

SEC. 3. *And be it further enacted*, That, in addition to the provisions now in force on the subject of the live oak growing on the public lands, it shall be the duty of all collectors of the customs within the territory of Florida, and the states of Alabama, Mississippi, and Louisiana, before allowing a clearance to any vessel laden in whole or in part with live oak timber, to ascertain satisfactorily that such timber was cut from private lands, or, if from public ones, by consent of the Navy Department. And it is hereby made the duty of all officers of the customs, and of the land officers within said territory and states, to cause prosecutions to be seasonably instituted against all persons known to be guilty of depredations on, or injuries to, the live oak growing on the public lands.

Provisions for preservation of live oak.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXVIII.—*An Act to improve the condition of the non-commissioned officers and privates of the army and marine corps of the United States, and to prevent desertion.* (a)

March 2, 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the passage of this act, all enlistments in the army of the United States shall be for three years; and that the monthly pay of the non-commissioned officers and soldiers shall be as follows, viz: to each sergeant major, quartermaster sergeant, and chief musician, sixteen dollars; to the first sergeant of a company, fifteen dollars; to all other sergeants, twelve dollars each; to each artificer, ten dollars; to each corporal, eight dollars, and to each musician and private soldier, six dollars: and that all enlistments in the marine corps shall be for four years; and that the monthly pay of the non-commissioned officers and soldiers in said corps, shall be as follows, viz: to each sergeant major and quartermaster sergeant, seventeen dollars; to the drum major, fife major, the orderly sergeants of posts, and first sergeants of guards at sea, sixteen dollars each; to all other sergeants, thirteen dollars; to each corporal, nine dollars; to each musician, eight dollars; and to each private, seven dollars.

Term of enlistment in the army, and pay.

Term of enlistment in the marine corps, and pay.

SEC. 2. *And be it further enacted*, That one dollar of the monthly pay of every musician and private soldier, shall be retained until the expiration of the two first years of their enlistment, when each shall receive the twenty-four dollars retained pay, which shall have so accrued: *Provided*, He shall have served honestly and faithfully that portion of the term of his first enlistment.

One dollar of monthly pay to be retained, &c.

SEC. 3. *And be it further enacted*, That every able-bodied musician or private soldier, who may re-enlist into his company or regiment, within two months before, or one month after, the expiration of his term of service, shall receive two months' extra pay, besides the pay and other allowances which may be due to him on account of the unexpired period of any enlistment.

Bounty for re-enlistment.

SEC. 4. *And be it further enacted*, That every able-bodied musician or soldier, who shall re-enlist into his company or regiment, as specified in the third section of this act, shall receive his full pay, at the rate of six dollars per month, without any temporary deduction therefrom.

Pay of re-enlisted men.

SEC. 5. *And be it further enacted*, That no premium to officers, for enlisting recruits, nor bounties to recruits for enlisting, shall be allowed after the passage of this act.

Premiums and bounties not to be allowed.

SEC. 6. *And be it further enacted*, That no person who has been convicted of any criminal offence, shall be enlisted into the army of the United States.

No convict to be enlisted.

SEC. 7. *And be it further enacted*, That the seventh section of the act,

Seventh section

(a) See notes of acts relating to the marine corps, vol. i. p. 594.

of act of May 16, 1812, ch. 86, repealed.

entitled "An act making further provision for the army of the United States," passed on the sixteenth May, one thousand eight hundred and twelve, be, and the same is hereby, repealed, so far as it applies to any enlisted soldier, who shall be convicted by a general court martial of the crime of desertion. (a)

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

[Obsolete.]

CHAP. LXIX.—*An Act making appropriations for carrying on certain works heretofore commenced for the improvement of harbours and rivers, and, also, for continuing and repairing the Cumberland road, and certain territorial roads.*

Appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums of money be, and the same are hereby, appropriated for carrying on or completing certain works and roads heretofore commenced, to be paid out of any money in the treasury not otherwise appropriated.

- Delaware break water. For carrying on the Delaware breakwater, two hundred and seventy thousand dollars.
- Black river. For removing a sand bar at the mouth of Black river, Ohio, two thousand four hundred dollars.
- Cunningham creek. For a pier head at Cunningham creek, Ohio, five hundred dollars.
- Ashtabula creek. For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, three thousand four hundred dollars.
- Presque Isle. For completing the improvement of the harbour of Presque Isle, Pennsylvania, six thousand dollars.
- Buffalo harbour. For completing the pier at the mouth of Buffalo harbour, New York, thirty-one thousand seven hundred dollars.
- Gennessee river. For improving the entrance of Gennessee river, New York, fifteen thousand dollars.
- Big Sodus bay. For removing obstructions at the mouth of Big Sodus bay, New York, fifteen thousand dollars.
- Oswego. For completing the pier and mole at Oswego, New York, eight thousand four hundred dollars.
- Merrimack river. For the completion of the breakwater at the mouth of the Merrimack river, four thousand nine hundred dollars.
- Plymouth beach. For repairing Plymouth beach, six hundred dollars.
- Breakwater at Hyannis. For the breakwater at Hyannis, Massachusetts, five thousand dollars.
- New Castle, Marcus Hook, and Port Penn. For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, in the Delaware, four thousand dollars.
- Ocracoke inlet. For carrying on the improvement of Ocracoke inlet, North Carolina, sixteen thousand seven hundred dollars.
- Cape Fear river. For improving Cape Fear river, below Wilmington, North Carolina, twenty-eight thousand dollars.
- Ohio, Missouri, and Mississippi. For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.
- Detroit road to Saganaw bay. For continuing the road from Detroit to Saganaw bay, fifteen thousand dollars.
- St. Mark's. For completing the improvement of St. Mark's river and harbour in Florida, in addition to the unexpended balance of former appropriations, one thousand five hundred dollars.
- Detroit road to Grand river. For the road from Detroit to Grand river of Lake Michigan, twenty-five thousand dollars.
- Detroit road to Chicago. For continuing the road from Detroit towards Chicago, in the territory of Michigan, eight thousand dollars.

(a) "No person in the army, navy, or marine corps shall be allowed to draw both a pension as an invalid and the pay of his rank or station in the service, unless the alleged disability for which the pension was granted be such as to have occasioned his employment in a lower grade, or in some civil branch of the service." Act of April 30, 1844, ch. 15.