

For completing the wharf at Fort Monroe, Virginia, five hundred dollars:

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:

For a magazine at the arsenal at Baton Rouge, Louisiana, five thousand dollars:

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:

For enlarging the site at the arsenal at Frankford, Pennsylvania, one thousand dollars:
Blacksmith's shop, &c., at Watertown, Mass.

Copper rifle flasks.

Money to be paid on the requisition of the Secretary of War.

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 three hundred and ten dollars

Proviso.

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

Pay due Executive staff of Governor of Tennessee.

One month's pay, &c., to volunteers and militia of Kentucky, Tennessee, Alabama, and Mississippi, &c.

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.

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.

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.

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.

Approved, March 1, 1837.

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.

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;

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 and seven dollars and eighty-four cents;

For fuel, stationery, printing, transportation and postage, eight thousand dollars;

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;

For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars;
TWENTY-FOURTH CONGRESS. Sess. II. Ch. 19, 20. 1837.

For philosophical apparatus, and repairs of the same, three hundred dollars;
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;
For incidental expenses of the department of artillery, three hundred dollars;
For increase and expenses of the library, six hundred dollars;
For miscellaneous items and incidental expenses, one thousand seven hundred and seventy-seven dollars and fifty cents;
For completing the chapel, one thousand two hundred and fifty-three dollars and thirty-five cents;
For the erection of a suitable building to contain the public stores, one thousand five hundred dollars;
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;
For the erection, as per plan, of a building for recitation and military exercises, in addition to amount heretofore appropriated, thirty thousand dollars;
For the erection of new barracks, for the Military Academy department, to consist of eight buildings, at five hundred dollars each, four thousand dollars;
For grading the grounds about the exercise hall, and removing temporary buildings, three hundred and fifty dollars;
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;
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; but nothing in this act contained shall be construed to prevent the President of the United States from enforcing, whenever 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.

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.

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.

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 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.

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.

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.

Approved, March 2, 1837.

CHAP. XXII.—An act concerning Pilots. (a)

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

(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. 379.


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.

Vol. V.—20
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 con-
trary notwithstanding.

Approved, March 2, 1837.

STATUTE II.
March 2, 1837.

Chap. XXII.—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 thou-
sand eight hundred and thirty-four, be, and the same are hereby ex-
tended and continued in force for three years from and after the pas-
sage of this act.

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. XXIV.—An Act to provide for the adjustment of title and final dispo-
sition of the four reserved sections in the tract of country allotted to the Tombecbee
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
shall 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 de-
serted 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 Ala-
bama 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 pil-
age compensation for extraordinary services, as contradistinguished from ordinary pilotage for ordi-
ary 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 ser-
vice 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 com-
pensation to the extent of the merit of his services, viewed in the light of a liberal public policy. Ho-
bert 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 peril, 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, as 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 professed useful services as volunteers, without any pre-
existing covenant that connected them with the duty of employing them with the her preservation.
The duties they undertook were far beyond any belonging to pilots; and precisely those belonging to
salvors. Ibid.

Suit for pilo age 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
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 Tombecbee 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 situate, 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.

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.

APPROVED, March 2, 1837.

CHAP. XXX.—An act making appropriations for the naval service, 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 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;

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;

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, sixty-nine thousand four hundred and seventy dollars;

For provisions, seven hundred and sixty-two thousand eight hundred and sixty-five dollars;

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;

For medicines and surgical instruments, hospital stores, and other expenses, on account of the sick, thirty-nine thousand dollars;

For improvements and necessary repairs of the navy yard at Portsmouth, New Hampshire, forty-seven thousand seven hundred dollars;

For improvements and necessary repairs of the navy yard at Charlestown, Massachusetts, one hundred and twenty-four thousand dollars;
For improvement and necessary repairs of the navy yard at Brooklyn, New York, sixty-two thousand five hundred dollars;
For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, thirty-four thousand eight hundred and fifty dollars;
For improvement and necessary repairs of the navy yard at Washington, fifty-two thousand eight hundred and fifty dollars;
For improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred and forty thousand five hundred dollars;
For improvement and necessary repairs of the navy yard near Pensacola, seventy-eight thousand dollars;
For ordnance and ordnance stores, seventy-two thousand dollars;
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;
For contingent expenses for objects not hereinbefore enumerated, three thousand dollars;
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;
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;
For clothing, thirty-eight thousand six hundred and fifty-five dollars;
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;
For the 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 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 thousand dollars;

For the survey of May river, from Tybee bar to the Hunting island, fifteen thousand 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 lighthouse 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:

For carrying into effect the acts for the suppression of the slave trade,
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.

STATUTES II.

March 9, 1837.

[Obsolet.e]

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;

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;

Pay of super-
intendent of In-
Pay of sub-
Pay of inter-
Presents to In-
Provisions for
Buildings at
the agencies.
Postages, rents, &c. of
Indian Depart-
Salary of clerk in
office of Gov.
of Wisconsin.
Clerk of acting sup't
W. Territory.
Six Nations of
New York.
TWENTY-FOURTH CONGRESS. Sess. II. Ch. 31. 1857.

For the Senecas of New York, six thousand dollars; For the Ottawas, four thousand three hundred dollars; For the Wyandots, six thousand eight hundred and forty dollars; For the Wyandots, Munsees, and Delawares, one thousand dollars; For the Christian Indians, four hundred dollars; For the Miamies, thirty thousand one hundred and ten dollars; For the Eel Rivers, one thousand one hundred dollars; For the Pottawatamies, twenty thousand eight hundred dollars; For the Pottawatamies of Huron, four thousand 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 Chippewas, Ottawas, and Pottawatamies, thirty-four thousand two hundred and ninety dollars; For the Winnebagoes, thirty-seven thousand seven hundred and eighty-five dollars; For the Menomonies, thirteen thousand nine hundred and twenty dollars; For the Chippewas, six thousand seven hundred and forty dollars; For the Chippewas, Menomonies, Winnebagoes, and New York Indians, fifteen hundred dollars; For the Sioux of Mississippi, three thousand six hundred and forty dollars; For the Yanetons and Sandies of Sioux, four thousand three hundred and forty dollars; For the Omahas, three thousand nine hundred and forty dollars; For the Sac of Missouri, one thousand six hundred and forty dollars; For the Sac of Missouri, three thousand dollars; For the Foxes, three thousand dollars; For the Iowa, five thousand one hundred and forty dollars; For the Sac and Foxes, twenty-three thousand nine hundred and twenty dollars; For the Sac, Foxes, and Iowa, three thousand dollars; For the Ottos and Missourius, five thousand six hundred and forty dollars; For the Kanzas, six thousand and forty dollars; For the Osages, eleven thousand and forty dollars; For the Kickapoos, six thousand five hundred dollars; For the Kaskaskia and Peorias, three thousand dollars; For the Kaskaskia, Peorias, Weas, and Piankeshaws, nine hundred and forty dollars; For the Piankeshaws, thirteen hundred dollars; For the Weas, three thousand dollars; For the Delaware, ten thousand two hundred and forty dollars; For the Shawnees, six thousand nine hundred and forty dollars; For the Shawnee and Delawares, five thousand dollars; For the Shawnees and Senecas of Lewistown, one thousand nine hundred and forty dollars; For the Senecas of Lewistown, two thousand five hundred and forty dollars; For the Choctaws, fifty-four thousand eight hundred and twenty dollars; For the Chickasaws, six thousand dollars; For the Creeks, forty-seven thousand eight hundred and sixty dollars; For the Quapaws, four thousand five hundred and forty dollars; For the Florida Indians, nine thousand six hundred and ten dollars; For the Pawnees, twelve thousand dollars; For the Cherokee, west, six thousand nine hundred and sixty dollars;
OTTAWAS AND CHIPPEWAS.

1837.

For the Ottawas and Chippewas, sixty thousand eight hundred and thirty dollars;

For the Chippewas, ten thousand dollars;

For transportation and incidental expenses, twenty-nine thousand five hundred dollars;

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;

For the removal and subsistence of the Seminoles, one hundred and forty thousand dollars;

For the removal and subsistence of the Ottawas of the Maumee, thirteen thousand dollars;

For the removal and subsistence of the Pottawatamies of Indiana, under the treaty with the Pottawatamies of St. Joseph, of the twentieth September, eighteen hundred and twenty-eight, ninety thousand five hundred dollars;

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;

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;

For carrying into effect the treaty with the Sioux and other tribes of the fifteenth of July, eighteen hundred and thirty, relative to 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;

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;

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 half-breeds, five hundred dollars;

For the erection of a horse-mill as stipulated in the fifth article of the treaty with the Ottawas and Missourias of the twenty-first of September, eighteen hundred and thirty-three, in addition to a former appropriation, nine hundred dollars;

For additional compensation to blacksmiths for the Cherokees, as provided for in the ninth section of the act of June thirty-first, 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;

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;

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, seven hundred and forty dollars;

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;

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;

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;

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;

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;

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;

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;

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;

For carrying into effect the treaties with the Pottawatamies of the fifth of August, twentieth and twenty-third September, eighteen hundred and thirty-six, and eleventh February, eighteen hundred and thirty-seven, seventeen thousand four hundred and twenty-three dollars;
TWENTY-FOURTH CONGRESS. Sess. II. Ch. 31. 1837.

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 treaties 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 Sagenaw.

For the expenses of a deputation of the Chippewas of Sagenaw 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.

Section 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
TWENTY-FOURTH CONGRESS. Sess. II. Ch. 32, 33. 1837.

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.

Approved, 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.

Approved, 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:

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;
TWENTY-FOURTH CONGRESS. Sess. II. Ch. 33. 1837.

Contingent expenses. For contingent expenses of said building, including fuel, labor, oil, and repairs, two thousand five hundred dollars;

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

Clerks and messengers. 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;

Additional clerks. 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 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 four hundred 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;”

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, 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.
the sum of nine hundred dollars shall be paid Charles Gordon for ser-
Vices rendered under the resolution of the Senate of second July eight-
Ie and thirty-six;

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;

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 expenses of stationery, printing, and all other contingent exp-
enses of the Treasury Department, 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 translating foreign languages, and for receiving and transmitting
passports and sea-letters, in the office of the Secretary of the Treasury,
three hundred dollars;

For stating and printing public accounts, one thousand four hundred
dollars;

For the office of the First Comptroller, two thousand dollars;

For the office of the Second Comptroller, one thousand five hundred
dollars;

For the office of the First Auditor, eight hundred dollars;

For the office of the Second Auditor, one thousand dollars;

For the office of the Third Auditor, thirteen 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, one thousand
three 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
one hundred and fifty thousand pieces of parchment for patents; print-
ing the same; and, also, the cost of books for patent records, twenty-
ine thousand two hundred and fifty dollars;

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;

For compensation of superintendent and two watchmen for the addi-
tional building for the use of the General Land Office, one thousand
and fifty dollars;

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;

For compensation of the superintendent and watchman of the south-
east executive building, two thousand one hundred dollars;

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
dollors;

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;

For contingent expenses of the office of the Secretary at War, three
thousand dollars;
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;
Commission 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 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 messenger.
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;
Contingent expenses.
For contingent expenses of said office, six hundred 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 to clerks and messenger in the office of the Commissioner General, seven thousand six hundred and fifty dollars;
Contingent expenses.
For contingent expenses of said office, one thousand five hundred dollars;
Clerks and messenger.
For compensation to clerks and messenger in the office of the Commissary General of Purchases, four thousand two hundred dollars;
Contingent expenses.
For contingent expenses of said office, eight hundred dollars;
Clerks and messenger.
For compensation to clerks and messenger in the office of the Commissary General of Subsistence, four thousand three hundred dollars;
Contingent expenses.
For contingent expenses of said office, two thousand six hundred dollars;
Clerks and messenger.
For compensation of clerks and messenger in the office of the Chief Engineer, five thousand six hundred and fifty dollars;
Contingent expenses.
For contingent expenses of said office, one thousand dollars;
Clerks and messenger.
For compensation to clerk and messenger in the office of the Surgeon General, one thousand six hundred and fifty dollars;
Contingent expenses.
For contingent expenses of said office, five hundred dollars;
Clerks and messenger.
For compensation of the clerks and messenger in the Topographical Bureau, two thousand five hundred dollars;
Contingent expenses.
For contingent expenses of said bureau, one thousand two hundred and thirty-five dollars;
Message.
For compensation of the messenger in the Clothing Bureau, per act of July fourth, eighteen hundred and thirty-six, five hundred dollars;
Message.
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;
Contingent expenses.
For contingent expenses of said building, including rent, fuel, 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;
   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;
   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;
   For salary of superintendent and watchman of the southwest executive building, one thousand two hundred and fifty dollars;
   For contingent expenses of said building, three thousand three hundred and fifty dollars;
   For compensation to three Assistant Postmaster Generals, per act third July, eighteen hundred and thirty-six, seven thousand five hundred dollars;
   For compensation to the Secretary of the Navy Board, two thousand dollars;
   For compensation to the clerks and messengers of the Navy Board, eight thousand four hundred and fifty dollars;
   For contingent expenses for said office, one thousand eight hundred dollars;
   For salary of superintendent and watchman of the southwest executive building, one thousand two hundred and fifty dollars;
   For contingent expenses of said building, three thousand three hundred and fifty dollars;
   For compensation to two watchmen, six hundred dollars;
   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 eighty-one cents;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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 ninety dollars and eighty-one cents;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   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;
   For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars;
   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;
   For compensation to two watchmen, six hundred dollars;
   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;
   For compensation to the Auditor of the Post Office, three thousand dollars;
<table>
<thead>
<tr>
<th>Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surveyor Gen. of Mississippi. Clerks.</td>
<td>For compensation to the Surveyor General of Mississippi, two thousand dollars; For compensation of clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, five thousand dollars;</td>
</tr>
<tr>
<td>Surveyor Gen. for Alabama. Clerks.</td>
<td>For compensation to the Surveyor General for Alabama, two thousand dollars; For compensation of clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and sixty-two, two thousand dollars;</td>
</tr>
<tr>
<td>Surveyor Gen. of Florida. Clerks.</td>
<td>For compensation of the Surveyor General of Florida, two thousand dollars; For compensation of clerks in the office of said Surveyor General, three thousand dollars; 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;</td>
</tr>
<tr>
<td>Commissioner of Public Buildings. Assistants.</td>
<td>For compensation to the Commissioner of Public Buildings in Washington, two thousand four hundred and fifty dollars; For compensation to three assistants to commissioner, as superintendent at Potomac bridge, two thousand four hundred and sixty-three dollars and seventy-five cents;</td>
</tr>
<tr>
<td>Repairs of Potomac bridge, &amp;c. Officers and clerks of Mint. Assistants and laborers. Wastage of gold and silver, &amp;c.</td>
<td>For repairs of the said bridge, wood for the draw-keepers, and oil for lamps, two hundred and seventy-seven dollars; For compensation to the officers and clerks of the Mint, nineteen thousand seven hundred dollars; For compensation to assistants and laborers in the various departments of the Mint, twenty-four thousand dollars; For wastage of gold and silver, and contingent expenses of the Mint, including improvements in machinery, thirty-eight thousand one hundred dollars;</td>
</tr>
<tr>
<td>New machinery, &amp;c.</td>
<td>For expenses incidental to the introduction of new machinery and apparatus, twenty thousand dollars;</td>
</tr>
<tr>
<td>Governor, &amp;c. of Wisconsin. Contingent expenses, &amp;c.</td>
<td>For compensation of the Governor, Judges, and Secretary of Wisconsin Territory, nine thousand one hundred dollars; 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; For compensation of the Governor, Judges, and Secretary of the Territory of Florida, eleven thousand seven hundred dollars;</td>
</tr>
<tr>
<td>Governor, &amp;c. of Florida. Contingent expenses, &amp;c.</td>
<td>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; For compensation to the Chief Justice, the Associate Judges, and District Judges of the United States, eighty-four thousand nine hundred dollars;</td>
</tr>
<tr>
<td>Chief Justice, Associate Judges, and District Judges, U. S. Chief Justice and Associate Judges, D. C., &amp;c. Attorney General. Clerk and messenger. Cont. expens. Reporter of Supreme C't.</td>
<td>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; For compensation to the Attorney General of the United States, four thousand dollars; For compensation of clerk and messenger in the office of the Attorney General, one thousand three hundred dollars; For contingent expenses of said office, five hundred dollars; For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars;</td>
</tr>
</tbody>
</table>
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;

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;

For expenses of printing the records of the Supreme Court, three thousand dollars;

For the payment of pensions granted by special acts of Congress, one thousand and fifty dollars;

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;

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;

For a light-house at the mouth of Chefunote river, being the amount of a former appropriation for that object, which will be carried to the surplus fund, five thousand dollars;

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;

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 thirty-one, 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;

For completing the public warehouse at Baltimore, fifty thousand dollars;

For the custom-house at Boston, one hundred and fifty thousand dollars;

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;

For expense in relation to the relief of certain insolvent debtors of the United States, three thousand dollars;

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;

For the compensation to two keepers of the public archives in Florida, one thousand dollars;

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be admitted in due course of settlement at the Treasury, twelve thousand dollars;

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;
For completing the surveys of unfinished portions of townships, islands, lakes, &c. viz: 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, not exceeding eight dollars per mile, one thousand dollars, in addition to two thousand five hundred dollars already appropriated; 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; 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; for salaries of the secretaries of legation to Great Britain, France, Spain, Russia, Prussia, Mexico and Austria, fourteen thousand dollars; 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; for salary of the drogoman, and for contingent expenses of the legation to Turkey, six thousand five hundred dollars; for outfit of a minister to Russia, nine thousand dollars; for outfit of a chargé d'affaires to Belgium, four thousand five hundred dollars; for contingent expenses of all the missions abroad, in addition to the balance remaining of a former appropriation, 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, thirty thousand dollars; for the contingent expenses of foreign intercourse, in addition to the balance remaining of former appropriations, thirty 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 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; for the purchase of books for the library of Congress, five thousand dollars; for furnishing such members of the present House of Representatives as have not received the same, under former orders of the House,
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, Provided, 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;

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;

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:

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 depreciations, and special agents, clerks for offices, and miscellaneous expenses, four millions four hundred and ninety-four thousand dollars;

For payment to A. Fuller, and the rent of the building now occupied as the General Post Office, from the sixteenth December last, and for the year eighteen hundred and thirty-seven, five thousand dollars;

For guarding the site of the old Post Office, and preserving the public property, two thousand dollars;

For the expenses of the branch mint, at New Orleans, for the year eighteen hundred and thirty-seven, viz:

For salaries of officers and clerks, twelve thousand nine hundred dollars;

For compensation to laborers in the various departments, thirteen thousand dollars;

For completing the mint edifice, and enclosing the lot, ninety-six thousand five hundred dollars;

For furnishing the whole establishment, inclusive of all apparatus, tools, and fixtures, not included in the contracts, fifteen thousand five hundred dollars;

For wastage of gold and silver, and for the contingent expenses of the mint, eighteen thousand six hundred dollars;

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;
For the 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 thou-
sand 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 dol-
ars 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 appro-
priations, 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 sixteen cents;
For the expenses of the same, for the year one thousand eight hun-
dred and thirty-seven, thirty-six thousand seven hundred and sixty-five
dollars;
For an outfit and salary of a charge d'affaires to Naples, nine thou-
sand 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 contin-
gencies, 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 con-
sent 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 esta-
ablishing 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 dol-
ars;
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 thousand and fifty 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 panels of the rotunda 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
TWENTY-FOURTH CONGRESS. Sess. II. Ch. 33. 1837.

Senate for the extra session to commence on the fourth day of March, instant, five thousand dollars;

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 atheneums of the United States, one thousand five hundred dollars;

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;

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;

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;

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;

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;

For making the post office, document, folding, and library rooms of the House of Representatives fire proof, three thousand one hundred and fifty dollars;

To complete the enclosing the garden and grounds of the naval magazine and marine hospital, one hundred dollars;

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;

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;

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;

For paying William P. Elliot, for drawings of the Treasury building and Patent Office, three hundred dollars;

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;

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;

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 Treas-
ury 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: Pro-
vided, 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, sur-
veyors, 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 col-
lectors, 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 Secre-
tary 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 Depart-
ments 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

(a) There was no further legislation on this subject during the session.
(b) The act of October 13, 1837, chap. 4, continues to the end of the second session of the twenty-
fifth Congress, all the acts which would, otherwise, have expired.
<table>
<thead>
<tr>
<th>Statute II</th>
<th>March 3, 1837</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act of April 29, 1804, ch. 31</td>
<td>An act to establish the judicial courts of the United States, July 20, 1837, chap. 3.</td>
</tr>
<tr>
<td>An act to change the time of holding the Circuit Court of the United States for the eastern district of Virginia, and of the Circuit Court of Alabama, April 13, 1844, chap. 12.</td>
<td></td>
</tr>
<tr>
<td>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 13, 1844, chap. 12.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>An act to amend the act of the third of March 1837, entitled &quot;An act supplementary to the act to amend the judicial system of the United States&quot; and for other purposes, March 3, 1839, chap. 27.</td>
<td></td>
</tr>
<tr>
<td>An act in addition to the acts respecting the judicial system of the United States, July 20, 1837, chap. 4.</td>
<td></td>
</tr>
<tr>
<td>An act to amend the act of the third of March 1837, entitled &quot;An act supplementary to the act to reorganize the District Courts of the United States in the state of Mississippi,&quot; approved June 18, 1839, chap. 29.</td>
<td></td>
</tr>
<tr>
<td>An act to reorganize the District Courts of the United States in the state of Alabama, February 6, 1838, ch. 118.</td>
<td></td>
</tr>
<tr>
<td>An act to abolish the Circuit Court at Huntsville, in the state of Alabama, and for other purposes, February 22, 1838, ch. 12.</td>
<td></td>
</tr>
<tr>
<td>An act to amend the act entitled &quot;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.</td>
<td></td>
</tr>
<tr>
<td>An act to amend &quot;an act to reorganize the District Courts of the United States in the state of Mississippi,&quot; approved June 18, 1839, chap. 29.</td>
<td></td>
</tr>
<tr>
<td>An act to amend the act of the third of March 1837, entitled &quot;An act supplementary to the act to reorganize the District Courts of the United States in the state of Mississippi,&quot; approved June 18, 1839, chap. 29.</td>
<td></td>
</tr>
<tr>
<td>An act to amend the act of the third of March 1837, entitled &quot;An act supplementary to the act to abolish the Circuit Court at Huntsville, in the state of Alabama, and for other purposes, February 22, 1838, ch. 12.</td>
<td></td>
</tr>
</tbody>
</table>

(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.
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 Pittsburgh, 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; 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 districts in said State.

(a) Act of March 3, 1839, chap. 61; 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.

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 held 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.
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 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, Bellevue, 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.
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.

Acts repealed.

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.

Three commissioners to be appointed by the President, with the advice and consent of the Senate; their duties.

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.

(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.

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.

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.

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.

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.

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.

Approved, March 3, 1837.

Statute II.
March 3, 1837.
TWENTY-FOURTH CONGRESS. Sess. II. Ch. 40. 1837.

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 An azeen 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, Sulpion 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 lighthouse 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 Papoos 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, Pocomoke, and Wicomico, Hooper's and Cajeys straits, and Tangier and Pocomoke sounds, the sum of ten 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
Day's point, 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.

State of North Carolina.—For a light-house off Powell's point, Albemarle sound, five thousand dollars; for rebuilding a light-house at Federal point, five thousand dollars; for a light-house on Fen island, near New inlet, five thousand dollars; for building a new light-boat at Long shoal, in Pamlico sound, ten thousand dollars.

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.

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 Jekyll 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 Sapelo island and for placing buoys and beacons at Doboy bar, and Sapelo 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.

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.

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.

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.

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.

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 northwestern 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.

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.
TWENTY-FOURTH CONGRESS. Sess. II. Ch. 41. 1837.

Statutes II.

March 3, 1837.

Chap. XIII. — 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.

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.

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.

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 Appropriations 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 orbreakwater 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;

APPROVED, March 3, 1837.

(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 Cleaveland harbor, Ohio, ten
   thousand dollars;

Cleaveland
   harbor.
   For continuing the removal of obstructions at Cunningham creek, Ohio,
   five thousand dollars;

Ashatabula
   creek.
   For continuing the removal of obstructions at Ashtabula creek, Ohio,
   eight thousand dollars;

Connecut
   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, Pennsyl
   vania, 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.
   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;

Steel’s Ledge.
   For placing buoys in the vicinity of the monument on Steel’s Ledge,
   Maine, being the unexpended balance of the appropriation of the
   twenty-eighth of June, eighteen hundred and thirty-four, for rebuild-
   ing the monument on Steel’s Ledge, four hundred and sixty-six dol-
   lars;

Burlington.
   For continuing the construction of a breakwater at Burlington, Ver-
   mont, 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;

For continuing the securing of the public works, at the harbor of Southport, Connecticut, one thousand dollars;

For improving the harbor of Westport, Connecticut, three thousand seven hundred and thirty-four dollars;

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;

For continuing the repairs at the harbor of Chester, Pennsylvania, two thousand dollars;

For continuing the improvement of the harbor of Wilmington, Delaware, eight thousand dollars;

For continuing the improvement of the harbor of Newcastle, Delaware, ten thousand dollars;

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.

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, Provided 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; Provided, 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, Provided, however, 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.

For continuing the improvement of the harbor of Baltimore, Maryland, fifteen thousand dollars;

For continuing the removal of obstructions at Ocracoke inlet, North Carolina, twelve thousand and fifty dollars;
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 continuing the works for the removal of the obstructions to the navigation of the Mississippi river, from Louisville to New Orleans, sixty 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 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 Winway 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 continuing the survey of Black and White rivers in Arkansas and Missouri, one thousand dollars;

When the corporate authorities of Alexandria 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.

APPROVED, 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.

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

(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.
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;

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.

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.

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.

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.

Vol. V — 25
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.**

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, 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 to be sufficient warrant to the Treasurer.

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 graveling 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 Appalacheeola, twenty thousand three hundred and thirteenth dollars;
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 At-
lantic 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 respec-
tively, 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.

CHAP. XLIX.—An Act to grant the Atchafalaya Railroad and Banking Com-
pany 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 Atchafalaya Railroad and Banking Company, a corpora-
tion 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, &c.

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 com-
menced and completed within

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 construc-
tion 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.

Approved, March 3, 1837.

CHAP. LI.—An Act further to amend the act incorporating the Chesapeake and Ohio Canal Company. (a)

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

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, mole-, tow-paths, bridges, culverts, drains, or to any part necessary to the uses and purposes of said canal, be, 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.

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.

Approved, March 3, 1837.

CHAP. LII.—An Act to authorize the New Orleans and Carrolton Railroad Company to construct a railroad from Carrolton to the town of Bayou Sara, in the State of Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the New Orleans and Carrolton 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 Carrolton 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.

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

in the periods fixed by the charter, &c.

Persons within the D. C., wickedly, &c., injuring the Chesapeake and Ohio canal, its embankments, &c., liable to fine, &c.

Proviso.

Condemnations of land by the marshal of D. C., &c.

Proviso.

Right of way granted through portions of the public lands remaining unsold.

Earth, stone, &c., may be used while said lands remain unsold.

(c) See Appendix, No. 2.
Proviso.


good, 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.

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 deposite, 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 3, 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.

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
No. 2. A Resolution granting a pension to Susan Decatur, widow of the late Commodore Stephen Decatur, (a)

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 day 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.

(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 arrearages, 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 arrearages, 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, 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, in the administration 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.
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.

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.

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.

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 deposites with the States.

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 deposites 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 deposite with the States, until otherwise directed by Congress.

APPROVED, October 2, 1837.

CHAP. II.—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 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.

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.

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

Vol. V.—26

(391)
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 such notes.

The Treasury notes to 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.

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.

The Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be rein-
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.

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.

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.

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.

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, depositaries, 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
TWENTY-FIFTH CONGRESS. Sess. I. Ch. 3, 4, 5. 1837.

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.

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.

Chap. III—An Act to regulate the Fees of District Attorneys in certain cases.

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 suits instituted on bonds for the renewal of which provision is made by law, unless, &c.

Approved, October 12, 1837.

Chap. IV.—An Act to continue in force certain laws to the close of the next session of Congress.

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 in December, eighteen hundred and thirty-seven.

Approved, October 12, 1837.

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.

CHAPEL 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.

CHAPEL 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 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.

CHAPEL 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 to 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

A credit of 3 and 6 months to be allowed on the duty on all merchandise imported before
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.

STATUTES I.
Oct. 16, 1837.

The Secretary of the Treasury authorized to continue to withdraw the public moneys now remaining in any of the former deposit banks, in a manner as gradual and convenient to the institutions as shall be consistent with the pecuniary 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.

Sec. 3. 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 fulfill 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.

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 were outstanding and unpaid, or any other allowance for interest or damages of any description.

Approved, October 16, 1837.

RESOLUTION.

No. 1. A Resolution directing the postage on letters sent by the Express Mail to be paid in advance.

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.

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 I.

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.

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.

CHAP. II.—An Act to ratify and confirm certain official acts of John Pope, late Governor of Arkansas.

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 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.

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

Dec. 22, 1837.

Jan. 16, 1838.

Prov. Further prov.

Certain lands in the Missipi land district, Arkansas,
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:

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, out of any money in the Treasury not otherwise appropriated.

APPROVED, January 16, 1838.

Statute II.

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 and twenty-five thousand five hundred 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.

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 Treasury, for the protection of the northern frontier of the United States.
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.

STATUTES II.
Feb. 22, 1838.

Act of March 3, 1837, ch. 34. Act of March 5, 1839, ch. 61. The Circuit Court U. S. established at Huntsville by act 3d March, 1837, 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.

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.
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 13, 14. 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.

STATUTE II.

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 suits for the final settlement and liquidation of the affairs and accounts of the corporation; but all such suits, actions, judgments and decrees, in which the late Bank of the U. S. is a party, shall continue, and by reason of the expiration of the two years after the expiration of the charter.
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 15, 31. 1838.

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.

CHAPTER 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. (c)

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.

CHAPTER 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 herein-after directed.

(c) See notes of the acts relating to the District Court of Virginia, vol. 3, 473.
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, conterminous 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 conterminous 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.

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.

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 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.

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 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.
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 32. 1838.

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, contumacious 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 arrest and examination of persons charged, &c.

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.

STATUTE II.
March 10, 1838.

[Obsolete.]

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 Revolutionary pensioners.

For invalid pensioners.

For pensions to widows and orphans.
For half-pay pensions, payable through the office of the Third Auditor, five thousand dollars.

Approved, March 10, 1838.

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.

CHAP. XXXIV.—An Act to continue in force an act therein mentioned, relating to the port 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, 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.

CHAP. XLVI.—An Act to restore circuit jurisdiction to the district courts of the western district of Virginia.

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 an act entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States," and 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.

See notes of the acts relating to the District Courts of Virginia, vol. 3, 475.
All causes transferred from said district courts to circuit court at Lewisburg, removed back, &c.

Appellate jurisdiction from said district courts to be exercised by circuit court at Lewisburg.

STATUTE I. April 6, 1838. (Obsolete.)

Pay and mileage of members of Congress. Pay of officers &c., of Congress. Contingent expenses of Senate. Contingent expenses of House Raps. Two last sums applicable only to ordinary expenses.

President, Vice President, and heads of departments.


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.

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:

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;

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;

For compensation to the clerks and messengers in the office of the Third Auditor, twenty-seven thousand two hundred and fifty dollars;

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;

For compensation to the Fourth Auditor, three thousand dollars;

For compensation to the clerks and messenger in the office of the Fourth Auditor, fifteen thousand nine hundred and fifty dollars;

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;

For compensation to the Fifth Auditor, three thousand dollars;

For compensation to the clerks and messenger in the office of the Fifth Auditor, nine thousand eight hundred dollars;

For compensation to the clerks and messenger in the office of 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, ten thousand seven hundred and fifty dollars;

For compensation to the Register of the Treasury, three thousand dollars;

For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars;

For compensation of the Commissioner of the General Land Office, per act of fourth July, eighteen hundred and thirty-six, three thousand dollars;

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;

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 expenses of stationery, printing, and all other contingent expenses of the Treasury Department, 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 translating foreign languages, and for receiving and transmitting passports and sea letters, in the office of the Secretary of the Treasury, three hundred dollars;

For stating and printing public accounts, one thousand four hundred dollars;

For the office of the First Comptroller, two thousand dollars;
For the office of the Second Comptroller, one thousand five hundred dollars;

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, 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;

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, one thousand three hundred dollars;

For the office of the Register of the Treasury, three thousand dollars;

For the office of the Solicitor of the Treasury, including five hundred dollars for the purchase of books, one thousand five hundred dollars;

For compensation of superintendent and two watchmen for the additional building for the use of the General Land Office, one thousand and fifty dollars;

For compensation of the superintendent and watchman of the southeast executive building, two thousand one hundred dollars;

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;

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;

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;

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, including five hundred dollars for deficiency in the appropriation for eighteen hundred and thirty-seven, three thousand five hundred dollars;

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;

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;

For compensation to clerks and messenger in the office of the Paymaster General, six thousand one hundred dollars;

For contingent expenses of said office, three hundred dollars;

For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars;

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;
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;
For contingent expenses of said office, six hundred dollars;
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, two thousand six 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, two thousand 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, seven hundred dollars;
For compensation of clerks and messenger in the Ordnance office, eight thousand six hundred and fifty dollars;
For compensation of the clerks and messenger in the Topographical Bureau, two thousand five hundred dollars;
For compensation of the clerks and messenger in the Topographical Bureau, two thousand five hundred dollars;
For compensation of the clerks and messenger in the General Post Office, forty-eight 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;
Arrearages for the year eighteen hundred and thirty-seven, six thousand seven hundred and forty-nine dollars and ninety-eight cents; 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; 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; For compensation of the Surveyor General northwest of the Ohio, two thousand dollars; For compensation to clerks in his office, per acts of ninth May, eighteen hundred and thirty-six, six thousand three hundred dollars; For compensation to the Surveyor General for Illinois and Missouri, two thousand dollars; For compensation to clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, three thousand two hundred dollars; For compensation to clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, five hundred dollars; For compensation to clerks in the office of said Surveyor General, three thousand dollars; For compensation to clerks in the office of said Surveyor General, per acts of the ninth of 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; For compensation of the Surveyor General of Florida, two thousand dollars; For compensation of clerks in the office of said Surveyor General, two thousand dollars; For compensation to the Commissioner of Public Buildings in Washington, two thousand three hundred dollars; For compensation to the officers and clerks of the Mint, twenty thousand four hundred dollars; For pay of laborers in the various departments of the Mint, and for contingent expenses, fourteen thousand six hundred dollars; 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 six hundred dollars;
For wastage of gold and for contingent expenses of the same, five
do  thousand four hundred dollars;
For renewing the roof of the Mint at Charlotte, North Carolina, two
 thousand dollars;
For compensation to the officers and clerk of the branch Mint at
Dahlonega, Georgia, six thousand dollars;
For pay of laborers in the various departments of the same, three
 thousand eight hundred dollars;
For wastage of gold, and for contingent expenses of the same, four
 thousand dollars;
For enclosing the Mint lot, and for buildings, seven thousand five
 hundred dollars;
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, twenty-seven thousand one hundred dollars;
For compensation of the Governor, Judges, and Secretary of Wis-
consin Territory, nine thousand one hundred dollars;
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;
For compensation of the Governor, Judges, and Secretary of the
Territory of Florida, eleven thousand seven hundred dollars;
For contingent expenses, pay, and mileage of the members of the
Legislative Council of said Territory; pay of the officers of the Coun-
cil, and for copying the laws for the printer, ten thousand dollars;
For compensation to the Chief Justice, the Associate Judges, and
district Judges of the United States, one hundred and one thousand
four hundred dollars;
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;
For compensation to the Attorney General of the United States, four
 thousand dollars;
For compensation of clerk and messenger in the office of the Attorney
General, one thousand three hundred dollars;
For contingent expenses of said office, five hundred dollars;
For compensation to the reporter of the decisions of the Supreme
Court, one thousand dollars;
For compensation to the district attorneys and marshals, as granted
by law, including those in the several Territories, thirteen thousand two
hundred and fifty dollars;
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, penal-
ties, 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
offenses committed against the United States, and for the safe-keeping
of prisoners, three hundred and fifty thousand dollars;
For expenses of printing the records of the Supreme Court, three
 thousand dollars;
For the payment of pensions granted by special acts of Congress, one
 thousand and fifty dollars;
For the support and maintenance of light-houses, floating lights,


TWENTY-FIFTH CONGRESS. Sess. II. Ch. 54. 1838.

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 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
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 54. 1833. 223

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 rotunda 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 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, 1833.
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 55. 1838.

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:

For the pay of the army, one million and ninety-one thousand one hundred and ninety-three dollars.

For the subsistence of officers, three hundred and forty-seven thousand seven hundred and forty-nine dollars.

For forage of officers' horses, seventy thousand nine hundred and eighty-seven dollars.

For clothing for officers' servants, twenty-six thousand five hundred and fifty dollars.

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

For subsistence, exclusive of that of officers, seven hundred and thirty thousand nine hundred and twelve dollars and fifty cents.

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.

For the medical and hospital department, thirty-nine thousand two hundred dollars.

For the regular supplies furnished by the Quartermaster's department, consisting of fuel, forage, straw, stationery, and printing, two hundred and three thousand dollars.

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.

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

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.

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.

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.

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.

For the manufacture of elevating machines for barbette and casemate carriages, five thousand dollars.

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.

For arrearages payable through the office of the Second Auditor, twelve hundred dollars.

For arrearages payable through the office of the Third Auditor, three thousand dollars.

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.

For contingencies of the army, five thousand dollars.

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.

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.

APPROVED, April 6, 1838.

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.

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.

VOL. V.—29

Extra pay to re-enlisted soldiers, &c.
National armories.
Armament of the fortifications.
Ordinance service.
Arsenals.
Elevating machines, &c.
Light field artillery.
Gunpowder and shot.
Arrears payable by Second Auditor.
Arrears payable by Third Auditor.
Taxes on the Passyunk arsenal.
Contingencies of the army.
Balance due the heirs of William Meldrum.
Adam Eckfeldt, for expenses incurred in preparing medals.

APPROVED, April 6, 1838.

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.

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.

VOL. V.—29
The transfer to be made by the draft of the Commissioner 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.

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 court 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 &c. upon certificate of two justices of peace in the following form.

Form of certificate.

--- 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.]

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.

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, whenever 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-
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 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

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.

Provido.

All deeds heretofore recorded, &c. to be good, &c.

Provido.
were made in good faith, and without an interest to commit a fraud upon creditors or bona fide subsequent purchasers.

APPROVED, April 20, 1838.

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.

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.

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:

For the continuation of the Cumberland road in the State of Ohio, the sum of one hundred and fifty thousand dollars.

For the continuation of the Cumberland road in the State of Indiana, the sum of one hundred and fifty thousand dollars, including bridges.

For the continuation of the Cumberland road in the State of Illinois, the sum of one hundred and fifty thousand dollars.

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."

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.

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. 

APPROVED, May 25, 1838.

CHAP. LXXXVIII.—An Act to extend the charter of the Union Bank of Georgetown, in the District of Columbia. (a)

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.

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.

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

(a) See notes to the act of May 31, 1838, chap. 91.
And the president shall select a commissioner to convey to the trustee or trustees all the property, &c.

Proviso.

Further proviso.

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 any bills, notes, or checks, payable to bearer; nor shall they issue certificates of deposit, payable to bearer; nor shall it 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 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 to transact its affairs.

Proviso.

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,
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 hereinafter 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 be 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-
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.

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:

For the pay of commissioned, warrant, and petty officers, and seamen.

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, sixty-nine thousand seven hundred and seventy dollars;

For provisions, six hundred thousand dollars;

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million two hundred thousand dollars;

For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, seventy-five thousand dollars;

For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, twenty thousand dollars;

For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, seventy-four thousand dollars;

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;

For improvement and necessary repairs of the navy yard at Washington, thirty thousand dollars;

For improvement and necessary repairs of the navy yard at Gosport, Virginia, seventy-seven thousand five hundred dollars;

For improvement and necessary repairs of the navy yard near Pensacola, seventy-six thousand five hundred dollars;

For ordnance and ordnance stores, sixty-five thousand dollars;

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 purers 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 pilottage 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;

For contingent expenses for objects not hereinbefore enumerated, three thousand dollars;

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;

For provisions for non-commissioned officers, musicians, and privates serving on shore, servants and washerwomen, forty-nine thousand eight hundred and forty dollars;

For clothing, forty-three thousand six hundred and ninety-five dollars;

For fuel, fifteen thousand eight hundred and four dollars;

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;

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;

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;

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

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 other expenses upon their dependencies near Pensacola, thirty-one 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, and for all other expenses upon the dependencies of the hospital near Norfolk, nine 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, two thousand six hundred dollars;

For extending the hospital building near Brooklyn, New York, for enclosing the grounds, and for all other expenses upon its dependencies, sixty thousand dollars;

For completing the present hospital building near Boston, and for all expenses upon its dependencies, three thousand five hundred dollars;

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;

For repairing the magazine, filling house, wharf, and railway, at Norfolk, Virginia, seven hundred and fifty dollars;

For building a wall round the magazine at Pensacola, three thousand dollars;

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;

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 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.

Chap. XCVI. — 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.

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.
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 in 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-

(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.
- 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 25, 1839, chap. 89.
- An act granting two townships of land for the use of a university in the territory of Iowa; July 20, 1840, chap. 89.
- 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; August 11, 1843, chap. 199.
- 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.
- Appropriations to 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. 73.
- An act supplemental to the act for the admission of the states of Iowa and Florida into the Union; March 9, 1845, chap. 76.
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.

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.

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.

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;
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.

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.

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 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.

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.

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.
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.

Officers to be appointed by the President, with the advice

Sect. 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.

Sect. 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
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 96. 1838.

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.

Chief justice and associate judges, &c. to take an oath, &c.
Assembly thereof 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 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.

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.

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.

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.

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-
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 97. 1838.

Governor 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.

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 of any of them.

APPROVED, June 12, 1838.

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:

For forage for the horses of the dragoons, volunteers, officers, and in the service of the trains, four hundred thousand dollars;

For freight or transportation of military supplies sent into Florida and the Cherokee country, three hundred and fifty thousand dollars;

For wagons, carts, ambulances, and harness, and for boats and lighters, one hundred and fifty thousand dollars;

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;

For the hire of a corps of mechanics, laborers, mule-drivers, teamsters, wagon-masters, and other assistants, two hundred and fifty thousand dollars;

For transportation and other expenses of four thousand volunteers, one hundred thousand dollars;

For miscellaneous and contingent charges of all kinds, not embraced under the foregoing heads, seven hundred and fifty thousand dollars;

For drafts lying over, and arrearages for services and supplies in Florida and the Cherokee country, one million forty-eight thousand six hundred dollars;

For pay of four thousand volunteers, for the year eighteen hundred and thirty-eight, including one hundred and fifty-three thousand four hundred dollars.
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;

Sac. 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.

Sac. 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.

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 commis-
sions 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.

June 12, 1838.

Chap. XCVI.—An Act to create the office of Surveyor of Public Lands in the Wisconsin Territory. (a)

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.

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.

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 Dubuque, 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.

Approved, June 12, 1838.

Statute II.

June 12, 1838.

Chap. C.—An Act to establish two additional land offices in that part of Wisconsin Territory west of the river Mississippi. (b)

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 Des Moines, 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.

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.
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 sec-
tion 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 con-
ditions, as the other public lands of the United States.

SEC. 4. And be it further enacted, That whenever the President may
decide 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. CIX.—An act to ascertain and designate the boundary line between the State of Michigan and the Territory of Wisconsin. (a)

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 Territo-
ry 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.

(a) See notes to the act of June 12, 1838, chap. 96.

STATUTE II.
June 12, 1838.

Chap. CX.—An act concerning a seminary of learning 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 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, exinguis
ted, and not otherwise appropriated, a quantity of land not exceed-
ting 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, correspond-
ing with any of the legal divisions into which the public lands are
authorized to be surveyed.

APPROVED, June 12, 1838.
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.

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.

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, and to give a title in fee simple, to whomsoever shall purchase the whole or any part thereof.

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.

(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.

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 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.

Proviso.

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.

Wisconsin responsible to the U.S. for all moneys received, &c. if, &c.

Assent of the Legislature required.

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.

The Legislature of Wisconsin may borrow upon a pledge of said lands.

SEC. 8. And be it further enacted, That, for the purpose of securing a better price for the lands hereby granted, and expeditting 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.

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.

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.

Approved, June 18, 1838.

**Statute II.**

**Chap. CXV.**—An Act to reorganize the district courts of the United States 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 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, Carroll, Bolivar, Coahoma, Tunica, De Soto, Marshall, Tippah, Tishomingo, Itawamba, Monroe, Lowndes, Oktibbeha, Choctaw, Yalobusha, Tallehatche, Panola, 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.

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.

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.

(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 in the court of the district, &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.

STATUTES 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.

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.

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.

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.

APPROVED, June 18, 1838.

CHAP. CXVII.—An act making an appropriation for completing the public buildings in Wisconsin.

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.

APPROVED, 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, U. S. establish.
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. 

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.

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.

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 decree 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.

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.

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.

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.

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.

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.

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.

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-
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 per-
jury, 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 afores-
said, 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 pro-
vided, 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.

Statute II.
June 22, 1838.
Act of March 3, 1843, ch. 94, sec. 5.

President authorized to appoint three persons.

The board to give notice of the time and place of their meeting.

Appropriation.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That the President be, and he hereby is, authorized 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.

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.

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.
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.

Approved, June 28, 1838.

CHAP. CXLVII.—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.

Approved, June 28, 1838.

STATUTE II.

CHAP. CLI.—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.

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.

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.

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.

Sec. 5. And be it further enacted, That the said company shall, with
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, water-
ing-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 adja-
cent lands, shall be returned to the office of the Surveyor General of
that land district and to the General Land Office at Washington.

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.

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.

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.

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.

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 deposit 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, reissue, or pay out any bill or note of a denomination less than five dollars.

Approved, July 5, 1838.

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.

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
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 transferees 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.

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.

Approved, July 5, 1838.

STATUTE II.
July 5, 1838.

CHAP. CLXIL—An Act to increase the present military establishment 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 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.

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.

(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 5, 1839, chap. 84.
An act regulating the organization of the army, and for other purposes; August 33, 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.

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.

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.

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.

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.

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.

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.

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...
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 162. 1838.

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.

Sec. 11. And be it further enacted, That there be added to the commission 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.

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.

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.

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.

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.

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.

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. 15. 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.

Sec. 18. And be it further enacted, That it shall be lawful for the Employment of persons to act as chaplains.

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.

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.

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.

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.

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.

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.

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.

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.

Sec. 26. And be it further enacted, That the compensation hereafter to be allowed to such ordnance storekeepers as shall be designated as Employment of persons to act as chaplains.

An additional professor of chemistry, &c.

Payment to said professor.

Pay of officers of the pay and medical department.

Compensation to be allowed to ordnance storekeepers as designated.
menu

storeskeepers designated as paymasters.

Duties of engineers.

Compensation thereof.

Proviso.

Time of service of cadets increased.

Three months' extra pay given in lieu of the bounty, &c.

Land granted for ten consecutive years' service.

Repealed, 1838, ch. 194.

So much of acts 16th March, 1802, ch. 9 and 19th April, 1802, ch. 49, as fix the height of enlisted men, repealed.

Officers not to be separated from their regiment to engage in civil works, &c.

Pays, &c. of superintendents of armories.

Seven additional surgeons to be appointed.

Pay, &c.

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 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. 29. And be it further enacted, That in lieu of the bounty now provided by law for re-enlistment, every able-bodied 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.

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.

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.
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 166, 167. 1838.

**STATUTE II.**

**July 7, 1838.**

**CHAP. CLXVI.—An Act to extend the time for locating Virginia military land warrants, and returning surveys thereto in the General Land Office.**

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

**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 such warrant has been granted, would have entitled him to, under the laws of Virginia.

**Proviso.**

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.**

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, be 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.

Approved, July 7, 1838.

CHAP. CLXVIII.—An Act to reorganize the Legislative Council of Florida and for other purposes. (a)

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

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.]

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.

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

(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.

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.

STATUTES 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: For the pay of 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 visiters at West Point, one thousand nine hundred and ninety-eight dollars and eighty-four cents; For fuel, forage, stationery, printing, transportation and postage, fifteen thousand two hundred and ninety-five dollars; For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats and fences, seven thousand two hundred and fifty-seven dollars and fifty cents; For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars; 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; 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; For the erection of a barn and public stables, one thousand dollars; For compensation to the acting professor of chemistry, mineralogy, and geology, at the Military Academy, three hundred dollars; For printing and binding the regulations of the Military Academy, three hundred and sixty dollars; For compensation of custom-house officers for 1838.
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, sur-
veyors, 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 col-
lectors, 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 Treas-
ury, as will, in his judgment, best enforce the provisions of this sec-
tion, 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 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: 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.

SEC. 4. And be it further enacted, That the sum of nine thousand
two hundred dollars be appropriated, out of any moneys in the Trea-
sury 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
collectors 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.

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.:

For the Documentary History of the Revolution, the amount hereto-
fore appropriated for that object and carried to the surplus fund;

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 Fredericton, New
Brunswick, in consequence of taking the census at Madawaska, and to
John Baker, and others, for sufferings and losses in relation to certain
proceedings in said town, the sum of eleven hundred and seventy-five dollars;

For continuing the construction of the Patent Office, fifty thousand dollars;

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;

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;

For erecting public buildings in the Territory of Iowa, twenty thousand dollars;

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.

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.

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.

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.

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.

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.

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.

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.
For carrying into effect the act for the increase of the army, to wit:
For pay, three hundred and seventy-nine thousand five hundred and twenty dollars and fifty cents.
For clothing, two hundred and sixteen thousand seven hundred and thirty dollars.
For subsistence, seventy-four thousand six hundred and forty-five dollars.
For contingent expenses for recruiting, fifty-three thousand eight hundred and eighty dollars.
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.

SEC. 6. And be it further enacted, 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.

For procuring new machinery for the Harper's Ferry Armory, the sum of twenty thousand dollars.

SEC. 7. And be it further enacted, 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.

For the paper and printing of a complete catalogue of the books of the Congress Library heretofore ordered, fourteen hundred dollars.

For compensation to Ferdinando Pettrich, for models of statues for blocking to the western front of the Capitol, six hundred dollars.

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 laborers and horse, cart and driver, employed at the President's square, two thousand and fifteen dollars.

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.

SEC. 8. And be it further enacted, 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.

APPROVED, July 7, 1838.
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 170, 171. 1838.

STATUTES II.

July 7, 1838.

[Obsolete.]

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 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.

Approved, July 7, 1838.

STATUTES 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.:

For continuing the improvement of the harbor of Chicago, Illinois, thirty thousand dollars;

For continuing the construction of a harbor at Michigan City, Indiana, sixty thousand seven hundred and thirty-three dollars and fifty-nine cents;

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;

For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan, fifteen thousand dollars;

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;

For continuing the improvement of the harbor at Whitehall, in the State of New York, fifteen thousand dollars;

For continuing the removal of obstructions at Black river, Ohio, five thousand dollars;

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;
For continuing the improvement of Cleaveland harbor, Ohio, fifty-one thousand eight hundred and fifty-six dollars;
For continuing the removal of obstructions at Cunningham creek, Ohio, five thousand dollars;
For continuing the removal of obstructions at Ashtabula creek, Ohio, eight thousand dollars;
For continuing the removal of obstructions at Conneaut creek, Ohio, eight thousand dollars;
For continuing the improvement of the harbor of Presque isle, Pennsylvania, thirty thousand dollars;
For continuing the improvement of Dunkirk harbor, New York, ten thousand dollars;
For continuing the improvement of the harbor of Portland, Lake Erie, New York, thirty-five thousand four hundred and sixty-six dollars;
For continuing the improvement of the harbor at Cattaraugus creek, Lake Erie, New York, thirty-two thousand four hundred and ten dollars;
For continuing the improvement of the harbor of Salmon river, Lake Ontario, New York, thirty thousand dollars;
For continuing the construction of a breakwater at Plattsburg, New York, twenty-seven thousand five hundred dollars;
For continuing the improvement of the harbor at the mouth of Oak Orchard creek, New York, five thousand dollars;
For continuing the pier at Kennebunk, Maine, eight thousand dollars;
For continuing the improvement of Big Sodus bay, New York, ten thousand dollars;
For continuing the pier and mole at Oswego harbor, New York, forty-six thousand and sixty-seven dollars;
For continuing the construction of a breakwater at Burlington, Vermont, fifty thousand dollars;
For continuing the breakwater on Stanford’s Ledge, Portland harbor, Maine, twenty-six thousand three hundred and sixty-six dollars;
For continuing the breakwater at Hyannis harbor, Massachusetts, eight thousand seven hundred and sixty-four dollars;
For continuing the breakwater at Sandy Bay, Massachusetts, twenty thousand dollars;
For continuing the improvement of the channel of the river Thames, leading into Norwich harbor, Connecticut, ten thousand dollars;
For improving the harbor of Westport, Connecticut, four thousand seven hundred and eighty-two dollars;
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;
For continuing the improvement of the harbor of Wilmington, Delaware, nine thousand three hundred and fifty-six dollars;
For continuing the improvement of the harbor of New Castle, Delaware, eleven thousand five hundred and seventy-three dollars;
For continuing the Delaware breakwater, one hundred and fifty thousand dollars;
For continuing the improvement of the harbor of Baltimore, Maryland, twenty thousand dollars;
For continuing the improvement of the navigation of Cape Fear river, below Wilmington, North Carolina, twenty thousand dollars;
For opening a passage of fifty yards wide, and seven feet deep, at low tide at the mouth of Vermillion river.
Cleaveland harbor.
Cunningham creek.
Ashtabula creek.
Conneaut creek.
Presque isle harbor.
Dunkirk harbor.
Portland harbor, N. Y.
Cattaraugus creek harbor.
Salmon river harbor.
Plattsburg breakwater.
Oak Orchard creek harbor.
Pier at Kennebunk.
Big Sodus bay.
Oswego harbor.
Breakwater at Burlington.
Breakwater on Stanford’s Ledge.
Breakwater at Hyannis.
Breakwater at Sandy Bay.
River Thames.
Westport harbor.
Hudson river.
Wilmington harbor.
New Castle harbor.
Delaware breakwater.
Baltimore harbor.
Cape Fear river.
Opening passage between Beaufort and Pamlico sound, 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, 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.
CHAP. CLXXII.—An Act to establish certain post roads 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:

**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.


**Connecticut.**—From Hebron, via Exeter meeting-house and over Goshen hill, to Bozrahville. From West Hartford, Connecticut, to Tolland, Massachusetts. From New Haven, via Fair Haven, North Branford, North Guilford, North Madison, North Killingworth, 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.

**New York.**—From Salubria, via West Catlin and Hornby, to Painted Post. From New Haven, via Port Ontario and Lindseyville, to Ellis-
TWENTY-FIFTH CONGRESS. Sess. II. Ca. 172. 1838.

burg. From Colden, via Waterville corners, to Springville. From
North Blenheim, via Gilboa and Prattsville, to Clovisville. From
Granville four corners to Middle and West Granville. From Schenevucky, via
Rotterdam, the church in the centre of Princeton, and Marlinsville, to
Braman's corners. From Flushin to Manhasset. From Poughkeepsie,
via Crum Elbow, Pleasant plains, Clinton hollow, Schultz's store, Clinton-
ville, Milan; and Roeck 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 Fenton, 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 Col-
Hee centre, to Springville. From Aurora, via Griffin's mills, to Spring-
ville. From Clay, via Phoenix, to Fulton. From Somers, via Southeast
and Patterson, to Pawlings. From Bouckville, via Pratt's hollow, Stock-
bridge and Bennett's corners, to Oneida castle. From Troy, via Poesten-
kil, 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 Amagansett. From

Clermont, via Elizaville and Jackson corners, to Montrose. From Nor-
wich, in Danuitange county, by Smyrna, Earlville, Poolvi, East Hamil-
ton, North Brookfield, and Sangerfield centre, to Waterville, in On-
eda county. From Ephrata, via Pleasant valley, to Newkirk's mills, Fulton
county. From Berne and Waldenville to Gallopulpire. From Mexi-
coloney to Colosee. 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 Deysenville, Bellfort, Indian river, Diana and Harrisville, to
South Edward, St. Lawrence county. Discontinued as follows:—From

Hyde Park to Stanfordville, and from Rhinebeck to Clintonville. From
Lodi (Persia post office) to Collins centre.

New Jersey.—From Tom's river, via Dover furnace, New Egypt,
Jacobs town, and Recklesstown, to Bordentown. From New Bruns-
wick, 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, Kittanning, and
George Ross's mills, to Leechburg. From Apollo, via McAllister's,
Pitt's mills, Lower Crooked-creek, salt-works, and Kittanning, to Ors-
ville. From Reading, via Mollytown, Hunter's forge, Klinesville,
Michael Shaffer's and Featheroffsville. From Sheiloca, via War-
ren and North Washington, to Pittsburgh. From New Alexandria,
via New Derry, to Johnstown. From Greensburg, via Murraysville,
Logan's ferry, Alter's store, North Washington, McIlvaine's store,
and Congravity meeting-house, to Greensburg. From Browns-
ville, via Greenfield and Columbia, to Monongahela city. From
Canonsburg, 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,
via 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 Cumber-
land, Maryland, via Wellersburg, to Berlin. From Bath to Kieckners-
ville. From Philadelphia, via Frankford, Fox Chase, Huntington, Sor-
rel horse, Davissville, Springville, Richborough, Newtown, Doleing,
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 172. 1838. 273


Delaware.—From Smyrna, in Kent county, to the village of Leipsic. From Milford to Cambridge, in Maryland, passing through Williamsville, Marshyhope bridge, Collin's cross roads, Lowe Hunting creek and Newmarket.

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. Miter's, Somerset county. From Princess Anne, via Kingston, to Rehoboth.

Virginia.—From Chamblysburg to the Big Lick, Botetourt county. From Fincastle to Giles court-house. From Mount Airy to Meadowsville. From Broadford to Marion. From Charlotte court-house, via Watkin's store, Wyliesburg, Jeffers's store, and Oakley, to Clarksville. From Owmans, 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 Don's mills, and David Snider's, to Riverville. 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 Drainville. 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 Somerset, Pennsylvania, to Brandonville, Virginia. From Grayson court-house to Grayson Sulphur springs. From Speedwell, via Cripple creek, to Austinville, Wythe county. From Tumberville to Brock's gap. From the northwestern turnpike, at or in the vicinity of

Vol. V. - 33
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 Kenawba, 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 Covettes to Fobes's mill. From Blue Sulphur Springs, via Gwinn's springs, thence down the Creek stream to New river, up same to the mouth of Greenbrier river, to Palestine, thence to Lewisburg.

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 Hoyleville, spring mills, and Eneas, 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 Green and Haywood counties, and down the Tuskegee river, by John B. Love's and Seroop 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 Chickamagima banks, in said county. From Hillsdale to Madison, on Dan river. From Hillssborough, 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 Bozeman's to White Marsh office. From Norwood's store, via Rocky river springs and Jacob Efords'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 core, 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 McNeil'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 Pittsburg to Chapel hill. From Seagle's store, via Peter Warlick's store, to Mull grove.

South Carolina.—From Damascus to Mooresborough, North Carolina. From Athens, Georgia, to Lauren's court-house. From Stantonville to Pendleton. From Sumterville, by Flowden's mills, and Burreyton, to Jacksonvile, South Carolina. From Youngesville, via Hazlwood, Pedensville, and Torbert's, to Chester court-house. From Marion court-house, by Allen's bridge (on Little Pedee,) Harlesseville, and Clio, to Bennettsville. From King's tree, by Murray's and Lenus'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 Carmont, Bachelor's Retreat, and Pendleton, to Picken's 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.

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, Hopkinsonville, 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 Cattahoochie, 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 Spomerville, Morgan county, Alabama, and Hum to Decatur, in said State. From Columbus, Georgia, via Fort Mitchell, Florence, Georgia, and to intersect the steamboat mail line Bainbridge, Georgia, for Appalachian and St. Joseph’s in Florida.

Florida.—From Tallahassee, via Alligator, to Jacksonville. From Monticello, Jefferson county, through Hamilton county, to the Gadsden Spring, Suwannee river. From Langsby, 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.


From Monroe, Hart County, by Salt-works, on Little Barren river, to Ed-
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 172. 1838.

In Tennessee—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 Ohio—established.

Ohio.—From Greenville, via Fort Recovery, Grantville, Montezuma, St. Mary's and Guiford, to Van Wert. From Russells, through Arnhem, 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 Sharpurg, 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 Wapsawonetta, via Hartford and Judge Cochran's, Putnam county, to Franconia. From Kenton, via Lima, Shawnee, Anna, and Guilford, to Mercer. From Troy to Covington. From Sidney,
via Harden, to Houston. From Defiance, via Brunnerburg, Washington

centre, St. Joseph, and Denmark, in Ohio, and Perseverance, Steub

evenia, 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

Eaton’s, to Lafayette, (on the Little St. Josephs) Williams county.

From Melmore, via Attica, to New Haven. From Tiffin to Fort Find-

dley. From Norwalk, via centre of Bronson, to Truxville. From Lower

Sandusky to Montgomery cross-roads, Wood county. From Tiffin, via

Rome, to Risden, Seneca county. From Nashport, via Perryton and

Fallebury, to Martinsburg, Knox county. From Zanesville, via Sa-

muel Beaver’s, George Smyth’s, and John G. Pigman’s, to Coshocton.

From Senecaville, via John’s Mills, Bye’s Mills, Cambridge, Mack-

ey’s and Adamsville, to Dresden. From Eaton, via Castine, to Green-

castle. From Cadiz, via Leesburg and Sandyville, to Bethlehem. From

Sinking Spring, Highland county, via Jasper and Piketon, 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 Furnace, Patriot, Ridgeway’s,
Vinton, and Wilkesville, to Smithfield. From Pennsville, via Chester-
field, to Bartlett. From Wilkesville, via Rutland, Chester, Buffington’s
island, and the Great Bend, in Meigs county, to Ripley, Virginia.

From Wilmington, via Oakland, Howesburg, 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, Arcoele, and Geneva. From Zanesfield to Downingsville,
Logan county. From Franklin, Portage county, via Streetsborough,
Aurora, Bainbridge, Russell, Chest, Kirkland, and Mentor, to Rich-
mond city, Geauga county. From Akron, via Copley centre, Sharon
centre, and Montville, to Medina. From Burnett’s corners, via Chag-
rine 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, Wash-
ington county, via Moses T. Spencer’s, on Duck creek, and Bethel, to
Woodfield. From Copley, by Western Star, to Clinton. From Wind-
ham, by Garretsville, to Hiram. From McConnellville to Francis,
Treblocok’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, Blooming-
burg, and Frankfort. From Hartford, in Trumbull county, to Green-
ville, in Mercer county, Pennsylvania, through the village of Orangeville.
From Unionville to Ellensburg, in Geauga county. From Southing-
ton, 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 Rav-
enna, in Portage county, Ohio, to Twinsburg, in the same county,
through Streetsborough. From Lafayette, on the Little St. Joseph’s,
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 172. 1838.

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.


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.

Louisiana.—From Vicksburg, Mississippi, by Walnut and Roundaway bayous, across Tuceas and bayou Macon, to Monroe. From Harrisonburg, by Funne Louis and Dugdemonia, to Natchitoches. From Vicksburg, Mississippi, by New Carthage, Hardy hills, Boul' prairie, and Columbia, to Dugdemonia. From Shreveport, by Epps's settlement and Caddo prairie, to Long prairie, Arkansas. From Alexandria, by Hineston, to Jepkin's and Drodby's ferry, on the Sabine. From Thibadeneville 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.

Alabama.—From Columbus, Georgia, via Mount Ararat, Salem and Coleman's, to Tallapooa court-house. From Spring Hill, in Marengo county, via Boston, Dayton and Whitehall, to McKinley. From Tuscaloosa, Chambers county, via Mount Jefferson and Auburn, to Tuskegee. From Benton to Selma. From Suggsville, via Gainestown, to Mount Pleasant. From Montreal, via Warlow, 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, Larks ville, Santa, Langston, Wyatt, Coffee's, to Van Buren, and from Bellefonte to Scrape. From Nanafalia, in Marengo county, via Hoes'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 Tuscaloosa and Mount Sterling to Quitnain, Mississippi. From Florence to Buzzard roost. From Marion, Mississippi, via Alamuchas, 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. Murphree'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 Chat ooga valley, by Chatooga old court-house and Jeffersonville, to Jackson ville. From Somerville, by head of Cotoco creek and Brooksville, to Bennettsville. From Clayton, by Fagan's store and Crockettsville, to Salem, Russell county. From Rockford, by Socapayto, to the Georgia store, in Tallapooa 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, Socapayto, and Hatchet creek, to Tal ladega. From Columbus, Georgia, by Glennville, to Irvington, in Alabama. From Springfield by Benevola, Bonner's 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 Larksville, Trenton, Lowville, Hazle green and Madison cross-roads, to Athens. From Winchester, Ten nessee, to Bellefonte. From Bellefonte to Rawlingsville.

MISSOURI.—From Bailey's landing, on the Mississippi, in Lincoln county, by Troy, Thomas Glover's, Dutton's, and Anderson's, to丹ville. 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 Greentown, Cool spring, and Lone Jack, to Harrisonville. From Georgetown, by Rives court-house, Oceola, Henry Clement's and Sarcoie, Barry county, to Mount Pleasant, Barry court-house. From Warrensburg, Johnson county, by Rives court-house, to Bolivar. From Meramee iron works to Jefferson city. From Columbia, by Mount Vernon, Piggah, Palestine, Mount Carmel, and Arraton, to Georgetown. From Jonesborough, by Salt-
In Arkansas—
established.

In Michigan—
established.

TWENTY-FIFTH CONGRESS. Sess. II. Ch. 172. 1888.


TWENTY-FIFTH CONGRESS. Sess. II. Ch. 172. 1838.

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.


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 Tuscawora, 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 Catassa and Sissinamo, to Napoleon. From Wapshowinco 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.

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.

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.

Approved, July 7, 1838.
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.

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
sioners as to each claim.
Commissioners to deliver the approval, with a certificate, to each claimant.

Provido.

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 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-
secured at Monroeville 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. CLXXVIII.—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. CLXXIX.—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 Broad-cove rock, five hundred dollars.

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.

For placing a monument on Bulwark ledge, about seven miles east-southeast of Portland light-house, three thousand dollars.

For placing one buoy on Drummer's ledge, south of Mark island, and one buoy on Mark island ledge, five hundred dollars.

For erecting a light-house on Bear island, at the entrance of Mount Desert harbor, three thousand dollars.

For erecting a monument on Bunker's ledge, outside of said island, one thousand dollars.

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.

For erecting a stone beacon and a buoy on Half-tide ledge in the county of Hancock, twelve hundred dollars.

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.

For the erection of a monument or beacon on York ledge, off the entrance of York harbor, ten thousand dollars.

For erecting a light-house and sea-wall at Saddle-back ledge, in Penobscot bay, ten thousand dollars in addition to the former appropriations.

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.

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.

For completing the light-house on Mayo beach, in Welfleet bay, two thousand dollars.

For a monument, in the place of one carried away, on Bowditch's ledge, in the harbor of Salem, five thousand dollars.

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.

For rebuilding the two light-houses on Plum Island, near Newburyport, four thousand dollars.

State of Rhode Island.—For buoys or dolphins in Providence river, six hundred dollars.

For placing two spindles at the mouth of Paucatuck river, the sum of four hundred dollars.

VOL. V.—37
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.

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.

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.

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.

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.

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.

To complete a light-house on Cedar island, Sag Harbor, two thousand five hundred dollars, in addition to the sum heretofore appropriated.

For the erection of a light-house on the northern inlet in Fisher's sound, near the northwest end of Fisher's island, three thousand dollars.

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.

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.

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.

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.

State of Maryland.—For placing four buoys at or near Pool's Island channel, the sum of one thousand two hundred dollars.

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.

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.

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.

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.

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.

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.

For completing a beacon-light near the entrance of Sandusky bay, three thousand dollars, in addition to the sum heretofore appropriated for that purpose.

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.

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 forty dollars.

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.

For placing three buoys at the entrance of St. Andrew’s inlet, five hundred dollars.

For placing beacons or buoys at the entrance of Brunswick harbor, the sum of one thousand dollars.

State of Alabama.—For the construction of a light-house on Dauphin island, eight thousand dollars.

State of Louisiana.—For marking the entrance and the channel of Atchafalaya bay, one thousand five hundred dollars.

For rebuilding the light-house at the southwest pass of the Mississippi river, twenty thousand dollars.

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.

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.

For erecting a light-house at New Buffalo, on Lake Michigan, five thousand dollars.

For erecting a light-house on South Manitou island, Lake Michigan, five thousand dollars.

For erecting a light-house on the ledge or reef near Wagooshance, in the Straits of Michillimackinac, twenty-five thousand dollars.

For erecting a light-house at Presque isle, Lake Huron, five thousand dollars.

For erecting a light-house on Point aux Barques, Sagana bay, Lake Huron, five thousand dollars.

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 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.
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 beacons, 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.
A light on the Southern island at the mouth of Tennant's harbor, at St. George.

Buoy At the following places, to wit: On Jacknife ledge; on White's ledge; off Lee's island; all near the mouth of Kennebec river.

In the State of Massachusetts.—A bridge to connect Plum island with the mainland near Newburyport.

A light-house or beacon on or near a point called the Point of Rocks, at the mouth of Westport harbor.

A light-boat between Succonessett point and a shoal called the Horse-shoe, in the northern channel of 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.

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 Gardner's island, Suffolk county.

A light-house or light-boat on Execution rock, Long Island sound.

In the State of Ohio.—A beacon-light on a point near Delaware flats, so called, in the Maumee bay.

A beacon-light on the lower end of Big island, near the foot of the rapids of the Maumee river.

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.

A light-boat of increased size at Brant island, in lieu of the one now stationed at said island.

A light-boat to be stationed off Bluff point in Albemarle sound.

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.

In the State of Alabama.—A light-house on Cedar point, and buoys between Cedar point and Lake Borgne.

In the State of Kentucky.—A light-house at the port of Louisville.

In the State of Illinois.—A light-house at the mouth of Little Calumet river.

In the State of Michigan.—A beacon-light on a point near the town of Machinac.

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.

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.

A light-house at Southport, on Lake Michigan.

A light-house at the mouth of Kewaumee river, on Lake Michigan.

In the Territory of Florida.—Two light-houses on the two Tortugas islands, as substitutes for the present light-house on Bush key.

A light-house at Cape St. Blas, near the entrance to the Saint Joseph bay.

A light-house on Egmont key, Tampa bay.

Sec. 5. And be it further enacted, That in all cases where appro-
All places for which appropriations are made, new light-houses, or new light-boats to be established at places not before authorized by law, shall 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 is hereby 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.

CHAP. CLXXXI.—An Act to establish a new judicial district in the Territory of Florida. (a)

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 Apalachicola district, the judge of which shall reside at the town of Apalachicola, or at the town of St. Joseph's, in said district.

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.

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
the present marshal of the district of West Florida, to execute all pro-
cess 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 dis-

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 appro-

priated.

Approved, July 7, 1838.

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)

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 Tues-
day of May, shall be held at the city of Rochester; and one to com-
minute 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 coun-
ties; 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.

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 an-
ually 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.

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,
Tomkins, and Tioga, shall constitute the western division; the coun-
ties of St. Lawrence, Franklin, and Clinton, shall constitute the north-
ern 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

(a) See vol. 3, 120, 413.
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.

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.

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.

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.

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.

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.

Approved, July 7, 1838.
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:

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;

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, ten thousand dollars;

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;

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

For the Six Nations of New York, four thousand five hundred dollars;

For the Senecas of New York, six thousand dollars;

For the Ottawas, twenty-six thousand eight hundred dollars;

For the Wyandots, six thousand eight hundred and forty dollars;

For the Ottawas, Munsees, and Delawares, one thousand dollars;

For the Christian Indians, four hundred dollars;

For the Miamies, one hundred and fifty-four thousand one hundred and ten dollars;

For the Pottawatamies of Huron, four hundred dollars;

For the Pottawatamies of the Prairie, seventeen thousand dollars;

For the Pottawatamies of the Wabash, twenty thousand dollars;

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;
For the Menomonies, thirty-two thousand six hundred and fifty dollars;
For the Chippewas of Swan creek and Black river, one thousand dollars;
For the Chippewas of Saginaw, six thousand five hundred dollars;
For the Chippewas, Menomonies, Winnebagoes and New York Indians, fifteen hundred dollars;
For the Sioux of the Mississippi, seven thousand seven hundred and sixty dollars;
For the Yancton and Santie Sioux, four thousand three hundred and forty dollars;
For the Omahas, three thousand nine hundred and forty dollars;
For the Sacs and Foxes of the Missouri, four thousand seven hundred dollars;
For the Iowas, eight thousand nine hundred and fifty dollars;
For the Sacs and Foxes of the Mississippi, forty-one thousand nine hundred and twenty dollars;
For the Sacs, Foxes, Sioux, Iowas, Omahas and Ottoes and Missourias, three thousand dollars;
For the Ottoes and Missourias, five thousand six hundred and forty dollars;
For the Kansas, six thousand and forty dollars;
For the Osages, seventeen thousand and forty dollars;
For the Kickapoos, five thousand five hundred dollars;
For the Kaskaskias and Peorias, three thousand dollars;
For the Piankeshaws, eight hundred dollars;
For the Weas, three thousand dollars;
For the Delaware, eight thousand one hundred and forty dollars;
For the Shawnees, seven thousand one hundred and eighty dollars;
For the Senecas and Shawnees, two thousand two hundred and forty dollars;
For the Senecas, two thousand six hundred and sixty dollars;
For the Chickasaws, seventy-two thousand six hundred and forty dollars;
For the Creeks, four hundred and thirteen thousand nine hundred and forty dollars;
For the Quapaws, four thousand six hundred and sixty dollars;
For the Florida Indians, two hundred and eighty thousand six hundred and ten dollars;
For the Pawnees, twelve thousand dollars;
For the Cherokee, fifteen thousand one hundred and forty dollars;
For the Ottawa and Chippewas, sixty-five thousand four hundred and sixty-five dollars;
For the Caddoes, ten thousand dollars;
For various miscellaneous expenses, viz.:
For completing payments for subscription to “Indian Biography,” three thousand dollars;
For expenses of casting dies and striking off medals for Indians, two thousand five hundred dollars;
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;
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;
Provisions to the Seneca, Seneca and Shawnee, and Osage Indians.

Visit of delegations of Ioways, &c.

Visit of delegations of Pawnees, Otoes, &c.

Visit of delegations of Choc-taws, Creeks, and Osages.

Buildings and improvements on lands ceded by the Miamies.

Treaties with the Chippewas of Saginaw.

Treaty with the Miamies of the Mississippi.

Treaty with the Sioux of the Mississippi.

Treaty with the Sacs and Foxes of the Mississippi.

Treaty with the Sacs and Foxes of the Missouri.

Treaty with the Yancot and Santie Sioux.

Treaty with the Winnebagoes.

Treaty with the Iowas.

Treaty with the Oneida at Green Bay.

Appropriation to the Osages.

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;

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;

For expenses of delegations of Pawnees, Otoes, 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;

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;

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;

For carrying into effect the treaties with the Chippewas of Saginaw, 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;

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;

For carrying into effect the Treaty with the Sioux of the Mississippi of the twenty-ninth September, eighteen hundred and thirty-seven, two hundred and fifty-eight thousand two hundred and fifty dollars;

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;

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;

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;

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;

For carrying into effect the treaty with the Iowas of the twenty-third November, eighteen hundred and thirty-seven, five thousand dollars;

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;

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;

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;

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;

For expenses of holding a treaty with the Wyandot Indians of the State of Ohio, one thousand five hundred dollars;

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;

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.

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.

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.

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.

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:

To William Marshall for forty-two days' service as Commissioner, three hundred and thirty-six dollars.

To Henry L. Ellsworth for fifty-four days' service as Commissioner, four hundred and thirty dollars, and to Allen Hamilton for seventeen days' service as Secretary, one hundred and two dollars.

To defray the expenses of an exploring party of Miamies Indians, the sum of nineteen hundred and ninety dollars.

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.

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."

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,

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.

Grant of land to H. Perrine.

When to be located, &c.

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.

When a patent shall issue.

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.

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 useful 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.
TWENTY-FIFTH CONGRESS. Sess. II. Ch. 189, 190. 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 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.

Five years' pension granted to certain widows of officers and soldiers, &c. Act of June 7, 1832, ch. 126.

Proviso.

No pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest, in any annuity, 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.

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 P. Howard. To be constructed under direction, &c.
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 Koshkkenong 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.

CHAP. CXCL.—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)

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 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.

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 or carry 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.

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;

(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 29, 1841, 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.
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 inspec-
tion, 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 steam-
boat 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 sur-
veyor 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 pe-
nalty 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 en-
gine 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

Vol. V.—30 2 a 2

Inspectors of
the hulls to give
the owners or
masters a certifi-
cate, stating
the age of the
boat, &c.

Also a certifi-
cate as to the
soundness of
the vessel.
Fee for inspec-
tion.

Inspectors of
the boilers to
make a certifi-
cate as to the
soundness, &c.
of said boilers.

Duplicates of
said certificate
to be given to
the master or
owner, &c.

Fee for inspec-
tion.

Hulls to be ins-
pected, how of-
ten.

Boilers inspect-
ed, how often.
Penalty.

Competent
number of expe-
renced and
skilful engi-
nieurs to be em-
ployed.
Penalty for
failing to do so.

Safety-valve
to be opened
when the vessel
stops for any
purpose what-
ever.
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.

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. CXCI. — 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. 91.
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.

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.

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.

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 said 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.

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.

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.

Sec. 8. And be it further enacted, That there shall be hereafter paid

Four terms in the city of Washington.

Two terms in the town of Alexandria.

Power to hold special terms.

District attorney, marshal, and clerks of the circuit court to attend and perform their duties.

Compensation of jurors and witnesses.

All cases now pending to be transferred.

Jurisdiction.

Writ of error may be awarded, returnable to the circuit court.

When execution may be postponed.

When question of law may be adjourned, &c.
to the coroners of the counties of Washington and Alexandria in the
said district, and to the jurors and witnesses, who may be lawfully-sum-
moned 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.

Circuit Court
for East Ten-
nessee.
1839, ch. 3.

Circuit Court
for Maryland.
1843, ch. 74.

Recognizances
entered into,
and process is-
 sued, when and
where returna-
ble.

STATUTE II.
July 7, 1838.

Act of July 5,
1838, ch. 162.

No back ra-
tions shall be
allowed.

Chaplains al-
lowed at only
twenty posts.
Assistant quar-
termasters not
required to be
separated from
the line.
Twelve lieute-
nants only to be
added.
Pay of a pri-
vate soldier.

Compensation
to officers of the
Engineer Dept.
Commissaries
not to be sepa-
rated from
the line.
Bounty to sol-
diers repealed.

Paymaster-
General and
Surgeon-Ge-
eral entitled to
additional ra-
tions.

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.

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.

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:

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.

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.

Fourth. That the number of lieutenants authorized by said act to be
added and transferred to the Ordnance Department, shall be limited to
twelve.

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.

Sixth. That no compensation shall be allowed to officers of the En-
gineer department for disbursement of public money, while superintend-
ing public works.

Seventh. That the three assistant commissaries of subsistence autho-
rized 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.

Ninth. That the said act shall be so construed as to allow to the Pay-
master 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, draft, 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.

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-
No. 1. Joint Resolution, authorizing the Commissioner of the Public Buildings to cause the removal of the walls of the late Post Office Building.

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.

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.

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.

No. 4. A Resolution relating to the public revenue and dues to the Government.

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.

No. 5. A Resolution to disapprove and disaffirm an act of the Legislative Council of the Wisconsin Territory chartering a bank.

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, incorporating the State Bank of Wisconsin.
No. 6. Joint Resolution in favor of the authorities of the city of Savannah, in the State of Georgia.

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.

Approved, June 18, 1838.

No. 7. Resolution for the benefit of the widows of certain revolutionary officers and soldiers.

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.

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 Presi-
dent 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. 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 of Congress.
Cont. exp. of Senate.
Cont. exp. of House of Representatives.

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)

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That the commis-
sioner 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 be-
tween 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) 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 estab-
lished 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.

(312)
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;
For the salary of the surveyor, two thousand dollars;
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.

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.

Approved, January 11, 1839.

STATUTE 111.

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)

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.

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.

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.

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

(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. 4, sec. 3; act of April 14, 1842, chap. 23; act of May 16, 1843, chap. 30; act of March 3, 1843, chap. 74.

VOL. V.—40
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.

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.

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.

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.

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 rear term of said court.

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.

---

חומתበسد: סנס. III. ח. 4. 1839.

An additional term of Middle Dist. to be held, &c.

Rules of U. S. circuit courts in W. Tennessee to be enforced in the court established by this act, &c. Suits, not of a local nature, to be brought in the court of the dist. where the defendant resides, &c.

A special term of the U. S. circuit court for the dist. of E. Tennessee to be held, &c.

Whenever there is a dangerous and general disease at the place where the court is usually holden, the court may adjourn, &c.

STATUTE III.

Jan. 25, 1839.

Act of March 3, 1845, ch. 48, sec. 19. Allowance to railroad companies for carrying mails, under act July 7, 1838, ch. 172, sec. 2.

CHAP. IV.—An act further to regulate the transportation of the mail upon railroads.

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.
An Act to reorganize the district courts of the United States in the State of Alabama.

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

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.

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.

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.

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 writ, when executed and returned into the office from which they issued, shall constitute one suit, and be proceeded in accordingly.

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,

(c) 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.

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.

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.

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.

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.

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.

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.

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.

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 thou-
sand 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
dollars and fifty-two cents:

For five years' pensions to widows, per act seventh July, one thousand
eighty-four dollars and fifty-two cents:

For half-pay pensions, payable through the office of the Third Audi-

Approved, February 18, 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
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 Allegheny 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.

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.

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 pow-ers 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.

Sec. 4. And be it further enacted, That the Marshal of the several dis-tricts 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

(a) See notes of acts relating to the district court of Mississippi, vol. 3, 611.
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 com-
promised thereby.

APPROVED, February 16, 1889.

STATUTE XXVIII.
Feb. 16, 1839.

Chap. XXVIII.—An Act making an appropriation for the support of the peni-
tentiary 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 for 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 XXX.
Feb. 20, 1839.

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.

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 Col-
lumbia, 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.

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.

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.

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.

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.

Approved, February 20, 1839.

Chap. XXXI.—An act to amend an act entitled “An act to establish a criminal court 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 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
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.

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.

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.

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.

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.

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.

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.

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 COLOMBIA 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.


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.

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 DECREES, 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.

APPROVED, February 28, 1839.

STATUTE III.

CHAP. XXXV.-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 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.

APPROVED, February 28, 1839.

STATUTE III.

CHAP. XXXVI.-AN ACT IN AMENDMENT OF THE ACTS RESPECTING THE JUDICIAL SYSTEM 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 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

(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 inhabitants, or found within the district, shall constitute no matter of abatement, or other objection to said suit.

**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.

**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.

**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.

**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.

**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. 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.

**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 29, 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 day 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

(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.:

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, eighteen 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 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, ten thousand dollars.

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

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

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

For the Senecas of New York, six thousand dollars; For the Cocoa of New York, four thousand three hundred and ten dollars; For the Wyandots, six thousand eight hundred and forty dollars; For the Wyandots, Munsees, and Delawares, one thousand dollars; For the Christian Indians, four hundred dollars; For the Miami, forty thousand one hundred and ten dollars; For the Eel Rivers, one thousand one hundred dollars; For the Pottawatomies, twenty thousand two hundred dollars; For the Pottawatomies of Huron, four thousand dollars; For the Pottawatomies of the Prairie, sixteen thousand dollars; For the Pottawatomies of the Wabash, twenty thousand dollars; For the Pottawatomies of Indiana, seventeen thousand dollars; For the Chippewas, Ottawas, and Pottawatomies, thirty-four thousand dollars; For the Winnebagoes, ninety-two thousand eight hundred and sixty dollars.

For the Menomones, thirty-two thousand six hundred and fifty dollars; For the Chippewas of the Mississippi, thirty-five thousand dollars; For the Chippewas of Saginaw, five thousand eight hundred dollars; For the Chippewas, Menomones, Winnebagoes, and New York Indians, sixteen thousand dollars; For the Sioux of the Mississippi, forty-two thousand five hundred and ten dollars; For the Yanon and Santio Sioux, four thousand three hundred and forty dollars; 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;  
For the Sacs and Foxes of the Mississippi, fifty-four thousand five hundred and forty dollars;  
For the Sacs, Foxes, Sioux, Iowas, Omahas, and Ottowas and Missouri, three thousand dollars;  
For the Ottowas and Missouri, five thousand six hundred and forty dollars;  
For the Kansas, six thousand and forty dollars;  
For the Osages, fourteen thousand four hundred and ninety-six dollars;  
For the Kickapoos, five thousand five hundred dollars;  
For the Kaskaskias and Peorias, three thousand dollars;  
For the Piankeshaws, eight hundred dollars;  
For the Weas, three thousand dollars;  
For the Delaware, ten thousand four hundred and forty dollars;  
For the Shawnees, seven thousand one hundred and eighty dollars;  
For the Senecas and Shawnees, two thousand and sixty dollars;  
For the Senecas, two thousand six hundred and sixty dollars;  
For the Chickasaws, six thousand dollars;  
For the Creeks, forty-six thousand four hundred and forty dollars;  
For the Quapaws, four thousand six hundred dollars;  
For the Florida Indians, nine thousand six hundred and ten dollars;  
For the Pawnees, twelve thousand dollars;  
For the Cherokees, seven thousand six hundred and forty dollars;  
For the Ottowas and Chippewas, sixty-two thousand four hundred and sixty-five dollars;  
For the Caddoas, ten thousand dollars;  
For the following expenditures in the Indian Department, the appropriations having been carried to the surplus fund on the thirty-first December last, viz:  
For blacksmiths' establishments, twenty-seven thousand five hundred and eight dollars and sixty-six cents;  
For treaty stipulations, fifteen thousand four hundred and eighty-four cents;  
For the expenses of treating with the Chippewas of Saganaw, ninety-seven dollars and thirteen cents;  
For the expenses of Indian deputations, two thousand six hundred and thirty dollars;  
For the education of Indian youths, two thousand six hundred and forty-one dollars and twenty-five cents;  
For the holding treaties with certain Indian tribes, four hundred and forty-seven dollars and fifty cents;  
For locating reservations, two hundred and five dollars and thirteen cents;  
For purchase of rifles for the Pottawatamies, one hundred and twelve dollars and thirty-eight cents;  
For carrying into effect the treaty with the Ottowas and Chippewas, forty-three thousand seven hundred and four dollars and twenty-four cents;  
For the removal of the Choctaws from Mississippi, nineteen thousand nine hundred and ten dollars;  
For the removal and subsistence of Indians, seventy-seven thousand eight hundred and fifty-five dollars and seventy cents.  
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;
For the first of ten annual instalments stipulated to be paid by the same article, twelve thousand five hundred and sixty-eight dollars;

For the payment of claims provided for in the fourth and fifth articles, one hundred and fifty thousand dollars;

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;

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;

For the fees 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;

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;

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;

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;

For the expenses of the removal and subsistence of these Indians, fifty thousand dollars;

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;

For the salary of the farmer to be supported among the said Indians, Omaha, as stipulated by the same article of the same treaty, eight hundred dollars;

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;

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;

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;

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;

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;

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;

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 hundred dollars;
TWENTY-FIFTH CONGRESS. Sess. III. Ch. 72. 1839.

hundred dollars, seven thousand eight hundred and seventy-five dollars;
For building ten houses for the Ioway chiefs as per stipulation of the treaty, two thousand dollars;
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;
To enable the Executive to purchase from Wa-pan-seh, a Pottawatamie, 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;
For defraying the expenses of holding a treaty, under the direction of the Secretary of War, with the Stockbridge Indians, two thousand dollars;
For the employment of physicians to vaccinate the Indians, to be expended under the direction of the Secretary of War, five thousand dollars;
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;
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;
For defraying the expenses of surveying and marking the boundaries between the Indian tribes west of the Mississippi, ten thousand dollars.

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.

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: 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; For the construction of a road from Fond du Lac, on lake Winnebago, by Fox lake, to the Wisconsin river, five thousand dollars; For the construction of a road from Fond du Lac, on lake Winnebago, by Fox lake, to the Wisconsin river, five thousand dollars.

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.

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.

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.

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 provisos 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.

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.

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 parcels of land situated within the limits of the navy yard in Charlestown, in the said State of Massachusetts, for the purchase of which the sum of five thousand dollars shall be respectively applied to the survey for a railroad from Milwaukee to the Mississippi.

Approved, March 3, 1839.
TWENTY-FIFTH CONGRESS. Sess. III. Ch. 76, 77. 1839.

State of Massachusetts, said land being the property of the heirs of John Harris, late of said Charlestown, deceased.

Sect. 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.

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.

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.

Sect. 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 appro-
priating a sufficient quantity of land within said selected section for the
site and accommodation of the public buildings, from selling and dis-
posing 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.

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,
fifty thousand dollars;

For the survey of Yellow river, Florida, to ascertain the practicability
and cost of removing the rafts which obstruct its navigability, five hun-
dred 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, Flor-
da, 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.

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.

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 Colum-
bia, and of the Territories of Wisconsin, Iowa, and of Florida, re-
spectively, shall be, and are hereby, required, under the direction of the
Secretary of the Department of State, and according to such instruc-
tions as he shall give, pursuant to this act, to cause the number of the
inhabitants within their respective districts and territories (omitting, in

(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 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
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.

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.

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.

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-
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: Provided, The same does not exceed two dollars and fifty cents, for every fifty persons by them returned: Provided, further, That before any assistant as aforesaid, shall, in any case, be entitled to receive said compensation, he shall take and subscribe the following oath or affirmation, before some judge or justice of the peace, authorized to administer the same, to wit: "I, A B, do solemnly swear (or affirm) that the number of persons set forth in the return made by me, agreeably to the 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."

The compensation of the several marshals shall be as follows:

**Maine.**
The marshal of the district of Maine, four hundred dollars;

**New Hampshire.**
The marshal of the district of New Hampshire, four hundred dollars;

**Massachusetts.**
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 dist.**
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;
The marshal of the middle district of Tennessee, two hundred dollars;
The marshal of the district of Ohio, five hundred dollars;
The marshal of the district of Indiana, four hundred and fifty dollars;
The marshal of the district of Illinois, three hundred dollars;
The marshal of the northern district of Mississippi, two hundred dollars;
The marshal of the southern district of Mississippi, two hundred dollars;
The marshals of the districts of Louisiana, two hundred dollars each;
The marshal of the northern district of Alabama, two hundred dollars;
The marshal of the southern district of Alabama, two hundred dollars;
The marshal of the District of Columbia, one hundred and fifty dollars;
The marshal of the district of Michigan, two hundred and fifty dollars;
The marshal of the district of Arkansas, two hundred and fifty dollars;
The marshals of the Territory of Florida, respectively, fifty dollars;
The marshals of the Territory of Wisconsin, two hundred and fifty dollars;
The marshals of the Territory of Iowa, two hundred and fifty dollars.

Sec. 5. And be it further enacted, That every person whose usual place of abode shall be in any family on the said first day 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.

Sec. 6. And be it further enacted, That each and every free person more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district, or Territory, made or established within the United States, shall be, and hereby is, obliged to render to the assistant of the division, if required, a true account, to the best of his or her knowledge, of every person belonging to such family, respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered in any action of debt, by such assistant; the one half to his own use, and the other half to the use of the United States.

Sec. 7. And be it further enacted, That each and every assistant, previous to making his return to the marshal, shall cause a correct copy, signed by himself, of the schedule containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies the said assistant shall be entitled to receive five dollars: Provided, Proof of the schedule having been set up shall be transmitted to the marshal, with the return of the number of persons; and in case any assistant shall fail to make such proof to the marshal, with the return of the number of persons, as aforesaid, he shall forfeit the compensation allowed him by this act.

Sec. 8. And be it further enacted, That the Secretary of State shall be and hereby is, authorized and required to transmit to the marshals of the several districts and Territories, regulations and instructions,
pursuant to this act, for carrying the same into effect; and, also, the forms contained therein of the schedule to be returned, and such other forms as may be necessary in carrying this act into execution, and proper interrogatories to be administered by the several persons to be employed in taking the enumeration.

SEC. 9. And be it further enacted, That, 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.

SEC. 10. And be it further enacted, That, in all cases where the superficial content of any county or parish shall exceed twenty miles square, and the number of inhabitants in said parish or county shall not exceed three thousand, the marshals or assistants shall be allowed, with the approbation of the judges of the respective districts or territories such further compensation as shall be deemed reasonable: Provided, The same does not exceed four dollars for every fifty persons by them returned; and when any such county or parish shall exceed forty miles square, and the number of inhabitants in the same shall not exceed three thousand, a like allowance shall be made, not to exceed six dollars for every fifty persons so returned.

SEC. 11. And be it further enacted, That when the aforesaid enumeration shall be completed and returned to the office of the Secretary of State by the marshals of the States and Territories, he shall direct the printers to Congress to print, for the use of Congress, 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.

SEC. 12. And be it further enacted, That there shall be allowed and paid to the marshals of the several States, Territories, and the District of Columbia, the amount of postage by them respectively paid on letters relating to their duties under this act.

SEC. 13. And be it further enacted, That the 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.

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 neces-
sary 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 Mon-
day 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 hun-
dred and thirty-seven; and the said writs returnable to the circuit courts
may also bear tests on the said first Monday of October, as though a
session of said court was held 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 dis-
District court of the United States for the district of Arkansas, shall be holden at Little Rock for Arkansas.

Sec. 4. And be it further enacted, That the circuit and district
courts of the United States for the district of Michigan, shall be hold at Detroit, on the second Monday of October, instead of the first Mon-day 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 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. 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

(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. 41, sec. 3; act of April 14, 1843, chap. 20; act of May 18, 1843, 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.

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.

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.

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 docketts 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 docketts of judgments as may have been rendered in either of said courts since the last certificate was transmitted.

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 docketts of judgments as may have been rendered in either of said courts since the last certificate was transmitted.

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.
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;
For compensation to the clerks and messengers in the office of the Third Auditor, twenty-seven thousand two hundred and fifty dollars;

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;

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;

For compensation to the Fourth Auditor, three thousand dollars;

For compensation to the clerks and messenger in the office of the Fourth Auditor, fifteen thousand nine hundred and fifty dollars;

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;

For compensation to the Fifth Auditor, three thousand dollars;

For compensation to the clerks and messenger in the office of the Fifth Auditor, nine thousand eight hundred dollars;

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;

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, one or more of which clerks may be employed in the other offices of the Treasury Department, ten thousand seven hundred and fifty dollars;

For compensation to the Register of the Treasury, three thousand dollars;

For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars;

For compensation of the Commissioner of the General Land Office, per act of fourth July, eighteen hundred and thirty-six, three thousand dollars;

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;

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 expenses of stationery, printing, and all other contingent expenses of the Treasury Department, 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 translating foreign languages, and for receiving and transmitting passports and sea-letters, in the office of the Secretary of the Treasury, three hundred dollars;

For stating and printing public accounts, one thousand four hundred dollars;

For the office of the First Comptroller, two thousand dollars;

For the office of the Second Comptroller, one thousand five hundred dollars;

For the office of the First Auditor, one thousand dollars;

For the office of the Second Auditor, one thousand dollars;
TWENTY-FIFTH CONGRESS. Sess. III. Ch. 82. 1839.

For the office of the Third Auditor, one thousand dollars;
For the office of the Fourth Auditor, one thousand dollars;
For the office of the Fifth Auditor, one thousand dollars;
For the office of the Treasurer of the United States, one thousand five 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 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;

For compensation of superintendent and two watchmen for the additional building for the use of the General Land Office, one thousand and fifty dollars;
For compensation of the superintendent and watchman of the southwest executive building, two thousand one hundred dollars;
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;

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;
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;
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, three thousand dollars;
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;
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;
For contingent expenses of said office, three thousand dollars;
For compensation to clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars;
For contingent expenses of said office, including two hundred dollars for arrearages, seven hundred dollars;
For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars;
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;
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;
For contingent expenses of said office, one thousand dollars;
Off. Commissary General of Purchases.
Clerks and messenger.
Expenses.

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 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:
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;
For compensation of the surveyor general northwest of the Ohio, two thousand dollars;
For compensation to clerks in his office, per acts of ninth May, eighteen hundred and thirty-six, six thousand three hundred dollars;
For compensation to the surveyor general for Illinois and Missouri, two thousand dollars;
For compensation to clerks in the office of said surveyor general, per acts of ninth May, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars;
For compensation to the surveyor general of Arkansas, two thousand dollars;
For compensation of clerks in the office of said surveyor general, two thousand eight hundred dollars;
For compensation of the surveyor general of Louisiana, two thousand dollars;
For compensation to clerks in the office of said surveyor general, per acts of ninth May, eighteen hundred and thirty-six, five thousand dollars;
For compensation of the surveyor general of Mississippi, two thousand dollars;
For compensation of clerks in the office of said surveyor general, per acts of ninth May, eighteen hundred and thirty-six, two thousand two hundred dollars;
For compensation of the surveyor general of Florida, two thousand dollars;
For compensation of clerks in the office of said surveyor general, three thousand five hundred dollars;
For compensation of the surveyor general of Wisconsin, and of the clerks in his office, per act of twelfth June, eighteen hundred and thirty-eight, three thousand one hundred dollars;
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;
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:
Of the surveyor general northwest of the Ohio, four thousand five hundred dollars;
Of the surveyor general of Illinois and Missouri, three thousand eight hundred and eighty dollars;
Of the surveyor general of Arkansas, three thousand dollars;
Of the surveyor general of Louisiana, four thousand five hundred dollars;
Of the surveyor general of Mississippi, four thousand two hundred and ninety dollars; and
Of the surveyor general of Wisconsin, three thousand dollars;
For compensation to the Commissioner of public buildings in Washington, two thousand three hundred dollars;

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;

For compensation to the officers and clerks of the mint, twenty thousand four hundred dollars;

For pay of laborers in the various departments of the mint, and for contingent expenses, twenty-three thousand dollars;

For incidental and contingent expenses, including the wastage of gold and silver, fuel, materials, stationery, water, rent, and taxes, eighteen thousand three hundred dollars;

For new machinery, three thousand dollars;

For specimens of ores and coins to be reserved at the mint, one thousand dollars;

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 six hundred dollars;

For compensation to the officers and clerk of the branch mint at Dahlonega, Georgia, six thousand dollars;

For pay of laborers in the various departments of the same, three thousand eight hundred dollars;

For wastage of gold, and for contingent expenses of the same, four thousand one hundred dollars;

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;

For compensation of the Governor, judges, and secretary of the Territory of Florida, fourteen thousand three hundred and seventy dollars;

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-eight thousand two hundred and fifteen dollars;

For compensation to the Governor, judges, and secretary of the Territory of Wisconsin, nine thousand one hundred dollars;

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-five thousand dollars;

For compensation to the Governor, judges, and secretary of the Territory of Iowa, eight thousand two hundred dollars;

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 four dollars;

For compensation to the chief justice, the associate judges, and district judges of the United States, ninety-three thousand nine hundred dollars;

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;
For compensation of clerk and messenger in the office of the Attorney General, one thousand three hundred dollars;
For contingent expenses of said office, five hundred dollars;
For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars;
For compensation to the district attorneys and marshals, as granted by law, including those in the several Territories, and arrearages, fourteen thousand eight hundred and forty-two dollars;
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;
For the payment of pensions granted by special acts of Congress, one thousand and fifty dollars;
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;
For survey of the coast of the United States, including the compensation of the superintendent and assistants, ninety thousand dollars;
For compensation of two keepers of the public archives in Florida, one thousand dollars;
For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be admitted in due course of settlement at the Treasury, twelve thousand dollars;
For salaries of ministers of the United States to Great Britain, France, Spain, Russia, Prussia, and Austria, fifty-four thousand dollars;
For salaries of the secretaries of legation to the same places, twelve thousand dollars;
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;
For salary of a minister, resident of the United States, to Turkey, six thousand 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, twenty-five thousand dollars;
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;
Consulates in Turkish dominions.
Library of Congress.
Purchase of books.
Expenses of Senate.
Expenses of House of Representatives.

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, three thousand nine hundred and fifty dollars;

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

For stationery, fuel, printing, and all other contingent expenses of the Senate, in addition to former appropriations, forty thousand dollars;

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.

For salary of the principal gardener, one thousand two hundred dollars;

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;

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;

For expenses arising under the act for the relief of certain insolvent debtors of the United States, three thousand dollars;

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;

For completing the marine hospital authorized to be erected in the city of Mobile, fifteen thousand dollars;

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;

For constructing the custom-house at Boston, seventy-five thousand dollars;

For constructing the custom-house at New York, one hundred and fifty thousand dollars;

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;

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.

For surveying the public lands, in addition to the unexpended balance of former appropriations, fifteen thousand dollars;

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;

For the construction of the new Treasury building, one hundred thousand dollars;

For the construction of the Patent Office, fifty thousand dollars;
TWENTY-FIFTH CONGRESS. Sess. III. Ch. 92. 1839.

For alterations and repairs of the Capitol and incidental expenses, one thousand one hundred and ninety-eight dollars;
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;
For attendance on the western gates of the Capitol, five hundred and forty-seven dollars and fifty cents;
For removing a lighthouse 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;
For deepening the straight channel of the east pass to Appalachianola, Florida, being the balance of an appropriation transferred to this improvement, and since carried to the surplus fund, nine thousand nine hundred dollars;
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;
For attendance on the western gates of the Capitol, five hundred and forty-seven dollars and fifty cents;
For removing a lighthouse 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;
For deepening the straight channel of the east pass to Appalachianola, Florida, being the balance of an appropriation transferred to this improvement, and since carried to the surplus fund, nine thousand nine hundred dollars;
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;
For an outfit of a charge d'afairs to Holland, four thousand five hundred dollars;
For completing the warehouse at Baltimore, thirty thousand dollars;
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.
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;
For surveying the public lands in the State of Illinois, and for surveys not yet completed, twelve thousand dollars;
For repairs of the custom-house at Key West, one thousand six hundred and twenty-five dollars;
For the third payment to Luigi Persico, under the contract with him for a group of statues for the Capitol, four thousand dollars;
For the third payment to the artists engaged in executing paintings for the rotundo of the Capitol, eight thousand dollars;
For engraving a chart of the bay and harbor of New York, five thousand dollars;
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;
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;
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

Capitol.
Lighting lamps, &c.
Attendance at western gates.
Lighthouse on Goat Island.
East pass to Appalachianola.
Saybrook harbor.
Charge d'affaires to Holland.
Warehouse at Baltimore.
Documentary History.
Surveying public lands in Illinois.
Custom-house at Key West.
Group of statues.
Paintings for the rotundo.
Chart of bay, &c. New York.
Arrears to clerks at Philadelphia.
Books and papers relating to Spanish grants, &c.
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;

[For] the survey of the southern boundary of the Territory of Iowa, nine hundred and sixty-nine dollars and five cents;

For the surveys of public lands north of the Wisconsin and Neenah rivers in Wisconsin, the sum of five thousand dollars;

For three new cupolas over the Library of Congress, one thousand four hundred and eighty-two dollars and twenty-four cents;

For branch-pipes and stop-cocks to water the Capitol grounds, three hundred and fifty dollars and thirty cents;

For repairing the water-pipes from the Tiber, north of the Capitol, to the Capitol, five hundred dollars;

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;

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;

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;

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;

For the transportation of the mails, three million five hundred and twenty-nine thousand dollars;

For compensation of postmasters, one million and ninety-one thousand dollars;

For ship, steamboat, and way letters, thirty-five thousand dollars;

For wrapping-paper, twenty-five thousand dollars;

For office furniture, six thousand dollars;

For advertising, thirty-eight thousand dollars;

For mail-bags, forty-eight thousand dollars;

For blanks, thirty-four thousand dollars;

For mail locks, and keys, and stamps, twelve thousand dollars;

For mail depre- dations and special agents, fifteen thousand dollars;

For clerks for offices, two hundred 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.

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.

APPROVED, March 3, 1839.

CHAP. LXXXIII.—A Township of land for the relief of the Brotherton Indians, 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 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 Menomonie 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 Menomonie tribe, bearing date 27th October 1832, and ratified 13th March 1833, was further secured to the said Brotherton Indians, may be partitioned and divided among the different individuals composing said tribe of Brotherton 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) 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 apply to, 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 sofarasit shall 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.
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.

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.

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.

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.
TWENTY-FIFTH CONGRESS. Sess. III. Ch. 84. 1839.

aboresaid; 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.

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.

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 aboresaid, 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.

APPROVED, March 3, 1839.

Chap. LXXXIV.—An act making an appropriation for the protection of the Northern and Northwestern 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 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

Statutes III.

March 3, 1839.
How to be expended.
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.

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 sixteen, 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.

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
TWENTY-FIFTH CONGRESS.  Sess. III. Ch. 97, 98. 1839.

approached, 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.

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.

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.

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.

APPROVED, March 3, 1839.

CHAP. LXXXVIII.—An Act in addition to “An act to promote the progress of the useful arts.” (a)

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.

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.

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.

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 hereby is, appropriated from the patent fund, to pay for the use and occupation of rooms in the City Hall by the Patent Office.

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.
No person to be debarred from receiving a patent, &c.

Proviso.

Proviso.

Persons, &c. having purchased or constructed any newly invented machine, manufacture, or composition of matter, prior to the application for a patent, shall be held to 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.

Agricultural statistics, &c.


Appeals.

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.

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.

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.

So much of 11th sec. act 4th July 1836, ch. 357, as requires payment for recording assignments, repealed.

Agricultural statistics, &c.


Appeals.

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.

Sec. 10. And be it further enacted, That the provisions of the sixteenth section of the above 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.

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.

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.

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.

APPROVED, March 3, 1839.

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.

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.

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.

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-
except 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."

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.

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.

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.

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.

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.

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.

CHAP. XC. — An Act to alter and amend the organic law of the Territories of Wisconsin and Iowa.

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.

APPROVED, March 3, 1839.

STATUTE III.

CHAP. XCL.—An act to define and establish the eastern boundary line of 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 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 easterly 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.

APPROVED, March 3, 1839.

STATUTE III.

CHAP. XCII.—An act to authorize the election or appointment of certain officers in the Territory of Iowa, 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 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.

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.

APPROVED, March 3, 1839.

STATUTE III.

CHAP. XCIII.—An act making appropriations for preventing and suppressing Indian hostilities, 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, amounting to one million eight hundred and four thousand seven
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:

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;

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;

For the purchase of wagons, harness, boats and lighter, horses to keep up the trains, tools, leather and other materials for repairs, ninety-two thousand dollars;

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;

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;

For the transportation of the militia or volunteers while marching to and from the scene of operations, thirty thousand dollars;

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;

For acoutrements 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;

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;

For the purpose of holding a treaty with the Seminole Indians, five thousand dollars;

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;

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.

All acts since 1812, 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
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.

CHAP. XCIV.—An Act making appropriations for the support of the army 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 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;

For the subsistence of officers, four hundred and seventy thousand seven hundred and fifty-four dollars;

For forage of officers' horses, one hundred and eleven thousand one hundred and fifteen dollars;

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;

For subsistence, exclusive of that of officers, one million one hundred and twenty-two thousand eight hundred and thirty-one dollars;

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;

For the medical and hospital department, twenty-four thousand four hundred dollars;

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;

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 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.

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.

For contingencies of the army, seven thousand dollars;

Extra pay.

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;

Arsenals.

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

Springfield armory.

For arsenals, one hundred and fifty thousand dollars;

Allegany and Watertown arsenals.

For new machinery at the Springfield armory, twenty thousand dollars;

Drawing, &c.

For the purchase of land at the Allegany and Watertown arsenals, three thousand five hundred dollars;

Arrearages.

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;

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;
For Fort Warren, at Boston, forty thousand dollars;
For Fort Adams, at Newport, ten thousand dollars;
For the fort at New London harbor, five thousand dollars;
For Fort Schuyler, at New York, ten thousand dollars;
For repairs of Castle William and Fort Columbus, and officers' quarters, at New York, two thousand dollars;
For Fort Delaware, ten thousand dollars. Provided, 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.
For Fort Monroe, ten thousand dollars;
For Fort Calhoun, fifteen thousand dollars;
For Fort Caswell, five thousand dollars;
For fortification in Charleston, South Carolina, and for the preservation of the site of Fort Moultrie, ten thousand dollars.
For Fort Pulaski, at Savannah, fifteen thousand dollars.
For Fort Marion and sea-wall at St. Augustine, ten thousand dollars.
For fort on Foster's Bank, Pensacola, five thousand dollars.
For contingencies of fortifications, ten thousand dollars.
For incidental expenses attending the repairs of fortifications, and for the purchase of additional land in the neighbourhood, fifty thousand dollars;
For the fort at Grande Terre, being the amount of a former appropriation carried to the surplus fund, fifteen thousand dollars;
For the preservation and repair of Fort Niagara, thirty thousand dollars;
For repairing and rebuilding the old fort at Oswego, including the construction of the necessary barracks, twenty thousand dollars;
For barracks and other buildings at Sackett's Harbor, ten thousand dollars;
For barracks and other buildings at Plattsburg, twenty thousand dollars;
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.
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 thirty-nine, viz:
For pay of officers, cadets, and musicians, fifty-nine thousand two hundred and twenty-eight dollars;
For subsistence of officers and cadets, forty thousand and four dollars;
For forage of officers' horses, three thousand nine hundred and thirty-six dollars;
For clothing of officers' servants, three hundred and ninety dollars;
For defraying the expenses of the board of visitors at West Point, two thousand dollars;
For fuel, forage, stationery, printing, transportation, and postage, twelve thousand five hundred and eighty-one dollars and forty-five cents;
For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, and fences, seven thousand two hundred and twenty-one dollars and sixty cents;
For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars;
For increase and expenses of the library, one thousand dollars;
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. 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, six thousand six hundred and forty-nine dollars and fifty cents.

Sect. 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.

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. 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 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;  
For improvement and necessary repairs of the navy yard at Gosport, Virginia, sixty-four thousand dollars;  
For improvement and necessary repairs of the navy yard near Pensacola, twenty-five thousand dollars;  
For ordnance and ordnance stores, sixty-five thousand dollars;  
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;  
For contingent expenses for objects not hereinbefore enumerated, three thousand dollars;  
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 dollars;  
For the provisions of the non-commissioned officers, musicians, and privates serving on shore, servants and washerwomen, forty-five thousand dollars;  
For clothing, forty-three thousand six hundred and sixty dollars;  
For fuel, sixteen thousand two hundred and seventy dollars;  
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;  
For the 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;  
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;  
For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements, and ordnance stores, two thousand dollars;  
For completing the hospital at New York, twenty thousand dollars;  

Washington navy yard.  
Gosport navy yard.  
Pensacola navy yard.  
Ordinance, &c.  
Miscellaneous expenses.  
Pay of marine corps, &c.  
Provisions.  
Clothing.  
Fuel.  
Repair of barracks, &c.  
Transportation.  
Medicines, &c.  
Expenses.  
Military stores, &c.  
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.

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.

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.

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.

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, immediately, 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.

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.

Approved, January 18, 1839.

No. 2. A Resolution for the purchase of the island at the confluence of the St. Peters and Mississippi rivers.

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. Ferri-bault, 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.

Approved, February 13, 1839.

No. 3. A Resolution directing the manner in which certain laws of the District of Columbia shall be executed.

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
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.

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,

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.

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.

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.

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.

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.

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.

Approved, January 8, 1840.

STATUTE 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.

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.

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.

Jan. 8, 1840.

Members of Congress.

Officers of the Senate and H. of Reps.

Expenses of Senate.

Expenses of H. of Reps.

Arrears for printing, &c.

Revolutionary pensioners.

Widows and orphans.
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.**

**STATUTORY LAW.**

**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.

**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.

**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.

**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 amend-
ment as requires that they shall be transmitted by said clerks to the Department of State is hereby repealed.

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 cor-
rected aggregate returns only.

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.

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 com-
pensation allotted therefor, as if it had been done by an assistant.

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.

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.

Approved, February 26, 1840.
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.

SEC. 4. And be it further enacted, That the pension business hereto-
fore transacted in the Navy Department, shall be transferred to the
office of the Commissioner of Pensions, and that the clerk now em-
ployed in that business be also transferred to that office.

APPROVED, March 4, 1840.

STATUTES I.

March 31, 1840.

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 here-
after 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 mil-

Treasury notes
may be issued
in lieu of others
redeemed.

Treasury notes
may be issued
in lieu of others
redeemed.

Proc. of
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,

Forfeitures re-
mittred.

Forfeitures re-
mittred.

Forfeitures re-
mittred.

Forfeitures re-
mittred.

(a) Notes of the acts which have been passed relative to the issuing and reimbursement of Treasury

(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.

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 unap-
propriated 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;

For pay of the officers and clerks of the Senate and House of Repre-
sentatives, eighteen 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, one hundred thousand dollars;

The two sums last mentioned to be applied to the payment of the or-
dinary expenditures of the Senate and House of Representatives, sever-
ally, 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 Secre-
tary 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 watchmen of the northeast executive
building, one thousand five hundred dollars;

For contingent expenses of said building, including fuel, labor, oil,
and repairs, three thousand 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 dol-
lars;

For compensation to the clerks in said office, per act of the twenty-
third June, eighteen hundred and thirty-six, entitled "An act to regu-
late the deposites 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 trans-
ferred from the office of the Fourth Auditor, twelve thousand two hun-
dred and fifty dollars;
TWENTY-SIXTH CONGRESS. Sess. I. Ch. 22. 1840.

1st Auditor.
For compensation to the First Auditor of the Treasury, three thousand dollars;
For compensation to the clerks and messengers 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 messengers in the office of the Second Auditor, seventeen thousand nine hundred dollars;
For compensation to the Third Auditor, three thousand dollars;
For compensation to the clerks and messengers in the office of the Third Auditor, twenty-nine thousand six hundred and fifty dollars;
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;
For compensation to the Fourth Auditor, three thousand dollars;
For compensation to the clerks and messengers in the office of the Fourth Auditor, sixteen thousand nine hundred and fifty dollars;
For compensation to the Fifth Auditor, three thousand dollars;
For compensation to the clerks and messengers in the office of the Fifth Auditor, nine thousand eight hundred dollars;
For compensation to clerks and messengers in the office of the Fifth Auditor, according to the act of the seventh July, eighteen hundred and thirty-eight, two thousand dollars;
For compensation to the Treasurer of the United States, three thousand dollars;
For compensation to the clerks and messengers in the office of the Treasurer of the United States, ten thousand seven hundred and fifty dollars;
For compensation to the Register of the Treasury, three thousand dollars;
For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars;
For compensation of the Commissioner of the General Land Office, per act of fourth July, eighteen hundred and thirty-six, three thousand dollars;
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;
For compensation to the Solicitor of the Treasury, three thousand five hundred dollars;
For compensation to the clerks and messengers in the office of the Solicitor of the Treasury, three thousand nine hundred and fifty dollars;
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;
For translating, &c. in office of Sec. Treasury.
For stating and printing public accounts, one thousand four hundred dollars;
For stationery, printing, and all other contingent expenses of the Treasury Department, viz:
For the office of the First Comptroller, two thousand dollars;
For the office of the Second Comptroller, one thousand five hundred dollars;
For the office of the First Auditor, one thousand two hundred dollars;
For the office of the Second Auditor, one thousand dollars;
For the office of the Third Auditor, two thousand dollars;
For the office of the Fourth Auditor, five hundred dollars;
For the office of the Fifth Auditor, one thousand dollars;
For the office of the Treasurer of the United States, two thousand dollars;
For the office of the Register of the Treasury, three thousand dollars;
For the office of the Solicitor, one thousand dollars;
For eighty-three thousand pieces of parchment and printing, books and stationery, advertising, and contingent expenses of the General Land office, and for books and blanks for the district land offices, eighteen thousand four hundred and seventeen dollars;
For compensation of the superintendent and watchmen of the southeast executive building, two thousand one hundred dollars;
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;
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;
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;
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 and eighty-four dollars and fifty-seven cents;
For compensation of clerks transferred from the office of the Secretary of War to the Commissioner of Pensions, four thousand four hundred dollars;
For compensation to clerks and messengers for the office of the Commissioner of Pensions, authorized by [the] act of ninth May, eighteen hundred and thirty-six, thirteen thousand four hundred and fifty dollars;
For contingent expenses of said office, three thousand dollars;
For compensation to clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars;
For contingent expenses of said office, eight hundred dollars;
For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars;
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;
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;
For contingent expenses of said office, one thousand dollars;
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;
Expenses.

For contingent expenses of said office, three thousand two hundred dollars;


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;


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, eight hundred dollars;

Topographical Bureau. Clerks and messenger.

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;


For compensation to clerk and messenger in the office of the Surveyor General northwest of the Ohio, two thousand five hundred dollars;

For contingent expenses of said office, one thousand eight hundred dollars;

Superint’nt and watchmen N. W. executive building.

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, three thousand dollars;

For compensation of the Commissioner 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, one thousand eight hundred dollars;

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;

For compensation to three assistant Postmasters General, per act third 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 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;

For contingent expenses of said office, including four thousand dollars for rent and fuel for the Auditor’s Office, eight thousand 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;

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;

For compensation of the Surveyor General northwest of the Ohio, two thousand dollars;
For compensation to clerks in his office, per act of ninth of May, eighteen hundred and thirty-six, six thousand three hundred dollars;
For compensation to the Surveyor General for Illinois and Missouri, two thousand dollars;
For compensation to clerks in the office of said Surveyor General, per act of May ninth, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars;
For compensation to the Surveyor General of Arkansas, two thousand dollars;
For compensation of clerks in the office of said Surveyor General, two thousand eight hundred dollars;
For compensation of the Surveyor General of Louisiana, two thousand dollars;
For compensation to clerks in the office of said Surveyor General, per act of May ninth, eighteen hundred and thirty-six, two thousand five hundred dollars;
For compensation of the Surveyor General of Mississippi, two thousand dollars;
For compensation of clerks in the office of said Surveyor General, per act May ninth, eighteen hundred and thirty-six, five thousand dollars;
For compensation of the Surveyor General of Alabama, two thousand dollars;
For compensation of clerks in the office of said Surveyor General, per act ninth May, eighteen hundred and thirty-six, two thousand two hundred dollars;
For compensation of the Surveyor General of Florida, two thousand dollars;
For compensation of clerks in the office of said Surveyor General, three thousand five hundred dollars;
For compensation of the Surveyor General of Wisconsin, fifteen hundred dollars;
For compensation of the clerks in his office, per act twelfth June, eighteen hundred and thirty-eight, sixteen hundred dollars;
For compensation of the late Surveyor General of Illinois and Missouri to the twenty-sixth September, eighteen hundred and thirty-six, the same having been carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-six, four hundred and seventy-eight dollars twenty-six cents;
For compensation of the Surveyor General of Wisconsin, for payment of his salary for the fractional part of fourth quarter of eighteen hundred and thirty-eight, one hundred and ninety-eight dollars and ninety-seven cents;
For extra clerks and draughtsmen in the offices of the Surveyors General, in addition to the unexpended balances of former appropriations, to be apportioned to them according to the exigencies of the public service, nine thousand dollars;
For extra clerks in the offices of the Surveyors General to transcribe field notes of survey, for the purpose of preserving them at the seat of Government, in addition to the unexpended balances of former appropriations, viz:
Office of the Surveyor General northwest of the Ohio, four thousand five hundred dollars;
Office of the Surveyor General of Illinois and Missouri, two thousand two hundred dollars;
Office of the Surveyor General of Arkansas, one thousand dollars;
Office of the Surveyor General of Mississippi, five hundred and fifty dollars;
Office of the Surveyor General of Wisconsin, one thousand dollars;
Commissioner of public buildings.

For compensation to the Commissioner of Public Buildings in Washington, two thousand three hundred dollars;

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;

For compensation to the officers and clerks of the Mint, twenty thousand four hundred dollars;

For pay of laborers in the various departments of the Mint, twenty-three thousand dollars;

For incidental and contingent expenses, including the wastage of gold and silver, fuel, materials, stationery, water-rent, and taxes, sixteen thousand dollars;

For new machinery, three thousand dollars;

For specimens of ores and coins to be reserved at the Mint, one thousand dollars;

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;

For pay of laborers in the various departments of the same, three thousand five hundred dollars;

For compensation to the officers and clerk of the branch Mint at Dahlonega, Georgia, 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 dollars;

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;

For compensation of the Governor, Judges, and Secretary of Wisconsin Territory, nine thousand one hundred dollars;

For contingent expenses of said Territory, three hundred and fifty dollars;

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;

For compensation to the Governor, Judges, and Secretary of the Territory of Iowa, nine thousand one hundred dollars;

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;

For defraying the expenses of an extra session of the Legislative Assembly of said Territory, seven thousand dollars;

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; Provided, 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;

For compensation of the Governor, Judges, and Secretary of the Territory of Florida, thirteen thousand five hundred dollars;

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; For compensation of the Chief Justice, the Associate Judges, and District Judges of the United States, ninety-three thousand nine hundred dollars; 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 of the Attorney General of the United States, four thousand dollars; For compensation of clerk and messenger in the office of the Attorney General, one thousand five hundred dollars; For contingent expenses of said office, five hundred dollars; For purchasing law books, one thousand dollars; For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars; For compensation to the district attorneys and marshals, including those in the several Territories, fourteen thousand four hundred and fifty 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 and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe keeping of prisoners, three hundred thousand dollars; For the payment of annuities and grants by special acts of Congress, nine hundred dollars; For survey of the coast 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; For the support and maintenance of light houses, floating lights, beacons, buoys, and stakeages, including the purchase of lamps, oil, wicks, buffalinos, whitin, 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; For continuing the construction of the New Treasury Building, including the arrearages due for materials furnished, and labor performed. Vot. V.—48 2 a 2
TWENTY-SIXTH CONGRESS. Sess. I. Ch. 22. 1840.

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;

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;

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;

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;

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

For salary of the principal gardener, twelve hundred dollars;

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;

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;

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

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

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;

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;

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;

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;

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;

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;
For the construction of a new custom-house at Boston, one hundred and twenty-one thousand dollars;
For repairing the public works at Staten Island, twenty-nine thousand seven hundred and twenty dollars;
For repairs of the custom-house building at New Bedford, five hundred dollars;
For repairs of the custom-house building at New London, one thousand seven hundred dollars;
For repairs of the marine hospital at Norfolk, four thousand dollars;
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;
For salaries of the Ministers of the United States to Great Britain, France, Spain, Russia, Prussia, Austria, and Mexico, sixty-three thousand dollars: Provided, That the sum of nine thousand dollars, or such part thereof as may be necessary, may be applied to the outfit and salary of a Charge d'Affaires to Spain in lieu of a Minister;
For salaries of the Secretaries of Legation to the same places, fourteen thousand dollars;
For salary of the Minister Resident of the United States to Turkey, six thousand dollars;
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;
For contingent expenses of all the Missions abroad, thirty thousand dollars;
For outfits for a Minister to Russia, and of Charge d'Affaires to Sardinia, thirteen thousand five hundred dollars.
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;
For the relief and protection of American seamen in foreign countries, forty thousand dollars;
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;
For interpreters, guards, and other expenses incident 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 three hundred and eighty-seven dollars and fifty cents;
For the purchase of books for the Library of Congress, five thousand dollars;
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;
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;
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-
TWENTY-SIXTH CONGRESS. Sess. I. Ch. 23, 25. 1840.

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.

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 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 held 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.
Cats. cm--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)

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.

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.

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 here-with, or is hereby altered or supplied, be, and the same hereby is, repealed.

Approved, May 27, 1840.

Cats. cm--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.

Approved, May 27, 1840.
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 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 sixteen 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 sixteen 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 settled on any public land before its selection by any State for 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-referred 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. 209.
TWENTY-SIXTH CONGRESS. Sess. I. Ch. 34. 1840.

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 as 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.

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.

Statute I.

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.

Statute I.

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.

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.

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.

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.

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.

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.

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.

Approved, June 19, 1840.

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

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.

(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.

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 deposit 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.

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.

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 moneys 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.

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.

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.

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.

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

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 depository hereby constituted, to the Treasury of the United States; to the Mint at Philadelphia; to the Branch Mint at New Orleans; or to the office 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 depository constituted by this act to any other depository 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 depository 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.

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 depository 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.

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.

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.

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.

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.

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.

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.

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.

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.

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 facts 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
TWENTY-SIXTH CONGRESS. Sess. I. Ch. 41. 1840.

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

Sec. 23. 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.

Sec. 24. 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 depositaries 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.

Sec. 25. 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.

Sec. 26. 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.

Sec. 27. 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,
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.

Act, &c. conflicting with this, repealed.

STATUTE I.

July 4, 1840.

Chap. XXII.—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)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from an 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.

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.

SEC. 3. And be it further enacted, That an additional term of the circuit court of the United States shall be helden 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.

Approved, July 4, 1840.

(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 jurors, witnesses, parties, or otherwise, shall be bound and required to attend at such adjournment or adjournments accordingly.

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 held; at which special sessions it shall be competent for the said court to entertain jurisdiction of and to hear and decide all cases in equity, cases in error, or on appeal, issues of law, motions in arrest of judgment, motions for a new trial, and all other motions, and to award executions and other final process, and to do and transact all other business, and direct all other proceedings, in all causes pending in the circuit court, except trying any cause by a jury, in the same way and with the same force and effect as the same could or might be done at the stated sessions of such court.

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

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.

Approved, July 4, 1840.

CHAP. XLIV.—An Act to remove the land office from Choctahuma 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 Choctahuma, in the county of Tallahatchie, State of Mississippi, shall be removed to and located in the town of Grenada, in Yalabusha county, in said State; and it shall be the duty of the registers and the receivers of public money for said land office, within sixty days from and after the passage of this act, to remove the books, records, and whatever else belongs to said office, to the place of location, as herein provided for.

Approved, July 4, 1840.

VOL. V.—50
TWENTY-SIXTH CONGRESS. Sess. I. Ch. 47, 48. 1840.

STATUTES I.

July 20, 1840.

Act of May 19, 1800, ch. 61.

Jurors of U.S. courts in each State to have like qualifications, &c.

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.

STATUTES I.

July 20, 1840.


Duplicate list of crew to be a fair copy, &c.

Owners to obtain a true and certified copy of the shipping articles, &c.

CHAP. XLVII.—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 interlinearion.

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 interlinearions.

(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. 381.

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; 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. 43.

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.

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 3, 1805, chap. 28.

An act authorising 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. 6.

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 19, 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.

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.

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, and any other sum of money.

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.

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.

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.

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 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.

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.

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
Consul, &c. on complaint that a vessel is in an unsuitable condition to go to sea, shall appoint persons to make an examination, &c.

Power and duty of the inspectors.

Duty of the consul. &c.

Inspectors to state whether the vessel was sent to sea unsuitably provided, &c.

Duty of the consul. &c.

Charges how to be paid, &c.

Crews of vessels to have the fullest liberty to lay their complaints before the consul, &c.

Apprehended deserters.

TWENTY-SIXTH CONGRESS. Sess. I. Ch. 48. 1840.

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

APPROVED, July 20, 1840.

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

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.

APPROVED, July 20, 1840.

CHAP. L.—An Act to provide for the support of the Military Academy for the year 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 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;
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-six dollars;

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

Fuel. For fuel, forage, stationery, printing, transportation and postage, twelve thousand nine hundred and thirty-one dollars and forty-five cents;

Repairs. 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, or of cavalry and artillery tactics, or of practical engineering, and that his pay and emoluments shall in no case be less than the compensation allowed by law to the professor of mathematics; and that the pay and emoluments of the instructors in these branches shall in no case be less than is allowed by law to the assistant professor of mathematics.

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

APPROVED, July 20, 1840.
For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, seventy-five thousand dollars;

For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, twenty thousand dollars;

For improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, seventeen thousand dollars;

For improvement and necessary repairs of the navy yard at Brooklyn, New York, eighteen thousand dollars;

For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, five thousand dollars;

For improvement and necessary repairs of the navy yard at Washington, twenty thousand dollars;

For improvement and necessary repairs of the navy yard at Gosport, Virginia, seventeen thousand two hundred and fifty dollars;

For improvement and necessary repairs of the navy yard near Pensacola, thirteen thousand dollars;

Provided, 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;

For ordnance and ordnance stores, sixty-five thousand dollars;

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;

For contingent expenses for objects not herein before enumerated, three thousand dollars;

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 forty cents;

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;

For clothing, forty-three thousand six hundred and sixty-two dollars and eighty cents;

For fuel, sixteen thousand two hundred and seventy-four dollars and twelve cents;
TWENTY-SIXTH CONGRESS. Sess. I. Ch. 51. 1840.

SEC. 1.

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 armencers, keeping arms in repair, accoutrements and ordnance stores, and flags, drums and files, 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 discretion 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.

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

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

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

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

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

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

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

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

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

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LIV.—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:

- 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;
- 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, and for transportation and incidental expenses, thirty-six thousand five hundred dollars;
- For the salary of one clerk in the office of the superintendent of Indian affairs, south of the Missouri river, one thousand dollars;
- 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;
TWENTY-SIXTH CONGRESS. Sess. I. Ch. 53. 1840.

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, Menomonies, Winnebagoes, and New York Indians, one thousand five hundred dollars;
For the Chippewas, Ottowas, and Pottawatamies, thirty-four thousand two hundred and ninety dollars;
For the Choctaws, fifty-five thousand four hundred and seventy-five dollars;
For the Creeks, sixty-three thousand nine hundred and forty dollars;
For payment of the claim presented by the Alabama emigrating company and allowed by the accounting officers, thirty-eight thousand six hundred and forty-six dollars;
For the Chickasaws, six thousand dollars;
For the Cherokees, seven thousand six hundred and forty dollars;
For the Delawares, ten thousand three hundred and forty-four dollars;
For the Caddoes, ten thousand dollars;
For the Florida Indians, nine thousand six hundred and ten dollars;
For the Iowas, seven thousand eight hundred and seventy-five dollars;
For the Kickapoos, five thousand five hundred dollars;
For the Kaskaskias and Peorias, three thousand dollars;
For the Kanzas, six thousand and forty dollars;
For the Miami, fifty-two thousand nine 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 Ottowas and Missourias, five thousand six hundred and forty dollars;
For the Osages, thirty-four thousand four hundred and six dollars;
For the erection of houses for smiths, under the second article of the treaty with the Osages, of eighteen hundred and thirty-nine, eight hundred dollars;
For expenses attending the examination of claims under the second article of the treaty with the Osages, in addition to the appropriation of eighteen hundred and thirty-nine, eleven hundred dollars;
For the Ottowas, 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, eighty hundred dollars;
For the Pawnees, nine thousand six hundred dollars;
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-two thousand five hundred and ten dollars;
For the Yankton and Santee 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;
For the Sacs, Foxes, Iowas, Omahas, and Ottoes, and Missourians, three thousand dollars;
For the Shawnees, seven thousand one hundred and eighty dollars;
For the Senecas and Shawnees, two thousand and sixty dollars;
For the Senecas, two thousand six hundred and sixty dollars;
For the Wyandots, six thousand eight hundred and forty dollars;
For the Weas, three thousand dollars;
For the Wyandots, Munsees, and Delawares, one thousand dollars;
For the Winnebagoes, ninety-two thousand eight hundred and sixty dollars;

Statute I.

July 20, 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 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;
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—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.

Chargé d’Affaires to Texas—Charge d’Affaires to the Republic of Texas, four thousand five hundred dollars.

Public store at custom-house—For repairing the roof to the public store at the custom-house in 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.

Commissioner of Iowa for ascertaining, &c.—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.

Library—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.

Shelves, &c.—Preservation of 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, reapportioned 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 deposit 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 Plattsburgh;” 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.

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

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

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

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

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

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

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

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

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

For Fort Warren, one hundred and fifty thousand dollars;

For Fort Adams, eighty thousand dollars;
For fortifications at New London harbor, twenty-five thousand dollars;  
For repairs of Fort Schuyler, eighty thousand dollars;  
For repairs of Fort Hamilton, twenty thousand dollars;  
For repairs of Fort Lafayette, five thousand dollars;  
For repairs of Fort Columbus, one thousand six hundred and sixty-two dollars;  
For repairs of Castle William, five thousand seven hundred and thirty-five dollars;  
For repairs of South battery, Governor's island, three thousand five hundred dollars;  
For repairs of Fort Monroe, fifty thousand dollars;  
For rebuilding bridge over Mill creek, near Fort Monroe, five thousand dollars;  
For repairs of road from Fort Monroe to said bridge, one thousand dollars;  
For purchase of land in the vicinity of Fort Monroe, one thousand dollars;  
For repairs of Fort Calhoun, fifty thousand dollars;  
For Fort Caswell, six thousand dollars;  
For repairs of Fort Sumter, twenty-five thousand dollars;  
For repairs of Fort Moultrie, ten thousand dollars;  
For repairs of Fort Pulaski, forty-four thousand dollars;  
For repairs of Fort Pickens, eighteen thousand dollars;  
For repairs of Fort Barrancas, fifteen thousand dollars;  
For repairs of Fort Morgan, ten thousand dollars;  
For repairs of Fort Pike, five thousand dollars;  
For repairs of Fort Wood, three thousand five hundred and eighty dollars;  
For repairs of the battery Bienvenue, two thousand five hundred dollars;  
For repairs of Tower Dupre, four hundred dollars;  
For repairs of Fort Jackson, twenty thousand dollars;  
For repairs of Fort St. Philip, three thousand three hundred dollars;  
For Fort Livingston, Grande Terre, Louisiana, fifteen thousand dollars;  
For contingencies of fortifications, ten thousand dollars;  
For incidental expenses attending repairs of fortifications, fifty thousand dollars.  
Provided, however, 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 deposit 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 ascertaining, at any time, of these facts, from the Secretary of the Treasury, to direct the postponement until after the close of the next session of Congress, or until Congress shall otherwise direct, of the whole, or such portion of the appropriations made by this act as the state of the Treasury shall seem to him to require; any order for postponement to be made alike applicable to each item of appropriation, so far as the state of facts, at the time it is made, and a due regard to the public interests, will permit, and all contracts entered into in pursuance of these appropriations to be made subject to the conditions of this proviso.

Approved, July 21, 1840.
RESOLUTIONS.

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

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.

Approved, May 2, 1840.

No. 2. A Resolution concerning the statue of Washington, by Greenough.

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.

Approved, May 27, 1840.

No. 4. A Resolution to authorize the President to dispose certain presents from the Imam of Muscat and the Emperor of Morocco.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to 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 Imam 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.

Approved, July 20, 1840.

No. 5. Joint Resolution for the exchange of books and public documents for foreign publications.

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.

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

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.

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.

Dec. 18, 1840.

[Obsoleted.]

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.

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.

(a) Notes of the acts which have been passed relating to imprisonment for debt, vol. 1, 269.
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 disbursement 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 quarter 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

(a) Notes of the acts which have been passed relating to the issuing and reimbursement of Treasury notes, vol. 2, 765.
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. 
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.

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:

For the revolutionary pensioners under the act of the eighteenth of March, one thousand eight hundred and eighteen, three hundred and fourteen thousand dollars;

For payment of invalid pensions, one hundred and seven thousand dollars;

For pensions to widows and orphans 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;

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;

For half-pay pensions, payable through the offices of the Second and Third Auditors, five thousand dollars;

For arrearages, payable through the Second Auditor's office, six hundred dollars;

For arrearages, payable through the Third Auditor's office, one thousand dollars.

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 16, 1841.

STATUTE II. 
Feb. 18, 1841. 
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:

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.

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.

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.

Approved, February 18, 1841.

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.

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
the adjacent country, which separates the States of Maine and New Hampshire from the British provinces.

APPROVED, February 27, 1841.

The land selected by Indiana under act of 2d March 1827, ch. 56, confirmed to her.

Proviso.

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.

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.

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 to Florida, and other purposes.

APPROVED, February 27, 1841.

(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 2, 1841, chap. 43.
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.

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;
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 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. 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.

STATUTES II.

March 3, 1841.

Certain patents confirmed.

Act of April 25, 1812, ch. 88.

Act of July 4, 1836, ch. 359.

CHED. 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
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.

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.

APPROVED, March 3, 1841.

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 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.

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 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; 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, and for transportation and incidental expenses, thirty-six thousand five hundred dollars; 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, 
<table>
<thead>
<tr>
<th>Chippewas.</th>
<th>For carrying into effect the stipulations of certain Indian treaties, and the laws connected therewith, viz:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chippewas, Menomonies, &amp;c.</td>
<td>For the Chippewas, Menomonies, Winnebagoes, and New York Indians, one thousand five hundred dollars;</td>
</tr>
<tr>
<td>Chippewas, Ottowas, &amp;c.</td>
<td>For the Chippewas, Ottowas, and Pottawatamies, thirty-four thousand two hundred and ninety dollars;</td>
</tr>
<tr>
<td>Chocatawa.</td>
<td>For the Chocataws, forty-nine thousand nine hundred and fifty dollars;</td>
</tr>
<tr>
<td>Creeks.</td>
<td>For the Creeks, sixty-three thousand nine hundred and forty dollars;</td>
</tr>
<tr>
<td>Chickasaws.</td>
<td>For the Chickasaws, six thousand dollars;</td>
</tr>
<tr>
<td>Cherokees.</td>
<td>For the Cherokees, seven thousand six hundred and forty dollars;</td>
</tr>
<tr>
<td>Delawares.</td>
<td>For the Delawares, ten thousand one hundred and forty dollars;</td>
</tr>
<tr>
<td>Florida Indians.</td>
<td>For the Florida Indians, nine thousand six hundred and ten dollars;</td>
</tr>
<tr>
<td>Iowas.</td>
<td>For the Iowas, seven thousand eight hundred and seventy-five dollars;</td>
</tr>
<tr>
<td>Kickapoos.</td>
<td>For the Kickapoos, five thousand five hundred dollars;</td>
</tr>
<tr>
<td>Kickaskias and Peorias.</td>
<td>For the Kickaskias and Peorias, three thousand dollars;</td>
</tr>
<tr>
<td>Kansa.</td>
<td>For the Kanza, six thousand and forty dollars;</td>
</tr>
<tr>
<td>Miamies.</td>
<td>For the Miamies, fifty-two thousand eight hundred and seventy-eight dollars;</td>
</tr>
<tr>
<td>Eel Rivers.</td>
<td>For the Eel Rivers, one thousand one hundred dollars;</td>
</tr>
<tr>
<td>Menomonies.</td>
<td>For the Menomonies, thirty-one thousand eight hundred and thirty dollars;</td>
</tr>
<tr>
<td>Ottowas and Chippewas.</td>
<td>For the Ottowas and Chippewas, sixty-two thousand three hundred and sixty-five dollars;</td>
</tr>
<tr>
<td>Ottoes and Missourias.</td>
<td>For the Ottoes and Missourias, five thousand six hundred and forty dollars;</td>
</tr>
<tr>
<td>Osages.</td>
<td>For the Osages, thirty-four thousand four hundred and six dollars;</td>
</tr>
<tr>
<td>Ottowas.</td>
<td>For the Ottowas, four thousand three hundred dollars;</td>
</tr>
<tr>
<td>Pottawatamies.</td>
<td>For the Pottawatamies, twenty thousand two hundred dollars;</td>
</tr>
<tr>
<td>Pottawatamies of Huron.</td>
<td>For the Pottawatamies of Huron, four hundred dollars;</td>
</tr>
<tr>
<td>Pottawatamies of the Prairie.</td>
<td>For the Pottawatamies of the Prairie, sixteen thousand dollars;</td>
</tr>
<tr>
<td>Pottawatamies of the Wabash.</td>
<td>For the Pottawatamies of the Wabash, twenty thousand dollars;</td>
</tr>
<tr>
<td>Pottawatamies of Indiana.</td>
<td>For the Pottawatamies of Indiana, seventeen thousand dollars;</td>
</tr>
<tr>
<td>Piankeshaws.</td>
<td>For the Piankeshaws, eight hundred dollars;</td>
</tr>
<tr>
<td>Pawnees.</td>
<td>For the Pawnees, nine thousand six hundred dollars;</td>
</tr>
<tr>
<td>Quapaws.</td>
<td>For the Quapaws, four thousand six hundred and sixty dollars;</td>
</tr>
<tr>
<td>Six Nations.</td>
<td>For the Six Nations of New York, four thousand five hundred dollars;</td>
</tr>
<tr>
<td>Senecas.</td>
<td>For the Senecas of New York, six thousand dollars;</td>
</tr>
<tr>
<td>Sioux.</td>
<td>For the Sioux of the Mississippi, forty thousand five hundred and ten dollars;</td>
</tr>
<tr>
<td>Sacs and Foxes.</td>
<td>For the Sacs and Foxes of the Missouri, seven thousand eight hundred and seventy dollars;</td>
</tr>
<tr>
<td>Shawnees.</td>
<td>For the Shawnees, seven thousand one hundred and eighty dollars;</td>
</tr>
<tr>
<td>Senecas and Shawnees.</td>
<td>For the Senecas and Shawnees, two thousand and sixty dollars;</td>
</tr>
<tr>
<td>Senecas.</td>
<td>For the Senecas, two thousand six hundred and sixty dollars;</td>
</tr>
<tr>
<td>Wyandots.</td>
<td>For the Wyandots, six thousand eight hundred and forty dollars;</td>
</tr>
<tr>
<td>Weas.</td>
<td>For the Weas, three thousand dollars;</td>
</tr>
<tr>
<td>Wyandots, Munsees, &amp;c.</td>
<td>For the Wyandots, Munsees, and Delawares, one thousand dollars;</td>
</tr>
</tbody>
</table>
For the Winnebagoes, ninety-two thousand eight hundred and sixty dollars.

SEC. 2. And be it further enacted, That the following sums of money be appropriated for the purpose of extinguishing the Indian title, namely;

Three thousand dollars to defray the expenses of holding a treaty with the Wyandot Indians in the State of Ohio;

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;

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;

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;

APPROVED, March 3, 1841.

CHAP. XXXIV.—An act making appropriations for the naval service 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 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;

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, forty thousand dollars;

For provisions, five hundred thousand dollars;

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;

For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, thirty thousand dollars;

For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, twenty-five thousand dollars;

For improvement and necessary repairs of the navy yard at Charleston, Massachusetts, forty-two thousand two hundred dollars;

For improvement and necessary repairs of the navy yard at Brooklyn, New York, seventy-eight thousand eight hundred dollars;

For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, nine thousand dollars;

For improvement and necessary repairs of the navy yard at Washington, District of Columbia, eleven thousand dollars;

For improvement and necessary repairs of the navy yard at Gosport, Virginia, forty-nine thousand dollars;

For improvement and necessary repairs of the navy yard near Pensacola, Florida, twenty thousand dollars; 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

Winnebagoes.

Extinguishing the title of the Wyandot.

Indian tribes in Michigan.

Sacs and Foxes, Winnebagoes, Sioux.

Expenses of the treaty with the Miamies of Nov. 23d, 1840, &c.

Pay of officers and seamen.

Pay of store &c. at yards.

Provisions.

Increase, repairs. &c.

War steamers.

Medicines, &c.

Navy yards at Portsmouth. Charlestown.

Brooklyn.

Philadelphia.

Washington.

Gosport.

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 pilota 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 armorer, 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.
CHAPTER 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 depositories 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;
<table>
<thead>
<tr>
<th>Auditor</th>
<th>Compensation</th>
<th>Clerk and messenger</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Auditor</td>
<td>For compensation to the First Auditor of the Treasury, three thousand dollars;</td>
<td>For compensation to the clerks and messengers in the office of the First Auditor, fifteen thousand nine hundred dollars;</td>
</tr>
<tr>
<td>2nd Auditor</td>
<td>For compensation to the Second Auditor of the Treasury, three thousand dollars;</td>
<td>For compensation to the clerks and messengers in the office of the Second Auditor, seventeen thousand nine hundred dollars;</td>
</tr>
<tr>
<td>3rd Auditor</td>
<td>For compensation to the Third Auditor, three thousand dollars;</td>
<td>For compensation to the clerks and messengers in the office of the Third Auditor, twenty-nine thousand six hundred and fifty dollars;</td>
</tr>
<tr>
<td>4th Auditor</td>
<td>For compensation to the Fourth Auditor, three thousand dollars;</td>
<td>For compensation to the clerks and messengers in the office of the Fourth Auditor, sixteen thousand nine hundred and fifty dollars;</td>
</tr>
<tr>
<td>5th Auditor</td>
<td>For compensation to the Fifth Auditor, three thousand dollars;</td>
<td>For compensation to the clerks and messengers in the office of the Fifth Auditor, nine thousand eight hundred dollars;</td>
</tr>
</tbody>
</table>

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; For compensation to the clerks and messengers in the office of the Fourth Auditor, sixteen thousand nine hundred and fifty dollars; For compensation to the Fifth Auditor, three thousand dollars; For compensation to the clerks and messengers in the office of the Fifth Auditor, nine thousand eight hundred dollars; For compensation to the Treasurer of the United States, three thousand dollars; For compensation to the clerks and messengers in the office of the Treasurer of the United States, ten thousand seven hundred and fifty dollars; For compensation to the Register of the Treasury, three thousand dollars; For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars; For compensation of the Commissioner of the General Land Office, per act of fourth July, eighteen hundred and thirty-six, three thousand dollars; 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; For compensation to the Solicitor of the Treasury, three thousand 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 translating foreign languages, and transmitting passports and sea letters, in the office of the Secretary of the Treasury, three hundred dollars; For translating, &c. For stating and printing the public accounts, including a deficiency in former appropriations, eighteen hundred dollars; For stationery, printing, and all other contingent expenses of the Treasury Department, viz: For the office of the First Comptroller, two thousand dollars; For the office of the Second Comptroller, fifteen hundred dollars; 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; 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;
For the office of the Register of the Treasury, three thousand dollars;
For the office of the Solicitor of the Treasury, one thousand five hundred dollars;
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;
For compensation of the superintendent and watchmen of the southeast executive building, two thousand one hundred dollars;
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;
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;
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;
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;
For compensation of one clerk transferred from the Navy Department, per act March fourth, eighteen hundred and forty, sixteen hundred dollars;
For contingent expenses of said office, one thousand five hundred dollars;
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 dollars;
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;

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;


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;

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;


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 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 to 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, 1840, ch. 4.

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;

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 to clerks and messengers in the General Post Office, forty-eight thousand six hundred dollars;

For salaries of two watchmen, six hundred dollars;
TWENTY-SIXTH CONGRESS. Sess. II. Ch. 35. 1841.

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;

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;

For compensation to clerks and messengers in said office, fifty-five thousand five hundred dollars;

For eleven additional clerks in said office, per act of July seven, one thousand eight hundred and thirty-eight, 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;

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, one thousand eight hundred and thirty-six, six thousand three hundred dollars;

For compensation of the Surveyor General of Illinois and Missouri, two thousand dollars;

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;

For compensation to his clerks, per act ninth May, one thousand eight hundred and thirty-six, two thousand five hundred dollars;

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

For compensation to his clerks, per act ninth May, one thousand eight hundred and thirty-six, two thousand two hundred dollars;

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

For compensation to his clerks, per act ninth May, one thousand eight hundred and thirty-six, five hundred dollars;

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;

For compensation to his clerks, per act June twelve, one thousand eight hundred and thirty-eight, one thousand six hundred dollars;

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;

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.,
TWENTY-SIXTH CONGRESS.  Sess. II. Ch. 36.  1841.

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 Buildings, 1840, ch. 97.

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;

Assistant, &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;
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 clerks 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 Dahlonega.

For compensation to the officers and clerk of the branch Mint at Dahlonega, 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;
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;
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;

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 &c.

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;

If 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;

For compensation of the Attorney General of the United States, four thousand dollars;

For compensation of clerk and messenger in the office of the Attorney General, one thousand five hundred dollars;

For contingent expenses of said office, five hundred dollars;

For compensation to the reporter of the decisions of the Supreme Court, five thousand dollars;

For compensation to the district attorneys and marshals, including those in the several Territories, fourteen thousand four hundred and fifty 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-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-
The overplus to be paid into the Treasury.

Annuities and grants.

U. S. coast survey.

Keepers of Florida archives.

 Registers and receivers.

Insolvent debtors.

Private land claims in Florida.

Support of lighthouses, &c.

Statues for the Capitol.

Proviso.

Paintings for the Capitol.

Proviso.

Penitentiary of D. C.

Sick and disabled seamen: 1802, ch. 51.

Commissioner for southern boundary of Iowa.

Custom-house at Boston.

Warehouse at Baltimore.

Custom-house at New York.

exclusive 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.

For the payment of annuities and grants by special acts of Congress, nine hundred dollars;

For survey of the coast of the United States, including the compensation of the superintendent and assistants, one hundred thousand dollars;

For compensation of the two keepers of the public archives in Florida, one thousand dollars;

For salaries of registers and receivers of land offices, where there are no sales, three thousand five hundred dollars;

For expenses in relation to the relief of certain insolvent debtors of the United States, three thousand dollars;

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;

For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakesages, including the purchase of lamps, oil, wicks, buffskins, whitening and cotton cloth, transporting oil, &c., keepers' salaries, repairs, improvements, and contingent expenses, four hundred and eighty-four thousand and seventy-two dollars;

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.

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.

For the support and maintenance of the penitentiary of the District of Columbia, eight thousand three hundred and eighty-one dollars;

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;

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
TWENTY-SIXTH CONGRESS. Sess. II. Ch. 35. 1841.

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 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;
TWENTY-SIXTH CONGRESS.  Sess. II. Ch. 35. 1841.

Minister to Turkey.

For salary of the minister resident of the United States to Turkey, six thousand dollars;

Chargé des affaires.

For salaries of the chargés 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 chargés 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;

Expenditures 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;

Barbary powers.

For expenses of intercourse with the Barbary Powers, seventeen thousand four hundred dollars;

Foreign intercourse.

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;

Library of Congress.

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

Purchase of books.

For the payment of arrearages incurred in enforcing the neutrality laws on the northern and northwestern frontier, five thousand dollars;

Enforcement of the neutrality laws.

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;

Service of the General Post Office.

For transportation of the mail, three million two hundred and eighty thousand dollars;

Transportation.

For compensation of postmasters, one million and fifty thousand dollars: Provided however, 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 quarterly 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 pretense 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 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 clerks for offices, two hundred and ten thousand dollars;
- For miscellaneous, sixty thousand six hundred and twenty dollars;
- 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 charge 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 custom 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-

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.

1839, ch. 169.

Proviso.

Payment of arrears to the clerks in the custom-house at Boston.
appropriated, 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;

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;

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 pretense 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;

Sec. 6. And be it further enacted, That all stores hereafter rented by the collector, naval officer, or surveyor, shall be or 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 rate 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 offenses, 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 offense 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.

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 five hundred and seventy-one 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;
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;

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;

For the contingencies of the army, nine thousand dollars;

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;

For the current expenses of the ordnance service, eighty-five thousand dollars;

For the armament of fortifications, one hundred thousand dollars;

For ordnance, ordnance stores, and supplies, eighty thousand dollars;

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;

For repairs and improvements and new machinery at the Springfield armory, twenty thousand dollars;

For repairs and improvements and new machinery at the Harper's Ferry armory, thirty-eight thousand dollars;

For the expense of preparing drawings of a uniform system of artillery, three thousand six hundred dollars;

For the purchase of saltpetre and brimstone, twenty thousand dollars;

For continuing the barracks, quarters, &c., at Fort Smith, fifty thousand dollars;

For barracks, quarters, &c., at Turkey river, fifteen thousand dollars;

For continuing the military road on the western frontier, five thousand dollars;

For continuing the barracks, quarters, &c., at Sackett's Harbor, one thousand dollars;

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 steam-boats and transport schoon
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.

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.

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 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.

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.

Joint Resolution to present incorporated universities, colleges, &c., with copies of the catalogue of the Library of Congress.

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.

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 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;

For the pay of the Chaplain of the Senate, five hundred dollars;

For printing, stationery, and all other contingent expenses of the Senate for the present session, twenty thousand dollars;

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;

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.

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.

APPROVED, June 25, 1841.

CHAP. II.—An Act for the relief of Mrs. Harrison, widow of the late President of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That 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 of Mrs. Harrison shall be returned to the Treasury.

APPROVED, June 30, 1841.
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.

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 author-
ized, 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 Trea-
ury 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
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 Trea-
ury 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 ex-
ceeding 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 ex-
ceeding 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 Trea-
sury is hereby authorized to purchase, at any time before the period
herein limited for the redemption of stock hereby authorized, such por-
tion 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 in-
terest and redemption of said stock.

APPROVED, July 21, 1841.
TWENTY-SEVENTH CONGRESS. Sess. I. Ch. 5, 7. 1841.

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.

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 such moneys promptly according to law, or of 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
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.

No widow, &c. of any naval officer, &c. whomay hereafter die, entitled, under the act of 1837, ch. 38.

No officer, &c. shall receive pay as a pensioner and officer in service.

Statute I.

Chap. VIII.—An act to provide for the payment of Navy Pensions.

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 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.

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.

Chap. IX.—An act to establish a uniform system of bankruptcy throughout 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 hereby is, established throughout the United States, a uniform system of bank-

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,
The phrase in the 6th section, &c., 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 elsewhere, or not. 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 elsewhere, 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 Chitty, assignee, on 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. Ibid. Black v. A assignee v. Boyd, 3 Howard, 453.

Where the defendant below became a bankrupt, the Supreme Court will not award a supersedeas to stay an execution, because the assignee of the bankrupt has his remedy in the circuit court. Black v. Zacharie, 3 Howard, 453.

Uniform system of bankruptcy establ'd. All persons owing debts not created by defalcation, &c., may be declared bankrupts.
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, distraint, 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.

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 bankrupt; 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 may recover the same, as part of the assets. Such preferences prevent a discharge. Provided. Preference to any creditor to prevent a discharge, &c.

Sec. 3. And be it further enacted, That all the property, and rights
All property, 
&c., except, &c., vested in an assignee.

Court may ap- 
point and re- 
move the as- 
signee.

Rights and 
powers of the 
assignee.

Provido.

What bank-
rupts entitled to a full discharge, &c.

Such discharge 
and certificate 
not to be grant- 
ed until after a 
certain time, 
&c.

Provido.

What bank-
rupts not enti- 
tled to a dis- 
charge or certi- 
ficate.

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, to wit: the power of appointment and removal 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, oh exception taken be subject to the final decision of said court.

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 and certificate the decree of bankruptcy, nor until after seventy days' notice in some not to be ant' 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
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 therefore, 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 provable 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
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 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 act 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.

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.

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 to 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 creditor lives, in such form as may be prescribed by the rules and regulations hereinafter 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 safekeeping 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.

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 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 thereof 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.

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 presenti 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.

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.
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 personal one.

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.

CHAP. X.—An act further to extend the time for locating Virginia military land warrants, and returning surveys thereon to the General Land Office.

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

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.

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

This act to take effect from 1st Feb. next.

STATUTE I.

Aug. 19, 1841.

1st sec. of act of 7th July 1838, ch. 155, revived and continued to 1st Jan. 1844.

Corporation of Georgetown to recover fines, &c. how.

STATUTE I.

Aug. 19, 1841.

STATUTE II.

Aug. 25, 1841.

Act of May 31, 1838, ch. 91.
Act of July 3, 1840, ch. 39.
Act of June 7, 1844, ch. 40.

Charters of Bank of Metro-

Powers, &c. polis, Bank of re- Washington, &c. revived.

Proviso.

Notes of acts relating to Virginia resolutions on warrants, vol. 3, 612.
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 let 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. 

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 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 pretense 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.

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 pretense 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.

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.

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.

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.

Approved, August 25, 1841.

Chap. XIII.—An Act making an appropriation for the funeral expenses of William Henry Harrison, deceased, late President of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That 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
TWENTY-SEVENTH CONGRESS.  Sess. I. Ch. 14, 15.  1841.

SEC. 1. To audit the same, and allow whatever shall be found justly due thereon.

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.

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.

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.

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 such 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.

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.

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)

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.

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

(a) See notes to the act of May 29, 1830, chap. 208.

SEC. 3.

Provided.

Provided.

Provided.

STATUTE I.

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.

Provided.

Provided.

After deducting said 10 per cent. &c. residue to be divided among the States, &c. of the Union; &c.

To be applied as the Legislatures may direct.

Provided.
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.

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.

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 deposites 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.

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.

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 $150,000 to be appropriated annually for surveys. And be it further provided, 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 continue until this cause of its suspension be removed, and when removed,
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.

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.

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.

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 to

Certain land districts and land offices may be continued.

Grant of land to States for internal improvements.

Grant to new States that shall hereafter be admitted.

Said lands not to be sold at a price 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.

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 ac-
quired 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 in-
cluded 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.

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 Secre-
tary of the Treasury of the United States.

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 set-

tlement and improvement thereby required, shall be made to the satis-
faction 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 Se-
cretary 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.

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,
or 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 ex-
clusive 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 per-
son or persons whatsoever, by which the title which he or she might
acquire from the Government of the United States, should ensue 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.

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.

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.

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 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.

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 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 Chattahoochee 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.

September 9, 1841.

CHAP. XVII.—An act making appropriations for various fortifications, 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, &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 repairs of Fort Adams, Newport harbor, forty-five thousand dollars;

For fortifications in New London harbor—rebuilding of Fort Trumbull, Connecticut, thirty-five thousand dollars;

Fort 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, Bedloe's island, New York harbor, fifty thousand dollars;

Fort 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;

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;
TWENTY-SEVENTH CONGRESS. Sess. I. Ch. 17. 1841.

For repairs of Fort Washington, Potomac river, thirty-five thousand dollars; For repairs of Fort Monroe, Old Point Comfort, Virginia, one hundred and fifteen thousand dollars; 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; For Fort Sumter, Charleston harbor, South Carolina, fifteen thousand dollars; For repairing dyke to Drunken Dick shoal, for preservation of Sullivan's island, and site of Fort Moultrie, Charleston harbor, South Carolina, thirty thousand dollars; For Fort Pulaski, Savannah river, Georgia, thirty-five thousand dollars; For repairs of Fort Marion, St. Augustine, Florida, twenty thousand dollars; For continuing sea-wall at St. Augustine, Florida, five thousand dollars; For Fort Pickens, Pensacola harbor, Florida, twenty thousand dollars; For Fort Barrancas, Pensacola harbor, Florida, forty-five thousand dollars; For Fort Morgan, Mobile Point, Alabama, forty thousand dollars; For Fort Livingston, Barrataria bay, Louisiana, thirty thousand dollars; For repairs of other forts on the approaches to New Orleans, Louisiana, fifty thousand dollars; For defensive works, and barracks, and purchase of site at or near Detroit, Michigan, fifty thousand dollars; For purchase of site, and for barracks and defensive works at or near Buffalo, New York, fifty thousand dollars; For fortifications at the outlet of Lake Champlain, and purchase of site, seventy-five thousand dollars; For defensive works, barracks, and other necessary buildings, and purchase of site for a depot at or near the junction of the Matawunkaeg and Penobsoc river, Maine, twenty-five thousand dollars; For contingencies of fortifications, fifteen thousand dollars; For incidental expenses attending repairs of fortifications, fifty-five thousand dollars.

Sec. 2. And be it further enacted, That the following sums be, and are hereby, appropriated in like manner: For current expenses of ordnance service, twenty-five thousand dollars; For purchase of ordnance and ordnance stores, seventy-five thousand dollars; For armament of fortifications, one hundred thousand dollars; For purchase of saltpetre and brimstone, twenty thousand dollars; 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; 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 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;

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;

For surveys in reference to the military defences of the frontier, inland and Atlantic, thirty thousand dollars;

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;

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;

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.

STATUTES I.


CHAP. XVIII.—An Act to provide for placing Greenough’s Statue of Washington in the Rotundo of the Capitol, and for expenses therein mentioned.

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 pedestal 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 three 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.

Sect. 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.

Approved, September 9, 1841.

CHAP. XIX.—An Act authorizing the transmission of letters and packets to and
from Mrs. Harrison, free of postage.

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.

Approved, September 9, 1841.

CHAP. XX.—An Act to make appropriations for the Post Office Department.

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 Treas-
ury 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 effec-
tually for the settlement of the accounts thereof,” passed July second,
eighteen hundred and thirty-six: Provided, That the money hereby ap-
propriated shall be accounted for by the Post Office Department here-
after, when the condition of its funds shall permit; to be refunded into
the Treasury, or deducted from any sums which the Post Office Depart-
ment may heretofore have paid into the Treasury.

Approved, September 9, 1841.

CHAP. XXI.—An Act making an appropriation for the purchase of naval ordnance
and ordnance stores, 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 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.

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 appro-
priated, not exceeding fifty thousand dollars, to the purpose of making
experiments to test the value of improvements in ordnance, in the con-
struction 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 experi-
ments of the like character heretofore made by authority of law.

Approved, September 11, 1841.

CHAP. XXII.—An Act making appropriations for outfits and salaries of diplomatic
agents, 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, viz:

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.

For salaries of ministers to Spain and Brazil, for the residue of the current year, eight thousand dollars.

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

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.

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 L

Sec. 1. Appropriation.

Appropriation.

How to be expended.

Mineralizing of the timbers authorized. Appropriation therefor.

 Chap. XXIII.—An Act to provide for repairing the Potomac Bridge.

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.

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.

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.

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, aqua fortis, 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, arrow root, annatto, aniseed, oil of aniseed, amber, asafetida, ava root, alcoroquie, alba canella, bark of cork tree unmanufactured, burl stones unwrought, brass, in pigs or bars, old brass, only fit to be remanufactured, brimstone or sulphur, barilla, brazilletto, boracic acid, Burgundy pitch, berries used for dyeing, alizar, 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, cocules indicus, colombo root, cummin seed, cascara, 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 almon’s, 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...
Articles to be exempt from duty.

other animals' teeth, polishing stones, bristles, ratans unmanufactured, raw and undressed skins, sperter, crude saltpetre, gum Senegal, saffron, shellac, soda ash, sponges, sago, sarsaparilla, seenna, 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, Niesraygua 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, scantlings, 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.

Duty on non-enumerated articles.

Duty on articles manufactured from two or more materials.

1841, ch. 16.

Further provision.

Drawbacks on certain sugars and rum to be reduced, how.

Duty on French wines prior to 2d February next.

Duty on non-enumerated articles.

1841, ch. 15.

Further provision.

Provided.

Provided.

Provided.

Provided.

Provided.

Provided.

Further provision.

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.

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.

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.

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, 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.

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.

Sec. 7. And be it further enacted, That all laws or parts of laws inconsistent with this act are hereby repealed.

Approved, September 11, 1841.

---

Statute I.

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 Smith son, 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.

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.

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.

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.

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

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.

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.


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.

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 Kentucky thirty-one copies.
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 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 Remainder to copies of said Digest be left with the Librarian of Congress for future disposition.

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.

Approved, September 1, 1841.

No. 4. A Resolution to provide for the distribution of the printed returns of the Sixth Census.

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 forty; 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.

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.

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
This resolution to remain in force 7 years.

This resolution to remain in force 7 years.

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.

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.

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.

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.

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.

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.

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; 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: 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.

APPROVED, December 28, 1841.

CHAP. II.—An Act to authorize an issue 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, 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.

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.
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.

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

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

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

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

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

APPROVED, February 12, 1842.

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

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

APPROVED, March 4, 1842.
district Court for the Eastern District of Pennsylvania be, and he is hereby, authorized to hold a special session of the said court at a time to be by him designated, in lieu of the regular session which was appointed by law to be begun and held on the third Monday of February, one thousand eight hundred and forty-two, but was prevented by a vacancy in the office of district judge; and the marshal, clerk, and all other officers of the said court are hereby enjoined and required to make all needful arrangements for carrying into effect the provisions of this act.

APPROVED, March 19, 1842.

CHAP. VII. — An Act supplementary to an act entitled "An act to amend the act approved May thirteen, one thousand eight 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 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.

APPROVED, March 19, 1842.

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.

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.

APPROVED, March 19, 1842.

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)

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-

circuit 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.

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.

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.

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.

APPROVED, April 14, 1842.

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

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 Tuscumbia, in Alabama and Jacinto, in Mississippi, to Ripley, in said State, as a common point, and from said point through Holly Springs and Hernando, to Commerce, and from Ripley through La Grange, in Tennessee, to Memphis, in said State.

APPROVED, April 14, 1842.

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.

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 the 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.

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 usury 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.

APPROVED, July 21, 1841.
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.

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 transferable by delivery of the certificate, instead of being assignable on the books of the Treasury.

Sec. 4. And be it further enacted, That the Secretary of the Treasury shall be, and 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.

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.

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.

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.

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 interest.
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. Approved, April 15, 1842.

Chapter 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.

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.

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.

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, nor as payment or compensation to any clerk, messenger, or other attendant of the said two Houses, unless such clerk, messenger, or other attendant, be so employed by a resolution or order of one of said Houses.

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 committees.

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.

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-three thousand dollars.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 29. 1842.
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.

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.

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

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

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

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

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

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

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 fulfill his contract.

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 Department.—No. 16. For the salary of the Secretary of
the Treasury, one thousand four hundred dollars.

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

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

No. 19. For the salary of the Second Comptroller, and the compensa-
tion of the clerks and messenger in his office, eighteen thousand two
hundred and fifty dollars.

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

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

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

No. 23. For the salary of the Fourth Auditor, and the compensation
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.

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.

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.

No. 27. For the salary of the Commissioner of the General Land Office, and the compensation of the recorder, solicitor, draughtsman, clerks, messengers, and packers in his office, ninety-eight thousand five hundred dollars.

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.

Department of War.—No. 29. For the salary of the Secretary of War, six thousand dollars.

No. 30. For clerks and messengers in said office, thirteen thousand three hundred and fifty dollars.

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.

No. 32. For the salary of the Commissioner of Pensions, and the compensation of clerks and messengers in his office, sixteen thousand six hundred dollars.

No. 33. For the compensation of clerk in the office of the Commanding General, one thousand dollars.

No. 34. For the compensation of clerks in the office of the Adjutant General, seven thousand one hundred and fifty dollars.

No. 35. For compensation of clerks and messenger in the Office of the Quartermaster General, seven thousand three hundred dollars.

No. 36. For compensation of clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars.

No. 37. For compensation of clerks and messenger in the office of the Commissary General of Purchases, four thousand and forty dollars.

No. 38. For compensation of clerks in the office of the Commissary General of Subsistence, three thousand eight hundred dollars.

No. 39. For compensation of clerks in the office of the Chief Engineer, five thousand one hundred and fifty dollars.

No. 40. For compensation of clerk in the office of the Surgeon General, one thousand dollars.

No. 41. For compensation of clerks in the office of the Colonel of Ordnance, eight thousand one hundred and fifty dollars.

No. 42. For compensation of clerks in the bureau of Topographical Engineers, three thousand four hundred dollars.

Navy Department.—No. 43. For the salary of the Secretary of the Navy, six thousand dollars.

No. 44. For compensation of clerks and messengers in his office, eleven thousand two hundred and fifty dollars.

No. 45. For salaries of the Commissioners of the Navy Board, ten thousand five hundred dollars.

No. 46. For compensation of the Secretary of the Navy Board, two thousand dollars.

No. 47. For compensation of clerks, draughtsman, and messenger, in the office of said Board, eight thousand four hundred and fifty dollars.

For this sum to pay arrearage for clerks' salary heretofore appropriated, (the same having been carried to the surplus fund in the year
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>48</td>
<td>Salary of Postmaster General</td>
<td>Six thousand dollars</td>
</tr>
<tr>
<td>49</td>
<td>Salary of three Assistant Postmasters General</td>
<td>Seven thousand five hundred dollars</td>
</tr>
<tr>
<td>50</td>
<td>Compensation of clerks and messengers in said office</td>
<td>Forty-eight thousand six hundred dollars</td>
</tr>
<tr>
<td>51</td>
<td>Compensation of two watchmen at three hundred dollars each</td>
<td>Six hundred dollars</td>
</tr>
<tr>
<td>52</td>
<td>Salary of Auditor for Post Office Department</td>
<td>Three thousand dollars</td>
</tr>
<tr>
<td>53</td>
<td>Compensation of clerks and messengers in said office</td>
<td>Fifteen thousand five hundred dollars</td>
</tr>
<tr>
<td>54</td>
<td>Repairs of the building lately occupied by the Post Office Department</td>
<td>Two thousand five hundred and seventy-two dollars and eighty-five cents</td>
</tr>
<tr>
<td>55</td>
<td>Salary of surveyor general in northwest of the Ohio</td>
<td>Two thousand dollars</td>
</tr>
<tr>
<td>56</td>
<td>Compensation of clerks in his office, per act of ninth May</td>
<td>Three thousand three hundred dollars</td>
</tr>
<tr>
<td>57</td>
<td>Salary of surveyor general in Illinois and Missouri</td>
<td>Two thousand dollars</td>
</tr>
<tr>
<td>58</td>
<td>Compensation of clerks in his office, per act of ninth May</td>
<td>Three thousand two hundred and forty dollars</td>
</tr>
<tr>
<td>59</td>
<td>Salary of surveyor general of Arkansas</td>
<td>One thousand five hundred dollars</td>
</tr>
<tr>
<td>60</td>
<td>Compensation of clerks in his office, per act of ninth May</td>
<td>Two thousand eight hundred dollars</td>
</tr>
<tr>
<td>61</td>
<td>Salary of surveyor general of Louisiana</td>
<td>Two thousand dollars</td>
</tr>
<tr>
<td>62</td>
<td>Compensation of clerks in his office, per act of ninth May</td>
<td>Two thousand five hundred dollars</td>
</tr>
<tr>
<td>63</td>
<td>Salary of the surveyor general of Mississippi</td>
<td>Two thousand dollars</td>
</tr>
<tr>
<td>64</td>
<td>Compensation of clerks in his office, per act of ninth May</td>
<td>Five thousand dollars</td>
</tr>
<tr>
<td>65</td>
<td>Salary of the surveyor general of Alabama</td>
<td>Two thousand dollars</td>
</tr>
<tr>
<td>66</td>
<td>Compensation of clerks in his office, per act of ninth May</td>
<td>Two thousand dollars</td>
</tr>
<tr>
<td>67</td>
<td>Salary of surveyor general of Florida</td>
<td>Two thousand dollars</td>
</tr>
<tr>
<td>68</td>
<td>Compensation of clerks in his office, per act of ninth May</td>
<td>One thousand six hundred dollars</td>
</tr>
<tr>
<td>69</td>
<td>Salary of surveyor general of Wisconsin and Iowa</td>
<td>One thousand five hundred dollars</td>
</tr>
<tr>
<td>70</td>
<td>Compensation of clerks in his office, per act of twelfth June</td>
<td>One thousand six hundred dollars</td>
</tr>
<tr>
<td>71</td>
<td>Salary of Secretary to sign patents for public lands</td>
<td>One thousand five hundred dollars</td>
</tr>
</tbody>
</table>
No. 72. For salary of Commissioner of Public Buildings in Washington city, three thousand dollars.

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.

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.

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 fifty dollars.

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.

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.

No. 78. For enclosing Patent Office and grounds with wood pale fence, clearing grounds, planting trees, preparing and fixing window shutters, two thousand dollars.

**United States Mint and Branches.—No. 79.** For salary of the director of the mint at Philadelphia, three thousand five hundred dollars.

No. 80. For compensation of the treasurer in said office, two thousand dollars.

No. 81. For compensation of chief coiner in said office, two thousand dollars.

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.

No. 90. For compensation of assayer in said office, one thousand five hundred dollars.

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.

No. 95. For compensation of the assayer, one thousand five hundred dollars.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 20. 1842.

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

Wisconsin Territory.
Governor.

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

Wisconsin Territory.
Judges.

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

Wisconsin Territory.
Secretary.

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

Wisconsin Territory.
Contingent expenses.

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 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.

Iowa Territory.
Governor.

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

Iowa Territory.
Judges.

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

Iowa Territory.
Secretary.

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

Iowa Territory.
Contingent expenses.

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:

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.

Florida Territory.—No. 118. For salary of the Governor, two thousand five hundred dollars.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 29. 1842.

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.

No. 120. For compensation of secretary, one thousand five hundred dollars.

No. 121. For contingent expenses of the Territory, three hundred and fifty dollars.

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.

Judiciary.—No. 123. For the salary of the Chief Justice of the Supreme Court, five thousand dollars.

No. 124. For the salaries of eight associate judges, at four thousand five hundred dollars, thirty-six thousand dollars.

No. 125. For the salary of the district judge, of Maine, one thousand eight hundred dollars.

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.

Vol. V.—61
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 dollars.
No. 153. For the salary of the district judge, Arkansas, two thousand dollars.
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.
No. 159. For the salary of the attorney general of the United States, four thousand dollars.
No. 160. For the compensation of the clerk and messenger, one thousand five 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.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 29. 1842.

(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 dis-

Proviso: 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 emolu-
ments of their respective offices, of every name and character, distin-
guishing the fees and emoluments received or payable under the bank-
rupt 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 ser-
vice 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 au-
dited 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 au-
dited 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: dis-

Amount of fees
which they are
allowed to re-

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 dis-

Proviso: 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 emolu-
ments of their respective offices, of every name and character, distin-
guishing the fees and emoluments received or payable under the bank-
rupt 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 ser-
vice 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 au-
dited 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 au-
dited 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: dis-

Amount of fees
which they are
allowed to re-

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

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

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.

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

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.

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

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.

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, forty-six thousand five hundred dollars.

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

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

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.

No. 180. For expenses of sixth census, including printing statistics and reports, enumeration of inhabitants and addenda, 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.

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.
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.—No. 181. For supplying light-houses, containing two thousand six hundred and fifty-two lamps, with oil, tube-glasses, wicks, buff-skins, whitening and cotton cloth, transportation and keeping the apparatus in order, one hundred and sixty 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.

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.

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

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.

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

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.

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

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

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

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.

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

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

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

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.

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.

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:

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

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.

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

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

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

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

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

No. 208. For blanks, thirty thousand dollars.

No. 209. For mail locks, keys and stamps, ten thousand dollars.
TWENTY-SEVENTH CONGRESS.  Sess. II.  Ch. 30, 31.  1842.

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, 1839, ch. 118.

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.

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.
An adjourned term may be held 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.

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

B. 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 of 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.

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;

APPROVED, June 1, 1842.

(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.

**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 he may certify to be due from the United States to the militia called into the service of the State in the year eighteen hundred and thirty-nine, for the protection of her northeastern frontier, by the Governor, if said militia had been duly called into the service of the United States, and regularly received and mustered by the officers of the United States army, according to the laws and regulations which have governed in the payment of the volunteers and militia of other States. And the Paymaster General and accounting officers of the Treasury are hereby authorized and required to include the following claims, presented by said State, viz.:

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

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

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

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

Fifth. The amount of expenditures by said State in necessary repairs of arms used by the militia while in actual service as aforesaid. *Provided,* That the accounts of the agent employed by the State of Maine to make said payments, be submitted to the Paymaster General and the accounting officers for their inspection.

APPROVED, June 13, 1842.

**Statute II.**

June 13, 1842.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the second section of the act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund and the school reservations," as requires the land therein designated as reserved to the State of Mississippi for the use of schools to be selected, under the direction of the Secretary of the Treasury, "out of any public lands, remaining unsold, that shall
have been offered at public sale within either of the land districts in said State of Mississippi, contiguous to said lands, within said State," ceded by the Chickasaws, be so amended that the said lands may be selected, under the direction of the Governor of said State of Mississippi, out of any public lands remaining unsold within either of the land districts in said State of Mississippi, contiguous to the lands in said State, ceded by the Chickasaw Indians.

APPROVED, June 13, 1842.

STATUTE II.

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

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, 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.

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 is 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.

APPROVED, June 25, 1842.

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

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, 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-two, 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

(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. 11, 1803, chap. 1.
Hereby, confirmed: Provided, always, That this is only to operate as a quit-claim on the part of the United States.

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 money 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.

Sec. 3. And be it further enacted, That claims numbers two, five, eight, nine, eleven, twelve, thirteen, fourteen, sixteen, seventeen, nineteen, twenty, 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.

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.

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.

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.

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.

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 pill, 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 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.

Sec. 9. And be it further enacted, That the provisions of the two preceding sections of this act, which confirm donation claims situated 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; 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.

APPROVED, July 6, 1842.

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.

2 R
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.

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

Interpreters.

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

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.

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 Sagansaw, five thousand eight hundred dollars.

For fulfilling treaties 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 Cherokee, five thousand six hundred and forty dollars.

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

For fulfilling treaties with the Florida Indians, six thousand six hundred and seventeen 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 Kanzas, six thousand and forty dollars.

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

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

For fulfilling treaties with the Menonomies, thirty-one thousand eight hundred and thirty dollars.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 64. 1842.

For fulfilling treaties with the Omahas, one thousand four hundred and forty dollars.
For fulfilling treaties with the Ottawas and Chippewas, sixty-two thousand three hundred and sixty-five dollars.
For fulfilling treaties with the Otoes and Missourias, five thousand six hundred and forty dollars.
For fulfilling treaties with the Osages, thirty-four thousand four hundred and six dollars.
For fulfilling treaties with the Ottowas, four thousand three hundred dollars.
For fulfilling treaty with the Pottawatames, fifteen thousand two hundred dollars.
For fulfilling treaty with the Pottawatames of the Prairie, fifteen thousand four hundred dollars.
For fulfilling treaty with the Pottawatames of the Wabash, twenty thousand dollars.
For fulfilling treaty with the Pottawatames 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 treaties with the Sacs and Foxes of Missouri, seven thousand eight hundred and seventy 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 Sacs 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 Sacs 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.

For this sum, in addition to the appropriation per act of eighteen hundred and thirty-five, for the expenses of treating with the Camesche 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.

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

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. 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.

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 held at Williamsport, in Lycoming county, on the third Monday of October in each year, shall hereafter commence and be held 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.

Approved, July 27, 1842.
CHAP. LXXIX.—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 provide for satisfying claims for bounty lands, for military services in the late war with Great Britain, and for other purposes," 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 vendors of lottery tickets, money changers, hawkers and pedlers.

APPROVED, July 27, 1842.
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.

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.

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.

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.

Sec. 3. And be it further enacted, That eleven additional clerks here-tofore 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 here-tofore 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.

(a) See act supplementary to an act entitled “An act to regulate arrests on 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.

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.

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)

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.

Approved, August 1, 1842.

Chap. CXX. — 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 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.

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.

(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. 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: 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.

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.

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.

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

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

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

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

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.
No. 10. For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, one thousand six hundred dollars.

No. 11. For improvement and necessary repairs of the navy yard at Washington, District of Columbia, fifteen thousand three hundred dollars.

No. 12. For improvement and necessary repairs of the navy yard at Gosport, Virginia, fifty-six thousand eight hundred dollars.

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.

No. 14. For necessary repairs of the hospital building and its dependencies at Charlestown, Massachusetts, three thousand nine hundred and sixty dollars.

No. 15. For finishing coppering the roof of the hospital building at Brooklyn, New York, fifteen hundred dollars.

No. 16. For necessary repairs of the hospital building and its dependencies at Norfolk, Virginia, thirteen thousand seven hundred and fifty dollars.

No. 17. For building an ice-house and privies at the hospital at Pensacola, Florida, two thousand dollars.

No. 18. For necessary repairs of the Philadelphia naval Asylum, one thousand three hundred dollars.

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 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 pilots 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.

No. 20. For contingent expenses for objects not hereinbefore enumerated, three thousand dollars.

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.

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.

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.

Marine Corps.—No. 24. For pay of officers, non-commissioned officiers, and marines.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 122. 1842.

Pay and subsistence.

No. 25. For provisions for the non-commissioned officers, musicians, privates and servants, and washerwomen, serving on shore, one hundred eighty-three thousand one hundred eighty-three dollars.

Provisions.

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

Clothing.

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

Fuel.

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

Barracks.

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

Transportation.

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

Medicines, &c.

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

Military stores, &c.

No. 32. For contingent expenses of said corps, viz.: For freight, forage, 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, 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.

Contingent expenses.

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)

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 situated and being south of the line dividing townships numbers nine and ten, south, and east of the base line, shall be entitled to one section of said land, on the following conditions and stipulations:

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.

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.

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.

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.

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.

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.

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.

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.

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

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.

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
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.

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.

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 Watupper 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.

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.

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, 1838, ch. 13.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 128, 129. 1842.

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.

Approved, August 11, 1842.

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

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.

Approved, August 11, 1842.

CHAP. CXXIX.—An Act regulating the services of the several judges 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 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.

Approved, August 11, 1842.
STATUTE II.

Aug. 11, 1842.

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

Deputy to take an oath. Clerk responsible for acts of his deputy.

STATUTE II.

Aug. 16, 1842.

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

Construction of the last section of the act.

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

STATUTE II.

Aug. 16, 1842.

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

Sum found due to be paid. Provision.

STATUTE II.

Aug. 16, 1842.

Chap. CLXXXVII.—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 third day of August, eighteen hundred and forty-two.

Approved, August 16, 1842.

STATUTE II.

Aug. 16, 1842.

Chap. CLXXXVIII.—An act authorizing the settlement and payment of certain claims of the State of Alabama.

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

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.

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 held 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 held 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.

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.

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

(a) Notes of acts relating to the territory of Iowa; act of June 19, 1838, chap. 96.
Certain lands county of Dubuque, in the Territory of Iowa, heretofore reserved for 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.**

**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.

**P.**

No. 1. For the pay of the army, one million four hundred and seventy-seven thousand seven hundred dollars.

No. 2. For commutation of officers’ subsistence, five hundred and twenty-seven thousand two hundred and sixty-four dollars.

No. 3. For commutation of forage of officers’ horses, one hundred and sixteen thousand nine hundred and seventy-one dollars.

No. 4. For commutation of clothing of officers’ servants, thirty thousand two hundred and forty dollars.

No. 5. For expenses of recruiting, fifteen thousand seven hundred and nine dollars and thirty-six cents.

No. 6. For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, three hundred and seventy-six thousand eight hundred and seventy-six dollars and eighty cents.

No. 7. For subsistence in kind, exclusive of that of officers, seven hundred and sixty-nine thousand six hundred and sixty-eight dollars.

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.

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 barracks; 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 internment 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.

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

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.

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

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

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.

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

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.

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

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.

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

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

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

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

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

No. 23. For preventing and suppressing hostilities in Florida, to be
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 transporta-
tion of military supplies of every description, from the places of pur-
chase to Florida; for the purchase of wagons, harness, boats, and light-
ers, and other vessels; of horses, mules, and oxen, to keep up the
trains; tools, leather, and other materials for repair; 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 op-
erations of the army; hire of mechanics, laborers, mule drivers, team-
sters, and other assistants, including their subsistence; and for miscel-
aneous 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.

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

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

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 emolu-
ments, 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 what-
soever, unless the same shall be authorized by law, and the appropria-
tion therefor explicitly set forth that it is for such additional pay,
extra allowance, or compensation.

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

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

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

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

No. 4. For commutation of clothing of officers' servants, four hun-
dred and twenty dollars.

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.

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

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 Secret-
ary 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.

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 cited 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-
Evidence receivable.

STATUTE II.

Aug. 23, 1842.


Dragoons to be reduced.

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

2d reg't dragoons converted into riflemen.

Artillery to be reduced.

Infantry to be reduced.

No enlistments to be made till after the reduction.

Proviso.

Office of superintendents of armories at Springfield and Harper's Ferry abolished.

Relative to master armories, inspectors, clerks, &c.

1821, ch. 15.

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 armories, 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

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

TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 187. 1842.

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.

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.

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.

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 sixteenth, 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.

APPROVED, August 23, 1842.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act approved on the third of March, eighteen hundred and thirty-seven, entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty, with the Choctaw Indians; and also, the act approved on the twenty-second day of February, eighteen hundred and thirty-eight, entitled "An act to amend an act entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty, with the Choctaw Indians," so far as the same are not repealed or modified by the provisions of this act," be, and the same are hereby,
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 167. 1842.

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 subpoenas 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 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, 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.

Powers, &c. of commissioners extended.

Proviso.

Commissioners may issue subpoenas, &c.

Marshals, &c. may execute process, &c.

Proviso.

1838, ch. 15.

1837, ch. 30.

1839.

Proviso.

Conditions, upon proof of the performance of which, any Choctaw shall be entitled to a patent.
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.
Powers, &c. of the commissioners, when to cease.

Commissioners to determine claims under the supplement to the treaty.

Upon approval by the President, &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, forever barred.

Statute II.

Aug. 23, 1842.

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

Commissioners appointed by the circuit courts

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."

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.

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 their regular terms thereof for the trial and hearing of such causes.

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.

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

**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.

**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.

**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 lashes or neglect or use of the money on his part. _Cassels v. Verner_, 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. Landerman_, 1 Wash. C. C. R. 231.

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.
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 thousand dollars, being the amount of interest allowed on accounts due to the subjects 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.

Where a principal and interest is due to the subjects of the enemy, the court shall allow interest, at the rate permitted by law, on the personal estate, for the sums advanced by the creditor to discharge the specialty of interest on debts due to the subjects of the belligerent, until the return peace. ibid.

Where the account is thus settled, bearing interest. ibid. 540.

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.

An account 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 enters a new action. ibid. 140.

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., Peine's C. C. R. 561.

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

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


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. 305.

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. ibid. 540.

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. Wilcock's, Baldwin's C. C. R. 398.

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.

Where 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 evidence in any circumstances tending to show interest should not be allowed. Letcher v. Arnold, Peters' C. C. R. 150.

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 Summer's C. C. R. 143.

In the ordinary cases, where the relation of mortgagor and mortgagee is uncontroverted, if a mortgagor 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 mortgagees; as if he retained the rents under a mistake, supposing the rights of the mortgagee 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. v. Platniff in Error, et al. 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. 941; 1 Cond. Rep. 197.

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, 3 Gall. C. C. R. 45.

If captured property is ordered to be sold, then no interest is allowed. Rose v. Himley, 4 Cranch, 259; 2 Cond. Rep. 85.

Interest commences on a pecuniary legacy at the expiration of one year from the decease of the testator, whatever may be the possession 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 rule. Sullivan v. Whitmore, 1 Summer's C. C. R. 1.

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

Where the vendor is indebted to the vendee, and the sale is trade 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. Speed et al. v. Winter et al. 8 Wheat. 690; 5 Cond. Rep. 555.

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 now not 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 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 draw 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 credited. Each 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 v. Henry v. Edwae. 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. Leemon v. 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 calculated from the day of the issuance of the verdict, and from that amount the amount of the damages ascertained by the jury. Youqua v. Nixon et al. Peters' C. C. R. 329.

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 had no right to assumpsit, for reasons of equity; but that the defendants were chargeable with interest from the receipt by them of the proceeds of the cargo. Richeton v. Wright, 3 Summer'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.

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.

Approved, August 23, 1842.

CHAIR. CXC.-An Act for the relief of certain settlers 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 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.

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

Approved, August 23, 1842.

CHAIR. CXCL.-An Act to amend the acts of July, eighteen hundred and thirty-six, and eighteen hundred and thirty-eight, allowing pensions to certain widows.

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.

Approved, August 23, 1842.

VOL. V.-66

Act of March 8, 1837, ch. 38, repealed.

Pensions to be regulated according to the pay of the navy on the 1st of January 1835.

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.

STATUTE II.

Aug. 23, 1842.

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.

Proviso.

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

Instructions of Sec. Treasury to be complied with.

STATUTE II.

Aug. 23, 1842.

Act of July 4, 1836, ch. 362.

July 18, 1838, ch. 189.

Marriage of the widow to be no bar to her pension, if a widow at the time of applying.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 193, 194. 1842.

Statutes II.
Aug. 23, 1842.

[Obsolete.]

Chap. CXCII.—An Act to make the adjustment of Florida militia, in 1839 and 1840, to be adjusted.

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

Proviso, only such as have been called into service by the War Dept.

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.

Statutes 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.

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-bred 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.
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.

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

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 Solicitor of the Treasury, three additional clerks, at one thousand one hundred and fifty dollars each, and one law clerk, at fifteen 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 Surgeon General, one clerk, at one thousand one hundred and fifty dollars, and one messenger at five hundred dollars.

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

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

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

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

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.

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.

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

Employment of extra clerks.

Employment of messengers, laborers, &c.

Purchase of newspapers.

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

Manner in which estimates are to be communicated 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.

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.

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.

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.

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.

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.

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

Bids and proposals to be preserved, &c.

Relative to the purchase of books, &c.

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

Compensation for publishing.

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

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.
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.

S.W. executive building.
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.

N. E. executive building.
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.

Commissioner of Ind. affairs.
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.

Commissioner of Pensions.
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 thousand and fifty dollars.
For miscellaneous items, four hundred and fifty dollars.

Commanding General.
No. 8. In the office of the Commanding General:
For miscellaneous items, three hundred dollars.

Adjutant General.
No. 9. In the office of the Adjutant General:
For blank books, binding, and stationery, two hundred dollars.
For miscellaneous items, three hundred dollars.
No. 10. In the office of the Quartermaster 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:
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:
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:
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:
For blank books, binding, and stationery, two hundred dollars.
For printing, fifty dollars.
For fuel, one hundred and twenty-five dollars.
For miscellaneous items, one hundred and fifty dollars.

No. 15. In the office of the Chief Engineer:
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:
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:
For the support of the light-house on the Delaware breakwater, one thousand five hundred dollars.
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:
For labor, four hundred dollars.
For fuel and light, two thousand dollars.
For miscellaneous items, one thousand six hundred and seventy dollars.

Treasury Department.—No. 19. 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 ships' registers, one hundred dollars.
For miscellaneous items, seven hundred dollars.
For translating foreign languages, one hundred and fifty dollars:
Provided, 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.
For miscellaneous items, three hundred dollars.

1st Auditor. No. 21. In the office of the First Auditor:
For blank books, binding, and stationery, five hundred dollars.
For labor, two hundred dollars.
For extra clerk hire, two hundred dollars.
For miscellaneous items, one hundred dollars.

2nd 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, one 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 extra clerk hire, one hundred 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.

No. 29. Southeast 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.
- For printing blanks, eight hundred and eleven dollars and fifty cents.
- For labor, one thousand one hundred and twenty dollars.

No. 31. For blank books, binding, and stationery, one thousand one hundred and ninety dollars.

No. 32. For coinage expenses, including materials and implements, fuel, repairs, and wastage of gold and silver, at the Philadelphia mint, fifteen thousand two 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.

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

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 dollars and fifty cents: Provided, That the salary of the public gardener shall not exceed the sum of one thousand two hundred dollars.

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.

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

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.

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.

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.

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.

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.

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.

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

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.

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.

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.

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.

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

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.

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

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.

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.

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.

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.

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

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

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

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

Approved, August 26, 1842.

2 u 2

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.

Chap. CClV. An Act to confirm the sale of public lands in certain cases.

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

Approved, August 26, 1842.

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, 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 hereinafter prescribed.

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.

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; at other places, fifteen hundred dollars; on leave of 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.

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.
Vie 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 boatswain, gunners, &c.

Officers performing the duty of a higher grade by order, to receive the pay, and not otherwise.

CHAP. CCVIL.—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-
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 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.)"

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.

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.

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.

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

VOL. V.-68
Board of inspectors to be appointed; their duties.

Appropriation.

STATUTE II.
Aug. 29, 1842.

SEC. 1. 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 capitol 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.

SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part of the Western Land District, and the Platte river country, to constitute the Platte Land District, shall constitute a separate land district, to be called the Platte district.

Sec. 2. And be it further enacted, That there shall be a register and 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 lands of the State in which the several offices are situated.

Appropriation.

SEC. 2. 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.
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.

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 found 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
Until final judgment, and after discharge, proceedings in State courts null and void.

STATUTE IL.
Aug. 29, 1842.

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 IL.
Aug. 29, 1842.

Chap. COLVIII.—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.

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.

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 to be cancelled.

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 IL.
Aug. 29, 1842.

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.

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.

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.

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.

Approved, August 29, 1842.

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.

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.

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. 42. Powers, &c. vested in said board, transferred to the mayor, &c. Mayor, &c. authorized to institute legal proceedings.

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 or 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.

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. (c)

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, 1834, chap. 165; act of March 2, 1827, chap. 51-56; act of May 29, 1830, chap. 161; act of June 3, 1834, chap. 157; act of Feb. 27, 1841, chap. 12; act of March 2, 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 pub-
ic lands therein, not subject to the right of pre-emption, as an equiva-
 lent for certain lands covered by Indian reservations in the lands ac-
cquired by treaties with the Miami Indians, in the years eighteen hun-
dred 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 with whose of Lake Erie."

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 fourteen-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,
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.

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.

Approved, August 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, certifi-
cate thereof being made to said Treasurer by the Commissioner of Pa-
tents.

Sec. 2. And be it further enacted, That the third section of the act
of March, eighteen hundred and thirty-seven, which authorizes the re-
newing of patents lost prior to the fifteenth of December, eighteen hun-
dred and thirty-six, is extended to patents granted prior to said fifteenth
day of December, though they may have been lost subsequently: Pro-
vided, however, The same shall not have been recorded anew under the
provisions of said act.

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

(a) Notes of the acts passed relative to patents for useful inventions, vol. 1, 109, 316.
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 manufac-
ture, 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 com-
position in alto or basso relievo, or any new and original impression or
ornament, or to be placed on any article of manufacture, the same be-
ing 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 manufac-
ture 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 pro-
erty 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 of application for a patent: Pro-
vided, 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 protec-
tion of patents not inconsistent with the provisions of this act shall
apply to applications under this section.

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. required to mark articles offered for sale.

Sec. 4. And be it further enacted, That the oath required for applic-
ants for patents may be taken, when the applicant is not, for the time
being, residing in the United States, before any minister, plenipoten-
tiary, chargé d’affaires, consul, or commercial agent holding commis-
sion 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 pa-
tentee, 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 imi-
tating 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.

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)

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 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.

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten
thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, 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.

Appropriation for sites for hospitals at

1847, ch. 44.

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.

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:

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.

Sec. 2. And be it further enacted, That fresh meat may be substituted for salted beef or pork, and vegetables or sour-croût 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-croût so as to equal the value of those articles for which they may be substituted.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 298, 299. 1842.

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.

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.

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.

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.

APPROVED, August 29, 1842.

CHAP. CCLXVIII.—An Act authorizing the Secretary of the Navy to contract for the purchase, for the United States, of the right to use Babble's anti-attrition metal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to contract for the purchase, from the proprietor of the patented interest therein, for the United States, of the right to use Babble's anti-attrition metal in the construction of machinery and other work; subject to the ratification of Congress.

APPROVED, August 29, 1842.

CHAP. CCLXIX.—An Act establishing a court at Charleston, in the Commonwealth of Virginia. (a)

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

(a) See notes of the acts relating to the District Courts of Virginia, vol. 2, 478.
district court for the western district of Virginia, be held at Charle-
ton, in the county of Kanawha, 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 coun-
try of Greenbrier, which said last mentioned sessions of said court are
hereby discontinued.

APPROVED, August 29, 1842.

STUTMES I.
Aug. 30, 1842.

The duties to be paid hereaf-
ter on the following articles.

Wool unma-
ufactured.

Manufactures
of wool.

Carpetings.

Blankets.

District Court
to be held at
Charleston, in
lieu of Lewis-
burg.

CHAR. CCLIIX.—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 follow-
ing 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: Pro-
vided, 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 import-
ed 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 fur-
then, That if bales of different qualities are embraced in the same in-
voice, at the same price, the value of the whole shall be appraised ac-
cording 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 im-
purities, 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.

Second. On all manufactures of wool, or of which wool shall be a
component part, except carpetings, flannels, birkings and baizes, blank-
ets, worsted stuff goods, ready-made clothing, hosiery, mits, gloves,
caps, and bindings, a duty of forty per centum.

Third. On Wilton carpets and carpeting, treble ingrain, Saxony, and
Anhusson 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 cha-
acter.

Fourth. On woollen blankets, the actual value of which at the place
wherein 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.

Sixth. On woollen and worsted yarn, a duty of thirty per centum ad
valorem.

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.

Eighth. On flannels, of whatever material composed, except cotton,
a duty of fourteen cents per square yard on bockings and baizes, four-
teen cents per square yard on coach laces, thirty-five per centum ad
valorem; on Thibet, Angora, and all other goats' hair or mohair un-
manufactured, one cent per pound; on camlets, blankets, coatings, and
all other manufactures of goats' hair or mohair, twenty per centum ad
valorem.

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 va-
lorem; 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.

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 importa-
tion of the articles hereinafter mentioned, the following duties; that is to
say:

First. On cotton unmanufactured, a duty of three cents per pound,
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 manufac-
tures 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 of 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,
excepting such as 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

Manufactures
of combed wool,
&c.

Yarn.

Gloves, caps,
binding and
hosiery.

Flannels,
bockings, &c.

Goats' hair,
&c.

Clothing, &c.

Thread laces,
&c.

Gold and silver
laces, &c.

Cotton un-
manufactured.

Manufactures
of cotton.

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.

Sect. 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:

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, purined 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.

Third. On manufactured hemp, forty dollars per ton; on Manilla, Sunn, and other hems 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 tarrred cables and cordage, five cents per pound; on untaurred cordage, four and a half cents per pound; on untaurred cordage, four and a half cents per pound; on untaurred cordage, four and a half cents per pound; on untaurred cordage, four and a half cents per pound; on sail duck, seven 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.

Fourth. On stamped, printed, or painted floor oil cloth, thirty-five cents per square yard; on furniture oil cloth made on Canton of 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.

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.

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 butt 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, anvil, 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
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.

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.

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 umbrella 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.

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.

Sixth. On cast, sheaf, 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, and knitting, and all other kinds of needles, a duty twenty per centum ad valorem: on common tinned, and japanned saddlery, of all descriptions, twenty per centum ad valorem.

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.

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
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 argentines, alasbata, 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.

Tenth. On coal, one dollar and seventy-five cents per ton; on coke or culm of coal, five cents per bushel.

Sec. 5. And it is 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 puntied, 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.

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.

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.

Fourth. On cylinder or broad window-glass, not exceeding eight 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
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 370. 1842.

Glass in sheets or tables.

Plate glass.

Porcelain glass, colored glass, &c.

China ware, &c.

Leather, &c.

Shoes and boots.

Raw hides, &c.

Manufactures of leather.

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 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.

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 by fourteen inches, twelve cents per square foot; all above twenty 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.

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.

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.

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 shoes, 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 cases, not specified, twenty per centum ad valorem.

Seventh. On men's leather gloves, one dollar and twenty-five cents
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.

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, cape, 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.

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, spaltere, or willow squares, used for making hats or bonnets, shall pay the same rate of duty as manufactured hats or bonnets.

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 down 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 gift, plated, or imitation jewelry, and Dutch metal in leaf, twenty-five per centum ad valorem; on Scaglioia 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
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, oxier 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 canvas, 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 lead, litharge, or acetate or chromate of lead, dry or ground in oil, four cents per pound; on whiting or Paris white, and all ochre or ochry earths used in the composition of painters' color, when dry, one cent per pound, when ground in oil, one cent and a
half per pound; on sulphate of barytes, one half cent per pound; on linseed, hempseed, and rapeseed oil, twenty-five cents per gallon; on putty, one cent and a half per pound.

Sec. 7. And 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 assers' skin and imitation thereof, wafers, sealing-wax, and black lead pencils, crayons of all kinds, and metallic pens, twenty-five per centum ad valorem; on quills, prepared or manufactured, twenty-five per centum ad valorem; quills, unprepared or unmanufactured, fifteen per centum ad valorem; on rage, of whatever material, waste or shoddy, a quarter of one cent per pound; all other paper not enumerated, fifteen cents per pound.

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, 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.

Paper, paper snuff boxes, fancy paper boxes, stationery, rags, &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,

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.

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 opium, seventy-five cents per pound; on quicksilver, five per centum ad valorem; on roll bismuth, 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; on 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.

Third. On olive oil in casks, twenty cents per gallon; olive salad oil in bottles or bettles, thirty per centum ad valorem; all other olive oil, not salted, 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 arrowroot, 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 corn, thirty per centum ad valorem; on manufactures of cork, twenty-five per centum ad valorem; on spunges 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, gelatines, 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, sal soda, 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, avoiduporia; 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.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 270. 1842.

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 Tenerife 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.

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, assafetida, 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 epauletts and wings, grindstones, gum Arabic, gum Senegal, gum tragacanth, India rubber, in bottles or sheeta, 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; platner of Paris unground, ratans and reeds unmanufactured, rhubarb, salt-petre when crude, sarsaparilla, shellac, silver bullion, silver epauletts 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.

Duties to be paid in cash.

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.

Sec. 13. And be it further enacted, That, previous to the sale of any unclaimed goods, the said collector shall procure an inventory and appraisement 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 appraisement, 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, appraisement, 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
ninetynine, 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 in the United States, except as to the rates of duties and drawbacks.

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.

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-
Unfinished woollens to be rated as 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.

Section 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-
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.

sec. 19. And be it further enacted, That if any person shall knowingly and willfully, 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.

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.

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
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.

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.

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.

APPROVED, August 30, 1842.

CHAP. CCLXXI.—An Act to establish an additional land office in Florida.

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.

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.

SEC. 3. And be it further enacted, That all such public lands, embraced within the district created by this act, which shall have been offered for sale to the highest bidder at any land office in said Territory, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the proper officers of the office hereby created, in the same manner, and subject to the same terms, and upon like conditions, as the sale of said land would have been subject to in the said several land offices hereinbefore mentioned, had they remained attached to the same.

APPROVED, August 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
Circuit judge for the 6th circuit authorized to examine the allowances made by the marshal for Kentucky to his assistants, for taking the sixth census, 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.

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:

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 Presque'isle. From Dennysville, in the county of Washington, by way of Edmonds, 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.


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 Winchendon. From Lee, Tyringham, South Tyringham, Hartsville, Mill river, through East Sheffield, to Canaan, Connecticut.

In Rhode Island.—From Providence to West Brookfield, Massachusetts. From Providence through Fruit Hill, to Centreville.

In Vermont.—From Townsend, through Grafton, to Chester. From Rochester through Brandon, to Shoals'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, La-moille 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.

In New York.—From Durbanville, 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 Decker town, in Sussex county, New Jersey, by the Drowned Road, returning by the Clave 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 Allegany. From Attica, by Varvsburg, Johnstown, North Java, and East Java, to China, in Wyoming county. From Cortlandville 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 Matthew's 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 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.

TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 274. 1842.

house of Mr. Hoskins, on the Northwestern Turnpike. From Wheeling, via Besler's Station, Stockman's Fish Creek, to Woodland's Post Office, in Marshall county. From Hainsville, 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 Pond, 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.

In North Carolina.—From Turkey Creek and Spring Creek, in Buncombe county, by Fines Creek and Crabtree, in Haywood county, to Waynesville. From Aqualia, 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 Turnbull Creek, in Bladen county. From Ashville, via Pigeon river, to Waynesville. From Wilkinsboro', by way of "Deep Gap," to Counsel's 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.

In South Carolina.—From Aikin to Treadway's Bridge, in Barnwell district. From Traveller's Rest to Pumkintown, in Pickens district. From Conwayborough, in Horry district, South Carolina, to Fair bluff, Columbus county. North Carolina. From Winsborough, by Grayden's, to Rocky Mount. From Lincoln, 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, Brocksman's, Cashville, to Wood's, and from Wood's, via, Patten's, William Goldsmith, jr.'s, and Dr. Austin's, to Greenville. From Charleston, via Adams' Run and Ashenoo Ferry, to Savannah. From Adams' Run to Edisto Island. From Marion Court-house, via Brittons Neck, to Conwayborough.

that the present route from Henderson, in Houston county, to Bainbridge, be discontinued. From Albany to Thomasville. From Troupville to the Suwanee Springs, in Columbia county, Florida. From Wareborough 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 Jackson ville, Alabama. From Franklin, Georgia, Houston, Wadka, Standing Rock, and Fredonia, to Chambers Court-house, Chambers county, Alabama. From the Mississippi by way of Lumpkin, Irwinton, Alabama, Clayton, Montevallo, Montezuma, Covington, Carington, and Fort Crawford, to Blakely, Alabama. From Irwinton, by way of John Henderson's and Mrs. Parish's, to Troupville, Lowndes county. From Jacksonville, Tallahassee county, by way of Irwinton, to Albany. From Griffin, in Pike county, by way of Fayetteville and Campbellton, to Marietta, in Cobb county. From Americus to Columbus, 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 Louis ville, by Trenton, Larkinsville, and Ber rymore, to Bellefonte. From Thornhill, in Walker county, by way of William Johnson's, Pikeville, and Millville, to Cotton Gin Port, Monroe county, Mississippi. From Pikeville, Alabama, to Fulton, Missis sippi. From Russellville, Alabama, to Jacinto, Mississippi. From Mobile, by way of Jackson, on the Tombigbee river, Grove Hill, Mott's post office, in Clarke county, Woodwardsville, Shiloh, Linden and Demopolis in Marengo county, thence by way of Erie 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, Pickens county, Alabama, by the way of Fairfield, to Macon, in Noxubee county, Mississippi. From Gainesville, Alabama, Waha lak, 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 Miss isissippi. From Black's Bluff, in Sumter county, to Tuscahoma, in Washington county. From Columbia, Henry county, by way of Woodville, Neel's Landing, Flotdia, Cedar Bluff, to Marianna, Florida. From Centreport, in Dallas county, to Greenville, in Butler county. From Barboursville, 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 Louis ville, Alabama. And that the routes from Larkin's fork, by way of Larkinsville, Trenton, and Sand ton, to Marshall, and from Larkinsville to Woodville, be discontinued. From Montgomery to Troy in Pike county, and from thence to Dixon on precinct and Orchard's mill to the Court-house of Dale county. From Sugaville 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 Valverda, Union Springs, Aberfoil to Troy, in Pike county.

In Mississippi.—From Charleston, in Tallahatchee county, via Lincololis, Big Prairie, in the county of Coohoma, Port Royal, to the town of Delta, Mississippi. From Grenada to Yalabusha county, to the house of William Denly, in said county. From Coffeeville, in Yalla busha county, to Houston in Chickasaw county, Mississippi. From Victoria to Coffeeville, Mississippi. From Eastport to Jacinto, Mississippi.

In Louisi ana.—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

In Tennessee.—From Jacksborough, Tennessee, via John L. Smith's on the Straight Fork, and Thomas L. Wheeler's Store, on Buffalo creek, to Montgomery, 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. Bailey's. 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, Cocks county, via Wood's ferry and Parrotsville. From McMinnville, Tennessee, to Smithville, Tennessee.

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 Floyd's burg, to Brownsborough. From Manfordville, 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 O wenborough 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 McGees's Mill, to Jefferson town, in Jefferson county.

county. From West Liberty, via Middleburg, to Quincy, in Logan county. From Urbana, via Middleport and Lewishburg, 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 Missouri.—From Marshall, Saline county, via Greeneville 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 Merriamack 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 Centre ville, to the seat of justice of Adair county. From Carrollton, via Chilicothe 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-

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 Pocahontas, 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 Bayon Beuf, to Monroe, in Louisiana. From Jackson, in Lawrence county, in Arkansas, by way of Williams's, on Strawberry river, to Izard court-house.


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.
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.

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.

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.

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 tenants, and receive rations as such. 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.

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.
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:

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.

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.

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.

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.

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.

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.

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.

Approved, August 31, 1842.
TWENTY-SEVENTH CONGRESS. Sess. II. Ch. 280, 281, 282. 1842.

STATUTES II.
Aug. 31, 1842.

CHAP. CCLXXX.—An act concerning the payment of Florida militia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriations for subsistence made in the act entitled "An act for the payment of Florida militia called into service in the years eighteen hundred and thirty-nine, and eighteen hundred and forty," and approved August twenty-third, eighteen hundred and forty-two, shall be applicable to the settlement of 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.

STATUTES II.
Aug. 31, 1842.

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.

STATUTES II.
Aug. 31, 1842.

CHAP. CCLXXXII.—An act to suppress the vending of lottery tickets in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of January, one thousand eight hundred and forty-three, it shall not be lawful, to keep within the District of Columbia any office or place of business for the sale of lottery tickets, or of any share or interest in lottery tickets, nor shall it be lawful to sell or offer for sale within the said District, any lottery ticket or any share or interest in any lottery ticket; and every person who shall be duly convicted of offending against the provisions of this act shall be punished by imprisonment in the common jail of the county in which the offence shall have been committed for a period not less than one, nor more than six calendar months, and shall forfeit and pay a fine of not less than one hundred nor exceeding one thousand dollars, one half of which shall go to the informer, and the other half to the municipal corporation within whose corporate limits the offence shall have been committed; but if committed without the limits of any municipal corporation, then such moiety of the fine shall go to the United States.

SEC. 3. And be it further enacted, That the contract of sale for such lottery ticket or tickets, or share or interest in such lottery ticket or tickets, shall be absolutely void, and the person or persons paying therefor shall have a right to recover back the money paid therefor as money paid on a void consideration: Provided, That nothing herein contained shall be construed to restrain the selling of lottery tickets, so far as the same is authorized by any existing contract made by the Common Council of the city of Alexandria, under an ordinance of the Common Council of the said city, passed on the fifth day of December, eighteen hundred and twenty-seven, and approved by the President of the United States, if such contract is made, and so far as the same is made, in conformity with the provisions of its charter, nor so far as the selling of the same is authorized by any subsisting license of any of the cities of the said District, for the period of one year from the passage of this act: And provided, further, That it shall not be lawful, under color of any
contract made with the Common Council of the said city of Alexandria, as aforesaid, to vend or sell tickets, or parts of tickets, or shares, in any lottery or lotteries, authorized by the Legislature of any State or Territory within the United States, or any foreign Government.

APPROVED, August 31, 1842.

CHAP. CCLXXXIII.—An act to provide for purchasing materials and for the support of the penitentiary in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of seven thousand nine hundred and sixty-five dollars be, and the same is hereby, appropriated for the purpose of furnishing raw materials for manufacture and for the support of the penitentiary in the District of Columbia, to be expended under the direction of the board of inspectors of said penitentiary, and to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 31, 1842.

CHAP. CCLXXXVI.—An act to reorganize the Navy Department 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 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.
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

(a) Notes of the acts relating to the navy of the United States, vol. 2, 699.
Bureau of Navy Yards and Docks.

For the bureau of Navy Yards and Docks, one civil engineer, who shall receive for his services twelve hundred 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.

Papers of the Navy Commissioners' office to be distributed.

Appropriation for stationery.

Appropriation to carry this law into effect.

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.

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.

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.

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.

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)

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.

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 authorizing 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.

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.

(a) Notes of the acts authorizing the issuing of treasury notes, vol. 3, 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.

### STATUTES II.

**Aug. 31, 1842.**

[Obsolete.]

### CHAP. CCLXXXVIII.—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.:

<table>
<thead>
<tr>
<th>Fort</th>
<th>Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fort Preble</td>
<td>For repairs at Fort Preble, Portland, Maine, one thousand dollars.</td>
</tr>
<tr>
<td>Fort Scammel</td>
<td>For repairs of Fort Scammel, Portland, Maine, five thousand dollars.</td>
</tr>
<tr>
<td>Fort McClary</td>
<td>For repairs of Fort McClary, Portsmouth, New Hampshire, five thousand dollars.</td>
</tr>
<tr>
<td>Fort Constitution</td>
<td>For repairs of Fort Constitution, Portsmouth, New Hampshire, five thousand dollars.</td>
</tr>
<tr>
<td>Deer Island</td>
<td>For repairs of sea-wall on Deer Island, Boston harbor, two thousand dollars.</td>
</tr>
<tr>
<td>Fort Independence</td>
<td>For repairs of Fort Independence and sea-wall at Castle Island, balance of the original estimated cost of this work, being thirty thousand dollars.</td>
</tr>
<tr>
<td>Fort Warren</td>
<td>For Fort Warren, Boston harbor, thirty-three thousand dollars.</td>
</tr>
<tr>
<td>Fort Niagara</td>
<td>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.</td>
</tr>
<tr>
<td>Fort Ontario</td>
<td>For completing the repairs of Fort Ontario, at Oswego, New York, and erecting the necessary buildings therein, six thousand dollars.</td>
</tr>
<tr>
<td>Fort Schuyler</td>
<td>For Fort Schuyler, New York harbor, twenty thousand dollars.</td>
</tr>
<tr>
<td>Castle Williams</td>
<td>For completing Castle Williams, New York harbor, five thousand dollars.</td>
</tr>
<tr>
<td>South Battery</td>
<td>For completing South Battery, New York harbor, two thousand dollars.</td>
</tr>
<tr>
<td>Ft. Columbus</td>
<td>For completing Fort Columbus, New York harbor, two thousand dollars.</td>
</tr>
<tr>
<td>Wharves, New York harbor</td>
<td>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.</td>
</tr>
<tr>
<td>Fort Hamilton</td>
<td>For repairs at Fort Hamilton, New York harbor, five thousand dollars.</td>
</tr>
<tr>
<td>Fort Lafayette</td>
<td>For repairs and for correcting defective construction of Fort Lafayette, New York harbor, twelve thousand dollars.</td>
</tr>
<tr>
<td>Fort Monroe</td>
<td>For Fort Monroe, Old Point Comfort, Virginia, thirty-five thousand dollars.</td>
</tr>
<tr>
<td>Fort Macon</td>
<td>For repairs of Fort Macon, Beaufort, North Carolina, five thousand dollars.</td>
</tr>
<tr>
<td>Fort Sumter</td>
<td>For preservation of the site of the same, seven thousand dollars.</td>
</tr>
<tr>
<td>Fort Sumter</td>
<td>For Fort Sumter, Charleston harbor, South Carolina, towards completing the same, agreeably to the original estimates, fifty thousand dollars.</td>
</tr>
<tr>
<td>Ft. Livingston</td>
<td>For Fort Livingston, Barrataria bay, Louisiana, ten thousand dollars.</td>
</tr>
<tr>
<td>Fort Towson</td>
<td>For carrying on the work at Fort Towson, ten thousand dollars.</td>
</tr>
<tr>
<td>Fort Smith</td>
<td>For carrying on the work at Fort Smith, ten thousand dollars.</td>
</tr>
</tbody>
</table>

Approved, August 31, 1842.
RESOLUTIONS.

No. 9. Joint Resolution on the subject of printing the tables of the sixth census.

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.

APPROVED, April 14, 1842.

No. 10. 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.

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.

APPROVED, April 15, 1842.

No. 4. Joint Resolution to continue two clerks in the business of reservations and 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.

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.

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.

APPROVED, June 1, 1842.
No. 7. Joint Resolution to authorize the commission appointed to prepare rules and regulations for the naval service to appoint a clerk.

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.

No. 8. A Resolution declarative of the pension act of July seventh, eighteen hundred and thirty-eight.

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.

No. 10. Joint Resolution to institute proceedings to ascertain the title to Rush Island, ceded in the Caddo Treaty.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the District Attorney 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.

No. 12. Joint Resolution authorizing experiments to be made for the purpose of testing Samuel Colt’s submarine battery, and for other purposes.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the 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.
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.

APPROVED, August 31, 1842

No. 13. A Resolution to provide for the payment of the expenses incurred by the Legation at Mexico.

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.

APPROVED, August 31, 1842.

No. 14. A Resolution to authorize an extension of a contract for carrying the mail.

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.

APPROVED, August 31, 1842.
STATUTE 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 thirty June, eighteen hundred and forty-three, to be paid out of any unappropriated money in the Treasury, namely:

<table>
<thead>
<tr>
<th>Object</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation and mileage of Senators and members of the House of Representatives and Delegates from the Territories</td>
<td>Three hundred and sixty-six thousand eight hundred and eighty-eight dollars</td>
</tr>
<tr>
<td>Officers of the Senate and H. of Reps.</td>
<td>Twenty thousand two hundred and seventy-four dollars</td>
</tr>
<tr>
<td>Expenses of Senate</td>
<td>Thirty-five thousand dollars</td>
</tr>
<tr>
<td>Expenses of H. of Reps.</td>
<td>One hundred and twenty-five thousand dollars</td>
</tr>
<tr>
<td>Library of Congress</td>
<td>For compensation of the principal and two assistant librarians, and messenger of the library of Congress, two thousand two hundred and fifty dollars</td>
</tr>
<tr>
<td>Contingent expenses of said library, four hundred dollars</td>
<td></td>
</tr>
<tr>
<td>Purchase of books of [for] said library, two thousand five hundred dollars</td>
<td></td>
</tr>
<tr>
<td>President of United States</td>
<td>For compensation of the President of the United States, twelve thousand five hundred dollars</td>
</tr>
<tr>
<td>Department of State.</td>
<td>For compensation of the Secretary of State, and the clerks, messenger, and assistant messenger, in his department, thirteen thousand one hundred and fifty dollars</td>
</tr>
<tr>
<td>Contingent expenses of said department, including publishing and distributing the laws, twelve thousand six hundred and fifty dollars</td>
<td></td>
</tr>
<tr>
<td>N. E. executive building.</td>
<td>For compensation of the superintendent and three watchmen of the northeast executive building, six hundred and seventy-two dollars and fifty cents</td>
</tr>
<tr>
<td>Contingent expenses of said building, viz:</td>
<td>For labor, six hundred dollars;</td>
</tr>
</tbody>
</table>
TWENTY-SEVENTH CONGRESS. SESS. III. Ch. 2. 1842.

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.
For compensation of the First Comptroller, and the clerks, messenger, and assistant messenger, in his office, eleven thousand four hundred and seventy-five dollars.
For compensation of the Second Comptroller, and the clerks and messenger in his office, seven thousand six hundred and twenty-five dollars.
For compensation of the First Auditor, and the clerks and messenger in his office, nine thousand nine hundred and fifty dollars.
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.
For compensation of the Third Auditor, and the clerks, messenger, and assistant messenger, in his office, fourteen thousand one hundred and seventy-five dollars.
For compensation of the Fourth Auditor, and the clerks and messenger in his office, ten thousand and seventy-five dollars.
For compensation of the Fifth Auditor, and the clerks and messenger in his office, seven thousand four hundred dollars.
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.
For compensation of the Register of the Treasury, and the clerks, messenger, and assistant messenger, in his office, fourteen thousand three hundred dollars.
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.
For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, six thousand two hundred dollars.
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, one thousand seven hundred and fifty dollars.
For newspapers and periodicals, fifty dollars.
For labor, seventy-five dollars.
For labor, 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:
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:
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.
TWENTY-SEVENTH CONGRESS. Sess. III. Ch. 2. 1842.

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 twenty-five 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;
For compensation of the superintendent and eight watchmen of the southeast executive building, one thousand seven hundred dollars;
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. 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;

For compensation of the clerk and messenger in the office of the Commissioner of Pensions, and the clerks and messenger in his office, seven thousand six hundred and fifty dollars;

For compensation of the clerks and messenger in the office of the Commanding General, seven hundred and fifty dollars;

For compensation of the clerks and messenger in the office of the Adjutant General, three thousand eight hundred and twenty-five dollars;

For compensation of the clerks and messenger in the office of the Quartermaster General, three thousand six hundred and fifty dollars;

For compensation of the clerks and messenger in the office of the Paymaster General, three thousand five hundred and fifty dollars;

For compensation of the clerks and messenger in the office of clothing and equipage at Philadelphia, two thousand one hundred dollars;

For compensation of the clerks and messenger in the office of the Commissary General of Subsistence, two thousand six hundred and fifty dollars;

For compensation of the clerks and messenger in the office of the Chief Engineer, two thousand eight hundred and twenty-five dollars;

For compensation of the clerks and messenger in the office of the Surgeon General, one thousand three hundred and twenty-five dollars;

For compensation of the clerks and messenger in the office of the Colonel of Ordnance, four thousand three hundred and twenty-five dollars;

For compensation of the clerks and messenger in the bureau of Topographical Engineers, two thousand four hundred and fifty dollars;

For compensation of the superintendent and four watchmen of the northwest executive building, eight hundred and fifty-five dollars;

In the office of the Secretary of War:

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.

In the office of Commissioner of Indian 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:

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

For printing, two hundred dollars;

For fuel, seventy-five dollars;

In the office of the Commanding General:

For miscellaneous items, one hundred and twenty-five dollars;

In the office of the 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:

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

For printing, fifty dollars;
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.
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.
For the northwest executive building:
For labor, two hundred dollars;
For fuel and light, one thousand dollars;
For miscellaneous items, eight hundred 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.—For compensation of the Secretary of the Na-
vy, 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, bind-
ing, 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 thou-
sand two hundred and fifty dollars.

For the contingent expenses of the bureau of Navy-yards and Docks,
two hundred and fifty dollars.
For compensation of the chief of bureau of Construction, Equip-
ment, 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, sta-
tionery, printing, labor, and miscellaneous items, two hundred and fifty
dollars.

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, sta-
tionery, and miscellaneous items, two hundred and fifty dollars.
For compensation of the chief of bureau of Ordnance and Hydro-
graphy, and the draughtsman, clerks, and messenger, in his office, four
thousand seven hundred dollars.
For contingent expenses of said bureau, two hundred and fifty dol-
lars.

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, bind-
ing, stationery, and miscellaneous items, four hundred and fifty dollars.
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.

For compensation of the Postmaster General and the three Assistant Postmasters General, and the clerks, mes-
senger, 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;
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.  
For contingent expenses of said office, viz:  
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.  
**Surveyors and their Clerks.**—For compensation of the surveyor general northwest of the Ohio, and the clerks in his office, four thousand one hundred and fifty dollars.  
For compensation of the surveyor general in Illinois and Missouri, and the clerks in his office, two thousand nine hundred and ten dollars.  
For compensation of the surveyor general in Arkansas, and the clerks in his office, two thousand one hundred and fifty dollars.  
For compensation of the surveyor general in Louisiana, and the clerks in his office, two thousand two hundred and fifty dollars.  
For compensation of the surveyor general in Mississippi, and the clerks in his office, three thousand five hundred dollars.  
For compensation of the surveyor general in Alabama, and the clerks in his office, two thousand dollars.  
For compensation of the surveyor general in Florida, and the clerks in his office, two thousand seven hundred and fifty dollars.  
For compensation of the surveyor general in Wisconsin and Iowa, and the clerks in his office, one thousand five hundred and fifty dollars.  
For compensation of the secretary to sign patents for public lands, one thousand dollars.  
For the director, one thousand seven hundred and fifty dollars;  
For the treasurer, one thousand dollars;  
For the chief coiner, one thousand dollars;  
For the assayer, 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;  
For specimens of ores and coins to be reserved at said mint, three hundred dollars.  
**United States Mint and Branches.**—For compensation of the officers and workmen of the mint at Philadelphia, viz:  
For the director, one thousand seven hundred and fifty dollars;  
For the treasurer, one thousand dollars;  
For the chief coiner, one thousand dollars;  
For the assayer, 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;  
United States Mint and Branches.  
Mint and branches.  
Mint at Philadelphia—officers.  
Workmen.  
Specimens.  
**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;  
**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;  
For wages to workmen, one thousand seven hundred and fifty 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 four hundred and forty dollars.

For incidental and contingent expenses of said branch, including fuel, materials, stationery, taxes and wastage of gold, six hundred and seventy-five dollars.

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;
- For wages to workmen, ten thousand dollars.

For incidental and contingent expenses of said branch, including fuel, materials, stationery, and wastage of gold and silver, eight thousand dollars.

Territories.
Governments in the Territories of the United States.—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;
For contingent expenses of said Territory, one hundred and seventy-five dollars.

Governments in the Territories of the United States.
Wisconsin. 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 of said Territory, one hundred and seventy-five dollars.

Governments in the Territories of the United States.
Iowa. 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 of said Territory, one hundred and seventy-five dollars.

Governments in the Territories of the United States.
Florida. 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 of said Territory, one hundred and seventy-five dollars.

Legislative Council.
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.

Governments in the Territories of the United States.
Judiciary. 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;
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;
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;
For the reporter of the decisions of the Supreme Court, six hundred and fifty dollars.
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.
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 Judges.

Judges of District Columbia.

Attorney General, &c.

Reporters of Supreme Court.
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, Apalachicola 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.
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, Appalachee 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 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.

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;
For compensation of the two keepers of the public archives in Florida, five hundred dollars;
For expenses attending the preparation of the results and account of the exploring expedition for the publication thereof ordered by Congress, twenty thousand dollars.

For the support and maintenance of the penitentiary of the District of Columbia, six thousand six hundred and ninety dollars and eighty-four cents.

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, fifty-eight thousand five hundred dollars.

For carrying on the work of the new custom-house building at Boston, twenty-five thousand dollars.

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.

Light-house Establishment.—For supplying the light-houses, containing two thousand six hundred and seventy-eight lamps, with oil, tube glasses, wicks, buffkins, whiting, and cotton cloth, transportation, and keeping apparatus in order, fifty-two thousand five hundred and ninety-five dollars and fifteen cents.

For repairs, refitting, and improvements of light-houses, and buildings connected therewith, thirty-eight thousand six hundred and thirty-three dollars and one cent.

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.

For compensation of thirty keepers of floating lights, eight thousand dollars.

For seamen's wages, repairs, and supplies of thirty floating lights, thirty-one thousand five hundred and thirty-six dollars and fourteen cents.

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.

For expenses of examining annually and reporting the condition of the light-houses, four thousand dollars.

For superintendents' commissions, at two and one half per cent., four thousand eight hundred and four thousand dollars and seventy-three cents.

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.

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

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.

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 shall 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.

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.

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

(a) See notes of the acts relating to the District Courts of Virginia, vol. 3, 478.
(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.

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.

Approved, February 4, 1843.

STATUTE III.
Feb. 14, 1843.

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.

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:

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.

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.

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.

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.
TWENTY-SEVENTH CONGRESS. Sess. III. Ch. 30. 1843.

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.

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 thereof, 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 time 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.

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.

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.

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.

APPROVED, February 15, 1843.
TWENTY-SEVENTH CONGRESS. Sess. III. Chs. 31, 32, 33: 1843.

Statute III.  
Feb. 15, 1843.  
[Obsolete.]  

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.  

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, hereafter 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 hereafter 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.  

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.

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.

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.

Approved, February 15, 1843.

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.

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.

Approved, February 18, 1843.

CHAP. XLIV.—An Act altering the times of holding the circuit court of the United States for the district of Connecticut.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the 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 held at the times heretofore directed by law.

Approved, February 24, 1843.
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 and thirty-seven, 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.

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.

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.

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.
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 fifteen. (a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the locations hereinafter 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.

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.

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.

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.

Chap. LI. — An Act in relation to the two per cent. fund of 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 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.

Approved, March 1, 1843.

Notes:
(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, recognized locations of this kind, although they disregarded the sectional lines by which the surveys were afterwards made. Ibid.
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 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:

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.

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.

For forage of 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 thirty dollars.

For payments in lieu of clothing for uncharged 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 three hundred and thirty dollars.

For subsistence in kind for said fiscal year, four hundred and ninety-five thousand four hundred and sixty-five dollars and sixty cents.

For clothing, camp and garrison equipage, for said fiscal year; one hundred thousand dollars.

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.

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.

For arrearages for the completing quarters and barracks at Fort Severn, Maryland, nine thousand and twenty-nine thousand dollars and fifty-three cents.

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
of the United States, under the direction of the Surgeon General for said fiscal year, two thousand dollars.

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.

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.

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-two 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.

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.

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.

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.

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.

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.

For construction of barracks for cadets for said fiscal year, thirty thousand dollars.

Approved, March 1, 1848.
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.

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.

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 weight, 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.

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.

Approved, 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.

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,

(a) Notes of the acts of Congress relating to the currency of foreign coins, vol. 9, 374.
two 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 fiscal year, twenty thousand dollars, and for the said fiscal year, thirty thousand dollars.

Fort 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.

Fort Caswell. For repairs of 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 calendar year, four thousand dollars; and for the said fiscal year, four thousand dollars.
TWENTY-SEVENTH CONGRESS. Sess. III. Ch. 71, 72. 1843.

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.

For repairs of Fort Dupre, Louisiana, for the said half calendar year, three thousand five hundred dollars.

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.

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.

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.

For repairing and rebuilding barracks at Fort Gibson at its present site, or in the vicinity thereof, fifteen thousand dollars.

For the completion of the works at Fort Smith, Arkansas, for the said half calendar year, twenty thousand dollars.

For completion of barracks, quarters, and storehouses, at Fort Atkinson, Turkey river, for the said half calendar year, six thousand dollars.

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.

APPROVED, March 3, 1843.

CHAP. LXXI. — An Act declaring Robbinston in the State of Maine, to be a port of delivery.

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.

APPROVED, 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.

APPROVED, March 3, 1843.

VOL. V.—77
STATUTE III.
March 3, 1843.

CHAP. LXXIII.—An Act to reduce the salary of the surveyor of the port of Camden, New Jersey.

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.

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)

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.

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.

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.

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.

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.

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 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.

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.

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.
CHAP. LXXIX.--An act to repeal an act entitled "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 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.

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-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:

For the fulfilment 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.

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.

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-eight dollars and fifty cents.

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.

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.

For the removal of the Choctaws to the west of the Mississippi, sixty-seven thousand four hundred and ninety dollars.

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.

For defraying the expenses of a negotiation with the Kanzas 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 Sac 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," etc., 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.

Sec. 3. 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 Hopothle Yobolo, Little Doctor, Mad Blue, Tzokebaachee Misco, Jim Boy, and Salka Hadjo, for the benefit of the said chiefs, and their portion of their subchiefs and warriors who served in Florida.

Sec. 4. 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 herefore 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.

Sec. 5. 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 arrears 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.

Approved, March 3, 1843.
CHAP. LXXXI.—An Act authorizing the reissue of treasury notes 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 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.

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.”

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 additional 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.

CHAP. LXXXII.—An Act to repeal the bankrupt act.

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. 3, 766.
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.

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.

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.

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.

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.

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 arrears of preceding years, under this head, fifty thousand dollars.

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.

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.

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;
- 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;
- 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
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 herefore 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.

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;

Washington.

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;

Gosport.

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;

Pensacola.

For Pensacola, Florida, for the said half calendar year, three thousand dollars; and for the said fiscal year, four thousand and forty-seven dollars;

For necessary repairs of hospital buildings and their dependencies, namely:

Charlestown.

For Charlestown, Massachusetts, for the said half calendar year, one thousand five hundred dollars; and for the said fiscal year, three hundred dollars;

Brooklyn.

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;

Norfolk.

For Norfolk, Virginia, for the said half calendar year, two thousand dollars; and for the said fiscal year, two thousand dollars;

Pensacola.

For Pensacola, Florida, for the said half calendar year, two thousand dollars; and for the said fiscal year, two thousand dollars;

Philadelphia.

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;

Magazines at Charlestown.

For necessary repairs of magazines, namely:

Charlestown.

For Charlestown, Massachusetts, for the said half calendar year, five hundred dollars; and for the said fiscal year, one thousand dollars;

Brooklyn.

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;

Washington.

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;

Norfolk.

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;

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;

Miscellaneous expenses.

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 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.

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.

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-
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.—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.

For provisions for non-commissioned officers, musicians, privates, servants, and washerwomen, serving on shore, for the said half calendar year, eighteen 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 barrack 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.

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.

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.

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.

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.

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.

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.

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.

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.

Approved, March 3, 1843.

CHAP. LXXXVI.—An Act to authorize the investigation of alleged frauds under the pre-emption laws, 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 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

(a) See notes of the acts which have been passed relating to pre-emption rights; act of May 29, 1830, ch. 208.
Proviso.

1841, ch. 16.

An individual filing a declaration for one tract, cannot file a second for another.

Claimants under late pre-emption law, &c. to make known their claims.

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.

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.

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.

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.

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.

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.
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.

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.

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.

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.

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

Settlers residing on one quarter section, and cultivating another, entitled to a choice. 1836, ch. 119.

In case of two or more persons residing on one quarter section, and one or more of them cultivating other tracts.

Proviso.

Persons coming within sec. 16, act 4th Sept. 1841, entitled to pre-emption.

Proviso.

When a guardian thinks it to the ward's interest to sell, he may exhibit a bill for that purpose.

What to set forth.

Statute III. March 3, 1843.
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.

STATUTES III.
March 3, 1843.

CHAP. LXXXVIII.—An Act directing the survey the northern line of the reservation for the half-breeds of the Soch [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 demarked 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-
TWENTY-SEVENTH CONGRESS. Sess. III. Ch. 99, 90. 1843.

sissippi, 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.

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.

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.

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.

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.

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 north-eastern 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.

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.

APPROVED, March 3, 1843.
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.

Land in Ohio, ceded by 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.

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.

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.

Approved, March 3, 1843.

CHAP. XCII. — An Act to fix the value of certain foreign moneys of account, in computations at the custom-houses. (a)

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 groschen, 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.

Approved, March 3, 1843.
Chap. XCVIII.—An Act authorizing an examination and survey of the harbor of Memphis, in Tennessee. (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 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.

Chap. XCV.—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.

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 steam-boats, 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.

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.

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.

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.

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.

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.

Approved, March 3, 1843.

Statute III.

March 3, 1843.

Act of July 4, 1836, ch. 332.

Literal exemplifications of records to be as valid as if the signatures had been written in full.

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."

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.
TWENTY-SEVENTH CONGRESS. Sess. III. Ch. 96, 97. 1843.

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, wherein 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.

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.

Acts vesting circuit powers in district court at Williamsport repealed. Circuit courts, when to be held.

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.
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.

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.

SEC. 3. And be it further enacted, That no female shall be imprisoned for debt upon mesne or final process. Approved, March 3, 1843.
Legislative Assembly authorized to provide for the election or appointment of certain officers.

Term of service of members of the Legislative Assembly.

Statute M. March 3, 1843.

Chap. XCIX. — An Act to authorize the election or appointment of officers 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 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.

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 M. 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.

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:

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;

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;

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

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;

For compensation of the principal and two assistant librarians, and messenger of the library of Congress, four thousand five hundred dollars;

For contingent expenses of said library, eight hundred dollars;

For purchase of books for said library, five thousand dollars;

For purchase of law books for said library, one thousand dollars;

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;

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

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 thousand 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.
For compensation of the Second Auditor, and the clerks and messenger in his office, twenty thousand nine hundred dollars;

For compensation of the Third Auditor, and the clerks, messenger, and assistant messenger, in his office, thirty-eight thousand three hundred and fifty dollars;

For compensation of the Fourth Auditor, and the clerks and messenger in his office, twenty thousand one hundred and fifty dollars;

For compensation of the Fifth Auditor, and the clerks and messenger in his office, fourteen thousand eight hundred dollars;

For compensation of the Treasurer of the United States, and the clerks and messenger in his office, thirteen thousand seven hundred and fifty dollars;

For compensation of the Register of the Treasury, and the clerks, messenger, and assistant messenger, in his office, twenty-eight thousand six hundred dollars;

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;

For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, twelve thousand four hundred dollars;

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.

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.

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.

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.

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.

4th Auditor.

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.

5th Auditor.

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.

Treasurer.

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.

Solicitor.

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.

Register.

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.

General Land Office.

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.

S.C. Davidson.

For compensation of the superintendent and eight watchmen of the southeast executive building, three thousand four hundred dollars.

S. E. executive building.
TWENTY-SEVENTH CONGRESS. Sess. III. Ch. 100. 1843.

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.

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 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 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 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 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 General.
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;

Quartermaster 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;
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;
For compensation of the clerks and messenger in the office of the Commissary General of Subsistence, five thousand three hundred dollars;
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;
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;
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.
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.
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;
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.

_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 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.

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.

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;
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.

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.

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.

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.

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 Babbit’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.
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.

For contingent expenses of said department, viz:

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.

For contingent expenses of said office, viz:

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.

For compensation of the surveyor general in Illinois and Missouri, and the clerks in his office, five thousand eight hundred and twenty dollars.

For compensation of the surveyor general in Arkansas, and the clerks in his office, four thousand three hundred dollars.

For compensation of the surveyor general in Louisiana, and the clerks in his office, four thousand five hundred dollars.

For compensation of the surveyor general in Mississippi, and the clerks in his office, seven thousand dollars.

For compensation of the surveyor general in Alabama, and the clerks in his office, four thousand dollars.

For compensation of the surveyor general in Florida, and the clerks in his office, five thousand five hundred dollars.

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.

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 and forty-two, and the said several surveyors general shall reside within the districts for which they are surveyors general, and discharge the duties of their said office.
Secretary to sign patents for lands.
Commissioner of public buildings.
Mint and branches.
Mint at Philadelphia—officers.

Workmen.
Contingent expenses.

Specimens.

Branch mint at Charlotte—officers.

Workmen.
Contingent expenses.

Branch mint at Dahlonega—officers.

Workmen.
Contingent expenses.

Branch mint at New Orleans—officers.

Workmen.
Contingent expenses.

Governments in the Territories of the United States.—For compensation of the officers of Wisconsin Territory, viz:
For Governor, two thousand five hundred dollars;
For three judges, five thousand four hundred dollars;

and forty-two, to thirtieth June, eighteen hundred and forty-four, twenty-one thousand dollars.

For compensation of the secretary to sign patents for public lands, one thousand five hundred dollars.

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.

United States Mint and Branches.—For compensation of the officers and workmen of the mint at Philadelphia, viz:
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;
For wages to workmen, twenty-four thousand dollars;
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.

For specimens of ores and coins to be reserved at said mint, three hundred dollars.

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;
For wages to workmen, three thousand five hundred dollars.
For incidental and contingent expenses, including fuel, materials, stationery, taxes, and wastage of gold, one thousand five hundred dollars.

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;
For wages to workmen, two thousand eight hundred and eighty dollars.
For incidental and contingent expenses of said branch, including fuel, materials, stationery, taxes, and wastage of gold and silver, one thousand three hundred and fifty dollars.

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.
For incidental and contingent expenses of said branch, including fuel, materials, stationery, and wastage of gold and silver, fifteen thousand dollars.
For secretary, one thousand two hundred dollars; 
For contingent expenses of said Territory, three hundred and fifty dollars; 
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. 
For compensation of the officers of Iowa Territory, viz: 
For Governor, two thousand five hundred dollars; 
For three judges, five thousand four hundred dollars; 
For secretary, one thousand two hundred dollars. 
For contingent expenses of said Territory, three hundred and fifty dollars. 
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. 
For compensation of the officers of Florida Territory, viz: 
For Governor, two thousand five hundred dollars; 
For five judges, nine thousand five hundred dollars; 
For secretary, one thousand five hundred dollars. 
For contingent expenses of said Territory, three hundred and fifty dollars. 
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. 
Judiciary.—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. 
For the Attorney General of the United States, and the clerk and messenger in his office, five thousand five hundred dollars. 
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. 
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. 
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. 
For arrears of the salaries of the district attorneys of Maryland and Massachusetts, for the year one thousand eight hundred and forty-four, 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. 
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; Provided, 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-
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;

Coast survey.
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 the 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.

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.

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.

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.

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-seven dollars and ninety-nine cents.

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.

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.

For the balance due on the second volume of the Documentary History of the American Revolution, six thousand eight hundred and twenty-six dollars.

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 proviso 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.

For completing the indexing of the public documents connected with Vol. V.—S1

3 n 2
the office of the First Comptroller and the office of the Secretary of the Treasury, eight hundred dollars.

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.

**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.

For the collection of agricultural statistics, and for other agricultural purposes, to be paid out of the patent fund, two thousand dollars.

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.**—For supplying the light-houses, containing two thousand six hundred and seventy-eight lamps, with oil, glasses, wicks, buffkins, whiting, and cotton cloth, transportation, and keeping apparatus in order, one hundred and ninety dollars and thirty cents.

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.

For repairs, refitting, and improvements of light-houses, and buildings connected therewith, ninety-two thousand seven hundred and seventy-one dollars and forty-two cents.

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.

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.

For rebuilding the beacon at Black Rock, Connecticut, ten thousand dollars.

For expenses of examining annually and reporting the condition of the light-houses, four thousand dollars.

For superintendents’ commissions, at two and one half per cent., ten thousand two hundred and fifty dollars and eighty-five cents.

For the completion of the repairs of the Potomac bridge, three thousand five hundred dollars.

**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,
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 com-
pleted 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 thou-
sand 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.

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.

For surveying the public lands, in addition to the unexpended balance
of former appropriations, to be apportioned to the several surveying dis-
tricts according to the exigencies of the public service, forty thousand
dollars.

For the survey of small detached tracts situated in Illinois and Mis-
souri, principally in the military district of Illinois, at a rate not exceed-
ing six dollars per mile, and including office work, three thousand dol-
lar.

**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.

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

For salaries of the chargés des affaires to Portugal, Denmark, Swe-
den, Holland, Belgium, Chili, Peru, Venezuela, New Grenada, Texas,
Naples, and Sardinia; fifty-four thousand dollars.

For outfits of a minister to France, and of a chargé d'affaires to Den-
mark, thirteen thousand five hundred dollars.

For salary of the minister resident to Turkey, six thousand dollars.

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
century dollars.

For the contingent expenses of all the missions abroad, twenty thou-
sand dollars.

For the contingent expenses of foreign intercourse, thirty thousand
dollars.

For the salary of the consul at London, two thousand dollars.

For the salary of a consul at Beyroot, five hundred dollars.

For the relief and protection of American seamen in foreign coun-
tries, fifty thousand dollars.

For clerk hire, office rent, and other expenses of the office of the
American consul at London, two thousand eight hundred dollars.

For the expenses of intercourse with the Barbary Powers, fifteen thou-
sand dollars.

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 Secre-
tary of State.

**Post Office Department.**—For the service of the General Post Office
for the year commencing on the first day of July, eighteen hundred and
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:

For transportation of the mail, three million one hundred and ninety-five thousand dollars.

For compensation of postmasters, nine hundred and twenty 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, thirty thousand dollars.

For mail locks, keys, and stamps, nine thousand dollars.

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.

For clerks for offices (for the offices of postmasters) two hundred and ten thousand dollars.

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.

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.

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-three, the sum of one thousand four hundred and fifty-four dollars.

For annual repairs at the President's house, gardener's salary, laborers, tools, and top dressing for plants, for the eighteen months ending thirty-first June, one thousand eight hundred and forty-four, three thousand seven hundred and thirty-four dollars and twenty-five cents.

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-one cents.

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 and seventy dollars.

For tripods with lamps, for the blocking in front of the General Post Office, two hundred dollars.

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.

For marble basin at the fountain on the terrace of the Capitol, one hundred and twenty dollars.

For pay of James Kelly, amount allowed him by the commissioners under the resolution of Congress, fifty dollars and forty-four cents.

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.

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, March 3, 1843.
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 surplus may be apportioned to others.

Proviso.

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.

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.

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.

Approved, March 3, 1843.

CHAP. CIII.—An Act granting a pension to certain revolutionary soldiers.

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, 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.

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.

Approved, March 3, 1843.
CHAP. CIII.—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 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.

No. 1. Joint Resolution for the distribution of catalogues of the library of Congress.

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.

No. 2. Joint Resolution to establish agencies for water-rotted hemp.

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.

No. 3. A Resolution for the distribution of certain copies of the Census returns and of the Compendium of the 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-
No. 4. Joint Resolution directing certain papers relating to titles to land in Louisiana, to be returned to the General Land Office.

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.

Approved, March 3, 1843.

No. 5. Joint Resolution, in relation to certain property purchased for the United States in the city of Detroit.

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.

Approved, March 3, 1843.
March 8, 1848.

No. 6. Joint Resolution for continuing an additional clerk in the Second Auditor's office.

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 8, 1848.

March 9, 1849.

No. 7. Joint Resolution relating to patents for 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.

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 Febru-
ary, one thousand eight hundred and three.

APPROVED, January 22, 1844.

CHAP. II.—An Act to refund the fine imposed on General Andrew Jackson.

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.

APPROVED, February 16, 1844.

CHAP. III.—An Act to authorize the President of the United States to direct tran-
sfers of appropriation in the naval service, under certain circumstances.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That upon the applica-
tion 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 thou-
sand dollars, or so much thereof as the public service may require during
the present fiscal year to the appropriation for "the increase, repairs, arma-
ment, and equipment of the Navy, and wear and tear of vessels in com-
mission." But no part of said sum shall be transferred from any unexp-
ended 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

(651)
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, and the circuit court of the United States for the district of Arkansas.

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 held 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. 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.

**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."

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, 478.

(b) Act of April 17, 1828, chap. 32.
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 deposit 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
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 10, 11. 1844.

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 willful negligence or any intention of fraud on the part of the owner or owners of such goods.

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.

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.

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.

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.

CHAP. XI.—An Act to repeal so much of the act approved the twenty-third of August, one thousand eight hundred 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 forty-three. (a)

Repeal of so much of act as requires 2d regiment of dragoons to be converted into a regiment of riflemen.

Regiment to be remounted, etc.

1833, ch. 76.

PROOFED, April 4, 1844.

(a) See notes to the act of July 5, 1833, chap. 163.
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:

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.

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.

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.

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.**

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.

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-cents; for pay of officers, instructors, and for commutation of subsistence, thirty-three thousand one hundred and fifty dollars and forty-eight cents; 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 pay of officers, instructors, and for commutation of forage for officers' horses, two thousand nine hundred and sixty-seven dollars and sixty-cents.

authority.

Commutation of clothing. Increase of expenses.

STATUTE L
April 22, 1844.

[Obsolete.]

Appropriation for increase, &c., of the navy.

STATUTE L
April 30, 1844.

[Obsolete.]

Appropriations.

Under act of July 4, 1836, ch. 363.
For deficiency in appropriations under acts of March 3, 1843, ch. 76, July 7, 1833, ch. 189, and Aug. 23, 1842, ch. 189.
Provided, That the Secretary of War may transfer appropriations under acts of July 7, 1833, ch. 189, and Aug. 23, 1842, ch. 189, to pay arrears under said acts, and act of March 3, 1843, ch. 76.

Half-pay pensions to widows and orphans.

Invalid pensions—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 L

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.

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 one thousand eight 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 July, eighteen hundred and thirty-eight, and the act of twenty-third August, eighteen hundred and forty-two, forty thousand dollars:

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-
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 16, 17, 18. 1844.

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.

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.

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.

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.

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.

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.

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

Approved, May 23, 1844.
On application of any pensioners resident in Kentucky, their names to be transferred to agency in Cincinnati.

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.

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 action arising under revenue laws without regard to the amount.

APPROVED, May 31, 1844.

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.

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.

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:

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;

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;

For repairs of Fort Ontario, New York, and preservation of its site, ten thousand dollars;

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;

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;
For Fort Warren, Boston harbor, fifteen thousand dollars;
For Fort Adams, Rhode Island, eight thousand dollars;
For rebuilding Fort Trumbull, New London harbor, Connecticut, twenty thousand dollars;
For Fort Schuyler, East river, New York, thirty thousand dollars;
For repairs of Castle Williams, New York harbor, eight thousand dollars;
For repairs of Fort Wood, Bedlow's Island, New York harbor, thirteen thousand dollars;
For repairs of Fort Hamilton, New York harbor, eight thousand dollars;
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;
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;
For repairs of 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;
For repairs of Fort Washington, Potomac river, Maryland, fifteen thousand dollars;
For Fort Monroe, Virginia, fifteen thousand dollars;
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;
For repairs of Fort Macon, Beaufort harbor, North Carolina, five thousand dollars;
For preservation of the site of Fort Caswell, at the mouth of Cape Fear river, North Carolina, six thousand five hundred dollars;
For preservation of the site of Fort Moultrie, Charleston harbor, South Carolina, ten thousand dollars;
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;
For Fort Sumter, Charleston harbor, South Carolina, forty-three thousand dollars;
For preservation of the site of Fort Johnson, Charleston harbor, South Carolina, one thousand five hundred dollars;
For Fort Pulaski, mouth of Savannah river, Georgia, thirteen thousand dollars;
For Fort McRee, Pensacola harbor, Florida, five thousand dollars;
For Fort Barrancas, Pensacola harbor, Florida, twelve thousand five hundred dollars;
For repairs of Fort Morgan, Mobile Point, Alabama, twelve thousand dollars;
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;

Fl.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.

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.

Copies to be presented to foreign governments, &c.

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.

Indictments, &c. to be tried at Trenton.

APPROVED, June 4, 1844.

(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.

---

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:

3 F
Cleveland harbor.
Harbor of Sandusky city.

River Raisin harbor.
Harbor of St. Joseph.
Harbor of Michigan city.
Harbor of Chicago.

Harbors on the lakes, not enumerated, but authorized by law.

STATUTES L.
June 12, 1844.

Act of July 4, 1836, ch. 392.
Office of Solicitor of the General Land Office abolished.
Duties to be performed by the Recorder, &c.

Acts inconsistent herewith repealed.

STATUTES L.
June 12, 1844.

Lafayette a port of delivery.

Surveyor to be appointed.
Ships and vessels to make report and entry at New Orleans before unloading at Lafayette.

Vessels departing from Lafayette to clear at the custom-house at New Orleans.

CHAP. XLV.—An act to amend an act entitled "An act to reorganize the General Land Office."

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.

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.

CHAP. XLVI.—An act to establish a port of delivery at the city of Lafayette, in the State of Louisiana.

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

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.

Approved, June 12, 1844.

STATUTE I.

June 12, 1844.

Salt from foreign ports may be unladen on the right bank of the river Mississippi, opposite New Orleans.

STATUTE I.

June 15, 1844.

Appropriation for covering the roof of the court house with tin.

The zinc at present on it to be disposed of.

STATUTE I.

June 15, 1844.

One section of land granted to be divided into lots and disposed of.

Proviso.

Commissioners to be appointed to value occupied lots, &c.

goods, &c. entitled to drawback.

STATUTE I.

June 12, 1844.

Salt from foreign ports may be unladen on the right bank of the river Mississippi, opposite New Orleans.

STATUTE I.
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.

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, Murfreesboro, 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.

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 Pearl, in said district, shall cease to be the port of entry: Provided, That Pearl, in 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.
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.

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, seaman, 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,

(a) An act authorizing an examination and survey of the harbor of Memphis, in Tennessee; March 9, 1843, chap. 93. 
A resolution to suspend part of the third section of the joint resolution of 11th Sept. 1841, relating to armories; Feb. 13, 1845.

VOL. V.—84 3 r2
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 L
June 15, 1844.

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 re-
ervation, 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, superintend-
et 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 L
June 15, 1844.

Chap. LVI.—An act to authorize the selection of certain school lands in the Ter-
ritories 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 six-
teenth 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 en-
tered 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 L
June 15, 1844.

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 Govern-
ment 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-
TWENTY-EIGHTH CONGRESS.  Sess. I. Ch. 57, 58, 59.  1844.  667

Two lots may be disposed of by the county commissioners.

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, 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.

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, five thousand dollars;

To pay widows' pensions, under the act of third March, eighteen hundred and thirty-seven, six 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.

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.
CHAP. LX.—An Act making appropriations for certain improvements 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, 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.

---

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.

---

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-depositions, &c.
For clerks for offices.
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. [Act of May 23, 1844, ch. 18, to be executed by the Secretary of War.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to 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.

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.

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:

For the pay of superintendents, naval constructors and all the civil establishments of the several yards, twelve thousand dollars;

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;

For contingencies not enumerated, one thousand five hundred dollars;

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.

APPROVED, June 15, 1844.

CHAP. LXV.—An act to establish certain post 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 be established as post roads in the Territory of Florida, to wit:

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 Emathla, Fort Izard, Homosassa, Annulliga, 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.
CHAP. LXVI.—An act making appropriations 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.

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.

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.

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-
patent 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.

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.

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

Legislatures to apportion the representation from time to time

Provido.

Justices of the peace, &c. to be elected by the people.

STATUTE LA. June 15, 1844.

STATUTE L. June 15, 1844.

Where application and payment were made to J. C. Cleland, but he did not make the returns, patents to issue.

Proviso.

Proviso.

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.
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.

Sect. 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.

Sect. 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.

Approved, June 15, 1844.

STATUTES L.

June 15, 1844.

CHAP. LXXI. — An Act making appropriation for the support of insane persons in the District of Columbia, and for other purposes.

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

Sect. 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.

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: 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.

Sec. 2. And be it further enacted, That an 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 all other acts or parts of acts relating to the same subject be, and the same are hereby, continued in force for the period of two years from and after the limitation provided for by an act approved March third, eighteen hundred and forty-three: Provided, That the foregoing act shall not extend to cases which may arise in any future war.

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, 1836.

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.

Approved, June 15, 1844.
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 75, 94. 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.

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.

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 mainprise, 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.

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.
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.

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 equipment 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.

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.

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.

Approved, June 17, 1844.
CHAP. XCVI.—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.

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.

CHAP. XCVI.—An Act concerning the Supreme Court of 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, 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 only regarded to, to attend more than one term of the circuit court within 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 any other term.

(e) 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, 394.
Notes of the acts relating to the Territory, afterwards the State, of Arkansas; vol. 3, 493.
CHAP. XCVIII. — An Act to extend the charters of the District Banks.

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 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
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 99, 100. 1844.

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.

Sect. 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 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. XCVI. — An Act to enable the War Department to supply certain balances of appropriation, 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 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 chargeable to the general head of suppression of Indian hostilities.

Sect. 2. And be it further enacted, That the balances of appropriation made twenty-nine 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.

CHAP. XCVII. — An Act supplementary to an act entitled "An act to regulate arrests on mean 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 impanneled 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.

APPROVED, June 17, 1844.

STATUTE 7.

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.

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.

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.

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
Proviso.

Property only to be held for religious purposes.

STATUTES I.
June 17, 1844.

Act of March 3, 1843, ch. 102, granting pensions to widows extended for 4 years from March 4, 1844.

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 thirty-first 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.

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

TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 102, 163, 104. 1844, 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.
the minimum price of said lands, from and after that day, shall be two dollars and fifty cents per acre.

Approved, June 17, 1844.

STATUTE L

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 expenses of the 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.
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 105. 1844.

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;

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;

For repairing the figure in the tympanum of the capitol, two hundred dollars;

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;

For painting, glazing, and whitewashing in the post office, three hundred and eighty-six dollars.

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 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.

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.—For compensation of the Secretary of the Treasury, and the clerks, messenger, and assistant messenger, in his office, twenty-six thousand and fifty dollars.

For compensation of the First Comptroller, and the clerks, messenger, and assistant messengers, in his office, twenty-two thousand six hundred 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, eighteen thousand nine hundred dollars.

For compensation of the Second Auditor, and the clerks and messenger in his office, twenty thousand nine hundred dollars.

For compensation of the Third Auditor, and the clerks, messenger, and assistant messenger, in his office, thirty-five thousand and fifty dollars.

For compensation of the Fourth Auditor, and the clerks and messenger in his office, eighteen thousand nine hundred and fifty dollars.

N. E. executive building. Contingent expenses.

Treasury Department. Secretary, &c.

First Comptroller, &c.

Second Comptroller, &c.

1st Auditor, &c.

2d Auditor, &c.

3d Auditor, &c.

4th Auditor, &c.
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 105. 1844. 683

For compensation of the Fifth Auditor, and the clerks and messenger in his office, twelve thousand eight hundred dollars.

For compensation of the Treasurer of the United States, and the clerks and messenger in his office, thirteen thousand seven hundred and fifty dollars.

For compensation of the Register of the Treasury, and the clerks, messenger and assistant messenger, in his office, twenty-seven thousand two hundred dollars.

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.

For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, seven thousand four hundred and fifty dollars.

Contingencies of the Treasury Department:

For the incidental and contingent expenses of said department, and of the various offices and bureaus connected therewith, viz:

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;
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;
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.
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 106. 1844.

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.

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 thousand and eighty dollars.

S. E. executive building. Contingent expenses.
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.

War Department. Secretary, &c.
For compensation of the Secretary of War, and the clerks, messenger and assistant messenger in his office, nineteen thousand four hundred and fifty dollars;
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 and messengers in his office, thirteen thousand five hundred dollars.

Commissioner of Indian Affairs, &c.
For compensation of clerks and messengers in the office of the Commanding General, one thousand dollars.
For compensation of the clerks in the office of the Adjutant General, seven thousand one hundred and fifty dollars.

Clk in office of Com’dg Gen.
For compensation of 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.

Adj. General.
For compensation of the clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars.

Quartermaster General.
For compensation of the clerks and messenger in the office of the Commissary General of Subsistence, three thousand eight hundred dollars.

Paymaster General.
For compensation of the clerks and messenger in the office of the Chief Engineer, five thousand one hundred and fifty dollars.
For compensation of the clerk in the office of the Surgeon General, one thousand dollars.

For compensation of the clerks in the office of the Colonel of Ordnance, eight thousand one hundred and fifty dollars.

For compensation of the clerk in the bureau of Topographical Engineers, one thousand dollars.

Contingencies of the War Department, viz: 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:
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:
For blank books, binding, and stationery, six hundred dollars;
For labor, fifty dollars;
For miscellaneous items, five hundred and fifty dollars;

In the office of the 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 dollars;

In the office of the Commanding General:
For miscellaneous items, three hundred dollars.

In the office of the Adjutant General:
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 attached to it:
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:
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:
For blank books, binding and stationery, two hundred and fifty dollars;
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:
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:
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 fuel, one hundred and fifty dollars;
For printing, eighty dollars;
For miscellaneous items, two hundred dollars.

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;
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, as 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.

For the contingent expenses of the northwest executive building, viz:
For labor, four hundred dollars;
For fuel and light, two thousand 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 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;
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;
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.

For contingent expenses of said department, and all the bureaus connected therewith, viz:
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.
For miscellaneous items, one thousand one hundred and twenty dollars;
For the contingent expenses of the southwest executive building, viz:
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.

**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 for other purposes, two thousand dollars;
For covering the coping of the Patent Office, to protect the building from injury by water, seven hundred dollars;
For an iron railing on the portico, and for lamp posts, six hundred dollars; which several sums, amounting in the aggregate to four thousand three hundred dollars, to be paid out of the patent fund.

**Post Office Department.**—For compensation to the Postmaster General, three Assistant Postmasters General, clerks, messenger, three assistant messengers, and two watchmen, of the said department, seventy-four thousand three hundred dollars; Provided, That no extra compensation shall be paid to clerks in any department for extra services;
For additional compensation to the four assistant messengers employed in the Post Office Department, two hundred dollars, so as to increase their compensation to four hundred dollars per year;
For the contingent expenses of said department, viz:
For blank books, binding, and stationery, one thousand eight hundred dollars;
For fuel and oil, two thousand and forty dollars;
For printing, nine hundred dollars;
For labor, one thousand two hundred and fifty dollars;
For day watch, three hundred and sixty dollars;
For miscellaneous items, eight hundred dollars; including compensation to the superintendent of the General Post Office building from the first of January, one thousand eight hundred and forty-two, to the thirtieth of June, one thousand eight hundred and forty-four, at the rate of two hundred and fifty dollars per year.

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.
For contingent expenses of said office, viz:
For labor, two thousand and forty dollars;
For blank books, binding, and stationery, one thousand one hundred dollars;
For printing blanks and circulars, one thousand and twenty dollars;
For miscellaneous items, seven hundred 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.
For compensation of the surveyor general in Illinois and Missouri, and the clerks in his office, five thousand eight hundred and twenty dollars.
For compensation of the surveyor general in Arkansas, and the clerks in his office, four thousand three hundred dollars.
For compensation of the surveyor general in Louisiana, and the clerks in his office, four thousand five hundred dollars.
For compensation of the surveyor general of Mississippi, and the clerks in his office, three thousand dollars.
For compensation of the surveyor general in Alabama, and the clerks in his office, four thousand dollars.
For compensation of the surveyor general in Florida, and the clerks 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.

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, etc. 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 of the United States and Branches.

For compensation of the officers and workmen of the mint at Philadelphia, namely:

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;
For wages to workmen, twenty-four thousand dollars.

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;
For wages to workmen, three thousand five hundred dollars;
For the incidental and contingent expenses of said branch, including fuel, materials, stationery, repairs and wastage of gold, fifteen hundred dollars;
For renewing the roof of the mint, one thousand dollars;

Workmen.

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.

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;
For incidental and contingent expenses of said branch, including fuel, materials, stationery, repairs, and wastage of gold, three thousand three hundred dollars;
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 assayer, two thousand dollars;
For the coiner, two thousand dollars;
For two clerks, two thousand four hundred dollars;
For wages to workmen, eighteen thousand dollars;
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;
For machinery and machinists, four thousand dollars.

Governments in the Territories of the United States.—For compensation of the officers of Wisconsin Territory, viz:
For Governor, two thousand five hundred dollars;
For three judges, five thousand four hundred dollars;
For secretary, one thousand two hundred dollars;
For contingent expenses of said Territory, three hundred and fifty dollars;

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.

For compensation of the officers of Iowa Territory, viz:
For Governor, two thousand five hundred dollars;
For three judges, five thousand four hundred dollars;
For secretary, one thousand two hundred dollars;
For contingent expenses of said Territory, three hundred and fifty dollars;

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.

For compensation of the officers of Florida Territory, viz:
For the Governor, two thousand five hundred dollars;
For the five judges, nine thousand five hundred dollars;
For the secretary, one thousand five hundred dollars;
For contingent expenses of said Territory, three hundred and fifty dollars;

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.

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.

Judiciary.—For compensation of the Chief Justice of the Supreme Court, and the eight Associate Judges, forty-one thousand dollars.

For compensation of the district judges, fifty-two thousand nine hundred dollars.

For compensation 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.
### TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 105. 1844.

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For compensation of the Attorney General, clerk and messenger in his office</td>
<td>five thousand five hundred dollars</td>
</tr>
<tr>
<td>For contingent expenses of said office</td>
<td>five hundred dollars</td>
</tr>
<tr>
<td>For compensation of the reporter of the decisions of the Supreme Court</td>
<td>one thousand three hundred dollars</td>
</tr>
<tr>
<td>For compensation of the district attorneys, including those in the several Territories</td>
<td>eight thousand dollars</td>
</tr>
<tr>
<td>For compensation of the marshals, including those in the several Territories</td>
<td>seven thousand two hundred dollars</td>
</tr>
<tr>
<td>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</td>
<td>four hundred thousand dollars</td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous.—For the payment of annuities and grants by special acts of Congress, seven hundred and fifty dollars.</td>
<td></td>
</tr>
<tr>
<td>For compensation of two keepers of the public archives in Florida, one thousand dollars.</td>
<td></td>
</tr>
<tr>
<td>For expenses in relation to the loan, two thousand five hundred dollars.</td>
<td></td>
</tr>
<tr>
<td>For the support and maintenance of the penitentiary of the District of Columbia, five thousand dollars.</td>
<td></td>
</tr>
<tr>
<td>For payment to Horatio Greenough for statues for the east front of the Capitol, four thousand dollars.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>To make good a deficiency in the fund for the relief of sick and disabled seamen, twenty-five thousand dollars.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
</tbody>
</table>
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 105. 1844.

For lighting Pennsylvania avenue during the sessions of Congress, six hundred dollars;

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.

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.

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.

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.

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.

For continuing the preparation and publication of the "Narrative and Account of the Exploring Expedition, forty thousand dollars.

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.

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 seventy-five cents.

For expenses of superintendents in visiting their light-houses annually, and examining and reporting their condition, two thousand dollars.

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.

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.

For surveying, with reference to mines and minerals, in that portion of the United States known as Louisiana, one hundred and ten thousand dollars.
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.

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.

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.

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.

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.

Intercourse with Foreign Nations.—For salaries of the ministers to Great Britain, France, Russia, Prussia, Austria, Spain, Mexico, and Brazil, seventy-two thousand dollars.

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

For salaries of charges des affaires to Portugal, Denmark, Sweden, Holland, Belgium, Chili, Peru, Venezuela, New Granada, Texas, Naples, Sardinia, and Buenos Ayres, forty-eight thousand five hundred dollars.

For salary of a minister resident to Turkey, six thousand dollars.

For salary of a droygoman to the legation to Turkey, two thousand five hundred dollars.

For expenses of intercourse with the Barbary Powers, ten thousand dollars;

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;

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

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 charges 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.

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.

For clerk hire, office rent, and other expenses of the office of the consul at London, two thousand eight hundred dollars.

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 thirteenth, 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
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.

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.

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-three, and twenty dollars for the fiscal year ending thirtieth June, one thousand eight hundred and forty-four, thirty dollars; 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; 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; For arrearages of contingent expenses in the office of the Adjutant General, five hundred dollars; 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; For arrears of extra clerk hire in the bureau of Provisions and Clothing, five hundred and thirty-eight dollars; For three large book-cases, made for the use of the Executive office, Florida Territory, one hundred and twenty dollars; For arrearages of former sessions of the Legislative Council of Florida, four hundred dollars; For amount expended for the purchase of a site for a light house on Boddry's island, North Carolina, being part of the amount appropriated for that purpose, carried to the surplus fund on the thirty-first of De-
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;
Expenses of procuring information respecting foreign commerce.

Sec. to publish monthly the last preceding weekly statement of the Treasurer, &c.

Quarterly statement of receipts and expenditures to be published.

Number of officers in custom-houses not to be increased.

Sav. CVL. — 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.

Army.

Commutation of subsistence.

Commutation of forage.

Provided, That forage shall be allowed only for horses actually mustered.
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.

For subsistence in kind, two hundred and twenty-six thousand three hundred and sixteen dollars and eighty cents.

For clothing for the army, camp and garrison equipage, one hundred and forty thousand dollars.

For expenses of recruiting, twenty-seven thousand three hundred and sixty-four dollars and seventy cents.

For three months' extra pay to non-commissioned officers, musicians and privates, nine thousand four hundred and twenty dollars.

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 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.

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.

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, &c.; and of grounds for summer can-
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 Captain C. Thomas and E. B. Alexander.

Building at Newport, Ky.

Transportation of officers' baggage, when travelling on duty without troops, thirty-five 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; freight 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 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.
CHAP. CVIL.—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 the 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;
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 107. 1844.

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 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;
For pay of porter of navy-yard, three hundred dollars;
For pay of keeper of the magazine, four hundred and eighty dollars;
For pay of the civil establishment of the navy-yard in Philadelphia, viz:
For pay of naval store-keeper, twelve hundred and fifty dollars;
For pay of clerk to naval store-keeper, seven hundred and fifty dollars;
For pay of chief naval constructor, three thousand dollars;
For pay of principal steam engineer, twenty-five hundred dollars;
For pay of naval store-keeper, seventeen hundred dollars;
For pay of clerk of naval store-keeper, seven hundred and fifty dollars;
For pay of inspector of timber, 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 the navy-yard, three hundred dollars;
For pay of the keeper of the magazine, four hundred and eighty dollars;
For pay of the civil establishment at the navy-yard at Gosport, Virginia, viz:
For pay of the 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-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;
For pay of the keeper of the magazine, four hundred and eighty dollars;
For pay of the civil department of the navy-yard at Pensacola, in Florida, viz:
For pay of naval store-keeper, seventeen hundred dollars;
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;
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.
and where a store-keeper is necessary: Provided, 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: And provided also, That the annual compensation for all his services except travelling, shall not exceed fifteen hundred dollars.

For provisions for the navy, 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, twelve thousand two hundred and fifty dollars;

For the increase, repair, armament and equipment of the navy, and wear and tear of vessels in commission, one million dollars;

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;

For books, maps, charts and instruments, binding and repairing the same, and all expenses of the Hydrographical office, twenty-three thousand two hundred dollars;

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;

For improvements and necessary repairs of navy-yards, viz:

At Kittery, Maine, twenty-four thousand eight hundred dollars;

At Charlestown, Massachusetts, twenty-four thousand five hundred dollars;

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 at 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.

At Philadelphia, Pennsylvania, nine thousand two hundred and twenty-two dollars and sixty-six cents;

At Washington, District of Columbia, sixteen thousand two hundred and sixty-seven dollars;

At Gosport, Virginia, twenty-nine thousand eight hundred and eighty dollars;

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.
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.

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.

For contingent expenses that may accrue for the following purposes, viz:

- 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 coal 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;

- For contingent expenses for objects not hereinbefore enumerated, five thousand dollars;

- For coal and other fuel for steam vessels, forty thousand eight hundred and eighty dollars;

- 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;

- For clothing, forty-three thousand six hundred and thirty-five dollars;

- For provisions, forty-five thousand and eleven dollars and ninety-five cents;

- For fuel, sixteen thousand two hundred and seventy-four dollars and twelve cents;

- For military stores, repair of arms, pay of armories, accoutrements,
ordnance stores, flags, drums, fife, and musical instruments, two thousand eight hundred dollars;

For transportation of officers and troops, and for expenses of recruiting, eight thousand dollars;

For repair of barracks and rent of temporary barracks, six thousand dollars;

For contingencies, viz:
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.

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.

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.

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.

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.

Approved, June 17, 1844.
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-four, and ending on the thirtieth day of June, eighteen 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 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.

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 postage, 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, 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 Saganaun.—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 Sagawaw, 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;

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.

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.

To the Chippewas, Ottowas, 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;

For limited annuity, for twenty years, stipulated in the second (supplemental) 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 third article of the treaty of twenty-sixth September, one thousand eight hundred and thirty-three, two 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 limited annuity, for twenty years, stipulated in the seventeenth article of the treaty of twenty-seventh September, eighteen hundred and thirty, seven 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 limited annuity, for 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;
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 108. 1844.

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;

For iron and steel, three hundred and twenty dollars;

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.

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;

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;

For iron and steel, two hundred and seventy dollars;

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;

For iron and steel, five hundred and forty dollars;

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;

For iron and steel, two hundred and seventy dollars;

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;

For agricultural implements, stipulated in the eighth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, two thousand dollars;

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;

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.

To the Chickasaws.—For permanent annuity, stipulated in the act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars;

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;
To the Cherokees.—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; For iron and steel, one thousand and eighty dollars; For wagon-maker, stipulated in the fourth article of the treaty of fourteenth of 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.

To the Chippewas of Lake Superior and Mississippi.—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; 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; 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; For the support of two farmers, stipulated for in same article, same treaty, one thousand dollars; For the pay of two carpenters, stipulated for in same article, same treaty, twelve hundred dollars; For the support of schools, stipulated for in same article, same treaty, two thousand dollars; 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; For pay of two carpenters, in part, (omitted to be appropriated last year,) two hundred dollars.

To the Delawares.—For permanent annuity, stipulated in the fourth article of the treaty of third of August, seventeen hundred and ninety-five, one thousand dollars; 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; For blacksmith and assistant, as stipulated in the sixth article of treaty of third October, eighteen hundred and eighteen, seven hundred and twenty dollars; For iron and steel, &c., for shops, two hundred and twenty dollars; 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-
TWENTY-EIGHTH CONGRESS. Sess. I. Ch. 108. 1844.

solution of Senate of nineteenth January, eighteen hundred and thirty-eight, two thousand three hundred and four dollars;

To the Florida Indians.—For blacksmith and assistant, as stipulated in the sixth article of the treaty of eighteen of September, eighteen hundred and twenty-three, and treaty of ninth of May, eighteen hundred and thirty-two, one thousand dollars;

Education.

For education, as stipulated in same treaties, five hundred dollars;

Iowa.

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 eighteenth October, eighteen hundred and thirty-eight, seven thousand eight hundred and seventy-five 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.

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 the 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 sixteen, eight thousand and six hundred dollars; for one hundred and sixty bushels of salt, as stipulated in same article, same treaty, three hundred and twenty dollars;

Salt.

Education.

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;

For the eighth of ten instalments, as stipulated in second article of treaty of twenty-fourth of October, eighteen hundred and thirty-two, five thousand dollars;

For the seventh of ten instalments, as stipulated in third article of treaty of second of 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, twelve thousand and fifty dollars;

For payment in lieu of laborers, as stipulated in sixth article of treaty of twenty-eighth November, eighteen hundred and forty, twelve thousand five hundred dollars;

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 Menomones.—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, one thousand 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.
TWENTY-EIGHTH CONGRESS.  Sess. I. Ch. 108.  1844.

For pay of two mechanics, stipulated in the same, twelve hundred dollars;

To the Ottos and Missourias.—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, &c., for shop, two hundred and twenty dollars;

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;

For education, during pleasure of the President, stipulated in the same, five hundred dollars;

For limited annuity, for ten years, stipulated in the second article of the same, two thousand five hundred dollars;

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;

For limited annuity, for twenty years, stipulated in the second article of the treaty of twentieth August, 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;

To the Ottowas.—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 sixteenth October, eighteen hundred and twenty-six, two 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;

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;

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;

For iron and steel, &c. for shop, two hundred and twenty dollars;

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;

To the Pottawatomies of Huron.—For permanent annuity, stipulated in the second article of the treaty of seventeenth November, eighteen hundred and seven, five hundred dollars;

To the Pottawatomies of the Prairie.—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;

For life annuity to two chiefs, stipulated in the same article, four 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;

To the Pottawatomies of Indiana.—For education, during pleasure of Congress, stipulated in the fourth article of the treaty of seventeenth October, eighteen hundred and thirty-two, two thousand dollars;

To the Piankeshaws.—For permanent annuity, as per fourth article of the treaty of third August, seventeen hundred and ninety-five, five hundred dollars;

For permanent annuity, as per fourth article of the treaty of thirtieth December, eighteen hundred and five, three hundred dollars;

To the Pawnees.—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;

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;

To supply a deficiency in the appropriation for the fiscal year ending June thirtieth; eighteen hundred and forty-four; to wit:

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;

To the Seminoles.—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, forty thousand dollars;

To the Sacs and Foxes.—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, thirty-two thousand dollars;

To the Chippewas of Lake Superior and Mississippi.—To carry into effect the stipulations of a treaty, concluded with them on the fourth of October, eighteen hundred and forty-two; viz:
Annuity.
For payment of the limited annuity in specie, per fourth article, twelve thousand five hundred dollars;
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;
For support of two blacksmiths' shops, including pay of smith and assistants, and furnishing iron and steel, per same article, two thousand dollars;
For pay of two farmers, per same article, one thousand dollars;
For pay of two carpenters, per same article, twelve hundred dollars; for support of schools for Indians, parties to the treaty, per same article, two thousand dollars;
For balance due the Shawnees, under the treaty of eighteen hundred and twenty-five, two thousand and sixty-two dollars;
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 the Chippewas of Lake Superior.—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.
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: Provided, 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: And provided further, That nothing be paid for any improvements or property without the limits of the reserve.
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 pleasure of President, stipulated in same article, one thousand dollars;
For blacksmith and assistant, during the pleasure of the President, stipulated in the third article of same treaty, eight hundred and forty dollars;
For iron and steel, &c. for shop, two hundred and twenty dollars;
For pay of farmer, stipulated in the third article of the treaty of thirteenth of May, eighteen hundred and thirty-three, six hundred dollars;
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;
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;
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;
For iron and steel, &c. for shop, two hundred and twenty dollars;
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;
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
TWENTY-EIGHTH CONGRESS. Ses. I. Ch. 106. 1844. 713

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, seven 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 Yancon and Santee Sioux.—For blacksmith and assistant during the pleasure of the President, stipulated in the fourth article of treaty of fifth July, eighteen hundred and thirty, seven hundred 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 fifth July, eighteen hundred and thirty, seven hundred twenty dollars;

To the Sacs and Foxes of Missouri.—For blacksmith and assistant during the pleasure of the President, stipulated in third article of treaty of third November, eighteen hundred and forty, one thousand dollars;

For limited annuity, for thirty years, stipulated in third 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 forty, one thousand 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 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 Shawnees.—For permanent annuity, stipulated in fourth article of treaty of third August, seventeen hundred and ninety-five, one thousand dollars;
For permanent annuity, stipulated in fourth article of treaty of twenty-ninth September, eighteen hundred and seventeen, two thousand dollars;

1838, ch. 232. 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;

For iron and steel, &c. for shop, two hundred and twenty dollars;

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. To the Senecas.—For permanent annuity, stipulated in fourth article of treaty of twenty-ninth September, eighteen hundred and seventeen, five thousand dollars;

Annuity. For permanent annuity, stipulated in fourth article of treaty of seventeenth September, eighteen hundred and seventeen, five thousand dollars;

Blacksmith. For blacksmith and assistant, during pleasure of President, stipulated in fourth article of treaty of thirty-first January, eighteen hundred and thirty-one, eight hundred and forty dollars;

Iron. For iron and steel, &c. for shop, two hundred and twenty dollars;

Senecas. To the Senecas.—For permanent annuity, stipulated in fourth article of treaty of twenty-ninth September, eighteen hundred and seventeen, five thousand dollars;

Annuity. For permanent annuity, stipulated in fourth article of treaty of seventeen September, eighteen hundred and seventeen, five thousand 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;

Müller. 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;

Wyandotte. To the Wyandottes.—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;

Annuity. For permanent annuity, 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 seven annuities. For limited annuity, stipulated in the second article of the treaty of the first of August, eighteen hundred and twenty-nine, two hundred and fifty dollars;

Weas. For the purchase of three thousand pounds of tobacco, stipulated in the same, three hundred and fifty dollars;

Winnebagoes. 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;

Annuities. 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;

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;
For pay of laborers and for oxen, stipulated in the same, three hun-
dred and sixty-five dollars;
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;
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;
For the pay of two physicians, stipulated in the fifth article of the
same, four hundred dollars;
For interest on investment in stock, at five per centum, on one mil-
lion one hundred thousand dollars, stipulated in the fourth article of the
treaty of first November, eighteen hundred and thirty-seven, fifty-five
thousand dollars.
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.
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 appropra-
tions, two thousand one hundred and eighty-seven dollars and fifty cents,
or so much thereof as may be necessary.
APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

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.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That Andrew Ander-
son, James T. Allen, George Benson, John Bailey, John R. Brown, Ed-
ward Bourguin, Jacob Baker, William Brownson, Robert Cooper, Ed-
ward 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 Mor-
gan, 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
Tysor, William D. Tolbott, William Taylor, Thomas J. Vanderslice,
James B. Williams, Hiram B. Webster, James Kelly, William Denford,
Edward Hansbury, Joseph E. Dunham, Charles Linguist, Gilbert Leo-
nard, and Joseph Lampade, all of the parish of Plaquemines in the State
of Louisiana, or their legal representatives, be, and they are hereby, au-
thorized to enter at the land office in the southeastern land district in
said State, within six months after the passage of this act, section seven-
eteen 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

Provided.
TWENTY-EIGHTH CONGRESS. Sess. 1, Res. 1, 2, 3, 4. 1844.

April 30, 1844.

To ensure to their benefit severally. Proviso.

To ensure to their benefit severally. Proviso.

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,

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.

No. 1. A Joint Resolution accepting the sword of Washington and staff of Franklin.


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.

No. 3. Joint Resolution accepting the Camp Chest of General Washington.

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

APPROVED, April 30, 1844.
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.

No. 5. Joint Resolution providing for the printing of additional copies of the journals and public documents.

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.

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.

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 property of the 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 by the United States, some years since; and he shall have power to set apart the said premises for the use of a customs-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.

No. 9. Resolution authorizing the corporation of Baltimore to use a building of the United States at Lazaretto Point.

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.
TWENTY-EIGHTH CONGRESS. Sess. I. Res. 10, 11, 12, 14. 1844.

No. 10. A Resolution respecting receipts issued by the Treasurer of the United States, 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.

No. 11. A Resolution suspending the joint resolution providing for the printing of additional copies of the journals and public documents.

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.

No. 12. A Resolution to continue two clerks in the business of reservations and grants under Indian treaties.

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.

No. 14. A Joint Resolution in relation to the transmission of the British mail between Boston and Canada, and for other purposes.

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.

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.

Approved, June 15, 1844.

No. 16. A Joint Resolution authorizing the transfer of certain clerks in the Treasury Department.

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.

Approved, June 15, 1844.

No. 17. A Resolution relating to the public lands appertaining to the armories at Springfield and Harper's Ferry.

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 corporate authorities of Springfield, or from individual proprie-
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.

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.
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)

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.

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.

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".

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."

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:
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, 1793, 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.

VOL. V.—91
3L (721)
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.

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.

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.

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 said State. One term to be held annually for the business of the western district.

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
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.

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.

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 pres-
cent 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 here-
by, authorized to distribute copies of said work to ministers and diplo-
amatic 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.

Approved, February 20, 1845.

Chap. XIV. — An Act making appropriations for the payment of revolutionary
and other pensioners of the United States, for the year ending the thirty-first 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 payment of pensions for
the year ending the thirty-first June, eighteen hundred and forty-six:

For revolutionary pensions under the act of eighteenth March, eigh-
teen hundred and eighteen, one hundred and eighty-six thousand two
hundred dollars;

For invalid pensions under various laws, one hundred and eighty-four
thousand eight hundred dollars;

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;

For pensions to widows under the act of seventh July, eighteen hun-
dred and thirty-eight and the supplementary act of twenty-third Aug-
ust, eighteen hundred and forty-two, one hundred and eighty thousand
dollars;

For pensions to widows under the act of third March, eighteen hun-
dred and forty-three, eighty thousand dollars;

For half pay pensions to widows and orphans, payable through the
Auditor's office, one thousand five hundred dollars;
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, two hundred and forty-three, twenty-nine thousand dollars.

Approved, February 20, 1845.

Chap. XV. — An Act restricting the grant of pensions in certain cases.

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.

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.

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 of 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 ent-
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 held 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.

APPROVED, February 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 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.

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.

APPROVED, February 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.

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.

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.

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.

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.(c)

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.

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-

(c) 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.

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.

APPROVED, February 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.

APPROVED, February 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.”

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. 81.
So much of the 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.

Proviso.

Governor of Alabama authorized to select the lands within two years.

The 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. 2. 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.

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.

CHAP. XXVIII.—An Act to authorize a relocation 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 any certificate of relocation, the holders or assignees shall deposit a copy of their derailment of title from General Lafayette, and a release of title to the lands located at Point Coupee.

APPROVED, February 26, 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.

VOL. V.—92
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 unload 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.

APPROVED, March 1, 1845.

STATUTE II.
March 1, 1845.

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 18, 1844, ch. 46.

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 thirty, 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.

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 Imam 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 Imam 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, 1845.

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.

Approved, March 1, 1845.

CHAP. XLI.—An Act renewing certain naval pensions for the term of five years.

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.

Approved, March 3, 1845.

CHAP. XLI.—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.

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

Circuit courts in N. Carolina.

S. Carolina.

Georgia.

Southern dist.

Louisiana.

Process re-

Statute II.

Pensions here-

March 3, 1845.

March 3, 1845.

March 3, 1845.
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 ter-
mination 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.

Ssc. 2. And be it further enacted, That, for the purpose hereinbe-
fore 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 re-
main, 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.

Ssc. 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 fur-
ther 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.

Ssc. 4. And be it further enacted, That the said canal when com-
pleted, 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 ser-
vice, 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
held 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.
TWENTY-EIGHTH CONGRESS. Sess. II. Ch. 43. 1845.

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.

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.

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.

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
TWENTY-EIGHTH CONGRESS. Sess. II. Ch. 43. 1845.

784

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 the disposal or under his control for effecting the same.

Sess. 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.

Sess. 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
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.

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, anything in this law to the contrary notwithstanding.

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.

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.
Mailable matter not to be conveyed over any regular mail route otherwise than in the mail.

Exceptions.

Penalty.

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.

Penalty for transporting persons engaged in carrying mail matter over any mail route.

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, packages, or other matter to any part of the United States, by private hands, with the knowledge or connivance of the driver, conductor, or other person having charge of any such stage-coach, railroad car, steamboat, or other vessel or vehicle, nor with the knowledge or connivance of the owner or owners thereof, in whole or in part, unless such conveyance or transmission be with the knowledge or connivance of such person or persons as aforesaid; and the owner or owners of the stage-coach, railroad car, steamboat, packet boat, or other vehicle or vessel, shall, for each and every such offence, forfeit and pay the sum of fifty dollars.

Carrying of letters, &c, by private hands, without compensation, not prohibited.

Penalty for transmitting, by private express, mail matter forbidden by this act.

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 transmitted 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 by such unlawful expresses, shall, for each and every offence, forfeit and pay the sum of fifty dollars.

Transmission of letters by steamboats, under act of 3d March 1825, ch. 64, sec. 5, 6, not prohibited.

Provided: that the requirements of 6th sec. act of 3d March 1825, ch. 64, to be complied with.

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.

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.

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.

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
Free exchange of newspapers between publishers not prohibited.
1825, ch. 55.

Penalties, &c., under this act, one-half to go to the person or persons informing and prosecuting for the same, and one-half to 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 proceedings, 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. 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 proceedings, 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 waggons 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.

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.

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 a 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.

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.

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.

Approved, March 3, 1845.

STATUTE II.

March 3, 1845.
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:

For transportation of the mail, three million and fifty thousand dollars;

For compensation to postmasters, nine hundred and seventy-five thousand dollars;

For ship, steamboat, and way letters, twelve thousand dollars;

For wrapping paper, sixteen thousand dollars;

For office furniture, (for the offices of postmasters,) four thousand dollars;

For advertising, thirty thousand dollars;

For mail bags, sixteen thousand dollars;

For blanks, twenty-two thousand dollars;

For mail locks, keys, and stamps, six thousand dollars;

For mail depredations and special agents, thirty thousand dollars.

Provided, however, 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;

For clerks, (for the offices of postmasters,) two hundred thousand dollars;

For miscellaneous, fifty-five thousand dollars.

Approved, March 3, 1845.

STATUTE II.
March 3, 1845.

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.

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 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 confirmees 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.

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.

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.

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.

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 confirmee, 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.

Approved, March 3, 1845.

(a) It is "and" in the original, but probably a mistake.
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:

For the pay of officers, instructors, cadets, and musicians, seventy-nine thousand four hundred and sixty dollars;

For commutation of subsistence, three thousand five hundred and seventy-seven dollars;

For commutation of forage for officers’ horses, two thousand five hundred and ninety-two dollars;

For clothing for their servants, four hundred and twenty dollars;

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;

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.”

The pay of a cadet. Section 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.

Approved, March 3, 1845.

TWENTY-EIGHTH CONGRESS. Senate II. Ch. 47, 48. 1845.

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.

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:

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.

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

(a) Notes to the act of June 12, 1858, 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.

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.

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.

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.

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.

APPROVED, March 3, 1845.

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.

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:

For defensive works and barracks near Detroit, Michigan, thirty-five thousand dollars;
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;

Fort 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;

Fort 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;

Fort 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.

APPROVED, 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:

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.

Major Isaac Garrison's command, from the nineteenth March to fifth July, eighteen hundred and thirty-eight.

Captain Arthur Robert's company, from September thirteenth, eighteen hundred and thirty-eight, to January thirteenth, eighteen hundred and thirty-nine.

Captain J. L. Thigpen's company, from first March to thirty-first August, eighteen hundred and thirty-eight.

Captain William William's company, from sixteenth August, eighteen hundred and thirty-eight, to February sixteenth, eighteen hundred and thirty-nine.

Captains William Cone and John Bryan's companies, from sixteenth August to fifteenth September, eighteen hundred and forty.

Captain J. L. Stewart's company, from nineteenth August to thirtieth September, eighteen hundred and forty.

Captain Stephen Daniel's company, from October thirteenth to November twenty-sixth, eighteen hundred and forty-two.

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.

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.

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.

APPROVED, 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

APPROVED, March 3, 1845.
army for the fiscal year ending on the thirtieth of June, eighteen hundred and forty-six:

For pay of the army, one million three hundred and twenty-eight thousand nine hundred and sixty-six dollars;

For commutation of officers' subsistence, four hundred and sixty-three thousand nine hundred and thirty-four dollars;

For commutation of forage for officers' horses, sixty-four thousand dollars. 

Provided, 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;

For payments in lieu of clothing for discharged soldiers and officers' servants, twenty-eight thousand eight hundred and ninety dollars;

For subsistence in kind, three hundred and six thousand and ninety-seven dollars and fifty dollars [cents];

For clothing, and camp and garrison equipage, one hundred and eighty thousand dollars;

For expenses of recruiting, twenty-four thousand eight hundred and twenty-seven dollars and eight [cents];

For three months extra pay to non-commissioned officers, musicians, and privates, twelve thousand nine hundred and six dollars;

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;

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 interview 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.

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;

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;

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;

For purchase of ordnance, and ordnance stores, and supplies, eighty thousand dollars;

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.

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;

For repairs and improvements and new machinery at Harper's Ferry armory, eighteen thousand dollars;

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;

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.

Approved, March 3, 1845.
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.

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.

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:

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;

For repairing the United States' military road between Fort Howard and Fond du Lac, the sum of two thousand dollars;

For the improvement of the road from Southport, by way of Geneva, to the town of Beloit, five thousand dollars.

Approved, March 3, 1845.

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.

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.

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.

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.

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.

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 by the Secretary of State, be, and he is hereby, authorized to empower certain countries' consuls of the United States to pay the foreign postage of such letters, 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. 3. 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.

Statute 11.

March 3, 1845.

Chap. LXX.—An Act allowing drawback on foreign merchandise exported in the original packages to Chihuahua and Santa Fe, 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 Fe, 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, 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.)

Re-inspection of goods in Arkansas and Missouri.

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.

Sec. 5. **And be it further enacted,** That if the exporter shall give bond, with satisfactory sureties, in twice 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.

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, abovesaid, 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. 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 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.

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
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.

Sec. 9. And be it further enacted, That no goods, wares or merchan-
dise, exported according to the provisions of this act, shall be volunta-
arily 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 ille-
gally 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 Treas-
ury is hereby further authorized to prescribe such rules and regulations,
not inconsistent with the laws of the United States, as he may deem ne-
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 diplo-
matic expenses of the Government for the year ending the thirtieth June, eighteen hun-
dred and forty-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 hereby are, appropriated to the objects hereinafter expres-
sed, 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:

For compensation and mileage of Senators and Members of the
House of Representatives and Delegates, five hundred thousand dollars.

For compensation of the officers and clerks of both Houses of Con-
gress, thirty-two thousand and ten dollars and fifty cents.

For compensation of three clerks employed in the office of the Sec-
retary of the Senate, under resolutions of the Senate, four thousand five
hundred dollars.

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.

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. Provided, 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.

Library of Congress.—For compensation of librarian, 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, five thousand 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 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; Provided, 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.

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

Department of State.—For compensation of the Secretary of State, and the clerks, messenger, and assistant messenger, in his office, twenty-six thousand three hundred dollars.

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, 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:

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.

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-eight thousand five 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.

For compensation of the Second Auditor, and the clerks and messenger in his office, twenty-one thousand nine hundred dollars.

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. For compensation of the Fourth Auditor, and the clerks and messenger in his office, twenty thousand nine hundred and fifty dollars.

5th 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 of the Treasury Department: In the office of the Secretary of the Treasury.

First Comptroller. 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;

Second Comptroller. For miscellaneous expenses, one thousand dollars.

In the office of the First Comptroller:

For miscellaneous items, three hundred dollars.

For expenses incident to loans, three thousand dollars.

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;

First Auditor. For miscellaneous items, three 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.

Second Auditor. For blank books, binding, stationery, labor, and printing blanks, seven hundred and fifty dollars;

For miscellaneous items, one hundred dollars.

Third Auditor. For blank books, binding, printing, stationery, labor, and office furniture, eight hundred dollars;

For miscellaneous items, two hundred dollars.

Fourth Auditor. For blank books, binding, stationery, printing, and labor, seven hundred dollars;

For miscellaneous items, two hundred dollars.

Fifth Auditor. For blank books, binding, stationery, and labor, three hundred and seventy-five dollars;

For miscellaneous items, three hundred and fifty dollars.

Treasurer. For miscellaneous items, three hundred and fifty dollars.
TWENTY-EIGHTH CONGRESS. Sess. II. Ch. 71. 1845.

For labor, three hundred and seventy-five dollars.
In the office of the Register of the Treasury:
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:
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:
For blank books, binding, 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:
For labor, fuel, and light, seven thousand seven hundred dollars;
For miscellaneous items, one thousand seven hundred dollars.

War Department.—For compensation of the Secretary of War, and the clerks, messenger, and assistant messenger in his office, nineteen thousand one hundred and fifty dollars.
For compensation of the Commissioner of Indian Affairs, and the clerks, messenger and assistant messenger in his office, nineteen thousand four hundred and fifty dollars.
For compensation of the Commissioner of Pensions, and the clerks in his office, fourteen thousand five hundred dollars.
For compensation of the clerk in the office of the Commanding General, one thousand dollars;
For compensation of clerks in the office of the Adjutant General, seven thousand one hundred and fifty dollars.
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.
For compensation of clerks and messenger in the office of the Paymaster General, seven thousand one hundred dollars.
For compensation of clerks in the office of the Commissary General of Subsistence, three thousand eight hundred dollars.
For compensation of clerks in the office of the Chief Engineer, five thousand one hundred and fifty dollars.
For compensation of the clerk in the office of the Surgeon General, one thousand dollars.
For compensation of clerks in the office of the Colonel of Ordnance, eight thousand one hundred and fifty dollars.
For compensation of the clerk in the bureau of Topographical Engineers, one thousand dollars.
Contingencies of the War Department, viz:
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:
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:
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.

In the office of the Commanding General:
For miscellaneous items, three hundred dollars.

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.

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.

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.

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.

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.

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.

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.

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;
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;

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;

For contingent expenses of said department, and all the bureaus connected therewith, viz:

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:

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;

For the contingent expenses of the said department, viz:

For blank books, binding, stationery, fuel, oil, printing, labor, and daily watchmen, six thousand one hundred and sixty dollars;

For miscellaneous items, eight 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 lots for the Post Office building is situated, at the prices agreed upon with the owners of the property, twenty-eight thousand two hundred and fifty dollars;

For the contingent expenses of said office, viz:

For labor, blank books, binding, stationery, printing blanks and circulars, four thousand one hundred and sixty dollars;

For miscellaneous items, seven hundred dollars;

For gardener's salary, twelve hundred dollars.

For repairs of the President's house, laborers and cartage, tools, wire, twine, leather, stakes, 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.

For contingencies for Capitol 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.

For gardener's salary, twelve hundred dollars.

For repairs of the President's house, laborers and cartage, tools, wire, twine, leather, stakes, 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.

For gardener's salary, twelve hundred dollars.
TWENTY-EIGHTH CONGRESS. 3d Sess. II. Ch. 71. 1845.

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.

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.

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.

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.—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.

For compensation of the surveyor general in Illinois and Missouri, and the clerks in his office, five thousand eight hundred and twenty dollars.

For compensation of the surveyor general in Arkansas, and the clerks in his office, four thousand three hundred dollars.

For compensation of the surveyor general in Louisiana, and the clerks in his office, five thousand eight hundred and twenty dollars.

For compensation of the surveyor general in Mississippi, and the clerks in his office, three thousand six hundred dollars.

For compensation of the surveyor general in Alabama, and the clerks in his office, four thousand dollars.

For compensation of the surveyor general in Florida, and the clerks in his office, five thousand five hundred dollars.

For compensation of the surveyor general in Wisconsin and Iowa, and the clerks in his office, three thousand one hundred dollars.

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.

For compensation of the secretary to sign patents for public lands, one thousand five hundred dollars.

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

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.
Mint of the United States and Branches.—At Philadelphia, viz.:
For salaries of the director, treasurer, chief coiner, melt-er and
refiner, engraver, assayer, assistant assayer, and four clerks, nineteen thou-
sand two hundred dollars.
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.
For specimens of ores, to be reserved at the mint, three hundred dol-
las.
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 execu-
tion of it, that the whole cost of the building shall not exceed the afore-
said sum;
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;
For salaries of superintendent, assayer, coiner and clerk, six thousand
dollars; and the Secretary of the Treasury is hereby required, imme-
diately 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.
At Dahlonega, Georgia, viz:
For salaries of the superintendent, assayer, coiner, and clerk, six
thousand dollars;
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;
At New Orleans, viz:
For salaries of superintendent, treasurer, coiner, assayer, melter and
refiner, and two clerks, twelve thousand nine hundred dollars;
For wages of workmen, nineteen thousand dollars;
For incidental and contingent expenses, including fuel, materials,
stationery, water rent, repairs, and wastage, twenty-three thousand dol-
lars;
Governments in the Territories of the United States.—Wisconsin
Territory:
For salaries of Governor, three judges, and Secretary, nine thou-
sand one hundred dollars; for contingent expenses of said Territory,
three hundred and fifty dollars;
For compensation and mileage of the members of the Legislative As-
semble, pay of officers and attendants, printing, stationery, fuel, and
other incidental and contingent expenses, thirteen thousand seven hun-
dred dollars;
Iowa 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;
For compensation and mileage of the members of the Legislative As-
semble of said Territory, pay of officers and attendants, printing, sta-
tonery, fuel, and other incidental and contingent expenses, fourteen
thousand and fifty dollars;
Florida Territory:

Executive officers.

For salaries of Governor, five judges, and secretary, thirteen thousand five hundred dollars;

For contingent expenses of said Territory, three hundred and fifty dollars;

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.

Judiciary.—For salaries of the Chief Justice of the Supreme Court, and the eight Associate Judges, forty-one thousand dollars.

For salaries of the district judges, fifty-two thousand nine hundred dollars.

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.

For salaries of the Attorney General, and clerk in his office, five thousand dollars.

For contingent expenses of the office of Attorney General, five hundred dollars.

For salary of the reporter of the decisions of the Supreme Court, thirteen hundred dollars.

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.

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 offenses 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.

Act of June 17, 1844, ch. 95.

Miscellaneous, Annuities and grants.

For the payment of annuities and grants by special acts of Congress, seven hundred and fifty dollars.

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

For preparing indices to the manuscript papers of the Confederation and of Washington, one thousand two hundred and fifty-two dollars.

For the adjustment of claims arising under the act of the fifth of March, one thousand eight hundred and fifteen, 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.
For compensation and contingent expenses of the auxiliary guard, six thousand seven hundred and seventy-five dollars.

For the support of the penitentiary in the District of Columbia, six thousand dollars.

For survey of the coast of the United States, including compensation to the superintendent and assistants, eighty-eight thousand dollars.

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.

For completing the work of the custom-house at Boston, one hundred thousand dollars.

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: Provided, 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.

For repairs of the custom-house at Charleston, five thousand dollars.

For the erection of a custom-house building in the city of Savannah, thirty thousand dollars.

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.

For the support, clothing, and medical treatment of the insane paupers of the District of Columbia, four thousand dollars: 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 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.

Light-house Establishment.—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.

For repairs, incidental expenses, refitting, and improvements of light-houses, and buildings connected therewith, eighty-three thousand dollars.

For salaries of two hundred and thirty-six keepers, and sixteen assistant keepers; of light-houses, (seventeen of them charged with double

VOL. V.—96 3 o 2
and two with triple lights,) ninety-nine thousand three hundred and eighty-eight dollars and thirty cents.

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.

For weighing, mooring, cleansing, repairing, and supplying the loss of beacons, buoys, chains, and sinkers, twenty-two thousand six hundred and sixty-seven cents.

For expenses incurred by superintendents in visiting their light-houses, annually, and examining and reporting the condition of each, two thousand dollars.

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, 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 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.

For the correction of erroneous and defective surveys in Illinois and Missouri, at a rate not exceeding six dollars per mile, twelve hundred dollars.

For the correction of erroneous and defective surveys in Michigan, at a rate not exceeding six dollars per mile, ten thousand dollars.

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.

For the survey of small detached tracts in Arkansas, at a rate not exceeding six dollars per mile, sixteen hundred and fifty dollars.

For resurveys in Florida, to replace the field marks obliterated by Indians and other causes, two thousand dollars.

For surveys 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.

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
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 chargé 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 compensation to a Commissioner to reside in China, three thousand dollars.

For salary of a chargé des affaires to Portugal, Austria, Pefú, 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,
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.

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 officers 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 clerks authorized to be employed in the office of the Solicitor of the Treasury, and also, the clerks 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 dollars.

To make good a deficiency (anticipated) in the appropriation for the relief and protection of American seamen in foreign countries, thirty thousand dollars.

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.

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.

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.

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.

To supply a deficiency in the appropriation for the contingent expenses of the Senate, seventy thousand dollars.

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.

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.

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.

Approved, March 3, 1845.
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.

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.:

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.
1834, ch. 102.
1837, ch. 31.

Clerk and superintendent of western territory.

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.:

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.

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;

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;

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;

For support of two farmers, stipulated for in same article, same treaty, one thousand dollars;

For the pay of two carpenters, stipulated for in same article, same treaty, twelve hundred dollars;

For the support of schools, stipulated for in same article, same treaty, two thousand 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, two thousand dollars;

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;

To the Chippewas, Menomines, 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;

To the Chippewas, Ottowas, and Pottawatomies.—For permanent annuity, 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.
TWENTY-EIGHTH CONGRESS. Sess. II. Ch. 72. 1846.

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;

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;

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;

For iron and steel, three hundred and twenty dollars;

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, six hundred 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;

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;

For iron and steel, two hundred and seventy dollars;

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;

For iron and steel, five hundred and forty dollars;

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;

For iron and steel, two hundred and seventy dollars;

For wheelwright, stipulated in the eighth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, six hundred dollars;
TWENTY-EIGHTH CONGRESS. Sess. II. Ch. 72. 1845.

For wagonmaker, stipulated in the fifth article of the treaty of fourteenth February, eighteen hundred and thirty-three, six hundred dollars;
For agricultural implements, stipulated in the eighth article of the treaty of twenty-fourth January, eighteen hundred and twenty-six, two thousand dollars;
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;
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.

To the Cherokees.—For four blacksmiths and assistants, stipulated in the fourth article of the treaty of fourteenth February, eighteen hundred and thirty-three, three thousand three hundred and sixty dollars;
For iron and steel, one thousand and eighty dollars;
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;

To the Delawares.—For permanent annuity, stipulated in the fourth article of the treaty of the third of August, seventeen hundred and ninety-five, one thousand dollars;
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;
For blacksmith and assistant, as stipulated in the sixth article of treaty of third October, eighteen hundred and eighteen, seven hundred and twenty dollars;
For iron, steel, &c., for shops, two hundred and twenty dollars;
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;
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;

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, 3 P
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.**

**Blacksmit**h.

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;

For agricultural assistance, as stipulated in same article, same treaty, one thousand six hundred dollars;

**Miamies.**

**Annuity.**

For agricultural assistance, as stipulated in same article, same treaty, one thousand six hundred 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.

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 twenty 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;

**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 the twenty-eighth 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;

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.**

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 thirty-first 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;

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;
TWENTY-EIGHTH CONGRESS. Sess. II. Ch. 72. 1845.

For purchase of provisions, stipulated in the same, three thousand
dollars; | Provisions.
Tobacco.
Farming.
Salt.
Blacksmith.
Onasas.
Blacksmith.
Iron and steel.
Agricultural implements.
Ottawas and Chippewas.
Annuity.
Interest.
Instalment.
Education.
Missions.
Vaccine matter, &c.
Provisions.
Tobacco.
Salt.
Fish barrels.
Blacksmiths.
Iron and steel.
Gunsmith.
Iron and steel.
Farmers.
Mechanics.
Education.
Ottowas and Missourias.
Blacksmith.
Iron and steel.
Agricultural implements.
and forty, stipulated in the third article of the treaty of twenty-first September, eighteen hundred and thirty-three, five hundred dollars;

For education, during the pleasure of the President, stipulated in the fourth article of the same, five hundred dollars;

For limited annuity, for ten years, stipulated in the second article of the same, two thousand five hundred dollars;

For two farmers, for five years, and during the pleasure of the President, stipulated in the fifth article of the same, twelve hundred dollars;

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.

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.

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;

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;

For iron and steel, &c. for shop, two hundred and twenty dollars;

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;

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;

To the Pottawatomies of the Prairie.—For limited annuity for twenty years, stipulated in the third article of the treaty of the twentieth of the Prairie, eighteen hundred and thirty-two, fifteen thousand dollars;

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;

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;

To the Piankeshaws.—For permanent annuity, as per fourth article of the treaty of third August, seventeen hundred and ninety-five, five hundred dollars;

For permanent annuity, as per fourth article of the treaty of thirtieth December, eighteen hundred and five, three hundred dollars;

To the Piankeshaws.—For perpetual annuity, as per fourth article of the treaty of third August, seventeen hundred and thirty-three, two thousand dollars; for education, during 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;

For iron and steel, &c. for shop, two hundred and twenty dollars;

For pay of farmer, stipulated in the third article of the treaty of thirteenth May, eighteen hundred and thirty-three, six hundred dollars;

To the Quapaws.—For blacksmith and assistant, for ten years, during the pleasure of the President, stipulated in the fourth article of the treaty of the Sioux of Mississippi, for ten years, during the pleasure of the President, stipulated in the fourth article of the treaty of the Fifteenth July, eighteen hundred and thirty, eight hundred and forty 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 the treaty of the Fifteenth July, eighteen hundred and thirty, seven hundred dollars;
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;

For limited annuity for twenty years, stipulated in second article of 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 the treaty of fifteenth July, eighteen hundred and thirty-seven, 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 fourth article of treaty of fifteenth July, eighteen hundred and thirty-seven, eight thousand two hundred and fifty 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 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 twenty-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;

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;

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;

For iron and steel, &c. for shop, two hundred and twenty dollars;

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;

For iron and steel, &c. for shop, two hundred and twenty dollars;

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;

For iron and steel, &c. for shop, (omitted to be appropriated last year,) two hundred and twenty dollars;

To the Senecas and Shawnees.—For permanent annuity, stipulated in fourth article of treaty of seventeenth September, eighteen hundred and eighteen, five hundred dollars;

For permanent annuity, stipulated in fourth article of treaty of seventeenth September, eighteen hundred and seventeen, five hundred dollars;

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 twentieth July, eighteen hundred and thirty-one, eight hundred and forty dollars;

For iron and steel, &c. for shop, two hundred and twenty dollars;

To the Senecas.—For permanent annuity, stipulated in fourth article of treaty of twenty-ninth September, eighteen hundred and seventeen, 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;

For iron and steel, etc. for shop, two hundred and twenty dollars;

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;

To the Wyandottes.—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;

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 Wyandots' 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;
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;

Wear. 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 the 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;

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;

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, 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
TWENTY-EIGHTH CONGRESS. Sess. II. Ch. 72. 1845.

closing accounts, under the authority contained in the act of third of March, one thousand eight hundred and forty-three, eight hundred dollars.

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.

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.

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.

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 fulfillment of a treaty with the Chippewas of Saginaw, of January one thousand eight hundred and thirty-seven, 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.

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 fulfillment of the said treaty stipulation.

Expenses of the partition of the lands of the Stockbridge Indians under the act of the third of March, eighteen hundred and forty-three, ch. 50.

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.

APPROVED, March 3, 1845.

VOL V. 98
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.

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:


New Hampshire.—From Antrim South Village, via Bennington village, to the middle of Franconia, 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 Fremont, through the centre of Deering, in the county of Hillsborough, and that the present route from Deering through Wier, to Concord, be discontinued.

Vermont.—From Brunswick, in Essex county, on Connecticut river, via townships of Brunswick, Wenlock, Ferdinand, Brighton, Charleston, and Brownington, to Irasburg.

Massachusetts.—From Ashburnham to New Ipswich, New Hampshire. New York.—From Baldwinsville, via Plainville, Cato Four Corners, Canandaigua, Victory, and Westbury, to Wolcott. From Holland Patent, via Floyd, to Oriskany. From Almond, via Ebenezer Allen’s house and Cartwright and Waldorf’s store, to Phillipsville. From Wilna, via Natural Bridge, to Diana. From Stockholm, via Brasher’s Falls and Helena, to Hogansburg. From Richfield Springs, via Page’s Corners, Jordanville, and

**New Jersey.**—From Deckertown, in Sussex county, through the Clove and Mount Salem, to Minisink. From Flemington to Baptistsown.


**Maryland.**—From Snowhill to Nasango, in Worcester county. 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 Beverley, in Randolph county. 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 Summersville, 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 Sisterville, 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.


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 Woodruff’s, 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.


Kentucky.

Kentucky.—From Mills Point to Little Prairie, Missouri. From Somerset in Pulaski county, Kentucky, to London, in Laurel county, via John Babitt’s. From Lancaster, via Crab Orchard and Elksville, 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 Moresfield, 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 Downingtown and Williamstown in Grant county, to Falmouth in Pendleton county.


Ohio.—From Ripley, on the Ohio river, via Russellville, 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-live: 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, Lapore, 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 Beazetta. From Marietta, via the valley of the Little Muskingum, Conner's Mill, Chambers' Mill, Flint's Mill, and Gaysville, to Woodfield. 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.

Indiana.—From Indianapolis, via Broad Ripple, Bethlehem, Westfield, Farmington, Shieldville, Canton, and Kokomo, 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, Nieonza, 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


Louisiana.—From Thibodeauville to Field's Mill. From Houma, in the parish of Terre Bonne, through Bayou Black and Bayou Beuf, to Pattersonville. From Fort Jesup to G. B. Beare'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 Coupe 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. — 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 Exon, in the said county, to Eufaula in the county of Barbour. From Eufaula, in the county of Barbour, via Abbeville, Colomba 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, Hughes' Mill, to Russellville.

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 Canton'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 Coahoma, to Commerce, in Missis-
pippi. From Oxford, Lafayette county, Mississippi, to Houston, Chick-
saw county, in said State. From Ripley, in Tippah county, Mississippi,
via Carrollville, to Fulton, in Itawamba county. From Kosciusko, in
Attala county, via Cona'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 McMahon,
Chulahoma, 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.

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 Warrens-
burg, 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 Sarcozie, to Neosho, in Newton county,
once a week, on horse-back. From Warsaw, in Benton, to Buffaloe, 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 Columbus 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 Ben-
ton 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.

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 Faracilita, in Sevier county, via Casetete Bayou, to Boon-
ville, in Scott county. From Joseph Tomlinson's, on the route from
Washington, in Hempstead county, via Black Jack and Yache 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 Champag-
nole, on the Washita river, via Eldorado, to Murrellas, on the military
road from Washington, Hempstead county, to Natchitoches, Louisiana.
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 Butlerfield’s, to Grand Rapids, in the county of Kent. From Corunna, in the county of Shiawassee, to Northampton, in the county of Saginaw. From Pontiac, in Oakland county, to Orion, in said county. From Pontiac, via New Canadaituga, 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, 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 the 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 Ste. Marie to Fort Wilkins, on Lake Superior.

Florida.—From Newnansville to McKinney’s, in Columbia county. From Marianna to St. Andrews bay.

TWENTY-EIGHTH CONGRESS. Sess. II. Ch. 74. 1845.

Toos, Brookfield, Lisbon, and Warren, to Summit. From Madison, via Sun Prairie, Columbus, and Beaver, to Wapum, Fond du Lac county. From Aztalan, via Waterloo, and Columbus, to Fort Winnebago. From Racine to Prairieville, in Milwaukee county, passing through Caledonia and Muskigo. From Racine to Wheeland, and Geneva, Walworth county, through Pikes Grove, and Kellogs corners. From Racine to Berton, 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 Keokuk court-house, to Mahaska court-house. From Brighton, via Richland, to Mahaska court-house. From Keosauqua, via Davis' court-house, to the centre of Appanoose 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 Cox's Mill, to Springfield. From Nauvoo, Illinois, to Montrose, Iowa. From Burlington, via Captain Henry Settle's, John Saliday'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 Poweshiek 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 Oskaloosa, 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 Wapello county, to Clark's Point, in Kishkeekosh county. From Oskaloosa, via the “Six-mile Prairie,” to the Mills, near where the Red Cedar creek empties into the Des Moines.

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.

Approved, March 3, 1845.
STATUTE II.
March 3, 1845.

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.
TWENTY-EIGHTH CONGRESS: Sess. II. Ch. 76. 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 legislature of the State of Iowa, for their acceptance or rejection, 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.
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.

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.

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 four 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 constitution of 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.

Approved, March 3, 1845

CHAP. LXXXVII.—An Act making appropriations for the naval service 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 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:

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;

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:

For clothing for the navy, sixty thousand dollars.

At Kittery, Maine.—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.

At Charlestown, Massachusetts.—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.

At Brooklyn, New York.—For pay of storekeeper, naval constructor, measurer and inspector of timber, clerk to the yard, two clerks to the commandant, clerk to storekeeper, clerk to naval constructor, keeper of the magazine, and porter, seven thousand seven hundred dollars.

At Washington.—For pay of storekeeper, measurer and inspector of timber, clerk to the yard, two clerks to commandant, clerk to storekeeper, keeper of the magazine, and porter, six thousand six hundred and eighty dollars.

At Gosport, Virginia.—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 naval constructor, keeper of the magazine, and porter, eleven thousand one hundred and eighty dollars.

At Pensacola.—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.

At Memphis, Tennessee.—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;

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;

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;

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.

For improvements and necessary repairs of navy-yards, viz:

At Kittery, Maine.—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;
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 coel-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 timbered, 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:
At Chelsea.—For a cistern, &c., to supply the hospital with water, seven hundred dollars;
For dead-house to the hospital, five hundred dollars;
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;
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;
Naval Asylum near Philadelphia.—For two small porters' lodges, seven hundred dollars; 
For cemetery and dead-houses, one thousand two hundred dollars. 
For magazines, viz: 
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. 
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; travelling 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; Provided also, 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. 
For contingent expenses for objects not heretofore enumerated, five thousand dollars; 
For coal and other fuel for steam-vessels, forty thousand eight hundred and eighty dollars; 
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; 
Marine Corps.—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; 
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; 
For fuel, sixteen thousand two hundred and seventy-four dollars and twelve cents; 
For military stores, repair of arms, pay of armorers, accoutrements, ordnance stores, flags, drums, fifes, and musical instruments, two thousand three hundred dollars; 
For transportation of officers and troops, and for expenses of recruiting, eight thousand dollars; 
For repair of barracks, and rent of temporary barracks, six thousand dollars; 
For contingencies, viz. 
Freight, forrage, 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, 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.

To R. P. Anderson for printing and binding for the Navy Department, by contract, thirteen hundred and thirty-one dollars.

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.

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.

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.

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.

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.

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 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.
Sect. 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.

Sect. 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.

Sect. 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.

Sect. 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.

Sect. 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.

Approved, 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.

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.
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.

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."

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.

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.

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.

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.

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.

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-Grenada, Venezuela, Chili, Peru, the Argentine Republic, Brazil, Texas, and the Sandwich Islands; and one copy to the Naval Lyceum in Brooklyn, New York.

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 Ringgold, esquire, commandants of vessels in said expedition.

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."

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.

Approved, March 1, 1845.

No. 8. Joint Resolution for annexing Texas to the United States.

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.

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-
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.


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. 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
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 approval 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.

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.

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.

Act of March 8, 1845, ch. 43.

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.

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 money to which such State is entitled for the purposes therein named.

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.

Approved, March 3, 1845.

No. 15. A Resolution authorizing the employment of additional inspectors of the customs at the port of New Orleans.

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.

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, duly authenticated, has been officially communicated to this Government, and is now on file in the Department of State:

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."

"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, waggons 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.

"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 mole, 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 mole:

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."
### INDEX

**TO THE**

**MATTERS IN VOLUME V.**

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Acts which are made to expire at the close of the 25th Congress, continued to the end of the session, to commence first Monday of December, 1837, October 13, 1837, 304</td>
<td>The terms of the circuit courts in Alabama shall commence on the third Monday in April and the fourth Monday in December, 655</td>
</tr>
<tr>
<td>Admiralty Jurisdiction of the District Courts on the Lakes.</td>
<td>Time of holding the circuit court in Alabama, 655</td>
</tr>
<tr>
<td>In matters of contract and torts, the district courts of the United States to have the same jurisdiction on the lakes as on the high seas, under the act of September 24, 1789, chap. 20, 726</td>
<td>Compact between Alabama and Mississippi with regard to the five per cent. fund, &amp;c., act of July 4, 1836, amended February 26, 1845, 727</td>
</tr>
<tr>
<td>The maritime law, as far as applicable to the case, to be a rule of decision, 726</td>
<td>Alabama and Mississippi.</td>
</tr>
<tr>
<td>Alabama.</td>
<td>Compact between Alabama and Mississippi relating to five per cent. fund and the school reservations, 116</td>
</tr>
<tr>
<td>Jurisdiction of the circuit court to be exercised by the district court, 210</td>
<td>Repeal of the proviso which prohibits a compromise with the Allegheny Bank of Pennsylvania, February 16, 1839, 517</td>
</tr>
<tr>
<td>Appeals from the district court to the circuit court at Mobile, 210</td>
<td>Alexandria.</td>
</tr>
<tr>
<td>District courts in Alabama, February 6, 1839, 315</td>
<td>The charter of the town of Alexandria amended, February 15, 1843, 599</td>
</tr>
<tr>
<td>Division of the state into two districts, courts established in each district, 315</td>
<td>Apportionment of Representatives in Congress.</td>
</tr>
<tr>
<td>Circuit court of Alabama, March 3, 1839, 357</td>
<td>The House of Representatives to be composed of a representative for every 70,680 persons in a state, and an additional representative for every state having a fraction greater than one moiety of that ratio, June 25, 1842, 491</td>
</tr>
<tr>
<td>Representatives in Congress under the sixth census, 491</td>
<td>When a state is entitled to more than one representative, the election shall be by districts, composed of contiguous territory, equal in number to the number of representatives to which the state may be entitled, no one district to elect more than one representative, 491</td>
</tr>
<tr>
<td>Appeals shall lie from the district court of the northern district of Alabama at Huntsville to the Supreme Court, August 4, 1842, 504</td>
<td>Appropriations.</td>
</tr>
<tr>
<td>Payment for expenses of militia called into service and not mustered in 1837, during the Creek and Seminole hostilities, August 16, 1842, 506</td>
<td>Appropriations, in part, for the support of government for 1836, February 11, 1836, 9</td>
</tr>
<tr>
<td>The state of Alabama to be paid for moneys advanced and paid for subsistence, &amp;c., of troops called into service during the Creek and Seminole hostilities in 1837, and not mustered, August 16, 1842, 506</td>
<td>Appropriations for the support of government, May 3, 1836, 116</td>
</tr>
<tr>
<td>Bills of the Bank of Alabama to be received from actual settlers, for lands to the amount of the two per cent. fund for lands sold in Alabama, March 1, 1843, 606</td>
<td>Appropriations for the support of government for the year 1835, 606</td>
</tr>
<tr>
<td>Alabama.</td>
<td>Further appropriations for the year 1837, October 16, 1837, 197</td>
</tr>
</tbody>
</table>

3845805
Arkansas

SRI Official acts of John Pope as governor of At.
The district court of Arkansas to have the
Regulations of sales of public lands and pub-
Sales of public lands, per centage on lands
A supplement to the act of June 15, 1836, to
The public lands reserved to the U. States, 51
Organization of the courts of the United States
in Michigan, - - - 51
The public lands reserved to the U. States, 51
A supplement to the act of June 15, 1836, to
provide for the admission of Arkansas into
the Union, June 23, 1836, - - - - 58
Sales of public lands, per centage on lands
sold, and donation of lands for schools, 58
Regulations of sales of public lands and pub-
lic buildings in Arkansas, - - - - 58
The district court of Arkansas to have the
same jurisdiction as other district courts
of the United States, March 1, 1837, 147
Official acts of John Pope as governor of Ar-
Arkansas, locating lands confirmed, January
16, 1839, - - - - 208
Representatives in Congress according to the
sixth Congress, - - - - 481
The time of holding the circuit courts of the
United States for the district of Arkansas
changed, - - - - 632
The courts of Arkansas to have jurisdiction
over certain Indian courts, June 17, 1844,
668
See Public Lands — Pre-emption Rights —
Roads.

Arkansas Land Claims.
The owners of certain Spanish and French
land claims authorized to enter the same,
August 11, 1842, - - - - 505

Armed occupation of Florida.
An act to provide for the armed occupation
and settlement of the unsettled part of the
peninsula of Florida, August 4, 1842, 502
Certain persons entitled to a quarter section
of land on conditions of five years' resi-
dence, erection of a house, and cultivation
of at least five acres of land, - - - 509
Provisions as to settlements, and for the
widow of a settler, - - - - 503
An act to amend “An act to provide for the
armed occupation and settlement of the
unsettled part of the peninsula of Florida,
June 15, 1844, - - - - 671
Provisions in favor of settlements, - 671
Change of locations, - - - - 671, 673
Settlers may perfect titles by payment for
the land, - - - - 672

Armories at Harper's Ferry and Springfield.
The secretary of war may alter the bounda-
ries to allow the running of streets, 719
He may convey or receive land with that pur-
pose, - - - - 719
He may ratify exchange of land made with
the Wager family, - - - - 730

Army.
Appropriations for the army in 1836, May
14, 1836, - - - - 525
An act to authorize the appointment of addi-
tional paymasters in the army of the Uni-
ted States, July 4, 1836, - - - - 117
Three additional paymasters authorized, 117
An additional number of surgeons, and as-
sistant surgeons authorized, - - - - 117
In the absence of the quartermaster-general
or the chief of any other bureau in the war
department, the President may empower
others to perform their duties, - - - - 117
Appropriations for the support of the army
of the United States for 1837, March 1, 1837,
148
Appropriations for the support of the army
for the year 1838, April 6, 1838, - - - - 234
An act to increase the present military esta-
blishment of the United States, July 5, 1838,
256
Organization and regulations, - - - - 256
Chaplains in the army, July 7, 1838, - - - - 308
Assistant quartermasters, - - - - 308
Limitation of additional lieutenant, 308
Compensation of officers of the engineer de-
partment, - - - - 308

Appropriations.
Appropriations for the support of government
for the year 1838, April 6, 1838, - - - - 216
Appropriations for various objects, 366, 367
An act making appropriations, in part, for
the support of government for the year
1839, December 22, 1838, - - - - 312
Appropriations for the support of government
for the year 1839, March 3, 1839, - - - - 399
Appropriations, in part, for the support of
government for the year 1840, January 8,
1840, - - - - 367
Appropriations for the support of government
for the year 1840, May 8, 1840, - - - - 371
Appropriations, in part, for the support of
government, December 18, 1840, - - - - 419
An act making appropriations for the civil
and diplomatic expenses of the government
for the year 1841, March 3, 1841, - - - - 431
Appropriations, in part, for the support of go-
vernment in 1842, January 31, 1842, 469
Appropriations for the support of government
in 1842, May 16, 1842, - - - - 475
An act legalizing and making appropriations
for such necessary objects as have been
usually included in the general appropria-
tion bills, without authority of law, and to
provide for certain incidental expenses of
the departments and officers of the govern-
ment, and for other purposes, August 26,
1842, - - - - 533
Appropriations for the support of government
December 24, 1842, - - - - 556
Appropriations for contingencies may be ap-
plied to supply deficiencies, - - - - 557
Appropriations for the support of government
for the fiscal year, ending June 30, 1844,
March 3, 1843, - - - - 630
Appropriations for the support of government
for the year ending June 30, 1845, March
3, 1845, - - - - 759
For appropriations for the army, see Army.
Appropriations for the Indian department,
see Indian Department.
Appropriations for Indian hostilities, see In-
dian Hostilities.
Appropriations for Indian treaties, see Indian
Treaties.
Appropriations for fortifications, see Fortifi-
cations.
Appropriations for the navy, see Navy.
INDEX.

Army.
Surgeon-general entitled to additional received 308
Appropriations for the support of the army for the year 1839, March 3, 1839, 339
Appropriations for the support of the army for the year 1840, July 20, 1840, 404
Appropriations for the support of the army in 1841, March 3, 1841, 433
An act making appropriations for the support of the army and military academy for the year 1849, August 23, 1849, 506
Appropriations for the army in the year 1849, August 23, 1849, 506
Reorganization of the army, August 27, 1842, 512
Dragoons reduced—second regiment of dragoons converted into riflemen—suspension of enlistments—office of superintendent of armory at Springfield and Harper's Ferry abolished 512
Appropriations for the army in 1844, March 1, 1844, 604
Balance of appropriations under acts of 1835, chap. 92, 1839, re-appropriated, 673
Balance of appropriations under acts of 1836, chap. 93, 1836, chap. 99, remaining in the treasury, may be applied by the order of the President to any arrearages chargeable to the general head of suppression of Indian hostilities, June 17, 1844, 678
Balances under acts of 1836, chap. 93, 1836, chap. 97, 1839, chap. 92, re-appropriated, 673
Appropriations for the support of the army for the fiscal year, ending June 30, 1845, June 17, 1844, 691
An act making appropriations for the support of the army for the year ending June 30, 1846, March 3, 1845, 745
Arrests on mesne proces in the District of Columbia.
An act to regulate arrests on mesne proces in the district of Columbia, August 1, 1849, 498
Persons not to be held to bail in civil suits except on affidavit in certain cases, 499
Affidavit to be filed previous to issuing the writ, 499
No person to be held to bail or imprisoned in a civil action when the debt is less than fifty dollars, June 17, 1844, 678
Correction of an error in the act of June 2, 1844, 721
Title of the act amended, 721
Arsenals.
Appropriation for the purchase of a site for an arsenal near Fayette in North Carolina, June 14, 1836, 47
The arsenal at Charleston, South Carolina, to be extended and repaired, July 2, 1836, (obsolete,) 66
Assent of Congress to acts of the Legislatures of States.
Assent of Congress to the act of Maryland, relative to tonnage on vessels, continued to March 3, 1843, March 19, 1834, 215
The act of Maryland not to be authorized to demand a duty on vessels propelled by steam, 215

Assent of Congress to acts of the Legislatures of States.
Assent to an act of the Legislature of Virginia, relating to the Chesapeake and Ohio Canal, February 7, 1845, 723
Auxiliary Watch in the city of Washington.
An auxiliary watch established in the city of Washington—officers to be appointed by the mayor—regulation of the watch, August 23, 1843, 511
Babbitt's anti-attrition metal.
The Secretary of the Navy authorized to purchase from the proprietor the right to use Babbitt's anti-attrition metal in the construction of machinery and other work, 547
Baltimore.
Act of March 17, 1801, so far as respects the port of Baltimore, revived and continued to June 1, 1850, 603
Bank of Alexandria.
The charter of the Bank of Alexandria extended to July 4, 1841, July 5, 1838, 254
Bank of Columbia.
Abatement of suits in the Bank of Columbia at Georgetown, by reason of the expiration of the charter, prevented, February 28, 1839, 391
Bank of the United States.
The provisions of the act of March 3, 1817, transacting the duties of Commissioner of Loans to the Bank of the United States, repealed, April 16, 1836, 8
The Bank of the United States, and its agents, required to pay all moneys in their hands for the payment of the public debt, into the treasury of the United States within three months, 9
Repeal of the 14th section of the act to incorporate the Bank of the United States which makes the notes of the Bank receivable for debts due to the United States, June 15, 1836, 48
The Secretary of the Treasury to act as the agent for the United States in all matters relating to the stock held by the United States in the Bank, June 23, 1836, 55
To receive from the Bank all moneys of the United States, and deposit the same in the treasury, 56
The terms of settlement for the stock of the United States, in the Bank of the United States, to be accepted, and the Secretary of the Treasury authorized to receive payment for the same. Resolution, March 3, 1837, 306
No suit in which the Bank of the United States is a party, to abate by reason of the expiration of the charter of the Bank, March 2, 1838, 211
The sale of the bonds of the Bank of the United States, chartered by Pennsylvania, authorized, July 7, 1833, 396
The circulation of bills or notes of corporations, the charters of which have expired, prohibited, July 7, 1838, 297
Bankrupt Law.
An act to establish a uniform system of bankruptcy throughout the United States, August 13, 1834, - 440
Provisions of the law, - - 440 to 449
An act to repeal the bankrupt law, March 3, 1843, - - 614

Banks in the District of Columbia.
The charters of the Bank of Potomac, the Farmer's Bank of Alexandria, the Union Bank of Georgetown, the Farmers' and Mechanics' Bank of Georgetown, the Bank of the Metropolis, the Patriotic Bank of Washington, and the Bank of Washington, renewed and continued to October 1, 1839, February 9, 1836, - - 1
The charters of the Bank of Columbia, in Georgetown, and the Bank of Alexandria, in Alexandria, extended to the 4th March, 1839, February 23, 1836, - - 4
Charters of the banks in the district of Columbia extended to the 4th July, 1838, July 2, 1836, (expired,) - - 69
The corporate existence of banks in the district of Columbia extended to July 4, 1840, May 31, 1836, - - 233
The charters of banks in the district of Columbia renewed and extended to July 4, 1844, August 25, 1841, - - 449
Suits in which the banks of the district of Columbia are parties, not to state by reason of the expiration of their charter, June 17, 1844, - - - 677
Trustees to have power to commence and prosecute suits, - - - 678

Banks of Wisconsin.
Approval and confirmation of three acts of the Legislature of Wisconsin incorporating banks, March 3, 1837, - - 128

Belgium.
The same duties to be collected on Belgian vessels and their cargoes as are levied on Dutch vessels, March 2, 1837, - - 132

Bell's invention for raising heavy cannon, &c.
To be paid for his interest in two patents; July 4, 1836, - - - 126

Bills and Notes of Corporations whose charters have expired.
The circulation of bills or notes of corporations, the charters of which have expired, prohibited July 7, 1838, - - 297

Boilers of Steam Engines.
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 28, 1838, - - 449
Supplement to the act of June 28, 1838, chap. 147, July 7, 1838, - - 361

Bonds for Duties.
The Secretary of the Treasury authorized to grant a further extension of the credit on bonds for duties, October 14, 1837, - - 305

Bounty Lands.
The act of May 22, 1836, chap. 147, revived as continued in force for five years, May 27, 1846, - - 320
An act to provide for claims to bounty lands for services in the late war with Great Britain, - - 497
A resolution directing the manner of issuing patents to the heirs of persons entitled to bounty lands, - - 650

Branch Pilots of the port of New Orleans.
The branch pilots of the port of New Orleans allowed to enter certain lands, June 17, 1844, - - 715

Bridge across the Potomac.
Repairs of the bridge across the Potomac to be made, June 7, 1836, - - - 139

Brotherhood Indians.
An act for the relief of the Brotherhood Indians in the territory of Wisconsin, March 3, 1839, - - - 349

Incorporated colleges, universities, academies and historical societies, to be furnished with a copy of the catalogue of the library of Congress, January 14, 1841, - - 456

Census of the inhabitants of the United States.
An act to provide for taking the sixth census or enumeration of the inhabitants of the United States, March 3, 1839, - - 331
An act to amend the act providing for the taking the sixth census, February 26, 1840, - - 366
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 3, 1839, January 14, 1841, - - 411
The time allowed for taking the sixth census extended, September 1, 1841, - - 453
Twenty thousand copies of the compendium or abridgment of the sixth census to be printed, - - - 453
The number of inhabitants of Montgomery county, Maryland, to be taken again, 453
Distribution of the returns of the sixth census, and the amount allowed to the marshal of the United States, March 3, 1841, - - 453
Distribution of the returns of the sixth census, and the amount allowed to the marshal of the United States, February 26, 1840, - - 453
Distribution of certain copies of the returns of the sixth census, - - 648
See Apportionment of Representatives in Congress under the sixth census.

Challenges to Fight a Duel in the District of Columbia.
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, February 20, 1839, - - 318

Cherokee Pre-Emptions.
All the Cherokee pre-emptions which have been located on any of the surveyed lands of the United States south of the Arkansas river continued, and patents to issue for them, - - 609
INDEX.

809

Cherokee Treaty. The certificates issued or allowed by the commissioners under the Cherokee treaty of 1836 to be paid, - - 719

Chesapeake and Ohio Canal Company. The act of the Legislature of Virginia of 27th February, 1829, to amend the act incorporating the Chesapeake and Ohio Canal Company assentto, March 3, 1837, - 197

Provisions for the protection of the canal and embankments, - - 197

Act of Virginia of 27th February, 1829, Appendix No. 2.

China. An act providing the means of future intercourse between the United States and the government of China, March 9, 1843, - - 624

Chippewa Indians. Construction of the treaty with the Chippewa Indians of January 24, 1838, - - 660

Citizens of the United States on the borders of Texas. Persons formerly in the reputed limits of the United States, but found by running the boundary line between the United States and Texas, in Texas, may remove with all their property into the United States, June 15, 1844, - - 674

City of Washington. Balance of an appropriation for the Potomac bridge to be applied to the improvement of Maryland avenue leading to the bridge, - - 132

Improvement of Maryland avenue, - - 132

Claims of Massachusetts and of other States. The Secretary at War to receive additional evidence in relation to the claims of Massachusetts and of other states in the United States, May 14, 1836, - - 132

Claims under the Treaty with France. A clerical error to be corrected in the award under the treaty with France, Resolution, March 3, 1837, - - 200

Clerks. Certain clerks to be continued in service, May 3, 1840, - - 409

Payment of arrears to the clerks in the Custom-house at Philadelphia, - - 432

Additional clerks in the Post-Office department authorized, July 30, 1842, - - 498

Clerks in the business of reservations for the Indian tribes, May 18, 1842, - - 583

An additional clerk in the office of the Second Auditor to be continued until 30th June, 1844, - - 650

The clerks in the business of reservations and grants under Indian treaties to be continued until otherwise directed by Congress, - - 718

The Secretary of the Treasury may transfer clerks for arranging statistical information relative to agriculture, manufactures, domestic trade, &c., June 18, 1844, - - 719

Certain clerks and officers continued in the service of the United States, - - 764

Vol. V. - 102

Coast Survey. Disposition of the charts and maps of the coast survey, June 3, 1844, - - 660

Collection Districts. The collection district of Brighton in Massachusetts changed to Fall River, February 13, 1837, - - 146

The collection district of Vicksburg established, and Vicksburg made a port of entry, July 7, 1838, - - 267

Grand Gulf made a port of delivery with the port of Natchez, - - 267

The collector of the district of Fairchild may reside at Fairfield or Bridgeport, June 14, 1843, - - 489

The ports of Stonington, Mystic River, and Pawcatuck made collection districts, August 9, 1842, - - 499

Part of the town of Tiverton on Orleans Island annexed to the collection district of Fall River, August 9, 1842, - - 504

Construction of the act of August 3, 1842, chap. 193, to constitute the ports of Stonington, Mystic River, and Pawcatuck River a collection district, August 16, 1842, 506

An act to extend the collection district of Wiscasset, August 31, 1842, - - 573

The act of 31st August, 1842, chap. 231, to extend the collection district of Wiscasset repealed, March 3, 1843, - - 612

Certain collection districts abolished and annexed to other districts, - - 664

Commerce on Lake Michigan. Appropriations for improvement of harbors and location of a light-house on Lake Michigan, March 3, 1843, - - 619

Commission-General of Purchases. Office of Commissioner-General of Purchases abolished, - - 513

A person to be appointed to superintend the manufacture of iron cannon, - - 513

Allowance of rations to officers, - - 513

Office of one Inspector-General, and of three paymasters, abolished, - - 513

Commissioner of Loans. The provisions of the act of March 3, 1817, transferring the duties of Commissioner of Loans to the Bank of the United States, repealed, April 16, 1836, - - 8

Commissioner of Pensions. Office of Commissioner of Pensions continued, March 3, 1837, - - 157

The office of Commissioner of Pensions continued his duties salary March 4, 1840, - - 369

Pension business heretofore transacted in the navy department transferred to the Commissioner of Pensions, - - 370

The office of Commissioner of Pensions continued, January 30, 1843, - - 597

Commissioner of Public Buildings. Compensation of the Commissioner of Public Buildings, March 3, 1843, - - 610

Commissions on Duty Bonds. Commissions to collectors on duty bonds postponed by act of October 16, 1837, chap. 8, allowed to collectors, &c., June 19, 1838, - - 242

392
Compact between Alabama and Mississippi relating to the five per cent. fund, &c.
An act to carry into effect the states of Alabama and Mississippi the compacts between those states in regard to the five per cent. fund, and the school reservations,
July 4, 1836, - 116
Terms of the compact, - 116

Compensation.
The salaries of officers of the government, &c., provided for, May 9, 1836, - 26
Compensation of the Judge, Attorney, and Marshal of Michigan, July 1, 1836, - 69
Compensation of Custom-house officers for 1838, July 7, 1838, - 264
Compensation to topographers and clerks employed in the Post-Office department, - 265
The act of April 16, 1818, shall be construed - 176
Appropriations for the session of Congress, - 475

Congresses.
Appropriations for the session of Congress, commencing 31st May, 1841, June 25, 1841, - 475
Pay to officers of Congress, - 475
See Appropriations.

Connecticut.
Representatives in Congress according to the sixth census, - 432
The time of holding the Circuit Court in Connecticut altered, February 24, 1843, - 491

Consuls.
An act in addition to the several acts regulating the shipment and discharge of seamen, and the duties of Consuls of the United States, July 20, 1840, - 394

Courts.—Supreme Court.
The Supreme Court to consist of a Chief Justice and eight Associate Justices, March 3, 1837, - 176
The Justices of the Supreme Court empowered to grant writs of habeas corpus when subjects of foreign states are in custody under United States or State process, August 9, 1842, - 539
The person in confinement, if entitled to a discharge, shall be discharged, - 539
The Justices of the Supreme Court required to attend one session in their respective circuits, the time to be designated by the justice assigned to the circuit, June 17, 1844, - 676
The sessions of the Supreme Court to commence on the first Monday in December annually, - 676

Courts.—Circuit Courts.
Establishment of the Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Circuits, 176
The acts vesting the jurisdiction of Circuit Courts in certain District Courts repealed, - 177
Regulation of the Circuit Courts, - 179

Courts.—Circuit Courts.
Circuit Court in Alabama, February 22, 1838, - 171
A Circuit Court to be held annually in the districts of Indiana, Illinois, and Michigan, - 215
Circuit Court in the western district of New York, July 7, 1838, - 295
Circuit Court in the district of East Tennessee, July 7, 1838, - 308
Circuit Court in the Mary-land district, - 308
Adjournments of the Circuit Courts, - 392
Special sessions of the Circuit Courts, - 393
Liens of judgments in the Circuit and District Courts, - 393
Circuit Court in Maine, - 600
Circuit Court in the district of Connecticut, February 24, 1843, - 601
Circuit Court in East Tennessee, March 3, 1843, - 810
The Circuit Court of the eastern district of Louisiana to transact the business of the western district, February 26, 1845, - 726
Circuit Courts in Kentucky, North Carolina, South Carolina, Georgia, and the southern district of Alabama, March 1, 1845, - 730

Courts.—District Courts.
District Court of the western district of Virginia to be held at Charleston on the first Monday of April and September, July 1, 1836, - 61
District Court of Arkansas to have the same jurisdiction as other District Courts of the United States, March 1, 1837, - 147
District Court in Alabama, February 22, 1839, - 210
District Court in Illinois, March 10, 1838, - 215
District Court in Indiana, March 10, 1838, - 215
District Court in Michigan, March 10, 1838, - 215
District Courts in the State of Mississippi, June 18, 1838, - 347
District Court in the western district of New York, July 7, 1838, - 176
District Court in Tennessee, January 18, 1839, - 314
District Court in Alabama, Feb. 6, 1839, 315
District Court in Mississippi, February 16, 1839, - 317
A District-Court of the western district of Pennsylvania to be holden at Williamsport, May 8, 1840, - 380
District Court of Tennessee, July 4, 1840, - 393
Appeals from the District Court at Jackson, Tennessee, to the Circuit Court, April 14, 1842, - 472
Fall terms of the District Court of Tennessee at Jackson and Knoxville, - 472
Commissioners to be appointed to select jurors for the Courts of Pennsylvania, March 19, 1845, - 475
District Courts in East and West Tennessee, - 486
The District Court for the eastern district of Pennsylvania to hold special sessions, 490
Appeals to lie from the District Court of the
INDEX.

Courts.—District Courts.

Custom-House Officers.

The proviso of the appropriation act of March 3, 1835, chap. 26, relating to the whole number of custom-house officers on the 1st of January, 1834, suspended, April 9, 1836, 8

Custom-house officers to give the requisite bond before entering on their duties, June 4, 1844, 661

Debt of the United States.

The President authorized to borrow not exceeding twelve millions of dollars, July 21, 1841, 458

Time extended for obtaining the loan of twelve millions, April 15, 1841, 473

Stock to be disposed of, 474

Additions may be made to the loan, 474

Treasury notes due and unpaid to bear interest at 6 per cent, 474

Decatur, Susan.

A pension granted to her. Resolution, March 3, 1837, 699

Notes of the decision of the Supreme Court in the case of Decatur and Paulding, 199

Defence of the United States.

The President authorized to resist any attempt on the part of Great Britain to enforce by arms her exclusive jurisdiction over part of the State of Maine, March 3, 1839, 356

Militia to be employed. Public vessels to be completed, 357

Delaware.

Representatives in Congress according to the sixth census, 491

Delaware Breakwater.

Appropriations for the Delaware Breakwater and for certain harbors and rivers, July 2, 1836, 67

Demopolis Female Academy.

Lands not disposed of under the act of March 2, 1837, for the adjustment of title, &c., to lands for the cultivation of the vine and olive, subject to entry for the use of the Demopolis Female Academy, March 2, 1837, 155

Deposit Banks.

An act for adjusting the remaining claims on the deposit banks, October 16, 1837, 206

Deposits of the proceeds of the Public Lands with the States.

The transfer of the fourth instalment of deposits directed to be made with the States postponed, October 2, 1837, 201

Deposites of the Public Money.

An act to regulate the deposits of the public money, June 23, 1836, 93

The Secretary of the Treasury to select banks for deposits, and to make agreements, 59

Banks issuing notes of less denomination than five dollars not to be selected, 53

Regulations of banks selected, 54

The surplus in the treasury beyond five millions to be deposited with the States, 55

The Secretary of the Treasury may make

Criminals.

The collectors required to seize any vessel, &c., which may be provided for any military expedition into any conquering country at peace with the United States, March 16, 1836, (expired,) 212

Vessels are to be seized when there is reason to believe the same are destined to be employed in any military expedition against a conquering country at peace with the United States, 212

The District Court empowered to try all cases coming under this act, 213

When a bond may be filed for the property seized, 213

Persons arrested to be admitted to bail, 214

The land and naval forces may be employed to enforce this act, 214

Prohibition and punishment of challenges to fight a duel in the district of Columbia, July 20, 1839, 318

Cultivation of Tropical Plants.

An act to encourage the introduction and promote the cultivation of tropical plants within the United States, July 7, 1835, 302

Cumberland Road.

The Cumberland road to be continued in the States of Ohio, Indiana, and Illinois, July 2, 1836, 71

Appropriations for continuing the Cumberland road in Ohio, Indiana, and Illinois, May 25, 1839, 229

Currency of Foreign Gold and Silver.

An act regulating the currency of foreign gold and silver in the United States, March 3, 1843, 697

Custom-House.

Value of the florin of Austria, 740
INDEX.

Deposits of the Public Money.

- Transfers from banks in one state or territory to those in another, July 4, 1836, 115
- The fifth section of the deposit act of 23d June, 1836, chap. 115, modified as to the receipt of bank notes in payment of debts to the United States, July 5, 1838, 235

Detroit.

- Property in Detroit, except the court-house and jail, vested in the Mayor, Recorder, and Aldermen, to be disposed of by them, 542

Diplomatic Agents.

- Salaries and outfits of ministers to Portugal, Mexico, Brazil, and of chargés d'affaires to Portugal, Denmark, Sardinia, Naples, Chili and Texas, September 11, 1841, 461
- Secretaries of legation, 462

Discriminating Duties.

- Duties on goods from Portugal, July 4, 1836, 192
- Wines may be put into custom-house stores, 192
- The same duties on Belgium vessels and their cargoes to be levied as are now levied on Dutch vessels, &c., March 2, 1837, 152
- Vessels from Cayenne to pay no higher duties than American vessels, June 1, 1842, 459

Distribution of the proceeds of the Public Lands.

- If there shall be an imposition of duties consistent with the act of March 5, 1833, chap. 55, beyond the rate of duty, twenty per centum, fixed by that act, the distribution shall be suspended until this cause of the suspension shall be removed, 554
- Certain States to be paid ten per centum on the nett proceeds of all the public lands sold within such States, September 4, 1841, 453
- After certain deductions, the proceeds of the public lands to be divided among the states and territories of the Union, to be applied as the Legislatures may direct, 453
- To be paid half yearly from the treasury of the United States, 454
- Appropriation for surveys, 455

District Attorneys.

- No fee to accrue to any district attorney on bonds left for collection, or on suits instituted on bonds, for the renewal of which provision has been made by law, October 19, 1837, 904

District of Columbia.

- The debt contracted in Holland assumed by the United States, May 20, 1838, 31
- The corporation of the district to deposit the stock held by them in the Chesapeake and Ohio Canal with the Treasurer of the United States, 32
- An act to amend the act for quieting possessions and enrolling conveyances and securing estates of purchasers in the district of Columbia, April 6, 1839, 226
- An additional judge appointed for the Orphans' Court of the county of Washington. After the death of the present judge, the court to consist of one judge, January 25, 1838, 259

District of Columbia.

- A court-house to be erected in the town of Alexandria, district of Columbia, July 7, 1838, 263
- An act to establish a Criminal Court in the district of Columbia, July 7, 1838, 306
- The circulation of notes under five dollars as currency after April 10, 1836, prohibited, July 7, 1838, 309
- An act restraining the circulation of small notes as currency in the district of Columbia, July 7, 1838, 309
- Prohibition and punishment of challenges to fight a duel in the district of Columbia, July 20, 1839, 318
- An act to provide for the erection of a new jail in the city of Washington, district of Columbia, March 3, 1839, 364
- Appropriation for a new jail in the county of Washington, March 3, 1839, 364
- An act to extend the jurisdiction of the corporation of the city of Washington over the Potomac Bridge, March 3, 1839, 364
- Titles to vacant land in the district of Columbia to be completed according to the laws of Maryland relative to titles to vacant lands, a patent to be granted by the Commissioners of the General Land Office, February 16, 1839, 365
- Appropriation for repairing the Potomac Bridge, September 11, 1841, 463
- Manner of making the repairs and contracts, 463
- Appropriation for lighting Pennsylvania avenue, July 27, 1842, 498
- An act in relation to marriages in the district of Columbia, July 27, 1842, 498
- An act to provide for the sale of the real estate of infants within the district of Columbia, March 3, 1843, 621
- In case of a vacancy of one of the present judges of the Circuit Court for the district of Columbia, his successor shall reside in Alexandria, April 4, 1844, 654
- Afterwards one of the judges shall always reside in the county of Alexandria. The judges of the Circuit Court may make any exchange of residence between them to that end, 654
- Repairs of the court-house in Alexandria, 663
- All property for places of worship which have been conveyed to trustees shall be held for the purposes of the trust, June 17, 1844, 678
- Such conveyances not to be void for want of trustees. Circuit Court may appoint trustees. Property to be held for religious purposes, 678
- Majority of trustees may sue, 678
- Limitation of the real estate to be held by trustees, 679
- The times of holding the Criminal and Circuit Courts in the county of Washington, district of Columbia, March 1, 1845, 729

Documentary History of the United States.

- Appropriation for the same, July 7, 1836, 526
INDEX.

Duties.

An act to provide revenue from imports, and to change and modify existing laws on imports, and for other purposes, August 30, 1840, 546

Duties laid on particular articles, 546

Articles exempted from duty, 540

Twenty per cent. duty on articles not enumerated, 541

Addition of ten per cent. on importations in foreign vessels, 551

These additional duties not to be levied on goods imported in foreign vessels entitled by treaty or by any act or acts of Congress to be entered in the ports of the United States on payment of the same duties paid on the same goods imported in American vessels, 561

Duties to be paid in coin, 561

Regulations as to unclaimed goods, 562

No drawback to be paid unless exported in three years, 563

Amount of the market value in the country whence the goods were imported to be ascertained, 563

Drawbacks on foreign sugar refined in the United States, 564

Unfinished articles to be rated as finished, 564

Examination of owners and others on oath authorized, 564

Appraisement of goods, 564

Authority to lessen the duties on the articles in certain cases, 565

Duties on enumerated articles which bear a similitude to articles enumerated, 565

Examination of invoices and packages, 565

Regulations for the collection of the duties, 566

Importation of indecent prints and paintings prohibited, 566

Ten per cent. on the proceeds allowed to certain States suspended, 627

The second section of the act of March 2, 1839, chap. 81, not to be construed to impair the right of any persons who paid or shall pay any duties to a collector of the customs on merchandise imported by him to ascertain and try the validity of the claim to the duties, and to have the right to a trial by jury touching the same, according to due course of law, February 26, 1845, 727

The South Carolina Railroad Company allowed to import free of duty such pipes and machinery as have been invented for the application of the atmospheric pressure as a propelling power, Feb. 26, 1845, 727

Limitation of the importation and the use of the working of the machinery to be under the direction of the Secretary of the Treasury, 727

Duties on cargoes of French ships, the growth and produce of the islands of Miqelon and St. Pierre, to be admitted at the same duties as in American vessels, March 3, 1845, 749

Exiles from Poland.

Acts now in force for the sale of the public lands extended to lands granted to Polish exiles, April 14, 1849, 473
## Index

**Florida**

- Grant of land to the government of the State of Florida for schools, March 3, 1845, 788
- Application of the laws of the United States to Florida, 788
- Florida to compose one district, to be called the district of Florida, 788
- A District Court established, which shall in all things exercise the jurisdiction given to the Judge of the District Court of Kentucky under the act to establish the Civil Courts of the United States, 788
- Act of September 20, 1789, chap. 22.
- Organization of the Court.
- Extra sessions of the Court.
- Annual sessions of the Court.
- Compensation of the Judge.
- United States' Attorney to be appointed—his compensation.
- A Marshal to be appointed—his compensation.
- Nothing in the resolution of April 30, 1843, or in any other resolution, shall be construed to prevent payment by the Secretary at War for supplies or loans of money for the defense of the inhabitants of Florida, March 1, 1845, 797
- See Pre-emption Rights

**Florida Land Claims**

- Certain lands in the town of Fernandina, in Florida, confirmed to the town, 687
- Patents to issue for certain lands in the Augustine land district where applications and payments were made to J. C. Cleland and not returned, June 15, 1844, 671

**Foreign Commerce**

- Changes in the commercial systems of other nations to be laid before Congress annually by the Secretary of State, August 16, 1843, 507

**Foreign Money at the Custom-Houses**

- Value of foreign moneys at the Custom-houses, March 3, 1843, 635

**Forfeitures and Penalties**

- Limitation of suits for penalties, 322
- Remission of penalties and forfeitures, 322

**Fortifications**

- Appropriations for fortifications at Castle Island, Fort Adams, Fort Schuyler, &c., July 2, 1836, 77
- Appropriations for certain fortifications for the year 1838, July 7, 1838, 284
- Resolution directing the purchase of a site for a fort at or near the western boundary of Arkansas, April 4, 1839, 310
- Appropriation for the year 1840, July 21, 1840, 497
- Appropriations for certain fortifications for the year 1841, March 3, 1841, 415
- Appropriations for fortifications for the year 1841, September 9, 1841, 458
- Appropriations for fortifications for the year 1842, August 31, 1842, 768
- Appropriations for fortifications for the year 1843, March 3, 1843, 607

**Exploring Expedition**

- Distribution of the works on the Exploring Expedition, February 20, 1845, 797

**Express Mail**

- Postage in advance to be paid on letters sent by the express mail, October 12, 1837, 307

**False Swearing by Collectors, Naval Officers, or Surveyors**

- False swearing to accounts required by the fifth section of the appropriation act of March 3, 1841, chap. 35, to be deemed perjury, and to be prosecuted, 433

**Fiscal Year of the Treasury of the United States**

- On and after July 1, 1843, the fiscal year at the treasury shall commence on the first of July, and reports shall be made in conformity annually, August 26, 1842, 536
- Reports and estimates to be made on the 30th June annually, August 26, 1842, 537
- Title of appropriation acts, 537
- Publication of receipts and expenditures, 537
- Statements of the commerce and navigation to be made according to the fiscal year, 537

**Florida**

- An act authorizing a special term of the Court of Appeals of Florida, and for other purposes, February 25, 1835, 5
- The county of Franklin added to the middle district, 5
- Act of the Legislature of Florida incorporating certain Banks and Insurance Companies, annulled, July 1, 1836, 61
- Lands granted for the University of Florida, may be sold by the Governor and Legislative Council of the territory, July 1, 1836, 63
- Regulation of the terms of the Superior Court in the territory of Florida, July 2, 1836, 69
- Acts relating to Appalachicola, Franklin county, and for holding a Superior Court at Indian Key, annulled, July 2, 1836, 70
- Resolution authorizing rationing to be furnished to the inhabitants of Florida, February 1, 1836, 131
- An act to reorganize the Legislative Council of Florida, and for other purposes, July 7, 1838, 263
- Appropriation for the compilation of the laws of Florida, July 7, 1838, 288
- An act to establish a new judicial district in the territory of Florida, July 7, 1838, 294
- Appropriation for the erection of public buildings in Florida, March 3, 1839, 325
- Appropriation for certain improvements in Florida, June 15, 1844, 670
- Choctawhatchie and Holmes rivers, 670
- Survey for a railroad across the peninsula of Florida, 670
- Connecting Indian river and Musquito Inlet, 670
- St. Mark's river, 670
- Florida admitted into the Union, March 3, 1845, 743
- Florida to have one Representative in Congress, 743
- Appropriation for certain military services in Florida, March 3, 1845, 745
Fortifications.
Appropriations for fortifications for the fiscal year ending June 30, 1845, May 31, 1844, 658
Appropriations for fortifications for the year ending June 30, 1846, March 3, 1845, 743
Fulton's Heirs.
The petition and papers relating to the claims of the heirs of Robert Fulton referred to the Secretary of the Navy, June 23, 1836, 133

General Land Office.
The General Land Office reorganized, July 4, 1836, 107
Office of the Solicitor of the Land Office abolished. His duties to be performed by the Receiver, or such other person in the Land Office as the Commissioner of the Land Office may direct, June 12, 1844, 668
The clerks in the General Land Office to be reduced, 764
See Commissioner of the General Land Office.

Georgia.
Representatives in Congress according to the sixth census, 491
Appropriation to indemnify the State of Georgia for the services of her militia, called out to suppress Indian hostilities, August 11, 1842, 504
Payment of the militia of Georgia, August 11, 1842, 504
Payment of seven companies of Georgia militia for services rendered in 1840 and 1841, February 4, 1843, 596
Time of holding the Circuit Court in Georgia, 731

Grampus, Schooner.
An act for the relief of the widows and orphans of the officers, seamen and marines of the United States' schooner Grampus, June 15, 1844, 680
Pensions granted, 665

Harrison, Mrs.
Appropriation for Mrs. Harrison, widow of the late President of the United States, June 30, 1841, 437
Letters and packages to and from Mrs. Harrison to be free of postage, September 9, 1841, 461

Harrison, William Henry.
Appropriation for the expenses of the funeral of William Henry Harrison, late President of the United States, September 1, 1841, 451
A resolution manifesting the sensibility of Congress upon the event of the death of William Henry Harrison, late President of the United States, July 14, 1841, 466

Home Squadron of the Navy.
Appropriation for the pay, subsistence, &c., of a home squadron, August 1, 1841, 438

Illinois.
Board of Commissioners to be appointed to adjust the titles to lots laid out on Bean river, Illinois, July 6, 1836, 79
After the claims to lots shall be adjusted by the Commissioners, the residue of the lots shall be sold, and the proceeds appropriated to the erection of public buildings and wharves in the town of Galena, 79
Representatives in Congress according to the sixth census, 491

Imprisonment for Debt.
Imprisonment for debt on process issuing out of the courts of the United States abolished in certain cases, February 26, 1839, 321
A supplement to the act to abolish imprisonment for debt, May 14, 1841, 438

No person shall be imprisoned for debt on a judgment from which an appeal has been taken and remains undecided, or on which a writ of error has been sued out, which has not been finally disposed of for one year after such judgment shall be finally disposed of; but every such person shall have the benefit of the prison rules and the limits and liberties of the jail or prison, for
Indian Hostilities.

Appropriations for the suppression of Indian hostilities in Florida, July 2, 1836, - 65
Appropriations for the suppression of Indian hostilities, January 9, 1837, - 135
An additional appropriation for the suppression of Indian hostilities, March 3, 1837, 159
Additional appropriations for the suppression of Indian hostilities in 1837, 1837, October 16, - 265
Appropriations for the suppression of Indian hostilities, January 30, 1838, - 308
Appropriations for suppressing Indian hostilities for the year 1838, and arrears due for 1837, June 13, 1838, - 241
Appropriations for preventing and suppressing Indian hostilities for the year 1839, March 3, 1839, - 257
Appropriations for preventing and suppressing Indian hostilities in Florida, - 434

Indian Reservations.

Commissioners to be appointed to adjust claims to reservations under the treaty with the Choc-tawas. Their duties, salaries, &c., March 8, 1837, - 190
The sale of the Creek Indian reservations under the treaty of 1832, authorized and sanctioned, March 3, 1837, - 186
The money received from the purchasers to be paid to the persons entitled thereto, 186
Patents may issue to the last purchasers of Creek Indian selections, July 5, 1838, 256

Indian Treaties.

An act to carry into effect the treaty with the Chickasaw Indians, April 20, 1836, 10
Provisions relative to the sale of lands and payment of moneys, - 10
Appropriations for carrying into effect treaties with the Cherokee, Osageos, Choc-tawas, Ottawas, Chippewas, &c., and expenses of delegation to Washington, July 2, 1836, 73
Appropriations for Indian treaties, July 7, 1838, - 298
Appropriations for Indian treaties, July 20, 1840, - 403
Appropriations for Indian treaties in 1841, 73
Appropriations for Indian treaties, August 23, 1842, 417
Appropriations for Indian treaties, July 17, 1842, - 493
An act to provide for the satisfaction of claims arising under the fourteenth and nineteenth article of the treaty of Dancing Rabbit creek, concluded in September, 1830, August 23, 1842, - 513
Proceedings of the commissioners appointed under the treaty, - 513
Appropriations for Indian treaties, March 3, 1843, - 612

Indian Resolutions.

Appropriations for suppressing hostilities with the Seminole Indians, January 14 and January 29, 1836, - 1
Part of appropriations to be transferred to the credit of subsistence, March 19, 1836, - 6
Appropriations for suppressing hostilities with the Indians in Florida, April 1, 1836, - 8
Further appropriations for suppressing Indian hostilities in Florida, April 29, 1836, - 17
Appropriations for the suppression of hostilities by the Creek Indians, May 23, 1836, 33
INDEX.

Iowa.

An act to divide the territory of Wisconsin, and to establish the territorial government of Iowa, June 12, 1836, - 295
Notes of the acts relating to the territory of Iowa, - 295
The President of the United States authorized to cause the southern boundary line of the Iowa territory to be run, June 19, 1836, - 296
Salaries of officers in the territory of Iowa, - 296
A grant of land to Iowa territory for the erection of public buildings, March 3, 1839, - 330
Compensation to the judges of the Supreme Court in Iowa, March 2, 1839, - 331
Eastern boundary line of the territory of Iowa to be defined and established, March 3, 1839, - 337
The Legislative Council of Iowa authorized to provide by law for the election of sheriffs, and of a delegate to Congress, March 3, 1839, - 337
Assent of Congress to an extra session of the Legislature of Iowa, April 30, 1844, - 657
Certain lots granted to the town of Dubuque, June 18, 1844, - 666
Appropriations for certain improvements in the territory of Iowa, - 670
Dubuque harbor, - 670
Bridges on the agency road, - 670
Bridges on the military road from Dubuque to Missouri, - 670
Iowa admitted into the Union, March 3, 1846, - 743
Boundaries of Iowa, - 743
Iowa to have concurrent jurisdiction of the Mississippi and other rivers. The Mississippi river, and the navigable waters leading into the river, a common highway, - 743
Ordinance of Iowa, appended to the constitution, not to be obligatory on the United States, - 743

To have one representative in Congress, 743
Not to interfere with the public lands, 743
Jurisdiction of the District Court of Iowa the same as that given to the District Court of Kentucky by the act of September 24, 1839, - 769
District Attorney and Marshal to be appointed, - 769
Grants of lands for schools and for a university, - 769
Laws of the United States extended to Iowa, - 769
Propositions to be submitted to the Legislature of Iowa, - 769

Jackson, General Andrew.
The fine imposed on General Andrew Jackson at New Orleans, on the 31st day of March, 1815, to be repaid to him with interest at the rate of six per centum, February 16, 1844, - 631

Judiciary.
The District Court of the western district of Virginia, to be held at Clarksburg, to sit on the first Monday of April and September, July 1, 1838, - 295
Regulations of the Supreme Courts of the Territory of Florida, July 2, 1836, - 69
The District Court of Arkansas to have the same jurisdiction as other District Courts of the United States, March 1, 1837, - 147
The Supreme Court of the United States to consist of a Chief Justice and eight Associate Justices, March 3, 1837, - 176
Establishment of the second, third, fourth, fifth, sixth, seventh and eighth circuits, - 176
Notes of acts relating to the courts of the United States, - 176
The acts vesting the jurisdiction of Circuit Courts in certain District Courts, repealed, - 177
Regulations of the Circuit Courts established, - 178
Circuit and District Courts in Alabama, Feb. 22, 1838, - 210
Times of holding the District Courts in Indiana, Illinois, and Michigan, March 10, 1838, - 215
A Circuit Court to be held annually in each district, - 215
Circuit Court jurisdiction restored to the District Courts of the western district of Virginia, - 215
District Courts in the State of Mississippi, June 18, 1838, - 247
A District Court established in the western district of Tennessee, June 18, 1838, - 249
Salary of the Judge of the 'Orphans' Court of the county of Alexandria, in the District of Columbia, June 28, 1838, - 252
Circuit and District Courts in the western district of New York, July 7, 1839, - 255
An act to change the times of holding the United States Circuit Court in the district of East Tennessee, and the Maryland district, July 7, 1839, - 308
INDEX.

Judiciary.

District Courts of Tennessee, January 18, 1839, 313
District Courts in Alabama, February 6, 1839, 315
District Court of Mississippi, February 16, 1839, 317
Jurisdiction may be entertained of suits in which some of the parties may be found in the State in which the suit shall be brough, and where other expedients are not found. Judgment not to prejudice parties not found, February 98, 1839, 321
An act for altering the time of holding the District Court of the United States for the western district of Pennsylvania at Williamsport, May 8, 1840, 380
District Court of Tennessee, July 4, 1840, 392
Adjournment of the Circuit Courts, July 4, 1840, 392
Special Sessions of the Circuit Courts, 393
Liens of judgments and decrees in the Circuit and District Courts of the United States, 393
Jurors in the courts of the United States, July 20, 1840, 394
The District Court of the eastern district of Pennsylvania, to hold a special session, 470
Commissioners to be appointed to select jurors for the courts in Pennsylvania, March 19, 1842, 471
Appeals from the District Court of Jackson, Tennessee, to the Circuit Court, April 14, 1842, 472
Fall terms of the District Court at Jackson and Knoxville, 472
Circuit and District Courts in East and West Tennessee, and Ohio, 488
The act of May 19, 1838, chap. 68, relating to process, made applicable to States since admitted into the Union, August 1, 1842, 499
Appeals to the Supreme Court from the District Court of the northern district of Alabama, at Huntsville, August 4, 1842, 504
Assignment of the Judges in the Territory of Iowa, to the districts to which the Judges were assigned by the laws of Iowa, August 11, 1842, 505
Appointment of a deputy by the Clerk of the District Court of the northern district of New York, August 11, 1842, 506
Establishment of the fourth, fifth, and sixth circuits, August 16, 1842, 507
The Justices of the Supreme Court to allot the several districts among the justices of the court, 507
Commissioners to be appointed by the Circuit Courts to take bail and to exercise the powers of justices of the peace in certain cases, August 23, 1842, 516
District Courts to have concurrent jurisdiction with the Circuit Courts in all offenses not capital, 517
Punishment prescribed by the 18th section of the act of April 30, 1790, chap. 5, changed, 517
District and Circuit Courts always open for the purpose of filing libels. Any judge of the court may award such process, 517
The Supreme Court to prescribe forms of writs, and to regulate costs, 518
Interest to be allowed and levied on all judgments, 518
The District Court of Western Virginia to hold an annual term at Wheeling, August 26, 1842, 523
An act to provide further remedial justice in the courts of the United States, August 29, 1842, 539
The Justices of the Supreme Court empowered to grant writs of habeas corpus when subjects of foreign states are in custody under process of the courts of the United States, or of any of the courts of the State, August 29, 1842, 539
If the prisoner shall be entitled to be discharged, he shall be discharged forthwith, 539
Until final judgment, and after discharge, proceedings against him in the State Courts to be null and void, 540
The District Court of Western Virginia shall hold a term at Charleston, in Kanawha, instead of Lewisburg, in Greenbrier county, 547
Additional appropriations for the expenses of the judiciary, August 31, 1842, 576
An act establishing a District Court at Wheeling, January 20, 1843, 597
Change of the place of holding the Circuit and District Courts of the district of Maine, 596
The time of holding the Circuit Court in the district of Connecticut altered, February 24, 1843, 601
The time of holding the Circuit and District Courts in East Tennessee changed, March 3, 1843, 610
Establishment of a Circuit Court at Williamsport, in the western district of Pennsylvania, March 2, 1843, 628
The time of holding the District Courts at Clarksburg and Wheeling, in Western Virginia, changed, 649
The Circuit Court of Arkansas to sit on the second Monday in April in each year, 652
A Circuit and District Court in Ohio, 655
District Courts of Eastern Virginia, 655
Circuit Courts of Alabama, 655
Appeals to the Supreme Court from the Circuit Court in any case arising under the revenue laws, May 31, 1844, 658
Alteration of the time of holding the District Court in the district of New Jersey, 660
The Courts of Arkansas to have jurisdiction over certain Indian country, June 17, 1844, 660
The business of the District Court for the western district of Louisiana, transferred to the District Court for the eastern district, and to be there disposed of, and one term of the Court to be held annually for the business of the western district, February 13, 1845, 722
INDEX

Judiciary.

Admiralty jurisdiction given to the District Court of the United States upon the lakes, February 26, 1845.

The Circuit Court of the eastern district of Louisiana, to transact the business of the Circuit Court for the western district, February 26, 1845.

The times of holding the Circuit Courts in Kentucky, North Carolina, South Carolina, Georgia, and the southern district of Alabama and Louisiana, March 1, 1843.

District Judges of Ohio, Indiana, Illinois, and Missouri. Their salaries to be fifteen hundred dollars per annum.

Application of the laws of the United States to Florida, March 3, 1845.

Florida to compose one district, and one district judge to be appointed.

Jurisdiction the same as given to the District Judge of Kentucky by the act of September 30, 1789, ch. 20.

District Attorney, Clerk and Marshal to be appointed.

Annual and extra sessions of the District Court.

Compensation of the Judge.

Jurisdiction of the District Court.

Laws of the United States applicable to Iowa, 1845.

Compensation of the Judge.

Annual and extra sessions of the District Court.

District Attorney, Clerk and Marshal to be appointed.

Land Districts.

A new land district in the State of Missouri, to be located, called the Platte land district, August 29, 1843.

Register and Receiver to be appointed. The President to designate their place of residence.

Part of certain districts to be annexed to Lexington district.

Champagnole land district in Arkansas established, February 20, 1845.

Land Offices.

The land office to be removed from Clinton to Jackson in the State of Mississippi, June 23, 1836.

Additional land offices in Louisiana and Arkansas established, July 7, 1838.

Land office to be removed from Coocahma in Mississippi, to Grenada, July 4, 1840.

Additional land offices in Florida, August 30, 1842.

Laws of the United States.

So much of the act of September 15, 1789, chap. 14, as requires the Secretary of State to have the laws recorded, repealed, July 7, 1836.

A resolution to authorize the Attorney-General to contract for copies of a proposed edition of the laws of the United States, March 3, 1845.

Library of Congress.

Appropriation for printing the catalogue of the library.

Copies of the catalogue of the library of Congress to be distributed to the colleges and universities in the United States that have not already received them, January 30, 1843.

Light-Houses, &c.

An act making appropriations for building light-houses, light-boats, beacon-lights, buoys and dolphins, for the year 1837, March 3, 1837.

Appropriations for building light-houses, light-boats, beacon-lights, buoys, and making surveys, for the year 1838, July 7, 1838.

Light-boats at Sandy Hook and Barletta's reef, August 25, 1841.

Lottery Tickets in the District of Columbia.

An act to suppress the vending of lottery tickets in the district of Columbia, August 30, 1842.

Louisiana.

Circuit Court of Louisiana, March 3, 1833.

Representatives in Congress according to the sixth census.

Certain papers relating to titles to lands in Louisiana, to be returned to the General Land Office.

Time of holding the Circuit Court in Louisiana.

An act to repeal an act for the better organization of the District Court of the United States within the State of Louisiana, February 13, 1845.

Actions pending in the District Court of the...
Louisiana.

- Western district of Louisiana transferred to the eastern district, and to be disposed of in the District Court for the eastern district of Louisiana, 722
- One term of the District Court of the eastern district of Louisiana to be held for the business of the western district, 723
- Circuit Court causes in the western district of Louisiana to be transferred to the Circuit Court of the eastern district, and to be there disposed of, February 26, 1845, 726

See Public Lands—Presumption Rights.

Louisiana Land Claims.

- An act confirming certain land claims in Louisiana, July 6, 1842, 491

Mackerel Fishery.

- Vessels licensed for the mackerel fishery not subjected to forfeitures under the act for enrolling and licensing ships, &c., for the coasting trade, &c., of May, 1836, chap. 119, April 30, 1836, 16

Madison, Dolly P.

- The privilege of franking allowed to Mrs. Dolly P. Madison, July 3, 1836, 107
- The right to publish for her own benefit in foreign countries the manuscript debates of the convention which framed the Constitution of the United States, and to have the avails of such publications, October 14, 1837, 505

Madison Papers.

- The printing of the Madison papers authorized, July 7, 1838, 309

Magnetic Telegraphs.

- An act to test the practicability of magnetic telegraphs by the United States, March 3, 1843, 618
- Appropriation for constructing an electromagnet telegraph, 618

Maine.

- To reimburse the State of Maine for allowances to E. S. Greely and John Baker, July 7, 1836, 265
- Representatives in Congress according to the sixth census, 491
- Change of the place of holding the Circuit and District Courts of the State of Maine, February 15, 1843, 600

Marine Hospitals.

- Appropriations for certain sites for marine hospitals, August 29, 1843, 546
- Appropriation for a marine hospital at Key West, to be expended under the direction of the Secretary of the Treasury, June 15, 1844, 670

Maryland.

- Circuit Court for Maryland, July 7, 1833, 308
- Representatives in Congress according to the sixth census, 491

Massachusetts.

- The Secretary at War to receive additional evidence on the subject of the claims of Massachusetts and other States on the United States, May 14, 1836, 133
- Representatives in Congress according to the sixth census, 491

Memphis.

- A navy yard established at Memphis in the State of Tennessee, June 15, 1844, 655
- The third section of the joint resolution relating to the examination by the Attorney-General of sites for fortifications and improvements by the United States, suspended in the case of the national depot at Memphis, February 13, 1845, 796

Merchandise recovered from Shipwreck.

- Merchandise recovered from shipwreck which has been sunk in any of the harbors of the United States, may be entered free of duty, March 3, 1843, 609

Michigan.

- The State of Michigan admitted into the Union, June 15, 1836, 49
- Provisions relative to the boundary line between Ohio and Michigan, 49
- Section of land for schools in Michigan, June 30, 1836, 69
- Per cent of lands sold to be applied to roads and canals, 60
- Salt springs granted to the State, not exceeding twelve in number, 60
- An act to provide for the execution of the laws of the United States in the State of Michigan, July 1, 1836, 61
- Compensation of the Judge, Attorney and Marshal of Michigan, July 1, 1836, 63
- An act to admit the State of Michigan into the Union, January 26, 1837, 144
- Entitled to a deposit of the surplus revenue, 144
- District Courts in Indiana, Illinois and Michigan, 215
- The boundary line between Michigan and Wisconsin to be designated, 244
- Representatives in Congress according to the sixth census, 491

Michigan Land Claims.

- The Mayor of Detroit authorized to adjust claims, August 29, 1843, 541

Military Academy.

- Appropriations for the Military Academy for the year 1836, July 3, 1836, 72
- Appropriations for the Military Academy for the year 1837, March 2, 1837, 351
- Appropriations for the Military Academy for the year 1838, July 7, 1838, 264
- An act to provide for the Military Academy for the year 1840, July 30, 1840, 397
- Appropriations for the Military Academy for the year 1841, March 3, 1841, 415
- Appropriations for the Military Academy, 508
- Appropriations for the Military Academy for the fiscal year ending June 30, 1845, April 19, 1844, 855

Militia.

- The State of Maine to be paid for the militia in the service of the State, June 13, 1842, 490
- Appropriation to pay the State of Louisiana...
INDEX.

Militia.
for the expenses incurred in raising a regiment of volunteer militia, August 23, 1842, 543
Payment of the militia of Florida called into service in 1839 and 1840, August 23, 1842, 553
Payment of the Florida militia, August 21, 1842, 578
The claims for supplies to the Florida militia to be settled on principles of equity and justice, March 3, 1843, 699
Resolution relative to settlements for supplies furnished to the militia of the United States under act of 1842, chap. 192, April 30, 1844, 716
See Volunteers and Militia.

Mint of the United States.
An act supplementary to an act entitled "An act establishing a mint and regulating the coins of the United States, January 18, 1837, 136
Organisation of the mint, 136
Regulations of the standard and weight of coins, 157
Deposits and assay of bullion and coinage, 158
Annual trial of coins, 141
Losses in coinage, 141
Officers of the branch mint at New Orleans, Charlotte and Dahlonega, and their salaries, February 13, 1837, 147
The duties of melter and refiner transferred from the assayer to the coiner in the branch mints at Dahlonega, in Georgia, and Charlotte, in North Carolina, Feb. 27, 1843, 602
The act required by the third section of the act of March 3, 1835, chap. 37, may be taken before any Judge of the Supreme Court, or of any court of record, in the State where the officer taking the same is situated, April 2, 1844, 653

Mississippi.
Mississippi divided into two districts, June 18, 1838, 247
Northern and southern districts—sessions of the courts, 247
District Courts of the United States in the State of Mississippi, 247
District Court of Mississippi, February 16, 1839, 317
Representatives in Congress according to the sixth census, 491
An act in relation to the two per cent. fund in the State of Mississippi, March 1, 1843, 603

Morgan, General.
The gold medal presented to General Morgan by Congress to be renewed at the mint of the United States, July 9, 1836, 68

Mississippi and Alabama.
Compact between Alabama and Mississippi relative to five per cent. fund and the school reservations, 116
Relinquishment of two per cent. on the net proceeds of the sales of public lands, 603

Mississippi Land Claims.
Certain surveys of lands in Mississippi confirmed, March 3, 1845, 740
Resurveys directed to be executed by the surveyor south of Tennesse, under the orders of the General Land Office, 741

Missouri.
The western boundary of the State of Missouri extended, June 7, 1836, 34
District Judge of Missouri to attend at St. Louis, March 3, 1839, 327
Representatives in Congress according to the sixth census, 491
Commissioners to be appointed to run the northern boundary line between the State of Missouri and Iowa, June 17, 1844, 677
Proceedings of the Commissioners, &c. 677

Missouri Land Claims.
Decision of the Receiver as to certain claims confirmed, July 4, 1838, 126
Location on other lands if the land is occupied, 137
The provisions of the act of May 26, 1834, so far as they relate to the State of Missouri, revised and extended, June 17, 1844, 676
The District Court and the Judges in the States of Indiana, Arkansas, Louisiana, Mississippi and Alabama, to have jurisdiction of French, Spanish and British land claims in those States, 676

NationalCourtesy.
Thanks of Congress for zeal of the authorities of Gibraltar, and the commander and officers of the British ship Malabar at the burning of the Missouri, 739

Navy.
Appropriations for the naval service in 1836, May 14, 1836, 37
An act to provide for the enlistment of boys for the naval service, and to extend the time of the enlistment of seamen, March 2, 1837, 153
Repeal of part of the act of May 15, 1829, chap. 31, 491
Persons whose time of enlistment expires while on foreign service to be sent home, 153
If detained, to be subject to laws, &c., of the navy, 153
Re-enlistment, 153
Appropriations for the naval service of the United States for the year 1837, March 3, 1837, 153
The titles of "Masters Commandant" changed to "Commanders," and "Sailing-Masters" to "Masters" in the navy, March 3, 1837, 153
The President authorized to cause the public armed vessels to cruise on the coast for the relief of distressed navigators, December 22, 1837, 208

322
INDEX.

Navy.

Appropriations for the naval service for the year 1838, May 31, 1838, - - - 332
The Secretary of the Navy authorized to purchase certain lands for the navy yard at Charleston, Massachusetts, March 3, 1839, - - - - 339
Note of the decision of the Supreme Court of the United States in the case of Harris v. Elliott, (10 Peters, 25,) - - - - 339
Appropriations for the naval service for the year 1839, March 3, 1839, - - - - 339
Appropriations for the purchase of naval ordnance and ordnance stores, September 11, 1841, - - - - 461
The Secretary of the navy authorized to contract with R. L. Stevens for a war steamer, April 14, 1842, - - - - 473
Appropriations for the navy for the year 1843, August 4, 1842, - - - - 500
An act to regulate the pay of pursers and other officers in the navy, August 26, 1842, - - - - 535
Regulations for the purchase of stores, 535
Advance of money, or any commodity to officers, unlawful, - - - - 536
Pay of boatswains and gunners, - - - - 538
Officers performing duty of a higher grade by order of the Secretary of the Navy or the commander of a fleet, squadron or ship, to receive the pay of such grade, of which he performs the duty, - - - - 536
Appropriation for building a depot of charts and instruments of the navy, August 31, 1843, - - - - 576
Professors of mathematics in the navy entitled to mess with the lieutenants, and to receive rations as received by lieutenants of the ship, August 31, 1843, - - - - 576
An act to regulate the pay of engineers in the navy, August 31, 1842, - - - - 577
An act to reorganize the navy department of the United States, August 31, 1842, - - - - 579
Chiefs of bureaus to be appointed, - - - - 579
Duties of chiefs of bureaus, - - - - 580
Papers of the navy commissioners to be distributed among the chiefs of bureaus, 580
Certain reservations to be made of lands in the south-eastern district of the state of Louisiana, for the navy, March 3, 1843, - - - - 611
Right of pre-emption to said lands to be admitted, - - - - 611
Appropriations for the navy from January 1, 1843, to June 30, 1843, and for the fiscal year from July 1, 1843, to July 1, 1844, March 3, 1843, - - - - 615
The President of the United States authorized to direct the transfer of certain appropriations in the naval service under certain circumstances, - - - - 651
Appropriation for the increase of the navy, April 22, 1844, - - - - 656
Appropriations for arrears and expenses beyond former appropriations, June 15, 1844, - - - - 669
Pay of superintendents, naval contractors, and all the naval establishments at the several navy yards, - - - - 669

Navy Pension Fund.

Building an iron steamer at Pittsburgh on Lieutenant Hunter's plan, - - - - 669
Purchase of clothing, - - - - 669
Appropriations for the navy for the fiscal year, ending June 30, 1845, June 17, 1845, - - - - 699
Seamen in the service of the United States to be detained after the period of their enlistment until the arrival of the vessel in which they shall be so detained, and until discharged by the Secretary of the Navy; the detention not to exceed thirty days after the arrival of the vessel in a port of the United States, February 26, 1845, - - - 729
The provisions of the act of 1844, chap. 107, as to the pay of officers performing the duties of higher grades, not to apply to officers on foreign stations until after receipt of information of the passage of the act, February 26, 1845, - - - - 729
The commanding officer of any vessel, squadron or fleet of the navy, when on the high seas, or in a port where there is no resident consul of the United States, authorized to exercise all the powers of consul in relation to mariners of the United States, 729
Appropriations for the naval service for the year ending June 30, 1846, March 3, 1845, - - - - 790

Navy Rations.

An act to establish and regulate the navy rations, August 29, 1842, - - - - 546
New Hampshire.

Representatives in Congress according to the sixth census, - - - - 491
New Jersey.

Representatives in Congress according to the sixth census, - - - - 491
The places of holding the District Court of New Jersey altered, June 4, 1834, - - - - 660
New Madrid Locations of Lands.

The titles to be perfected to lands south of the Arkansas river, held under New Madrid locations, and pre-emption rights under the act of February 17, 1815, chap. 45, March 1, 1843, - - - - 603
Owners of warrants on the lands in which the locations have been made and sold, may enter other lands, - - - - 603
Settlers south of the Arkansas entitled to the benefits of the act of February 17, 1815, chap. 45, - - - - - - 603
INDEX.

New Madrid Locations of Lands.
Notes of the decision of the Supreme Court under act of February 17, 1815, chap. 45, 603

New Orleans.
Limits of the port of New Orleans, February 3, 1837, 2, 145
The Collector of New Orleans may, with the approval of the Secretary of the Treasury, employ, not exceeding ten additional inspectors, March 3, 1845, 501

New York.
Four regular terms to be held by the District Court for the northern district of New York, to be held at Albany, Utica, Rochester and Buffalo, July 7, 1838, 295
Circuit Court for the northern district of New York, 395
Circuit Court of New York, March 3, 1839, 333
Representatives in Congress according to the sixth census, 491
The Clerk of the District Court for the northern district of New York may appoint a deputy. The Clerk to be responsible for his acts, August 11, 1842, 506
See Courts—Judiciary.

North Carolina.
Representatives in Congress according to the sixth census, 491
The appropriation for the hospital at Ocracoke, North Carolina, not to revert to the surplus fund, &c., February 27, 1843, 602
Time of holding the Circuit Courts of North Carolina, 731
See Courts—Judiciary.

North-eastern Boundary of the United States.
Appropriation to provide for the expenses of making a survey and exploration of that part of the north-eastern boundary line of the United States which separates the States of Maine and New Hampshire from the British provinces, July 20, 1840, 492
Further appropriations, February 27, 1841, 413

Officers of Congress.
Extra pay to officers of Congress, 462

Ohio.
Northern boundary of Ohio established, June 15, 1836, 49
Establishment of the northern boundary line of Ohio, June 23, 1836, 56
Description of the east and west line, 57
Change of the time of holding the Circuit and District Courts of Ohio, June 1, 1849, 498
Representatives in Congress according to the sixth census, 491
Repeal of the act to amend the act of March 10, 1835, entitled “An act to change the time of holding the Circuit and District Courts in the district of Ohio,” March 26, 1844, 632
See Courts—Judiciary.

Oregon and California.
Purchase of certain copies of the History of Oregon and California, &c., from Robert Greenbow, authorized, February 90, 1845, 723
Distribution of the copies purchased, 723

Orphans’ Court of Alexandria County.
Salary of the Judge of the Orphans’ Court of the county of Alexandria, in the District of Columbia, June 28, 1838, 253

Osage Indians.
Provisions to be furnished to them. Farmers to be employed, and stock to be purchased for them, January 16, 1836, 300

Paintings for the Rotunda of the Capitol.
A contract to be made with American artists for four historical paintings, June 23, 1836, 133

Passengers on board of Steam Vessels.
Owners of steam vessels to make a new enrolment and take out a new license, July 7, 1838, 304
Inspectors of steam boilers and machinery on board vessels to be appointed by District Judges, 304
Examination and certificates of inspection, &c., 304
Safety valves to be opened whenever vessels stop, 305
Regulations to be observed on board of steam vessels, 306
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, 636
Vessels propelled by steam to be provided with additional steering apparatus, 636
Vessels provided with certain apparatus may use hemp tiller ropes, &c., 636
Freight vessels propelled by sails and Ericsson’s propeller, not required to provide suction hoes, &c., 637
Experimental trials of inventions to prevent explosions, &c., 637

Patents for Public Lands.
Patents to be issued to heirs, devisees, and assigns, May 20, 1836, 31
An act to confirm land patents, March 3, 1841, 416

Patents for useful Inventions.
Literal exemplifications of records of patents and other evidences of title, to be as valid as if the names of the officers signing and countersigning the same had been fully inserted in such record, March 3, 1843, 627

Patents for Public Lands.
A Commissioner of Patents to be appointed, July 4, 1836, 117
Proceedings to obtain patents, 119
Patents to be signed by the Secretary of State and the Commissioner of Patents, 119
Interfering applications, 190
Sums to be paid for patents by citizens of the United States—by the subjects of Great Britain, and by other persons, 151
Assignments of patents and records thereof, 181
Patents invalid from defective exemplifications. Additions to patent, 123
Pennsylvania.

Pennsylvania. the United States for the western district of Pennsylvania, to commence on the first Monday in October, July 27, 1842, . 496

Circuit Courts to be held at Williamsport in the western district of Pennsylvania, March 3, 1843, . 628

Proceedings now pending in the District Court transferred to the Circuit Court, 628

See Courts—Judiciary.

Pensions

The laws authorizing the Bank of the United States to pay pensions revised, and pensions to be paid according to the directions of the Secretary at War, April 20, 1836, . 6

Appropriations for the payment of revolutionary pensioners, April 14, 1836, . 9

Limitation of the denomination of bank notes to be paid for pensions, and all bank notes paid to be equivalent to specie, and convertible into gold and silver without loss when paid, . 9

The act of January 1838, chap. 2, to prevent defalcations on the part of the disbursing agents of the government, shall not apply to the pension of any pensioner of the United States, May 20, 1836, . 31

A pension agency to be established at Wheeling, Virginia, June 7, 1836, . 34

A pension agency to be established at Pascagoula, Tennessee, June 29, 1836, . 60

Five years' half pay to widows or orphans of those who have died in the service of the United States, since April 20, 1818, July 4, 1835, . 127

Benefit of the act of June 7, 1832, extended, . 128

The benefits of the act of July 1836, chap. 362, not to be withheld from any widow who has been allowed a pension, in consequence of her marriage, subsequent to the allowance of a pension to her, March 3, 1837, . 187

Widows of persons who continued in service till November 2, 1783, and were married before that day, entitled to the benefits of the third section of the act of July 1836, . 187

All money after having remained in the hands of the pension agent unclaimed for eight months, to be repaid to the Treasury of the United States. To be paid to the Treasurer of the United States by draft from the Commissioner of Pensions, April 6, 1838, . 224

Appropriations for revolutionary and other pensioners, March 10, 1838, . 214

A pension agency to be established at Tuscaloosa, Alabama, June 28, 1838, . 254

The pension agency at Decatur, to be removed to Huntsville, Alabama, July 5, 1838, . 255

Five years' pension granted to certain widows of officers and soldiers, July 7, 1838, . 303

No pledge or mortgage of the half pay or pension to be valid. Not liable to be seized for debt, . 303

The benefits of the act of July 4, 1836, chap.

Patents for useful Inventions.

Suits for violations of patents, . 123

Actions cognizable in the Circuit Courts, 124

Library of the patent office. Models, . 125

Patents in addition to the act to promote the progress of science and the useful arts, March 3, 1837, . 191

Patents issued, and assignments executed and recorded prior to December 15, 1836, may be recorded anew, . 191

Measures to be taken to obtain patents, &c., to be recorded, . 191

Certified copies of records to be evidence. Renewal of new patents. Duplicates of models. Patents returned when specification has been marked, . 191

Moneys paid as fees under mistake to be paid back. Patents issued, and assignments executed and recorded prior to December 15, 1836, may be recorded anew, - 191

An act in addition to "An act to promote the progress of the useful arts," March 3, 1839, . 466

Distribution of the Digest of Patents, Sept. 1, 1841, . 456

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, August 29, 1843, . 543

Moneys paid as fees under mistake to be paid back. Patents returned for that purpose, August 29, 1842, . 466

The third section of the act of March 3, 1837, chap. 43, extended to patents granted prior to December 15, 1836, though lost subsequently, . . . 543

Any alien &c. who may have resided one year in the United States, may obtain a patent on making an oath of his intention to become a citizen of the United States, . 543

Penalties for infringing patent rights, 544

Articles patented, when offered for sale to be marked, . . . . 544

Pauper Lunatics in the District of Columbia.

Provision for the maintenance of pauper lunatics in the District of Columbia, August 3, 1841, . . . 439

Pean Patch on the Delawares.

Purchase of the Pea Patch on the Delaware authorized, March 3, 1839, . . . 366

Penitentiary in the District of Columbia.

Appropriation for the Penitentiary in the District of Columbia, February 16, 1839, . . 318

Appropriation for purchasing materials for the Penitentiary in the District of Columbia, August 31, 1842, . . . 579

Pennsylvania.

District Court for the western district of Pennsylvania, May 8, 1840, . . . 380

The District Court for the eastern district of Pennsylvania to hold a special session, March 19, 1842, . . . 470

Representatives in Congress according to the sixth census, . . . . 491

The October Term of the District Court of...
INDEX.

Pensions.

362, not to be withheld from the widows of those whose husbands have died, or shall die since the passage of the act, July 7, 1838, - 391

Appropriation for the payment of revolutionary pensions for the year 1839, February 19, 1839, - 316

Appropriations for the payment of revolutionary and other pensions for the year 1841, February 18, 1841, - 413

Appropriations for pensions in the year 1842, February 12, 1842, - 470

Pensions to certain widows, under the appropriations for the payment of navy pensions, February 14, 1843, - 598

Marriage of a widow to be no bar to her pension, April 14, 1843, - 473

Pension to Cherokee warriors, April 14, 1843, - 598

Appropriations for pensions in the year 1843; March 3, 1843, - 606

The benefits of the act of July 7, 1836, chap. 362, and July 18, 1838, chap. 169, if a widow at the time of her application for a pension, August 23, 1843, - 591

The act of 1813, chap. 102, extended for four years; March 4, 1844, - 608

Widows entitled under the act of 1838, chap. 169, to have the benefits of this act, - 690

Appropriations for the payment of revolutionary and other pensions for the year ending June 30, 1845, April 30, 1844, - 656

Pensions or arrears of pensions, at the option of the pensioner, An Act of 1842, - 584

On application to any pension agent in Kentucky, the name of the pensioner shall be transferred to the agency in Cincinnati, - 657

Act of 1813, chap. 102, extended for four years from March 4, 1844, - 680

Widows' pensions limited, - 734

Resolution that the act of March 3, 1845, chap. 18, shall not be construed to affect the claims of widows whose application for pensions or arrears of pensions, at the time of the passing of this resolution, had been made and filed in the office of the Commissioner of Pensions, January 29, 1845, - 735

Piers on Winnebago Lake.

Appropriation for building a pier at the northern extremity of Winnebago lake, March 3, 1839, - 336

Pilots.

Pilots, when licensed by either State, may be employed on the waters which are the boundaries of the States, March 2, 1837, - 153

Appropriation for build'a pier at the northern extremity of Winnebago lake, March 3, 1839, - 336

Port of entry in the district of Passamaquoddy in the State of Maine, to be a port of delivery, March 3, 1843, - 609

Portions of the cases in the courts of the United States as to pilots and pilotage, - 153

Notes of the cases in the courts of the United States as to pilots and pilotage, - 153

Piers of Entry and Delivery.

Piers of Entry and Delivery, to be known as ports under those names within the collection district of New Bedford, and the vessels belonging to these places to be described as belonging to the respective places, May 27, 1840, 381

The port of delivery and the office of Surveyor of the Customs at Currituck Inlet in North Carolina, to be abolished, March 3, 1841, - 436

Robbinston, in the State of Maine, to be a port of delivery, March 3, 1843, - 609

Port of entry in the district of Passamaquoddy in the State of Maine, May 31, 1844, - 609

Lafayette, in Louisiana, to be a port of delivery, June 12, 1844, - 668

Vessels proceeding to the port of Lafayette, in the State of Louisiana, to make report and entry at New Orleans, - 739

Postage.

An act to change the organization of the post-office department, and to provide more effectually for the settlement of the accounts thereof, July 2, 1836, - 80

Regulations of the post-office department, and duties of the postmasters and auditors, - 80

Settlement of the accounts of the post-office department, - 82

Compensation of assistant Postmasters-General, auditors, clerks, &c., - 89

Postmaster-General authorized to change the time of termination of contracts for carrying the mail, March 3, 1837, - 198

The walls of the post-office building destroyed by fire to be taken down, and the materials preserved, March 19, 1838, - 310

An act further to regulate the transportation of the mail of the United States on railroad, January 25, 1839, - 213

An act providing for the erection of a fireproof building for the use of the general post-office, March 3, 1839, - 353

A complete edition of the laws and regulations of the post-office to be printed, August 29, 1849, - 538

An act to authorize the extension of the contract for carrying the mail on the mail routes between Mobile and New Orleans, June 6, 1843, - 583

Resolution for the extension of the contract for carrying the mail on the Potomac, August 31, 1842, - 585

The chief clerk in the office of the Secretary of State authorized to frank letters and documents from the office, - 600

Appropriations for the service of the post-office for the fiscal year, ending June 30, 1845, June 15, 1844, - 668

The Postmaster-General to make arrangements with the British government for the transmission of the mails between Boston and Canada, and the mail between the United States and Europe, June 15, 1844, - 718

Mail between Bremen, Havre, &c., - 716

Regulations to be established for the mailing, - 718

Franking privileges of officers of government taken away, March 3, 1845, - 733
INDEX.

Post Roads.

Reduction of postage on letters to five cents for less than 300 miles, and ten cents for any distance exceeding 300 miles, - 733
Postages on newspapers, - - - - 733
Postages on printed handbills, - - - - 733
Postages on pamphlets, - - - - - 733
Regulations relative to mails, - - - - - 733
Deputy postmasters to be paid postage on business letters, - - - - - 734
Transportation of the mail by railroads, 735
Appropriations for deficiencies of the revenue of the post-office, - - - 739
Franking privilege to members of Congress, to Presidents of the United States, Mrs. Madison and Mrs. Harrison, 733, 739
Provisions relating to violating the post-office laws, - - - - - 798-799
Appropriations for the post-office for the year ending June 30, 1846, March 3, 1845, 739
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 revenue of the United States, March 3, 1845, - - - 739
The Postmaster-General authorized to make contracts for the transportation of the mail from the United States to foreign countries, March 3, 1845, - - - - 745
Contracts to be made with American citizens, 749
Regulations for transporting the mail, 749
Consuls of the United States authorized to pay the postage on letters detained for postage in foreign countries, - - - 750
Preference to be given to steam-ships for carrying the mail, - - - 750
Steam-ships to be delivered to the government, at their full value, on demand, 750
Transportation of the mail to the Gulf of Mexico in steamers, - - - - 750
The Postmaster-General may contract for the transportation of the mail on railroads without advertising for contracts, February 20, 1845, - - - 796
A resolution to fix the time when the act to reduce the rates of postage, and limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenue of the post-office department, shall go into effect, March 3, 1845, - - - 800

Pre-emption Rights to Public Lands.

Qualifications necessary to entitle settlers to the benefits of the act of May 29, 1830, chap. 208, June 25, 1838, - - - - 321
An act supplementary to the act entitled "An act granting pre-emption rights to settlers on the public lands," approved June 29, 1838, June 1, 1840, - - - - 388
Provisions relating to pre-emption of public lands, by the act to appropriate the proceeds of public lands, and to grant pre-emption rights, September 4, 1840, - - - - 455
Provisions relating to entry of land under pre-emption rights, - - - - - 456
Settlers at Mineral Point, Wisconsin, who have been refused entry, to be allowed to re-enter land elsewhere, August 23, 1842, - - - - 591
Patents to issue for lands entered under pre-emption laws, but withheld on account of the quantity exceeding that specified in the law, August 26, 1842, - - - - 534
Act of September 4, 1841, chap. 16, not to confer a right of pre-emption by reason of a settlement on a tract herebefore sold, 535
An act to authorize an investigation of alleged frauds under the pre-emption laws, and for other purposes, March 3, 1845, - - - - - 619
Provisions for the execution of the act, 619
Patents to issue on all entries made at St. Augustine under the act of June 22, 1835, chap. 119, notwithstanding any informality in the mode of entry or defect of proof, June 15, 1844, - - - - 672

Presents from the Emperor of Morocco.

Such as cannot be conveniently deposited in the office of the Secretary of State, to be disposed of, July 20, 1840, - - - - 409

Presents from the Imam of Muscat.

The horses to be sold, - - - - - - 730

President and Vice President of the United States.

A uniform time for holding elections of electors of the President and Vice President of the United States, January 23, 1845, - - 731

Prisoners of the United States in Rhode Island.

The prisoners of the United States to be kept under the like restrictions and penalties as prisoners committed under the authority of Rhode Island, June 19, 1840, - - - - 398

Property lost or destroyed by the enemy.

Officers and others to be paid the value of horses, &c, lost in the United States service, January 18, 1837, - - - - 143
Volunteers and militia to be paid for arms, &c, lost, - - - - 143
Adjustment of claims, - - - - - - 143
Horses, &c, turned over to the service of the United States by the commanding officer, to be paid for, October 14, 1837, - - - 304
Claims to be adjusted by the Third Auditor, - - - - - 304

Acts to extend to mulattoes.

The act of January 18, 1837, chap. 5, relating to property lost or destroyed in the military service of the United States, continued in force for two years, July 7, 1838, - - - 288
INDEX.

Property lost or destroyed by the enemy.
The act of January 18, 1837, chap. 5, continued in force for two years, February 27, 1841, - 414
Amendment of the act of January 18, 1837, chap. 5, August 23, 1842, - 511
To include claims for horses lost by abandonment by order of the commanding general, or by being shot or lost by accident, 511
Appeal from the Auditor to the Second Comptroller on the rejection of the claim, 511
The act providing for the payment of horses and other property lost in the revolutionary service of the United States, passed January 18, 1837, chap. 5, continued in force for two years, March 3, 1843, - 648
Appropriation for the payment of horses lost by the Missouri volunteers in the Florida war, June 15, 1844, - 673

Property of the United States.
The banking-house of the Bank of Michigan, which has been purchased by the United States, to be set apart for the courts of the United States and the post-office at Detroit, March 3, 1843, - 649
The property of the Bank in the State of Maine purchased by the United States, to be in the charge of the Secretary of the Treasury, - 717
The use of the building of the United States at Lazaretto Point, given to the Corporation of Baltimore, - 717

Protection of Passengers on board Steamboats.
Act of July 7, 1838, - 304

Protection of the Northern Frontier of the Union.
Appropriation, to be expended under the direction of the Secretary of War, January 30, 1838, - 305

Protection of the Northern and North-western Frontiers of the United States.
Appropriation for the protection of the northern and north-western frontiers of the United States, March 3, 1839, - 351

Protection of the Western Frontier.
A military road to be surveyed. Military posts to be established, July 2, 1836, - 67
The troops of the United States to be employed in the labor of making the road &c., - 67

Providence Custom-house.
Appropriation for the repair of the custom-house at Providence, Rhode Island, - 496

Public Buildings.
The claims of workmen, &c. on the public buildings to be examined by the Commissioner of Public Buildings and to be paid, January 18, 1839, - 365

Public Documents.
Exchange of books in the library, and documents authorized, July 30, 1840, - 409
Additional copies of the journals and documents to be printed, - 717

Public Lands.
Notes of the decisions of the courts of the United States upon land titles from the United States, and titles to the public lands, - 107

Public Lands.
A General Land Office established, July 4, 1836, - 107
The sale of the lands acquired by the treaty of Dancing Rabbit Creek, suspended, March 9, 1836, - 131
Moneys received from sales, to be paid into the treasury, January 9, 1837, - 135
Sales of land ceded by the Indians, - 135
Investments of stock required by Indian treaties, - 135
A tract of land on the Cocoa river granted to Cherokee county, Alabama, for a seat of justice in the county, July 5, 1838, - 354
The sale of certain lands of the United States near the Wabash and Erie canal, authorized, July 7, 1838, - 361
Certificates of deposits renewed in the purchase of public lands, under the act of 1830, may be surrendered, and other certificates issued, February 28, 1830, - 356
Provisions in relation to settlers on the public lands, - 383
The Register of public lands authorized to administer oaths, and no compensation to be charged, June 13, 1840, - 384
An act to amend an act entitled "An act to authorize the State of Tennessee to issue grants and patents to certain persons therein described, and to settle the claims to the vacant and unappropriated lands within the same," passed the 18th day of April, 1806, February 16, 1841, - 413
An act to provide for the early disposition of lands acquired from the Cherokee Indians by the treaty of December 29, 1835, March 4, 1843, - 470
Entries of lands in the State of Louisiana, in the land district north of Red river, confirmed, and patents to be issued, April 14, 1843, - 473
Settlers at Mineral Point, in Wisconsin, who have been refused entry under the pre-emption act of June 19, 1794, allowed to enter one quarter section elsewhere. The claimant to make oath, August 25, 1842, - 521
An act in relation to lands in the Greenbush, late St. Helena land district, in Louisiana, August 29, 1843, - 540
The sale of the lands on which buildings have been erected for the use of United States agents, teachers, farmers, mechanics and others, authorized, March 3, 1843, - 611
Land may be sold with each building, under the direction of the Secretary of War, 611
Certain lands in Ohio, ceded by the Wyandott tribe of Indians, to be sold, March 3, 1843, - 624
Provisions for the sale of the lands, - 635
Lands in Wyandott reserve in Michigan to be offered for sale, - 635
When public lands are occupied as a town site, the corporate authorities may enter the same in trust for the occupants, March 23, 1844, - 657
The execution of the trust shall be regulated by the Legislature of the State or Territory where the land is situated, - 657
Public Lands.

Beach pilots of the port of New Orleans authorized to enter certain lands, June 17, 1844, 715

The title to lots of land in Perry'sburg and Croghan'sville confirmed, February 20, 1845, 734

Holders of warrants for lands issued under the act of 1806, chap. 61, to General Lafayette, which have been found to conflict with older and better grants, authorized to enter other lands, February 26, 1845, 729

Public Revenue.

No difference to be made between the different branches of the revenue, as to the money or medium of payment of debts to the United States, May 31, 1838, 310

An act to provide for the safe-keeping, transfer, and disbursement of the public revenue, July 4, 1840, 365

Public Stock and Treasury Notes.

No stock authorized by the act of July 21, 1841, chap. 3, and April 15, 1842, chap. 26, to be sold below par, August 31, 1842, 581

Issue of treasury notes to be limited, and amount authorized, 581

Certificates of stock to be issued but to the owner of a bona fide loan to the United States, 581

Public Works.

Resolution directing the Attorney-General to examine the titles of lands or sites for the erection of armories and other public buildings, September 11, 1841, 468

Regulations to carry this resolution into effect, 468

The Treasurer's certificates of deposits for the purchase of lands under the act of 1830, chap. 45, when assigned, to be received in payment for public lands, June 13, 1844, 718

Putnam's Ploughing Machine.

A resolution directing an examination of Putnam's ploughing machine, March 3, 1845, 798

Right of Red River.

Appropriation for the removal of the great raft of Red river, April 20, 1838, 259

Reports of the Decisions of the Supreme Court.

An act to provide for the reports of the decisions of the Supreme Court of the United States, August 29, 1845, 545

Revenue Cutters.

No revenue cutter or steamer to be built without an appropriation therefor, March 3, 1845, 795

Revenue Laws.

Appeals to be from the Circuit to the Supreme Court in any case arising under the revenue laws, May 31, 1844, 658

Rhode Island.

Representatives in Congress according to the sixth census, 491

Roads.

The construction of a railroad through the lands of the United States, at Springfield, Massachusetts, authorized, April 29, 1836, 17

A street may be laid out through the lands of the United States, at Chelsea, Massachusetts, July 1, 1836, 53

The right of way through the public lands granted to the New Orleans and Nashville railroad company, July 2, 1836, 65

Certain companies authorized to construct a railroad in Florida, January 31, 1837, 244

Conditions to be complied with, 145

Reservation of public lands through which the railroad may pass, 145

Continuation of Cumberland road in Ohio, Indiana and Illinois, March 3, 1837, 195

Repairs of Cumberland road, 195

The right to pass over the public lands in Florida granted to the Atchafalaya railroad and banking company, March 3, 1837, 196

The right to pass over the public lands granted to the New Orleans and Carrollton railroad company, March 3, 1837, 197

An act of the Legislature of Florida incorporating the Florida Peninsula Railroad and Steamboat Company confirmed, and the right of way through the public lands granted to the company, June 29, 1838, 233

Appropriations for certain roads in Florida, July 7, 1838, 361

Appropriation for the Marshall military road, July 7, 1838, 361

The title of the United States in a road from the foot of the rapids of the Miami of the Lake to the Connecticut western reserve, granted to the State of Ohio, July 7, 1838, 396

An act making an appropriation for certain roads in the Territory of Wisconsin, July 7, 1838, 398

Appropriation for the improvement of rivers and roads in Wisconsin, March 3, 1839, 393

An act for the improvement and survey of certain rivers, and the air of certain roads in Florida, March 3, 1839, 331

Appropriation for opening a road from Dubuque, in the Territory of Iowa, to the boundary line of Missouri, March 3, 1839, 352

Rush Island.

Proceedings to ascertain the title to Rush Island, Louisiana, to be instituted, August 29, 1842, 634

Sac and Fox Indians.

A survey of the western line of the reservation for the half-breeds of the Sac and Fox Indians to be made, March 3, 1843, 622

Savannah.

The city authorities in Savannah authorized to open certain streets, which are closed by the works of Fort Wayne, June 18, 1836, 311
INDEX.

School Lands.
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," June 13, 1842, - - - 490
The county commissioners of Lee county in the territory of Iowa authorized to make selections of land in lieu of those granted. Rules and regulations of the land which may be patented, August 23, 1842, - - - 528
Illinois, Arkansas, Louisiana and Tennessee authorized to sell the lands appropriated for the use of schools in those States, February 15, 1843, - - - 600
School lands in Florida, - - - 666
Repeal of the fourth section of the act of July 4, 1836, respecting the selection of school lands, - - - 728
Selection of school lands by the Governor of Alabama, - - - 728

Seamen in the Merchant Service.
An act in addition to the several acts regulating the shipment and discharge of seamen, and the duties of consuls, July 20, 1840, - - - 394
Acts relating to seamen of the United States, - - - 394
Appropriations for the relief and protection of American seamen, February 12, 1842, - - - 470
The provisions and penalties of the act of July 16, 1798, chap. 77, extended to the coasting trade, and measures to be taken to secure the collection of hospital money from the officers, seamen and owners of coasting vessels, March 1, 1843, - - - 602
Appropriation for a deficiency in the appropriation in 1844, for the relief and protection of American seamen, January 22, 1844, - - - 651

Seminole Indians.
Appropriation for the temporary support and removal of the Seminole Indians from Florida, February 13, 1839, - - - 316
Appropriation for the expenses of a delegation of the Seminole Indians, west of the Mississippi, to Florida, March 2, 1841, - - - 414
See Indian Treaties.

Shawnee Indians.
A resolution authorizing the Secretary of War to pay any balance that may be due to the Shawnee Indians who served in the Florida war, March 3, 1845, - - - 801

Slaves.
Indemnity from the British government for the loss of slaves on board the Comet and the Ensign, February 18, 1843, - - - 601

Smithsonian Legacy.
The President authorized to appoint an agent to prosecute the claims of the United States to the bequest of James Smithson, of London, July 1, 1836, - - - 64
All moneys arising from the bequest of James Smithson to be invested in State stocks, July 4, 1836, - - - 267
Investment of the funds obtained from the bequest of the late James Smithson, September 11, 1841, - - - 465

South Carolina.
Representatives in Congress according to the sixth census, - - - 491
Time of holding the Circuit Court of South Carolina, March 1, 1845, - - - 750
See Courts—Judiciary.

Spain.
An act to carry into effect the convention between the United States and Spain, June 7, 1836, - - - 34

Statements of Appropriations, New Offices, etc.
The Secretary of the Senate, and the Clerk of the House of Representatives to furnish statements of all appropriations made during the session, of new offices created, their salaries, and a statement of the offices the salaries of which have been increased, July 4, 1846, - - - 117

States of the United States in default of payment of interest.
A resolution directing the Secretary of the Treasury, whenever any State shall have been in default for the payment of the interest or principal on investments in its stocks or bonds, held by the United States in trust, to retain certain moneys to which the State is entitled, "for the purpose of paying such interest or principal, March 3, 1845, - - - 801

Status of Washington, by Greenough.
Measures to be taken for the importation of the statue of Washington, by Greenough, March 27, 1840, - - - 409
Expenses incurred in the execution of the pedestal for the statue to be paid, September 9, 1841, - - - 460
Expenses of creating the statue to be paid, - - - 460

Stockbridge Tribe of Indians.
Lands reserved for the Stockbridge tribe of Indians to be divided, March 3, 1843, - - - 645
Commissioners to be elected by the tribe to make the division, - - - 645
Proceedings of the Commissioners, 645, 646
To report to Congress, - - - 646
After the report and map shall be filed by the Commissioners, the Indians shall be citizens of the United States, - - - 647

Submarine Battery.
Experiments to be made to ascertain the value of the submarine battery, and for other purposes, August 31, 1842, - - - 854

3 U
Index.

Submarine Telescope.
The Secretary of the Navy to institute experiments to test the utility of the submarine telescope, 667

Sub-Treasury.
Repeal of the act establishing a sub-treasury of the United States, August 13, 1841, 439

Sufferers by Fire in the City of New York.
The time of payment of bonds for duties, extended, March 19, 1835, 6
Provisions of the act of March 19, 1836, chap. 43, limited, April 5, 1836, 2

Surgeons in the Army.
An additional number of surgeons and surgeon's mates to be appointed, July 4, 1836, 117

Sword and Camp Chest of Washington and Staff of Franklin.
Resolution accepting the sword of Washington and the staff of Franklin, March 4, 1844, 716
Resolution of respect for the memory of the owner of the sword of Washington and the staff of Franklin, March 4, 1844, 716
Resolution accepting the camp chest of Washington, March 4, 1844, 716

Tennessee.
A District Court established in the western district of Tennessee, June 18, 1838, 249
Circuit Court in East Tennessee, July 7, 1838, 306
District Court of Tennessee to hold a court at Jackson, January 18, 1839, 313
Circuit Courts composing the districts in Tennessee, 313
Rules of the District Courts, 314
District Court of Tennessee, March 8, 1838, 337
District Court of Tennessee, July 4, 1840, 392
Appeals from the District Court at Jackson, to the Circuit Court at Nashville, April 14, 1842, 472
Times of holding the fall terms at Jackson, January 21, 1842, 472
Time of holding the Circuit and District Courts of the United States in East and West Tennessee, May 14, 1842, 488
Rules of proceedings in the courts, 489
Representatives in Congress according to the sixth census, 491
The time of holding the Circuit and District Court of East Tennessee changed, March 3, 1843, 610

Territories of the United States.
Acts of the Territorial Legislatures incorporating banks, not to have effect until approved and confirmed by Congress, July 1, 1836, 51
Accounts of the Treasurer of unavailable funds to be settled, March 3, 1837, 178
The Secretary of the Treasury to settle claims on banks for unavailable funds, 178
The Legislatures of the several territories of the United States authorized to regulate the

Territories of the United States.
Appointment of representatives, June 15, 1844, 671
Justices of the peace to be elected by the people, 671

Texas.
An act to provide for carrying into effect the convention between the United States and the Republic of Texas, for ascertaining the boundary between them, January 11, 1839, 313
Boundary between the United States and Texas, 313
A joint resolution annexing Texas to the United States, March 11, 1845, 737

Transportation of the Mail.
The contract for carrying the mail to expire, &c., on the 30th of June succeeding the 31st of Dec. in each year, May 11, 1836, 123

Treasury Notes.
Authority to issue not exceeding ten millions of dollars in treasury notes, October 12, 1837, 201
Provisions relating to the issuing and payment of the treasury notes authorized by the act of October 12, 1837, 201
Punishment for forging treasury notes, 303
Treasury notes to be issued according to the provisions of the act of October 13, 1837, chap. 2, May 21, 1838, 239
The remainder of the treasury notes authorized by the act of May 21, 1838, to be issued, March 2, 1839, 232
The act of October 12, 1837, renewed, March 31, 1840, 370
Treasury notes may be issued in lieu of others redeemed, 370
An act to authorize the issuing of treasury notes, February 15, 1841, 411
An act to authorize an issue of treasury notes, January 31, 1842, 469
The treasury notes issued under the act to authorize the issuing of treasury notes, of October 12, 1837, chap. 9, to bear interest at 6 per cent, April 15, 1842, 474
Interest to be paid annually, 475
Reissue of treasury notes authorized, March 3, 1843, 614
Payment of interest on treasury notes, 614
Sale of stock in lieu of treasury notes authorized, 614

Treaty of the United States.
Accounts of territories to be adjusted at the Treasury, August 29, 1842, 541
No payment to be made unless approved by Congress, 541
What officers allowed, and their pay, 541
The secretaries of the territories to prepare the legislative acts for publication, 541
Accounts of the Legislative Assembly of the Territory of Florida, 541

Treaty between the United States and Great Britain.
An act to carry the treaty of the 9th of August 1842, with Great Britain, into effect, March 3, 1843, 623
Unclaimed Goods seized for illegal importation.
An act directing the disposition of unclaimed
INDEX.

Unclaimed Goods seized for illegal importation. goods, wares and merchandise, seized for being illegally imported into the United States, April 2, 1844, - 653

Union Bank of Georgetown. An act to extend the charter of the Union Bank of Georgetown, May 25, 1838, 259

United States and Great Britain. An act to carry into effect the treaty between the United States and Great Britain, the 9th of August, 1842, March 3, 1843, 633

United States and Mexico. The Secretary of the Treasury to issue certificates for the sums awarded under the convention between the United States and Mexico to the persons entitled, according to the provisions of the seventh section of the act to carry into effect a convention between the United States and the Republic of Mexico, September 1, 1841, 459

United States and Spain. An act to carry into effect the convention between the United States and Spain, June 7, 1836, - 491

Appointment of Commissioners, &c., and organization of the Commissioners, 34

The provisions of the act to carry into effect the convention between the United States and Spain extended to February 1, 1838, March 3, 1837, 179

Value of the Pound Sterling. An act to regulate the value to be affixed to the pound sterling by the treasury department, July 27, 1842, - 498

Vermont. Representatives in Congress according to the sixth census, - 491

Vessels turned off by the Blockading Squadron from Mexico. Vessels turned off from their destination in Mexico by the blockading squadron may unlade their cargoes in ports of the United States free from duty or other charge except storage, July 5, 1838, - 255

Vine and Olive. Encouragement of the cultivation of the vine and olive. Persons entitled to allotments under contract between the Secretary of the Treasury and Charles Villar to receive patents for the land, March 2, 1837, - 154

Remainder of the land to be subject to entry for the use of the Demopolis Female Academy, - - 155

Virginia. The District Court of Western Virginia holden at Clarksburg, to sit on the first Mondays of April and September, July 1, 1836, 61

Circuit and District Courts for Eastern Virginia to be held in Richmond, March 2, 1838, 212

So much of the act of March 3, 1837, wherein Circuit Court jurisdiction on the District Courts of Western Virginia, repealed, March 28, 1838, - - 215

Appellate jurisdiction from the District Court to the Circuit Court at Lewisburg, 216

Virginia. Representatives in Congress according to the sixth census, - 491

An annual term of the District Court for the western district of Virginia to be held at Wheeling, August 25, 1842, - 534

The terms of the District Court for the western district of Virginia shall be held at Charleston in Kanawha, and the District Court held at Lewisburg, in the county of Greenbriar, shall cease, August 29, 1842, 547

Amendment of the act establishing a District Court of the United States at Wheeling, January 30, 1843, - - 597

The time of holding the District Courts at Clarksburg and Wheeling, in the western district of Virginia, changed, March 4, 1844, - - - 653

The spring term of the District Court for Eastern Virginia to be held on the 18th day of May in Norfolk, annually, - - 655

See Courts—Judiciary.

Virginia Military Land Warrants. The time for locating Virginia military land warrants, and returning surveys on them, extended to August 10, 1840, July 7, 1838, - 265

Regulations as to granting patents, 268

Repeal of the 2d section of the act of July 7, 1838, chap. 168, March 3, 1839, 398

The time for issuing Virginia military land warrants and returning surveys extended, August 19, 1841, - - - 449

Volunteers and Militia. Payments and allowances to volunteers and militia in the service of the United States, March 19, 1836, 7

Pensions to widows, &c., of volunteers and militia, killed in the service of the United States, - - - 7

The President may accept the services of ten thousand volunteers and mounted riflemen, May 23, 1836, 33

To be organized by the President, and to have benefits conferred on persons wounded in the service of the United States, 33

The expenses of the volunteers and militia received into the service of the United States, to be paid, May 28, 1836, 33

The militia of Missouri and Indiana to be paid for services rendered against the Indians in 1832, July 2, 1836, 71

Wabash and Erie Canal. Lands selected by the State of Indiana, for the Wabash and Erie canal, confirmed to that State, February 27, 1844, - 414

The State of Indiana to select certain quantities of land in lieu of those granted to the State for the construction of the Wabash and Erie canal, and the Illinois and Michigan canals, August 39, 1842, - - 549

Lands granted to the State of Indiana for the Wabash and Erie canal, March 3, 1843, 731

Canal to be completed in fifteen years, or the land to revert to the United States, - 729

See Canals—Illinois—Ohio.
Washington and Franklin.
Resolutions relating to the sword and camp chest of Washington and staff of Franklin, and to the donors of the same, - 716

Water-rotted Hemp.
Resolution in relation to the purchase of water-rotted hemp, for the use of the navy, September 11, 1841, - - 467
Agencies to be established for the inspection, test, and purchase of American water-rotted hemp for the use of the navy, - - 649

Weights and Measures.
A complete set of weights and measures, intended for the custom-house, to be delivered to each State, June 14, 1836, - - 133

Whale Fishery.
Registers sufficient papers for vessels engaged in the whale fishery, April 4, 1840, - 370
Provisions of the first section of the act of 28th of February, 1803, chap. 9, extended, 370
Forfeitures for duties and charges remitted, - 370

Wisconsin Territory.
An act establishing the territorial government of Wisconsin, April 20, 1836, 10
Notes of the acts which have been passed relating to the Territory of Wisconsin, 10
The towns of Fort Madison, Burlington, Des Moines, Bellevue, Du Buque and Peru, in Wisconsin Territory, laid off, act of June 2, 1836, - - - - 70
Towns of Fort Madison, Burlington, Bellevue, Du Buque, Mineral Point and Peru, in Wisconsin, March 3, 1837, - - 178
A surveyor of public lands in Wisconsin to be appointed; his duties, &c., June 12, 1838, - - - - 249

Two additional land districts created and offices established, June 12, 1838, - 249
A seminary of learning to be established, June 12, 1838, - - - - 244
Boundary line between Michigan and Wisconsin, June 12, 1838, - - - - 244
Appropriation for completing the public buildings in Wisconsin, June 18, 1838, - - - - 249
An act to incorporate the stockholders of the State Bank of Wisconsin, at Prairie du Chien, passed by the Legislature of Wisconsin, disapproved, June 12, 1838, - 310
Provisions for the regulation of the government of Wisconsin, - - - - 356
Certain lands reserved for the Dubuque claim declared to be public lands, and settlers on the lands may enter the same, August 16, 1842, - - - - 568
Certain accounts for the support of the government of Wisconsin Territory to be settled, August 29, 1843, - - - - 540
The Legislative Assembly authorized to provide for the appointment of sheriffs, judges of probate, justices of the peace, and county surveyors, March 3, 1843, - 630
Term of service of the members of the Legislature, - - - - 630
Land granted for the improvement of Grant river, Wisconsin, June 15, 1844, - 663
Appropriations to continue the improvement of the harbor of Southport, - - 748
Improvement of certain roads in Wisconsin, - - - - 748

Wyandott Indians.
Appropriations to carry into effect the treaty with the Wyandott Indians, August 31, 1849, - - - - 578

END OF VOLUME V.