

# ACTS OF THE TWENTY-THIRD CONGRESS

OF THE

## UNITED STATES,

*Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of December, 1833, and ended on the thirtieth day of June, 1834.*

ANDREW JACKSON, President; M. VAN BUREN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives, until Monday, the second day of June, one thousand eight hundred and thirty-four, and JOHN BELL for the remainder of the session.

### STATUTE I.

Jan. 24, 1834.

CHAP. I.—*An Act making appropriations for the naval service for the year one thousand eight hundred and thirty-four.*

Appropriations  
for the naval  
service.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-four, in addition to the unexpended balances of former appropriations for similar objects, viz :*

Officers, &c.

For pay and subsistence of the officers of the navy, and pay of seamen, one million four hundred and eighty-seven thousand two hundred and forty-four dollars and twenty-one cents.

Superintendents, &c.

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, sixty-one thousand one hundred and eighty dollars.

Provisions.

For provisions, four hundred and fifty thousand dollars.

Repairs, &c.

For the repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, five hundred and ninety thousand dollars.

Medicines, &c.

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

Navy yards at

Portsmouth;

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

Charlestown;

For the improvement and necessary repairs of the navy yard at Charlestown, Massachusetts, eighty-six thousand three hundred dollars.

Brooklyn;

For the improvement and necessary repairs of the navy yard at Brooklyn, New York, fifty-seven thousand five hundred dollars.

Philadelphia;

For the improvement and necessary repairs of the navy yard at Philadelphia, six thousand five hundred and fifty dollars.

Washington;

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

Gosport;

For the improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred and eight thousand two hundred and fifty dollars.

Pensacola.

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

Ordnance, &c.

For ordnance and ordnance stores, ten thousand dollars.

For defraying the expenses that may accrue for the following purposes, *Miscellaneous.*  
*viz :*

For freight and transportation of materials and stores of every description: for wharfage and dockage, storage and rent, travelling expenses of officers and transportation of seamen, house rent, chamber money, and fuel and candles, to officers other than those attached to navy yards and stations, and for officers in sick quarters where there is no hospital, and for funeral expenses; for commissions, clerk hire and office rent, stationery and fuel, to navy agents; for premiums and incidental expenses of recruiting, for apprehending deserters; for compensation to judge advocates; for per diem allowances to persons attending courts martial and courts of inquiry, and to officers engaged in extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts and mathematical and nautical instruments, chronometers, models and drawings; for purchase and repair of fire and steam engines, and for machinery; for purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for cabin furniture of vessels in commission, and for furniture of officers' houses at navy yards; for taxes on navy yards and public property; for assistance rendered to vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, foundries, and steam engines; for candles, oil, and fuel for vessels in commission and in ordinary; for repairs of magazines and powder houses; for preparing moulds for ships to be built, and for no other purpose whatsoever, two hundred and ninety-five thousand dollars.

For contingent expenses for objects not herein-before enumerated, *Contingencies.*  
 four thousand dollars.

For pay of the officers, non-commissioned officers, musicians and privates, and for subsistence of the officers of [the] marine corps, including arrearages and increased pay under the act, second of March, one thousand eight hundred and thirty-three, one hundred and thirty-five thousand eight hundred and eighty dollars and twenty-five cents. *Marine corps.*  
*March 2, 1833,*  
*ch. 68.*

For subsistence of non-commissioned officers, musicians and privates, and washerwomen of said corps serving on shore, nineteen thousand two hundred and thirty-one dollars and eighty cents. *Subsistence.*

For clothing, twenty-nine thousand three hundred and fifteen dollars. *Clothing.*

For fuel, nine thousand and ninety-eight dollars. *Fuel.*

For contingent expenses, including arrearages, nineteen thousand dollars. *Contingencies.*

For transportation and recruiting, five thousand dollars. *Transportation.*

For medicines, hospital stores, and surgical instruments, for officers and men serving on shore, two thousand three hundred and sixty-nine dollars and seventy-one cents. *Medicines, &c.*

For balance due Lieutenant Colonel Anderson, nine hundred and fifty-four dollars and twenty-two cents. *Balance to Col. Anderson.*

For the erection of barracks for the marines stationed at the navy yard, Brooklyn, New York, thirty thousand dollars. *Barracks at Brooklyn.*

For carrying into effect the acts for the suppression of the slave trade, including the support in the United States, and for a term not exceeding six months after their arrival in Africa, of all persons removed from the United States under the said acts, five thousand dollars. *Suppression of the slave trade.*

That so much of the sums appropriated by the act of the twenty-eighth May, eighteen hundred and thirty, for the relief of Alexander Claxton, as still remains due and unpaid, and which has been carried to the credit of the surplus fund, shall be, and the same is hereby, re-appropriated. *Re-appropriation to Alexander Claxton.*  
*1830, ch. 140.*

APPROVED, January 24, 1834.

## STATUTE I.

Feb. 11, 1834.

CHAP. X.—*An Act making appropriations, in part, for the support of government for the year one thousand eight hundred and thirty-four.*

Appropriations  
for support of  
government.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, viz :

Congress.

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

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

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

For stationery, fuel, printing, and all other contingent and incidental expenses of the House of Representatives, one hundred and fifty thousand dollars.

The said two sums last mentioned, to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose.

APPROVED, February 11, 1834.

## STATUTE I.

Feb. 26, 1834.

CHAP. XI.—*An Act further to continue in force "An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio Railroad into and within the District of Columbia."*

Act of March  
2, 1831, ch. 85.  
Period of con-  
struction ex-  
tended.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the period limited and allowed to the Baltimore and Ohio Railroad Company, within which they are required by the fifth section of the act entitled "An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio Railroad, into and within the District of Columbia," approved second March, one thousand eight hundred and thirty-one, to commence the road, and complete one set of tracks, be, and the same is hereby extended, and the said act shall remain in force, and all the rights and privileges thereby granted shall be vested in said company: *Provided,* They shall commence the said lateral road within one year, and complete the same, with one set of tracks, within four years from the passage of this act.

Proviso.

APPROVED, February 26, 1834.

## STATUTE I.

Feb. 27, 1834.

CHAP. XV.—*An Act making appropriations for the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-four.*

Appropriations  
for pensioners.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the pensioners of the United States, for the year one thousand eight hundred and thirty-four :

For the revolutionary pensioners under the several acts prior to that of the seventh of June, one thousand eight hundred and thirty-two, in addition to an unexpended balance of one hundred and forty-four thousand six hundred and twenty-three dollars and twenty-one cents, the sum of nine hundred and one thousand six hundred and fifty-six dollars.

For the invalid pensioners under the various laws, in addition to the unexpended balance of one thousand eight hundred and forty-nine dol-

June 7, 1832,  
ch. 126.

lars and seventy cents, the sum of three hundred and six thousand one hundred and twenty-five dollars.

For pensions to widows and orphans, seven thousand five hundred dollars.

APPROVED, February 27, 1834.

STATUTE I.

CHAP. XVI.—*An Act to change the times for commencing the sessions of the courts of the United States in the district of Delaware.*

March 24, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sessions of the circuit court and district court of the United States in the district of Delaware, shall commence at the times hereinafter mentioned, instead of the times now appointed by law; that is to say: the sessions of the said circuit court shall commence at Newcastle, on the Tuesday next following the fourth Monday of May, and at Dover on the Tuesday next following the third Monday of October annually; and the sessions of the said district court shall commence at Newcastle on the third Tuesday of June, and second Tuesday of December; and at Dover on the Tuesday next following the third Monday of March, and the Tuesday next following the fourth Monday of September annually; and that no process, 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 said court next held, according to this act, in the same manner as if so made returnable on the face thereof, and shall have full effect accordingly, and that all continuances in either of said courts shall be from the last term to the day appointed by this act for the commencement of the next session thereof.

1789, ch. 20, sec. 3.

Sessions of the circuit court to commence at Newcastle, on Tuesday after 4th Monday in May;

Dover, on the Tuesday after 3d Monday in Oct.

District court, at Newcastle, on 3d Tuesday in June and the 2d Tuesday in Dec.

Dover, Tuesday after the 3d Monday, March, and after 4th in September.

Return of process, &c.

APPROVED, March 24, 1834.

STATUTE I.

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

May 14, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and thirty-four, that is to say:

Appropriations for pay of army, &c.

For pay of the army and subsistence of officers, one million three hundred and eighty-one thousand seven hundred and seventy-two dollars, including the sum of ninety-four thousand seven hundred and eighty-six dollars, arrearages of pay and subsistence for the year one thousand eight hundred and thirty-three.

For forage of officers, fifty-nine thousand one hundred and seventy-nine dollars.

For clothing for servants of officers, twenty-four thousand four hundred and fifty dollars.

For subsistence exclusive of that of officers, in addition to an unexpended balance of fifty-five thousand dollars, the sum of three hundred and sixty-one thousand nine hundred dollars.

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

For payments in lieu of clothing for discharged soldiers for the year eighteen hundred and thirty-four, including an arrearage in eighteen

Pay of army, &c. hundred and thirty-three, estimated for by the pay department, forty-five thousand dollars.

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

For various expenses in the quartermaster's department, viz: fuel, forage, straw, stationery, blanks and printing; repairing and enlarging barracks, quarters, store-houses, and hospitals at the various posts in the Union; erecting temporary cantonments at such posts as shall be occupied during the year, including huts for the dragoons; materials for the authorized furniture of the rooms of non-commissioned officers and soldiers, rent of quarters, barracks, and store-houses; postage on public letters; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers employed in the erection of barracks and quarters, and the construction of roads and other constant labour, under an act of Congress of the second March, eighteen hundred and nineteen; expenses of expresses from the frontier posts, of escorts to paymasters, hire of labourers, and the interment of deceased non-commissioned officers and soldiers; compensation to extra clerks in the office of the quartermaster general, and in the offices of the quartermasters and assistants at the several posts, and compensation to temporary agents; also, for the horses and equipments which may be required to keep the establishment of the regiment of dragoons complete, three hundred and forty-four thousand dollars.

March 2, 1819,  
ch. 45.

For transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase and the points of delivery under contract, to the posts where they are required to be used; of ordnance from the founderies and arsenals to the fortifications and frontier posts, and lead from the western mines to the several arsenals; for transportation of the army, including officers when removing with troops either by land or water; freights and ferriages: the purchase or hire of horses, oxen, mules, carts, wagons, and boats, for transportation of troops and supplies, and for garrison purposes: drayage and cartage at the several posts, hire of teamsters, transportation of funds for the pay department, and the expenses of sailing a public transport between the several posts on the Gulf of Mexico, one hundred and forty-five thousand dollars.

For the allowance to officers for the transportation of their baggage when travelling on duty without troops, and for the per diem to officers on topographical duty, fifty-three thousand dollars.

For contingencies of the army, ten thousand dollars.

For carrying on the works in the city of Savannah, Georgia, twenty-five thousand dollars.

For continuing the repairs and alterations of the barracks and quarters at Baton Rouge, Louisiana, ten thousand dollars.

For erecting officers' quarters at Fort Severn, Annapolis, Maryland, five thousand dollars.

For carrying on the works at Green Bay, Michigan, ten thousand dollars.

For temporary repairs of the barracks at Fort Gibson, Arkansas, five thousand dollars.

For the purchase of land adjoining Fort Sullivan, Eastport, Maine, three thousand three hundred dollars.

For national armories, three hundred and sixty thousand dollars.

For the armament of fortifications, one hundred thousand dollars.

For the current expenses of the ordnance service, sixty-eight thousand four hundred dollars.

For arsenals, one hundred and fifty thousand dollars.

For the arsenal at St. Louis, in addition to the sum embraced in the general appropriation for arsenals, eight thousand five hundred dollars.

For the purchase of five thousand sets of accoutrements for the artillery and infantry regiments, fourteen thousand two hundred and fifty dollars.

Pay of army,  
&c.

For the recruiting service, in addition to twenty-nine thousand three hundred and eighty-eight dollars unexpended of a former appropriation, six thousand dollars.

For contingent expenses of the recruiting service, in addition to six thousand and forty-three dollars unexpended of a former appropriation, fourteen thousand dollars.

For arrearages prior to the first of July, eighteen hundred and fifteen, payable through the office of the third auditor, in addition to an unexpended balance in the treasury, three thousand dollars.

To enable the second auditor to close the accounts under the act of third [second] March, eighteen hundred and twenty-one, allowing three months' gratuitous pay to disbanded officers and soldiers, one thousand dollars.

March 2, 1821,  
ch. 13.

For the payment of the general and staff officers and six companies of Missouri militia, ordered into service by the governor of that state, in the year eighteen hundred and thirty-two, thirty-five thousand dollars.

For paying any balance which may be due for militia services, in the territory of Michigan, in the late war against Black Hawk and his followers, two thousand dollars.

For the payment of Captain McGeorge's company of Indiana militia, for services performed in the year eighteen hundred and thirty-two, *Provided*, the Secretary of War shall be satisfied that the said company is entitled thereto, the sum of seven hundred dollars.

For finishing gun-racks, and making window shutters to the new arsenal, rebuilding middle water shop, one hundred and ten by fifty feet, and for building a house for steam engine, including a store-room for iron, fifty-two by forty-six feet, at the national armory, Springfield, Massachusetts, twelve thousand two hundred dollars.

For additional machinery and fixtures at the same armory, viz: three water-wheels for grinding musket barrels, six water-wheels and twenty-two forges required in the middle water shop, blast machinery for eleven double forges, and for the purchase of new and improved labour saving machinery, seventeen thousand eight hundred dollars.

For slating roof and rebuilding water-wheel of upper work-shop, renewing and repairing fences on the public ground, and for painting public buildings at the same armory, three thousand five hundred dollars.

For repairing dam, (and removing obstructions in way of,) supplying the water to the rifle factory on the Shenandoah river, at the national armory, Harper's Ferry, Virginia, two thousand dollars.

For the completion of the machinery in the three shops for turning, boring, and stocking muskets; the completion of the canal, furnishing the water power; erecting an annealing shop and proof house; erecting two shops for tempering springs and polishing barrels; erecting two engine houses, and making addition to stocking shops; and for erecting a carpenter's and machine shop, at the same armory, thirty-six thousand one hundred and fourteen dollars and eighty-six cents.

For erecting store-houses for iron and pit coal; repairing paymasters' and clerks' quarters; constructing a river wall, sinking three wells on Camp hill, grading and paving the open spaces between the public shops, and for painting some of the public buildings at the same armory, eight thousand five hundred and eighty-nine dollars and eighty-seven cents.

For the payment of the taxes assessed by the state of Pennsylvania on the United States arsenal on the Schuylkill river, five hundred and sixty-eight dollars and fifty-nine cents.

For the purchase of three acres of land on the Alabama river, and building a warehouse and dock at the Mount Vernon arsenal, in the state of Alabama, one thousand eight hundred dollars and fifty cents.

APPROVED, May 14, 1834.

## STATUTE I.

June 7, 1834.

CHAP. XLV.—*An Act to revive and amend "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, eighteen hundred and thirty-one, and an act in addition thereto, passed on the fourteenth of July, eighteen hundred and thirty-two.*

Act of March 2, 1831, ch. 62, and of July 14, 1832, ch. 230, revived.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That an act, entitled "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, eighteen hundred and thirty-one, and an act in addition thereto, passed on the fourteenth day of July, eighteen hundred and thirty-two, which said acts expired on the second day of March, eighteen hundred and thirty-four, be, and the same are hereby, revived, and shall continue in force for three years from and after the passage of this act.

Consent of legal representative of deceased surety or co-surety to entitle applicant to relief, &c.

1832, ch. 230.

SEC. 2. *And be it further enacted,* That if any surety, or co-surety, of any debtor who is, or shall become, an applicant for relief under the provisions of the acts recited in the preceding section of this act, shall be dead, the consent of the legal representative or representatives of such deceased surety, or co-surety, shall be received, and entitle the applicant to relief, in like manner as the consent of a living surety, or co-surety, would do by the provisions of the third section of the act of the fourteenth of July, eighteen hundred and thirty-two; and if the surety, or co-surety, of any such debtor shall be absent in parts unknown, or if the consent of the legal representative or representatives of any deceased surety, or co-surety, cannot be obtained, and the property or estate of any such deceased or absent surety, or co-surety, shall not be sufficient to pay the debt due to the United States, and the Secretary of the Treasury shall be satisfied by proof of these facts, he shall be authorized, in all such cases, to grant such relief or discharge as the debtor applying for the same may be entitled to, according to the provisions of the acts which this act is intended to revive and amend, upon the condition that such debtor shall not be discharged thereby from his or her legal liability to such absent surety, or co-surety, or to the estate of such deceased debtor, for any part of the debt due to the United States, which may thereafter be paid by or out of the estate of any such absent or deceased surety, or co-surety.

All discharges heretofore granted declared valid.

SEC. 3. *And be it further enacted,* That all discharges which have heretofore been granted by the Secretary of the Treasury to any principal debtor, with the consent of the legal representative or representatives of any deceased surety, or co-surety, shall be as valid as though such surety or co-surety had been alive, and his or her consent obtained, according to the letter of the third section of the act of the fourteenth of July, eighteen hundred and thirty-two.

Secretary of Treasury may cause satisfaction to be entered, &c.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury shall be authorized to cause satisfaction to be entered upon all judgments against such insolvents as have heretofore been, or may hereafter be, relieved under the provisions of the acts which this act is intended to revive and amend; or under any other and former act of Congress for the relief of persons imprisoned for debts due to the United States: *Provided,* The district judge of the district in which such judgments are on record, shall certify that he is satisfied that the debtor is possessed or entitled to no property liable to be applied to the satisfaction of said judgments, and that the interest of the government does not require that such judgments should remain unsatisfied. In every case of application for such certificate to a judge at his chambers, ten days' notice shall be given to the district attorney for the district, when the application is made.

Proviso.

APPROVED, June 7, 1834.

STATUTE I.

June 18, 1834.

CHAP. XLVI.—*An Act to equalize representation in the territory of Florida, and for other purposes. (a)*

Certain counties to elect two, and others one member of the council.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the counties of Escambia, Jackson, Gadsden, Leon, Jefferson and St. John's, in the territory of Florida, shall each be authorized to elect two members of the legislative council of said territory, as now directed by law; all other counties in said territory shall, respectively, be authorized to elect one member each, in the manner now directed, or which shall hereafter be prescribed by law; and such counties as have not at this time a member of said council, shall be authorized to elect one before the next session thereof, on the first Monday of September next.

Employment of clerks and printing of laws restricted.

SEC. 2. *And be it further enacted,* That it shall not be lawful for the legislative council to employ more than three clerks, nor to direct the printing the laws of said territory in more than three newspapers, at the public expense.

Part of former act annulled.

SEC. 3. *And be it further enacted,* That so much of an act entitled, "An act to provide for the compensation of the officers of the council, and for other purposes," as provides, in paragraph number seven, for the superintending the printing the acts, revising the proof sheets, and the allowance therefor; so much of the said act in paragraph number eight, as provides for stitching said acts, and the allowance therefor; and so much of the act as provides in the sixteenth paragraph for a clerk in the executive office, be and the same is, hereby annulled.

Secretary of the territory to superintend the printing and revision of laws, &c.

SEC. 4. *And be it further enacted,* That it shall be the duty of the secretary of the territory to superintend the printing and revision of the laws, and it shall be his duty to send a printed, and not a manuscript copy to the Department of State, and another printed copy to the secretary of the Senate, and clerk of the House of Representatives of the United States, to be laid before Congress; and the amount appropriated by the said legislative council shall not exceed, annually, the sum of seven thousand dollars, including their pay, mileage, printing and incidental expenses.

Appropriation not to exceed \$7000 annually.

SEC. 5. *And be it further enacted,* That an act entitled "An act to alter and fix permanently the sessions of the superior court of the district of East Florida," be, and the same is hereby, approved.

Act relating to superior court approved.

SEC. 6. *And be it further enacted,* That the twenty-first section of an act entitled "An act in addition to the several acts now in force, regulating judicial proceedings," passed February fifteen, one thousand eight hundred and thirty-four, be, and the same is hereby, annulled.

Twenty-first section of act of Feb. 15, 1834, [act of Florida,] annulled.

APPROVED, June 18, 1834.

STATUTE I.

June 18, 1834.

CHAP. XLVII.—*An Act making appropriations for the Indian Department for the year one thousand eight hundred and thirty-four.*

Appropriations for the Indian department.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and they are hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the Indian department for the year one thousand eight hundred and thirty-four, viz:

Commissioner.

For the salary of the commissioner of Indian affairs, three thousand dollars.

Clerks.

For the salary of the clerks in the office of the commissioner, five thousand dollars.

Messenger.

For compensation to the messenger, seven hundred dollars.

Contingencies.

For office contingencies, eight hundred dollars.

(a) Notes of the acts relating to the territory of Florida, vol. iii. p. 654.

Superintendent and agents.	For pay of the superintendent of Indians affairs at St. Louis, and the several Indian agents, as authorized by law, twenty-six thousand dollars.
Clerk.	For clerk in the office of superintendent of Indian affairs, one thousand dollars.
Sub-agents.	For pay of sub-agents, as allowed by law, sixteen thousand five hundred dollars.
Interpreters, &c.	For pay of interpreters and translators, employed at the several superintendencies and agencies, eighteen thousand eight hundred dollars.
Gun and blacksmiths, &c.	For pay of gun and blacksmiths, and their assistants, employed within the several superintendencies and agencies under the orders of the War Department, six thousand four hundred and eighty dollars.
Presents.	For presents to Indians, as authorized by the act of eighteen hundred and two, fifteen thousand dollars.
Act of 1802, ch. 13, sec. 13.	For the purchase of iron, steel, and coal, and for other expenses attending the gun and blacksmith shops, one thousand four hundred and sixty-five dollars.
Iron, &c.	
Provisions.	For provisions for Indians at the distribution of annuities while on visits of business with the different superintendents and agents, and when assembled on public business, eleven thousand eight hundred dollars.
Buildings.	For the necessary buildings required at the several agencies, and repairs thereof, two thousand dollars.
Contingencies.	For contingencies of the Indian department, twenty thousand dollars.
Holding treaty.	For holding a treaty with the Wyandot tribe of Indians, one thousand dollars.

APPROVED, June 18, 1834.

STATUTE I.

June 19, 1834.

CHAP. LIV.—*An Act to revive the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved May twenty-nine, one thousand eight hundred and thirty. (a)*

Act of May 29, 1830, ch. 208, revived, and extended to those who settled and cultivated land in 1833.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That every settler or occupant of the public lands, prior to the passage of this act, who is now in possession, and cultivated any part thereof, in the year one thousand eight hundred and thirty-three, shall be entitled to all the benefits and privileges provided by the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved May twenty-nine, one thousand eight hundred and thirty; and the said act is hereby revived and shall continue in force two years from the passage of this act and no longer.

Choice of quarter sections allowed.

SEC. 2. *And be it further enacted,* That where a person inhabits one quarter section and cultivates another, he shall be permitted to enter the one or the other at his discretion: *Provided,* Such occupant shall designate, within six months from the passage of this act, the quarter section of which he claims the pre-emption under the same.

Settlers on the public lands before 1829 may enter a quarter section at the minimum price.

SEC. 3. *And be it further enacted,* That all persons residing on the public lands, and cultivating the same, prior to the year eighteen hundred and twenty-nine, and who were deprived of the advantages of the law passed on the twenty-ninth May, eighteen hundred and thirty, by the constructions placed on said law by the Secretary of the Treasury, be, and they are hereby authorized to enter, at the minimum price of the government, one quarter section of the public lands, within said land district.

APPROVED, June 19, 1834.

(a) See notes of the acts relating to pre-emption of public lands, vol. iv. p. 420.

STATUTE I.

CHAP. LV.—*An Act further to extend the term of certain pensions chargeable on the privateer pension fund.*

June 19, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the pensions of all widows who now are or have been heretofore in the receipt thereof, under the provision of the act entitled "An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," passed the fourth day of March, one thousand eight hundred and fourteen, and the act entitled "An act in addition to an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," passed the sixteenth day of April, one thousand eight hundred and eighteen, or either of said acts, so far as regards persons receiving pensions from the fund arising from captures and salvage made by the private armed vessels of the United States, be, and the same are hereby, continued, under the restrictions and regulations in the said acts contained, for and during the additional term of five years from and after the period of the expiration of the said pensions, respectively: *Provided, however,* That the said pensions shall be paid from the proceeds of the privateer pension fund, and without recourse to the United States, for any deficiency which may hereafter arise thereon, if any such there be: *And provided further,* That no such pension shall be paid to any widow after her intermarriage, had or to be had.

Pensions given under acts of March 4, 1814, ch. 20, and of April 16, 1818, ch. 65, continued for five years longer.

Proviso.

Proviso.

APPROVED, June 19, 1834.

STATUTE I.

CHAP. LVI.—*An Act to grant to the state of Ohio certain lands for the support of schools in the Connecticut Western Reserve.*

June 19, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized and required to reserve from sale, out of any public lands that have been heretofore offered at public sale, and that remain unsold in the state of Ohio, a quantity of land, which, together with the lands heretofore granted for the support of schools in the Connecticut Western Reserve, in said state, shall be equal to one thirty-sixth part of said Western Reserve; which said quantity of land may be reserved in sections, or half sections, or quarter sections; and, when so reserved, the same shall vest in the said state of Ohio, for the support of schools in said Western Reserve, and be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said state now holds, or may hold, the lands heretofore granted for the support of schools in said Western Reserve.

Land equal to one thirty-sixth of Western Reserve, including that heretofore granted, to be reserved from sale, and to vest in the state.

APPROVED, June 19, 1834.

STATUTE I.

CHAP. LVII.—*An Act to extend the time allowed for the discharge of the duties of the commission for carrying into effect the convention with France.*

June 19, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That so much of an act entitled "An act to carry into effect the convention between the United States and his majesty the king of the French, concluded at Paris on the fourth day of July, eighteen hundred and thirty-one," approved July thirteenth, eighteen hundred and thirty-two, as limits the duration of the commission created by the said act to two years, be, and the same is hereby, repealed, and that a period of three years, commencing on the first Monday of August, one thousand eight hundred and thirty-two, be allowed for the discharge of the duties prescribed by the said act.

Commission extended to three years from first Monday in August, 1832. Act of July 13, 1832, ch. 199.

APPROVED, June 19, 1834.

## STATUTE I.

June 19, 1834.

CHAP. LVIII.—*An Act supplementary to the act entitled "An act to carry into effect the convention between the United States and his majesty the king of the Two Sicilies, concluded at Naples on the fourteenth day of October, one thousand eight hundred and thirty-two."*

Act of March 2, 1833, ch. 96.  
Six months to be added to the time allowed by said act.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the further time of six months, in addition to the time specified in the act to which this is a supplement, be, and hereby is, allowed to the commissioners appointed by the President to execute and complete the duties imposed upon them by the provisions of the aforesaid act, approved on the second day of March, anno Domini, eighteen hundred and thirty-three.*

APPROVED, June 19, 1834.

## STATUTE I.

June 19, 1834.

CHAP. LIX.—*An Act for the re-appropriation of an unexpended balance of a former appropriation for the payment of the Georgia militia claims for the years one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four.*

Re-appropriation for payment of the Georgia militia.  
1830, ch. 84.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of thirty-seven thousand six hundred and sixty-nine dollars and forty-seven cents, being the unexpended balance of a former appropriation for the payment of claims of the militia of Georgia for services performed in the years one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four, which said unexpended balance has been carried to the account of the surplus fund, be, and the same is hereby, re-appropriated, for the payment of the said militia claims of the state of Georgia.*

APPROVED, June 19, 1834.

## STATUTE I.

June 19, 1834.

CHAP. LX.—*An Act making additional appropriations for the armory at Harper's Ferry, for the year eighteen hundred and thirty-four.*

Appropriation for completing the canal to Harper's Ferry.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for the purpose of completing the canal from the public dam across the Potomac river to the works at the armory at Harper's Ferry, the sum of three thousand three hundred and seventy-eight dollars and twenty-seven cents be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.*

APPROVED, June 19, 1834.

## STATUTE I.

June 24, 1834.

CHAP. LXVIII.—*An Act for the continuation and repair of the Cumberland road. (a)*

Appropriations for continuing the road in the state of

Ohio;  
Indiana;

Illinois.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of two hundred thousand dollars be, and the same is hereby appropriated, for the purpose of continuing the Cumberland road in the state of Ohio; also, that the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, for continuing the Cumberland road in the state of Indiana; and that the sum of one hundred thousand dollars be appropriated for continuing said road in the state of Illinois; which sums shall be paid*

(a) Notes of the acts which have been passed relating to the Cumberland road, vol. ii. p. 357.

out of any money not otherwise appropriated, and replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, and Illinois into the Union, on an equal footing with the original states.

Sec. 2. *And be it further enacted*, That an officer of the corps of engineers, to be selected by the Department of War, shall be charged with the disbursements of the moneys appropriated for the construction of the Cumberland road through the states of Indiana and Illinois; and that said officer shall have, under the direction of the engineer department, a general control over the operations of the said road, and over all persons employed thereon: *Provided*, That no per centage shall be allowed to such officer for disbursing moneys appropriated for the construction of said road.

Officer of engineer corps to superintend the road in Indiana and Illinois.

Proviso.

Sec. 3. *And be it further enacted*, That for the entire completion of repairs of the Cumberland road, east of the Ohio river, and other needful improvements on said road, to carry into effect the provisions of an act of the General Assembly of Pennsylvania, entitled "An act for the preservation and repair of the Cumberland road," passed the fourth day of April, one thousand eight hundred and thirty-one; and of an act of the General Assembly of the state of Maryland, entitled "An act for the preservation and repair of that part of the United States road, within the limits of the state of Maryland," passed the twenty-third day of January, one thousand eight hundred and thirty-two; also, an act of the General Assembly of Virginia, entitled "An act concerning the Cumberland road," passed February the seventh, one thousand eight hundred and thirty-two; the sum of three hundred thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of War: the money to be drawn out of the treasury in such sums, and at such times as may be required for the performance of the work.

Appropriation to carry into effect Pennsylvania act of April 4, 1831; Maryland act of January 23, 1832; and Virginia act of February 7, 1832.

Vol. iv. 553.

Vol. iv. 655.

Sec. 4. *And be it further enacted*, That as soon as the sum by this act appropriated, or so much thereof as is necessary, shall be expended in the repair of said road, agreeably to the provisions of this act, the same shall be surrendered to the states, respectively, through which said road passes: and the United States shall not thereafter be subject to any expense for repairing said road.

Road to be surrendered to the states through which it passes.

APPROVED, June 24, 1834.

STATUTE I.

CHAP. LXXI.—*An Act regulating the value of certain foreign silver coins within the United States. (a)*

June 25, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passage of this act, the following silver coins shall be of the legal value, and shall pass current as money within the United States, by tale, for the payment of all debts and demands, at the rate of one hundred cents the dollar, that is to say, the dollars of Mexico, Peru, Chili, and Central America, of not less weight than four hundred and fifteen grains each, and those re-stamped in Brazil of the like weight, of not less fineness than ten ounces fifteen pennyweights of pure silver, in the troy pound of twelve ounces of standard silver: and the five franc pieces of France, when of not less fineness than ten ounces and sixteen pennyweights in twelve ounces troy weight of standard silver, and weighing not less than three hundred and eighty-four grains each at the rate of ninety-three cents each.

Act of June 28, 1834, ch. 96. Certain silver coin to pass by tale.

Sec. 2. *And be it further enacted*, That it shall be [the] duty of the Secretary of the Treasury to cause assays of the aforesaid silver coins,

Assays of such coin to be made

(a) See notes of the acts relating to the currency of foreign coins in the United States, vol. ii. p. 374. VOL. IV.—86

at the mint once  
in every year.

made current by this act, to be had at the mint of the United States at least once in every year, and to make report of the result thereof to Congress.

APPROVED, June 25, 1834.

STATUTE I.

June 25, 1834.

CHAP. LXXII.—*An Act to change the boundary between the south-eastern and the western land districts in the territory of Michigan, and for other purposes.*

Certain lands  
to form part of  
the western, and  
others of south-  
eastern land dis-  
trict.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the public lands of the United States within the limits of the counties of Calhoun and Branch, in the territory of Michigan, which are now subject to sale at the land office at Monroce, shall, from and after the passage of this act, be set off to, and form a part of, the western land district in said territory; and all that part of said territory lying east of the aforesaid counties, and south of the base line and west of the principal meridian, and, also, all the country east of the principal meridian and south of the line between townships numbered three and four south, except so much thereof as lies north of the river Huron of Lake Erie, shall continue to belong to, and form a part of, the south-eastern land district in said territory, the land office for which is now located at Monroce, but shall be subject to be removed from time to time to such place as the President of the United States may order and direct.

APPROVED, June 25, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXIV.—*An Act making appropriations for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-four.*

Appropriations  
for Indian an-  
nuities, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and they are hereby, appropriated, for the payment of annuities due to various Indians and Indian tribes, and other objects hereinafter enumerated, according to the stipulations of certain Indian treaties, to be paid out of any money in the treasury not otherwise appropriated; that is to say:

To the Six Nations of Indians in New York, four thousand seven hundred and fifty dollars.

To the Senecas of New York, six thousand dollars.

To the Ottowas, four thousand three hundred dollars.

To the Wyandot, six thousand seven hundred and forty-five dollars.

To the Wyandots, Munsees, and Delawares, one thousand dollars.

To the Christian Indians, four hundred dollars.

To the Miamies, twenty-nine thousand and twenty dollars.

To the Eel Rivers, one thousand one hundred dollars.

To the Pattawatamies, twenty thousand six hundred and twenty dollars.

To the Pattawatamies of Huron, four hundred dollars.

To the Pattawatamies of the Prairie, sixteen thousand dollars.

To the Pattawatamies of the Wabash, twenty thousand dollars.

To the Pattawatamies of Indiana, seventeen thousand dollars.

To the Chippewas, Ottawas, and Pattawatamies, sixteen thousand nine hundred and ninety-five dollars.

To the Winnebagoes, thirty-seven thousand eight hundred and forty dollars.

To the Menomonies, twenty thousand and forty dollars.

To the Chippewas, five thousand eight hundred dollars.

To the Chippewas, Menomonies, and New York Indians, one thousand five hundred dollars.

To the Sioux of Mississippi, three thousand seven hundred dollars. Indian annuities, &c.  
 To the Yancton, and Santie bands of Sioux, four thousand four hundred dollars.

To the Omahas, four thousand dollars.

To the Sacs of Missouri, one thousand four hundred dollars.

To the Sacs, three thousand dollars.

To the Foxes, three thousand dollars.

To the Ioways, five thousand three hundred and thirty dollars.

To the Sacs and Foxes, twenty-five thousand three hundred and twenty dollars.

To the Sacs, Foxes, and Ioways, three thousand dollars.

To the Ottoes and Missourias, four thousand dollars.

To the Kansas, five thousand nine hundred and forty-five dollars.

To the Osages, eleven thousand and seventy dollars.

To the Kickapoos, eight thousand five hundred dollars.

To the Kaskaskias and Peorias, two thousand and fifty dollars, in addition to the sum of one thousand dollars in the hands of the superintendent at St. Louis.

To the Kaskaskias and Peorias, Weas, and Piankeshaws, one thousand dollars.

To the Piankeshaws, eight hundred dollars.

To the Weas, three thousand dollars.

To the Piankeshaws, five hundred dollars.

To the Delawares, seven thousand eight hundred and seventy dollars.

To the Shawanees, three thousand eight hundred and forty dollars.

To the Shawanees and Delawares, one thousand dollars.

To the Shawanees and Senecas of Lewistown, one thousand seven hundred and eighty dollars.

To the Senecas of Lewistown, two thousand three hundred and fifty dollars.

To the Choctaws, sixty-six thousand five hundred and thirty dollars.

To the Chickasaws, three thousand dollars.

To the Creeks, fifty-four thousand four hundred and fifty-five dollars.

To the Cherokees, twelve thousand dollars.

To the Quapaws, two thousand dollars.

To the Florida Indians, seven thousand dollars.

For to carry into effect the fourth article of the treaty with the Apalachicola band of Indians in Florida, approved thirteenth of February, eighteen hundred and thirty-three, three thousand five hundred and ten dollars.

To the Menomonies, five thousand dollars, for the annuity for the year eighteen hundred and thirty-two.

For the expenses of transportation and distribution of annuities, salt, agricultural implements, and tobacco, tools, &c.; and other incidental expenses not otherwise enumerated, twenty-nine thousand five hundred dollars.

Sec. 2. *And be it further enacted,* That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, viz:

For running the lines and marking out the reservations for the Sacs and Foxes, under the first and second articles of the treaty with them, of twenty-first September, eighteen hundred and thirty-two, two thousand dollars.

Running lines for the Sacs and Foxes.

For expenses of locating reservations and certifying contracts under the Creek treaty of twenty-fourth March, eighteen hundred and thirty-two, fifteen thousand two hundred and twenty-three dollars and thirty-seven cents.

Creek treaty.

For payment to the Stockbridge and Munsees Indians, for improvements on the lands on the east side of Fox river, agreeably to the pro-

Improvements of Stockbridge

and Munsee Indians.

visional ratification of the treaty with said Indians, of ninth July, eighteen hundred and thirty-two, twenty-four thousand two hundred and twenty-six dollars.

Improvements of Brothertown Indians.

For payment to the Brothertown Indians for improvements on the land east of Fox river, agreeably to the same proviso of said treaty, six-teen hundred dollars.

For running lines.

For expenses of running the lines provided for by said treaty, and for surveying the tracts for the aforesaid Indians, two thousand dollars.

Treaty with Pattawatamies.

For expenses of selecting and locating reservations under the several treaties with the Pattawatamies, of twentieth, twenty-sixth, and twenty-seventh October, eighteen hundred and thirty-two, one thousand five hundred dollars.

Running Choctaw and Chickasaw line.

For expenses of running the dividing line between the Choctaws and Chickasaws, one thousand five hundred dollars.

Running Chippewa and Sioux line.

For expenses of running the lines between the Chippewas and Sioux, under the fifth article of the treaty with them, of nineteenth August, eighteen hundred and twenty-five, seven thousand dollars.

Running lines between Sacs and Foxes.

For to run the lines between the Sacs and Foxes, and to complete the surveys under the treaty of Prairie du Chien, of fifteenth July, eighteen hundred and thirty, the sum of two thousand dollars.

Commission to examine lands for emigrating Indians.

For expenses of the commission heretofore appointed to visit and examine the Indian country, adjust difficulties which may exist in the location of the lands of the emigrating Indians in the boundaries thereof, and ascertain and report the proper places of location for such tribes, and portions of tribes, as may yet wish to remove to that country, for that part of the year eighteen hundred and thirty-four included within the term of their appointment, twenty thousand dollars.

Claims due by Pattawatamies.

For the payment of claims due by the Pattawatamie Indians to white citizens, and for horses delivered by order of the commissioners to the Indians, and not embraced in the schedule which accompanied the treaty of October, eighteen hundred and thirty-two, as the Secretary of War shall ascertain to have been omitted, not exceeding one thousand dollars.

Cherokees of Arkansas.

For payment of claims to Cherokees of Arkansas, in addition to eight thousand seven hundred and sixty dollars, appropriated twenty-fourth May, eighteen hundred and twenty-eight, which sum, it is ascertained, falls short of the sum actually required, two hundred and fifty-eight dollars and thirty-three cents.

1828, ch. 94.

Isaac McCoy for surveying.

For compensation to Isaac McCoy for expenses of surveying the lands assigned to the Piankeshaws, Weas, Kaskaskias, and Peorias, and for extending the survey of the Shawnee lands, two thousand one hundred and two dollars.

Survey in territory of Michigan.

For surveying Indian reservations in the neighbourhood of Michilimackinac, in the territory of Michigan, four hundred and fifty dollars.

Emigrating Indians under the Creek treaty.

For the payment of claims ascertained upon settlement to be due, for provisions and bounty money, for Indians emigrating west, under the treaty with the Creeks, five thousand one hundred and thirty-six dollars ninety-three cents.

Removing the Creeks east of the Mississippi.

For removing five thousand Creeks from the Creek country east of the Mississippi to their new country west of that river, including subsistence on the route, and for one year after their arrival west of the Mississippi, and all other expenses attending their emigration, as provided for by the twelfth article of the treaty of the twenty-fourth of March, eighteen hundred and thirty-two, two hundred and forty-one thousand eight hundred and seventy-five dollars.

Rifles, &c. furnished Creeks.

For rifles, moulds, wipers, ammunition, and blankets, and transportation of the same, as provided for by the thirteenth article of the treaty of the twenty-fourth of March, eighteen hundred and thirty-two, with the said Creek tribe of Indians, twenty thousand eight hundred and seventy-five dollars.

For removing such portion of the Cherokees as may emigrate during the present year from the Cherokee country east of the Mississippi, to their new country west of that river, including subsistence on the route and for one year after their arrival west of the Mississippi, and all other expenses attending their emigration, sixty-eight thousand three hundred and twenty-five dollars.

SEC. 3. *And be it further enacted*, That the sum of one hundred and twelve thousand eight hundred and fifty-three dollars, and seventy-eight cents, paid into the treasury under the provisions of the act of February nineteenth, eighteen hundred and thirty-one, entitled "An act to provide hereafter for the payment of six thousand dollars annually to the Seneca Indians, and for other purposes," and now standing to the credit of Indian contingencies, shall be applied to, and be subject to, the payment of the annuities authorized to be paid by the provisions of this act: *Provided*, That the claim of the Seneca Indians against the United States, for the said sum of money, shall continue of the same force and effect as it now is.

SEC. 4. *And be it further enacted*, That the sum of eleven thousand one hundred and sixty dollars be, and the same is hereby, appropriated to be paid out of any money in the treasury not otherwise appropriated, to be distributed to the Creek Indians, friends and followers of General McIntosh, who emigrated under the treaty of January twenty-fourth, eighteen hundred and twenty-six, and who have not received their proportions of the sums stipulated to be paid under the ninth article of the said treaty.

SEC. 5. *And be it further enacted*, That the annuities to the Cherokees, for which appropriations are made in this act, shall be paid to the chiefs of the tribe, or to such person or persons as the tribe shall appoint.

APPROVED, June 26, 1834.

Removing the Cherokees from country east of the Mississippi.

Money in the treasury under act of February 19, 1831, ch. 26, to be subject to payment of Indian annuities.

Proviso.

Creek followers of General McIntosh, who emigrated under treaty of January 24, 1826.

Cherokee annuities to be paid to chiefs, &c.

STATUTE I.

June 26, 1834.

CHAP. LXXV.—*An Act for the relief of the town of Fayetteville, in the territory of Arkansas.*

WHEREAS, the seat of justice of Washington county, in the territory of Arkansas, was located and called Fayetteville prior to the public surveys being made, and when the lands were surveyed, the said town fell on section number sixteen, which, by law, is reserved for the use of schools; and whereas the said town is situated on the south half of the north-east quarter, and the north half of the south-east quarter, of section number sixteen, in township number sixteen, north of range number thirty, west of the fifth principal meridian, therefore,—

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the trustee of the school lands in and for township number sixteen, north of range thirty, west of the fifth principal meridian in the territory of Arkansas, be, and he is hereby, authorized to select and have set apart for the use of schools in said township, one entire section of any of the unimproved lands in said township in lieu of section number sixteen; and when the said trustee shall make his selection, he shall file the same in the office of the register of the Fayetteville land office, and the land so selected shall be reserved from sale, and set apart for the use of schools; and that section number sixteen, in said township, shall be subject to sale and entry as other public lands now are.

SEC. 2. *And be it further enacted*, That the south half of the north-east quarter, and the north half of the south-east quarter, of section number sixteen, in township number sixteen, north of range number thirty, west of the fifth principal meridian, in the territory of Arkansas, be, and is hereby, granted to Lewis Evans, Larkin Newton, Samuel

School lands to be set apart in lieu of section sixteen.

Lands granted in trust for the county.

Appropriation of proceeds to erection of a courthouse and jail.

Vaughan and John Wooddy, commissioners of said county, in trust for the use of said county; and that the Secretary of the Treasury be authorized to issue a patent for the same; and that the said commissioners shall have power to lay off the said land into town lots, and sell and dispose of the same, and make good and sufficient titles to purchasers; and they shall appropriate the proceeds of the sales of the said lots to the erection of a courthouse and jail in the town of Fayetteville, for the use of said county.

APPROVED, June 26, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXVI.—*An Act to create additional land districts in the states of Illinois and Missouri, and in the territory north of the state of Illinois. (a)*

Four new land districts created.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all that tract of country lying north of the dividing line between township number twelve and thirteen, north of the base line running through the military bounty lands, and that tract of country lying north of the dividing line between townships number thirty and thirty-one, north of the old base line included in the state of Illinois, and all that tract of country lying north of the state of Illinois, west of Lake Michigan, and south and south-east of the Wisconsin and Fox rivers of Green Bay, in the present territory of Michigan, be laid off into four new land districts, to be divided and designated as follows, to wit: That tract lying within the state of Illinois, as above described, shall be divided by a north and south line, drawn between the range of townships number three and four, east of the third principal meridian, and that on the west side of said line shall be called the north-west, and that on the east, the north-east land district of the state of Illinois; and all that tract north of the state of Illinois, west of Lake Michigan, south and south-east of the Wisconsin and Fox rivers, included in the present territory of Michigan, shall be divided by a north and south line, drawn from the northern boundary of Illinois, along the range of township line next west of fort Winnebago, to the Wisconsin river, and be called, the one on the west side, the Wisconsin, and that on the east side, the Green Bay land districts of the territory of Michigan; which two districts shall embrace the country north of said rivers, when the Indian title shall become extinguished, and the Green Bay district may be divided so as to form two districts, when the President shall deem it proper.

President to designate place for office.

SEC 2. *And be it further enacted,* That there shall be established in each of the said land districts, one land office, at such time and place as

(a) The act of Congress, entitled "An act to create additional land districts in the states of Illinois and Missouri," approved June 26, 1834, ch. 76, does not require the President of the United States to cause to be offered for sale the public lands containing lead mines, situated in the land districts created by that act. *The United States v. Gear*, 3 Howard, 120.

The act does not require the President to cause the land containing lead mines to be sold, as the fifth section of the act of March 3, 1807, entitled "An act making provision for the disposal of the public lands, situated between the United States' tract and the Connecticut reserve, and for other purposes," is in full force. *Ibid.*

The lands containing lead mines, in the Indiana territory, or that part of it made into the new land districts, by the act of June 26th, 1834, are not subject to a pre-emption by settlers upon the public lands, under any of the pre-emption laws which have been passed by Congress. *Ibid.*

The fourth section of the act of 1834 does in no way repeal any part of the fifth section of the act of March 3, 1807, ch. 49, by which the lands containing lead mines were reserved for the future disposal of the United States, in which section it is declared that grants for lead mine tracts, discovered to be such before they may be bought from the United States, are declared to be fraudulent and null; and which authorized the President to lease any lead mine which had been, or might be discovered in the Indiana territory, for a term not exceeding five years. *Ibid.*

The land containing lead mines, in the districts made by the act of 1834, are not subject to pre-emption and sale under any of the existing acts of Congress. *Ibid.*

Digging lead ore from the lead mines upon the public land of the United States, is such a waste as entitles the United States to a writ of injunction to restrain it. *Ibid.*

the President may designate, to be removed whenever he may deem it expedient for the public convenience.

SEC. 3. *And be it further enacted*, That the President, by and with the consent of the Senate, so soon as a sufficient number of townships are surveyed, and returns thereof made to the general land office, to authorize the commencement of the sales in either of said districts, to appoint one register, and one receiver for each land office so established, who shall reside at the place designated for the land office, and give security, and discharge all duties pertaining to such office as prescribed by law.

Registers and receivers to be appointed.

SEC. 4. *And be it further enacted*, That the President shall be authorized, so soon as the survey shall have been completed, to cause to be offered for sale, in the manner prescribed by law, all the lands lying in said land districts, at the land offices in the respective districts in which the land so offered is embraced, reserving only section sixteen in each township, the tract reserved for the village of Galena, such other tracts as have been granted to individuals and the state of Illinois, and such reservations as the President shall deem necessary to retain for military posts, any law of Congress heretofore existing to the contrary notwithstanding.

Land to be reserved for military posts.

SEC. 5. *And be it further enacted*, That so much of the public lands of the United States, in the state of Missouri, as lies west of the range line between ranges ten and eleven west of the fifth principal meridian, and south of the line dividing townships, numbers forty and forty-one north of the base line, shall form a new land district, to be called the south-western land district; and for the sale of the public lands within the district aforesaid, there shall be a land office established at such place within said district as the President of the United States may designate.

Land office.

SEC. 6. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of public land in said district, who shall reside at the place where said office is established, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall in every respect be the same in relation to lands to be disposed of at said office, as are, or may be, by law provided, in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Register and receiver.

SEC. 7. *And be it further enacted*, That all such public lands embraced within the district created by this act, which shall have been offered for sale to the highest bidder at the several land offices, at Jackson, Franklin, Fayette, and Lexington, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale, by the proper officers of the office hereby created, in the same manner and subject to the same terms, and upon like conditions, as the sale of said land would have been subject to, in the said several land offices hereinbefore mentioned, had they remained attached to the same: *Provided*, That nothing in this act shall be so construed as to permit the officers appointed in either of the foregoing land districts to receive compensation out of the treasury of the United States.

Lands not disposed of at public sale may be entered and sold at private sale.

Proviso.

APPROVED, June 26, 1834.

STATUTE I.

CHAP. LXXVII.—*An Act to establish an additional land office in Arkansas.*

June 26, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That so much of the public lands of the United States in the territory of Arkansas as lies east of a line commencing on the southern boundary of the territory where it is intersected by the dividing line between ranges five and six, west of the meridian, thence with said range line to the dividing line between townships ten and eleven south; thence east with the said line to the dividing

Land office to be established at Helena.

line between ranges two and three west, thence north with said dividing line to the base line, thence east with said base line to the dividing line between ranges two and three east—thence north with said line to the dividing line between townships ten and eleven north, thence east with said dividing line to the dividing line between ranges six and seven east,—thence north with said dividing line to the northern boundary of the territory of Arkansas, shall form a new land district, to be called the Mississippi land district; and for the sale of the public lands within the district aforesaid, there shall be a land office established at the town of Helena, in the county of Phillips, in the territory aforesaid.

Register and receiver to reside at Helena.

SEC. 2. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of the public land in said district, who shall reside at the town of Helena aforesaid, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same in relation to lands to be disposed of at said office, as are or may be by law provided in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Land not sold at public, may be entered and sold at private sale.

SEC. 3. *And be it further enacted*, That all such public lands embraced within the district created by this act, which shall have been offered for sale to the highest bidder at any land office in said territory, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the proper officers of the office hereby created, in the same manner, and subject to the same terms and upon like conditions as the sale of said land would have been subject to in the said several land offices hereinbefore mentioned, had they remained attached to the same.

APPROVED, June 26, 1834.

STATUTE I.

June 26, 1834.

CHAP. LXXVIII.—*An Act confirming certain land claims in the district of St. Stephen's, in Alabama.*

Register's decision of March 7, 1832, confirmed.

Act of March 2, 1829, ch. 40.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the decisions of the register and receiver of the land office for the district of St. Stephen's, in the state of Alabama, as contained in their report bearing date the seventh of March, eighteen hundred and thirty-two, made in pursuance of the act of Congress approved the second of March, eighteen hundred and twenty-nine, entitled "An act confirming the report of the register and receiver of the land office of the district of Saint Stephen's, in the state of Alabama, and for other purposes," be, and the same are hereby, confirmed.

APPROVED, June 26, 1834.

STATUTE I.

June 27, 1834.

CHAP. XCI.—*An Act authorizing the Secretary of War to establish a pension agency in the town of Decatur, in the state of Alabama; and to provide for the paying of certain pensioners in said town of Decatur.*

Secretary of War to establish an agency at Decatur.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of War be, and he hereby is, authorized to establish a pension agency at Decatur, in the state of Alabama, for the payment of pensioners of the United States, resident in the counties of Jackson, Madison, Limestone, Lauderdale, Franklin, Lawrence, Morgan, Blount, Jefferson, Walker, Fayette, and Marion; *Provided*, That the establishment of such agency can be made without any charge to the United States.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, authorized to make the necessary arrangements with the branch of the bank of the state of Alabama, established in the said town of Decatur, for the payment of the pensioners herein before described.

Secretary of the Treasury to make arrangements for payment of pensioners.

SEC. 3. *And be it further enacted*, That this act shall not take effect until the first day of August next.

Act to take effect August 1.

APPROVED, June 27, 1834.

STATUTE I.

June 27, 1834.

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

Appropriations for the civil and diplomatic expenses of government.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, viz :

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars.

For clerks and messengers in the office of the Secretary of State, twenty thousand three hundred dollars.

For clerks, machinist, and messenger in the patent office, five thousand four hundred dollars.

For incidental and contingent expenses of the Department of State, including the expense of publishing and distributing the laws, and for carrying into effect the resolutions of the Senate of the twenty-sixth of February, eighteen hundred and thirty-three, and thirty-first of March, eighteen hundred and thirty-four, in conjunction with the statistical inquiries set on foot by the late Secretary of State, Edward Livingston, and to reimburse the contingent fund the sum taken therefrom, in prosecution of the same, thirty-one thousand five hundred dollars.

For contingent and incidental expenses of the patent office, two thousand one hundred and seventy-five dollars.

For the superintendent and watchmen of the north-east executive building, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of the buildings, three thousand three hundred and fifty dollars.

For completing the publication of the diplomatic correspondence of the United States, from the peace of seventeen hundred and eighty-three to the fourth of March, seventeen hundred and eighty-nine, thirteen hundred and ninety-two dollars and fifty-two cents.

For the documentary history of the revolution, per act of March second, eighteen hundred and thirty-three, twenty thousand dollars; and it shall be the duty of the Secretary of State, to examine the contract entered into by Edward Livingston, late Secretary of that department, with Matthew St. Clair Clarke and Peter Force, for the collection and publication of the documentary history of the American Revolution, and make a special report thereon, to the next session of Congress, setting forth the nature and character of the materials of which the work is to be composed, the progress made in the work, the number of volumes which will be required to complete it, and an estimate of the money which it may be necessary to appropriate for the fulfilment of the contract.

Act of March 2, 1833, ch. 78.

For the erection of a fence of wood corresponding with that already enclosing the war and navy buildings, to complete the enclosure of the north-east executive building, sixteen hundred dollars.

For compensation of an additional watchman of the north-east executive building, three hundred dollars.

Civil and diplomatic expenses of government.

For reimbursing the fund for the contingent expenses of the north-east executive building, including fuel, labour, oil, and repairs, for so much paid out of that fund for extra watchings during the year eighteen hundred and thirty-three, three hundred and thirty-seven dollars and fifty cents.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, sixteen thousand seven hundred dollars, including one hundred and fifty dollars additional compensation to the assistant messenger for extra labour.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand three hundred dollars, including two hundred dollars additional compensation to the assistant messenger for extra labour.

For compensation to the second comptroller of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.

For compensation to the first auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the first auditor, thirteen thousand nine hundred dollars.

For compensation to the second auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second auditor, seventeen thousand nine hundred dollars.

For compensation to the third auditor of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the third auditor, twenty-three thousand seven hundred and fifty dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.

For compensation to the fifth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fifth auditor, twelve thousand eight hundred dollars.

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

For compensation to the clerks and messenger in the office of the treasurer of the United States, six thousand seven hundred and fifty dollars.

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

For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.

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

For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars.

For compensation to the solicitor of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messenger in the office of solicitor of the treasury, three thousand nine hundred and fifty dollars.

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

For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the Treasury Department, the following sums, viz:

Civil and diplomatic expenses of government.

For the office of the Secretary of the Treasury, including the expenses incurred in consequence of the burning of the treasury building, ten thousand dollars.

For the office of the first comptroller, including the sum necessary to supply books and stationery lost in the conflagration, one thousand eight hundred and fifty dollars.

For the office of the second comptroller, one thousand five hundred dollars.

For the office of the first auditor, eight hundred dollars.

For the office of the second auditor, one thousand dollars.

For the office of the third auditor, eight hundred dollars.

For the office of the fifth auditor, one thousand dollars.

For the office of the treasurer of the United States, one thousand dollars.

For the office of the register of the treasury, three thousand dollars.

For the office of the solicitor of the treasury, one thousand dollars.

For the office of the commissioner of the general land office, including eighty thousand parchments, and cost of printing patents, eighteen thousand dollars.

For compensation to the legal representatives of the late William Wirt, Esq., in full for professional services rendered the United States in suits relative to lands lying in Missouri, in Alabama, and in Florida, the sum of one thousand dollars.

For additional clerk hire in the issuing of military land scrip, making out of patents for Virginia military surveys, and for private land claims, and in adjusting the accounts of the surveyors general, four thousand dollars.

For additional clerk hire in writing and recording not less than forty thousand patents, at a price not exceeding fifteen cents each, six thousand dollars.

For compensation to six additional clerks, one year, to aid in registering sales of lands and adjusting the accounts of receivers of public moneys for districts recently created, and for opening tract books, making indexes, and bringing up other arrears, six thousand dollars.

For translations, and for expense of passports and sea letters, three hundred dollars.

For stating and printing the public accounts for the year one thousand eight hundred and thirty-four, one thousand five hundred dollars.

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

For incidental and contingent expenses of said buildings, fuel, labour, oil, and repairs, five thousand dollars.

For compensation to the clerks and messengers in the office of the Secretary of War, twelve thousand six hundred and fifty dollars.

For contingent expenses of the office of the Secretary of War, three thousand dollars.

For books, maps and plans for the War Department, one thousand dollars.

For compensation to the clerks and messenger in the office of the paymaster general, four thousand six hundred dollars.

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks and messenger in the office of the commissary general of purchases, three thousand two hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks in the office of the adjutant general, two thousand nine hundred and fifty dollars.

Civil and diplomatic expenses of government.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, six hundred dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, including printing advertisements, two thousand five hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For the services of a lithographer, and the expenses of the lithographic press of the War Department, seven hundred and fifty dollars.

For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general, eleven hundred and fifty dollars.

For contingent expenses of said office, four hundred dollars.

For the salary of a clerk in the topographical bureau, one thousand dollars.

For contingent expenses of the topographical bureau, one thousand three hundred and seven dollars and fifty cents.

For the salary of a clerk in the clothing bureau, seven hundred dollars.

For the salary of the commissioner of pensions, two thousand five hundred dollars.

For salaries of clerks transferred from the office of the Secretary of War, four thousand eight hundred dollars.

For salaries of additional clerks, ten thousand six hundred dollars.

1832, ch. 126. For additional or temporary clerk hire for the year eighteen hundred and thirty-four, in order to carry into effect the act of the seventh of June, eighteen hundred and thirty-two, granting revolutionary pensions, five thousand dollars.

For arrearages for salaries and clerk hire, printing, stationery, rent, expenses of procuring revolutionary records, and other contingencies, for the year eighteen hundred and thirty-three, five thousand dollars.

For printing, stationery, rent, expenses of procuring revolutionary records, and other contingencies in the office of the commissioner of pensions, six thousand five hundred dollars.

For the salary of the superintendent and watchmen of the north-west executive building, twelve hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, furniture, repairs of building and improvements of adjoining ground, including arrearages for eighteen hundred and thirty-three, and the sum of one hundred and four dollars and seventeen cents for the rent of rooms occupied by the bounty land bureau, three thousand two hundred and four dollars and seventeen cents.

For fitting up the basement rooms of the executive building occupied by the War Department, six hundred dollars.

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

For contingent expenses of said office, two thousand seven hundred dollars.

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary of the commissioners of the navy board, two thousand dollars.

For compensation to the clerks, draughtsmen, and messenger in

the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.

For contingent expenses of the office of the commissioners of the navy board, one thousand eight hundred dollars.

For salary of the superintendent of the south-west executive building, and the watchmen, eight hundred and fifty dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of building, engine, and improvement of the grounds, three thousand three hundred and fifty dollars.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks and messengers in the office of the Postmaster General, forty-one thousand one hundred dollars.

For contingent expenses of said office, seven thousand five hundred dollars.

For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.

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

For the repairs of the buildings occupied by the general post-office, three thousand three hundred and thirty-four dollars and thirty-one cents.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

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

For additional clerk hire, in order to bring up the arrears, and transcribing field notes of said office, for the purpose of having them preserved at the seat of government, three thousand five hundred dollars.

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

For compensation to the clerks in the office of said surveyor, four thousand eight hundred and twenty dollars.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor general in Arkansas, one thousand five hundred dollars.

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

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

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

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

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

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

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

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, two thousand three hundred dollars.

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

Civil and diplo-  
matic expenses  
of government.

For compensation to the clerk and draughtsman in the office of the said surveyor, one thousand dollars each.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, two thousand five hundred dollars.

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

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

For additional clerk hire, in order to bring up the arrears, and for transcribing the field notes of said office, for the purpose of having them preserved at the seat of government, one thousand five hundred dollars.

For enabling the respective surveyors general to furnish the several land offices, commencing under the credit system, with renewed township plats, under the direction of the Secretary of the Treasury, in cases where those previously furnished have been defaced, or become materially injured by use, five thousand dollars.

For compensation to the secretary appointed by the President to sign all patents for lands sold or granted under the authority of the United States, per act of second March, eighteen hundred and thirty-three, including arrears of salary not paid for eighteen hundred and thirty-three, the sum of two thousand seven hundred and fifty dollars.

Act of March  
2, 1833, ch. 91.

For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.

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

For salary of the principal and assistant librarians, and for contingent expenses of the library and pay of messenger, three thousand seven hundred and fifty dollars.

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

For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, including one thousand dollars for the salary of an assistant assayer, and one thousand five hundred dollars for his services and expenses during a visit to Europe on behalf of the mint, in order to examine certain processes in the treatment of the precious metals, twenty thousand eight hundred and twenty dollars.

For incidental and contingent expenses and repairs, cost of machinery, for allowance for wastage in gold and silver coinage of the mint, twenty thousand and fifty dollars.

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

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

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, of the territory of Michigan, eleven thousand four hundred and forty-eight dollars.

For arrearages for compensation and mileage of the members of the legislative council of Michigan territory, pay of officers of the council, fuel, stationery, and printing, for the year eighteen hundred and thirty-three, four thousand seven hundred and twenty-five dollars and thirty-five cents.

For compensation to the governor, judges, and secretary of the Arkansas territory, including additional compensation to the judges, under the act of twentieth April, eighteen hundred and thirty-two, at eight hundred dollars each, from the sixteenth March, eighteen hundred and thirty-three, to thirty-first December, eighteen hundred and thirty-four, thirteen thousand five hundred and thirty-three dollars and thirty-three cents.

Act of April  
20, 1832, ch. 72.

For incidental expenses of the legislative council of said territory, per act of twenty-fourth May, eighteen hundred and twenty-eight, omitted last year, seven hundred and twenty dollars.

Civil and diplomatic expenses of government. 1828, ch. 100.

To defray the expenses of compiling and printing the laws of the territory of Arkansas, under the direction and superintendence of the governor of said territory, three thousand dollars.

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

For compensation to the governor, judges, and secretary of the Florida territory, including additional compensation per act of twenty-sixth May, eighteen hundred and thirty, of eight hundred dollars to the judge of the superior court of the eastern district of said territory, eleven thousand three hundred dollars.

1830, ch. 106.

For additional compensation for the year eighteen hundred and thirty-three, to the judges of the superior courts of the eastern and southern districts of the Florida territory, one thousand six hundred dollars, in lieu of an appropriation of last year of one thousand six hundred dollars, for "additional compensation of two of the said judges" of the Florida territory.

1833, ch. 54.

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

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, and printing, nine thousand one hundred and seventy-three dollars and twenty-four cents.

For arrearages for the compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and the distribution of the laws for the year eighteen hundred and thirty-three, two thousand seven hundred and nineteen dollars and fifty cents.

For allowances to the law agent and assistant counsel, under the acts for the settlement of private land claims in Florida, including arrearages, nine thousand eight hundred and seventy-five dollars.

For compensation to the chief justice, the associate judges, and district judges of the United States, eighty-one thousand four hundred dollars.

For the expenses of printing the records of the Supreme Court of the United States for the term of eighteen hundred and thirty-four, three thousand dollars.

For the salaries of chief justice and associate judges of the District of Columbia, and of the judges of the orphans' courts of the said district, nine thousand five hundred dollars.

For compensation to the attorney general of the United States, four thousand dollars.

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

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

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

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

For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia; also for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the year eighteen hundred and thirty-four, and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences com-

Civil and diplomatic expenses of government.

mitted against the United States, and for the safe keeping of prisoners, two hundred and sixty thousand dollars.

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

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

For the salaries of registers and receivers of land offices where there are no sales, three thousand five hundred dollars.

For surveying the public lands, and for establishing a permanent and conspicuous land-mark on the line dividing the states of Indiana and Illinois at some suitable point near Lake Michigan, in addition to the unexpended balance of former appropriations, sixty thousand dollars.

For surveying a portion of the public lands in the south-western part of the state of Missouri, to which the Indian title was extinguished in eighteen hundred and thirty-two, twenty thousand dollars.

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

For compensation to the recorder, two commissioners, and translators, for the final adjustment of private land claims in Missouri, per act of ninth July, eighteen hundred and thirty-two, which act, and a supplemental act of second March, eighteen hundred and thirty-three, are hereby continued in force for one year from the first of October next, including an unexpended balance of former appropriations of eight hundred and ninety-two dollars and seventy-two cents, the sum of five thousand one hundred and seven dollars and twenty-eight cents.

For contingent expenses and office rent of said board, five hundred dollars.

For contingent expenses of said board for eighteen hundred and thirty-four, including compensation to the agent employed to convey annual report of the board to the seat of government, including also expenses incurred by commissioners in taking testimony, and for payment of balances of claims admitted in due course of settlement at the treasury, one thousand nine hundred and thirty-eight dollars and sixty-two cents.

For stationery and books for the offices of commissioners of loans, one thousand two hundred dollars.

For registers for ships and vessels, and lists of crews, two thousand three hundred dollars.

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

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

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

For the salaries of the *chargés des affaires* to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Buenos Ayres, Chili, Peru, Mexico, Central America, and New Granada, fifty-eight thousand five hundred dollars.

For the salary of the *drogoman* to the legation of the United States to Turkey, and for contingent expenses of that legation, six thousand five hundred dollars.

For outfits of a minister of the United States to Russia, and a *chargé des affaires* to Buenos Ayres, Chili and Brazil, twenty-two thousand five hundred dollars.

For contingent expenses of all the missions abroad, thirty thousand dollars.

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

For the expenses of intercourse with the Mediterranean powers, twenty-four thousand four hundred dollars.

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

For the contingent expenses of foreign intercourse, thirty thousand dollars.

For compensation and expenses of an agent to Havana, to procure the archives of Florida, four thousand five hundred dollars.

For compensation to the judges of the western and middle districts of Florida, under the act of eighteen hundred and twenty-eight, for the year eighteen hundred and thirty-three, sixteen hundred dollars.

1828, ch. 70.

To defray the costs of certain suits decided against the United States, as directed in the act of May twenty-sixth, eighteen hundred and twenty-eight, one thousand dollars.

For balance due to Lucius Lyon, commissioner appointed to ascertain and survey the northern boundary of the state of Illinois, per act of second March, eighteen hundred and thirty-one, one thousand and sixty-eight dollars and twelve cents.

1831, ch. 86.

For additional payment for the statue of Washington, five thousand dollars.

For payment of the balance found to be due on settlement, at the treasury, to the legal representatives of John W. Smith, deceased, late special agent in relation to the sale of property in New Orleans, formerly belonging to Edward Livingston, nine hundred and ten dollars and twenty-four cents.

For survey of the coasts of the United States, thirty thousand dollars.

For the erection of the custom-house at New London, in the state of Connecticut, in addition to an unexpended balance of former appropriations, nine thousand dollars.

For the erection of the custom-house at Middletown, in the state of Connecticut, in addition to an unexpended balance of former appropriations, six thousand dollars.

For the erection of a custom-house at New Bedford, in the state of Massachusetts, in addition to an unexpended balance of former appropriations, eight thousand two hundred dollars.

For the erection of a custom-house at Newburyport, in the state of Massachusetts, in addition to an unexpended balance of former appropriations, eight thousand two hundred dollars.

For the erection of a public warehouse at Baltimore, in addition to an unexpended balance of former appropriations, twenty-three thousand dollars.

To construct a cistern on the custom-house lot at Key West, five hundred dollars.

To construct a brick wall to enclose the custom-house lot, and a small building connected with the wall, and for repairs to the custom-house at Providence, Rhode Island, one thousand dollars.

To construct a brick wall to enclose the custom-house lot at New Orleans, five thousand five hundred dollars.

To supply a deficiency in the contingent fund of the House of Representatives, twenty-five thousand dollars.

For completing the compilation of the laws of the territory of Florida, two thousand five hundred dollars.

For compensation to Robert Mills, the architect employed by order of the House of Representatives to superintend the alterations in the Representatives Hall, according to the plan of said Mills, one thousand dollars.

Civil and diplomatic expenses of government.

For the repair and completion of the United States' marine hospital in Charleston, South Carolina, one thousand one hundred dollars, to be placed at the disposal of the intendant and wardens of the said city of Charleston.

1834, ch. 10. For pay and mileage of members of Congress and delegates, seventy thousand and eighty dollars, in addition to the appropriation made by act of the eleventh day of February, eighteen hundred and thirty-four.

To enable the directors of the mint to procure the requisite apparatus for parting gold and silver by the sulphuric acid, and to establish a refinery for that purpose on the most approved principles under the control of the institution, seven thousand dollars.

1832, ch. 74. For payment of preparing, printing and binding the documents ordered to be printed by Gales and Seaton, forty thousand dollars, under the same restrictions and reservations as were contained in the appropriation for the same object by the act of the fifth day of May, eighteen hundred and thirty-two.

For payment for printing the documents relating to the public lands, ordered to be printed by the Senate of the United States, and for binding and engraving the necessary maps, forty-two thousand nine hundred and sixty dollars, to be disbursed by the secretary of the Senate, whose accounts for the same shall be settled and adjusted at the treasury in the usual manner.

1834, ch. 70. For the contingent expenses of the Senate, in addition to the appropriation contained in the act of the eleventh day of February, eighteen hundred and thirty-four, forty-six thousand two hundred and ninety-four dollars. And for the contingent expenses of the House of Representatives, in addition to former appropriations, thirty-five thousand dollars.

1834, ch. 45. To enable the Secretary of the Treasury to carry into effect the act entitled "An act for the relief of certain insolvent debtors," approved the seventh day of June, eighteen hundred and thirty-four, five thousand dollars.

For payment of balance due the representatives of Samuel Babcock on settlement of his accounts, one hundred and forty-six dollars twenty-three cents.

For payment of balance due Gurdon Trumbull, superintendent of the public works at Stonington harbour, two hundred and sixty-two dollars sixteen cents.

For payment of Major P. H. Perrault, balance due on account of the survey of the harbour of St. Augustine, two dollars and eighty-four cents.

For payment of balances due Joseph D. Selden, superintendent of the erection of a lighthouse at Buffalo and Erie, one thousand six hundred and ninety-seven dollars and sixty-two cents.

For payment of the arrearages due contractors on the Cumberland road in Ohio, one thousand six hundred and nine dollars thirty-six cents.

For the expenses of a "Digest of the existing commercial regulations of foreign countries" now in preparation under a resolution of the House of Representatives of the third of March, eighteen hundred and thirty-one, the sum of five thousand and one hundred dollars.

Compensation to be allowed to collectors and other officers of the customs.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, naval officers, surveyors, and their respective clerks, together with the weighers of the several ports of the United States, out of any money in the treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation in the year one thousand eight hundred and thirty-four, according to the importations of that year, as they would have been entitled to receive if the act of the fourteenth of July, eighteen hundred and thirty-two, had not gone into effect: and that the clerks employed by the respective collectors, naval officers, and surveyors

1832, ch. 227.

of the several ports, shall be paid for the year one thousand eight hundred and thirty-three, as if they had been specifically included in the third section of the act of the second of March, of said year, entitled "An act making appropriations for the civil and diplomatic expenses of government, for the year eighteen hundred and thirty-three." *Provided, however,* that in no case shall the compensation of any other officers than collectors, naval officers and surveyors, whether by salaries, fees, or otherwise, exceed the sum of two thousand dollars each per annum; nor shall the union of any two or more of these officers in one person entitle him to receive more than the sum of two thousand five hundred dollars per annum; *and provided, also,* that no officer shall receive under this act a greater annual salary or compensation than was paid to such officer for the year one thousand eight hundred and thirty-two, provided, however, that the number of officers to be employed in any of the custom-houses shall not be augmented beyond those now in service; *and provided further,* that the said collectors, naval officers and surveyors shall render an account quarterly to the treasury, and the other officers herein named or referred to shall render an account quarterly to the respective collectors of the customs where they are employed, to be forwarded to the treasury, of all the fees and emoluments whatever by them respectively received, and of all expenses incident to their respective offices, which accounts shall be rendered on oath or affirmation, and shall be in such form, and be supported by such proofs, to be prescribed by the Secretary of the Treasury, as will in his judgment best enforce the provisions of this section, and show its operation and effect.

Act of March 2, 1833, ch. 54.  
Proviso.

SEC. 3. *And be it further enacted,* That no payment of the money, appropriated by this act, or any other act passed at the present session of Congress, shall be made in the note or notes of any bank which shall not be at par value at the place where such payment may be made, provided that nothing herein contained shall be construed to make any thing but gold and silver a tender in payment, of any debt due from the United States to individuals.

Payments not to be made in bank notes below par at place of payment.

SEC. 4. *And be it further enacted,* That the secretary of the Senate be, and he hereby is, directed to pay, out of the fund appropriated by law for the pay of members of Congress, to Elisha R. Potter, of the state of Rhode Island, such compensation as is allowed by law to members of Congress, for his travel from his place of residence to the city of Washington, to claim a seat in the Senate, and for his return and also the per diem compensation for the days he was in actual attendance at the seat of government from the commencement of the present session of Congress, until the final decision by the Senate against his right to the seat so claimed by him.

Elisha R. Potter to be paid for mileage and attendance.

APPROVED, June 27, 1834.

STATUTE I.

CHAP. XCV.—*An Act concerning the gold coins of the United States, and for other purposes.*

June 28, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the gold coins of the United States shall contain the following quantities of metal, that is to say: each eagle shall contain two hundred and thirty-two grains of pure gold, and two hundred and fifty-eight grains of standard gold; each half eagle one hundred and sixteen grains of pure gold, and one hundred and twenty-nine grains of standard gold; each quarter eagle shall contain fifty-eight grains of pure gold, and sixty-four and a half grains of standard gold; every such eagle shall be of the value of ten dollars; every such half eagle shall be of the value of five dollars; and every such quarter eagle shall be of the value of two dollars and fifty cents; and the

Standard and weight of coins.  
Vol. ii. 54.  
Vol. ii. 111.

said gold coins shall be receivable in all payments, when of full weight, according to their respective values; and when of less than full weight, at less values, proportioned to their respective actual weights.

Gold and silver deposited for coinage to be paid for within five days.

Proviso.

Rate at which gold coin shall be receivable.

Gold coins to be set apart for assay.

Proviso.

Act to be in force after July 31, 1834.

SEC. 2. *And be it further enacted*, That all standard gold or silver deposited for coinage after the thirty-first of July next, shall be paid for in coin under the direction of the Secretary of the Treasury, within five days from the making of such deposit, deducting from the amount of said deposit of gold and silver one-half of one per centum: *Provided*, That no deduction shall be made unless said advance be required by such depositor within forty days.

SEC. 3. *And be it further enacted*, That all gold coins of the United States, minted anterior to the thirty-first day of July next, shall be receivable in all payments at the rate of ninety-four and eight-tenths of a cent per pennyweight.

SEC. 4. *And be it further enacted*, That the better to secure a conformity of the said gold coins to their respective standards as aforesaid, from every separate mass of standard gold which shall be made into coins at the said mint, there shall be taken, set apart by the treasurer and reserved in his custody, a certain number of pieces, not less than three, and that once in every year the pieces so set apart and reserved shall be assayed under the inspection of the officers, and at the time, and in the manner now provided by law, and, if it shall be found that the gold so assayed, shall not be inferior to the said standard hereinbefore declared, more than one part in three hundred and eighty-four in fineness, and one part in five hundred in weight, the officer or officers of the said mint whom it may concern, shall be held excusable; but if any greater inferiority shall appear, it shall be certified to the President of the United States, and if he shall so decide, the said officer or officers shall be thereafter disqualified to hold their respective offices: *Provided*, That if, in making any delivery of coin at the mint in payment of a deposit, the weight thereof shall be found defective, the officer concerned shall be responsible to the owner for the full weight, if claimed at the time of delivery.

SEC. 5. *And be it further enacted*, That this act shall be in force from and after the thirty-first day of July, in the year one thousand eight hundred and thirty-four.

APPROVED, June 28, 1834.

#### STATUTE I.

June 28, 1834.

CHAP. XCVI.—*An Act regulating the value of certain foreign gold coins within the United States.* (a)

Act of June 25, 1834, ch. 71.

Rates at which gold coins shall be receivable after July 31, 1834.

Coins of Great Britain, Portugal, and Brazil. France.

Spain, Mexico, and Colombia.

Annual assays to be made.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, from and after the thirty-first day of July next, the following gold coins shall pass as current as money within the United States, and be receivable in all payments, by weight, for the payment of all debts and demands, at the rates following, that is to say: the gold coins of Great Britain, Portugal, and Brazil, of not less than twenty-two carats fine, at the rate of ninety-four cents and eight-tenths of a cent per pennyweight; the gold coins of France nine-tenths fine, at the rate of ninety-three cents and one-tenth of a cent per pennyweight; and the gold coins of Spain, Mexico, and Colombia, of the fineness of twenty carats three grains and seven-sixteenths of a grain, at the rate of eighty-nine cents and nine-tenths of a cent per pennyweight.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause assays of the aforesaid gold coins,

made current by this act, to be had at the mint of the United States, at least once in every year, and to make a report of the result thereof to Congress.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. XCVII.—*An Act to authorize the removal of the custom-house from Magnolia, to St. Marks in Florida.*

June 28, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That, the President of the United States be, and he is hereby, authorized to remove the custom-house, now established at Magnolia on the St. Marks river in Florida, to the town of St. Marks or some other point on St. Marks harbour which may be deemed suitable, when in his judgment the public interests and convenience may require it, and after the removal aforesaid the office of surveyor at St. Marks shall be abolished.

President to cause custom-house to be removed.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. XCVIII.—*An Act to attach the territory of the United States west of the Mississippi river, and north of the state of Missouri, to the territory of Michigan.*

June 28, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all that part of the territory of the United States bounded on the east by the Mississippi river, on the south by the state of Missouri, and a line drawn due west from the north-west corner of said state to the Missouri river; on the south-west and west by the Missouri river and the White Earth river, falling into the same; and on the north, by the northern boundary of the United States, shall be, and hereby is, for the purpose of temporary government, attached to, and made a part of, the territory of Michigan, and the inhabitants therein shall be entitled to the same privileges and immunities, and be subject to the same laws, rules, and regulations, in all respects, as the other citizens of Michigan territory.

Territory made part of Michigan, and the inhabitants subjected to its laws, &c.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. XCIX.—*An Act for the benefit of the city of Washington.*

June 28, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any unappropriated money in the treasury, a sum not exceeding seventy thousand dollars, in quarterly instalments, for one year from the passage of this act, to the mayor of the city of Washington, to be applied under the direction and authority of the boards of aldermen and common council, to extinguish so much of the interest annually accruing on their public debt.

Appropriation to extinguish interest on public debt of Washington city.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. C.—*An Act to enable the President to make an arrangement with the government of France in relation to certain French seamen killed or wounded at Toulon, and their families.*

June 28, 1834.

WHEREAS certain French seamen were unfortunately killed and others wounded, by firing a salute from the American frigate United States in the harbour of Toulon, on the first day of May last, and whereas it is

proper to manifest the sensibility, with which the disastrous accident is viewed by the government of the United States, therefore,

Arrangement to be made with France for payment of double pensions to persons wounded and relatives of those killed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he hereby is authorized and empowered to enter into an arrangement with the government of France for the payment of an annual sum of twice the amount receivable by the navy pensioners of the same or a similar class to the wounded who survive, and to such relatives of those who were unhappily killed as aforesaid, as the President may deem it expedient to include in this provision, which said sum shall be paid on the earliest day practicable after the proposed arrangement shall be concluded, and on the same day in each year thereafter during the respective lives of the persons to whom granted.

Appropriation.

SEC. 2. *And be it further enacted,* That a sum of money sufficient to enable the President to carry the aforesaid arrangement into effect, be and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CI.—*An Act to authorize the correction of erroneous selections of land granted to the state of Indiana, for the purpose of constructing the Michigan road.*

Indiana to select lands in lieu of those formerly selected.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the state of Indiana be, and hereby is authorized to select other lands in lieu of sections numbered eighteen and twenty-nine, and fractional section numbered thirty-two, in township thirty-seven north, of range one, east, heretofore selected, to be applied to the purpose of constructing the Michigan road in Indiana; the selections authorized by this act to be made on any unsold land, within the district where the above-mentioned lands lie, and shall be applied to the same object, and the first named selections are hereby declared void and of no effect.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CII.—*An Act limiting the times of advertising the sales of the public lands.*

Sales to be advertised not less than three, nor more than six months.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That hereafter the public lands which shall be exposed to public sale by order of the President of the United States, shall be advertised for a period of not less than three nor more than six months prior to the day of sale, any thing in any law heretofore enacted to the contrary notwithstanding.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CIII.—*An Act making additional appropriations for certain harbours, and removing obstructions in the mouths of certain rivers, for the year one thousand eight hundred and thirty-four.*

Appropriations for harbours and rivers.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, for carrying on and completing certain works heretofore commenced, viz :

Kennebunk river.

For piers at the entrance of Kennebunk river, ten thousand three hundred dollars.

For the breakwater at the mouth of Merrimack river, three thousand eight hundred and sixty dollars.	Merrimack river.
For the preservation of Plymouth beach, two thousand dollars.	Plymouth beach.
For the preservation of the beach at Provincetown harbour, Massachusetts, four thousand four hundred dollars.	Beach at Provincetown.
For the breakwater at Hyannis harbour, Massachusetts, ten thousand dollars.	Breakwater at Hyannis.
For improving the harbours of Newcastle, Marcus Hook, Chester, and Port Penn, in the Delaware river, six thousand one hundred and thirty-three dollars.	New Castle, Marcus Hook, and Port Penn.
For carrying on the improvement of Ocracok inlet, North Carolina, fifteen thousand dollars.	Ocracok inlet.
For improving Cape Fear river below Wilmington, North Carolina, five thousand two hundred and thirty-four dollars.	Cape Fear river.
For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.	Ohio, Missouri, and Mississippi.
For completing the improvement of St. Mark's river and harbour, Florida, four thousand six hundred dollars.	St. Mark's.
For improving the harbour of Chicago, Illinois, thirty-two thousand eight hundred and one dollars.	Chicago harbour.
For the piers at La Plaisance bay, Michigan, four thousand eight hundred and ninety-five dollars.	La Plaisance piers.
For improving the navigation of Red river, fifty thousand dollars.	Red river.
For carrying on the Delaware breakwater, two hundred and seventy thousand dollars.	Delaware breakwater.
For filling up and securing a breach in the south embankment at Presque Isle, Pennsylvania, three thousand and forty-five dollars.	Presque Isle.
For improving the harbour at Mobile, in removing the bar at the entrance of the harbour called Choctaw Pass, ten thousand dollars.	Mobile harbour.
For improving the navigation of the river Savannah, in removing the obstructions in said river from the city of Savannah to its mouth, thirty thousand dollars.	Savannah river.
For continuing and securing the works at Oswego harbour, New York, thirty thousand dollars.	Oswego harbour.
For continuing the improvements at Big Sodus bay, New York, on the present plan, fifteen thousand dollars.	Big Sodus bay.
For completing the works at Genessee river, New York, on the present plan, twenty thousand dollars.	Genessee river.
For continuing the improvements of Black Rock harbour, New York, twelve thousand dollars.	Black Rock harbour.
For completing the works at Buffalo, New York, twenty thousand dollars.	Buffalo.
For continuing the improvements at Dunkirk harbour, New York, four thousand dollars.	Dunkirk harbour.
For securing the works at Presque Isle, Pennsylvania, twenty thousand dollars.	Presque Isle.
For completing and securing the works at Cleveland harbour, Ohio, thirteen thousand three hundred and fifteen dollars.	Cleveland harbour.
For repairing and securing the works at Grand river, Ohio, ten thousand dollars.	Grand river.
For securing the works at Black river, Ohio, five thousand dollars.	Black river.
For extending and securing the works at Huron river, Ohio, six thousand seven hundred dollars.	Huron river.
For continuing the improvements at Ashtabula creek, Ohio, five thousand dollars.	Ashtabula creek.
And for defraying the expense of surveys pursuant to the act of the thirtieth of April, eighteen hundred and twenty-four, including arrearages for eighteen hundred and thirty-three, twenty-nine thousand dollars,	Surveys under act of April 30, 1824, ch. 46, &c.

of which sum five thousand dollars shall be appropriated and applied to geological and mineralogical survey and researches.

Steele's ledge.

To rebuild the monument on Steele's ledge, in Penobscot bay, four thousand six hundred dollars.

Cumberland river.

For the continuation of the improvement of the navigation of the Cumberland river, thirty thousand dollars, to be expended under the direction of the War Department.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CIV.—*An Act making appropriations for the military academy of the United States, for the year one thousand eight hundred and thirty-four.*

Appropriations for the military academy.

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

For defraying the expenses of the board of visitors at West Point, two thousand dollars.

For fuel, forage, stationery, printing, transportation, and postage, eight thousand four hundred and eighty-six dollars and thirty cents.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, carts and fences, nine thousand six hundred and ten dollars and ninety-six cents.

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

For philosophical apparatus and repairs of the same, six hundred and ninety-eight dollars.

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

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

For the departments of mineralogy, artillery, and sword exercises, one thousand one hundred and thirty dollars.

For increase and expenses of the library, one thousand two hundred and sixteen dollars and twenty-two cents.

For completing the out-buildings and culvert attached to the cadet barracks, one thousand and eighty-one dollars and fifty cents.

For miscellaneous items, and incidental expenses of the military academy, one thousand six hundred and seventy-one dollars and forty-seven cents.

For the erection of a building for military and other exercises, in winter, in addition to six thousand dollars appropriated last session, four thousand dollars.

For pay of the officers, cadets, and musicians, and subsistence of officers and cadets, ninety-five thousand six hundred and ninety-eight dollars.

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

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

Secretary of War to cause transfers to be made to settle accounts of Col. Thayer.

SEC. 2. *And be it further enacted,* That the Secretary of War be, and is hereby authorized to cause such transfers to be made from specific heads of appropriation, for the military academy, as may be necessary to enable the accounting officer to settle the accounts of Lt. Col. S. Thayer, late superintendent, for expenses incurred in procuring philosophical apparatus for said academy, under an order of the War Department, in eighteen hundred and twenty-nine.

APPROVED, June 28, 1834.

STATUTE I.

June 28, 1834.

CHAP. CV.—*An Act making appropriations to carry into effect certain Indian treaties, and for other purposes.*

Appropriations to 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 are hereby, appropriated, for the objects hereinafter mentioned, to be paid out of any moneys in the treasury, not otherwise appropriated, viz :

To carry into effect the stipulations of the treaty with the Seminoles, of the ninth May, eighteen hundred and thirty-two, viz :

Seminoles.

To pay for improvements relinquished to the United States by the first article, fifteen thousand four hundred dollars.

To defray the expense of investigating claims against the Seminoles for property alleged to have been stolen or destroyed by them, and of liquidating such as may be satisfactorily established, seven thousand eight hundred dollars.

To carry into effect the treaty with the Western Cherokees, of fourteenth February, eighteen hundred and thirty-three, viz :

Western Cherokees.

For support of blacksmiths, of a wheelwright and wagon maker and their establishments, and the purchase of corn mills, under the fourth article, eight thousand three hundred and twenty dollars.

To carry into effect the treaty with the Western Creeks, of fourteenth February, eighteen hundred and thirty-three, viz :

Western Creeks.

For support of a blacksmith, wheelwright, or wagon maker, and their establishments, and for the purchase of saws and corn mills, under the fifth article, three thousand three hundred and sixteen dollars.

For education, one thousand dollars.

To pay for improvements abandoned, under the sixth article, three thousand eight hundred and one dollars and fifty-eight cents.

To pay the expense of appraising these improvements, five hundred dollars.

To carry into effect the treaty with the Quapaws, of thirteenth May, eighteen hundred and thirty-three, viz :

Quapaws.

To pay for stock, implements of agriculture, rifles, blankets, and other articles stipulated to be furnished in the third article, five thousand and eighty-eight dollars and fifty cents.

For support of a farmer, six hundred dollars.

For education, one thousand dollars.

For support of a blacksmith and his establishment, one thousand and seventy-five dollars.

For payment of debts of the Quapaws, under the fourth article, four thousand one hundred and eighty dollars.

For pay of labourers, one thousand dollars.

For payment of the limited annuity, two thousand dollars.

For pay of an interpreter, by the sixth article, three hundred dollars.

To carry into effect the treaties with the Appalachicolas, of eighteenth June, eighteen hundred and thirty-three, viz :

Appalachicolas.

For payment of reservations to be surrendered, under the fourth article of each of the treaties, six thousand dollars.

To carry into effect the treaty with the Otoes and Missouriias, of twenty-first September, eighteen hundred and thirty-three, viz :

Otoes and Missouriias.

For education, under the fourth article, five hundred dollars.

For support of farmers, and the erection of a mill, under the fifth article, one thousand four hundred and fifty dollars.

For purchase of stock, under the sixth article, one thousand dollars.

For payment for merchandise, under the ninth article, four hundred dollars.

To carry into effect the treaty with the Pawnees, of ninth October, eighteen hundred and thirty-three, viz :

Pawnees.

For payment of the annuity provided for in the third article, four thousand six hundred dollars.

For purchase of agricultural implements, under the fourth article, two thousand dollars.

For education, under the fifth article, one thousand dollars.

For support of blacksmiths, and their establishments, under the sixth article, two thousand dollars.

For the support of farmers, under the seventh article, two thousand four hundred dollars.

For the purchase of stock, four thousand dollars.

For the erection of mills under the eighth article, one thousand dollars.

For the purchase of guns, and ammunition under the twelfth article, one thousand four hundred and twenty-two dollars.

For payment for merchandise under the thirteenth article, one thousand six hundred dollars.

For payment of transportation and other incidental expenses, under the above treaties, two thousand dollars.

Senecas and Shawnees, and Quapaws. To survey and lay off the lands of the Senecas and Shawnees, under the second article of the treaty of twentieth July, eighteen hundred and thirty-one, and of the Quapaws, under the third article of the treaty of thirteenth May, eighteen hundred and thirty-three, twelve hundred dollars.

Sacs and Foxes. To survey and lay off the reservation provided for in the second article of the treaty with the Sacs and Foxes, of twenty-first of September, eighteen hundred and thirty-two, eight hundred dollars.

Sac and Fox half-breeds. To lay off and divide the lands of the Sac and Fox half-breeds, under the first article of the treaty of fourth August, eighteen hundred and twenty-four, one thousand dollars.

Kickapoos. To complete the surveys of the Kickapoo reservations, under the twelfth article of the treaty of twenty-fourth October, eighteen hundred and thirty-two, eight hundred dollars.

Osages. To complete the north line of the Osage reservation, under the second article of the treaty of second June, eighteen hundred and twenty-five, one thousand dollars.

Kansas. To complete the north line of the Kansas reservation, under the second article of the treaty of third June, eighteen hundred and twenty-five, one thousand dollars.

Sacs and Foxes. To cover the excess of expenditure over the appropriation for running the line under the treaty with the Sacs and Foxes, and others of fifteenth July, eighteen hundred and thirty, two thousand two hundred and seventeen dollars and sixty-one cents.

Winnebagoes. To locate reservations under the fifth article of the treaty with the Winnebagoes of first August, eighteen hundred and twenty-nine, four hundred dollars.

Choctaws. To defray the expense of locating reservations, under the treaty with the Choctaws, of twenty-seventh September, eighteen hundred and thirty, three thousand five hundred dollars.

Chippewas. To pay for improvements relinquished by the Chippewas, under the sixth article of the treaty of twenty-fourth September, eighteen hundred and nineteen, one thousand seven hundred and seventy-six dollars.

Cherokees. To pay for improvements relinquished by the Cherokees who have emigrated, under the eighth article of the treaty of sixth May, eighteen hundred and twenty-eight, one hundred and thirty-nine thousand four hundred and eighteen dollars and fifty cents.

Chickasaws. For the balance of expenses of the Chickasaws, who explored the country west of the Mississippi, in eighteen hundred and thirty, and eighteen hundred and thirty-one, two thousand four hundred and twenty-six dollars and fifty-six cents.

Capture of Black Hawk. To pay expenses incurred by the Indian agent at Prairie du Chien, in collecting Indians to attend the treaties at Rock Island, in eighteen hun-

dred and thirty-two, and in effecting the capture of Black Hawk and the Prophet, six hundred and twelve dollars and seventy-four cents.

To pay the expenses of a delegation of New York Indians in exploring the country west of the Mississippi, four thousand five hundred dollars.

New York Indians.

To pay for three thousand and fifty bushels of corn for the Choctaws, "who were suffering for want of food," three thousand six hundred and ninety dollars.

Choctaws.

To pay for one thousand bushels of corn, purchased for the relief of the Osages, one thousand dollars.

Osages.

To pay balances ascertained to be due by the second auditor for capitation money, provisions, &c., under the treaty of twenty-fourth January, eighteen hundred and twenty-six, with the Creeks, nine thousand seven hundred and seventy dollars and twelve cents.

Creeks.

To compensate the Western Cherokees for stock and other property lost during their emigration under the eighth article of the treaty of sixth May, eighteen hundred and twenty-eight, fourteen thousand three hundred and sixty-four dollars and fifty cents.

Western Cherokees.

To remunerate the Western Cherokees for spoliations on their property under the fifth article of the treaty of sixth May, eighteen hundred and twenty-eight, one thousand and forty-three dollars.

To defray expenses incurred in holding treaties with the Pawnees, Ottoes, and Missouriias, and the general treaty of peace, and councils with the Osages, and Kickapoos, six thousand two hundred and sixteen dollars.

Pawnees, &c.

That the Secretary of War ascertain the amount paid by Joseph M. Street and Stephen W. Kearney, for attorney fees in defending a suit or suits brought against them for acts done in performance of their official duties by Jean Brunette, not to exceed four hundred and fifty dollars, to be paid out of any money in the treasury, not otherwise appropriated.

Fees paid by J. M. Street and S. W. Kearney.

For expense of surveys and marking certain lines in the Creek and Cherokee country, by order of the commissioners under the treaties with said tribes of Indians, of the fourteenth of February, eighteen hundred and thirty-three, sixty-two dollars and fifty cents.

Creeks and Cherokees.

For improvements abandoned on ceded lands under the treaty with the Cherokee Indians, of the eighth of July, eighteen hundred and seventeen, five hundred dollars.

Cherokees.

For refunding to Colonel Pierre Minard, six hundred and eighty-one dollars, eighty-two cents, for that sum advanced by him to the commissioners for holding treaties with the Winnebagoes, Chippewas, Ottoways and Pattawatamies.

Colonel Pierre Minard.

For expenses of thirteen delegates from the Eastern Cherokees, five thousand six hundred dollars.

Eastern Cherokees.

For the expenses of five delegates from the Western Cherokees, two thousand six hundred dollars.

Western Cherokees.

For the purchase of a house and lot at Prairie du Chien, for the use of the agency at that place, two thousand five hundred dollars.

House at Prairie du Chien.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. CVI.—*An Act further to provide for the location of certain lands in the territory of Arkansas.*

June 28, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the proviso to the act entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth day of January, eighteen hundred and thirty, be, and the same is hereby, repealed, and all locations of said claims made, or to be made, shall in no wise be affected by said proviso.

Proviso of act of January 13, 1830, ch. 3, repealed.

APPROVED, June 28, 1834.

## STATUTE I.

June 28, 1834.

CHAP. CXXV.—*An Act in reference to pre-emption rights in the south-eastern district of Louisiana. (a)*

Register of land office to issue patents in conformity with acts of April 5, 1832, ch. 65, and June 15, 1832, ch. 140.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the pre-emption rights granted by the register and receiver of the land office at New Orleans, to certain individuals claiming the same, in the south-eastern land district of Louisiana, under the act of Congress approved fifth April, eighteen hundred and thirty-two, entitled "An act supplementary to the several laws for the sale of public lands," and the act approved fifteenth June, eighteen hundred and thirty-two, entitled "An act to authorize the inhabitants of the state of Louisiana to enter the back lands," be, and they are hereby, confirmed; and the register of the land office is hereby directed to issue patent certificates accordingly.

Re-survey on Bayou St. Vincent confirmed.

SEC. 2. *And be it further enacted,* That the re-survey made under the supervision of the surveyor general of Louisiana, of certain lands on the bayou St. Vincent, in sections designated as numbers one hundred and ten and one hundred and forty-three, in township thirteen of range fourteen east, situate in the south-eastern district of Louisiana, and which re-survey purports to include the improvements of the actual settlers within its limits, claiming the right of pre-emption thereto under the act of fifth April, eighteen hundred and thirty-two, aforesaid, be, and the same is hereby, confirmed; and payments may be made and patents issued in accordance therewith.

1832, ch. 65.

APPROVED, JUNE 28, 1834.

## STATUTE I.

June 28, 1834.

CHAP. CXXVI.—*An Act giving the consent of Congress to an agreement or compact entered into between the state of New York and the state of New Jersey, respecting the territorial limits and jurisdiction of said states. (b)*

WHEREAS commissioners duly appointed on the part of the state of New York, and commissioners duly appointed on the part of the state

(a) See notes of acts which have been passed relative to pre-emption of public lands, vol. iv. p. 420.

(b) The decisions of the Supreme Court upon the compacts between states have been:—

The compact of 1789, between Virginia and Kentucky, was valid under that provision of the constitution which declares, that "no state shall, without the consent of Congress, enter into agreement or compact with another state, or with a foreign power:" no particular mode, in which that consent must be given, having been prescribed by the constitution; and Congress having consented to the admission of Kentucky into the Union, as a sovereign state, upon the conditions in the compact. *Green v. Biddle*, 8 Wheat. 1; 5 Cond. Rep. 369.

The compact is not invalid upon the ground of its surrendering rights of sovereignty, which are inalienable. *Ibid.*

To bring a case within the protection of the seventh article in the compact between Virginia and Kentucky, it must be shown that the title to the land asserted, is derived from the laws of Virginia, prior to the separation of the two states. *Lessee of Fisher v. Cockerell*, 5 Peters, 247.

The construction of a compact between the states of Virginia and Pennsylvania, is not to be settled by the laws or decisions of either of those states, but by the compact itself. *Marlatt v. Silk et al.*, 11 Peters, 1.

The decision of a question of the construction of such a compact, is not to be attested from the decisions of either state, but is one of an international character. *Ibid.*

It is a part of the general right of sovereignty, belonging to independent nations, to establish and fix the disputed boundaries between the respective limits; and the boundaries so established and fixed by compact between nations, become conclusive upon all the subjects and citizens thereof, and bind their rights; and are to be treated, to all intents and purposes, as the real boundaries. This right is expressly recognised to exist in the states of the Union, by the constitution of the United States; and is guarded in its exercise by a single limitation or restriction, only, requiring the consent of Congress. *Ibid.*

The compact between New Jersey and Pennsylvania, recognises the right of fishery in riparian owners on the Delaware. *Bennet v. Boggs, Baldwin's C. C. R.* 60.

The plaintiffs, in the circuit court of West Tennessee, instituted an ejectment for a tract of land held under a Virginia military land warrant, situate south of a line called Mathews' line, and south of Walker's line; the latter being the established boundaries between the states of Kentucky and Tennessee, as fixed by a compact between those states, made in 1820; by which compact, although the jurisdiction over the territory to the south of Walker's line, was acknowledged to belong to Tennessee, the titles to lands held under Virginia military land warrants, &c.; and grants from Kentucky, as far south as "Mathews' line," were declared to be confirmed: the state of Kentucky having, before the com-

of New Jersey, for the purpose of agreeing upon and settling the jurisdiction and territorial limits of the two states, have executed certain articles, which are contained in the words following, viz :

Agreement made and entered into by and between Benjamin F. Butler, Peter Augustus Jay and Henry Seymour, commissioners duly appointed on the part and behalf of the state of New York, in pursuance of an act of the legislature of the said state, entitled "An act concerning the territorial limits and jurisdiction of the state of New York and the state of New Jersey, passed January 18th, 1833, of the one part; and Theodore Frelinghuysen, James Parker, and Lucius Q. C. Elmer, commissioners duly appointed on the part and behalf of the state of New Jersey, in pursuance of an act of the legislature of the said state, entitled "An act for the settlement of the territorial limits and jurisdiction between the states of New Jersey and New York," passed February 6th, 1833, of the other part.

Articles of agreement.

**ARTICLE FIRST.** The boundary line between the two states of New York and New Jersey, from a point in the middle of Hudson river, opposite the point on the west shore thereof, in the forty-first degree of north latitude, as heretofore ascertained and marked, to the main sea, shall be the middle of the said river, of the Bay of New York, of the waters between Staten Island and New Jersey, and of Raritan Bay, to the main sea; except as hereinafter otherwise particularly mentioned.

**ARTICLE SECOND.** The state of New York shall retain its present jurisdiction of and over Bedlow's and Ellis's islands; and shall also retain exclusive jurisdiction of and over the other islands lying in the waters above mentioned and now under the jurisdiction of that state.

**ARTICLE THIRD.** The state of New York shall have and enjoy exclusive jurisdiction of and over all the waters of the bay of New York; and of and over all the waters of Hudson river lying west of Manhattan Island

and claimed the right to the soil, as well as the jurisdiction over the territory, and having granted lands in the same. The compact of 1820 was confirmed by Congress. The defendants in the ejectment claimed the lands under titles emanating from the state of North Carolina, in 1786, 1794, 1795; before the formation of the state of Tennessee; and grants from the state of Tennessee, in 1809, 1811, 1812, 1814, in which the lands claimed by the defendants were situated, according to the boundary of the state of Tennessee, declared and established at a time when the state of Tennessee became one of the states of the United States. The circuit court instructed the jury that the state of Tennessee, by sanctioning the compact, admitted, in the most solemn form, that the lands in dispute were not within her jurisdiction, nor within the jurisdiction of North Carolina, at the time they were granted; and that, consequently, the titles are subject to the compact: Held, by the Supreme Court, that the instructions of the circuit court were entirely correct. *Poole v. Fleeger*, 11 Peters, 185.

The seventh article of the compact between Virginia and Kentucky declares "all private rights and interests of lands within the said district (Kentucky,) derived from the laws of Virginia, prior to such separation, shall remain valid and secure under the laws of the proposed state, and shall be determined by the laws now existing in this state (Virginia)." Whatever course of legislation, by Kentucky, would be sanctioned by the principles and practice of Virginia, should be regarded as an unaffected compliance with the compact. Such are all reasonable quieting statutes. *Hawkins v. Barney's Lessee*, 5 Peters, 457.

From as early a date as the year 1705, Virginia has never been without an act of limitation; and no class of laws is more universally sanctioned by the practice of nations, and the consent of mankind, than those laws which give peace and confidence to the actual possessor and tiller of the soil. Such laws have frequently passed in review before the Supreme Court; and occasions have occurred in which they have been particularly noticed, as laws not to be impeached on the ground of violating private rights. It is impossible to take any reasonable exception to the course of legislation pursued by Kentucky on this subject. She has in fact literally complied with the compact in its most rigid construction. For she adopted the very statute of Virginia in the first instance, and literally gave her citizens the full benefit of twenty years to prosecute their suits, before she enacted the law now under consideration. As to the exceptions and provisos, and savings in such statutes, they must necessarily be left, in all cases, to the wisdom or discretion of the legislative power. *Ibid.*

It is not to be questioned, that laws limiting the time of bringing suits constitute a part of the *lex fori* of every country; the laws for administering justice, one of the most sacred and important of sovereign rights and duties, and a restriction upon which must materially affect both legislative and judicial independence. It can scarcely be supposed that Kentucky would have consented to accept a limited and crippled sovereignty; nor is it doing justice to Virginia to believe that she would have wished to reduce Kentucky to a state of vassalage. Yet it would be difficult, if the literal and rigid construction necessary to exclude her from passing the limitation act were adopted, to assign her a position higher than that of a dependent on Virginia. *Ibid.*

The limitation act of the state of Kentucky, commonly known by the epithet of "the seven years law," does not violate the compact between the state of Virginia and the state of Kentucky. *Ibid.*

Articles of  
agreement.

and to the south of the mouth of Spuytenduyvel creek; and of and over the lands covered by the said waters to the low water-mark on the westerly or New Jersey side thereof; subject to the following rights of property and of jurisdiction of the state of New Jersey, that is to say:

1. The state of New Jersey shall have the exclusive right of property in and to the land under water lying west of the middle of the bay of New York, and west of the middle of that part of the Hudson river which lies between Manhattan island and New Jersey.

2. The state of New Jersey shall have the exclusive jurisdiction of and over the wharves, docks, and improvements, made and to be made on the shore of the said state; and of and over all vessels aground on said shore, or fastened to any such wharf or dock; except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers, of the state of New York, which now exist or which may hereafter be passed.

3. The state of New Jersey shall have the exclusive right of regulating the fisheries on the westerly side of the middle of the said waters, *Provided*, That the navigation be not obstructed or hindered.

ARTICLE FOURTH. The state of New York shall have exclusive jurisdiction of and over the waters of the Kill Van Kull between Staten Island and New Jersey to the westernmost end of Shooter's Island in respect to such quarantine laws, and laws relating to passengers, as now exist or may hereafter be passed under the authority of that state, and for executing the same; and the said state shall also have exclusive jurisdiction, for the like purposes of and over the waters of the sound from the westernmost end of Schooter's Island to Woodbridge creek, as to all vessels bound to any port in the said state of New York.

ARTICLE FIFTH. The state of New Jersey shall have and enjoy exclusive jurisdiction of and over all the waters of the sound between Staten Island and New Jersey lying south of Woodbridge creek, and of and over all the waters of Raritan bay lying westward of a line drawn from the lighthouse at Prince's bay to the mouth of Mattavan creek; subject to the following rights of property and of jurisdiction of the state of New York, that is to say:

1. The state of New York shall have the exclusive right of property in and to the land under water lying between the middle of the said waters and Staten Island.

2. The state of New York shall have the exclusive jurisdiction of and over the wharves, docks and improvements made and to be made on the shore of Staten Island, and of and over all vessels aground on said shore, or fastened to any such wharf or dock; except that the said vessels shall be subject to the quarantine or health laws, and laws in relation to passengers of the state of New Jersey, which now exist or which may hereafter be passed.

3. The state of New York shall have the exclusive right of regulating the fisheries between the shore of Staten Island and the middle of the said waters: *Provided*, That the navigation of the said waters be not obstructed or hindered.

ARTICLE SIXTH. Criminal process, issued under the authority of the state of New Jersey, against any person accused of an offence committed within that state; or committed on board of any vessel being under the exclusive jurisdiction of that state as aforesaid; or committed against the regulations made or to be made by that state in relation to the fisheries mentioned in the third article; and also civil process issued under the authority of the state of New Jersey against any person domiciled in that state, or against property taken out of that state to evade the laws thereof; may be served upon any of the said waters within the exclusive jurisdiction of the state of New York, unless such person or property shall be on board a vessel aground upon, or fastened to, the shore of the state of

New York, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New York.

Articles of agreement.

ARTICLE SEVENTH. Criminal process issued under the authority of the state of New York against any person accused of an offence committed within that state, or committed on board of any vessel being under the exclusive jurisdiction of that state as aforesaid, or committed against the regulations made or to be made by that state in relation to the fisheries mentioned in the fifth article; and also civil process issued under the authority of the state of New York against any person domiciled in that state, or against property taken out of that state, to evade the laws thereof, may be served upon any of the said waters within the exclusive jurisdiction of the state of New Jersey, unless such person or property shall be on board a vessel aground upon or fastened to the shore of the state of New Jersey, or fastened to a wharf adjoining thereto, or unless such person shall be under arrest, or such property shall be under seizure, by virtue of process or authority of the state of New Jersey.

ARTICLE EIGHTH. This agreement shall become binding on the two states when confirmed by the legislatures thereof, respectively, and when approved by the Congress of the United States.

Done in four parts (two of which are retained by the commissioners of New York, to be delivered to the governor of that state, and the other two of which are retained by the commissioners of New Jersey, to be delivered to the governor of that state,) at the city of New York this sixteenth day of September, in the year of our Lord one thousand eight hundred and thirty-three and of the independence of the United States the fifty-eighth.

B. F. BUTLER,  
 PETER AUGUSTUS JAY,  
 HENRY SEYMOUR,  
 THEO. FRELINGHUYSEN,  
 JAMES PARKER,  
 LUCIUS Q. C. ELMER.

And whereas the said agreement has been confirmed by the legislatures of the said states of New York and New Jersey, respectively,—therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the consent of the Congress of the United States is hereby given to the said agreement, and to each and every part and article thereof, *Provided,* That nothing therein contained shall be construed to impair or in any manner affect, any right of jurisdiction of the United States in and over the islands or waters which form the subject of the said agreement.

Consent of Congress given to the agreement.  
 Proviso.

APPROVED, June 28, 1834.

STATUTE I.

CHAP. CXXVIII.—*An Act to amend an act entitled "An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewistown; to make Cape St. Vincent, in the district of Sackett's Harbour, a port of delivery; and out of the districts of Miami and Mississippi, to make two new districts, to be called the districts of Sandusky and Teche, and for other purposes."*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be paid, annually, to the collector of the port of Franklin, in the district of Teche, in lieu of all demands against the government of the United States for house rent, storage, and so forth, the sum of two hundred and fifty dollars.

Vol. ii. 657.  
 Annual pay of the collector of the district of Teche.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CXXIX.—*An Act to enable the Secretary of State to purchase the papers and books of General Washington.*

Appropriation for papers and books of Washington.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of twenty-five thousand dollars be, and the same is hereby appropriated, to be paid out of any [money] in the treasury not otherwise appropriated—to enable the Secretary of State to purchase the manuscript papers and a portion of the printed books of General George Washington, the said papers and books to be deposited and preserved in the Department of State; under the regulations the Secretary shall prescribe.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CXXX.—*An Act authorizing the President of the United States to cause certain roads to be opened in Arkansas.*

Appropriations for Roads from Helena to the mouth of Cache river;

From Jackson to fort Smith, and From Strong's to Batesville.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of ten thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to enable the President of the United States to cause a road to be opened from Helena, in Arkansas territory, to the mouth of Cache river; also, a road leading from Jackson, in the county of Lawrence, by Liberty and Fayetteville, in the county of Washington, in the aforesaid territory, to fort Smith: *And also,* That the sum of seven thousand dollars be, and the same is hereby appropriated, for the purpose of locating and constructing a road from Strong's, (a point on the military road from Memphis to Little Rock,) by Letchfield in Jackson county, to Batesville, in the territory of Arkansas.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CXXXI.—*An Act to suspend the operations of certain provisos of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth day of July, eighteen hundred and thirty-two.*

Part of act of July 14, 1832, ch. 227, suspended.

Secretary of Treasury to report to Congress.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the provisos of the tenth and twelfth clauses of the second section of the act to alter and amend the several acts imposing duties on imports, passed July fourteenth, eighteen hundred and thirty-two, be, and the same are hereby, suspended until the third day of March next. And in the mean time, that the Secretary of the Treasury be directed to inquire, whether it be necessary to except any manufactured articles from the operation and effect of those provisos, by reason of the difficulty of ascertaining the duties chargeable upon such articles, and that he make report to Congress, at the commencement of the next session.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CXXXII.—*An Act for the better organization of the United States' "marine corps."*<sup>53</sup> (a)

Of what the corps shall consist.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the pas-

(a) *Marine Corps.* (Notes to act of July 11, 1798, vol. i. p. 594.)

A brevet field officer of the marine corps is not entitled by law to brevet pay and rations by reason of his commanding a separate post or station, if the force under his command would not entitle a brevet

sage of this act, the marine corps shall consist of the following officers, non-commissioned officers, musicians and privates, viz: one colonel commandant, one lieutenant colonel, four majors, thirteen captains, twenty first lieutenants, twenty second lieutenants, one adjutant and inspector, one paymaster, one quartermaster, one assistant quartermaster, one sergeant major, one quartermaster sergeant, one drum major, one fife major, eighty sergeants, eighty corporals, thirty drummers, thirty fifers, and one thousand privates.

SEC. 2. *And be it further enacted*, That the said corps shall, at all times, be subject to, and under the laws and regulations which are, or may hereafter be, established for the better government of the navy, except when detached for service with the army by order of the President of the United States.

Subject to the laws of navy, except when on service with the army.

SEC. 3. *And be it further enacted*, That the officers, non-commissioned officers, musicians and privates, shall take the oath prescribed by law, and that all enlistments shall be for the term of four years, during which period marines, so enlisted, shall be, and are hereby, exempt from all personal arrest for debt or contract.

Enlistments to be for four years and marines exempt from arrest for debt.

SEC. 4. *And be [it] further enacted*, That the officers of the marine corps shall be, in relation to rank, on the same footing as officers of similar grades in the army: *Provided*, That no officer of the marine corps shall exercise command over any navy yard or vessel of the United States.

Rank of officers as in the army. Proviso.

SEC. 5. *And be it further enacted*, That the officers of the marine corps shall be entitled to, and receive the same pay, emoluments, and allowances, as are now, or may hereafter be, allowed to officers of similar grades in the infantry of the army, except the adjutant and inspector, who shall be entitled to the same pay, emoluments and allowances, as are received by the paymaster of said corps; and the non-commissioned officers, musicians and privates, shall be entitled to the same pay, rations, clothing, and allowances, as they now receive.

Pay and emoluments.

SEC. 6. *And be it further enacted*, That the staff of said corps shall be taken from the captains or subalterns of the corps.

Staff.

SEC. 7. *And be it further enacted*, That the commissions of the officers now in the marine corps shall not be vacated by this act, and that the President of the United States may, during the recess of the Senate, first by promotions according to rank and then by selections, appoint the officers hereby authorized, which appointments shall be submitted to the Senate, at their next session, for their advice and consent.

Existing commissions not to be vacated.

SEC. 8. *And be it further enacted*, That the President be, and he is hereby, authorized to prescribe such military regulations for the discipline of the marine corps, as he may, in his judgment, deem expedient.

President to prescribe regulations.

SEC. 9. *And be it further enacted*, That so much of the fourth section of an act, passed the sixth day of July, in the year one thousand eight hundred and twelve, entitled "An act making further provision for the army of the United States, and for other purposes," or of any other act as

Parts of former acts repealed. July 6, 1812, ch. 137.

field officer of infantry of similar grade to brevet pay and rations. *United States v. Freeman*, 3 Howard, 556.

The act of 1834, ch. 132, does not repeal the first section of the act of 1818, ch. 64, regulating the pay and emoluments of brevet officers. *Ibid.*

The fifth section of the act of June 30, 1834, ch. 132, is a repeal of the joint resolution of the two houses of Congress of May 25, 1832, respecting the pay and emoluments of the marine corps. *Ibid.*

By force of the army regulation No. 1125, authorizing the issue of double rations to officers commanding departments, posts, and arsenals, a brevet field officer of marines is entitled to double rations. But the fact must be shown that he had such a command of a post or arsenal at which double rations had been allowed according to the army regulations. *Ibid.*

The fact of appropriations having been made by Congress for double rations does not determine what officers are entitled to them. *Ibid.*

A brevet field officer of the marine corps, commanding a separate post, without a command equal to his brevet rank, is not entitled to his brevet pay and emoluments. But if such brevet officer is a captain in the line of his corps, and in the actual command of a company, whether he is in the command of a post or not, he is entitled to the compensation given by the act of March 2, 1827, ch. 42. *Ibid.*

Act of July 6,  
1812, ch. 137.

Act of April  
16, 1818, ch. 64.

Proviso.

Conflicting acts  
repealed.

authorizes the President to confer brevet rank on such officers of the army or of the marine corps, as shall have served ten years in any one grade, shall be, and the same hereby is, repealed; and so much of the second section of an act passed the sixteenth of April, one thousand eight hundred and eighteen, entitled "An act regulating the pay and emoluments of brevet officers," as may be applicable to the clause herein above repealed, shall be, and the same hereby is, also repealed: *Provided*, Nothing herein shall affect any right already acquired by ten years' expired service to brevet rank.

SEC. 10. *And be it further enacted*, That all acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXIII.—*An Act to increase and regulate the pay of the surgeons and assistant surgeons of the army.*

Appointment  
of surgeons and  
assistants.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passing of this act, no person shall receive the appointment of assistant surgeon in the army of the United States, unless he shall have been examined and approved by an army medical board, to consist of not less than three surgeons or assistant surgeons, who shall be designated for that purpose by the Secretary of War; and no person shall receive the appointment of surgeon in the army of the United States, unless he shall have served at least five years as an assistant surgeon, and unless, also, he shall have been examined by an army medical board constituted as aforesaid.

Pay and emo-  
luments.

SEC. 2. *And be it further enacted*, That the surgeons in the army of the United States shall be entitled to receive the pay and emoluments of a major; and the assistant surgeons, who shall have served five years, shall be entitled to receive the pay and emoluments of a captain; and those who shall have served less than five years, the pay and emoluments of a first lieutenant; and that said assistant surgeons shall be entitled to receive the same allowance for forage as they are at present entitled to.

Increase of  
rations after ten  
years' service.

SEC. 3. *And be it further enacted*, That every surgeon and assistant surgeon, who shall have served faithfully ten years in these grades, respectively, shall be entitled to receive an increase of rations, per day, equal to the number of rations to which he may be entitled under this act.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXIV.—*An Act concerning naval pensions, and the navy pension fund.*

Act of June  
28, 1832, ch. 151,  
prolonged for  
five years.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the provisions and benefits of the act of the twenty-eighth of June, one thousand eight hundred and thirty-two, entitled "An act further to extend the pension heretofore granted to the widows of persons killed, or who died in the naval service," be continued for another term of five years to all those widows who have heretofore had the benefit of the same, and the same are hereby also extended to the widows of officers, seamen and marines, who have died in the naval service since the first day of January, one thousand eight hundred and twenty-four, or who may die in said service, by reason of disease contracted, or of casualties by drowning or otherwise, or of injuries received while in the line of their duty, and the pensions of such widows shall commence from the passage of this act: *Provided*, That every pension hereby granted shall cease on the death or marriage of such widow.

Proviso.

SEC. 2. *And be it further enacted*, That there be reimbursed to the navy pension fund, out of any money in the treasury not otherwise appropriated, the cost of the stock of the Bank of Columbia, heretofore purchased by the commissioners of the said fund, and which now remains unredeemed by the said bank, together with interest thereon from the period at which said bank ceased to pay interest, to the time of the reimbursement, herein directed to be made; and at the period of said reimbursement, the said stock shall be transferred by the Secretary of the Navy, to the treasurer of the United States.

Cost of stock of the Bank of Columbia to be reimbursed.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXV.—*An Act to establish a port of entry at Natchez, in Mississippi, and creating certain ports of delivery, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all the ports, harbours, shores and waters of the Mississippi river, within the state of Mississippi, be, and they are hereby constituted a collection district, by the name of the Natchez district, and a port of entry shall be established at Natchez for said district, and a collector shall be appointed, who shall give the usual bond required of such officers, and be entitled to a salary of five hundred dollars per annum.

Port of entry at Natchez.

SEC. 2. *And be it further enacted*, That all vessels proceeding to the said port of Natchez, from any port or place in foreign countries, shall stop and report her arrival at the port of New Orleans; and before such vessel shall proceed on her voyage to the said port of Natchez, it shall be the duty of the collector of the said port of New Orleans to order on board any such vessel, a custom-house officer, who shall remain on board such vessel until her arrival at the said port of Natchez; and it shall be the duty of such custom-house officer, to take possession and safely keep all the papers belonging to such vessel, having relation to the freight or cargo on board, which papers he shall deliver to the collector of the port of Natchez, immediately after his arrival at that port; and any such vessel, which shall depart from the said port of New Orleans, without such custom-house officer on board, shall be subject to all the pains and penalties provided for by law for a violation of the revenue laws of the United States.

Vessels bound for Natchez to report at New Orleans.

SEC. 3. *And be it further enacted*, That the expenses of the custom-house officer which may be put on board of any such vessel at New Orleans, from the time of his being put on board, until his return to New Orleans, shall be paid by the owner or owners of such vessel.

Owners to pay expenses of custom-house officer.

SEC. 4. *And be it further enacted*, That Dorchester, in the state of Massachusetts, be, and the same is hereby, declared to be a port of delivery.

Dorchester, in Massachusetts, a port of entry.

SEC. 5. *And be it further enacted*, That from and after the passage of this act, the port of entry and delivery for the district of Philadelphia, shall be bounded by the navy yard on the south, and Gunner's run on the north; any thing in any former law to the contrary notwithstanding.

Port of entry at Philadelphia extended.

SEC. 6. *And be it further enacted*, That the town of Camden, in the district of Bridgeton, in the state of New Jersey, shall be a port of delivery, and shall be subject to the same regulations and restrictions as other ports of delivery in the United States; and there shall be appointed a surveyor of the customs to reside at said port, who shall also perform the duties of an inspector, and who shall be entitled to receive the annual salary of one thousand dollars and no more.

Camden, New Jersey, a port of delivery.

SEC. 7. *And be it further enacted*, That the surveyor of the port of Camden shall be authorized to enrol and license ships or vessels to be employed in the coasting trade and fisheries, under the regulations and

Surveyor of Camden to enrol and license fishing and coasting vessels.

Act of Feb. 11,  
1830, ch. 14.

provisions of the act, entitled "An act to authorize surveyors, under the direction of the Secretary of the Treasury, to enrol and license ships and vessels to be employed in the coasting trade and fisheries," passed the eleventh day of February, eighteen hundred and thirty, as to all ships and vessels belonging to that part of the district of Bridgeton, which lies northward of Alloway's creek, in the county of Salem.

Detroit collec-  
tion district ex-  
tended.

SEC. 8. *And be it further enacted*, That all the waters, shores, inlets and harbours of Lake Michigan, lying south of a point fifty miles north of the mouth of Grand river, on the east side, and the like distance north of the Milwaukee river on the west side of said lake, shall be, and hereby are, attached to, and made a part of, the collection district of Detroit, in the territory of Michigan, any law to the contrary notwithstanding.

Port of entry  
and district of  
Newark, New  
Jersey.

SEC. 9. *And be it further enacted*, That, from and after the thirtieth day of September next, all that part of the state of New Jersey, lying north and east of Elizabethtown and Staten Island, extending eastward as far as the Mouth of the Kill Van Kull, where it empties into the bay of New York, with all the waters of the Passaic and Hackensack rivers, shall form a collection district, to be called the district of Newark, of which the town of Newark shall be the port of entry.

Appointment  
and duties of  
collector.

SEC. 10. *And be it further enacted*, That a collector for the said district shall be appointed, to reside at Newark, who shall give bond with security, as provided by law, for the true and faithful performance of the duties of his office, in the sum of five thousand dollars, and shall be allowed three per centum on all moneys received on account of the duties arising on goods, wares, and merchandise imported, and on the tonnage of ships and vessels; and the said collector shall also receive, in addition to his other fees and emoluments allowed by law, the annual sum of two hundred and fifty dollars, subject, however, to the limitations provided by law.

Custom-house  
at Frenchman's  
bay to be remov-  
ed to Ellsworth.

SEC. 11. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized to remove the seat of the custom-house of the district of Frenchman's bay, in the state of Maine, from its present situation to the town of Ellsworth, in said district.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXVI.—*An Act for the repair of the Mars Hill military road, in the state of Maine.*

Appropriation  
for the repair of  
road.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of six thousand dollars be, and the same is hereby, appropriated for the repair of Mars Hill military road, in the state of Maine, which sum shall be paid out of any money in the treasury not otherwise appropriated; the state of Maine having, by a resolve approved the eighth day of March, eighteen hundred and thirty-four, agreed to assume the preservation and repair from and after the first day of January, eighteen hundred and thirty-five, on condition that the said road shall be put in a state of repair by the United States prior to the first day of January aforesaid: *Provided*, That no toll shall be received or collected for the passage of any wagon or carriage, laden with the property of the United States, or any cannon or military stores belonging to the United States, or to any of the states composing this Union.

Proviso.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXXXVII.—*An Act authorizing the selection of certain Wabash and Erie Canal lands in the state of Ohio.*

Commissioners  
to select lands.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That, in lieu of lands sold or

otherwise disposed of by the United States, within the state of Ohio, and which would otherwise become the property of the state of Indiana, in virtue of "An act to grant a certain quantity of land to the state of Indiana for the purpose of aiding said state in opening a canal to connect the waters of the Wabash river with those of Lake Erie," approved March second, eighteen hundred and twenty-seven, the canal commissioners authorized to locate the lands granted as aforesaid for the use of the canal within the state of Ohio, be, and they are hereby, authorized to select an equal quantity from the alternate sections, which would otherwise belong to the United States in the division under said act, or from the lands recently acquired by purchase from the Indians, or from other lands in the neighbourhood near the line of said canal as they shall think proper; and the lands thus selected shall be vested and disposed of for the use of the canal as other lands appropriated by the act aforesaid.

Act of March 2, 1827, ch. 51.  
Act of March 2, 1845, ch. 42.

SEC. 2. *And be it further enacted*, That in case of selections of lands authorized by the previous section, and which agreeably to treaty stipulations, may hereafter be sold by the United States for the benefit of the Indians, a sum equal to the amount for which said lands may have been sold, shall be paid over, by the Treasurer of the United States, to the commissioners authorized to receive the same, for the use and benefit of said canal.

Former selections, if sold, to be paid for to commissioners.  
Act of March 2, 1827, ch. 51.

SEC. 3. *And be it further enacted*, That until the lands granted by the aforesaid act of March second, eighteen hundred and twenty-seven, shall be selected and the selections contemplated by this act shall be made, the public lands on and near the line of said canal, and liable to the selections aforesaid, shall be reserved from sale.

Lands reserved from sale until selections are made.

SEC. 4. *And be it further enacted*, That it shall be the duty of the commissioner of the general land office, to furnish said commissioners with a perfect map of the surveyed lands on and contiguous to the Maumee river within the state of Ohio, including the lands recently purchased from the Indians, carefully noting thereon the lands which have been sold or otherwise disposed of by the United States.

Commissioners to be furnished with maps.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXXXVIII.—*An Act to procure a bust, in marble, of the late Chief Justice Ellsworth.*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the joint committee of the two Houses of Congress on the library be, and they are hereby, authorized and required to contract with a suitable American artist for the execution, in marble, and delivery in the room of the Supreme Court of the United States, a bust of the late Chief Justice Ellsworth.

American artist to be employed to execute bust.

SEC. 2. *And be it further enacted*, That, for the purpose of carrying this act into effect, there be, and hereby is, appropriated, eight hundred dollars; to be paid out of any money in the treasury not otherwise appropriated.

Appropriation.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXXXIX.—*An Act concerning the duty on lead.*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the duty of three cents a pound on lead in pigs, bars, and sheets, shall be considered as extending to all articles manufactured of lead, the value of which does not exceed double that of the raw material of which it is composed, excepting lead manufactured into pipes, and old and scrap lead, which shall pay the

Duty on lead in pigs, &c., extended to lead in other forms.

Proviso. same duties as heretofore: *Provided*, That nothing in this section shall extend to, or affect, the present duties on red and white lead, shot, sugar of lead, and litharge.

Act of March 2, 1833, ch. 55.

SEC. 2. *And be it further enacted*, That the provisions of the aforesaid section shall be subject to the reductions in duties provided for in the act entitled "An act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports," passed second March, one thousand eight hundred and thirty-three.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXL.—*An Act to aid in the construction of certain roads in the territory of Michigan.*

Appropriations for roads in Michigan territory.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be, and hereby are appropriated, out of any money in the treasury, not otherwise appropriated, to be expended under the direction of the Secretary of War, in the territory of Michigan, the following sums of money, and for the following purposes, to wit:

To aid in opening and constructing the territorial road, between Sheldon's on the Chicago road, and the mouth of the river St. Joseph's, of Lake Michigan, the sum of twenty thousand dollars.

To aid in opening and constructing the territorial road between Port Lawrence and Adrian, the sum of ten thousand dollars.

To aid in opening and constructing the territorial road between Niles and the mouth of the river Saint Josephs, the sum of ten thousand dollars.

To aid in opening the territorial road from the village of Clinton, on the Chicago road, through the county of Jackson, to the rapids of Grand river, the sum of eight thousand dollars.

To aid in opening, bridging, and constructing a territorial road from Vistula, westwardly, to the Indiana state line, in the direction of Chicago, ten thousand dollars: *Provided, however*, That the moneys to be thus expended shall be applied upon such parts of the several roads as may be most difficult to make, and running principally through the lands of the United States.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXLI.—*An Act for the completion of the road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas.*

Appropriation for road.

Act of July 3, 1832, ch. 153.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of fifteen thousand dollars be, and the same is hereby appropriated for the completion of the road from a point opposite to Memphis, in the state of Tennessee, to Little Rock, in the territory of Arkansas; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXLII.—*An Act making certain allowances, and granting certain arrears, to the captains and subalterns of the United States corps of marines.*

Act of March, 1827, ch. 42, extended to marine corps.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the passage of this act, the Secretary of the Navy be, and he is hereby, author-

ized to extend the benefits of the act of March, one thousand eight hundred and twenty-seven, entitled "An act giving certain compensation to the captains and subalterns of the army of the United States in certain cases," to the captains and subalterns of the corps of United States marines under similar cases.

SEC. 2. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized to cause to be settled by the proper accounting officers of the department, all arrearages of pay and allowances which shall be found due the said captains and subalterns of the United States corps of marines from the period at which the act of March, one thousand eight hundred and twenty-seven, above referred to, went into operation, up to the passage of this act; and that the same be paid out of any moneys in the treasury, not otherwise appropriated.

Arrearages of pay to be allowed.

APPROVED, June 30, 1834.

STATUTE I.

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

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, for certain fortifications, viz:

Appropriations for fortifications of the United States.

For the preservation of Castle Island, and repair of fort Independence, seventeen thousand five hundred and ninety-four dollars.

For a fort on George's Island, one hundred thousand dollars.

For fort Adams, one hundred thousand dollars.

For repairing fort Columbus and Castle Williams, fifty thousand dollars.

For a fort on Throg's neck, East river, New York, one hundred thousand dollars.

For rebuilding fort Delaware, seventy-nine thousand dollars.

For fort Monroe, fifteen thousand dollars.

For fort Calhoun, one hundred and twenty thousand dollars.

For fortifications in Charleston harbour, fifty thousand dollars.

For the fort at Cockspur island, Georgia, eighty-two thousand dollars.

For completing a fort at Pensacola, forty thousand dollars.

For a fort on Foster's bank, Florida, fifty thousand dollars.

For a fort at Grand Terre, Louisiana, fifty thousand dollars.

For contingencies of fortifications, ten thousand dollars.

For completing fort Macon, repairing the wharf and dyke, and for the protection of the site of that work, seven thousand dollars.

In satisfaction of a contract made with John Urquhart for attending the troops of the United States, as surgeon from fort Mitchell to Charleston and thence to Point Comfort, four hundred and fifty dollars.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLIV.—*An Act making appropriations for building lighthouses, light-boats, beacons and monuments, for the year one thousand eight hundred and thirty-four.*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following appropriations be, and the same are hereby made and directed to be paid out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide by contract, for building lighthouses, light-boats, beacons and monuments, to wit:

Appropriations for lighthouses, &c.

- Maine.** *State of Maine.*—For a lighthouse to be erected on a proper site on Fort Point, at the entrance of Penobscot bay, five thousand dollars.  
For a lighthouse to be erected on a proper site on Negro Island, at the entrance of Camden harbour, four thousand five hundred dollars.  
For the erection of a beacon on the end of a shoal in George's river, round which is formed what is called the Great Bend, three thousand dollars.  
For a fog-bell to be placed on a proper site on Cape Elizabeth, near the eastern lighthouse, seven hundred dollars.
- Massachusetts.** *State of Massachusetts.*—For the erection of a lighthouse on the north-easterly part of Straitmouth harbour, five thousand dollars.  
For building a lighthouse at the entrance of the harbour of Marblehead, four thousand five hundred dollars.  
For a beacon at the harbour in the mouth of Bass river, between the towns of Dennis and Yarmouth, at or near the site where the former beacon was erected, one thousand five hundred dollars.  
For a beacon or monument on Deer Island Point, Boston harbour, three thousand five hundred dollars.  
For a monument of stone on the Island of Nix's Mate, in the harbour of Boston, one thousand dollars.
- Rhode Island.** *State of Rhode Island.*—For the removal of the lighthouse now on the north end of Goat Island, near the harbour of Newport, to a point north of its present site, agreeably to a survey and estimate heretofore made by direction of the Department of War, thirteen thousand six hundred dollars.
- New York.** *State of New York.*—For a lighthouse on a proper site at or near the mouth of Esopus creek and near Saugerties, five thousand dollars.  
For beacon lights on the piers at the mouth of Genesee river and Sodus bay, four thousand dollars.  
For a lighthouse or beacon-light on one of the piers at the harbour of Oswego, on Lake Ontario, three thousand six hundred and sixty-six dollars. For placing four lights on the following points in Hudson's river, viz: one near Van Wie's point; one near Castleton; one on the island near New Baltimore; and one at Kinderhook, six hundred dollars. For a lighthouse on a proper site at the mouth of Oswegatchie, a tributary stream of the St. Lawrence, five thousand dollars.  
For a lighthouse on the flats in Hudson's river, above Stuyvesant's Landing, in the place of the one carried away by the ice, five thousand dollars.
- New Jersey.** *State of New Jersey.*—For a lighthouse on or near the shoals of Barnegat, to be erected in such a manner as to be distinguished from the adjacent lights, six thousand dollars.
- Delaware.** *State of Delaware.*—For rebuilding the lighthouse on Brandywine shoals, in the bay of Delaware, thirty thousand dollars: *Provided, however,* That before the commencement of the work, a resurvey, plan and estimate shall be made, and that then it shall be in the discretion of the proper department to enter upon the rebuilding of the said lighthouse, or to report such survey, plan and estimate to Congress as shall be considered best for the public interest.  
For building a lighthouse at the mouth of Christiana river, six thousand dollars.
- Maryland.** *State of Maryland.*—For a bell, and fixing the same on the lighthouse at Cove point, in Chesapeake bay, one thousand two hundred dollars.  
For building a lighthouse on Love point, the sum of five thousand five hundred dollars.
- Virginia.** *State of Virginia.*—For a light-boat to be anchored in a proper place at the mouth of the Rappahannock river, twelve thousand dollars.
- North Carolina.** *State of North Carolina.*—For a light-boat to be anchored in a proper place at or near the mouth of Roanoke river, ten thousand dollars.

*State of Georgia.*—For two small beacon-lights on Cockspur island, at the mouth of Savannah river, four thousand dollars. Georgia.

*State of Ohio.*—For a beacon-light on a proper site for Huron river, two thousand six hundred dollars. Ohio.

For a beacon-light on the pier at Conneant river, two thousand dollars. For a beacon-light on a proper site for Ashtabula creek, two thousand dollars.

For completing the beacon-light on the pier at Grand river, one thousand four hundred and fifty-six dollars. For a beacon-light on the pier at Cunningham harbour, two thousand dollars.

*State of Louisiana.*—For the erection of a lighthouse on a proper site at Port Ponchartrain, five thousand dollars. Louisiana.

For a lighthouse at a proper site at the mouth of Chifuncté river, five thousand dollars.

*State of Mississippi.*—For a lighthouse at the mouth of Pearl river, five thousand dollars. Mississippi.

*State of Indiana.*—For a lighthouse on a proper site at or near Michigan city, five thousand dollars. Indiana.

*Territory of Michigan.*—For a lighthouse on a proper site at Pottawatamie island, situated at the entrance of Green Bay, in Lake Michigan, five thousand dollars. For securing and completing the foundation of the lighthouse on Turtle island, in Lake Erie, two thousand dollars. Michigan.

*Territory of Florida.*—For a lighthouse on a proper site at Musquito inlet on the Atlantic coast, eleven thousand dollars. Florida.

For rebuilding the lighthouse at St. John's river, ten thousand five hundred and fifty dollars.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLV.—*An Act to carry into full effect the fourth article of the treaty of the eighth of January, eighteen hundred and twenty-one, with the Creek nation of Indians, so far as relates to the claims of citizens of Georgia against said Indians, prior to eighteen hundred and two.* June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby, authorized to cause to be adjusted and paid to full indemnity, out of any money in the treasury not otherwise appropriated, all claims of citizens of the state of Georgia, under the fourth article of the treaty of the eighth of January, eighteen hundred and twenty-one, between the United States and the Creek nation of Indians, which have not been heretofore adjusted and paid, on the following principles: all claims which have not been heretofore adjusted and paid, founded upon the capture and detention, or destruction of property by said Indians, prior to the passage of the act regulating intercourse with Indian tribes, if satisfactorily established, shall be allowed and paid. 1802, ch. 13.

SEC. 2. *And be it further enacted,* That there shall be an interest of six per cent. per annum allowed and paid on the amount of all claims which have been or may be adjusted and established under the provisions of the aforesaid treaty, to be calculated from the date of the origin of the claims, respectively, up to the date of the adjustment and establishment of said claims respectively: *Provided, however,* That the amount which may be allowed under the provisions of this act as interest shall be calculated on the amount of the value of the property so taken or destroyed; the amount of the principal of each claim to be determined by the value of the property for which it was and is made, at the time said property was so taken or destroyed: *And provided, also,* That the aggregate amount of the claims which have been, and hereafter may be, paid, shall not exceed the sum of two hundred and fifty thousand dollars. Six per cent. interest allowed. Proviso. Proviso.

Apportionment to be made, if whole amount of the adjusted claims exceed \$250,000.

Proviso.

SEC. 3. *And be it further enacted*, That if, on the adjustment of the aforesaid claims, the amount which may be found due, and the amount already paid, with the interest to be calculated as aforesaid, shall exceed the sum of two hundred and fifty thousand dollars, the President be, and he is hereby, authorized to cause a fair and equitable distribution of the unexpended balance of the said two hundred and fifty thousand dollars to be made among the claimants, in proportion to the amount which may have been, or shall be, found due to them, respectively: *Provided*, That the principal of the respective claims shall be first paid.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CXLVI.—*An Act making appropriations for the public buildings and grounds, and for other purposes.*

Appropriations for the public buildings and grounds.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes, that is to say:

For alterations and repairs of the Capitol, including the repairs of the roof, six thousand two hundred and ninety-two dollars.

For laying pipes for the purpose of draining the east and west reservoirs, two thousand six hundred and thirty-three dollars.

For salary of the gardener employed in superintending the Capitol square, and other public grounds, one thousand dollars.

For lighting lamps, keeping the grounds and walks in order, and planting in the Capitol square, and adjacent public grounds, four thousand eight hundred and twenty-six dollars.

For alterations and repairs of the President's house, flooring the terraces, and erecting stables, six thousand six hundred and seventy dollars.

For the gardener's salary, and for labourers employed upon the grounds and walks at the President's house, and for planting, two thousand eight hundred and fifty dollars.

For paving foot-ways at the north front of the President's house, and making a gravel carriage way, thirteen thousand seven hundred and forty-four dollars.

For planting trees and repairing the fence in Lafayette square, north of the President's house, one thousand dollars.

For purchasing and planting trees and shrubs for the Pennsylvania Avenue, and the public grounds, three thousand dollars.

For keeping in repair the public fire engines, two hundred dollars.

For rebuilding the wall and constructing a culvert and drain at the burying-ground, one thousand nine hundred and sixty-six dollars.

For the actual deficiency in the appropriation made during the last year for the enclosure of the public vault and the improvement of the public burying-ground, one hundred and ninety-three dollars and eighty-nine cents.

For completing the water-works at the President's house, the executive buildings, and the Capitol, one thousand and fifty-two dollars.

For completing the furniture of the President's house, six thousand dollars.

For excess of expenditures beyond the appropriations made by the late commissioner of the public buildings during the last year, twenty-two thousand nine hundred and thirteen dollars and eighty-four cents.

For erecting a monument over the remains of the late Major General Jacob Brown, one thousand dollars; the work to be done under the direction of the Secretary of War.

For the construction of an ornamental hydrant of marble of the west fountain in front of the Capitol, one thousand and twenty-two dollars.

SEC. 2. *And be it further enacted*, That the regulations of the city of Washington for the preservation of the public peace and order, be extended to all the public buildings and public grounds belonging to the United States within the city of Washington whenever the application of the same shall be requested by the commissioner of the public buildings.

City regulations for preserving order extended to public buildings and grounds on request of commissioner.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLVII.—*An Act to complete the improvements on Pennsylvania Avenue.*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes :

Appropriations for Pennsylvania Avenue.

To pay outstanding claims for work done on Pennsylvania Avenue, three thousand seven hundred and twenty dollars.

To finish foot pavements, entrances of tunnels or sewers, and side drains, three thousand seven hundred and seventy dollars.

To repair the north end of Tiber bridge, by casting a stone arch over the broken part, and protecting it by a stone wall, one thousand two hundred dollars.

For expenses already incurred in removing the dust and mud from the surface of Pennsylvania Avenue, one hundred and forty-three dollars and seventy three cents.

To keep Pennsylvania Avenue in repair, four hundred dollars.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CXLVIII.—*An Act authorizing a road to be cut out from the northern boundary of the territory of Florida, by Marianna, to the town of Appalachicola, within the said territory.*

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States be, and he is hereby, authorized to cause to be surveyed, marked, and located, a route for a road from the line which divides the state of Alabama from the territory of Florida, by Marianna, in the county of Jackson, to the town of Appalachicola, on the bay of Appalachicola, in said territory, and when said survey, and the final location of the said road, shall be made, if he approve the same, he is hereby authorized to cause it to be cut out; and for that purpose the sum of twelve thousand dollars be, and the same is hereby appropriated out of any money in the treasury not otherwise appropriated: *Provided*, That the said road shall be cut out by contract, and that no money shall be paid at any time on account thereof, but on the certificate of an engineer of the army of the United States that the said road has been faithfully constructed according to the terms of such contract.

Appropriations for roads and harbour in the territory of Florida.

For the survey of a road from Tallahassee to Cape Florida, five hundred dollars.

For a survey of the east pass into Appalachicola bay and river, to ascertain the practicability and cost of removing obstructions and improving the harbour, five hundred dollars.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CXLIX.—*An Act to mark and open a road from Columbia to Little Rock, in the territory of Arkansas.*

Appropriation for a road from Columbia to Little Rock in Arkansas.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of ten thousand dollars be, and the same hereby is, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of marking and cutting out a road from Columbia, in Chicot county, to Little Rock, in the territory of Arkansas, to be expended under the direction of the President of the United States.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CL.—*An Act making an appropriation for the improvement of the navigation of the Hudson river, in the state of New York.*

Appropriation for the improvement of Hudson 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, and the same is hereby, appropriated towards the improvement of the navigation of the Hudson river, and the removal of obstructions therein, according to the plan submitted to the House of Representatives by the Department of War, under date of March thirty, eighteen hundred and thirty-two; which sum shall be paid out of any money in the treasury not otherwise appropriated, and shall be expended under the direction of the President of the United States.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CLI.—*An Act to authorize an extra session of the legislative council of the territory of Michigan.*

Council of Michigan to hold an extra session.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the legislative council of the territory of Michigan be, and hereby is authorized to hold an extra session, to commence at such time during the present year, as the governor of said territory may think proper; of which time it shall be his duty to give the members of said council due notice.

Appropriation for expenses.

SEC. 2. *And be it further enacted,* That for the purpose of defraying the incidental expenses, and for paying the members of the legislative council for travel and for additional time employed as aforesaid, the sum of three thousand dollars be, and is hereby appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

CHAP. CLII.—*An Act authorizing the purchase of live oak frames for a frigate and sloop of war, and for other naval purposes.*

Appropriation for purchase of live oak frames for a frigate and sloop of war.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized to direct the procurement, in the usual mode, of a live oak frame for a frigate to be called the Paul Jones, and a live oak frame for a sloop of war to be called the Levant; and the sum of fifty thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, for that purpose.

District attorney of Massachusetts and solicitor of treasury.

SEC. 2. *And be it further enacted,* That the district attorney of Massachusetts, and the solicitor of the treasury of the United States, be, and they are hereby, authorized and required to defend the suit, insti-

tuted by the heirs of John Harris, for land connected with the navy yard at Charlestown, Massachusetts, in the courts of that district, and, with the aid of the attorney general of the United States, to defend the same in the Supreme Court at Washington, if brought up by appeal or writ of error.

SEC. 3. *And be it further enacted,* That, for completing and furnishing the hospitals at the several naval stations, the sum of sixty-four thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Navy.

SEC. 4. *And be it further enacted,* That the sum of twenty-four thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for building two new naval magazines at the navy yards Charlestown, Massachusetts, and Brooklyn, New York.

SEC. 5. *And be it further enacted,* That the sum of forty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the building of a naval store ship.

SEC. 6. *And be it further enacted,* That the sum of seventy thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the building of two small vessels of war, to be rigged as brigs or schooners, at the discretion of the Navy Department.

SEC. 7. *And be it further enacted,* That the sum of four thousand five hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the repair of the damage occasioned by the late gale at the navy yard, Brooklyn, New York.

SEC. 8. *And be it further enacted,* That the district attorney of the eastern district of the state of Virginia and the solicitor of the treasury of the United States be, and they are hereby, authorized and required to defend the suit instituted by John Harper, or by any other person or persons whatsoever, for land connected with the navy yard, [yard] Gosport, in said state, in the courts of that district, and with the aid of the attorney general of the United States, to defend the same in the Supreme Court at Washington, if brought up by appeal, writ of error, or otherwise.

SEC. 9. *And be it further enacted,* That the sum of eight thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the repairs of the marine barracks, at the different stations, and for erecting an hospital at head-quarters.

SEC. 10. *And be it further enacted,* That no part of the balance of the appropriation heretofore made to rebuild the frigate Macedona [Macedonia] and not yet expended, shall be carried to the surplus [fund,] until one year after said frigate shall be launched.

SEC. 11. *And be it further enacted,* That the sum of two thousand seven hundred and ten dollars and seventy-five cents, be, and the same is hereby, reappropriated out of any money in the treasury not otherwise appropriated towards building a wharf at Pensacola.

SEC. 12. *And be it further enacted,* That a sum not exceeding six thousand dollars be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, to purchase a site near the navy yard [yard] at Brooklyn, New York, on which to erect marine barracks and officers' quarters, *Provided,* That the present site or one on the hospital grounds should not be found so convenient and useful for that purpose.

SEC. 13. *And be it further enacted,* That the sum of one hundred and twenty-nine dollars be appropriated out of any moneys in the treasury not otherwise appropriated for compensation to Lieut. Thomas Dornin

sury to defend suit of heirs of John Harris.

Appropriations for Furnishing hospitals at naval stations;

Two new naval magazines at Charlestown and Brooklyn.

Naval store ship.

Two vessels of war.

Repair of navy yard at Brooklyn, New York

Attorney of eastern district of Virginia and solicitor of the treasury to defend suit of John Harper.

Appropriation for repairs of marine barracks and erection of hospital.

Balance of appropriation for Macedona not to be carried to surplus, &c.

Appropriation for building a wharf at Pensacola.

Appropriation for site to erect marine barracks near the navy yard, Brooklyn. Proviso.

Compensation to Lieut. Thomas Dornin.

for extra services in surveying the coast in eighteen hundred and twenty-seven, the said sum having been carried to the surplus fund from a former appropriation.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLIII.—*An Act to provide for the payment of claims, for property lost, captured, or destroyed, by the enemy, while in the military service of the United States, during the late war with the Indians on the frontiers of Illinois and Michigan territory.*

Officers and other persons to be paid the value of property lost.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any officer, field or staff, volunteer, ranger, cavalry or other persons engaged in the service of the United States in the late campaigns against the Indians on the frontiers of Illinois and Michigan territory, who have sustained damage without any fault or negligence on their part, respectively, by the loss of a horse, or necessary equipage in battle, or by the loss of a horse that was wounded in battle, and afterwards died of said wound while in the service, or who has sustained damage by the reason of the loss of any horse which, in consequence of the United States failing to supply sufficient forage, while engaged in said service, died, or was unavoidably abandoned and lost, or who has sustained damage by reason of the loss of any horse, because the rider was dismounted and separated from his horse, and ordered to do military duty on foot at a station detached from his horse, or for the loss of necessary equipage, in consequence of the loss of his horse as aforesaid, shall be allowed and paid the value thereof: *Provided,* That if any payment shall have been made to any officer, soldier or other person as aforesaid, for the use and risk, or for forage after the death or abandonment of said horse, said amount shall be deducted from the value thereof, unless said officer or soldier or other person shall have satisfied the paymaster at the time he made the payment, or shall hereafter show by proof, that he was remounted, in which case the deduction shall only extend to the time such officer, soldier, or other person, served on foot; *And provided, also,* That if any payment shall have been made, to any officer or soldier on account of clothing, such payment shall be deducted from the value of his horse and accoutrements; *And provided further,* That no claim shall be allowed under the provisions of this section until the best evidence which the nature of the case will admit of, shall be produced before the accounting officer showing the number of horses lost, in manner aforesaid, the time when lost, and the name of the owner.

Proviso.

Proviso.

Proviso.

Volunteers or draughted militiamen to be allowed for arms, &c.

SEC. 2. *And be it further enacted,* That any person who, in the Indian wars aforesaid, has acted in the military service of the United States as a volunteer or draughted militiaman, and who has furnished himself with arms and military accoutrements, and has sustained damage by the capture, or destruction of the same, without any fault or negligence on his part, or who has lost the same by reason of his being wounded in the service, shall be allowed and paid the value thereof.

Parent or guardian to receive compensation on account of deceased minors.

SEC. 3. *And be it further enacted,* That in all instances where any minor has been engaged in the military service as aforesaid, during the Indian wars as aforesaid, and was provided with a horse or equipments, or with military accoutrements by his parent or guardian, and has since deceased, without paying for said property, and the same was lost, captured, destroyed, or abandoned, in the manner before mentioned, said parent or guardian shall be allowed pay therefor on making satisfactory proof as in other cases, and the further proof, that he is entitled thereto by having furnished the same.

SEC. 4. *And be it further enacted,* That the third auditor of the trea-

surey shall adjudicate and decide such claims as may be presented against the United States, under the provisions of this act, *Provided*, That every claim which exceeds the sum of two hundred dollars, instead of deciding the same, the said third auditor shall report the whole of the proof to Congress at its next session after taking and closing such proof; and he shall have power by constituting a commission or otherwise, to take testimony in any case where he shall think the interests of the United States require further testimony to be taken.

Sec. 5. *And be it further enacted*, That any sum of money to any amount not exceeding two hundred dollars so allowed by said third auditor shall be paid by the Secretary of the Treasury, out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

Third auditor to adjudicate claims. *Provido*.

Amount allowed by auditor to be paid, if not exceeding \$200.

STATUTE I.

June 30, 1834.

CHAP. CLV.—*An Act authorizing the construction of a bridge across the Potomac, and repealing all acts already passed in relation thereto.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the act, entitled "An act providing for the purchase by the United States of the rights of the Washington Bridge Company, in the District of Columbia, and for the erection of a public bridge on the site thereof," which passed the fourteenth day of July, eighteen hundred and thirty-two, and the act entitled "An act in relation to the Potomac bridge," which passed the second day of March, eighteen hundred and thirty-three, be, and the same are hereby repealed, except so much of the former as authorized the purchase of the rights of the Washington Bridge Company.

Sec. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required, to contract for the reconstruction, on the site of the present bridge, across the river Potomac, of a bridge, on the plan of that originally constructed there by the Washington Bridge Company: *Provided*, That the draw at the southern channel of the river be not less than sixty-six feet, and at the northern channel than thirty-five feet; that a space or spaces not exceeding in all, one thousand six hundred and sixty feet of the shoal or shoals, over which the present bridge passes, may be filled up by a solid embankment; in part, if convenient, of earth obtained by dredging the river channel: *And provided, also*, That the entire cost of said embankment, and such reconstruction shall not on the whole exceed one hundred and thirty thousand dollars, which sum is hereby appropriated thereto, out of any money in the treasury not hitherto appropriated.

Sec. 3. *And be it further enacted*, That the claims of Orange H. Dibble, for labour, materials, or any other expenses upon the said bridge, be ascertained by the Secretary of the Treasury, as nearly as the same can be done, and be laid before Congress at its next session for its examination. And the Secretary of the Treasury is hereby directed to pay him in the mean time such sum as will reimburse to him the actual loss incurred by him, in making preparation for the construction of the said bridge: *Provided*, The amount paid shall not exceed twenty thousand dollars, said payment to be made out of any money in the treasury not otherwise appropriated.

APPROVED, June 30, 1834.

Former acts repealed, except so much as authorized a purchase from the Washington Bridge Comp.

Act of 1832, ch. 225.

Act of 1833, ch. 65.

Secretary of Treasury to contract for bridge similar to that formerly built.

Size of draws.

Appropriation.

Claims of O. H. Dibble to be ascertained and actual loss paid, if not exceeding \$20,000.

STATUTE I.

June 30, 1834.

CHAP. CLVI.—*An Act to authorize the sale of lots in the town of St. Mark's, in 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

Register and receiver to sell.

States be, and he is hereby, authorized to direct the register and receiver of the Tallahassee land district to make sale, at public auction, of one-fourth of the lots in the town of St. Mark's, in the territory of Florida, according to the plan of the surveyor general of said territory, as soon as practicable after the passage of this act, upon giving two months' public notice of the said sale.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLVII.—*An Act supplementary to the act to amend the several acts respecting copyrights. (a)*

Deeds of transfer to be recorded, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all deeds or instruments in writing for the transfer or assignment of copyrights, being proved or acknowledged in such manner as deeds for the conveyance of land are required by law to be proved or acknowledged in the same state or district, shall and may be recorded in the office where the original copyright is deposited and recorded; and every such deed or instrument that shall in any time hereafter be made and executed, and which shall not be proved or acknowledged and recorded as aforesaid, within sixty days after its execution, shall be judged fraudulent and void against any subsequent purchaser or mortgagee for valuable consideration without notice.

Fees of clerk of district court.

SEC. 2. *And be it further enacted,* That the clerk of the district court shall be entitled to such fees for performing the services herein authorized and required, as he is entitled to for performing like services under existing laws of the United States.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLVIII.—*An Act to provide for rebuilding the frigate Congress.*

Appropriation for rebuilding the frigate Congress.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of one hundred and eighty-one thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to rebuild the frigate Congress; and no part of said sum shall be carried to the surplus fund, notwithstanding any general provision in any other act to the contrary.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLX.—*An Act authorizing the Secretary of the Navy to make experiments for the safety of the steam engine.*

Secretary of Navy to test engine devised by B. Phillips.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Navy be, and he is hereby, authorized and empowered to examine and test the steam engine devised by Benjamin Phillips, of Philadelphia, and to [employ] said Phillips, and such other persons as he may deem proper to make the experiment.

Other improvements to be tested, and result reported to Congress.

SEC. 2. *And be it further enacted,* That a discretionary power be vested in the Secretary of the Navy to examine and test such other improvements in the same line, as may hereafter be presented, and for that purpose to employ such person or persons as he may deem proper; and that he report to Congress, as soon as may be, the result of any experiment made in pursuance of this act.

Appropriation to carry act into execution.

SEC. 3. *And be it further enacted,* That, for the purpose of carrying this act into execution, the sum of five thousand dollars, out of any

(a) For notes of acts relating to copyrights, see vol. ii. p. 171.

money in the treasury not otherwise appropriated, be, and is hereby, appropriated, and placed at the disposal of the Secretary of the Navy.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXI.—*An Act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers. (a)*

*Be it enacted by the Senate and House of Representatives of the United States west of the Mississippi, and not within the states of Missouri and Louisiana, or the territory of Arkansas, and, also, that part of the United States east of the Mississippi river, and not within any state to which the Indian title has not been extinguished, for the purposes of this act, be taken and deemed to be the Indian country.*

Parts of territory of United States to be deemed Indian country.

SEC. 2. *And be it further enacted,* That no person shall be permitted to trade with any of the Indians (in the Indian country) without a license therefor from a superintendent of Indian affairs, or Indian agent, or sub-agent, which license shall be issued for a term not exceeding two years for the tribes east of the Mississippi, and not exceeding three years for the tribes west of that river. And the person applying for such license shall give bond in a penal sum not exceeding five thousand dollars, with one or more sureties, to be approved by the person issuing the same, conditioned that such person will faithfully observe all the laws and regulations made for the government of trade and intercourse with the Indian tribes, and in no respect violate the same. And the superintendent of the district shall have power to revoke and cancel the same, whenever the person licensed shall, in his opinion, have transgressed any of the laws or regulations provided for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit him to remain in the Indian country. And no trade with the said tribes shall be carried on within their boundary, except at certain suitable and convenient places, to be designated from time to time by the superintendents, agents, and sub-agents, and to be inserted in the license. And it shall be the duty of the persons granting or revoking such licenses, forthwith to report the same to the commissioner of Indian affairs, for his approval or disapproval.

Persons trading with Indians to be licensed.

SEC. 3. *And be it further enacted,* That any superintendent or agent may refuse an application for a license to trade, if he is satisfied that the applicant is a person of bad character, or that it would be improper to permit him to reside in the Indian country, or if a license, previously granted to such applicant, has been revoked, or a forfeiture of his bond decreed. But an appeal may be had from the agent or the superintendent, to the commissioner of Indian affairs; and the President of the United States shall be authorized, whenever in his opinion the public interest may require the same, to prohibit the introduction of goods, or of any particular article, into the country belonging to any Indian tribe, and to direct all licenses to trade with such tribe to be revoked, and all applications therefor to be rejected; and no trader to any other tribe shall, so long as such prohibition may continue, trade with any Indians of or for the tribe against which such prohibition is issued.

License may be refused, or, if granted, may be revoked.

SEC. 4. *And be it further enacted,* That any person other than an Indian who shall attempt to reside in the Indian country as a trader, or to introduce goods, or to trade therein without such license, shall forfeit all mer-

Forfeiture of goods and fine for trading without license.

(a) Notes of the acts for the preservation of peace with the Indian tribes, vol. ii. p. 6.

Notes of the regulations of intercourse with the Indian tribes, vol. ii. p. 139.

Notes of the decisions of the Supreme Court of the United States on the subject of the Indians, vol. ii. p. 146.

Note of obsolete acts relating to trading houses with the Indians, vol. ii. p. 652.

chandise offered for sale to the Indians, or found in his possession, and shall moreover forfeit and pay the sum of five hundred dollars.

Citizens only to be licensed.

SEC. 5. *And be it further enacted*, That no license to trade with the Indians shall be granted to any persons except citizens of the United States: *Provided*, That the President shall be authorized to allow the employment of foreign boatmen and interpreters, under such regulations as he may prescribe.

Proviso.

Foreigners to obtain passports to go into the Indian country.

SEC. 6. *And be it further enacted*, That if a foreigner shall go into the Indian country without a passport from the War Department, the superintendent, agent, or sub-agent of Indian affairs, or from the officer of the United States commanding the nearest military post on the frontiers, or shall remain intentionally therein after the expiration of such passport, he shall forfeit and pay the sum of one thousand dollars; and such passport shall express the object of such person, the time he is allowed to remain, and the route he is to travel.

Indians only to barter with Indians.

SEC. 7. *And be it further enacted*, That if any person other than an Indian shall, within the Indian country, purchase or receive of any Indian, in the way of barter, trade, or pledge, a gun, trap, or other article commonly used in hunting, any instrument of husbandry or cooking utensils of the kind commonly obtained by the Indians in their intercourse with the white people, or any other article of clothing, except skins or furs, he shall forfeit and pay the sum of fifty dollars.

No other persons than Indians to trap in their limits.

SEC. 8. *And be it further enacted*, That if any person, other than an Indian, shall, within the limits of any tribe with whom the United States shall have existing treaties, hunt, or trap, or take and destroy, any peltries or game, except for subsistence in the Indian country, such person shall forfeit the sum of five hundred dollars, and forfeit all the traps, guns, and ammunition in his possession, used or procured to be used for that purpose, and peltries so taken.

Cattle not to be driven for forage on Indian lands.

SEC. 9. *And be it further enacted*, That if any person shall drive, or otherwise convey any stock of horses, mules, or cattle, to range and feed on any land belonging to any Indian or Indian tribe, without the consent of such tribe, such person shall forfeit the sum of one dollar for each animal of such stock.

Intruders may be removed.

SEC. 10. *And be it further enacted*, That the superintendent of Indian affairs, and Indian agents and sub-agents, shall have authority to remove from the Indian country all persons found therein contrary to law; and the President of the United States is authorized to direct the military force to be employed in such removal.

Settlers may be driven off by military force.

SEC. 11. *And be it further enacted*, That if any person shall make a settlement on any lands belonging, secured, or granted by treaty with the United States to any Indian tribe, or shall survey or shall attempt to survey such lands, or designate any of the boundaries by marking trees, or otherwise, such offender shall forfeit and pay the sum of one thousand dollars. And it shall, moreover, be lawful for the President of the United States to take such measures, and to employ such military force, as he may judge necessary to remove from the lands as aforesaid any such person as aforesaid.

Purchases or grants from Indians invalid.

SEC. 12. *And be it further enacted*, That no purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the constitution. And if any person, not employed under the authority of the United States, shall attempt to negotiate such treaty or convention, directly or indirectly, to treat with any such nation or tribe of Indians, for the title or purchase of any lands by them held or claimed, such person shall forfeit and pay one thousand dollars: *Provided, nevertheless*, That it shall be lawful for the agent or agents of any state who may be present at any treaty held with Indians under the authority of the United States, in the presence and with the approbation of the commissioner or commis-

Proviso.

sioners of the United States appointed to hold the same, to propose to, and adjust with the Indians, the compensation to be made for their claim to lands within such state, which shall be extinguished by treaty.

SEC. 13. *And be it further enacted*, That if any citizen or other person residing within the United States or the territory thereof, shall send any talk, speech, message, or letter to any Indian nation, tribe, chief, or individual, with an intent to produce a contravention or infraction of any treaty or other law of the United States, or to disturb the peace and tranquillity of the United States, he shall forfeit and pay the sum of two thousand dollars.

Penalty for sending any talk, &c. to disturb the peace.

SEC. 14. *And be it further enacted*, That if any citizen, or other person, shall carry or deliver any such talk, message, speech, or letter, to or from any Indian nation, tribe, chief, or individual, from or to any person or persons whatsoever, residing within the United States, or from or to any subject, citizen, or agent of any foreign power or state, knowing the contents thereof, he shall forfeit and pay the sum of one thousand dollars.

Persons carrying such talk, &c. fined.

SEC. 15. *And be it further enacted*, That if any citizen or other person, residing or living among the Indians, or elsewhere within the territory of the United States, shall carry on a correspondence, by letter or otherwise, with any foreign nation or power, with an intent to induce such foreign nation or power to excite any Indian nation, tribe, chief, or individual, to war against the United States, or to the violation of any existing treaty; or in case any citizen or other person shall alienate, or attempt to alienate, the confidence of any Indian or Indians from the government of the United States, he shall forfeit the sum of one thousand dollars.

Persons corresponding with foreign powers, with similar intent, to be fined.

SEC. 16. *And be it further enacted*, That where, in the commission, by a white person, of any crime, offence, or misdemeanor, within the Indian country, the property of any friendly Indian is taken, injured or destroyed, and a conviction is had for such crime, offence, or misdemeanor, the person so convicted shall be sentenced to pay to such friendly Indian to whom the property may belong, or whose person may be injured, a sum equal to twice the just value of the property so taken, injured, or destroyed. And if such offender shall be unable to pay a sum at least equal to the just value or amount, whatever such payment shall fall short of the same shall be paid out of the treasury of the United States: *Provided*, That no such Indian shall be entitled to any payment, out of the treasury of the United States, for any such property, if he, or any of the nation to which he belongs, shall have sought private revenge, or attempted to obtain satisfaction by any force or violence: *And provided, also*, That if such offender cannot be apprehended and brought to trial, the amount of such property shall be paid out of the treasury, as aforesaid.

Property of friendly Indians injured or destroyed to be paid for in twice its value.

Proviso.

Proviso.

SEC. 17. *And be it further enacted*, That if any Indian or Indians, belonging to any tribe in amity with the United States, shall, within the Indian country, take or destroy the property of any person lawfully within such country, or shall pass from the Indian country into any state or territory inhabited by citizens of the United States, and there take, steal, or destroy, any horse, horses, or other property, belonging to any citizen or inhabitant of the United States, such citizen or inhabitant, his representative, attorney, or agent, may make application to the proper superintendent, agent, or sub-agent, who, upon being furnished with the necessary documents and proofs, shall, under the direction of the President, make application to the nation or tribe to which said Indian or Indians shall belong, for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction, in a reasonable time, not exceeding twelve months, it shall be the duty of such superintendent, agent, or sub-agent, to make return of his doings to the commissioner of Indian affairs, that such further steps may be taken as shall be proper, in the opinion of the

Indemnification to be made for property taken or destroyed in certain cases.

President, to obtain satisfaction for the injury; and, in the mean time, in respect to the property so taken, stolen or destroyed, the United States guaranty, to the party so injured, an eventual indemnification: *Provided*, That, if such injured party, his representative, attorney, or agent, shall, in any way, violate any of the provisions of this act, by seeking or attempting to obtain private satisfaction or revenge, he shall forfeit all claim upon the United States for such indemnification: *And provided, also*, That, unless such claim shall be presented within three years after the commission of the injury, the same shall be barred. And if the nation or tribe to which such Indian may belong, receive an annuity from the United States, such claim shall, at the next payment of the annuity, be deducted therefrom, and paid to the party injured; and, if no annuity is payable to such nation or tribe, then the amount of the claim shall be paid from the treasury of the United States: *Provided*, That nothing herein contained shall prevent the legal apprehension and punishment of any Indians having so offended.

**Proviso.**

**Proviso.**

Superintendents, &c., may take depositions.

SEC. 18. *And be it further enacted*, That the superintendents, agents, and sub-agents, within their respective districts, be, and are hereby, authorized and empowered to take depositions of witnesses touching any depredations, within the purview of the two preceding sections of this act, and to administer an oath to the deponents.

Arrest and trial of accused Indians.

SEC. 19. *And be it further enacted*, That it shall be the duty of the superintendents, agents, and sub-agents, to endeavour to procure the arrest and trial of all Indians accused of committing any crime, offence, or misdemeanor, and all other persons who may have committed crimes or offences within any state or territory, and have fled into the Indian country, either by demanding the same of the chiefs of the proper tribe, or by such other means as the President may authorize; and the President may direct the military force of the United States to be employed in the apprehension of such Indians, and also, in preventing or terminating hostilities between any of the Indian tribes.

Penalty for disposing of spirituous liquors to Indians.

SEC. 20. *And be it further enacted*, That if any person shall sell, exchange, or give, barter, or dispose of, any spirituous liquor or wine to an Indian, (in the Indian country,) such person shall forfeit and pay the sum of five hundred dollars; and if any person shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department, such person shall forfeit and pay a sum not exceeding three hundred dollars; and if any superintendent of Indian affairs, Indian agent, or sub-agent, or commanding officer of a military post, has reason to suspect, or is informed, that any white person or Indian is about to introduce, or has introduced, any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent, or sub-agent, or military officer, agreeably to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, and places of deposit of such person to be searched, and if any such spirituous liquor or wine is found, the goods, boats, packages, and peltries of such persons shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the use of the informer, and the other half to the use of the United States; and if such person is a trader, his license shall be revoked and his bond put in suit. And it shall moreover be lawful for any person, in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, excepting military supplies as mentioned in this section.

Liquors may be destroyed.

Penalty for setting up a distillery.

SEC. 21. *And be it further enacted*, That if any person whatever shall, within the limits of the Indian country, set up or continue any distillery

for manufacturing ardent spirits, he shall forfeit and pay a penalty of one thousand dollars; and it shall be the duty of the superintendent of Indian affairs, Indian agent, or sub-agent, within the limits of whose agency the same shall be set up or continued, forthwith to destroy and break up the same; and it shall be lawful to employ the military force of the United States in executing that duty.

Sec. 22. *And be it further enacted*, That in all trials about the right of property in which an Indian may be a party on one side, and a white person on the other, the burden of proof shall rest upon the white person, whenever the Indian shall make out a presumption of title in himself from the fact of previous possession or ownership.

In trials about property, burden of proof to rest on the white person.

Sec. 23. *And be it further enacted*, That it shall be lawful for the military force of the United States to be employed in such manner and under such regulations as the President may direct, in the apprehension of every person who shall or may be found in the Indian country, in violation of any of the provisions of this act, and him immediately to convey from said Indian country, in the nearest convenient and safe route, to the civil authority of the territory or judicial district in which said person shall be found, to be proceeded against in due course of law; and also, in the examination and seizure of stores, packages, and boats, authorized by the twentieth section of this act, and in preventing the introduction of persons and property into the Indian country contrary to law; which persons and property shall be proceeded against according to law: *Provided*, That no person apprehended by military force as aforesaid, shall be detained longer than five days after the arrest and before removal. And all officers and soldiers who may have any such person or persons in custody shall treat them with all the humanity which the circumstances will possibly permit; and every officer or soldier who shall be guilty of maltreating any such person while in custody, shall suffer such punishment as a court-martial shall direct.

Apprehension of persons violating the provisions of this act.

Proviso.

Sec. 24. *And be it further enacted*, That for the sole purpose of carrying this act into effect, all that part of the Indian country west of the Mississippi river, that is bounded north by the north line of lands assigned to the Osage tribe of Indians, produced east to the state of Missouri: west, by the Mexican possessions; south, by Red river; and east, by the west line of the territory of Arkansas and the state of Missouri, shall be, and hereby is, annexed to the territory of Arkansas; and that for the purpose aforesaid, the residue of the Indian country west of the said Mississippi river shall be, and hereby is, annexed to the judicial district of Missouri; and for the purpose aforesaid, the several portions of Indian country east of the said Mississippi river, shall be, and are hereby, severally annexed to the territory in which they are situate.

Indian country annexed, for legal purposes, to the district of Missouri, &c.

Sec. 25. *And be it further enacted*, That so much of the laws of the United States as provides for the punishment of crimes committed within any place within the sole and exclusive jurisdiction of the United States, shall be in force in the Indian country: *Provided*, The same shall not extend to crimes committed by one Indian against the person or property of another Indian.

Laws of the United States in force in certain cases.

Proviso.

Sec. 26. *And be it further enacted*, That if any person who shall be charged with a violation of any of the provisions or regulations of this act, shall be found within any of the United States, or either of the territories, such offenders may be there apprehended, and transported to the territory or judicial district having jurisdiction of the same.

Offenders against this act may be arrested in any state or territory.

Sec. 27. *And be it further enacted*, That all penalties which shall accrue under this act, shall be sued for and recovered in an action of debt, in the name of the United States, before any court having jurisdiction of the same, (in any state or territory in which the defendant shall be arrested or found,) the one half to the use of the informer, and the other half to the use of the United States, except when the prosecution

How penalties shall be sued for.

shall be first instituted on behalf of the United States, in which case the whole shall be to their use.

Proceedings  
against goods or  
other property.

SEC. 28. *And be it further enacted*, That when goods or other property shall be seized for any violation of this act, it shall be lawful for the person prosecuting on behalf of the United States to proceed against such goods, or other property, in the manner directed to be observed in the case of goods, wares, or merchandise brought into the United States in violation of the revenue laws.

Certain acts  
and parts of  
acts repealed.

Act of May 13,  
1800, ch. 68.

Act of March  
30, 1802, ch. 13.

Act of April  
29, 1816, ch. 165.

Act of March  
3, 1817, ch. 43.

1817, ch. 92.

Act of April  
16, 1818, ch. 66.

Act of April  
20, 1818, ch. 104.

Act of Feb.  
24, 1819, ch. 43.

Act of March  
3, 1819, ch. 87.

Act of March  
3, 1819, ch. 79.

Act of May 6,  
1822, ch. 58.

Act of May 18,  
1824, ch. 89.

Act of May 25,  
1824, ch. 146.

Act of May 20,  
1826, ch. 126.

Act of Feb.  
25, 1831, ch. 32.

Proviso.

1802, ch. 13.

Proviso.

Agents for the  
Western territory  
to execute  
duties, &c.

SEC. 29. *And be it further enacted*, That the following acts and parts of acts shall be, and the same are hereby, repealed, namely: An act to make provision relative to rations for Indians, and to their visits to the seat of government, approved May thirteen, eighteen hundred; an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved March thirty, eighteen hundred and two; an act supplementary to the act passed thirtieth March, eighteen hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved April twenty-nine, eighteen hundred and sixteen; an act for the punishment of crimes and offences committed within the Indian boundaries, approved March three, eighteen hundred and seventeen; the first and second sections of the act directing the manner of appointing Indian agents, and continuing the "Act establishing trading-houses with the Indian tribes," approved April sixteen, eighteen hundred and eighteen; an act fixing the compensation of Indian agents and factors, approved April twenty, eighteen hundred and eighteen; an act supplementary to the act entitled "An act to provide for the prompt settlement of public accounts," approved February twenty-four, eighteen hundred and nineteen; the eighth section of the act making appropriations to carry into effect treaties concluded with several Indian tribes therein mentioned, approved March three, eighteen hundred and nineteen; the second section of the act to continue in force for a further time the act entitled "An act for establishing trading-houses with the Indian tribes, and for other purposes," (a) approved March three, eighteen hundred and nineteen; an act to amend an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth of March, eighteen hundred and two, approved May six, eighteen hundred and twenty-two; an act providing for the appointment of an agent for the Osage Indians west of the state of Missouri and territory of Arkansas, and for other purposes, approved May eighteen, eighteen hundred and twenty-four; the third, fourth, and fifth sections of "An act to enable the President to hold treaties with certain Indian tribes, and for other purposes," approved May twenty-five, eighteen hundred and twenty-four; the second section of the "Act to aid certain Indians of the Creek nation in their removal to the west of the Mississippi," approved May twenty, eighteen hundred and twenty-six; and an act to authorize the appointment of a sub-agent to the Winnebago Indians on Rock river, approved February twenty-five, eighteen hundred and thirty-one: *Provided, however*, That such repeal shall not effect [affect] any rights acquired, or punishments, penalties, or forfeitures incurred, under either of the acts or parts of acts, nor impair or affect the intercourse act of eighteen hundred and two, so far as the same relates to or concerns Indian tribes residing east of the Mississippi: *And provided also*, That such repeal shall not be construed to revive any acts or parts of acts repealed by either of the acts or sections herein described.

SEC. 30. *And be it further enacted*, That until a western territory shall be established, the two agents for the Western territory, as provided in the act for the organization of the Indian department, this day ap-

(a) This act is entitled "An act to continue in force, for a further time, the act entitled 'An act for establishing trading-houses with the Indian tribes, and for other purposes,'" March 3, 1819, ch. 79.

proved by the President, shall execute the duties of agents for such tribes as may be directed by the President of the United States. And it shall be competent for the President to assign to one of the said agents, in addition to his proper duties, the duties of superintendent for such district of country or for such tribes as the President may think fit. And the powers of the superintendent at St. Louis, over such district or tribes as may be assigned to such acting superintendent, shall cease: *Provided*, That no additional compensation shall be allowed for such services.

APPROVED, June 30, 1834.

STATUTE I.

CHAP. CLXII.—*An Act to provide for the organization of the department of Indian affairs.* (a)

June 30, 1834.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the duties of the governors of the territories of Florida and Arkansas, as superintendents of Indian affairs, shall hereafter cease, and the duties of the governor of the territory of Michigan, as superintendent of Indian affairs, shall cease from and after the establishment of a new territory, embracing the country west of Lake Michigan, should such a territory be established. And while the governor of the said territory of Michigan continues to act as superintendent of Indian affairs, he shall receive therefor, the annual sum of one thousand dollars, in full of all allowances, emoluments, or compensation for services in said capacity.

Duties of governors of Florida and Arkansas as superintendents to cease.

Duties of governor of Michigan to cease. Salary.

SEC. 2. *And be it further enacted*, That there shall be a superintendency of Indian affairs for all the Indian country not within the bounds of any state or territory west of the Mississippi river, the superintendent of which shall reside at St. Louis, and shall annually receive a salary of fifteen hundred dollars.

A superintendent to reside at St. Louis.

SEC. 3. *And be it further enacted*, That superintendents of Indian affairs shall, within their several superintendencies, exercise a general supervision and control over the official conduct and accounts of all officers and persons employed by the government in the Indian department, under such regulations as shall be established by the President of the United States; and may suspend such officers and persons from their office or employments, for reasons forthwith to be communicated to the Secretary of War.

Duties of superintendents.

SEC. 4. *And be it further enacted*, That the following Indian agents shall

(a) *Acts relating to the Indians, passed subsequent to June 30, 1834.*

An act to regulate, in certain cases, the disposition of the proceeds of land ceded by the Indian tribes, January 9, 1837, ch. 1.

An act to extend the jurisdiction of the district court for the district of Arkansas, March 1, 1837, ch. 16.

Provision for the removal of the Creeks, act of March 3, 1837, ch. 31.

An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of 1830, with the Choctaw Indians, March 3, 1837, ch. 39.

An act to authorize and sanction the sales of reserves provided for the Creek Indians in the treaty of March 24, 1832, in certain cases, and for other purposes, March 3, 1837, ch. 41.

An act to provide for the payment of the annuities which will become due and payable to the Great and Little Osages, in the year 1838, and for other purposes, January 16, 1838, ch. 3.

An act to amend an act entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of 1830, with the Choctaw Indians," February 22, 1838, ch. 13.

Choctaw lands reserved from sale or pre-emption, June 22, 1838, ch. 119, sec. 1.

An act to authorize the issuing of patents to the last bona fide transferee of reservations under the treaty between the United States and the Creek tribe of Indians, which was concluded on the 24th March, 1832. July 5, 1838, ch. 161.

An act to provide for the location and temporary support of the Seminole Indians removed from Florida, February 13, 1839, ch. 24.

Brothertown Indians, March 3, 1839, ch. 83. Act of June 15, 1844, ch. 54.

An act to provide for the satisfaction of claims arising under the fourteenth and nineteenth articles of the treaty of Dancing Rabbit Creek, concluded in September, 1830. August 23, 1842, ch. 187.

An act supplementary to the act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," passed 30th June, 1834. June 17, 1844, ch. 103.

Indian agents  
to be appointed.

be appointed by the President of the United States, by and with the advice and consent of the Senate, who shall hold their offices for [the] term of four years, and who shall give bond, with two or more securities, in the penal sum of two thousand dollars, for the faithful execution of the same, and shall receive the annual compensation of fifteen hundred dollars.

Two agents for the Western territory.

An agent for the Chickasaws.

An agent for the eastern Cherokees.

An agent for the Florida Indians.

An agent for the Indians in the state of Indiana.

An agent at Chicago.

An agent at Rock island.

An agent at Prairie du Chien.

An agent for Michilimackinac and the Sault Sainte Marie.

An agent for the Saint Peter's.

An agent for the Upper Missouri.

Agencies dis-  
continued.

And the following agencies shall be discontinued at the periods herein mentioned, that is to say :

The Florida agency, from and after the thirty-first day of December next.

The Cherokee agency, from and after the thirty-first day of December next.

The Indiana agency, from and after the thirty-first day of December, eighteen hundred and thirty-six.

The Chicago agency, from and after the thirty-first day of December next.

The Rock Island agency, from and after the thirty-first day of December, eighteen hundred and thirty-six.

Proviso.

And all other agencies, not provided for in this act, from and after the passing thereof: *Provided*, That the limitation of the said agencies shall not be construed to prevent the President of the United States from discontinuing the same at an earlier period. And the President shall be, and he is hereby authorized, whenever he may judge it expedient, to discontinue any Indian agency, or to transfer the same, from the place or tribe designated by law, to such other place or tribe as the public service may require. And every Indian agent shall reside and keep his agency within or near the territory of the tribe for which he may be agent, and at such place as the President may designate, and shall not depart from the limits of his agency without permission. And it shall be competent for the President to require any military officer of the United States to execute the duties of Indian agent.

Sub-agents to  
be appointed by  
the President.

SEC. 5. *And be it further enacted*, That a competent number of sub-agents shall be appointed by the President, with an annual salary of seven hundred and fifty dollars each, to be employed, and to reside wherever the President may direct, and who shall give bonds, with one or more sureties, in the penal sum of one thousand dollars, for the faithful execution of the same. But no sub-agent shall be appointed who shall reside within the limits of any agency where there is an agent appointed.

Persons in of-  
fice to hold for  
their terms.

SEC. 6. *And be it further enacted*, That nothing herein contained shall be construed to require the re-appointment of persons now in office, until the expiration of their present term of service; but the commissions of all Indian agents and sub-agents, now in office, shall expire on the fourth day of March next, unless sooner terminated.

Limits of the  
agencies, and  
duties of agents.

SEC. 7. *And be it further enacted*, That the limits of each agency and sub-agency shall be established by the Secretary of War, either by tribes or by geographical boundaries. And it shall be the general duty of Indian agents and sub-agents to manage and superintend the intercourse with the Indians within their respective agencies, agreeably to law; to obey all legal instructions given to them by the Secretary of War, the commis-

sioner of Indian affairs, or the superintendent of Indian affairs, and to carry into effect such regulations as may be prescribed by the President.

SEC. 8. *And be it further enacted*, That the President of the United States may, from time to time, require additional security, and in larger amounts, from all persons charged or trusted, under the laws of the United States, with the disbursement or application of money, goods, or effects of any kind, on account of the Indian department.

Additional security may be required of persons intrusted with disbursements.

Interpreters.

Proviso.

Blacksmiths, &c.

SEC. 9. *And be it further enacted*, That an interpreter shall be allowed to each agency, who shall receive an annual salary of three hundred dollars: *Provided*, That where there are different tribes in the same agency, speaking different languages, one interpreter may be allowed, at the discretion of the Secretary of War, for each of the said tribes. Interpreters shall be nominated, by the proper agents, to the War Department for approval, and may be suspended, by the agent, from pay and duty, and the circumstances reported to the War Department for final action; and blacksmiths shall, in like manner, be employed wherever required by treaty stipulations, and such blacksmiths shall receive an annual compensation of four hundred and eighty dollars: and if they furnish their shop and tools, an additional sum of one hundred and twenty dollars; and their assistants shall be allowed an annual compensation of two hundred and forty dollars. And wherever farmers, mechanics, or teachers are required by treaty stipulations to be provided, they shall be employed under the direction of the War Department, and shall receive an annual compensation of not less than four hundred and eighty dollars, nor more than six hundred dollars. And in all cases of the appointments of interpreters or other persons employed for the benefit of the Indians, a preference shall be given to persons of Indian descent, if such can be found, who are properly qualified for the execution of the duties. And where any of the tribes are, in the opinion of the Secretary of War, competent to direct the employment of their blacksmiths, mechanics, teachers, farmers, or other persons engaged for them, the direction of such persons may be given to the proper authority of the tribe.

Compensation prescribed to be in full. Provisoes.

SEC. 10. *And be it further enacted*, That the compensation prescribed by this act shall be in full of all emoluments or allowances whatsoever: *Provided, however*, That where necessary, a reasonable allowance or provision may be made for offices and office contingencies: *And provided, also*, That where persons are required, in the performance of the duties under this act, to travel from one place to another, their actual expenses, or a reasonable sum in lieu thereof, may be allowed them: *And provided also*, That no allowance shall be made to any person for travel or expenses in coming to the seat of government to settle his accounts, unless thereto required by the Secretary of War: *And provided, also*, That no person shall hold more than one office at the same time under this act, nor shall any agent, sub-agent, interpreter, or person employed under this act, receive his salary while absent from his agency or employment, without leave of the superintendent, or Secretary of War: *Provided*, Such absence shall, at no one time, exceed sixty days.

Annuities to be paid to chiefs or other persons appointed by the tribe.

SEC. 11. *And be it further enacted*, That the payment of all annuities or other sums stipulated by treaty to be made to any Indian tribe, shall be made to the chiefs of such tribe, or to such person as said tribe shall appoint; or if any tribe shall appropriate their annuities to the purpose of education, or to any other specific use, then to such person or persons as such tribe shall designate.

Annuities, if requested, to be paid in goods.

SEC. 12. *And be it further enacted*, That it shall be lawful for the President of the United States, at the request of any Indian tribe to which any annuity shall be payable in money, to cause the same to be paid in goods, purchased as provided in the next section of this act.

Purchase of merchandise.

SEC. 13. *And be it further enacted*, That all merchandise required by any Indian treaty for the Indians, payable after making of such treaty,

shall be purchased under the direction of the Secretary of War, upon proposals to be received, to be based on notices previously to be given; and all merchandise required at the making of any Indian treaty shall be purchased under the order of the commissioners, by such person as they shall appoint, or by such person as shall be designated by the President for that purpose. And all other purchases on account of the Indians, and all payments to them of money or goods, shall be made by such person as the President shall designate for that purpose. And the superintendent, agent, or sub-agent, together with such military officer as the President may direct, shall be present, and certify to the delivery of all goods and money required to be paid or delivered to the Indians. And the duties required by any section of this act, of military officers; shall be performed without any other compensation than their actual travelling expenses; and all persons whatsoever, charged or trusted with the disbursement or application of money, goods, or effects of any kind, for the benefit of the Indians, shall settle their accounts, annually, at the War Department, on the first day of October; and copies of the same shall be laid, annually, before Congress at the commencement of the ensuing session, by the proper accounting officers; together with a list of the names of all persons to whom money, goods, or effects had been delivered within said year, for the benefit of the Indians, specifying the amount and object for which it was intended, and showing who are delinquents, if any, in forwarding their accounts according to the provisions of this act; and, also, a list of the names of all persons appointed or employed, under this act, with the dates of their appointment or employment, and the salary and pay of each.

Persons employed in the Indian department not to be concerned in trade.

SEC. 14. *And be it further enacted*, That no person employed in the Indian department shall have any interest or concern in any trade with the Indians, except for, and on account of, the United States; and any person offending herein, shall forfeit the sum of five thousand dollars, and upon satisfactory information of such offence being laid before the President of the United States, it shall become his duty to remove such person from the office or situation he may hold.

Domestic animals and implements to be furnished Indians west of the Mississippi.

SEC. 15. *And be it further enacted*, That the President shall be, and he is hereby, authorized to cause any of the friendly Indians west of the Mississippi river, and north of the boundary of the Western territory, and the region upon Lake Superior and the head of the Mississippi, to be furnished with useful domestic animals and implements of husbandry, and with goods, as he shall think proper: *Provided*, That the whole amount of such presents shall not exceed the sum of five thousand dollars.

Rations to Indians visiting military posts.

SEC. 16. *And be it further enacted*, That the President be, and he is hereby, authorized to cause such rations as he shall judge proper, and as can be spared from the army provisions without injury to the service, to be issued, under such regulations as he shall think fit to establish, to Indians who may visit the military posts or agencies of the United States on the frontiers, or in their respective nations, and a special account of these issues shall be kept and rendered.

President to prescribe rules and regulations.

SEC. 17. *And be it further enacted*, That the President of the United States shall be, and he is hereby, authorized to prescribe such rules and regulations as he may think fit, for carrying into effect the various provisions of this act, and of any other act relating to Indian affairs, and for the settlement of the accounts of the Indian department.

Conflicting acts repealed.

SEC. 18. *And be it further enacted*, That all acts or parts of acts, contrary to the provisions of this act, shall be, and the same are hereby, repealed.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXIII.—*An Act in addition to the "Act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved March third, eighteen hundred and twenty-five.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That whenever any criminal convicted of any offence against the United States, shall be imprisoned, in pursuance of such conviction, and of the sentence thereupon, in the prison or penitentiary of any state or territory, such criminal shall in all respects be subject to the same discipline and treatment, as convicts sentenced by the courts of the state or territory, in which such prison or penitentiary is situated; and while so confined therein, shall also be exclusively under the control of the officers having charge of the same, under the laws of the said state or territory.

APPROVED, June 30, 1834.

Act of March 3, 1825, ch. 66.

Persons convicted of a criminal offence against United States to be treated as convicts of the state or territory.

STATUTE I.

June 30, 1834.

CHAP. CLXIV.—*An Act increasing the salaries of the judges of the United States for the territories of Michigan, Arkansas, and Florida.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there shall be allowed and paid, annually, to each of the judges of the United States for the territories of Michigan, Arkansas, and Florida, the sum of three hundred dollars, in addition to the salaries now allowed by law to the said judges, respectively.

Additional salary to judges of Michigan, Arkansas, and Florida.

SEC. 2. *And be it further enacted,* That this act shall take effect from the first day of January, eighteen hundred and thirty-four, and that the several sums authorized to be paid, shall be paid out of any money in the treasury, not otherwise appropriated.

Act to take effect from January 1, 1834.

SEC. 3. *And be it further enacted,* That the increased salary allowed by this act, shall only be paid to such judges in the territories of Florida and Arkansas, as are not now allowed the extra compensation under the act of May, 1828, providing for the adjudication of land claims, and shall take effect as to the remainder, when the extra pay aforesaid shall no longer be paid.

To be paid only to such as are not allowed extra compensation under act of May, 1828, ch. 70.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXV.—*An Act making compensation for certain diplomatic services, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be allowed and paid to W. H. D. C. Wright, to supply the deficiency of a former appropriation, in payment of the balance found due to him in the adjustment of his accounts, and for his diplomatic services at the court of Brazil, after the death of Mr. Tudor, and before the arrival of Mr. Brown, the sum of five thousand and thirty-seven dollars.

Deficiency in former appropriation to be paid to W. H. D. C. Wright.

Also, to the state of Maine, to reimburse the expense of supporting certain American citizens, in prison at Fredericton, in New Brunswick, seven hundred and seventy-five dollars.

State of Maine to be reimbursed for supporting prisoners.

Also, to John Adams Smith, Nathaniel Niles, and J. C. Pickett, secretaries of legation, a compensation for their services as *chargés des affaires*, at the rate of four thousand five hundred dollars per annum, during the time that they were actually left in charge of the affairs of the legations to which they were attached, deducting therefrom the amount already paid to them as secretaries of legation; the aforesaid sums to be paid out of any money in the treasury not otherwise appropriated.

J. A. Smith, N. Niles, and J. C. Pickett to receive compensation.

Salary of J. C. Pickett.

To James C. Pickett, secretary of legation, left in charge of the affairs of the United States at Bogota, on the termination of the mission of Mr. Moore, one quarter's salary, for the expense of his return to the United States, five hundred dollars.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXVI.—*An Act repealing certain acts of the legislative council of the territory of Florida.*

Acts imposing higher duties on slaves belonging to non-residents repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all such acts or parts of acts, passed by the legislative council of the territory of Florida, as may impose a higher or greater tax on the slaves or other property of non-resident citizens, than is imposed on the slaves or other property of resident citizens of said territory, be, and the same are hereby, repealed, and declared null and void.

Punishment for enforcing such acts.

SEC. 2. *And be it further enacted,* That if any person shall attempt to enforce any of the acts, or parts of acts, passed by the legislative council of the territory of Florida, as aforesaid, by demanding or receiving any tax, imposition, or assessment authorized or prescribed thereby, such person shall, on conviction thereof, be punished by fine not exceeding two hundred dollars, or by imprisonment not exceeding six months, or either or both of said punishments.

County of Leon to elect two additional members of council.

SEC. 3. *And be it further enacted,* That the county of Leon, in the territory of Florida, shall be authorized to elect two additional members to the legislative council, on the first Monday in September next, and it shall be lawful for the legislative council to designate by law the election districts, in such manner as to ensure an equality of representation to each.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXVII.—*An Act to relinquish the reversionary interest of the United States in a certain Indian reservation lying between the rivers Mississippi and Desmoins.*

Lands relinquished, and to be vested in certain half-breeds of Sacs and Fox Indians.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That all the right, title, and interest which might accrue or revert to the United States to the reservation of land, lying between the rivers Desmoins and Mississippi, which was reserved for the use of the half-breeds belonging to the Sacs and Fox nations, now used by them, or some of them, under a treaty made and concluded between the United States and the Sacs and Fox tribes or nations of Indians, at Washington, on the fourth day of August, in the year one thousand eight hundred and twenty-four, be, and the same are hereby, relinquished and vested in the said half-breeds of the Sacs and Fox tribes or nations of Indians, who, at the passage of this act are, under the reservation in the said treaty, entitled, by the Indian title, to the same; with full power and authority to transfer their portions thereof, by sale, devise or descent, according to the laws of the state of Missouri.

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXVIII.—*An Act authorizing the governors of the several states to transmit, by mail, certain books and documents.*

State papers, &c. to be free of postage.

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

governors of the several states, to transmit by mail, free of postage, all laws and reports, whether bound or unbound, and all records and documents of their respective states, which may be directed by the legislatures of the several states to be transmitted to the executives of other states; and the governor of the state transmitting the same shall, in addition to his frank, endorse the kind of book or document enclosed, and direct the same to the governor of the state to which the same may be sent.

Character of books, &c. to be endorsed

APPROVED, June 30, 1834.

STATUTE I.

June 30, 1834.

CHAP. CLXX.—*An Act concerning tonnage duty on Spanish vessels. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the first day of March next, Spanish vessels coming from the island of Cuba, or Porto Rico, either directly, or after touching at any port or place, shall pay, in the ports of the United States, such further tonnage duty in addition to the tonnage duty which may be payable under any other law, as shall be equivalent to the amount of discriminating duty that would have been imposed on the cargoes imported in the said vessels, respectively, if the same had been exported from the port of Havana, in American bottoms.

Spanish vessels from Cuba or Porto Rico, after March, to pay a tonnage duty equal to discriminating duty on American bottoms.

SEC. 2. *And be it further enacted,* That before any such vessel shall be permitted to clear out or depart from a port of the United States, with a cargo which shall be directly or indirectly destined to either of the said islands, the said vessel shall pay such further tonnage duty as shall be equivalent to the amount of discriminating duty that would be payable, for the time being, upon the cargo, if imported into the port of Havana, in an American bottom.

Spanish vessels clearing out, excepting for Cuba or Porto Rico, to give bond that no part of the cargo shall be landed in those islands.

SEC. 3. *And be it further enacted,* That no Spanish vessel shall be allowed to clear out or depart from a port of the United States, with any goods, wares, or merchandise, except upon a destination to some port or place, in the Island of Cuba or Porto Rico, without giving bond, with approved security, in double the value of the vessel and cargo, that the said cargo, or any part thereof, shall not be landed in either of the said islands; which bond shall be cancelled on producing of certificate from an American consul, that the said cargo has been landed elsewhere, bona fide and without intention to reship it for a port in one of the said islands.

Secretary of the Treasury to estimate the additional tonnage duty, and direct officers of the customs.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized, from time to time, to estimate the said additional tonnage duty, and to give directions to the officers of the customs of the United States, for the collection of such duties, so as to conform the same to any variation which may take place in the discriminating duties levied on the cargoes of American vessels in the said port of Havana.

Act to cease, if Spain abolish her discriminating duties on American vessels in Cuba and Porto Rico.

SEC. 5. *And be it further enacted,* That whenever the President of the United States shall be satisfied, that the discriminating duties in favour of Spanish bottoms, levied upon the cargoes of American vessels in the ports of Cuba and Porto Rico, have been abolished, or whenever, in his opinion, a satisfactory arrangement upon the subject of the said duties shall have been made between the United States and Spain, the President is hereby authorized to declare the same by proclamation, and thereupon this act shall cease to have any further force or effect.

APPROVED, June 30, 1834.

(a) See notes of the acts relating to discriminating duties, ante, p. 2.

## STATUTE I.

June 30, 1834.

President may direct transfers between close of year and the passage of new naval appropriation bill.

Account to be laid before Congress.

CHAP. CLXXI.—*An Act to authorize the President of the United States to direct transfers of appropriations in the naval service, under certain circumstances.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That upon the application of the Secretary of the Navy, the President of the United States shall have authority, whenever, in his opinion, the contingencies of the public service may require it, at any period between the close of the year, and the passage of the new naval appropriation bills, to direct that a part of the money appropriated for a particular branch of the naval service the former year to be applied to another branch of the said service; in which case, a special account of the moneys thus transferred, and of their application, shall be laid before Congress previous to its adjournment.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

Term to commence on the third Monday of March.

Process, &c. continued to the March term.

CHAP. CLXXIII.—*An Act for changing the term of the district court, for the western district of Louisiana. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the term of the district court of the United States for the western district of Louisiana, shall hereafter commence and be holden on the third Monday of March in each and every year, instead of the time heretofore appointed by law, and the court shall then be holden under the powers, duties, rules, and regulations heretofore prescribed by law.

SEC. 2. *And be it further enacted,* That all process, pleadings, motions, suits and business, heretofore begun, pending, and undetermined, shall stand continued, valid and adjourned over to the said next term of said court to be holden on the said third Monday in March next, then to be proceeded in, as if regularly returnable to, notified, or set, for that term.

APPROVED, June 30, 1834.

## STATUTE I.

June 30, 1834.

Notes of a less denomination than ten dollars not to be issued after March 1, 1839.

Proviso.

CHAP. CLXXIV.—*An Act to prohibit the corporations of Washington, Georgetown, and Alexandria, in the District of Columbia, from issuing promissory notes or bills of any denomination less than ten dollars after the period therein mentioned, and for the gradual withdrawal from circulation of all such notes or bills.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it shall not be lawful for the corporations of Washington, Georgetown, or Alexandria, in the District of Columbia, or either of them, after the first day of March, eighteen hundred and thirty-nine, to issue any promissory note or bill of a less denomination than ten dollars: *Provided,* That it shall not be lawful for either of the corporations aforesaid to make or issue any new promissory note or bill, after the passage of this act, of a less denomination than ten dollars.

One-fifth of the small notes to be taken, annually, from circulation.

SEC. 2. *And be it further enacted,* That each and all the corporations aforesaid shall annually withdraw from circulation and destroy promissory notes or bills respectively issued by either of them of a less denomination than ten dollars, so as to effect a reduction of one-fifth per annum of the amount which each corporation may have in circulation of the said notes or bills; and render an account at each session to Congress, showing the amount withdrawn and extinguished as aforesaid, and the balance still in circulation.

(a) See notes of the acts which have been passed relating to the district court of Louisiana, vol. iii. p. 774.

SEC. 3. *And be it further enacted*, That, on failure of either or all of the corporations aforesaid to comply with the requirements of the second section of this act, it shall not thereafter be lawful for the corporation or corporations so failing, to issue any promissory note or bill of a less denomination than ten dollars.

APPROVED, June 30, 1834.

Notes less than ten dollars not to be issued, if 2d section of act be not complied with.

STATUTE I.

June 30, 1834.

CHAP. CCXLVII.—*An Act granting land to certain exiles from Poland.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That there be, and is hereby, granted to Lewis Banezakiewitz and his associates, being two hundred and thirty-five exiles from Poland, transported to the United States by the orders of the Emperor of Austria, thirty-six sections of land, to be selected by them, under the direction of the Secretary of the Treasury, in any three adjacent townships of the public lands which have been, or may hereafter be surveyed, situated within the limits of the state of Illinois or the territory of Michigan.

Thirty-six sections of land in Illinois or Michigan granted to Polish exiles.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to obtain an authenticated list of the names of the aforesaid two hundred and thirty-five Polish exiles, and cause the same to be filed and recorded in the office of the commissioner of the general land office.

Names of the grantees to be recorded in the general land office.

SEC. 3. *And be it further enacted*, That immediately after the said thirty-six sections of land shall be surveyed and located in the manner prescribed in the first section of this act, it shall be the duty of the Secretary of the Treasury to cause the said thirty-six sections to be divided into equal parts among the said two hundred and thirty-five Poles, by lot, under such regulations as the said Secretary may prescribe.

Land to be divided by lot, in equal portions.

SEC. 4. *And be it further enacted*, That it shall be lawful for each and every of the said grantees to enter upon and take possession of the respective lots of land assigned to them and each of them; and, after the expiration of ten years, the said grantees, respectively, shall be entitled to a patent for the lot of land assigned to them as aforesaid: *Provided*, That the said grantees shall, during the said term of ten years, without intermission, actually inhabit and cultivate the said township of land in the ratio of one settlement for every five hundred acres thereof; and, on due proof of such habitation and cultivation to the Secretary of the Treasury, and of the payment into the proper land office of the minimum price per acre, at the time of such payment, within the said term of ten years, patents shall be granted as aforesaid, and not otherwise.

Ten years' occupancy to entitle to patent.

Proviso.

APPROVED, June 30, 1834.

RESOLUTIONS.

I. RESOLUTION *providing for the distribution of the diplomatic correspondence of the United States, from the peace of seventeen hundred and eighty-three, to the fourth of March, seventeen hundred and eighty-nine.*

June 19, 1834.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the copies of the "Selection of the Diplomatic Correspondence of the United States, between the peace of seventeen hundred and eighty-three, and the fourth of March, seventeen hundred and eighty-nine," published in virtue of an act of the fifth of May, eighteen hundred and thirty-two, in continuation of the Diplomatic Correspondence of the Revolution, be distributed and disposed of,

Library committee to distribute copies of Diplomatic Correspondence.

1832, ch. 74.

under the direction of the joint library committee, in manner following, viz :

To each person who received a copy of the Diplomatic Correspondence of the Revolution, and who shall apply to the clerk of the House of Representatives, for the continuation of the same, one copy ;

To the library of each institution, to which a copy of the Diplomatic Correspondence of the Revolution was sent, one copy ;

To Jared Sparks, editor of the Diplomatic Correspondence of the Revolution, one copy ;

To Edward Livingston, under whose direction, as Secretary of State, the selection aforesaid was made, one copy.

SEC. 2. *And be it further resolved*, That twenty-five copies of the work aforesaid, and of any other work or works printed by order, or at the expense of the United States, shall be placed at the disposition of the joint library committee, to be by them disposed of, in return for donations to the library of Congress.

APPROVED, June 19, 1834.

June 19, 1834.

II. RESOLUTION for distributing returns of the last census.

Librarian to deliver two copies of census to each member of the present, who was not a member of last Congress.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the librarian of Congress be authorized to deliver to each member of the present Congress, who was not a member of the last Congress, two copies of the return of the last census of the inhabitants of the United States, and that it may be lawful for the said members to transmit the said copies, free of postage, by mail.

APPROVED, June 19, 1834.

June 25, 1834.

III. RESOLUTION giving the right of way through the property of the United States at Harper's Ferry, to the Winchester and Potomac Railroad Company.

Grant of the right of way, and restriction of its use.

Post, p. 792.

Proviso.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the President of the United States of America be, and he is hereby, authorized to convey to the Winchester and Potomac Railroad Company, free of charge, the right of way through the property held by the United States at Harper's Ferry, (and at present not improved,) if, in his opinion, it should not be inconsistent with the public service ; and, also, on the same terms, so much of the ground between the arsenal and the Shenandoah river, and near its junction with the Potomac, as may be deemed consistent with the public interest : to be used for the benefit of the said company in the deposit and accommodation of the trade of said Winchester and Potomac Railroad Company only, and for no other purpose whatever : *Provided, nevertheless*, That the said railroad shall be so located, in the judgment of two or more skilful engineers of the army of the United States, who may be deputed by the President of the United States to make such location, as not to impede or injure, in any manner, the future improvement of the navigation of the river Shenandoah by a lock and dam navigation, or by extending a canal along the left bank thereof, to the river Potomac, or to the canal now constructed along the left bank of the said river.

APPROVED, June 25, 1834.

IV. RESOLUTION *manifesting the sensibility of the two houses of Congress, and of the nation, on the occasion of the decease of General La Fayette.*

June 26, 1834.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the two houses of Congress have received, with the profoundest sensibility, intelligence of the death of General La Fayette, the friend of the United States, the friend of Washington, and the friend of liberty.

Death of General La Fayette.

2. *And be it further resolved,* That the sacrifices and efforts of this illustrious person, in the cause of our country, during her struggle for independence, and the affectionate interest which he has at all times manifested for the success of her political institutions, claim from the government and people of the United States, an expression of condolence for his loss, veneration for his virtues, and gratitude for his services.

3. *And be it further resolved,* That the President of the United States be requested to address, together with a copy of the above resolutions, a letter to George Washington La Fayette, and the other members of his family, assuring them of the condolence of this whole nation in their irreparable bereavement.

4. *And be it further resolved,* That the members of the two houses of Congress will wear a badge of mourning for thirty days, and that it be recommended to the people of the United States to wear a similar badge for the same period.

5. *And be it further resolved,* That the halls of the houses be dressed in mourning for the residue of the session.

6. *And be it further resolved,* That John Quincy Adams be requested to deliver an oration on the life and character of General La Fayette, before the two houses of Congress at the next session.

APPROVED, June 26, 1834.

# ACTS OF THE TWENTY-THIRD CONGRESS

OF THE

## UNITED STATES,

*Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the first day of December, 1834, and ended on the third day of March, 1835.*

ANDREW JACKSON, President; MARTIN VAN BUREN, Vice President of the United States and President of the Senate; JOHN BELL, Speaker of the House of Representatives.

### STATUTE II.

- Jan. 27, 1835. CHAP. II.—*An Act making appropriations for the current expenses of the Indian department for the year one thousand eight hundred and thirty-five.*  
[Obsolete.]  
Appropriation for the Indian department.
- Superintendent and agents. 1834, ch. 162. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and they are hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the current expenses of the Indian department for the year one thousand eight hundred and thirty-five, viz:*  
For the pay of the superintendent of Indian affairs, and the several Indian agents, as provided for by the act of thirtieth of June, one thousand eight hundred and thirty-four, fifteen thousand dollars.
- Sub-agents. *For the pay of sub-agents, allowed by the same act, ten thousand five hundred dollars.*
- Interpreters. *For the pay of interpreters allowed by the same act, seven thousand five hundred dollars.*
- Presents. *For presents to Indians, authorized by the same act, five thousand dollars.*
- Provisions. *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. *For the necessary buildings required at the several agencies and repairs thereof, two thousand dollars.*
- Postage, &c. 1834, ch. 162. *For postage, stationery, and rent and fuel for offices, as authorized by the act of June thirtieth, one thousand eight hundred and thirty-four, three thousand dollars.*
- Contingencies. *For contingencies of the Indian department, four thousand dollars.*

APPROVED, January 27, 1835.

### STATUTE II.

- Jan. 27, 1835. CHAP. III.—*An Act making an appropriation for the completion of the military barracks at New Orleans.*  
[Obsolete.]  
Appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of one hundred and seven thousand five hundred dollars be, and the same is hereby appro-*

apropriated and made payable out of any money in the treasury not otherwise appropriated, for the completion of the barracks at New Orleans, under the direction of the Secretary at War.

APPROVED, January 27th, 1835.

STATUTE II.

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

Jan. 27, 1835.

[Obsolete.]

Appropriation for support of the army.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the support of the army for the year one thousand eight hundred and thirty-five—that is to say:

For the pay of the army, nine hundred and eighty-seven thousand and forty-five dollars.

Pay.

For subsistence of officers, three hundred and fourteen thousand eight hundred and ninety-nine dollars.

Subsistence of officers.

For forage of officers, sixty thousand three hundred and thirty-one dollars.

Forage.

For clothing for officers' servants, twenty-four thousand eight hundred and ten dollars.

Clothing.

For subsistence, exclusive of that of officers, in addition to an unexpended balance of seventy-five thousand dollars, the sum of three hundred and forty-one thousand seven hundred dollars.

Subsistence.

For clothing of the army, camp and garrison equipage, cooking utensils, hospital furniture, &c., &c., one hundred and fifty-four thousand three hundred and eighty-seven dollars.

Clothing, &c.

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

Medical department.

For various expenses in the quartermaster's department, viz: fuel, forage, straw, stationery, blanks, and printing; repairing and enlarging barracks, quarters, storehouses, and hospitals at the various posts; erecting temporary cantonments at such posts as shall be occupied during the year, including huts for the dragoons, and gun-houses at the Atlantic posts, and those on the Gulf of Mexico, with the necessary tools and materials; providing materials for the authorized furniture of the rooms of non-commissioned officers and soldiers; rent of quarters, barracks and storehouses, and of grounds for summer cantonments and encampments, including a farm at fort Monroe for military practice; postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members and witnesses; extra pay to soldiers, under an act of Congress of the second March, eighteen hundred and nineteen; expenses of expresses from the frontier posts, of escorts to paymasters, hire of labourers, compensation to extra clerks in the office of the quartermaster general, and in the offices of the quartermasters and assistants at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works and in the performance of other duties, coffins and other articles necessary at the interment of non-commissioned officers and soldiers, and purchase of horses, and various other expenditures necessary to keep the regiment of dragoons complete, in addition to an unexpended balance of twenty thousand dollars, the sum of three hundred and twelve thousand dollars.

Department of quartermaster.

For the allowance made to the officers for the transportation of their baggage, when travelling on duty without troops, and allowances to officers on topographical duty and superintending working parties, fifty three thousand dollars.

Transportation of baggage, &c.

For transportation of clothing from the depôt at Philadelphia to the

Transportation of clothing, &c.	stations of the troops, of subsistence from the places of purchase and points of delivery, under contracts, to the posts where they are required to be used, of ordnance from the founderies and arsenals, to the frontier posts and the fortifications, and lead from the western mines to the several arsenals, transportation of the army, including officers, when removing with troops either by land or water, freight and ferrriages, purchase or hire of horses, oxen, mules, carts, wagons and boats for transportation of troops and supplies, and for garrison purposes, drayage and cartage, at the several posts, hire of teamsters, transportation of funds for the pay department, the expense of sailing a public transport between the several posts on the Gulf of Mexico, and procuring water at such posts as from their situation require it, the sum of one hundred and thirty-eight thousand dollars.
Contingencies.	For contingencies of the army, ten thousand dollars.
Armories.	For the national armories, three hundred and thirty thousand dollars.
Fortifications.	For armament of new fortifications, one hundred thousand dollars.
Arsenals.	For arsenals, ninety-four thousand three hundred and thirty-four dollars.
Ordnance.	For the current expenses of the ordnance service, sixty-eight thousand four hundred dollars.
Arrearages.	For arrearages prior to the first of July, eighteen hundred and fifteen, payable through the office of the third auditor, in addition to an unexpended balance of three thousand two hundred and seventy-nine dollars and seventy-four cents, the sum of two thousand dollars. For arrearages between the first of July, eighteen hundred and fifteen, and the first of January, eighteen hundred and seventeen, payable through the office of the second auditor, one thousand five hundred dollars.
Discharged soldiers.	For payments in lieu of clothing to discharged soldiers, thirty thousand dollars.
Appropriation of unexpended balance.	SEC. 2. <i>And be it further enacted</i> , That of the balance of thirty-eight thousand three hundred and seventy-nine dollars and fifty-two cents, which now stands to the credit of "bounties and premiums," on the books of the treasury, appropriated for the service of eighteen hundred and thirty-three, and which is not wanted for that object, in consequence of the change made in the mode of enlisting, by the act of second March eighteen hundred and thirty-three, the sum of fifty-four dollars be, and the same is hereby directed to be transferred to the credit of "two months' extra pay, per act second March, eighteen hundred and thirty-three;" and the sum of seventeen thousand six hundred and sixty dollars to the credit of "expenses of recruiting," to be used for the recruiting service of one thousand eight hundred and thirty-five.

1833, ch. 68.

APPROVED, January 27, 1835.

## STATUTE II.

Jan. 27, 1835.

[Obsolete.]

CHAP. V.—*An Act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-five.*

Appropriations for pensioners.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the pensioners of the United States for the year one thousand eight hundred and thirty-five:

Revolutionary pensioners.  
1832, ch. 126.

For the revolutionary pensioners, under the several acts prior to that of the seventh of June, one thousand eight hundred and thirty-two, in addition to an unexpended balance of two hundred and seventy-three thousand and five dollars and fifty-three cents, the sum of four hundred and fifty-eight thousand nine hundred and ninety-nine dollars and forty-seven cents.

For the invalid pensioners, under various laws, in addition to an unexpended balance of sixty-nine thousand seven hundred and twenty-five dollars, the sum of two hundred and forty-one thousand two hundred and nineteen dollars.

Invalid pensioners.

For pensions to widows and orphans, in addition to an unexpended balance of three thousand five hundred and eighty-four dollars and forty-nine cents, the sum of two thousand five hundred dollars.

Widows and orphans.

APPROVED, January 27, 1835.

STATUTE II.

CHAP. VI.—*An Act to allow further time to complete the issuing and locating of military land warrants during the late war.*

Jan. 27, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act entitled "An act to allow further time to complete the issuing and locating of military land warrants," approved the twenty-sixth day of May, one thousand eight hundred and twenty-four, and also the operations of the act approved the twenty-fourth day of February, one thousand eight hundred and nineteen, which, by said act of one thousand eight hundred and twenty-four, is revived, be, and the said acts are hereby, extended and continued in force for the term of five years from and after the twenty-sixth day of May last.

Acts of May 26, 1824, ch. 177, and of February 24, 1819, ch. 41, revived.

APPROVED, January 27, 1835.

STATUTE II.

CHAP. VII.—*An Act to extend the time of issuing military land warrants to the officers and soldiers of the revolutionary army.*

Jan. 27, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the time allowed for issuing military land warrants to the officers and soldiers of the revolutionary army shall be extended to the first day of January, eighteen hundred and forty.

Time extended to January 1, 1840.

APPROVED, January 27, 1835.

STATUTE II.

CHAP. XVII.—*An Act for the final adjustment of claims to lands in the state of Louisiana. (a)*

Feb. 6, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That any person or persons having claims to lands in the state of Louisiana, whose claims have been recognised by former laws as valid, but which have not heretofore been confirmed to the grantees or their legal representatives, be, and they are hereby, authorized to present their claims to the register and receiver of the land office in which the land may lie, within two years from the passage of this act, together with the written and other testimony in support of the same, and it shall be the duty of the register and receiver to record in a book to be kept by them for that purpose, the notice of every claim so preferred, together with the evidence in support of the same; and the said register and receiver are hereby further authorized to receive any evidence for and on behalf of other individuals who may resist the confirmation of any such claim either on their own behalf, or that of the United States, and cause to be taken any evidence which shall be deemed necessary and proper by them to have such claim properly and justly settled, and to have the same likewise recorded in said book, for

Valid claims to be presented to register and receiver within two years.

(a) Notes of the acts relating to the adjustment of land claims in Louisiana, vol. iii. p. 528.

which service, in recording the applicant's title-papers and evidence, they shall be entitled to receive from said applicant at the rate of twenty-five cents for every hundred words.

Report of the claims, with testimony and opinions on validity of each, to be made, and laid before Congress.

SEC. 2. *And be it further enacted*, That it shall be the duty of the registers and receivers of the land offices, at or before the beginning of each session of Congress thereafter, to make to the Secretary of the Treasury a report of the claims which may have been presented before them, together with the testimony, accompanied by their opinions of the validity of each claim, and such other information respecting them as may be in their possession, which said report shall, by the Secretary of the Treasury, be laid before Congress as soon as practicable, with the opinion of the commissioner of the general land office, touching the validity of the respective claims.

APPROVED, February 6, 1835.

## STATUTE II.

Feb. 13, 1835.

[Obsolete.]

Appropriations for the naval service.

CHAP. XIX.—*An Act making appropriations for the naval service for the year one thousand eight hundred and thirty-five.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-five, in addition to the unexpended balances of former appropriations, viz :

Pay and subsistence.

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

Pay of superintendents, &c.

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

Provisions.

For provisions, four hundred and fifty thousand dollars.

Repairs.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, nine hundred and seventy-four thousand dollars.

Medicines, &c.

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

Repairs, &c. of navy yards at Portsmouth;

For improvement and necessary repairs of the navy yard at Portsmouth, New Hampshire, thirty-nine thousand nine hundred and twenty-five dollars.

Charlestown;

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

Brooklyn;

For improvement and necessary repairs of the navy yard at Brooklyn, New York, forty-six thousand one hundred and twenty dollars.

Philadelphia;

For improvement and necessary repairs of the navy yard at Philadelphia, three thousand five hundred and twenty dollars.

Washington;

For improvement and necessary repairs of the navy yard at Washington, ten thousand dollars.

Gosport;

For improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred thousand four hundred and fifty dollars.

Pensacola.

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

Repairs, &c. at Sackett's harbour.

For repairs of building and preservation of a vessel at Sackett's Harbour, five hundred dollars.

Ordnance, &c.

For ordnance, and ordnance stores, fifteen thousand dollars.

For defraying the expenses that may accrue for the following purposes, viz :

Miscellaneous.

For the freight and transportation of materials and stores of every description, for wharfage and dockage, storage and rent, travelling expenses of officers, and transportation of seamen, house-rent, chamber-

money, and fuel and candles to officers other than those attached to navy yards and stations, and for officers in sick quarters where there are no hospitals, and for funeral expenses, for commissions, clerk hire, and office rent, stationery, and fuel to navy agents, for premiums and incidental expenses of recruiting, for apprehending deserters, for compensation to judge advocates, for per diem allowance to persons attending courts martial and courts of inquiry, and for officers engaged on extra service beyond the limits of their stations, for printing and stationery of every description, and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for purchase and repair of fire and steam engines, and for machinery; for purchase and maintenance of oxen and horses, and for carts, timber, wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing of ships of war; for cabin furniture of vessels in commission, and for furniture of officers' houses in navy yards: for taxes on navy yards and public property; for assistance rendered to vessels in distress; for incidental labour at navy yards not applicable to any other appropriation; for coal and other fuel for forges, founderies and steam engines; for candles, oil, and fuel for vessels in commission and in ordinary; for repairs of magazines and powder houses; for preparing moulds for ships to be built, and for no other purpose whatever, two hundred and ninety-five thousand dollars.

For contingent expenses for objects not hereinbefore enumerated, three thousand dollars.	Contingencies.
For pay of the officers, non-commissioned officers, musicians, and privates, and for subsistence of the officers of the marine corps, one hundred and sixty-six thousand seven hundred and forty-nine dollars and fifty-five cents.	Marine corps.
For the subsistence of the non-commissioned officers, musicians, and privates, and washerwomen of said corps, serving on shore, and for servants, thirty-three thousand five hundred and sixty-five dollars and sixty cents.	Marine corps, &c. on shore.
For clothing, thirty-eight thousand seven hundred and eleven dollars and twenty-five cents.	Clothing.
For fuel, fifteen thousand one hundred and sixty-six dollars.	Fuel.
For transportation and recruiting, six thousand dollars.	Transportation.
For medicines, hospital stores, surgical instruments, pay of matron and acting hospital steward, four thousand one hundred and thirty-nine dollars and twenty-five cents.	Medicines, &c.
For contingent expenses, seventeen thousand nine hundred and seventy-seven dollars and ninety-three cents.	Contingencies.
For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements, and ordnance stores, two thousand dollars.	Stores, &c.
For repairs of barracks, three thousand dollars.	Barracks.
For completing the naval magazines authorized to be built near Boston, Massachusetts, and New York, for enclosing and providing convenient access to them, seven thousand five hundred dollars.	Magazines at Boston and New York.
For completing the naval hospitals near Boston, New York, and Pensacola, building the necessary out-houses and appendages, and for enclosing them, twenty thousand seven hundred dollars.	Hospitals at Boston, New York, and Pensacola.
For repair of the hospital near Norfolk, and its enclosures and dependencies, one thousand dollars.	Hospital near Norfolk.
For repairing enclosures and graduating the ground about the navy asylum, near Philadelphia, three thousand five hundred dollars.	Asylum near Philadelphia.
For completing the payments which will be due on contracts for iron tanks, made under the act of the tenth of July, one thousand eight hundred and thirty-two, nine thousand dollars.	Iron tanks. 1832, ch. 192.
For continuing the survey of the coast of the United States, thirty thousand dollars.	Coast survey.

Extra services,  
&c. in the coast  
survey for 1830.

For arrearages for defraying the extra services and expenses of the officers of the navy engaged in the survey of the coasts and harbours of the United States, for the year one thousand eight hundred and thirty, one thousand five hundred dollars.

Lithographic  
press.

For the purchase of a lithographic press, for the Navy Department, and for expenses of the same for one year, one thousand dollars.

Unexpended  
balances re-ap-  
propriated.

SEC. 2. *And be it further enacted*, That the following sums—being the unexpended balances of former appropriations, which have been carried to the account of the surplus fund—be, and the same are hereby re-appropriated, to be paid out of any unappropriated money in the treasury, viz :

Frigate Java  
and sloop Cy-  
anne.

For the purchase of timber to rebuild the frigate Java, and the sloop Cyanne, authorized by the act of July the tenth, eighteen hundred and thirty-two, the sum of forty-six thousand, three hundred and thirty-two dollars and three cents.

1832, ch. 188.

Iron tanks.

For the purchase of iron tanks for the use of the navy, as authorized by the act of tenth of July, eighteen hundred and thirty-two, the sum of three hundred and fifty-one dollars and sixty-five cents.

1832, ch. 192.

Furniture, &c.  
for asylum at  
Philadelphia.

For providing fixtures, furniture, and apparatus, for the navy asylum at Philadelphia, as authorized by the act of July tenth, eighteen hundred and thirty-two, one thousand three hundred and sixty-two dollars and thirty-three cents.

1832, ch. 189.

Ships in ordi-  
nary.

For covering and preserving ships in ordinary, as authorized by the act of March eleventh, eighteen hundred and thirty, two thousand six hundred and fifty-three dollars and eighty-eight cents.

1830, ch. 32.

APPROVED, February 13, 1835.

#### STATUTE II.

Feb. 24, 1835.

CHAP. XXI.—*An Act for improving the harbour at the mouth of the river Raisin, in the territory of Michigan.*

Appropriation  
for a new en-  
trance into har-  
bour at mouth  
of river Raisin.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the sum of thirty thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for the construction of a new entrance into the harbour, at or near the mouth of the river Raisin, where it unites with Lake Erie, according to a plan and survey of the said works, made under the direction of the War Department by Capt. H. Smith, during the fall of the year eighteen hundred and thirty-four; *Provided, however*, That no part of the sum hereby appropriated shall be expended for improving the channel of said river, but the expenditure hereby directed, shall be confined exclusively to the construction of a cut or passage from the lake to that part of the river which is to be used as a harbour for vessels.

Proviso.

APPROVED, February 24, 1835.

#### STATUTE II.

Feb. 24, 1835.

CHAP. XXII.—*An Act for the completion of certain improvements in Florida.*

Appropriations  
for internal im-  
provements in  
Florida.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That for the purpose of executing certain internal improvements, hereinafter designated, in the territory of Florida, the following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated:

Clearing Och-  
lawaha river.

For clearing out the Ochlawaha river from the St. John's to Glassall's Spring, near Camp King, for the transportation of provisions and military stores to the garrison at that place, as estimated in the report of the quartermaster general, ten thousand dollars:

For opening a road from the head of Pensacola bay, by Pittman's ferry, on the Chatawachie river, to Webbville, four thousand dollars:

Opening road to Webbville.

For continuing the improvement of the navigation of Chatawachie river from Cedar Bluff to the Big Spring, in Florida, according to the report of the assistant quartermaster charged with the superintendence of the removal of obstructions, two thousand dollars.

Improving navigation of Chatawachie river.

For removing obstructions in the Chipola river, in Florida, five thousand dollars.

Clearing Chipola river.

APPROVED, February 24, 1835.

STATUTE II.

CHAP. XXIII.—*An Act to provide for the further compensation of the marshal of the district of Delaware.*

Feb. 24, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the marshal of the district of Delaware shall be entitled to receive, in addition to the compensation now allowed by law, an annual salary of two hundred dollars, payable quarterly, out of any money in the treasury, not otherwise appropriated.

Additional salary to marshal of the district of Delaware.

APPROVED, February 24, 1835.

STATUTE II.

CHAP. XXIV.—*An Act supplementary to an act, entitled "An Act to authorize the inhabitants of the state of Louisiana to enter the back lands."*

Feb. 24, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the time given by the act to which this is a supplement, to the owners of lands bordering on any of the rivers, creeks, bayous or other water-courses of the state of Louisiana, to become the purchasers by preference, of the back tracts adjacent to those owned by them, be, and the same is hereby, extended one year from the fifteenth of June next.

Act of June 15, 1832, ch. 140.

Time for entering lands on rivers, &c. extended one year from June 15.

APPROVED, February 24, 1835.

STATUTE II.

CHAP. XXV.—*An Act to complete certain roads in the territory of Arkansas.*

Feb. 24, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of twenty thousand dollars be, and the same is hereby, appropriated out of any money in the treasury of the United States not otherwise appropriated, to complete the road leading from the southern boundary line of the state of Missouri, by Jackson, Little Rock, and Washington, to the town of Fulton, on the north bank of Red river; and that the further sum of fifteen thousand dollars be appropriated in like manner to complete the military road leading from fort Towson on Red River, to the northern boundary line of the state of Louisiana, in the direction of Natchitoches.

Appropriations for Road from the southern line of Missouri to Red river.

Road from fort Towson for the northern line of Louisiana.

APPROVED, February 24, 1835.

STATUTE II.

CHAP. XXVI.—*An Act making additional appropriations for the Delaware break-water, and for certain harbours, and removing obstructions in and at the mouths of certain rivers, for the year one thousand eight hundred and thirty-five.*

March 3, 1835.

[Obsolète.]

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

Appropriations for harbours and rivers.

- Chicago harbour. For improving the harbour of Chicago, in addition to the balance of former appropriations, thirty-two thousand eight hundred dollars.
- Black river. For securing the works at Black river, four thousand four hundred dollars.
- Ashtabula creek. For continuing the improvement at Ashtabula creek, in addition to the balance of former appropriations, seven thousand five hundred and ninety-one dollars.
- Presqu' Isle. For securing the works at Presqu' Isle in addition to the balance of former appropriations, five thousand dollars.
- Genesee river. For completing the works at Genesee river, two thousand three hundred and ninety dollars.
- Big Sodus bay. For continuing the improvement of Big Sodus bay, eleven thousand seven hundred and ninety dollars.
- Provincetown harbour. For the preservation of the beach at Provincetown harbour, in addition to the balance of former appropriation, four thousand four hundred dollars.
- Plymouth beach. For the preservation of Plymouth beach, seven hundred dollars.
- Breakwater at Hyannis. For the breakwater at Hyannis harbour, in addition to the balance of former appropriation, nine thousand dollars.
- Harbours in the Delaware. For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, in the Delaware river, in addition to the balance of former appropriation, six thousand dollars.
- Savannah river. For improving the navigation of the Savannah river, in removing the obstructions in said river from the city of Savannah to its mouth, in addition to the balance of former appropriations, twenty thousand dollars.
- Ohio, Missouri, and Mississippi. For improving the navigation of the Ohio river below the falls, and the Missouri and Mississippi rivers, fifty thousand dollars.
- Ohio river between Pittsburg and the falls. For the improvement of the navigation of the Ohio river, between Pittsburg and the falls of the Ohio, fifty thousand dollars, to be expended under the direction of the War Department, and under the care of a superintendent for that part of the Ohio.
- Delaware breakwater. For the Delaware breakwater, one hundred thousand dollars, *Provided*, That only so much of this sum shall be applied as, in the opinion of the Secretary of War, may be advantageously expended in the present situation of the said work.
- Mobile harbour. Ante, p. 703. For completing the improvement at the harbour of Mobile, in removing the bar at the entrance of the harbour, called the Choctaw Pass, in addition to the appropriation of ten thousand dollars, made at the last session, seventeen thousand nine hundred and ninety-seven dollars and sixty cents.
- Red river. Ante, p. 703. For completing the removal of the obstructions to the navigation of Red river, in addition to the appropriation of fifty thousand dollars, made at the last session of Congress, the sum of fifty thousand dollars.
- Arkansas river, and an iron boat. For improving the navigation of the Arkansas river, and for constructing a boat with an iron hull, forty thousand dollars.
- Cape Fear river. For completing the improvement in the navigation of the Cape Fear river, below the town of Wilmington, North Carolina, twenty thousand dollars.
- Dredging machine, &c. for Florida. For constructing a dredging machine, and for completing the inland channel between St. Mary's and St. John's, in the territory of Florida, according to the estimate of the engineer department, fifteen thousand dollars.
- Dunkirk harbour. For filling up with stone, three hundred and fifty-two yards of the outer pier or breakwater at Dunkirk harbour, New York, one thousand four hundred and eighteen dollars and twenty-seven cents.
- Extension of pier at Dunkirk harbour. For extending and completing the pier or breakwater in front of said harbour, nine thousand five hundred and seventy dollars and sixteen cents.
- Proviso. *Provided*, That no officer of the army shall receive any per cent. or

additional pay, extra allowance, or compensation, in any form whatever, on account of the disbursing any public money appropriated by law during the present session, for fortifications, execution of surveys, works of internal improvement, building of arsenals, purchase of public supplies of any description, or for any other service or duty whatsoever, unless authorized by law.

APPROVED, March 3, 1835.

STATUTE II.

CHAP. XXVII.—*An Act to regulate the pay of the navy of the United States.*

March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passage of this act, the annual pay of the officers of the navy of the United States shall be as follows:*

Annual pay of navy officers.

THE SENIOR CAPTAIN.

At all times when in service, four thousand five hundred dollars.

Senior captain.

When on leave of absence, or waiting orders, three thousand five hundred dollars.

ALL OTHER CAPTAINS.

When in command of squadrons on foreign stations, four thousand dollars.

Captains.

When on other duty, three thousand five hundred dollars.

When off duty, two thousand five hundred dollars.

COMMANDERS, OR MASTERS COMMANDANT.

When attached to vessels for sea service, two thousand five hundred dollars.

Commanders, or masters commandant.

When attached to navy yards, or on other duty, two thousand one hundred dollars.

When on leave of absence, or waiting orders, one thousand eight hundred dollars.

LIEUTENANTS.

Commanding, one thousand eight hundred dollars.

Lieutenants.

On other duty, one thousand five hundred dollars.

Waiting orders, one thousand two hundred dollars.

ASSISTANT SURGEONS.

Waiting orders, six hundred and fifty dollars.

Assistant surgeons.

At sea, nine hundred and fifty dollars.

After passing and found qualified for promotion to surgeon, eight hundred and fifty dollars.

At sea, one thousand two hundred dollars.

When stationed at navy yards, hospitals, rendezvous, and receiving ships, nine hundred and fifty dollars.

After being passed and stationed as above, one thousand one hundred and fifty dollars.

SURGEONS.

For the first five years after the date of his commission, one thousand dollars.

Surgeons.

For the second five years, one thousand two hundred dollars.

For the third five years, one thousand four hundred dollars.

For the fourth five years, one thousand six hundred dollars.

After he shall have been commissioned as a surgeon twenty years and upwards, one thousand eight hundred dollars.

All surgeons of the navy under orders for duty, at navy yards, receiving vessels, rendezvous, or naval hospitals, shall have an increase of one-fourth of the foregoing amount of their respective annual pay, from the date of their acceptance of such orders.

All surgeons of the navy ordered to any of the ships or vessels of the United States, commissioned for sea service, shall have an increase of

one-third of the foregoing amount of their respective annual pay, from the date of their acceptance of such orders.

All surgeons of the navy, ordered as fleet surgeons, shall have an increase of one half of their respective annual pay, from the date of their acceptance of such orders.

CHAPLAINS.

Chaplains. When attached to vessels for sea service, or at navy yards, one thousand two hundred dollars.

When on leave of absence, or waiting orders, eight hundred dollars.

PROFESSOR OF MATHEMATICS.

Professor of mathematics. When attached to vessels for sea service, or in a yard, one thousand two hundred dollars.

SECRETARIES.

Secretaries. To commanders of squadrons, when commanding in chief, one thousand dollars.

To commanders of squadrons, when not commanding in chief, nine hundred dollars.

SAILINGMASTERS.

Sailingmasters. Of a ship of the line, for sea service, one thousand one hundred dollars.

When on other duty, one thousand dollars.

When on leave of absence, or waiting orders, seven hundred and fifty dollars.

SECOND MASTERS.

Second masters. When attached to vessels for sea service, seven hundred and fifty dollars.

When on other duty, five hundred dollars.

When on leave of absence, or waiting orders, four hundred dollars.

PASSED MIDSHIPMEN.

Passed midshipmen. On duty, seven hundred and fifty dollars.

Waiting orders, six hundred dollars.

WARRANTED MASTERS' MATES.

Warranted masters' mates. When attached to vessels for sea service, or at navy yards, four hundred and fifty dollars.

When on leave of absence, or waiting orders, three hundred dollars.

MIDSHIPMEN.

Midshipmen. When attached to vessels for sea service, four hundred dollars.

When on other duty, three hundred and fifty dollars.

When on leave of absence, or waiting orders, three hundred dollars.

CLERKS.

Clerks. Of a yard, nine hundred dollars.

First clerk to a commandant of a navy yard, nine hundred dollars.

Second clerk to a commandant of a navy yard, seven hundred and fifty dollars.

To commanders of squadrons, captains of fleets, and commanders of vessels, five hundred dollars.

BOATSWAINS, GUNNERS, SAILMAKERS, CARPENTERS.

Boatswains, gunners, sailmakers, and carpenters. Of a ship of the line, for sea service, seven hundred and fifty dollars.

Of a frigate for sea service, six hundred dollars.

When on other duty, five hundred dollars.

When on leave of absence, or waiting orders, three hundred and sixty dollars.

Officers temporarily on duty of higher grade. Officers temporarily performing the duties belonging to those of a higher grade, shall receive the compensation allowed to such higher grade, while actually so employed.

On furlough. No officer shall be put on furlough but at his own request, and all

officers so furloughed shall receive one half only of the pay to which they would have been entitled if on leave of absence.

If any assistant surgeon shall have been absent from the United States, on duty, at the time others of his date were examined, he shall if not rejected at a subsequent examination be entitled to the same rank with them; and if from any cause, his relative rank cannot be assigned to him, he will retain his original position on the register.

One ration per day, only, shall be allowed to all officers when attached to vessels for sea service.

Sec. 2. *And be it further enacted,* That no allowance shall hereafter be made to any officer, in the naval service of the United States, for drawing bills, for receiving or disbursing money, or transacting any business for the government of the United States, nor shall he be allowed servants, or pay for servants, or clothing or rations for them or pay for the same, nor shall any allowance be made to him for rent of quarters or to pay rent for furniture, or for lights or fuel, or transporting baggage. It is hereby expressly declared that the yearly allowance provided in this act is all the pay, compensation, and allowance that shall be received under any circumstances whatever, by any such officer or person, except for travelling expenses when under orders, for which ten cents per mile shall be allowed.

APPROVED, March 3, 1835.

Rank of assistant surgeons under certain circumstances.

Rations.

No allowance to be made for drawing bills, &c.

STATUTE II.

March 3, 1835.

1831, ch. 85.

Construction of road within the District of Columbia.

CHAP. XXVIII.—*An Act supplementary to an act entitled "An act to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio railroad into and within the District of Columbia," passed December, eighteen hundred and twenty-nine. (a)*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Baltimore and Ohio Railroad Company be, and they are hereby, authorized to locate and construct their said road within the city of Washington, through squares nine hundred and nine, eight hundred and eighty-eight, eight hundred and fifty-eight, eight hundred and thirty-two, nine hundred and eight, eight hundred and eighty-seven, eight hundred and fifty-six, eight hundred and fifty-seven, eight hundred and thirty-one, eight hundred and seven, seven hundred and seventy-six, seven hundred and fifty-one, seven hundred and eighteen, in the same manner, and with the same rights and privileges which are granted to them by the act to which this is a supplement, for the construction of their said road within the District of Columbia, beyond the limits of the city of Washington, any thing in the said act contained to the contrary notwithstanding, and the assent of Congress is hereby given to the construction of the said railroad through or over any of the said lots or parts of lots which are owned by the United States.

(a) The following decision of the Supreme Court is introduced, as it is one of the occasions in which the Baltimore and Ohio railroad has been the subject of the legislation of Congress.

The state of Maryland, in 1836, passed a law directing a subscription of three millions of dollars to be made to the capital stock of the Baltimore and Ohio Railroad Company, with the following proviso, "that if the said company shall not locate the said road in the manner provided in this act, then and in that case, they shall forfeit one million of dollars to the state of Maryland, for the use of Washington county." In March, 1840, the state passed another act, repealing so much of the prior act as made it the duty of the company to construct the road by the route therein prescribed, remitting and releasing the penalty, and directing the discontinuance of any suit brought to recover the same. Held, that the proviso was a measure of state policy, which it had a right to change, if that policy was afterwards discovered to be erroneous; and neither the commissioners, nor the county, nor any one of its citizens, acquired any separate or private interest under it, which could be maintained in a court of justice. *State of Maryland v. The Baltimore and Ohio Railroad Company*, 3 Howard, 534.

It was a penalty, intended to be imposed on the company for disobeying the law; and the assent of the company to it, as a supplemental charter, was not sufficient to deprive it of the character of a penalty. *Ibid.*

A clause of forfeiture in a law is to be construed differently from a similar clause in an engagement between individuals. A legislature can impose it as a punishment; but individuals can only make it a matter of contract. Being a penalty, imposed by law, the legislature had a right to remit it. *Ibid.*

Extension of  
the road.

SEC. 2. *And be it further enacted*, That the main stem of the said railroad, after passing through the squares or lots above-named, or any of them, shall not be constructed west or south of a point at the intersection of H street north, with Delaware Avenue, until the route from that point to the final termination of the main stem of said road shall be surveyed and approved by the mayor, board of aldermen, and board of common council of the city of Washington; and when the said route shall be so surveyed and approved, the said company shall be, and they are hereby, authorized to construct the said railroad on the said route, under such restrictions and conditions as may be agreed upon by the said railroad company and the mayor, board of aldermen, and board of common council of the said city of Washington.

Road may pass  
through unim-  
proved lots or  
squares.

SEC. 3. *And be it further enacted*, That if the said route from the intersection of H street and Delaware Avenue should pass through any unimproved lots or squares, except public reservations, the said railroad company shall be, and they are hereby, authorized to construct their road through or over the same, upon the same terms, and with the same privileges, as are prescribed for passing through the squares enumerated in the first section of this act.

Branches may  
be constructed.

SEC. 4. *And be it further enacted*, That the said company are further authorized to construct branches of their road from the main stem thereof, within the said city, to such place or places, and in such number of tracts, as the corporate authority of the city of Washington shall assent to or permit: *Provided*, That the said branches shall not pass through any of the public reservations.

Proviso.

SEC. 5. *And be it further enacted*, That it shall be lawful for the said company, and they are hereby empowered to obtain, by gift or purchase, any lot or lots adjacent to any street or avenue along which the said company shall construct their said road or branches, and to hold and improve the same in such manner as may be necessary for the purposes of said company, or for the beneficial use of said road, or the branches thereof; and the said company shall be authorized to extend and construct tracks of railway into any lot or lots so held by them, in connection with the tracks in any adjacent street or avenue: *Provided*, That the free use of any street or avenue shall not be impaired thereby: *And provided, also*, That the said company shall not use or employ any steam engine in drawing or propelling the cars, wagons, or other vehicles, on any part of the said road within the city of Washington, except in such parts as may be agreed to by the corporate authorities of said city.

Company may  
obtain, hold, and  
improve lots.

Proviso.

SEC. 6. *And be it further enacted*, That such provisions of the act to which this is a supplement, as are inconsistent herewith, be, and the same are hereby, repealed.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

[Obsolete.]

Appropriations  
for light-boats,  
&c.

CHAP. XXIX.—*An Act making appropriations for building light-boats, beacons, and monuments, and placing buoys, for the year one thousand eight hundred and thirty-five, and for other purposes.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following appropriations be, and the same are hereby made, and directed to be paid out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide, by contract, for building light-boats, beacons, and monuments, and placing buoys, to wit:

Maine.

*State of Maine*.—For placing buoys in St. George's river, to wit: on Jenk's, Colmel's, Gay's cove, and Fullerton's ledges and Point of Rocks, seven hundred dollars.

For placing buoys in Passamaquoddy bay, and for substituting for the

present fog bell, at the entrance of said passage, a cast steel triangular bell, or a bell of the usual form, but increased weight, one thousand five hundred dollars.

For placing buoys or spindles on ledges of rocks called Fishing rocks, and Old Prince, at the entrance of Kennebunk and Cape Porpoise harbour, five hundred dollars.

For the erection of three beacons, on the following sites, in the harbour of Castine, viz: one on Otter rock, one on Homer's ledge, and one on Stubb's Point ledge, three thousand dollars.

For the erection of buoys on Alden's ledge, at the mouth of Portland harbour, fifteen hundred dollars.

For placing buoys on Heron Island ledge, at the mouth of Damariscotta river, and on Western rock, Eastern rock, and Kellsa's ledge, in said river, a sum not exceeding five hundred dollars.

*State of Massachusetts.*—For placing buoys, to wit, on West Island ledge, on Nye's ledge, and on the north-west and south-east end of Mattapoissett ledge, on Sunken ledge, and on Snow's rock, seven hundred dollars.

Massachusetts.

For completing the erection of a spindle on Minot's ledge, seven hundred and fifty dollars.

For a stone beacon on Collier's ledge, Vineyard sound, one thousand five hundred dollars.

For placing buoys at or near the following sites, in or near the harbour of Lynn: one on Lobster's rock, near the west side of Nahant, one on the Western rocks, one on the sand bar at the mouth of Sauger's river, and upon such other sites as may be necessary for safe navigation, five hundred dollars.

For two boat buoys, to be placed at or near the harbour of Nantucket, six hundred dollars.

For placing buoys in the harbour of New Bedford on the following sites, to wit: on Fort Flat, near Fairhaven, on Egg island, on Butler's flat, on Bartholomew's rocks, on Sandspit shoal, south-east of Dumping rocks, on the Sunken rocks, south of Dumping rocks, and on the ledge between Dumping rocks, and Mishone point, one thousand and fifty dollars.

For erecting beacons and placing buoys on proper sites in Buzard's bay, two thousand dollars.

For buoy, beacon or spindle on a sunken rock near the mouth of Green Bay, Plymouth, Massachusetts, one hundred and fifty dollars.

*State of Connecticut.*—For a spindle on the point of rocks near the mouth or entrance of Mystic river, a short distance easterly from the lighthouse on Morgan's point, in the town of Groton, two hundred and fifty dollars. For a light-boat, with a bell to be attached to the same, and anchored at Bartlett's reef, five thousand dollars.

Connecticut.

For making a foundation, and rebuilding thereon a beacon, near the entrance of Black Rock harbour, in Long Island sound, in addition to a former appropriation, seven thousand seven hundred and ten dollars.

1831, ch. 103.

*State of Rhode Island.*—For the erection of iron spindles on the Halfway rock, near the south end of the island of Prudence in Narragansett bay, and the Little Lime rock, in the harbour of Newport, three hundred dollars. For the erection of a beacon on the rock near the harbour of East Greenwich, called the Halfway rock, from the Warwick Neck point to Pattawomet harbour, five hundred dollars.

Rhode Island.

*State of New Jersey.*—For placing four buoys on Absecum and New Inlet, Gloucester county, four hundred dollars.

New Jersey.

*State of Maryland.*—For placing buoys at proper sites in the following rivers, viz: Nanticoke, Wicomico, Manokin, Annamuxox, and Pocomoke river and sound, Hooper's straits, and Tangier sound, one thousand and fifty dollars.

Maryland.

Virginia.

*State of Virginia.*—For a light-boat to be placed on Boler's rock, in the Rappahannock river, five thousand dollars.

For three buoys to be placed on proper sites in the channel of Chincoteague Inlet, four hundred and fifty dollars.

For three buoys to be placed on proper sites in the channel of Matapungo Inlet, four hundred and fifty dollars.

For a light-boat to be anchored at or near Ragged Point in the Potomac river, in the state of Virginia, or the erection of a light-house at Piney Point, in the State of Maryland, which of the two lights above mentioned as best adapted for the security of navigation, to be decided on by the Secretary of the Treasury, five thousand dollars.

North Carolina.

*State of North Carolina.*—For a light-boat to be placed on a proper site between Albemarle and Pamlico sound, five thousand dollars.

For building a light-boat to be stationed at or near Harbor Island, five thousand dollars.

South Carolina.

*State of South Carolina.*—For placing three buoys at the bar of the port of Georgetown, on proper sites, four hundred and fifty dollars.

For placing three buoys on proper sites in the north channel of Charleston harbour, four hundred and fifty dollars.

For one buoy on North Edisto bar, one in the Swash channel, on Combahee, two on South Edisto bar, two on the Bird Key channel, and one in Calibago sound, one thousand and fifty dollars.

For five beacon-lights at Charleston bar, five thousand dollars, if so much be necessary; one light to be so placed as to range precisely with the main light, when a vessel shall be crossing the bar at the Ship channel and in the deepest water; two to be placed on Morris' Island, to range with each other when a vessel shall be crossing the Overall channel and in the deepest water; one to be placed on Sullivan's Island, to the eastward of fort Moultrie; and another to be placed on the back of Sullivan's Island, or on the main, to range when a vessel shall have crossed the bar, and is steering northward.

Ohio.

*State of Ohio.*—For placing not less than five buoys at the entrance of Sandusky harbour, five hundred dollars. For placing two buoys at Port Clinton, at the mouth of Portage river, one hundred and fifty dollars.

Louisiana.

*State of Louisiana.*—For the purpose of replacing the twenty buoys that were on the coast of Louisiana, to mark out the channel from the vicinity of the lighthouse on Point au Fer, into the Atchafayala bay, or so many of them as may be sunk or have been destroyed, a sum not exceeding two thousand five hundred dollars.

Florida.

*Territory of Florida.*—For placing eight buoys in St. Mark's harbour, at proper sites, eight hundred dollars.

For placing four buoys at proper sites in the channel at the east end of St. George's island, Appalachicola bay, six hundred dollars.

For placing buoys to mark the channel through the east pass of Appalachicola bay and river, one thousand dollars.

Michigan.

*Territory of Michigan.*—For placing ten buoys to mark the channel at the mouth of the Miami of Lake Erie, and in Maumee bay, seven hundred dollars. For erecting a lighthouse at Mobile Point, eight thousand dollars; and for placing buoys in Mobile bay, five hundred dollars. For the preservation of Fairweather Island, and the lighthouse and other public buildings thereon, and securing Black Rock harbour, two thousand six hundred dollars.

APPROVED, March 3, 1835.

STATUTE II.

March 3, 1835.

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

[Obsolete.]  
Appropriations  
for the civil and

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

and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, viz :

For pay and mileage of the members of Congress and delegates, three hundred and fifty-three thousand two hundred and forty-eight dollars.

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

For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, including twenty thousand dollars deficiency of appropriation for the same objects for the year one thousand eight hundred and thirty-four, the sum of eighty-five thousand five hundred dollars.

For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, two hundred thousand dollars. The two sums last-mentioned to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives severally, and to no other purpose.

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars.

For clerks and messengers in the office of the Secretary of State, twenty thousand three hundred dollars.

For clerks, machinist, and messenger in the patent office, five thousand four hundred dollars.

For incidental and contingent expenses of the Department of State, including the expense of publishing and distributing the laws, twenty-five thousand dollars.

For contingent and incidental expenses of the patent office, two thousand dollars.

For compiling and printing the Biennial Register, one thousand eight hundred dollars.

For the superintendent and watchmen of the north-east executive building, one thousand five hundred dollars.

For contingent expenses of said building, including fuel, labour, oil, repairs of the buildings, three thousand three hundred and fifty dollars.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, sixteen thousand seven hundred dollars.

For compensation to the first comptroller of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand three hundred dollars.

For compensation to the second comptroller of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second comptroller, ten thousand four hundred and fifty dollars.

For compensation to the first auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the first auditor, fourteen thousand nine hundred dollars.

For compensation to the second auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the second auditor, seventeen thousand nine hundred dollars.

For compensation to the third auditor of the treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the third auditor, twenty-four thousand five hundred and fifty dollars.

For compensation to the fourth auditor of the treasury, three thousand dollars.

diplomatic expenses of government. Congress.

President and Vice President, &c.

Department of State.

Treasury Department.

Civil and diplomatic expenses of government.

For compensation to the clerks and messenger in the office of the fourth auditor, seventeen thousand seven hundred and fifty dollars.

For compensation to the fifth auditor of the treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the fifth auditor, twelve thousand eight hundred dollars.

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

For compensation to the clerks and messenger in the office of the treasurer of the United States, seven thousand one hundred and fifty dollars.

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

For compensation to the clerks and messengers in the office of the register of the treasury, twenty-four thousand two hundred dollars.

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

For compensation to the clerks and messengers in the office of the commissioner of the general land office, twenty thousand five hundred dollars.

For compensation to the solicitor of the treasury, three thousand five hundred dollars.

For compensation to the clerks and messenger in the office of the solicitor of the treasury, three thousand nine hundred and fifty dollars.

For compensation to the secretary to the commissioners of the sinking fund, to the seventh of February, one thousand eight hundred and thirty-five, twenty-six dollars and thirty-nine cents.

For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the Treasury Department, the following several sums, viz:

For the office of the Secretary of the Treasury, including the copying and expenses incurred in consequence of the burning of the treasury building, twelve thousand five hundred dollars.

For the office of the first comptroller, one thousand five hundred dollars.

For the office of the second comptroller, one thousand five hundred dollars.

For the office of the first auditor, eight hundred dollars.

For the office of the second auditor, one thousand dollars.

For the office of the third auditor, eight hundred dollars.

For the office of the fourth auditor, one thousand dollars.

For the office of the fifth auditor, one thousand dollars.

For the office of the treasury of the United States, seven hundred dollars.

For the office of the register of the treasury, three thousand dollars.

For the office of the solicitor of the treasury, one thousand dollars.

For the office of the commissioner of the general land office, including one hundred thousand parchments, and cost of printing patents, twenty-two thousand dollars.

For additional clerk hire in the issuing of military land scrip, making out of patents for Virginia military surveys, and for private land claims, and in adjusting the accounts of the surveyors general, four thousand dollars.

For compensation to six additional clerks, one year, to aid in registering sales of lands, and adjusting the accounts of receivers of public moneys, and for opening tract books, making indexes, and bringing up other arrears, six thousand dollars.

For renewing the old war office index of Virginia military warrants,

and patents issued on surveys made to satisfy the same, one thousand five hundred dollars.

Civil and diplomatic expenses of government.

For the preparation of maps to examine and check the quantities and technical designation of parts of fractional sections sold preparatory to the issuing of patents, and in comparing the charges made by surveyors general with the lines exhibited on the return of surveys, one thousand dollars.

For writing, recording, examining, making out lists, and transmitting eighty thousand patents, fifteen thousand dollars.

For additional clerk hire in the bureau of private land claims, to aid in the investigation of land titles; and writing and recording patents for private land claims; and recording deeds of transfer of lands reserved to individual Indians under treaties after conveyances by them, two thousand dollars.

For translations, and for expense of passports and sea letters, three hundred dollars.

For stating and printing the public accounts for the year one thousand eight hundred and thirty-five, one thousand four hundred dollars.

For compensation of superintendent and watchmen of the buildings occupied by the Treasury Department, including arrearages for one thousand eight hundred and thirty-three, the sum of two thousand four hundred and seventy-five dollars.

For incidental and contingent expenses of said building, including fuel, labour, oil, repairs, furniture, and for rent, amounting to three thousand seven hundred and fifty dollars, eight thousand dollars.

For compensation to the clerks and messengers in the office of the Secretary of War, twelve thousand six hundred and fifty dollars.

Department of War.

For contingent expenses of the office of the Secretary of War, three thousand dollars.

For books, maps, and plans for the War Department, one thousand dollars.

For messenger in the bounty land bureau, four hundred dollars.

For compensation to the commissioner of Indian affairs, three thousand dollars.

For compensation to the clerks and messenger in the office of Indian affairs, five thousand seven hundred dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks and messenger in the office of the paymaster general, four thousand six hundred dollars.

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks and messenger in the office of the commissary general of purchases, and for a clerk employed at the seat of government, four thousand two hundred dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerks in the office of [the] adjutant general, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For compensation to the clerks in the office of the quartermaster general, two thousand one hundred and fifty dollars.

For contingent expenses of said office, six hundred dollars.

For compensation to the clerks in the office of the commissary general of subsistence, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, including printing advertisements, two thousand five hundred dollars.

For compensation to the clerks in the office of the chief engineer, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, one thousand dollars.

For expenses of the lithographic press of the War Department, seven hundred and fifty dollars.

Civil and diplomatic expenses of government.

For compensation to the clerks in the ordnance office, two thousand nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the surgeon general, eleven hundred and fifty dollars.

For contingent expenses of said office, four hundred dollars.

For salary of the clerk in the topographical bureau, one thousand dollars.

For contingent expenses of the topographical bureau, one thousand two hundred and eighty-two dollars and fifty cents.

For the salary of the commissioner of pensions, two thousand five hundred dollars.

For salaries of clerks transferred from the office of the Secretary of War, four thousand eight hundred dollars.

For salaries of additional clerks, ten thousand six hundred dollars.

Act of June 7, 1832, ch. 126.

For additional or temporary clerk hire, to assist in the re-examination of claims and accounts, in order to carry into effect the act of the seventh of June, eighteen hundred and thirty-two, granting revolutionary pensions, three thousand four hundred dollars.

For messengers in the pension office, one thousand two hundred and fifty dollars.

For the pay of temporary clerks employed for five months to prepare a statement under the resolutions of the Senate of the sixth and thirtieth of June, eighteen hundred and thirty-four, required to be made during the recess of Congress, at an average of eighty dollars per month for each clerk, nine thousand one hundred and twenty dollars.

For printing, stationery, rent, expenses of procuring revolutionary records, and other contingencies in the office of the commissioner of pensions, six thousand five hundred dollars.

War office building.

For the salary of the superintendent and watchmen of the north-west executive building, twelve hundred and fifty dollars.

For the contingent expenses of said building, including fuel, labour, oil, furniture, repairs of building, the sum of one hundred and fifty dollars for the rent of rooms occupied by the bounty land bureau, and a deficiency of sixty-six dollars and sixty-six cents for the year eighteen hundred and thirty-three, three thousand two hundred and fifty dollars.

Department of the Navy.

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

For compensation to the commissioners of the navy board, ten thousand five hundred dollars.

For compensation to the secretary of the commissioners of the navy board, two thousand dollars.

For compensation to the clerks, draughtsman, and messenger, in the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.

For contingent expenses of the office of the commissioners of the navy board, one thousand eight hundred dollars.

For the salary of the superintendent of the south-west executive building, and the watchmen, twelve hundred and fifty dollars.

Post-office.

For compensation to the two assistant postmasters general, five thousand dollars.

For compensation to the clerks and messengers in the office of the Postmaster General, forty-one thousand one hundred dollars.

For contingent expenses of said office, seven thousand five hundred dollars.

For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.

For additional clerk hire for the year eighteen hundred and thirty-four,

thirty-eight thousand three hundred and fifty-five dollars and eighty-four cents.

Civil and diplomatic expenses of government.

For the services of a topographer and map-maker for obtaining materials and drawing maps of the several states and territories, one thousand dollars.

For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.

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

For additional clerk hire, in order to bring up the arrears, and transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, three thousand five hundred dollars.

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

For compensation to clerks in the office of said surveyor, four thousand eight hundred and twenty dollars.

For additional clerk hire, in order to bring up the arrears, and transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

For compensation to the surveyor general in Arkansas, one thousand five hundred dollars.

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

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

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

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

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

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

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

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, two thousand three hundred dollars.

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

For compensation to the clerk and draughtsman in the office of the said surveyor, one thousand dollars each.

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, one thousand dollars.

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

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

For additional clerk hire, in order to bring up the arrears, and for transcribing the field-notes of said office, for the purpose of having them preserved at the seat of government, five hundred dollars.

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

1833, ch. 91.

For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.

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

Library.

For salary of the principal and assistant librarians, and for contingent

Civil and diplomatic expenses of government.

expenses of the library, and pay of messenger, three thousand seven hundred and fifty dollars.

For new articles of furniture for the library of Congress, fifteen hundred dollars.

Mint.

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

For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, including one thousand dollars for the salary of an assistant assayer, twenty-three thousand dollars.

For incidental and contingent expenses and repairs, cost of machinery, for allowance for wastage in gold and silver coinage of the mint, thirty-nine thousand six hundred and fifty dollars.

For defraying the excess of expenditure in the several departments of the mint for the year one thousand eight hundred and thirty-four, beyond the appropriation for the year eighteen hundred and thirty-four, arising from the extra coinage consequent upon the act of the twenty-eighth June, eighteen hundred and thirty-four, relative to the gold coinage, including wastage on said coinage, twenty thousand dollars.

1834, ch. 96.

Michigan.

For compensation to the governor, judges, and secretary of the Michigan territory, including five hundred dollars arrearages of compensation to the governor of said territory, from thirtieth of June to thirty-first December, eighteen hundred and thirty-four, per act of thirtieth June, eighteen hundred and thirty-four, ten thousand five hundred dollars.

1834, ch. 164.

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

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, nine thousand nine hundred and twenty dollars.

For pay and mileage of the members of the legislative council, pay of the officers of the council, and the incidental expenses of an extra session of said council, held at Detroit in the year eighteen hundred and thirty-four, four thousand two hundred and sixty-eight dollars and eighty-one cents.

Arkansas.

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

1828, ch. 100.

For incidental expenses, per act of twenty-fourth of May, eighteen hundred and twenty-eight, seven hundred and twenty dollars.

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

For compensation and mileage of the members of the legislature of the territory of Arkansas, including fuel, stationery, printing and distribution of the laws, in addition to an unexpended balance of former appropriations of six thousand eight hundred and seventy-two dollars and fifty-six cents, the sum of two thousand five hundred and two dollars and forty-four cents.

Florida.

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

For the contingent expense of the Florida territory, three hundred and fifty dollars.

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and incidental expenses, per act of eighteenth June, one thousand eight hundred and thirty-four, and thirtieth June, one thousand eight hundred and thirty-four, seven thousand four hundred dollars.

1834, ch. 46,  
164.

For the printing and distribution of the laws and journals, and publication of the laws of said territory, in three newspapers, as required by law, one thousand eight hundred and ninety dollars.

For allowances to the law agent, assistant counsel, and district attorney,

under the acts for the settlement of private land claims in Florida, four thousand and fifty dollars.

Civil and diplomatic expenses of government.

For expenses of clerk hire, interpreter, office rent, and stationery, rendered necessary to the judge of the superior court of East Florida, at St. Augustine, in the performance of the services required of him under the act for the relief of inhabitants of East Florida, of June twenty-six, one thousand eight hundred and thirty-four, one thousand six hundred and seventy-five dollars.

1834, ch. 87.

For compensation to the chief justice, the associate judges, and district judges of the United States, eighty-one thousand four hundred dollars.

Judiciary.

For the expenses of printing the records of the Supreme Court of the United States, for the term of eighteen hundred and thirty-five, three thousand dollars.

For the salaries of the chief justice and associate judges of the District of Columbia, and of the judges of the orphans' courts of the said District, nine thousand five hundred dollars.

For compensation to the attorney general of the United States, four thousand dollars.

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

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

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

For compensation to the district attorneys and marshals, as granted by law, including those in the several territories, and including the sum of three thousand one hundred and seventy-five dollars, being a deficiency in the appropriation to meet the expenditure for the fourth quarter of one thousand eight hundred and thirty-four, fifteen thousand eight hundred and seventy-five dollars.

For defraying the expenses of the Supreme, circuit, and district courts of the United States, including the District of Columbia; also, for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures incurred in the year eighteen hundred and thirty-four, and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, three hundred thousand dollars.

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

Miscellaneous.

For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of lamps, oil, keepers' salaries, repairs and improvements, and contingent expenses, two hundred and sixty-eight thousand one hundred and fifty-two dollars and fifty-nine cents.

To make good a deficiency in the funds for the relief of sick and disabled seamen, as established by the acts of sixteenth July, seventeen hundred and ninety-eight, and third May, eighteen hundred and two, twenty-five thousand dollars.

1798, ch. 77.

1802, ch. 51.

For repairs of the marine hospital wharf at Chelsea, Massachusetts, five hundred dollars.

For enclosing the custom-house lot at Norfolk with a brick wall, and for repairs of the custom-house buildings, three thousand and four hundred and fifty dollars.

For repairs and for building an addition to the house occupied by the revenue officer having charge of the public property at Sandy Hook, New Jersey, four hundred dollars.

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

1834, ch. 45.

Civil and diplomatic expenses of government.  
1834, ch. 144.

For a beacon on the piers at the mouth of Genesee river and Sodus bay, as authorized by the act of the thirtieth June, eighteen hundred and thirty-four, in addition to a former appropriation of four thousand dollars, the sum of three thousand seven hundred and fifty dollars.

1834, ch. 144.

For a lighthouse or beacon-light on one of the piers at the harbour of Oswego, on Lake Ontario, as authorized by the act of the thirtieth of June, eighteen hundred and thirty-four, in addition to a former appropriation of three thousand six hundred and sixty-six dollars, the sum of six thousand four hundred and eighty-five dollars.

1834, ch. 144.

For the removal of the lighthouse now on the north end of Goat island, near the harbour of Newport, Rhode Island, as authorized by the act of the thirtieth of June, eighteen hundred and thirty-four, in addition to a former appropriation of thirteen thousand six hundred dollars, the sum of thirty-two thousand four hundred dollars.

For surveying the public lands, in addition to the unexpended balance of former appropriations, seventy thousand dollars.

1823, ch. 63.

For surveying the lots in the town of Peoria, in the state of Illinois, as authorized by the act of third March, eighteen hundred and twenty-three, five hundred dollars.

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

1834, ch. 92.

For compensation to the recorder, two commissioners, and translator, for the final adjustment of private land claims in Missouri, from the first January to the first of October, eighteen hundred and thirty-five, per act of the twenty-seventh June, eighteen hundred and thirty-four, the sum of four thousand five hundred and seventeen dollars.

For contingent expenses and office rent of said board, including five hundred dollars for conveying the final report to the seat of government, one thousand dollars.

For stationery and books for the office of commissioners of loans, one thousand two hundred dollars.

For additional payment for the statue of Washington, five thousand dollars.

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

Diplomatic expenses.

For the salaries of the ministers of the United States to France, Spain, and Russia, twenty-seven thousand dollars.

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

For the salary of the *drogoman* to the legation of the United States to Turkey, and for contingent expenses of that legation, six thousand five hundred dollars.

For outfit of a minister of the United States to Spain, nine thousand dollars.

For outfits to the *chargés des affaires* to Venezuela and Portugal, nine thousand dollars.

For outfit of a *chargé d'affaires* to Denmark or to Prussia, as may be required, four thousand five hundred dollars.

For contingent expenses of all the missions abroad, thirty thousand dollars.

For a balance due John Randolph Clay, *chargé des affaires* at Russia, thirteen hundred dollars.

For a balance due to Nathaniel Niles, late *chargé des affaires* at France, five thousand and fifteen dollars and sixty-two cents, in addition to the sum appropriated for his services as *chargé des affaires* aforesaid, by the act of thirtieth June, one thousand eight hundred and thirty-four.

1834, ch. 165.

To Captain John Downes the sum of one thousand and eighty dollars, in reimbursement of the cost of presents to the native authorities in the Society and Sandwich Islands while commanding the squadron of the United States in the Pacific ocean.

Civil and diplomatic expenses of government.

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

For the expenses of intercourse with the Barbary powers, seventeen thousand four hundred dollars.

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

For the contingent expenses of foreign intercourse, thirty thousand dollars.

For compensation and expenses of an agent to Havana, to procure the archives of Florida, four thousand five hundred dollars.

For completing a "Digest of Commercial Regulations of Foreign Countries," under the resolution of the House of Representatives of the third of March, eighteen hundred and thirty-one, including the sum of one thousand five hundred dollars for expenses in obtaining information from foreign countries, the sum of six thousand six hundred dollars.

Miscellaneous.

For compensation to Lemuel Slater, for services in collecting information, in the state of Rhode Island, upon the extent and condition of manufactures of that state, under the appointment of the Secretary of the Treasury, in eighteen hundred and thirty-two; eight hundred and ten dollars, and twenty-seven cents.

For completing the public warehouse, in Baltimore, sixty thousand dollars.

For the payment of the balance of the salary of Valentine Giesy, late superintendent of the Cumberland road, east of the Ohio river, eight hundred sixty-two dollars and eighty-seven cents.

For the purchase of a site and building a custom-house in the city of Boston, fifty thousand dollars, in addition to what may be obtained by a sale of the present custom-house, provided a suitable site can be obtained and a custom-house satisfactory to the Secretary of the Treasury can be built to cost not exceeding these appropriations for that purpose.

For the repair of the pier and wharves connected with the public stores on Staten Island, in consequence of the damage done to them by a late gale, for the rebuilding of the store thrown down in consequence of the breaking up of the foundation on which it stood by the same gale: and for putting on of a new roof and other repairs to the remaining store, the sum of thirty-eight thousand dollars, to be expended under the direction of the Secretary of the Treasury, and the work to be done upon contract in the ordinary mode of letting contracts for public works.

For payment for preparing, printing and binding the documents ordered to be printed, by Gales and Seaton, under the same restrictions and reservations as were contained in the appropriation for the same object, in the act of May the fifth, eighteen hundred and thirty-two, forty thousand dollars.

1832, ch. 74.

For payment for printing the documents relating to the public lands, and for binding, and for engraving the necessary maps, ordered to be printed by the Senate, ten thousand eight hundred and sixty dollars.

And the following sums for the military academy at West Point:

For defraying the expenses of the board of visitors at West Point, two thousand dollars.

For fuel, forage, stationery, printing, transportation and postage, nine thousand nine hundred and sixty-five dollars.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, carts, and fences, six thousand five hundred and twenty-eight dollars.

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

Civil and diplomatic expenses of government.

For philosophical apparatus and repairs of the same, five hundred and eighty-five dollars.

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

For completing the custom-house building and enclosing the lot, six thousand eight hundred dollars.

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

For the departments of mineralogy, artillery, and sword exercises, one thousand four hundred dollars.

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

For miscellaneous items, and incidental expenses, one thousand five hundred and fifty-eight dollars.

For pay of the officers, cadets and musicians, fifty-six thousand one hundred and thirty-two dollars.

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

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

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

For recording the opinions of the Supreme Court of the United States, two hundred and fifty dollars; which recording shall be done by the clerk of said court presently after the delivery of such opinions.

For the publication of the new System of Discipline and Tactics for the use of the army of the United States, two thousand six hundred dollars; and for compensation to Winfield Scott, the author and compiler, and for superintending the printing of the same, five thousand dollars.

For additional pay to the officers of the navy and the civil establishment of the navy yards, granted by act of the present session of Congress, two hundred and ninety-five thousand seven hundred and thirty-two dollars and seventy-four cents.

For alterations and repairs in the Capitol, including the domes of the chambers of the Senate and House of Representatives, replacing and renewing the copper of the same, and painting the ceiling of the Rotundo, twelve thousand five hundred dollars.

For salary of the gardener employed in superintending the Capitol square and other public grounds, one thousand dollars.

For lighting lamps and keeping the grounds and walks in order, including cost of trees and shrubs, four thousand five hundred dollars.

For protection of the waste water pipes and air pipe of the aqueduct of the Capitol and repairs of the pipes, five hundred dollars.

For alterations and repairs of the President's house, for gardener's salary, and for keeping the grounds and walks in order, including the cost of trees and shrubs, four thousand two hundred dollars.

For laying a line of iron water pipes from the State to the Navy Department, seventeen hundred dollars.

For improving Lafayette square, three hundred dollars.

For the annual expense of two fire engines, two hundred dollars.

For preparing the niches for the reception of the statues at the east front of the Capitol, four hundred and sixty dollars.

For repairing the culvert, at the west front of the Capitol, three hundred and eighty dollars.

For completing the work of repairing and putting in order the Congressional burial ground, six hundred dollars.

SEC. 2. *And be it further enacted*, That six hundred and fifty thousand acres of land, in addition to the quantity heretofore appropriated by the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth day of May one thousand eight hun-

March 3, 1835,  
ch. 27.

Land appropriated for unsatisfied warrants and certificates, &c.  
1830, ch. 215.

dred and thirty, and the act entitled "An act to extend the time for issuing military land warrants to officers and soldiers of the revolutionary war," approved the thirteenth day of July, one thousand eight hundred and thirty-two, and the act entitled "An act granting an additional quantity of land for the location of revolutionary bounty land warrants," approved the second day of March, one thousand eight hundred and thirty-three, be, and the same are hereby, appropriated, to be applied in the manner provided for in said acts, to the unsatisfied warrants whether original or duplicate, which have been or may be issued as therein directed to the officers, soldiers and others therein described; and the certificates of scrip, issued pursuant to said acts shall be receivable in payment for any of the public lands liable to sale at private entry: *Provided*, That no scrip shall be issued until the first day of September next, and warrants shall be received in the general land office until that day and immediately thereafter, if the amount filed exceed six hundred and fifty thousand acres, the commissioner of the general land office shall apportion the said six hundred and fifty thousand acres of land among the warrants which may be then on file, in full satisfaction thereof.

SEC. 3. *And be it further enacted*, That the second section of the act making appropriations for the civil and diplomatic expenses of the government, for the year one thousand eight hundred and thirty-four, is hereby repealed, and that the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, naval officers, surveyors, and their respective clerks, together with the weighers of the several ports of the United States, out of any money in the treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation in the year one thousand eight hundred and thirty-five, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth July, one thousand eight hundred and thirty-two, had not gone into effect: *Provided*, That no officer shall receive under this act a greater annual salary or compensation than was paid to such officer for the year one thousand eight hundred and thirty-two; and that in no case, shall the compensation of any other officers than collectors, appraisers and surveyors, whether by salaries, fees, or otherwise, exceed the sum of fifteen hundred dollars each per annum; nor shall the union of any two or more of these offices in one person entitle him to receive more than that sum per annum: *Provided*, That the whole number of custom-house officers in the United States on the first January, one thousand eight hundred and thirty-four, shall not be increased until otherwise allowed by Congress: *Provided, further*, That the said collectors, naval officers and surveyors shall render an account, quarterly, to the treasury, and the other officers herein named or referred to, shall render an account, quarterly, to the respective collectors of the customs, where they are employed, to be forwarded to the treasury, of all the fees and emoluments whatever by them respectively received; and of all expenses incident to their respective offices; which accounts shall be rendered on oath or affirmation, and shall be in such form, and be supported by such proofs, to be prescribed by the Secretary of the Treasury, as will, in his judgment, best enforce the provisions of this section, and show its operation and effect: *Provided also*, That any salary or compensation due for the year one thousand eight hundred and thirty-four, shall not be affected by this section.

SEC. 4. *And be it further enacted*, That no payment of the money appropriated by this act, or any other act passed at the present session of Congress, shall be made in the note or notes of any bank which shall not be at par value at the place where such payment may be made: *Provided* that nothing here contained shall be construed to make any thing but gold and silver a tender in payment of any debt due from the United States to individuals.

APPROVED, March 3, 1835.

1832, ch. 205.

1833, ch. 94.

Proviso.

Second section of the act making appropriations for 1834, ch. 92, repealed, and Secretary of the Treasury to pay certain amounts to officers of the customs.

1832, ch. 227.

Proviso.

Proviso.

Proviso.

Proviso.

Payments not to be made in bank notes below par at place of payment.

## STATUTE II.

March 3, 1835.

CHAP. XXXI.—*An Act for the continuation and repair of the Cumberland road in the states of Ohio, Indiana, and Illinois. (a)*

Appropriation for continuing the road in the state of Ohio;

Indiana.

Appropriation to complete the road east of the Ohio river, and to carry into effect the acts of Pennsylvania, Maryland, and Virginia.

Money appropriated not to be expended until the states accept the road.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the sum of two hundred thousand dollars be, and the same is hereby, appropriated, for the purpose of continuing the Cumberland road in the state of Ohio; also that the sum of one hundred thousand dollars be, and the same is hereby, appropriated, for continuing the Cumberland road in the state of Indiana; which sums shall be paid out of any money not otherwise appropriated, and replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the states of Ohio, Indiana, and Illinois into the Union, on an equal footing with the original states.

SEC. 2. *And be it further enacted,* That for the entire completion of repairs of the Cumberland road, east of the Ohio river, and other needful improvements on said road, to carry into effect the provisions of an act of the general assembly of Pennsylvania, entitled "An act for the preservation and repair of the Cumberland road," passed the fourth day of April, one thousand eight hundred and thirty-one, and of an act of the general assembly of the state of Maryland, entitled "An act for the preservation and repair of that part of the United States' road within the limits of the state of Maryland," passed the twenty-third day of January, one thousand eight hundred and thirty-two; also an act of the general assembly of Virginia, entitled "An act concerning the Cumberland road," passed February the seventh, one thousand eight hundred and thirty-two; the sum of three hundred and forty-six thousand one hundred and eighty-six dollars and fifty-eight cents be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of War.

SEC. 3. *And be it further enacted,* That before any portion of the sum by the second section of this act appropriated, shall be expended in the repair of said road, east of the Ohio river, agreeably to the provisions of this act, the same shall be surrendered to and accepted by the states, respectively, through which said road passes; and the United States shall not thereafter be subject to any expense in relation to said road.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

CHAP. XXXII.—*An Act amendatory of the act for the continuation of the Cumberland road.*

Line of road between Springfield, Ohio, and Richmond, Indiana, to be re-examined, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause the line of the national road, heretofore run between Springfield, in Clarke county, in the state of Ohio, and Richmond, in the state of Indiana, to be examined and reviewed by some competent engineer; and, on such review, the line of the national road to be run in such manner, and in such direction, as will best promote the public convenience and interest; and the location so made, if approved by the President of the United States, shall be established as the line between the said points.

APPROVED, March 3, 1835.

(a) See notes of the acts relating to the Cumberland road, vol. ii. p. 357.

STATUTE II.

CHAP. XXXIII.—*An Act to prescribe the punishments of consuls, commercial agents, and others, in certain cases.*

March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That if any consul, vice consul, commercial agent, or vice commercial agent, shall knowingly and falsely certify to any invoice, or other papers to which his certificate is by law authorized or required, he shall, on conviction thereof, in any court of competent jurisdiction, forfeit and pay a fine not exceeding ten thousand dollars, at the discretion of the court, and be imprisoned for a term not exceeding three years, at the like discretion.

Fine and imprisonment for giving false certificates.

APPROVED, March 3, 1835.

STATUTE II.

CHAP. XXXIV.—*An Act to change the place of holding the district court of the United States for the district of Mississippi.*

March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the district court of the United States for the district of Mississippi, now held at Natchez, shall hereafter be held at the town of Jackson, in the state of Mississippi, at the times now prescribed by law for the holding of said court.

Court to be held at Jackson.

APPROVED, March 3, 1835.

STATUTE II.

CHAP. XXXV.—*An Act to amend an act entitled "An act authorizing the construction of a bridge across the Potomac, and repealing all acts already passed in relation thereto."*

March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the act entitled "An act authorizing the construction of a bridge across the Potomac, and repealing all acts already passed in relation thereto," which was approved on the thirtieth of June, eighteen hundred and thirty-four, be, and the same is hereby, amended, so far as to authorize a connexion, by a solid embankment across the middle, commonly called the Swash channel, of the river Potomac, of the two embankments now constructing on the shoals of the said river, and the addition of the several improvements upon the plan of the said bridge, contemplated in the contract for the construction thereof, which are recommended in the letter of the engineer superintending the said work, to the Secretary of the Treasury, bearing date December first, eighteen hundred and thirty-four, and transmitted to the House of Representatives on the eighth of that month: *Provided,* That the said additional embankment and improvement shall not cause the entire cost of the said bridge to exceed, in amount, the sum of one hundred and thirty thousand dollars, already appropriated thereto.

Solid embankment across the Swash channel, &c.

Act of June 30, 1834, ch. 155.

Proviso.

APPROVED, March 3, 1835.

STATUTE II.

CHAP. XXXVI.—*An act to change the times of holding the district courts of the United States for the western district of Virginia, held at Clarksburg. (a)*

March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the second of August next, the sessions of the district court of the United States for the western district of Virginia, required by law to be holden at Clarksburg, shall be held on the first Mondays of June and November annually.

Court to be held on the first Mondays of June and November.

APPROVED, March 3, 1835.

(a) See notes of the acts relating to the district courts of Virginia, vol. iii. p. 479.

## STATUTE II.

March 3, 1835.

CHAP. XXXVII.—*An Act to authorize the removal of the land office at Wapaughkoneta to Lima, in the state of Ohio.*

Wapaughkoneta land office removed to Lima.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the land office at present established at Wapaughkoneta, in the state of Ohio, be removed to Lima, in Allen county, in the same state.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

CHAP. XXXIX.—*An Act to establish branches of the mint of the United States. (a)*

Branches of the mint to be established at

New Orleans;  
Charlotte;  
Dahlohnega.

Appropriation for purchasing sites, &c.

Officers to be appointed when the buildings are erected.

Salaries.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That branches of the mint of the United States shall be established as follows: one branch at the city of New Orleans for the coinage of gold and silver; one branch at the town of Charlotte, in Mecklinburg county, in the state of North Carolina, for the coinage of gold only; and one branch at or near Dahlohnega, in Lumpkin county, in the state of Georgia, also for the coinage of gold only. And for the purpose of purchasing sites, erecting suitable buildings, and completing the necessary combinations of machinery for the several branches aforesaid, the following sums, to be paid out of any money in the treasury not otherwise appropriated, shall be, and hereby are, appropriated: for the branch at New Orleans, the sum of two hundred thousand dollars; for the branch at Charlotte, fifty thousand dollars; for the branch at Dahlohnega, fifty thousand dollars.

SEC. 2. *And be it further enacted,* That, so soon as the necessary buildings are erected for the purpose of well conducting the business of each of the said branches, the following officers shall be appointed upon the nomination of the President, and with the advice and consent of the Senate: one superintendent, one treasurer, one assayer, one chief coiner, one melter, and one refiner. And the superintendent of each mint shall engage and employ as many clerks and as many subordinate workmen and servants as shall be provided for by law; and the salaries of the said officers and clerks shall be as follows:

For the branch at New Orleans, to the superintendent, the sum of two thousand five hundred dollars; to the treasurer, the sum of two thousand dollars; to the chief coiner, the sum of two thousand dollars; to the assayer, melter, and refiner, the sum of two thousand dollars each; to two clerks, the sum of twelve hundred dollars each; to the subordinate workmen, and servants, not exceeding twenty in number, such wages and allowances as are customary and reasonable, according to their respective stations and occupations. For the branches at Charlotte and Dahlohnega, to the superintendents, each the sum of two thousand dollars, who shall respectively discharge the duty of treasurers; to the chief coiners, each the sum of one thousand five hundred dollars; to the assayers, melters, and refiners, each the sum of one thousand five hundred dollars; to the clerks, not exceeding one at each branch, the sum of one thousand dollars; and to the subordinate workmen and servants, not

(a) Act of January 18, 1837, ch. 3.

An act to amend an act entitled "An act to establish branches of the mint of the United States," passed March 3, 1835. February 13, 1837, ch. 14.

An act to provide for the collection, safe keeping, transfer, and disbursement of the public revenue, July 4, 1840, ch. 41, sec. 4.

An act amendatory of an act establishing the branch mint at Dahlohnega, Georgia, and defining the duties of assayers and coiners, February 27, 1843, ch. 46.

An act to amend the act entitled "An act to establish branches of the mint of the United States," April 2, 1844, ch. 7.

Appropriation for a building in the place of the one destroyed by fire, at Charlotte, North Carolina, act of March 3, 1845, ch. 72.

exceeding the number of five at each of the said branches, such wages and allowances shall be paid as are customary and reasonable, according to their respective stations and occupations. And for the purpose of paying the said salaries, wages, allowances, and the incidental expenses of the said branches of the mint, for the year one thousand eight hundred and thirty-five, the following sums, to be paid out of any money in the treasury not otherwise appropriated, be, and the same hereby are, appropriated: for the branch at New Orleans, the sum of thirty-five thousand dollars; for the branches at Charlotte and Dahlohnega, the sum of fifteen thousand dollars each.

Appropriation for salaries, &c.

Sec. 3. *And be it further enacted*, That the officers and clerks to be appointed under this act, before entering upon the duties thereof, shall take an oath or affirmation before some judge of the United States, faithfully and diligently to perform the duties thereof; and shall each become bound to the United States of America, with one or more sureties, to the satisfaction of the director of the mint and the Secretary of the Treasury, with condition for the faithful and diligent performance of the duties of their offices.

Oath or affirmation of officers.

Sec. 4. *And be it further enacted*, That the general direction of the business of the said branches of the mint of the United States shall be under the control and regulation of the director of the mint at Philadelphia, subject to the approbation of the Secretary of the Treasury; and for that purpose, it shall be the duty of the said director to prescribe such regulations, and require such returns, periodically, and occasionally, as shall appear to him to be necessary for the purpose of carrying into effect the intention of this act in establishing the said branches; also, for the purpose of discriminating the coin which shall be stamped at each branch, and at the mint itself; also, for the purpose of preserving uniformity of weight, form, and fineness in the coins stamped at each place; and for that purpose, to require the transmission and delivery to him, at the mint, from time to time, such parcels of the coinage of each branch as he shall think proper to be subjected to such assays and tests as he shall direct.

General direction of branches to be under the direction of the director of the mint at Philadelphia.

Sec. 5. *And be it further enacted*, That all the laws, and parts of laws, made for the regulation of the mint of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offences connected with the mint or coinage of the United States, shall be, and the same are hereby, declared to be in full force, in relation to each of the branches of the mint by this act established, so far as the same shall be applicable thereto.

Laws for regulation of mint extended to the branches.

APPROVED, March 3, 1835.

STATUTE II.

CHAP. XL.—*An Act in amendment of the acts for the punishment of offences against the United States.* (a)

March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That if any one of more of the crew of any American ship or vessel on the high seas, or on any other

Revolt and mutiny on board a vessel to be punished by fine and

(a) *Revolt.*

Where there is a deviation from the voyage in the shipping articles, a refusal of the seamen, subsequently, to do duty on that account, does not amount in law to an endeavour to commit a revolt, under the act of Congress of 1835, ch. 40, sec. 2. *United States v. John Mathews*, 2 Sumner's C. C. R. 470.

To sustain an indictment for an endeavour to make a revolt, under the act of Congress of 1835, ch. 40, sec. 2, a confederacy or combination must be shown, between two or more of the seamen, to refuse to do further duty on board of the ship, and to resist the lawful commands of the officers. *The United States v. Alfred Cassidy et al.*, 2 Sumner's C. C. R. 582.

The contract of seamen for the voyage is not suspended or extinguished by the death, removal, or resignation of the original master; but they are bound to perform the voyage under any person who is lawfully substituted in his place. *Ibid.*

If a person substituted as master be grossly incompetent to the duties of his station, from want of

imprisonment,  
and not as a ca-  
pital offence.

waters within the admiralty and maritime jurisdiction of the United States, shall unlawfully, wilfully, and with force, or by fraud, threats, or other intimidations, usurp the command of such ship or vessel from the master or other lawful commanding officer thereof, or deprive him of his authority and command on board thereof, or resist or prevent him in the free and lawful exercise thereof, or transfer such authority and command to any other person not lawfully entitled thereto, every such person so offending, his aiders or abettors, shall be deemed guilty of a revolt or mutiny and felony; and shall, on conviction thereof, be punished by fine not exceeding two thousand dollars; and by imprisonment and confinement to hard labour not exceeding ten years, according to the nature and aggravation of the offence. And the offence of making a revolt in a ship, which now is, under and in virtue of the eighth section of the act of Congress, passed the thirtieth day of April, in the year of our Lord one thousand seven hundred and ninety, punishable as a capital offence, shall, from and after the passage of the present act, be no longer punishable as a capital offence, but shall be punished in the manner prescribed in the present act, and not otherwise.

1790, ch. 9.

Punishment for  
an endeavour to  
make a revolt or  
mutiny, &c.

SEC. 2. *And be it further enacted*, That if any one or more of the crew of any American ship or vessel on the high seas, or any other waters, within the admiralty and maritime jurisdiction of the United States, shall endeavour to make a revolt or mutiny on board such ship or vessel, or shall combine, conspire or confederate with any other person or persons on board to make such revolt or mutiny, or shall solicit, incite or stir up any other or others of the crew to disobey or resist the lawful orders of the master, or other officer of such ship or vessel, or to refuse or neglect their proper duty on board thereof, or to betray their proper trust therein, or shall assemble with others in a tumultuous and mutinous manner, or make a riot on board thereof, or shall unlawfully confine the master, or other commanding officer thereof, every such person so offending shall, on conviction thereof, be punished by fine, not exceeding one thousand dollars, or by imprisonment not exceeding five years, or by both, according to the nature and aggravation of the offence.

Punishment of  
master or other  
officer for mal-  
treating one or  
more of the  
crew.

SEC. 3. *And be it further enacted*, That if any master or other officer, (a) of any American ship or vessel on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, shall from malice, hatred or revenge, and without justifiable cause, beat, wound, or imprison, any one or more of the crew of such ship or vessel, or withhold from them suitable food and nourishment, or inflict upon them

skill or bad habits, or profligate and cruel behaviour, the seamen may be justified in refusing to do duty or to remain by the ship. *Ibid*.

The act of 1835, ch. 40, provides, "That if any one or more of the crew of an American ship or vessel on the high seas, &c., shall endeavour to make a revolt, &c., he and they shall be punished as provided in the act." Held, that a ship engaged in a whaling voyage, without having surrendered her register, or taken out an enrolment and license pursuant to the act of 1793, ch. 8, was not an American ship, within the purview of the act of 1835, ch. 40, and that an indictment would not hold, under this act, against the crew, for an endeavour to make a revolt. *The United States v. Rogers*, 3 Sumner's C. C. R. 342.

(a) The act of Congress of 1835, ch. 40, sec. 3, for the punishment of certain maritime offences, provides, "that if any master or other officer of an American ship or vessel shall, from malice, hatred, or revenge, and without justifiable cause, beat, wound or imprison any one or more of the crew of such ship or vessel," &c., he shall be punished in the manner stated in the act. Held, that "malice," in the sense of the act, signified wilfulness, or a wilful intention to do a wrongful act, and that to authorize a conviction under this act, two things must be shown: first, malice, or hatred, or revenge; and, secondly, a want of justifiable cause to inflict the injury. *United States v. Otis Taylor*, 2 Sumner's C. C. R. 584.

The master, when on board, has generally the sole authority to authorize punishment to be inflicted on any of the crew, and if he is present when punishment is inflicted by a subordinate officer, and can prevent it, and does not, he is personally responsible for the act; and neither the mate nor any subordinate officer has authority to punish any seaman, even for improper behaviour to himself personally, when the master is on board, except by authority, express or implied, by the master, or when the necessities of the service require instantaneous punishment, as by blows or otherwise, to compel a seaman to his duty. *Ibid*.

In the absence of the master, the next highest officer on board succeeds to his right and authority, pro tempore, so far as they are necessary for the due performance of the ship's duties. *Ibid*.

any cruel and unusual punishment, every such person so offending shall, on conviction thereof, be punished by fine, not exceeding one thousand dollars, or by imprisonment not exceeding five years, or by both, according to the nature and aggravation of the offence.

SEC. 4. *And be it further enacted*, That whenever any person indicted for any offence against the United States, whether capital or otherwise, shall upon his arraignment stand mute, or will not plead or answer thereto, it shall be the duty of the court to enter the plea of not guilty on his behalf, in the same manner as if he had pleaded not guilty thereto. And when the party shall plead not guilty, or such plea shall be entered as aforesaid, the cause shall be deemed at issue, and shall, without further form or ceremony, be tried by a jury. And in all trials in capital cases, if the party indicted shall peremptorily challenge above the number of jurors allowed by law, such excess of challenges shall be disallowed by the court, and the cause shall proceed for trial in the same manner as if the same [said] challenges had not been made.

SEC. 5. *And be it further enacted*, That whenever any person shall be convicted of any offence against the United States which is punishable by fine and imprisonment, or by either, it shall be lawful for the court by which the sentence is passed, to order the sentence to be executed in any house of correction, or house of reformation for juvenile delinquents within the state or district where such court is holden, the use of which shall be allowed and authorized by the legislature of the state for such purpose. And the expenses attendant upon the execution of such sentence shall be paid by the United States.

APPROVED, March 3, 1835.

Procedure in case a person arraigned shall stand mute, &c.

Challenge.

Court may order sentence to be executed in house of correction, &c.

STATUTE II.

March 3, 1835.

[Obsolete.]

Appropriations for roads from

CHAP. XLI.—*An Act making appropriations for certain roads, and for examinations and surveys, for the year one thousand eight hundred and thirty-five.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and they are hereby, appropriated, to be paid out of any unappropriated money in the treasury, for certain roads, and for making examinations and surveys, for the year one thousand eight hundred and thirty-five, viz :

For the road from Detroit to fort Gratiot, three thousand dollars.

For the road from Detroit to Saganaw bay, ten thousand dollars.

For the road from Detroit to Grand river of Lake Michigan, twenty-five thousand dollars.

For the road from Detroit towards Chicago, in the territory of Michigan, ten thousand dollars.

For the road from La Plaisance bay to intersect the road to Chicago, within the territory of Michigan, ten thousand dollars.

For the construction of a road from a point opposite to Memphis, to Wm. Strong's house, on the St. Francis river, in the territory of Arkansas, in addition to the balance of former appropriation, one hundred and six thousand dollars.

For defraying the expenses incidental to making examinations and surveys under the act of thirtieth of April, eighteen hundred and twenty-four, twenty-five thousand dollars.

For repairing the military road in Florida, from Pensacola to Tallahassee, and thence to St. Augustine, fifteen thousand dollars.

For the payment of Isaiah Frost, for work heretofore done by him, on the Cumberland road, the sum of three hundred and twenty dollars.

APPROVED, March 3, 1835.

Detroit to fort Gratiot ;  
Detroit to Saganaw ;  
Detroit to Grand river ;  
Detroit towards Chicago ;

La Plaisance bay to Chicago road ;  
Memphis to St. Francis river.

Examinations and surveys. 1824, ch. 46.

Road from Pensacola to Tallahassee.

Payment of Isaiah Frost.

## STATUTE II.

March 3, 1835.

CHAP. XLIII.—*An Act further to extend the time allowed for the execution of the duties of the commission for carrying into effect the convention with France.*

Act of July 13, 1832, ch. 199.  
Time extended to January 1, 1836.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the commission created by an act entitled "An act to carry into effect the convention between the United States and his majesty the king of the French, concluded at Paris on the fourth day of July, eighteen hundred and thirty-one," approved July thirteenth, eighteen hundred and thirty-two, shall be and is hereby, continued until the first day of January, eighteen hundred and thirty-six, for the execution of the duties prescribed by said act.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

CHAP. XLIV.—*An Act further to suspend the operation of certain provisoes of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth day of July, one thousand eight hundred and thirty-two.*

Act of July 14, 1832, ch. 227.  
Certain clauses of the second section suspended.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the provisoes of the tenth and twelfth clauses of the second section of the "Act to alter and amend the several acts imposing duties on imports," passed on the fourteenth day of July, one thousand eight hundred and thirty-two, be, and the same are hereby further suspended, until the end of the next session of Congress.

APPROVED, March 3, 1835.

## STATUTE II.

March 3, 1835.

CHAP. XLV.—*An Act to authorize the construction of a railroad upon the public lands, from Tallahassee to St. Marks, in Florida.*

Authority to construct road.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the president, directors, and stockholders organized in virtue of an act of incorporation from the governor and legislative council of the territory of Florida, be, and they are hereby, authorized to construct said road upon the public lands of the United States, so far as the line of said road has been or shall be made to pass through the same.

Land and timber granted to the company.

SEC. 2. *And be it further enacted,* That there be granted to the said railroad company, the land over which the said road shall pass, and thirty feet on each side of the same; and the said company shall have the privilege of using the timber on the public lands, for one hundred yards on each side of said railroad, in the construction and repair of said road.

Ten acres of land granted, at terminus of the road.

SEC. 3. *And be it further enacted,* That there shall be, and is hereby, granted to the said railroad company, ten acres of land, at the junction of the St. Marks and Waculla rivers, (the point where the road terminates,) exclusive of such portions as shall be actually improved by individuals, and now in their occupancy, and also exclusive of such portions as, in the opinion of the President, it may be expedient to preserve for the national defence, or other public use: *Provided, nevertheless,* That the several grants contained in this act, shall revert to the government of the United States, unless the said railroad be begun in five years from the passage of this act, and completed within ten years thereafter.

Proviso.

Provisions to extend to two companies authorized by acts of Alabama and Florida.

SEC. 4. *And be it further enacted,* That the foregoing provisions shall extend to two companies organized under the authority of acts of the legislature of Alabama, and of the governor and legislative council of the territory of Florida, for a railroad from Pensacola to the Chatahoochee river near Columbus in Georgia, and to such other point designated in the act of the legislature of Alabama, in said state

And also, another railroad authorized by acts of the legislature of the state of Georgia, and the territory of Florida, from the Saint John's river in East Florida, to the Suwanee river in said territory, or to Vacasom bay, at the mouth of said river.

And all the rights, privileges and authority conferred in the first and second sections of this act shall extend to the said companies mentioned in this section; and subject to the proviso of the third section, as to the time within which the railroads shall be commenced and completed.

APPROVED, March 3, 1835.

Provisions extended to railroad authorized by acts of Georgia and Florida.

STATUTE II.

March 3, 1835.

Office continued for two years.

Commissioner to be appointed.

Salary, and the franking privilege.

Duties transferred from the Secretary of the Treasury to the Secretary of War.

1823, ch. 53.

CHAP. XLVI.—*An Act to continue the office of commissioner of pensions.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the office of commissioner of pensions shall be, and the same is hereby, continued for the term of two years, from and after the fourth day of March next, and no longer.

SEC. 2. *And be it further enacted,* That a commissioner of pensions shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and that he shall execute, under the direction of the Secretary of War, such duties in relation to the various pension laws, as may be prescribed by the President.

SEC. 3. *And be it further enacted,* That the said commissioner shall receive an annual salary of twenty-five hundred dollars, and he shall also have the privilege of franking.

SEC. 4. *And be it further enacted,* That the duties heretofore required of, and performed by the Secretary of the Treasury, under the provisions of the act approved on the fifteenth of May, one thousand eight hundred and twenty-eight, granting allowances to the officers and soldiers of the revolutionary army, and in relation to Virginia claims for revolutionary services and deficiency of commutation, be and the same are hereby transferred to, and made the duties of the Secretary of War, from and after the first day of June next.

APPROVED, March 3, 1835.

STATUTE II.

March 3, 1835.

CHAP. XLVII.—*An Act authorizing the construction of a dry-dock for the naval service.*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Navy, under the direction of the President of the United States, be, and he is hereby, authorized to purchase a site, should it be deemed most advisable, and to cause a dry-dock for the naval service to be constructed, upon the most approved plan, in the harbour of New York, or its adjacent waters; and that toward defraying the expense thereof, the sum of one hundred thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1835.

Appropriation for the purchase of a site and the construction of a dry-dock in the harbour of New York.

STATUTE II.

March 3, 1835.

CHAP. XLVIII.—*An Act supplementary to the act of the fourth of July, eighteen hundred and thirty-two, entitled "An act for the final adjustment of the claims to lands in the south-eastern district of Louisiana. (a)"*

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the claims for lands within the south-eastern district of the state of Louisiana, described by the

Act of July 4, 1832, ch. 166. Claims confirmed.

(a) See notes of the acts relating to the adjustment of land claims in Louisiana, vol. iii. p. 523.

register and receiver of the said district, in their report to the Secretary of the Treasury, bearing date the fifth of September, eighteen hundred and thirty-three, at New Orleans, be, and the same are hereby confirmed against any claim on the part of the United States, except the different applications hereinafter specified, to wit: in class A of said report, the following numbers: three, ten, twenty-five, thirty-two, thirty-eight, and forty-six.

In class B, of said report, the following numbers, twenty-six, twenty-eight, twenty-nine, nineteen, twenty-three, forty-seven, thirteen, thirty-five, forty-two, and forty-three.

In class C, of said report, the following numbers: six, one hundred and eighty-six, two hundred and twenty, two hundred and twenty-one, and eighty-six, eighty-four and eighty-five, forty, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and ninety-one, one hundred and ninety-eight.

Transcript of title-papers, &c. to be reported to Secretary of Treasury, and laid before Congress.

SEC. 2. *And be it further enacted*, That it shall be the duty of the register and receiver, in said district, to make out a full and perfect transcript of all the title-papers and of the evidence in their office, in relation to the numbers excepted in the first section of this act, and report the same to the Secretary of the Treasury, with such other and further information in relation to said claims, as may be directed by the Secretary of the Treasury, for the final and just settlement of said claims on or before the commencement of the next session of Congress; and he is hereby required and directed to report the same to Congress as early as practicable thereafter, with his opinion touching the validity of said claims.

APPROVED, March 3, 1835.

#### STATUTE II.

March 3, 1835.

CHAP. XLIX.—*An Act to render permanent the present mode of supplying the army of the United States, and fixing the salary of certain clerks therein named.*

Sections of the act of April 14, 1818, ch. 61.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the seventh, eighth, ninth and tenth sections of the act, entitled "An act regulating the staff of the army," passed April fourteenth, eighteen hundred and eighteen, be, and the same are hereby, continued in force until repealed by Congress.

Compensation to officers.

SEC. 2. *And be it further enacted*, That the principal clerk in the office of the commissary general of subsistence, shall receive the annual sum of sixteen hundred dollars, one of the other clerks the sum of twelve hundred dollars, and the other clerk the sum of one thousand dollars, to be paid for the year eighteen hundred and thirty-five, out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1835.

#### STATUTE II.

March 3, 1835.

CHAP. L.—*An Act making appropriations for Indian annuities and other similar objects, for the year eighteen hundred and thirty-five.*

Appropriations for Indian annuities, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter mentioned, to be paid out of any money in the treasury not otherwise appropriated; that is to say:

Six Nations in New York.

To the Six Nations of Indians in New York, for the permanent annuity stipulated in the sixth article of the treaty with them, of the eleventh of

November, seventeen hundred and ninety-four, four thousand five hundred dollars.

Indian annuities, &c.

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

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

Senecas of New York. 1831, ch. 26.

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

Ottawas.

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, eight hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the seventeenth of September, eighteen hundred and eighteen, one thousand five hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-ninth of August, eighteen hundred and twenty-one, one thousand dollars.

To the Wyandots, for the permanent annuity, stipulated in the fourth article of the treaty of the third of August, seventeen hundred and ninety-five, one thousand dollars

Wyandots.

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, four hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaties of the twenty-ninth of September, eighteen hundred and seventeen, and the seventeenth of September, eighteen hundred and eighteen, four thousand five hundred dollars.

For the support of a blacksmith and assistant, stipulated in the tenth article of the treaty of the twenty-ninth of September, eighteen hundred [and] seventeen, seven hundred and twenty dollars.

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

To the Wyandots, Munsees, and Delawares, for the permanent annuity, stipulated in the fourth article of the treaty with them of the fourth of July, eighteen hundred and five, one thousand dollars.

Wyandots, Munsees, and Delawares.

To the Christian Indians, for the permanent annuity per act of the [twentieth] thirtieth of May, eighteen hundred and twenty-six, four hundred dollars.

Christian Indians. 1826, ch. 109.

To the Miamies, for the permanent annuity, stipulated in the fourth article of the treaty with them of the twenty-third of October, eighteen hundred and twenty-six, twenty-five thousand dollars.

Miamies.

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

For the pay of eight labourers, stipulated in the fourth article of same treaty, four hundred and eighty dollars.

For the purchase of two thousand pounds of iron, two hundred and fifty pounds of steel, and one thousand pounds of tobacco, stipulated in the same, six hundred and twenty dollars.

For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty of the sixth of October, eighteen hundred and eighteen, seven hundred and twenty dollars.

For the support of a miller, in lieu of a gunsmith, stipulated in [the] same, six hundred dollars.

For the purchase of one hundred and sixty bushels of salt, stipulated in [the] same, three hundred and twenty dollars.

To the Eel Rivers, for the permanent annuity, stipulated in the fourth

Eel Rivers.

Indian annuities, &c.

article of the treaty with them of the third of August, seventeen hundred and ninety-five, five hundred dollars.

For the permanent annuity, stipulated in the third article of the treaty of the twenty-first of August, eighteen hundred and five, two hundred and fifty dollars.

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

Pattawatamies.

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

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

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

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

For the limited annuity, stipulated in the fourth article of the treaty of the twenty-ninth of August, eighteen hundred and twenty-one, five thousand dollars.

For the limited annuity, stipulated in the third article of the treaty of the sixteenth of October, eighteen hundred and twenty-six, two thousand dollars.

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

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

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

For the support of a miller, stipulated in the third article of the treaty of the sixteenth of October, eighteen hundred and twenty-six, six hundred dollars.

For the purchase of one hundred and sixty bushels of salt, stipulated in same, three hundred and twenty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twentieth of September, eighteen hundred and twenty-eight, two thousand dollars.

For the limited annuities stipulated in same, one thousand dollars.

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

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

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

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

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

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

Pattawatamies of Huron.

To the Pattawatamies of Huron, for the permanent annuity stipulated in the second article of the treaty with them of the seventeenth of November, eighteen hundred and seven, four hundred dollars.

Pattawatamies of the Prairie.

To the Pattawatamies of the Prairie, for the limited annuity, stipulated in the third article of the treaty with them of the twentieth of October, eighteen hundred and thirty-two, fifteen thousand dollars.

For the annuity to three chiefs, for life, stipulated in same, one thousand dollars.

Indian annuities, &c.

To the Pattawatamies of the Wabash, for the limited annuity stipulated in the third article of the treaty with them of the twenty-sixth of October, eighteen hundred and thirty-two, twenty thousand dollars.

Pattawatamies of the Wabash.

To the Pattawatamies of Indiana, for the limited annuity stipulated in the fourth article of the treaty with them of the twenty-seventh of October, eighteen hundred and thirty-two, fifteen thousand dollars.

Pattawatamies of Indiana.

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

To the Chippewas, Ottawas, and Pattawatamies, for the support of a blacksmith and assistant, stipulated in the second article of the treaty with them of the twenty-ninth of July, eighteen hundred and twenty-nine, seven hundred and twenty dollars.

Chippewas, Ottawas, and Pattawatamies.

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

For the permanent annuity, stipulated in the second article of the treaty of the twenty-ninth of July, eighteen hundred and twenty-nine, sixteen thousand dollars.

For the purchase of fifty barrels of salt, stipulated in same, one hundred and twenty-five dollars.

To the Winnebagoes, for the limited annuities, stipulated in the second article of the treaty with them of the first of August, eighteen hundred and twenty-nine, eighteen thousand dollars.

Winnebagoes.

For the purchase of fifty barrels of salt, stipulated in same, one hundred and twenty-five dollars.

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

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

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

For pay of labourers, and for oxen, stipulated in same, three hundred and sixty-five dollars.

For the limited annuity, stipulated in the third article of the treaty of the fifteenth of September, eighteen hundred and thirty-two, ten thousand dollars.

For the purpose of education, stipulated in the fourth article of same, three thousand dollars.

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

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

For the services of two physicians, stipulated in same, four hundred dollars.

To the Menomonees, for the support of five farmers, and five females, housekeepers, stipulated in the second article of the treaty with them of the fifth of February, eighteen hundred and thirty-one, four thousand dollars.

Menomonees.

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

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

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

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

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

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

To the Chippewas, for the permanent annuity, stipulated in the fourth

Chippewas.

Indian annuities, &c.

article of the treaty with them of the third of August, seventeen hundred and ninety-five, one thousand dollars.

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

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

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, eight hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-fourth of September, eighteen hundred and nineteen, one thousand dollars.

For the support of a blacksmith at Saginaw, and for farming utensils and cattle, and for the employment of persons to aid them in agriculture, fixed by the act of the fifteenth of May, eighteen hundred and twenty, two thousand dollars.

For the purposes of education, during the pleasure of Congress, stipulated in the sixth article of the treaty of the fifth of August, eighteen hundred and twenty-six, one thousand dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians.

To the Chippewas, Menomonees, Winnebagoes, and New York Indians, for the purposes of education, during the pleasure of Congress, stipulated in the fifth article of the treaty with them of the eleventh of August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Sioux of Mississippi.

To the Sioux of Mississippi, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, two thousand dollars.

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

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

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

Yancton and Santie bands.

To the Yancton and Santie bands, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

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

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

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

Omahas.

To the Omahas, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, two thousand five hundred dollars.

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

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

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

Sacs of Missouri.

To the Sacs of Missouri, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, five hundred dollars.

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

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

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

Sacs.

To the Sacs, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

Foxes.

To the Foxes, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

To the Ioways, for the support of a blacksmith and assistant, stipulated in the fifth article of the treaty with them of the fourth of August, eight hundred and twenty-four, seven hundred and twenty dollars.

Indian annuities, &c.  
Ioways.

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

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

For the limited annuity, stipulated in the fourth article of the treaty of the fifteenth of July, eighteen hundred and thirty, two thousand five hundred dollars.

For the support of an assistant blacksmith, stipulated in same, four hundred and eighty dollars.

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

For agricultural implements, stipulated in same, six hundred dollars.

To the Sacs and Foxes, for the permanent annuity, stipulated in the third article of the treaty with them of the third of November, eighteen hundred and four, one thousand dollars.

Sacs and Foxes.

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

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

For agricultural implements, stipulated in same, sixty dollars.

For the limited annuity, stipulated in the third article of the treaty of the twenty-first of September, eighteen hundred and thirty-two, twenty thousand dollars.

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

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

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

For the purchase of forty kegs of tobacco, stipulated in same, four hundred dollars.

To the Sacs, Foxes, and Ioways, for the purposes of education, stipulated in the fifth article of the treaty with them of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

Sacs, Foxes,  
and Ioways.

To the Otoes and Missourias, for the limited annuity, stipulated in the fourth article of the treaty with them of the fifteenth of July, eight hundred and thirty, two thousand five hundred dollars.

Otoes and Mis-  
sourias.

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

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

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

For the purposes of education, stipulated in the fourth article of the treaty of the twenty-first of September, eighteen hundred and thirty-three, five hundred dollars.

For the support of two farmers, stipulated in the fifth article of the same, one thousand two hundred dollars.

To the Kansas, for the limited annuity, stipulated in the third article of the treaty with them of the third of June, eighteen hundred and twenty-five, three thousand five hundred dollars.

Kansas.

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

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

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

To the Osages, for the permanent annuity, stipulated in the fifth article of the treaty with them of the tenth of November, eighteen hundred and eight, one thousand five hundred dollars.

Osages.

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

Indian annuities, &c.

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

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

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

Kickapoos.

To the Kickapoos, for the limited annuity, stipulated in the fourth article of the treaty with them of the twenty-fourth of October, eighteen hundred and thirty-two, five thousand dollars.

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

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

Kaskaskias and Peorias.

To the Kaskaskias and Peorias, for the limited annuity, stipulated in the fifth article of the treaty with them of the twenty-seventh of October, eighteen hundred and thirty-two, three thousand dollars.

For agricultural implements, stipulated in the sixth article of the same, fifty dollars.

Kaskaskias, Peorias, Weas, and Piankeshaws.

To the Kaskaskias, Peorias, Weas, and Piankeshaws, for the support of a blacksmith and assistant, stipulated in the fifth article of the treaty with them of the twenty-ninth of October, eighteen hundred and thirty-two, seven hundred and twenty dollars.

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

Piankeshaws

To the Piankeshaws, for the permanent annuity, stipulated in the fourth article of the treaty with them of the third of August, seventeen hundred and ninety-five, five hundred dollars.

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

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

Weas.

To the Weas, for the permanent annuity, stipulated in the fifth article of the treaty with them of the second of October, eighteen hundred and eighteen, three thousand dollars.

Delawares.

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

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

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

For the permanent annuity, stipulated in the fifth article of the treaty of the third of October, eighteen hundred and eighteen, four thousand dollars.

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

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

For the permanent annuity, stipulated in the supplemental treaty of the fourteenth of September, eighteen hundred and twenty-nine, one thousand dollars.

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

Shawanees.

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

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

Indian annuities, &c.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-ninth of September, eighteen hundred and seventeen, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the seventh of November, eighteen hundred and twenty-five, seven hundred and twenty dollars.

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

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the eighth of August, eighteen hundred and thirty-one, seven hundred and twenty dollars.

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

To the Shawanees and Delawares, for [the] purposes of education, stipulated in the second article of the treaty with them of the twenty-sixth of October, eighteen hundred and thirty-two, five hundred dollars.

Shawanees and Delawares.

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

To the Shawanees and Senecas of Lewistown, for the permanent annuity, stipulated in the fourth article of the treaty with them of the seventeenth of September, eighteen hundred and eighteen, one thousand dollars.

Shawanees and Senecas of Lewistown.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the twentieth of July, eighteen hundred and thirty-one, seven hundred and twenty dollars.

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

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

Senecas of Lewistown.

For support of a blacksmith and assistant stipulated in the fourth article of the treaty of the twenty-eighth of February, eighteen hundred and thirty-one, seven hundred and twenty dollars.

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

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

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

Choctaws.

For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of November, eighteen hundred and five, three thousand dollars.

For the limited annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and sixteen, six thousand dollars.

For the permanent annuity, stipulated in the thirteenth article of the treaty of the eighteenth of October, eighteen hundred and twenty, six hundred dollars.

For annuity to a chief, stipulated in the fourteenth article of same, one hundred and fifty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twentieth of January, eighteen hundred and twenty-five, six thousand dollars.

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

Indian annuities, &c.

For annuity to a chief, stipulated in the tenth article of same, one hundred and fifty dollars.

For the limited annuity, stipulated in the seventeenth article of the treaty of the twenty-seventh of September, eighteen hundred and thirty, twenty thousand dollars.

For the purposes of education, stipulated in the twentieth article of same, twelve thousand five hundred dollars.

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

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

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

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

For the annuity to the speakers, secretaries, and captains, stipulated in same, five thousand one hundred and seventy-five dollars.

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

Chickasaws.

To the Chickasaws, for the permanent annuity, as provided for by the act of the twenty-fifth of February, seventeen hundred and ninety-nine, three thousand dollars.

1799, ch. 11.

For the purposes of education, stipulated in the second article of the treaty with them of the twenty-fourth of May, eighteen hundred and thirty-four, three thousand dollars.

For the purposes of education for the year eighteen hundred and thirty-four, as authorized by the second supplemental article of the treaty with the Chickasaws of the twenty-fourth of May, eighteen hundred and thirty-four, three thousand dollars.

Creeks.

To the Creeks, for the permanent annuity, stipulated in the fourth article of the treaty with them of the seventh of August, seventeen hundred and ninety, one thousand five hundred dollars.

For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of June, eighteen hundred and two, three thousand dollars.

Creeks, east.

To the Creeks, east, for the limited annuity stipulated in the eighth article of the treaty with them of the twenty-fourth of March, eighteen hundred and thirty-two, twelve thousand dollars.

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

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

For the purposes of education, stipulated in the thirteenth article of the same, three thousand dollars.

For the annuity to three chiefs, stipulated in the eleventh article of the same, four hundred dollars.

Creeks, west.

To the Creeks, west, for the limited annuity, stipulated in the fourth article of the treaty with them of the twenty-fourth of January, eighteen hundred and twenty-six, twenty thousand dollars.

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

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

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

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

For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty of the fourteenth of February, eighteen hundred and thirty-three, seven hundred and twenty dollars.

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

For the support of a wheelwright, or wagon-maker, stipulated in same, six hundred dollars. Indian annuities, &c.

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

To the Cherokees, for the permanent annuity, stipulated in the third and sixth articles of the treaty with them of the sixth of June, seventeen hundred and ninety-four, and the second of October, seventeen hundred and ninety-eight, six thousand dollars. Cherokees.

For the permanent annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and four, one thousand dollars.

For the permanent annuity, stipulated in the third article of the treaty of the twenty-fifth of October, eighteen hundred and five, three thousand dollars.

To the Quapaws, for the purposes of education, during the pleasure of the President, stipulated in the third article of the treaty with them of the thirteenth of May, eighteen hundred and thirty-three, one thousand dollars. Quapaws.

For the limited annuity, stipulated in the fourth article of the treaty of the thirteenth of May, eighteen hundred and thirty-three, two thousand dollars.

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

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

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

For the pay of an interpreter, stipulated in the sixth article of same, three hundred dollars.

To the Florida Indians, for the limited annuity, stipulated in the third article of the treaty with them of the eighteenth of September, eighteen hundred and twenty-three, four thousand six hundred and ten dollars. Florida Indians.

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

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

To the Pawnees, for the limited annuity, stipulated in the third article of the treaty with them of the ninth of October, eighteen hundred and thirty-three, four thousand six hundred dollars. Pawnees.

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

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

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

For support of four farmers, stipulated in the seventh article of same, two thousand four hundred dollars.

To the Cherokees, west, for the purposes of education, stipulated in the fifth article of the treaty with them of the sixth of May, eighteen hundred and twenty-eight, two thousand dollars. Cherokees, west.

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

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

For support of a wagon-maker and a wheelwright, stipulated in same, one thousand two hundred dollars.

For the expenses of transportation and distribution of annuities, salt, agricultural implements, tobacco, tools, &c., and other incidental expenses, twenty-nine thousand five hundred dollars.

For the removal of five thousand Seminoles to their lands west of the Removal of Seminoles.

Indian annuities, &c.

Mississippi, under the seventh article of the treaty with them of the ninth of May, eighteen hundred and thirty-two, thirty-three thousand three hundred and thirty-three dollars and thirty-three cents.

For the subsistence of the same for twelve months after their arrival west of the Mississippi, stipulated in the same, forty-eight thousand six hundred and sixty-six dollars and sixty-seven cents.

For a blanket and homespun frock to each individual of the same, stipulated in the third article of the same treaty, twenty-seven thousand five hundred dollars.

For the difference in value of cattle abandoned by them on the east, and of those to be delivered to them west of the Mississippi, stipulated in the fifth article of the same treaty, two thousand five hundred dollars.

Removal of Quapaws from Arkansas, &c.

For the removal of five hundred Quapaws from the Arkansas territory to their lands west of the Mississippi, stipulated in the third article of the treaty with them of the thirteenth of May, eighteen hundred and thirty-three, three thousand five hundred dollars.

For the subsistence of the same for twelve months after their arrival west of the Mississippi, stipulated in same, fourteen thousand six hundred dollars.

Subsistence of Choctaws west of the Mississippi, &c.

For the subsistence of one thousand five hundred Choctaws, west of the Mississippi, from April, eighteen hundred and thirty-four, to April, eighteen hundred and thirty-five, under the provisions of the sixteenth article of the treaty of Dancing Rabbit creek, of the twenty-seventh September, eighteen hundred and thirty, forty-three thousand eight hundred dollars.

For the purchase of looms and wheels, &c., &c., stipulated in the twentieth article of the same treaty, in addition to appropriations heretofore made, eleven thousand eight hundred dollars.

Removal of Cherokees west of the Mississippi, &c.

For the removal of one thousand Cherokees to the west of the Mississippi, under the provisions of the eighth article of the treaty of the sixth of May, eighteen hundred and twenty-eight, twenty thousand dollars.

For the subsistence of same for twelve months after their arrival west of the Mississippi, stipulated in the same treaty, twenty-five thousand five hundred dollars.

Certifying contracts for Creek reservations.

For the expense of certifying contracts for Creek reservations under the provisions of the treaty of the twenty-fourth of March, eighteen hundred and thirty-two, one thousand eight hundred dollars.

Locating reservations under treaty with Choctaws.

For the expense of locating reservations under the provisions of the treaty with the Choctaws, of the twenty-seventh of September, eighteen hundred and thirty, two thousand dollars.

Portion of annuity of Chickasaws for 1832.

To replace a portion of the annuity of the Chickasaws for the year eighteen hundred and thirty-two, stolen from the agent, in conformity with the provisions of the fourth article of the treaty with them of the twenty-fourth of May, eighteen hundred and thirty-four, one thousand dollars.

Holding treaties.

For holding treaties with the Caddo and Cammouche, and other wandering tribes of Indians, west of the state of Missouri and the territory of Arkansas, ten thousand dollars.

Fulfilling fifth article of treaty with Pattawatamies of Wabash.

For fulfilling the fifth article of the treaty with the Pattawatamies of the Wabash, dated October twenty-sixth, eighteen hundred and thirty-two, seven thousand three hundred and fifty-seven dollars and fifty cents.

Treaty with Pattawatamies of Indiana.

For carrying into effect the treaties recently ratified with the Pattawatamies of Indiana, and for negotiating the same, five thousand four hundred and sixty-nine dollars.

Treaty with Chippewas, Ottoways, and Pattawatamies, &c.

For carrying into effect the treaty with the Chippewas, Ottoways, and Pattawatamies, concluded at Chicago, September twenty-sixth, eighteen hundred and thirty-three, one million, thirty-two thousand six hundred and eighty-nine dollars and fifty-three cents.

For defraying the expenses of conducting said treaty, two thousand five hundred and thirty-six dollars and fifty-three cents.

Indian annuities, &c.

For the expense of an exploring party, of fifty Pattawatamies, from the Chicago agency, to the west of the Mississippi, nine thousand four hundred and fifty-three dollars.

Exploring party from Chicago.

To defray the expenses which have been incurred, or may be incurred in any negotiation with the Cherokees, for the cession of their claims in Georgia, Alabama, North Carolina and Tennessee, the sum of fourteen thousand one hundred and fifty-eight dollars seventy-five cents.

Negotiation with Cherokees for cession of their claims in Georgia, &c.

To defray the expenses of holding a treaty with the Caddo Indians, in Louisiana, and Arkansas, the sum of five thousand dollars.

Holding treaty with Caddos.

To repay William Marshall, this sum which he advanced by order of the commissioners, holding a treaty with the Pattawatamie Indians, in October, eighteen hundred [and] thirty-two, one thousand four hundred and forty-four dollars and twenty-five cents.

Repayment of William Marshall.

For refunding to Captain William R. Jouett, the expenses incurred in the necessary defence in two suits, brought by the American Fur Company, and Joseph Reuville, against him, in the district court of the United States, at Mineral point, in Michigan territory, on actions of trespass, for having seized certain spirits belonging to them, while in command of fort Snelling, and acting under orders from the War Department, and for the safety of said post, to prevent the said spirits from being used by the Indians, the sum of six hundred and forty-two dollars and thirty-seven cents.

Expenses incurred by Capt. W. R. Jouett.

SEC. 2. *And be it further enacted*, That if, in the valuation made or to be made, of the buildings, improvements, and other property, belonging to the American board of Commissioners for Foreign Missions, lying within the limits of the purchase made of the Choctaw tribe of Indians, at the treaty of the Dancing Rabbit creek, it shall be found that the said valuation is less than the original cost of the same, in that case, the estimated value shall be apportioned to the United States, and the said American board, pro rata, according to the sums advanced by them respectively, towards the aforesaid buildings and improvements, and the amount thus found due to the said board, shall be paid to the trustees thereof, out of any money in the treasury not otherwise appropriated.

Adjustment of claims of missionary board for property in Choctaw purchase.

SEC. 3. *And be it further enacted*, That the sum of eight hundred and ten dollars be paid to Mrs. Mitchell, wife of Edward Mitchell, for instructing the Choctaw Indians to spin and weave, in conformity with the request made by their chiefs and head men to the President of the United States at the treaty of Doak's Stand.

Payment to Mrs. Mitchell.

APPROVED, March 3, 1835.

CHAP. LXXVI. *An Act to provide for paying certain pensions at Jackson in the State of Tennessee.*

STATUTE II.  
March 3, 1835.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of War be, and he is hereby authorized and empowered to establish a pension agency at Jackson in the State of Tennessee, for the payment of pensioners of the United States resident in the counties of Hardin, McNairy, Hardiman, Fayette, Shelby, Tipton, Haywood, Madison, Henderson, Perry, Carroll, Gibson, Dyer, Obion, Weakley and Henry in the State of Tennessee. *Provided*, that the establishment of such agency can be made without any charge to the United States.

Pension agency to be established at Jackson.

Proviso.

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

Secretary of Treasury to make the arrangements.

SEC. 3. *And be it further enacted*, That this act shall not take effect until the first day of June next.

To take effect June 1, 1835.

APPROVED, March 3, 1835.

## RESOLUTIONS.

Jan. 27, 1835.

I. Whereas the Winchester and Potomac Railroad Company have found it impracticable to make the railroad through the grounds belonging to the United States at Harper's Ferry, agreeably to the exact tenor of the joint resolution passed for their benefit at the last session of Congress,

Ante, p. 744.

Road to be completed under the approval of the President.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the said Winchester and Potomac Railroad Company are hereby authorized to complete said railroad, as now located through said grounds, on paying the value of any improvements injured by the road, or giving authority to replace them in other positions, should they be deemed by the President of sufficient importance to be paid for or removed: *Provided, however,* That the road shall be constructed in such place, as far as it passes through the public grounds at Harper's Ferry, as may be approved by the President.

Proviso.

APPROVED, January 27, 1835.

Feb. 13, 1835.

II. A RESOLUTION presenting a gold medal to George Croghan, and a sword to each of the officers under his command, for their gallantry and good conduct, in the defence of Fort Stephenson, in eighteen hundred and thirteen.

Gold medal to be presented to Col. Croghan.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be requested to cause a gold medal to be struck, with suitable emblems and devices, and presented to Colonel Croghan, in testimony of the high sense entertained by Congress of his gallantry and good conduct in the defence of fort Stephenson, and that he present a sword to each of the following officers engaged in that affair; to Captain James Hunter, to the eldest male representative of Lieutenant Benjamin Johnston, and to Lieutenants Cyrus A. Baylor, John Meek, Ensign Joseph Duncan, and the nearest male representative of Ensign Edmund Shipp, deceased.

Swords to be presented other officers.

APPROVED, February 13, 1835.

Feb. 13, 1835.

III. RESOLUTION for the disposition of a lion and two horses, received as a present by the consul of the United States at Tangier, from the Emperor of Morocco.

President to cause the horses to be sold, and to present the lion to some institution.

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the President of the United States be, and he is hereby authorized to cause the two horses received as a present by the consul of the United States at Tangier, from the Emperor of Morocco, to be sold in Washington city, by public auction, on the last Saturday of February, one thousand eight hundred and thirty-five, and to cause the proceeds thereof to be placed in the treasury of the United States, and that the lion, received in like manner, be presented to such suitable institution, person, or persons as the President of the United States may designate.

APPROVED, February 13, 1835.

# APPENDIX I.

*ACTS of the states of Virginia, Pennsylvania, and Maryland, and of the Congress of the United States, incorporating the Chesapeake and Ohio Canal Company—the Proceedings of the General Special Meeting of the Potowmac Company, declaring their assent thereto, made necessary by said acts, to which are added, extracts from the Charter of the Potowmac Company. [See Act of May 23, 1828, ch. 85, cited page 292.]*

## ACT OF THE STATE OF VIRGINIA.

*An Act incorporating the Chesapeake and Ohio Canal Company.*

Jan. 27, 1824.

Preamble.

WHEREAS a navigable canal from the tide water of the river Potowmac, in the District of Columbia, to the mouth of Savage creek on the north branch of said river, and extending thence, across the Alleghany mountain, to some convenient point on the navigable waters of the river Ohio, or some one of its tributary streams, to be fed, through its course, on the east side of the mountain, by the river Potowmac and the streams which empty therein, and on the western side of the mountain, and in passing over the same, by all such streams of water as may be beneficially drawn thereto by feeders, dams, or any other practicable mode, will be a work of great profit and advantage to the people of this state, and of the neighbouring states, and may, ultimately, tend to establish a connected navigation between the eastern and western waters, so as to extend and multiply the means and facilities of internal commerce and personal intercourse between the two great sections of the United States, and to interweave more closely all the mutual interests and affections that are calculated to consolidate and perpetuate the vital principles of union; and whereas it is represented to this General Assembly, that the Potowmac Company are willing and desirous that a charter shall be granted to a new company, upon the terms and conditions hereinafter expressed; and that the charter of the present company shall cease and determine,

1. *Be it therefore enacted by the General Assembly of Virginia,* That so soon as the Legislatures of Maryland and Pennsylvania, and the Congress of the United States, shall assent to the provisions of this act, and the Potowmac company shall have signified their assent to the same, by their corporate act, a copy whereof shall be delivered to the executives of the several states aforesaid, and to the Secretary of the Treasury of the United States, there shall be appointed by the said executives and the President of the United States, three commissioners on the part of each state, and of the government of the United States, any one of whom shall be competent to act for his respective government. The said commissioners shall cause books to be opened at such times and places as they shall think fit, in their respective states, and the District of Columbia, under the management of such persons as they shall appoint, for receiving subscriptions to the capital stock of the company hereinafter incorporated; which subscriptions may be made either in person or by power of attorney; and notice shall be given in such manner as may be deemed advisable, by one or more of the said commissioners, of the time and places of opening the books.

Commissioners to be appointed.

Subscriptions.

2. And the said commissioners shall cause the books to be kept open at least forty days, and, within twenty days after the expiration thereof, shall call a general meeting of the subscribers at the city of Washington, of which meeting notice shall be given, by a majority of the commissioners aforesaid, in at least

Regulations as to subscriptions.

Act of Virginia. four of the newspapers printed in Pennsylvania, Maryland, and Virginia, and the District of Columbia, at least twenty days next before the said meeting, and such meeting shall, and may be, continued from day to day until the business is finished; and the commissioners, at the time and place aforesaid, shall lay before such of the subscribers as shall meet according to the said notice, the book containing the state of the said subscriptions: and, if one-fourth of the capital sum of six millions of dollars should appear not to have been subscribed, then the said commissioners, or a majority of them, at the said meeting, are empowered to take and receive subscriptions to make up such deficiency, and may continue to take and receive such subscriptions for the term of twelve months thereafter; and a just and true list of all the subscribers, with the sum subscribed by each, shall be made out, and returned by the said commissioners or by a majority of them, under their hands, to the board of public works of this state, to the governor and council of the state of Maryland, to the Secretary of State of the state of Pennsylvania, and to the Secretary of the Treasury of the United States, to be carefully preserved; and in case more than six millions of dollars shall be subscribed, then the sum subscribed shall be reduced to that amount, by the said commissioners, or a majority of them, by beginning at and striking off a share from the largest subscription or subscriptions, and continuing to strike off a share from all subscriptions under the largest and above one share, until the same is reduced to the capital aforesaid, or until a share is taken from all subscriptions above one share; and lots shall be drawn between subscribers of equal sums, to determine the number of shares which each subscriber shall be allowed to hold, on a list to be made for striking off as aforesaid; and if the sum subscribed still exceed the capital aforesaid, then to strike off by the same rule, until the sum subscribed is reduced to the capital aforesaid, or all the subscriptions reduced to one share respectively; and, if there still be an excess, then lots shall be drawn to determine the subscribers who are to be excluded, in order to reduce the subscription to the capital aforesaid; which striking off shall be certified on the lists aforesaid; and the said capital stock of the company, hereby incorporated, shall consist of six millions of dollars, divided into sixty thousand shares, of one hundred dollars each; of which every person subscribing may take, and subscribe for one or more whole shares, and such subscriptions may be paid and discharged either in the legal currency of the United States, or in the certificates of stock of the present Potowmac Company, at the par or nominal value thereof, or in the claims of the creditors of the said company, certified by the acting president and directors to have been due, for principal and debt, on the day on which the assent of the said company shall have been signified by their corporate act as hereinbefore required: *Provided*, That the said certificates of stock shall not exceed, in the whole amount, the sum of three hundred and eleven thousand one hundred and eleven dollars and eleven cents; nor the said claims the sum of one hundred and seventy-five thousand eight hundred dollars: *Provided, also*, That the stock so paid for in certificates of the stock of the present company, and of the debts due from the said company, shall be entitled to dividend, only as hereinafter provided; and that no payment shall be received, in such certificates of stock, until the Potowmac Company shall have executed the conveyance prescribed by the thirteenth section of this act. *And provided*, That, unless one-fourth of the said capital shall be subscribed, as aforesaid, all subscriptions made in consequence of this act, shall be void; and, in case one-fourth, and less than the whole capital, shall be subscribed as aforesaid, then the said commissioners, or a majority of them, are hereby empowered and directed to take and receive the subscriptions, which shall first be offered in whole shares, as aforesaid, until the deficiency shall be made up; a certificate of which additional subscription shall be made, under the hands of said commissioners, or a majority of them, for the time being, and returned as aforesaid.

Incorporation  
of the company.

Name.

3. *And be it further enacted*, That, whenever one-fourth, or a greater part of the said stock shall have been subscribed, in the manner aforesaid, then the subscribers, their heirs and assigns, shall be, and are hereby, declared to be incorporated into a company by the name of the "Chesapeake and Ohio Canal Company," and may sue and be sued, and, as such, shall have perpetual succession, and a common seal; and the estates, rights, and interests of the said company, shall be adjudged and taken in law to be real estate; and it shall, thereupon, be the duty of the said commissioners, or a majority of them, to call a general meeting of the said subscribers, at such time and place as they, or a majority of them, shall appoint, after advertising the same, in such public

prints as they, or a majority of them, may think proper, and such of the said subscribers as shall be present at the said meeting, or a majority of them, are hereby empowered and required to elect a president and six directors, for conducting the said undertaking, and managing all the said company's business and concerns, for, and during such time, not exceeding three years, as the said subscribers, or a majority of them, shall think fit; and, in counting the votes of all general meetings of the said company, each member shall be allowed one vote for every share, as far as ten shares, and one vote for every five shares above ten, by him or her held at the time, in the stock of the said company; and any proprietor, by writing, under his or her hand, executed before two witnesses, may depute any other member or proprietor, to vote and act as proxy for him or her, at any general meeting: *Provided, also*, That no officer or director of said company shall, under any circumstances, be allowed to vote on any stock but his own.

Act of Virginia.

4. *And be it further enacted*, That the said president and directors, and their successors, or a majority of them, assembled, shall have full power and authority to appoint, and, at their pleasure, dismiss such engineer or engineers, and agent or agents, as they may deem expedient, and to fix their compensation; and to agree with any person or persons, on behalf of the said company, to cut canals, erect dams, open feeders, construct locks, and perform such other works, as they shall judge necessary or expedient, for completing the canal hereinbefore mentioned and described; and, out of the money arising from the subscriptions and tolls and other aids, hereinafter given, to pay for the same, and to repair and keep in order the said canals, locks, and other works necessary thereto, and to defray all incidental charges; and also to appoint a treasurer, clerk, and other officers, toll-gatherers, managers, and servants, as they shall judge requisite, and to agree for, and settle their respective wages or allowances; and to settle, pass, and sign their accounts; and also to make and establish rules of proceeding, and to transact all other business and concerns of the said company, in and during the intervals between the general meetings of the same; and they shall be allowed as a compensation for their trouble therein, such sum of money as shall, by a general meeting of the stockholders, be determined: *Provided always*, That the treasurer shall give bond, in such penalty and with such security, as the said president and directors, or a majority of them, shall direct, for the true and faithful discharge of the trust reposed in him, and that the allowance to be made him for his services, shall not exceed three dollars in the hundred for the disbursements by him made; and that no officer in the company shall have any vote in the settlement or passing of his own account.

Powers of the president and directors.

5. *And be it further enacted*, That, on all subscriptions which shall not be paid, as hereinbefore provided, in certificates of the stock or debts of the present Potowmac Company, there shall be paid, at the time of subscription, on each share one dollar; and thereafter, when the company shall be formed, the stock subscribed shall be paid on such instalments, and at such times, as the president and directors shall, from time to time, require, as the work advances: *Provided*, That not more than one-third part shall be demanded within any year, from the commencement of the work: nor any payment demanded within any year from the commencement of the work: nor any payment demanded, until at least sixty days' public notice thereof shall have been given, in such public newspapers as the said president and directors shall direct such notices to be published in; and, whenever any subscriber shall fail to pay any instalment called for by the company, it shall and may be lawful for the company, upon motion to be made in any court of record, after ten days' notice, to obtain judgment against the subscriber so failing to pay; or the said company, at their option, may, after giving sixty days' notice, in such public newspaper, printed within the District of Columbia, as they may judge proper, sell the stock of such subscriber; and, if the proceeds of any such sale shall exceed the sum demanded, the surplus, after paying the expenses of such sale, shall be paid to the subscriber so failing, or to his legal representatives; and the purchaser, at such sale, shall become a stockholder, and be subject to the same rules and regulations, and entitled to the same privileges, rights and emoluments, as original subscribers under this act.

Their compensation.

How subscriptions shall be paid.

6. And to continue the succession of the said president and directors, and to keep up the same number: *Be it enacted*, That, from time to time, upon the expiration of the said term for which the said president and directors were appointed, the stockholders of the said company, at the next general meeting,

Election of president and directors.

- Act of Virginia. shall either continue the said president or directors, or any of them, or choose others in their stead, and, until such choice be made, the president and directors for the time being shall continue in office; and, in case of the death, removal, resignation, or incapacity of the president, or any of the said directors, may and shall, in manner aforesaid, elect any other person or persons to be president and directors, in the room of him or them so dying, removing, or resigning; and may, at any of their general meetings, remove the president, or any of the directors, and appoint others for and during the remainder of the term for which such person or persons were at first to have acted.
- Oath. 7. *And be it enacted*, That every president and director, before he acts as such, shall take an oath or affirmation for the due execution of his office.
- General meeting. 8. *And be it enacted*, That the presence of stockholders, having a major part of the stock at least, shall be necessary to constitute a general meeting of the stockholders, which shall be held on the first Monday in June in every year, at such convenient town or place as shall be, from time to time, appointed by the said general meeting: but, if a sufficient number shall not attend on that day, the stockholders who do attend, may adjourn from time to time, until the stockholders holding the major part of the stock do attend, and the business of the company is finished; to which meeting the president and directors shall make report, and render distinct accounts of all their proceedings; and, on finding them fairly and justly stated, the stockholders then present, or a majority of them, shall give a certificate thereof, a duplicate of which shall be entered on the company's books; and at such yearly general meetings, after leaving in the hands of the treasurer such sums as the stockholders, or a majority of them, shall judge necessary for repairs and contingent charges, an equal dividend of all the net profits arising from the tolls hereby granted, shall be ordered and made to and among all the stockholders of the said company, in proportion to their several shares, subject to the provisions and enactments hereinafter declared; and, upon any emergency in the interval between the said yearly meetings, the said president, or a majority of the said directors, may appoint a general meeting of the stockholders of the company, at any convenient town or place, giving at least one month's previous notice, in at least four of the newspapers in Pennsylvania, Maryland, Virginia, and the District of Columbia; which meeting may be adjourned and continued as aforesaid: and in case the stockholders, or a majority of them, in any general meeting aforesaid, shall deem it expedient to order a semi-annual, rather than a yearly dividend as aforesaid, then, in like manner, with like notice, and under like restrictions, there shall be a half-yearly, or semi-annual dividend of net profits declared and paid.
- Improvements vested in the stockholders. 9. *And be it enacted*, That, for and in consideration of the expenses the said stockholders will be at, not only in cutting the said canal, erecting locks and dams, providing aqueducts, feeders, and other works, and in improving and keeping the same in repair, the said canal and all other works aforesaid, or required to improve the navigation thereof, at any time hereafter, with all their profits, subject to the limitations herein provided, and to none other, shall be, and the same are hereby, vested in the said stockholders, their heirs and assigns, for ever, as tenants in common, in proportion to their respective shares, and be for ever exempt from the payment of any tax, imposition, or assessment whatsoever; and that it shall and may be lawful for the said president and directors, at all times, for ever hereafter, to demand and receive, at such places as shall hereafter be appointed by the president and directors aforesaid, tolls for the passage of vessels, boats, rafts, produce, and all other articles, at such rates as the said president and directors may hereafter allow and establish, according to the provisions of this act.
- To be exempt from taxation. 10. *And be it enacted*, That if the commissioners hereby required to be appointed, shall die, resign or refuse to act, the vacancy occasioned thereby shall be filled by the same authority by which the original appointment was made; and the person or persons appointed to fill such vacancy, shall have all the power and authority which was vested in the commissioner whose place he or they shall be appointed to supply; and when any part of the canal aforesaid shall have been completed, according to the true intent and meaning of this act, the president and directors of the company hereby created, shall have power, and it shall be their duty to ordain and establish a rate of tolls to be paid upon boats, vessels, rafts, or other property, passing on the part of the canal so completed; and so, from time to time, as part or parts shall be completed; and until the eastern section thereof shall be finished up to the mouth of Savage river or creek; and, thereafter, until the entire
- Toll to be received.
- Commissioners.
- Collection of tolls, &c.

canal shall have been finished according to the true intent and meaning of this act. For the collection of which tolls, the president and directors shall have power to establish so many toll-houses, and at their pleasure to appoint and remove so many collectors, and at such places as from time to time they may judge expedient; and the said president and directors shall have full authority, subject to the direction and control of a majority in interest of the stockholders represented in any general meeting, to regulate and fix a tariff of tolls, not exceeding an average of two cents per ton per mile; and so to adjust the said tolls, in relation to the capacity or burden of the boats, and the dimensions of the rafts passing the locks of the said canal, as to promote economy of water and time in the navigation thereof.

Act of Virginia.

Dividends.

11. *And be it enacted*, That the president and directors shall, annually, or semi-annually, declare and make such dividend of the net profits, from the tolls to be received according to the provisions of this act, and from the other resources of the company, as they may deem advisable, after deducting therefrom the necessary current, and the probable contingent expenses, to be divided among the proprietors of the stock of the said company, in proportion to their respective shares, in manner following; that is to say: if such net profits shall not exceed ten per cent. on the amount of shares, which shall have been paid for in current money of the United States, and expended on the eastern section of the said canal, then the whole thereof shall be divided among the holders of such shares, in proportion to their respective shares; but, if such net profits shall exceed the rate of ten per cent. per annum in any year, on such amount of stock, then the surplus shall be divided among such stockholders as shall have paid for their shares in certificates of the debts of the Potowmac Company, until they shall therefrom have received a dividend of six per cent.; and, if a surplus yet remain, the same shall be divided among the stockholders who shall have paid for their shares in certificates of the stock of the Potowmac Company, until they shall have received therefrom a dividend of six per cent. per annum on such shares; and if a surplus still remain, so long as the western section of the canal shall remain unfinished, such surplus shall be applied, from time to time, to the construction and completion thereof, in such mode as the president and directors, under such rules and regulations, not inconsistent with the constitution of the United States, or of the several states aforesaid, as the stockholders, or a majority thereof, in general meeting, may prescribe, until the western section of the canal shall be also completed; after which, if such surplus shall still arise, the same shall be divided among all the stockholders, without discrimination, in proportion to their respective shares, until the annual dividend thereon shall have reached fifteen per cent., beyond which it shall never extend. But should the net revenue of the company exceed that amount for any two years in succession, then such excess shall be applied, by the president and directors, in such mode as shall be agreed on by a majority of the stockholders convened in general meeting; first, to strengthening and improving the works of the canal of every description requiring the same; next, to the accommodation, where not already provided, of the inhabitants of the shores of the river Potowmac, and of the country drained by the tributary streams thereof, now navigable, or which may hereafter become so, by affording to them, in the best practical mode, a safe and easy access to the canal, from the surface of the main river, and of the said streams emptying therein; and, last of all, to the erection of such walls of stone or other materials, along the water margin of the canal, as shall fit the same for the navigation of steamboats of a size adapted to the said canal. And should the said tolls continue, after all such improvements have been completed, to net more than fifteen per cent. per annum to the stockholders for any two years in succession, the tolls upon the same shall be reduced, by the president and directors, according to some just and equitable ratio, till the said dividend shall fall to fifteen per cent. per annum: *Provided*, That, should the said dividend thereafter sink below fifteen per cent., the said tolls, or a part thereof, may be renewed, till the said net dividend reaches that amount. And for any, or all the within-mentioned purposes, the said president and directors are empowered to borrow, in behalf of the company, on the credit of such excess of tolls, such sum or sums of money as they may deem expedient, at such rate of interest, and with such delay of payment, as they may stipulate, with the previous consent of a majority of the stockholders in general meeting convened.

Creditors of  
the Potowmac  
Company.

12. *And be it further enacted*, That it shall be the duty of the president and directors of the Chesapeake and Ohio Canal Company, so long as there shall

Act of Virginia. be and remain any creditor of the Potowmac Company, who shall not have vested his demand against the same in the stock of the Chesapeake and Ohio Canal Company, to pay to such creditor or creditors annually, such dividend, or proportion of the net amount of the revenues of the Potowmac Company, on an average of the last five years preceeding the organization of the said proposed company, as the demand of the said creditor or creditors at this time may bear to the whole debt of one hundred and seventy-five thousand eight hundred dollars.

The Potowmac Company to surrender charter.

13. *And be it further enacted*, That whenever the Potowmac Company shall have declared its assent to the provisions of this act, in the manner herein-before provided, it shall be lawful for the said company to surrender its charter, and convey, in due form of law, to the Chesapeake and Ohio Canal Company, hereby incorporated, all the property, rights, and privileges by them owned, possessed and enjoyed, under the same; and thereupon it shall be lawful to and for the said company, hereby proposed to be created, to accept such surrender and transfer, and to hold, possess, use and occupy, all the said property, rights, and privileges, in the same manner, and to the same effect, as the said Potowmac Company now hold, possess, and occupy the same by law; and thereupon the charter of the said Potowmac Company shall be, and the same is hereby vacated and annulled, and all the rights and powers thereby granted to the Potowmac Company shall be vested in the company hereby incorporated; and it shall be the duty of the said last mentioned company, until every section of the contemplated canal shall be completed, so as to be used and enjoyed for the purposes of navigation, to keep the corresponding part of the river in a proper state for navigation, and in good order as the same now is; and in default thereof, they shall be in all things responsible, in the same manner as the Potowmac Company is now responsible. And in all rivulets, streams, creeks, and rivers, required for the western section of the said Chesapeake and Ohio canal, the same rights shall be, and are hereby, vested in the Chesapeake and Ohio Canal Company by this act, as the charter of the Potowmac Company vested in the said company in relation to the waters of the Potowmac and the tributary streams thereof.

Canal declared a public highway.

14. *And be it enacted*, That the said canal, and the works to be erected thereon in virtue of this act, when completed, shall forever thereafter be esteemed, and taken to be navigable as a public highway, free for the transportation of all goods, commodities, and produce whatever, on payment of the tolls to be imposed, as provided by this act; and no other toll or tax whatever, for the use of the said canal and the works thereon erected, shall, at any time hereafter, be imposed, but by consent of the said states and of the United States.

Jury to assess damages for the land cut through.

15. And whereas it is necessary for the making of the said canal, locks, dams, ponds, feeders, and other works, that a provision should be made for condemning a quantity of land for the purpose: *Be it enacted*, That it shall and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any land through which the said canal is intended to pass, for the purchase or use and occupation thereof; and in case of disagreement, or in case the owner thereof shall be a femme covert, under age, non-compos, or out of the state or county, on application to a justice of the county in which such land shall be, the said justice of the peace shall issue his warrant, under his hand, to the sheriff of the county, to summon a jury of eighteen inhabitants of his county, not related to the parties, nor in any manner interested, to meet on the land to be valued at a day to be expressed in the warrant, not less than ten, nor more than twenty days thereafter; and the sheriff, upon receiving the said warrant, shall forthwith summon the said jury, and, when met, shall administer an oath or affirmation to every jurymen who shall appear, being not less than twelve in number, that he will faithfully, justly, and impartially, value the land, and all damages the owner thereof shall sustain by cutting the canal through such land, or the partial or temporary appropriation, use, or occupation, of such land, according to the best of his skill and judgment, and that in such valuation he will not spare any person for favour or affection, nor any person grieve for malice, hatred, or ill will; and in every such valuation and assessment of damages, the jury shall be, and they are hereby instructed to consider, in determining and fixing the amount thereof, the actual benefit which will accrue to the owner from conducting the said canal through, or erecting any of the said works upon his land, and to regulate their verdict thereby; except that no assessment shall require any such owner to pay, or contribute any thing to the said company

where such benefit shall exceed, in the estimate of the jury, the value and damages ascertained as aforesaid; and the inquisition thereupon taken, shall be signed by the sheriff and some twelve or more of the jury, and returned by the sheriff to the clerk or prothonotary of his county, and unless good cause be shown against the said inquisition, it shall be affirmed by the court and recorded; but if the said inquisition should be set aside, or if from any cause no inquisition shall be returned to such court within a reasonable time, the said court may, at its discretion, as often as may be necessary, direct another inquisition to be taken in the manner above prescribed; and, upon every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and the quality and duration of the interest and estate in the same, required by the said company for its use; and their valuation shall be conclusive on all persons, and shall be paid for by the said president and directors to the owner of the land or his legal representatives; and on payment thereof, the said company shall be seized of such land as of an absolute estate in perpetuity, or with such less quantity and duration of interest or estate in the same, or subject to such partial or temporary appropriation, use, or occupation, as shall be required and described, as aforesaid, as if conveyed by the owner to them. And whenever, in the construction of the said canal, or any of the works thereof, locks, dams, ponds, feeders, tunnels, aqueducts, culverts, bridges, or works of any other description whatsoever appurtenant thereto, it shall be necessary to use earth, timber, stone or gravel, or any other material to be found on any of the lands adjacent or near thereto, and the said president and directors, or their agent, cannot procure the same for the works aforesaid by private contract of the proprietor or owner, or in case the owner should be a femme covert, or non-compos, or under age, or out of the state or county, the same proceedings in all respects shall be had as in the case before mentioned of the assessment and condemnation of the lands required for the said canal, or the works appurtenant thereto.

Act of Virginia.

16. *And be it enacted*, That it shall be the duty of the company hereby incorporated, to cut, make, and construct, the said canal, with good and sufficient locks, on the most improved plan for expedition in the use thereof, and with a width of not less than forty feet at the surface of the water therein, or of twenty-eight feet at the bottom thereof, unless the quality of the soil shall require a narrow base to admit of a sufficient slope to preserve the banks from sliding down, and sufficient to admit, at all seasons, the navigation of boats and rafts, with a depth of four feet water at the least; and wherever wastes shall be essential to the security of the said canal, and in no other situation whatever, along the same, the waste water of the said canal may be, from time to time, sold or disposed of by the said company for the purpose of supplying such works and machinery as require a water-power. And along one side at least of the said canal, and such aqueducts as it may render necessary, there shall be provided, throughout its whole extent, a towing-path of sufficient breadth to apply the power of horses to the navigation thereof.

Construction of locks.

Wastes.

Towing-path.

17. *And be it enacted*, That it shall and may be lawful for any of the said stockholders to transfer his or her shares, by deed executed before two witnesses, and registered, after the proof of the execution thereof, in the company's books, and not otherwise, except by devise, which devise shall also be exhibited to the president and directors, and registered in the company's books before the devisee or devisees shall be entitled to draw any part of the profits from the said tolls or dividends: *Provided*, That no transfer shall be made, except for one or more whole share or shares, and not for part of such share or shares; and that no share or shares shall, at any time, be sold, conveyed, or held in trust for the use and benefit, or in the name of another, whereby the said president and directors, or the stockholders of the said company, or any of them, shall or may be challenged, or made to answer concerning any such trust, but that every person appearing as aforesaid to be a stockholder, shall, as to the others of the said company, be, to every intent, taken absolutely as such; but, as between any trustee and the person for whose benefit any trust shall be created, the common remedy may be pursued.

Transfer of shares.

18. *And be it enacted*, That if the said capital, and the other aids already granted by this act, shall prove insufficient, it shall and may be lawful for the said company, from time to time, to increase the said capital by the addition of so many whole shares as shall be judged necessary by the said stockholders, or a majority of them, present at any general meeting of the said company; and the said president and directors, or a majority of them, are hereby empowered and required, after giving at least two months' previous notice thereof, in

President and directors empowered to increase capital.

**Act of Virginia.** at least four of the newspapers printed in Virginia, Pennsylvania, Maryland, and the District of Columbia, to open books in the before-mentioned states and district, for receiving and entering such additional subscriptions, in which the stockholders of the said company for the time being, shall, and are hereby declared to have the preference of all others, for the first thirty days after the said books shall be opened as aforesaid, of taking and subscribing for so many whole shares, as any of them shall choose; and the said president and directors are hereby required to observe, in all other respects, the same rules, therein, as are by this act prescribed for receiving and adjusting the first subscriptions, and in like manner to return, under the hands of any three or more of them, an exact list of such additional subscriptions, with the sums subscribed, to the public authorities, as aforesaid, to be, by them, preserved as aforesaid; and all stockholders of such additional shares shall, and are hereby declared to be, from thenceforward, incorporated into the said company.

**Legal proceedings under this act.** 19. *And be it enacted,* That whenever it shall become necessary to subject the lands of any individual to the purposes provided for in this act, and their consent cannot be obtained, it shall and may be lawful for the company to enter upon such lands, and proceed to the execution of such works, as may be requisite; and that the pendency of any proceedings in any suit in the nature of a writ of ad quod damnum, or any other proceedings, shall not hinder or delay the progress of the work; and it shall be the duty of every court to give precedence to controversies which may arise between the company created by this act, and the proprietors of land sought to be condemned for public uses, and to determine them in preference to all other causes.

**Eastern section.** 20. *And be it enacted,* That the said canal shall be, and the same is hereby, divided into two sections, to be denominated first and second, or eastern and western, respectively; that the first, or eastern section, shall begin at the District of Columbia, on tide-water, and terminate at or near the bank of Savage river, or creek, which empties into the north branch of the Potowmac, at the base of the Alleghany mountain; that the second, or western section, shall commence at the said termination, and extend along the valley of Savage river, or creek, so far as the same, or any branch thereof, as may reach some convenient point thereon, for connecting the eastern and western waters, by a tunnel through, or an open cut across the dividing ridge between the same; and thence, after crossing the said dividing ridge, shall proceed to the highest steamboat navigation of the Ohio river, or of some one tributary stream thereof, in such direction as, in the opinion of the said president and directors, shall be best calculated for the attainment of the end set forth in the preamble of this act: that the said president and directors shall first construct the eastern section aforesaid, out of the capital stock hereinbefore mentioned, and shall next proceed to construct, with all possible despatch, the western section thereof. In case the said company shall not begin the said work within two years after the company shall have been formed, or if the work, having been so begun, shall not be diligently prosecuted, so that one hundred miles of the said canal, with the adequate locks and incidental improvements, shall not be completed, and in fit order for navigation, in the term of five years from the commencement of the work, then all interest of the said company, in the navigation and tolls, shall cease and determine, and their charter shall be thereafter taken to be null and void; and so, in like manner, shall the said charter be null and void, if the entire eastern section be not completed in the term of twelve years from the said commencement. And should the said company fail to begin the western section of the said canal, in two years after the time allowed as aforesaid for the completion of the eastern section; or, having begun the western section, shall fail to complete the same in six years after such beginning, then all right, title, and interest of the said company, in the said western section, shall cease and determine; and the several states aforesaid shall have full authority to incorporate another company for the completion of such section, or to complete the same in any other mode that they may deem expedient. And if, after the completion of the said canal and locks, the president and directors shall fail to keep the same in repair for twelve months at any time, then, in like manner, the interest of the company in the navigation and tolls shall cease, and their charter shall be forfeited.

**Time for construction.**

**Rights reserved to states.**

21. *And be it further enacted,* That the right to the waters of the river Potowmac, for the purpose of any lateral canal or canals, which the state of Virginia or Maryland may authorize to be made in connection with the said canal, is reserved to the said states respectively; that a similar right is reserved to the state of Pennsylvania, in relation to the rivers and streams within the ter-

ritory of that state, the waters of which may be used in supplying the western section of the said canal; that the government of the United States shall retain the power to extend the said canal in or through the District of Columbia, on either or both sides of the river Potowmac: *Provided*, That, before this act shall take effect, the Congress of the United States shall authorize the states of Virginia and Maryland, or either of them, to take and continue a canal from any point of the above-named canal, or the termination thereof, through the territory of the District of Columbia, or any part thereof, to the territory of the said states, or either of them, in any direction they may deem proper, upon the same terms and conditions, and with all the rights, privileges, and powers of every kind whatsoever, that the company incorporated by this act have to make the Chesapeake and Ohio canal. *And provided also*, That, in taking or extending such lateral canal or canals through the District of Columbia, by either of the said states, no impediment or injury be done to the navigation of the said Chesapeake and Ohio canal.

22. This act, or so much thereof as respects the canal and works designed to be constructed in the District of Columbia, and the states of Virginia and Maryland, shall take effect, with such necessary modification in the construction thereof, as shall fit it for such limited application or use, upon the assent of the Congress of the United States, and the legislature of Maryland being given thereto; and upon its receiving the further assent of the legislature of Pennsylvania, the whole and every section and part thereof shall be valid and in full force and operation.

23. *Be it further enacted*, That the assent of the Congress of the United States, required by the first section of this act, and the authority conferred by the fourteenth section, is understood and taken, to relate only to their authority as the legislature of the District of Columbia.

24. *Be it further enacted*, That all acts and parts of acts coming within the purview of this act, shall be, and the same are hereby, repealed.

When act shall take effect.

Assent of Congress.

Other acts repealed.

RICHMOND, Dec. 30, 1824.

The foregoing is a true copy of an Act of the General Assembly of Virginia.

WM. MUNFORD, *Keeper of the Rolls.*

### ACT OF THE STATE OF MARYLAND.

*An act to confirm an act of the General Assembly of the state of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company."*

Jan. 31, 1825.

Act of Maryland.

Whereas, the General Assembly of Virginia have, heretofore, at the December session of the said General Assembly, in the year eighteen hundred and twenty-three, passed an act, entitled "An act incorporating the Chesapeake and Ohio Canal Company," in the substance, or words following:

[*See the preceding act.*]

*Therefore, be it enacted by the General Assembly of Maryland*, That the said act of the General Assembly of Virginia be, and the same is hereby accepted, assented to, and confirmed.

*And be it further enacted and declared*, That, by confirming and accepting the act of Virginia, it is not intended by the legislature of Maryland, to deny to the Congress of the United States the constitutional power to legislate on the subjects of roads and canals. And for the purpose of removing all doubt as to the right of the state of Maryland to intersect the said Chesapeake and Ohio canal, for the purpose of conducting a lateral canal or canals to Baltimore or elsewhere in the state of Maryland, from that part of the said Chesapeake and Ohio canal, which shall be within the District of Columbia—

*Be it further enacted and declared*, That the said act of Virginia has been accepted and confirmed by the legislature of Maryland, on the express condition, that the act of Congress contemplated by the twenty-first section of the Virginia act, shall direct and provide some safe and practicable mode, whereby such lateral canal or canals may be secured to the state of Maryland, and whereby also it may be determined whether such lateral canal or canals will injure the said Chesapeake and Ohio canal, within the meaning and intention of the said twenty-first section of the Virginia act.

Act of Virginia accepted with a condition.

We hereby certify, that the foregoing is a true copy of the original act, as passed both branches of the legislature at December session, eighteen hundred and twenty-four.

WM. KILTY, *Clerk Sen. of Md.*  
JOHN BREWER, *Clerk House Del.*

ANNAPOLIS, Jan 31, 1825.

ACT OF THE CONGRESS OF THE UNITED STATES.

March 3, 1825.

*An act confirming an act of the legislature of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company," and an act of the state of Maryland, confirming the same.*

1852, ch. 25.

Act of Congress.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act of the legislature of the state of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company," be, and the same is hereby, ratified and confirmed, so far as may be necessary for the purpose of enabling any company, that may hereafter be formed by the authority of said act of incorporation, to carry into effect the provisions thereof, in the District of Columbia, within the exclusive jurisdiction of the United States, and no further.

SEC. 2. *And be it further enacted,* That, should the state of Virginia or Maryland desire at any time, to avail itself of the rights secured to it, by the twenty-first section of the act aforesaid, to take and continue a canal, from any point of the Chesapeake and Ohio canal, to any other point within the territory of the District of Columbia, or through the same, on application to the President of the United States, by the executive of a state, the President is authorized and empowered to depute three skilful commissioners of the United States' corps of engineers, to survey and examine so much of the route of such canal as may affect, in any manner, the navigation of the Chesapeake and Ohio canal. The said commissioners, or a majority of them, shall ascertain, as far as practicable, whether the canal proposed to be constructed by the state aforesaid will injure or impede the navigation of the Chesapeake and Ohio canal, and report to the President of the United States the facts and reasons on which they may ground their judgment thereupon; which report shall be submitted to the Congress of the United States, at their session next ensuing the date thereof, for their decision thereon; and, if Congress shall be of opinion that the said canal may be cut in the manner proposed as aforesaid, without impeding or injuring the navigation of the Chesapeake and Ohio Canal, the same shall be conclusive thereon.

APPROVED, March 3, 1825.

May 16, 1825.

PROCEEDINGS OF THE GENERAL MEETING OF THE  
POTOWMAC COMPANY.

GEORGETOWN, D. C., 16th May, 1825.

Proceedings  
of the general  
meeting of Po-  
towmac Com-  
pany.

At a special meeting of the stockholders of the Potowmac Company, held this day at Semmes' Tavern, previous notice thereof having been given conformably to law—

The following resolutions were unanimously adopted:

That this meeting having duly considered the act of the General Assembly of the state of Virginia, passed at the December session thereof, in the year 1823, entitled "An act incorporating the Chesapeake and Ohio Canal Company," and the acts of the General Assembly of Maryland, and of the Congress of the United States, confirming the same, and being willing and desirous that the charter shall be granted and confirmed to the said Chesapeake and Ohio Canal Company, do hereby declare the full and free assent of the Potowmac Company, to the said act incorporating the said Chesapeake and Ohio Canal Company, and to all the provisions thereof.

That the President of the Potowmac Company be, and he is hereby, required to deliver to the executives of the states of Virginia, Maryland, and Pennsylvania, respectively, and to the Secretary of the Treasury of the United States, copies of the foregoing declaration of assent and corporate act of the Potowmac Company, as required by the first section of the act of the General Assembly of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company."

That the president and directors of the Potowmac Company be, and they are hereby, authorized and required, in the name and behalf of this company, whenever, agreeably to the terms and provisions of the aforesaid act of Virginia, entitled "An act incorporating the Chesapeake and Ohio Canal Company," the subscribers therein mentioned and referred to shall have become incorporated, to make a surrender of the charter of the Potowmac Company, to the said Chesapeake and Ohio Canal Company, and to convey in due form of law to the said Chesapeake and Ohio Canal Company, all the property, rights, and privileges, owned, possessed, and enjoyed, by the said Potowmac Company, under their said charter, to be held, used, and occupied, by the said Chesapeake and Ohio Canal Company, in the same manner and to the same effect, as the said Potowmac Company now hold, possess, and occupy the same by law. And it is hereby resolved and declared, that, upon the completion of the said surrender and conveyance by the said president and directors, to be evidenced by deed or deeds, in the name of this company, under the hands of the said president and directors, or a majority of them, and the corporate seal of this company, the said charter shall be, and hereby is, effectually surrendered, and all the said property, rights, and privileges, shall be, and hereby are, effectually conveyed to the said Chesapeake and Ohio Canal Company, according to the tenor and effect, true intent and meaning, of the said act and acts so incorporating the Chesapeake and Ohio Canal Company, as aforesaid.

Surrender of  
charter by the  
Potowmac  
Company.

In testimony whereof, as the corporate act of the Potowmac Company, &c.

*Office of the Potowmac Company,*

GEORGETOWN, 16th May, 1825.

I HEREBY certify the foregoing to be a true and faithful extract from the records of the proceedings of the Potowmac Company.

ROBERT BARNARD,

*Treasurer and Clerk, Potowmac Company.*

*Extracts from the Charter of the Potowmac Company, granted November, 1784.*

Nov., 1784.

SEC. 4. *And be it enacted,* That the said president and directors, so elected, and their successors, or a majority of them assembled, shall have full power and authority to agree with any person or persons, on behalf of the said company, to cut such canals, and erect such locks, and perform such other works as they may judge necessary, for opening, improving, and extending the navigation of the said river, above tide water, to the highest part of the North Branch, to which navigation can be extended, and carrying on the same from place to place, and from time to time, and upon such terms, and in such manner, as they shall think fit; and out of the money arising from the subscriptions and the tolls, and other aids hereinafter given, to pay for the same; and to repair and keep in order the said canals, locks, and other works, necessary thereto.

Charter of  
the Potowmac  
Company.

SEC. 11. And whereas it is necessary for the making of the said canal, locks, and other works, that a provision should be made for condemning a quantity of land for the purpose: *Be it enacted,* That it shall and may be lawful for the said president and directors, or a majority of them, to agree with the owners of any land through which the said canal is intended to pass, for the purchase thereof; and in case of disagreement, or in case the owner thereof shall be a *femme covert*, under age, *non-compos*, or out of the state, on application to any two justices of the county in which such land shall lie, the said justices shall issue their warrant, under their hands, to the sheriff of their county, to summon a jury of twenty-four inhabitants of their county, of property and reputation, not related to the parties, nor in any manner interested, to meet on the land to be valued, at a day to be expressed in the warrant, not less than ten, nor more than twenty days thereafter, and the sheriff, upon receiving the said warrant, shall forthwith summon the said jury; and when met, shall administer an oath, or affirmation, to every jurymen that shall appear, that he will faithfully, justly, and impartially, value the land, (not exceeding in any case the width of two hundred feet,) and all damages the owner thereof shall sustain, by the cutting the canal through such land,

according to the best of his skill and judgment: and that in such valuation he will not spare any person for favour or affection, nor any person grieve for hatred, malice, or ill-will; and the inquisition thereupon taken shall be signed by the sheriff, and some twelve or more of the jury, and returned by the sheriff to the clerk of his county, to be by him recorded. And upon every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and their valuation shall be conclusive on all persons, and shall be paid by the said president and directors to the owner of the land, or his legal representatives; and on payment thereof, the said company shall be seized *in fee* of such land, as if conveyed by the owner to them and their successors by legal conveyance.

SEC. 12. *And be it enacted*, That the said president and directors, or a majority of them, are hereby authorized to agree with the proprietor, for the purchase of a quantity of land, at or near such of the places of receipt of tolls aforesaid, for the purpose of erecting necessary buildings; and in case of disagreement, or any of the disabilities aforesaid, or the proprietor being out of the state, then such land may be valued, condemned, and paid for as aforesaid, for the purpose aforesaid; and the said company shall, upon the payment of the valuation of the said land, be seized thereof *in fee simple*, as aforesaid.

SEC. 13. And whereas some of the places through which it may be necessary to conduct the said canals may be convenient for erecting mills, forges, or other water-works, and the persons possessors of such situation may design to improve the same; and it is the intention of this act not to interfere with private property, but for the purpose of improving and perfecting the said navigation—*Be it enacted*, That the water, or any part thereof, conveyed through any canal or cut made by the said company, shall not be used for any purpose but navigation, unless the consent of the proprietors of the land, through which the same shall be led, be first had.

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March 8, 1826. *Extracts from the act of the state of Maryland, for the promotion of internal improvement, passed March 8, 1826.*

Act of Maryland.

SEC. 19. *And be it enacted*, That the treasurer of the Western Shore be, and he is hereby, authorized and required, for and on behalf of the state, to subscribe to the Chesapeake and Ohio Canal Company for stock to the whole amount of the stock of the Potowmac Company owned by the state, and of the debt due to the state by the said Potowmac Company, and to pay for the same in the certificates of the stock of the Potowmac Company, and in the evidences of the debt due to the state, certified in the manner specified in the charter of the said Chesapeake and Ohio Canal Company; and also to subscribe for five thousand shares of the stock of the said company, payable, agreeably to the terms of the charter, in the legal currency of the United States.

SEC. 20. *And be it enacted*, That the treasurer of the Western Shore be, and he is hereby, instructed and required, in like manner, to subscribe for five thousand shares in the Maryland Canal Company hereby incorporated.

SEC. 21. *And be it enacted*, That the sum of two hundred thousand dollars shall be, and the same is hereby, appropriated, or such part thereof as may be necessary, to drain, embank, and render dry and arable, the low lands on the margins of such rivers and creeks of the Eastern Shore of this state as the Board of Public Works may think proper and recommend, and to complete and carry into effect such plans for opening and improving the navigation of the Pokomoke, Manokin, Wicomico, Great Choptank, Chester, Elk, and North East rivers, as the Board of Public Works may devise, recommend, and contract for, on behalf of the state of Maryland: *Provided*, That, before any part of the aforesaid subscriptions, except so much as is payable in the stock and debt of the Potomac Company, shall be made, or any part of the sum herein appropriated to execute the improvements contemplated by this act to be made on the low lands situated on the margins of the aforesaid rivers and creeks, or to execute the improvements of the Pokomoke, Manokin, Wicomico, Great Choptank, Chester, Elk, and North East rivers, be expended, the Congress of the United States shall, by law, authorize a subscription for not less than ten thousand shares of the capital stock of the eastern section of the Chesapeake and Ohio Canal, and shall enact a law expressly securing

to the state of Maryland, and to any company incorporated, or hereafter to be incorporated, by the said state, the right to take and continue a canal from any point of the Chesapeake and Ohio canal through the territory of Columbia, or any part thereof, to the said state, in any direction it may deem proper, upon the same terms and conditions, and with all the rights, privileges, and powers, of every kind whatsoever, granted to the Chesapeake and Ohio Canal Company by the act of incorporation, and deciding, agreeably to the act of Congress passed at December session, eighteen hundred and twenty-four, that the canal, as located by the Board of Public Works under the authority of this act, may be cut without impeding or injuring the navigation of the Chesapeake and Ohio canal. *And provided, also,* That the Board of Public Works shall previously ascertain and certify to the executive the practicability of connecting, by the canal described in this act, the Chesapeake and Ohio Canal with the Patapsco river at the city of Baltimore; and if the said Board of Public Works shall adopt for the said canal a line wholly within the state of Maryland, then the act of Congress last mentioned in the foregoing proviso, shall not be necessary to authorize the subscriptions and expenditures aforesaid: *And provided, also,* That the executive shall previously be satisfied that the residue of the sum of money estimated by the United States' Board of Engineers to be adequate to the completion of the eastern section of the Chesapeake and Ohio canal, after deducting the amount of the subscriptions of the state of Maryland and of the United States, herein provided to be made, hath been actually subscribed by bona fide and competent subscribers."

#### ACT OF THE STATE OF MARYLAND.

##### *An Act to amend the "Act incorporating the Chesapeake and Ohio Canal Company."*

Feb. 6, 1827.

SEC. 1. *Be it enacted by the General Assembly of Maryland,* That the act, entitled "An act incorporating the Chesapeake and Ohio Canal Company, passed by the General Assembly of Virginia, at the December session, eighteen hundred and twenty-three," which has already received the assent of the state of Maryland, and of the Congress of the United States, as well as of the Potomac Company, shall be, and the same is hereby, amended, in the manner hereinafter provided, on condition that this act receive, in like manner, the assent of the necessary parties thereto.

SEC. 2. *And be it further enacted,* That the Chesapeake and Ohio Canal Company shall have power to terminate the eastern section of the said canal at or near the town of Cumberland, on the river Potomac, and thence, to extend the western section thereof, in any direction that may be deemed expedient, by any other route, as well as that prescribed in the act aforesaid, towards Pittsburg, on the river Ohio; and, in extending the same in any direction across the dividing ridge which separates the eastern and western waters, to substitute for a tunnel, and numerous locks, on such part of the route, inclined planes and railways, or any other artificial communication or roads; and, in the event that the western section of the Chesapeake and Ohio canal shall leave the valley of the Potomac river at any point below the Coal Banks, at or near the mouth of Savage, on the north branch thereof, the company shall have the power, in like manner, to extend a branch from the main canal to the said Coal Banks, at or above the mouth of Savage, and to cause such branch to be constructed, of such dimensions as their views of their own and the public interest may warrant; and, for the construction of the same, shall have and enjoy the same rights, privileges, and immunities, under the same restraints and conditions, in all respects, as they are entitled to in relation to the main Chesapeake and Ohio canal.

SEC. 3. *And be it further enacted,* That nothing in this act contained shall be held to discharge the said company from a compliance with each and every of the conditions of the original act, except so far as the same are expressly altered by the provisions of this act.

SEC. 4. *And be it further enacted,* That this act shall commence and be in force as soon as it shall have received the assent of the legislature of Virginia, of the Congress of the United States, and of the Potomac Company.

We certify the foregoing is a true copy of the original act, passed the legislature of Maryland, at their present session.

Witness our respective signatures, this sixth day of February, in the year of our Lord one thousand eight hundred and twenty-seven.

W. KILTY, *Clerk Senate,*  
GIDEON PIERCE, *Clerk House of Delegates, Md.*

## ACT OF THE STATE OF PENNSYLVANIA.

*An Act incorporating the Chesapeake and Ohio Canal Company.*

Act of Penn-  
sylvania giving  
assent to act of  
Virginia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the full and entire assent of this commonwealth be, and the same is hereby, given to all and each of the provisions mentioned and contained in an act of the legislature of the state of Virginia, passed the twenty-seventh day of January, one thousand eight hundred and twenty-four, entitled "An act incorporating the Chesapeake and Ohio Canal Company," so far as the same are or may be applicable to this commonwealth; and the said act of the state of Virginia is hereby adopted, ratified, and confirmed, and enacted into a law of this commonwealth, and all and each of the provisions, conditions, and restrictions thereof, as fully and effectually, as if the same were enacted, paragraph by paragraph, and section by section, so far as the same can apply to this commonwealth; always, nevertheless, subject to the exceptions, provisions, and restrictions, hereinafter mentioned; and the said act shall hereafter be in full force and effect, wherever the same is applicable, as well within, as without this commonwealth, as an act incorporating the Chesapeake and Ohio Canal Company, for all and every of the objects and purposes therein set forth and provided for, according to the true intent and meaning of the said act of the state of Virginia; an exemplification whereof shall be annexed to this act, and be published in the same manner as the laws are usually published; and the governor shall likewise cause an exemplified copy of the said act of Virginia to be deposited in the secretary's office of this commonwealth, and shall also transmit an attested copy of this act to the President of the United States, and one copy thereof to the governor of Virginia, and one copy thereof to the governor of Maryland.

SEC. 2. *And be it further enacted by the authority aforesaid,* That this act shall have no effect, unless, within three years from and after the passage hereof, the state of Maryland shall pass a law authorizing the state of Pennsylvania, or any company which may be for that purpose incorporated by the state of Pennsylvania, to take and continue a lateral canal or canals, or railway, from any point or points within the territory of Pennsylvania, to, and connect with, the Chesapeake and Ohio canal, within the territory of the said state of Maryland, and upon the same terms and conditions, and with all the rights, privileges, and powers, of every kind whatsoever, that the Chesapeake and Ohio Canal Company may have to make the said Chesapeake and Ohio canal, and unless the said Chesapeake and Ohio Canal Company shall assent to and accept the said law of the state of Maryland, within one year after it shall have been enacted: *Provided,* That, should the said Chesapeake and Ohio canal be located on the south side of the Potomac, at any point or points below the town of Hancock, then the assent of Virginia, and the said Chesapeake and Ohio Canal Company, shall also be obtained in like manner, before this act goes into operation, except so far as it requires the assent of Maryland to the right to make a railway through the territory of that state.

SEC. 3. *And be it further enacted by the authority aforesaid,* That, as a condition on which this act shall pass, no greater tolls shall be charged or paid on goods, commodities, and produce, entering and transported on the said Chesapeake and Ohio canal, from such lateral canals, than are charged and paid on other goods, commodities, and produce of the same kind, transported on the said Chesapeake and Ohio canal: *And provided further,* That the aforesaid Chesapeake and Ohio Canal Company shall extend the Chesapeake and Ohio canal to, and terminate the same at, the city of Pittsburgh.

SEC. 4. *And be it further enacted by the authority aforesaid,* That the said Chesapeake and Ohio Canal Company shall have full power and authority to alter and change the route of the western section of the said canal, so that the same may commence at the town of Cumberland, situated near the junction of Wills' creek with the north branch of the Potomac, and be continued from

thence, by the valley of Wills' creek and Castleman's river, to the Youghiogany, and from thence to the city of Pittsburg: *Provided*, That the United States' board of internal improvement, or a majority thereof, should deem and report that route to be the best.

Act of Penn-  
sylvania.

SEC. 5. *And be it further enacted by the authority aforesaid*, That, should the United States of America subscribe to the stock of the Chesapeake and Ohio Canal Company, the said company shall, within six months after receiving the sum subscribed, commence the western section of said canal, at such point or points as may be deemed most advantageous to the interests of the said company, and it shall be their duty to apportion at least one half of the subscription of the United States to the western section of the said canal. And whatever amount of stock may be subscribed by the citizens of Pennsylvania, shall be expended wholly on the western section, unless authority is given to the said company, by the Pennsylvania subscribers, to expend their subscriptions differently; and in case of failure of the said company to comply with the provisions herein set forth, this act shall cease to have any force or effect whatever.

SEC. 6. *And be it further enacted by the authority aforesaid*, That, if the net annual dividend of said company shall, for any two years in succession, exceed the amount of fifteen per cent., such excess shall be equally applied, by the president and directors, to the accommodation of the inhabitants of the shores of the Youghiogany and Monongahela rivers, and the country drained by the tributary streams thereof, now navigable, or which may hereafter become so, in the same manner, in proportion to the distance, as is directed for the accommodation of the inhabitants of the shores of the Potomac and its tributary streams, by the eleventh section of an act of the state of Virginia, entitled "An act incorporating the Ohio and Chesapeake Canal Company," passed the twenty-seventh day of January, one thousand eight hundred and twenty-four.

SEC. 7. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the said Chesapeake and Ohio Canal Company, at any place within this commonwealth, on the route of the said canal, to sell or lease the use of the water contained therein, or in any embankment, dyke, pond, or other improvement connected therewith, to any individual or individuals, or private company or companies, for that purpose incorporated by the state of Pennsylvania, for mills, or any other water-works, or for irrigating any lands, or for supplying bleach grounds, tan pits, or brick yards, and the profits or rents resulting therefrom, to take and receive to, and for the use and benefit of, the said corporation, in addition to the tolls and profits allowed to be taken by the act of Virginia: *Provided*, That the navigation of the said canal be not thereby impeded or obstructed: *And provided further*, That the said Chesapeake and Ohio Canal Company shall not, at any time, be, directly or indirectly, engaged or concerned in any banking, merchandising, milling, or the erecting of mills, manufacturing, or mining, or in any other business whatsoever, except such as may be necessary and proper for the construction of such canal and appurtenances, and the performance of the several functions of a canal company.

SEC. 8. *And be it further enacted by the authority aforesaid*, That, as a further condition on which the assent of this state is given to the Virginia act, aforesaid, that, so far as regards the territory of Pennsylvania, whenever the said canal shall cross any public or private laid-out road or highway, or shall divide the ground of any person or persons, so as to require a ford or bridge to cross the same, the jury, who shall inquire of the damages to be sustained, in manner directed by the fifteenth section of the Virginia act, shall find and ascertain whether a passage across the same shall be admitted or maintained by a ford or bridge; and, on such finding, the said Ohio and Chesapeake Canal Company shall cause a ford to be rendered practicable, or a bridge fit for the passage of carts and wagons to be built, and for ever hereafter maintained and kept in repair, at all and every places so ascertained by the said jury, at the cost and charges of the said company; but nothing herein contained shall prevent any person from erecting and keeping in repair any foot or other bridge across the said canal, at his own expense, when the same shall pass through his ground: *Provided*, The same shall be of such height above the water, as shall be usual in the bridges erected by the company: *And provided, also*, That such foot or other bridges so to be erected by the owners of such lands, shall not interfere with any of the locks, buildings, or other works of the company, or with the navigation of the said canal.

SEC. 9. *And be it further enacted by the authority aforesaid*, That the assent

Act of Penn-  
sylvania.

of the legislature of this commonwealth to the said act of the legislature of Virginia, is given and granted upon the further express conditions, that any mesne process which may be issued against the said company, may be served on any toll-gatherer, director, or other officer of the company; and such service shall be held good, valid, and effectual, as a service of such process upon the said Ohio and Chesapeake Canal Company; and that said company shall annually report to the legislature of Pennsylvania the progress they may make in constructing the said canal; and also an annual abstract of their accounts, certified by the oath of the president of the said company, showing the amount of capital stock actually paid in, and the sums deposited with the treasurer for contingent and current expenses, and the profits which may have accrued, and the dividends made or declared during the preceding year.

### AN ACT OF THE STATE OF VIRGINIA.

Feb. 26, 1828.

*An Act giving the assent of this state to an act further to amend the act incorporating the Chesapeake and Ohio Canal Company, passed by the state of Maryland. [Passed Feb. 26, 1828.]*

Act of Vir-  
ginia giving as-  
sent to act of  
Maryland.

Whereas it is represented that the General Assembly of the commonwealth of Maryland hath passed, at their present session, an act entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," in the words following, to wit:

"Whereas it is represented to this General Assembly, that it may tend greatly to the promotion of the object of the original act incorporating the Chesapeake and Ohio Canal Company, to authorize a subscription for its stock by aliens; and doubts have arisen, whether, under said act, such stock may be held by others than citizens of the United States; and whether the stock of said company is to be regarded as real or personal property:—

1. "Be it enacted by the General Assembly of Maryland, That it shall and may be lawful for the commissioners for the time being, and for the president and directors of the said company, whensoever the same shall be duly organized, agreeably to the provisions of the original act aforesaid, to receive subscriptions for any number of shares of the capital stock of said company, from any alien or aliens, who are hereby declared competent to hold the same; and, if in their judgment it be necessary, to appoint an agent or agents to visit Europe for that purpose.

2. "And be it enacted, That the shares of the capital stock of the said Chesapeake and Ohio Canal Company, shall be deemed and taken to be personal estate, and as such to be liable to be assigned and transferred: *Provided*, That it shall not be lawful for any stockholder in said company to assign any share or shares, by him or her held, unless it be in person, or by attorney, upon the books of said company: *And provided, also*, That no transfer or assignment shall be made, except for one or more whole share or shares, and not for any part of such share or shares; and that no share or shares shall at any time be assigned or transferred, or held in trust for the use and benefit, or in the name of another, whereby the said president and directors, or stockholders, of the said company, or any of them, shall or may be challenged or made to answer concerning any such trust; but that every person appearing as aforesaid to be stockholders, shall, as to others of the said company, be, to every intent, taken absolutely as such; but as between any trustee, and the person for whose benefit any trust shall be created, the common remedy may be pursued.

3. "And be it enacted, That the words 'nor any payment demanded within any year from the commencement of the work,' inserted in the proviso to the fifth section of the original act incorporating the Chesapeake and Ohio Canal Company, passed the twenty-seventh day of January, eighteen hundred and twenty-four, by the General Assembly of Virginia, and subsequently confirmed by the General Assembly of Maryland, be, and the same are hereby repealed and expunged from the aforesaid proviso; and henceforth the said proviso shall be construed in the same manner, and have the same effect, as if the afore-recited words had never been recited therein.

4. "And be it enacted, That this act shall commence and be in force as soon as it shall have received the assent of the legislature of Virginia, of the Congress of the United States, of the Potowmac Company, and of the stockholders of the said Chesapeake and Ohio Canal Company, to be given at their first general meeting after the passage of this act."

See ante, p.  
795.

1. *Be it therefore enacted by the General Assembly of this Commonwealth,* Act of Virginia.  
That the assent of this legislature in and to the amendments to the "Act incorporating the Chesapeake and Ohio Canal Company," as contained in the foregoing act of the General Assembly of Maryland, is hereby as fully and completely given, as if the said amendatory act had been passed by this present General Assembly.

2. This act shall be in force from the passing thereof.

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### ACT OF THE STATE OF MARYLAND.

*A further supplement to the act, entitled "An act for the promotion of internal* March 3, 1828.  
*improvement."*

Act of Mary-  
land.

Whereas by the act, entitled "A supplement to the act, entitled an act for the promotion of internal Improvement," passed at December session, eighteen hundred and twenty-six, chapter two hundred and twenty-one, it is, amongst other things, provided, that one of the conditions upon which the treasurer of the Western Shore shall be authorized to subscribe for five thousand shares in the capital stock of the Chesapeake and Ohio Canal Company, is, that whenever the United States shall have authorized subscriptions for not less than ten thousand shares of the capital stock of the Chesapeake and Ohio Canal Company; and whereas it is important, with reference to the interest of the state, that the grant already made by her, to that company, should be made dependent upon such other conditions and restrictions, as will effectually secure the completion of this work, if ever commenced, and the previous payment of the instalments upon all other subscriptions; and that some mode of payment of the subscription already made, should be provided, having reference to the exhausted condition of the treasury, in lieu of the mode of payment provided by the terms of the original subscription: Therefore,

SEC. 1. *Be it enacted by the General Assembly of Maryland,* That the treasurer of the Western Shore be authorized to subscribe the aforementioned five thousand shares of the capital stock of the Chesapeake and Ohio Canal Company, whenever the commissioners, their successors, or a majority of them, appointed on the part of this state, to aid in opening books, and taking subscriptions to the stock of said company, shall certify that the sum of two millions five hundred thousand dollars has been subscribed by bona fide subscribers, with such additional securities as to them may be deemed ample, to ensure the faithful compliance on the part of the subscribers of the aforesaid two millions five hundred thousand dollars: and provided, also, that the instalments thereon, similar to that required to be paid on behalf of the state, and all the previous instalments, which may have accrued thereon, shall have been paid, before any payment shall be demanded on account of the state's subscription.

SEC. 2. *And be it enacted,* That the said subscription is authorized and directed upon the condition, that the said president and directors of the said Chesapeake and Ohio Canal Company, shall certify to the said treasurer, their agreement, under the corporate seal of said company, to accept and receive, in payment of the instalments which may become due on any such subscription, as they may be called for, certificates of stock of the state of Maryland, at par, irredeemable for fifteen years, and bearing an interest of five per centum per annum, payable quarterly, to commence at the end of one year after the same shall have been issued in succession, and that, upon any such subscription being made, the said Treasurer is further authorized and directed to borrow, on the credit of the state, on the best obtainable terms, from time to time, the funds necessary to meet and discharge the first advance, and each successive payment, whensoever and as often as any instalment on the said subscription of the state shall be demanded, and become due, in conformity to the provisions of the charter of the said company; and to issue for the same, certificates of stock of the state, bearing interest at the rate of five per centum per annum, payable quarterly: provided, that the said stock shall be redeemable at the pleasure of the state, at any time after fifty years from each successive issue of certificates as aforesaid; and the premium, if any, on each and every of the said loans, shall be invested in some safe and productive stock, at the discretion of the said treasurer, with the advice and consent of the governor and council, for the time being; and the interests, dividends or profits, arising from such invest-

Act of Maryland.

ment or investments, shall be reinvested, as aforesaid, for the eventual redemption of the said loans; and the said funds, when obtained under the authority of this act, the said treasurer is hereby directed to pay to the order of the president and directors of the Chesapeake and Ohio Canal Company, in conformity to the provisions of the charter of the said company, and to receive therefor the necessary acquittances; or, in case it shall be deemed more beneficial to the interest of the state, in the estimation of the said treasurer, with the approbation and concurrence of the governor and council, the said treasurer shall be, and he hereby is, authorized and directed, whensoever and as often as any instalment on the said subscription of the state shall be demanded, and become due, in conformity to the provisions of the said charter, to issue certificates of stock of the state, at par, irredeemable for fifteen years, bearing interest at the rate of five per centum per annum; the said interest upon such certificates, to commence at the end of one year after the same shall have been issued, in succession, and to be paid quarterly thereafter; and the said treasurer is authorized and directed to cause the said certificates to be delivered to the person or persons authorized to receive the said instalments, as they shall severally become due, and to demand and receive, from such person or persons, upon the delivery of the said certificates, a full acquittance and discharge for and on behalf of the state, for the instalment for which the said certificates were issued: provided, always, that, in case a premium of five per centum, or exceeding five per centum, may be obtained upon any loan required for any instalment as aforesaid, that then, and in that case, it shall be the duty of the said treasurer, with the advice and consent of the governor and council, as aforesaid, to elect the first alternative, as hereinbefore provided: *And provided furthermore, and it is hereby enacted*, That, upon the adoption of either alternative, a capital equal to ten per centum, at the least, on the gross amount of each loan, shall be made from any unappropriated money in the treasury, and the same shall be invested in some safe and productive stock, as aforesaid; and the interest, dividends, or profits, arising therefrom, shall be reinvested, as aforesaid, for the eventual redemption of each of the said loans, to be negotiated for as aforesaid.

SEC. 3. *And be it enacted*, That any act or acts, repugnant to, or inconsistent herewith, be, and the same are hereby, repealed.

We hereby certify the foregoing to be a true copy from the original act, which passed both branches of the legislature of Maryland at their December session, eighteen hundred and twenty-seven.

Given under our hands, at the city of Annapolis, this third day of March, eighteen hundred and twenty-eight.

WILLIAM H. MARRIOT,  
*President of the Senate of Maryland.*  
 J. G. CHAPMAN,  
*Speaker of the House of Delegates.*

## APPENDIX, No. II.

### ACT OF THE STATE OF ALABAMA.

*An Act to incorporate the Cahawba Navigation Company.*(a)

Jan. 10, 1827.

Act of Alabama.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama, in General Assembly convened,* That a company be established for the improvement of the navigation of the Cahawba river, the capital stock of which said company shall not exceed the sum of fifty thousand dollars, unless hereafter enlarged by law, exclusive of such sums as the General Assembly may hereafter think proper to subscribe; the right to make subscriptions is hereby reserved to the state to an unlimited amount: *Provided,* said state shall subscribe for the amount of stock intended to be taken, within twelve months.

SEC. 2. *And be it further enacted,* That subscriptions for stock, each share to consist of one hundred dollars, shall be opened on the first Monday of June next, at the town of Cahawba, under the superintendence of J. G. Cocheron, W. G. Mitchell, John Shields, James Craig, and Thomas Casey; at the town of Marion, on the first Monday of June next, under the superintendence of John Durden, Temple Lea, Edwin D. King, George Weissinger, and Abraham Trigg; at the town of Centreville, on the first Monday of June next, under the superintendence of Alexander Hill, Anthony Stoughtenberg, Thomas Crawford, Mitchell Watkins, and John Henry; which subscriptions shall be kept open for three days at each place: *Provided,* That a majority of the superintendents, at either of the places aforesaid, shall be competent to open the books and receive subscriptions of stock.

SEC. 3. *And be it further enacted,* That the superintendents at Cahawba shall have full power and authority to appoint agents to open subscriptions at any other place or places they may deem proper, and to publish the times of opening the same, in some newspaper published nearest the place or places of opening such subscriptions.

SEC. 4. *Be it further enacted,* That one-fourth of each share shall be paid at the time of subscribing, and the remainder by three equal instalments, at six, twelve, and eighteen months thereafter, such times of payment to be determined by the directors, and notice given thereof: the payments to be made in a specie-paying currency; and immediately after the time of subscription, the superintendents shall give notice in writing to the superintendents at Cahawba, of the names of subscribers, the number of shares subscribed by each, and the moneys paid in. And in case the aggregate amount of subscriptions amounts to five thousand dollars, then the superintendents at Cahawba shall publish a day and place for the election of a president and seven directors, every share to be entitled to one vote, and stockholders to be entitled to vote by proxy; the said superintendents at Cahawba to have full power and authority to appoint managers for holding such election.

SEC. 5. *And be it further enacted,* That in case the whole amount of subscriptions shall not amount to the sum of five thousand dollars, the superintendents at Cahawba shall forthwith determine, as their discretion may direct, either to order and advertise for opening subscriptions again at the places aforesaid, by the same superintendents, or others in case of death, removal, or refusing to act, of those previously appointed, or to direct the repayment to subscribers of the sums respectively subscribed and paid.

SEC. 6. *And be it further enacted,* That the company hereby established shall be, and the same is hereby made a body politic and corporate, under the name and style of "The Cahawba Navigation Company;" and shall so continue until one thousand eight hundred and fifty-eight; and by that name shall be, and are hereby made, capable in law to have, purchase, receive, possess, enjoy,

Subscriptions.

Appointment of agents.

Payments.

Election of president and directors.

Re-opening of subscriptions.

Incorporation of the company. Name.

Act of Alabama. and retain, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels, and effects, of whatever kind, nature, and quality, to any amount not exceeding in the whole one hundred thousand dollars; including in the amount of capital stock; and the same to sell, grant, demise, alien, and dispose of, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any suit, action, matter or thing, in any court, either of law or equity, or in any other place whatsoever; and also to make, have, and use a common seal, and the same to break, alter, or renew, at their pleasure; and also to ordain, establish, and put in execution, such by-laws, ordinances, and regulations, as they shall deem necessary and convenient for the government of said corporation, not being contrary to the laws of this state, or of the United States; and generally to do and execute all and singular the acts, matters and things, which to them may appear necessary, or which to them it shall or may appertain to do, as incident to bodies corporate; subject, nevertheless, in addition, to the restrictions, limitations, and provisions, hereinafter prescribed and declared: *Provided*, That nothing in this act shall be so construed as to authorize said company to exercise banking powers, or any other power not specially delegated in this act.

Organization of directors.

SEC. 7. *Be it further enacted*, That the directors shall meet and organize, and appoint such officers as may be necessary for conducting the business of said company; they shall keep regular accounts and make an annual report of their proceedings to the legislature of this state; in case of the death, resignation, or removal of any one of the directors, or should a vacancy occur in any manner whatever, in the board of directors, a majority of the remaining directors may fill such vacancy; and an annual election of directors shall be held on the first Monday in February in each and every year at Cahawba; the directors shall have power to change the place of election of directors, giving public notice thereof in some newspaper, at least two months before the election.

Power of the directors,

SEC. 8. *Be it further enacted*, That the directors, a majority being present, shall have power to determine upon all plans for improvement, and may authorize a committee or agents to contract for, or to superintend the execution of any such plan, and to make contract for necessary supplies, or for such superintendents and labourers as may be required, not to exceed in amount or value the sums appropriated by the board of directors.

To enforce the payment of stock,

SEC. 9. *Be it further enacted*, That the directors shall have power to enforce the payment of stock subscribed, either by making a failure amount to a forfeiture, or otherwise.

To receive toll when completed as far as Maybury's landing;

SEC. 10. *And be it further enacted*, That when the improvement of said river, so far as Maybury's landing, shall be deemed by the directors to be completed, and the directors shall desire liberty to receive toll for the passage of boats over the same, they shall apply to the governor of this state, who shall cause the same to be examined, and in case such improvement is deemed completed, so as to admit the easy ascent and descent of boats of twenty tons burden, he shall certify the same to the directors; whereupon they shall be authorized to make regulations for receiving toll not exceeding the rates hereinafter mentioned, that is to say: for each barrel eighteen cents and three-fourths; for each bale of cotton, ten cents; for each ton of iron, one dollar; for lumber of every description, in rafts or otherwise, one-fourth cent per cubic foot: *Provided*, Said company shall defray all expenses incurred by every such examination.

Oldtown, Perry county;

SEC. 11. *Be it further enacted*, That when the improvement of said river shall be completed so far as Oldtown, in Perry county, so as to allow the easy and safe ascent and descent of boats of twenty tons burden, and the directors shall obtain the certificate of the governor in like manner as is provided for in the preceding section of this act, they shall be authorized to make regulations for receiving toll, not exceeding the rates hereinafter mentioned, to wit: For each barrel thirty-seven cents and a half; for each bale of cotton, twenty cents; for each ton of iron, one dollar and fifty cents; for lumber of every description, in rafts or otherwise, one-half cent per cubic foot.

Centreville;

SEC. 12. *Be it further enacted*, That when the improvement of said river shall be completed to Centreville, or the Falls of Cahawba, and the certificate of the governor obtained in like manner as is pointed out in a previous section, that then, and in that event, the directors shall be authorized to make regulations for receiving toll upon the whole route, not exceeding the rates hereinafter mentioned, to wit: For each barrel, fifty-six and one-fourth cents; for each bale of cotton, thirty cents; for each ton of iron, two dollars; for lumber

of every description, in rafts or otherwise, three-fourths of a cent per cubic foot. Act of Alabama.

SEC. 13. *And be it further enacted*, That after the completion of all and every part of the improvement on said river, his excellency the governor shall appoint some suitable person, whose duty it shall be, whenever said river shall be considered by him not to be in such repair as to admit of the easy ascent and descent of boats as contemplated by this act, to report the same to the governor, and said company shall not receive any toll until said river shall be reported in sufficient repair for the easy ascent and descent of boats, and the certificate of the governor obtained as prescribed in the tenth section of this act. When they shall not receive toll.

SEC. 14. *And be it further enacted*, That the directors, after receiving said toll on all or any part of the works, shall commence and declare semi-annual dividends, on the first Monday of February in each and every year, of such net proceeds, as may be above all expenses, and sums necessary for repairs and improvements. Semi-annual dividends.

SEC. 15. *Be it further enacted*, That stock shall be transferable only on the books of the company. Stock, how transferable.

SEC. 16. *And be it further enacted*, That nothing in this act shall be so taken or construed as to prevent or obstruct the free navigation of said river, so far as it is now a navigable stream, until the assent of Congress shall be obtained authorizing the same. Construction.

SEC. 17. *And be it further enacted*, That all articles not heretofore enumerated, shall be rated by weight or measurement, and tolled according to the foregoing rates.

SEC. 18. *And be it further enacted*, That all acts, and parts of acts, contravening this act, be, and the same are hereby repealed.

SEC. 19. *And be it further enacted*, That the president and directors shall keep a true account of the costs and expenditures of the improvements of the said river, and on the first day in February, in each year, have the same made up, and the balance of profits struck and divided among the stockholders, and report upon the same to the General Assembly of the state; and if it shall appear by the said return, under the oath of the president and directors, that the profits arising from tolls, divided, do not amount to twelve and a half per cent on the capital expended, the corporation shall be authorized to add to the tolls for the succeeding years, until the net profits arising from tolls, after deducting all expenses, repairs, and improvements, shall amount to twelve and a half per cent. per year; that should it appear that the net profits arising from tolls exceed twenty-five per cent. per year, after deducting the expenses, repairs, and improvements, the General Assembly reserve to themselves the right so to reduce the rates of tolls that the profits from the tolls to be divided shall not exceed twenty-five per centum. Dividends not to exceed twenty-five per cent.

APPROVED, January 10, 1827.

## APPENDIX, No. III.

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In pursuance of the authority contained in the act of May 24, 1828, ch. 111, ante, p. 308, the act of January 7, 1824, ch. 2, ante, p. 2, proclamations have been issued by the President of the United States, as follow :

June 3, 1829.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

### PROCLAMATION:

Proclamation.

Ante, p. 308.

*Whereas*, by an act of the Congress of the United States of the 24th of May, one thousand eight hundred and twenty-eight, entitled "An Act in addition to an act, entitled 'An act concerning discriminating duties of Tonnage and Impost,' and to equalize the duties on Prussian vessels and their cargoes," it is provided that, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any foreign country, the President is thereby authorized to issue his proclamation declaring that the foreign discriminating duties of tonnage and impost within the United States are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures or merchandise, imported into the United States in the same from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

And whereas, satisfactory evidence has lately been received by me, from his Imperial Majesty the Emperor of Austria, through an official communication of the Baron de Lederer, his Consul General in the United States, under date of the 29th of May, 1829, that no other or higher duties of tonnage and impost are imposed or levied since the first day of January last in the ports of Austria, upon vessels wholly belonging to citizens of the United States, and upon the produce, manufactures, or merchandise imported in the same from the United States, and from any foreign country whatever, than are levied on Austrian ships and their cargoes, in the same ports under like circumstances.

Discriminating duties suspended upon Austrian vessels.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing discriminating duties of tonnage and impost within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of Austria, and the produce, manufactures, and merchandise, imported into the United States in the same, from the dominions of Austria, and from any other foreign country whatever, the said suspension to take effect from the day above mentioned, and to continue thenceforward, so long as the reciprocal exemption of the vessels of the United States, and the produce, manufactures, and merchandise imported into the dominions of Austria, in the same as aforesaid, shall be continued on the part of the government of His Imperial Majesty the Emperor of Austria.

Given under my hand, at the City of Washington, this third day of June, in the year of our Lord one thousand eight hundred and twenty-nine, and the fifty-third of the Independence of the United States.

*By the President:*

ANDREW JACKSON.

M. VAN BUREN, *Secretary of State.*

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Sept. 18, 1830.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

### PROCLAMATION:

Proclamation.

*Whereas*, by an act of the Congress of the United States, of the 24th of May, one thousand eight hundred and twenty-eight, entitled "An Act in addi-

tion to an act, entitled 'An Act concerning discriminating duties of Tonnage and Imposts,' and to equalize the duties on Prussian vessels and their cargoes," it is provided that, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any foreign country, the President is thereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise, imported into the United States in the same from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

Proclamation.  
Ante, p. 308.

And whereas, satisfactory evidence has lately been received by me, from His Royal Highness the Grand Duke of Oldenburg, through an official communication of F. A. Mench, his Consul in the United States, under date of the 15th September, 1830, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the Grand Dukedom of Oldenburg, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any other country.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim that, so much of the several acts imposing discriminating duties of tonnage and impost within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the Grand Dukedom of Oldenburg, and the produce, manufactures, and merchandise, imported into the United States in the same, from the Grand Dukedom of Oldenburg, and from any other foreign country whatever; the said suspension to take effect from the day above mentioned, and to continue thenceforward so long as the reciprocal exemption of the vessels of the United States, and the produce, manufactures, and merchandise, imported into the Grand Dukedom of Oldenburg in the same as aforesaid, shall be continued on the part of the government of His Royal Highness the Grand Duke of Oldenburg.

Discriminating  
duties suspend-  
ed upon vessels  
of Oldenburg.

Given under my hand, at the City of Washington, the eighteenth day of September, in the Year of our Lord one thousand eight hundred and thirty, and the fifty-fifth of the Independence of the United States.

ANDREW JACKSON.

*By the President:*

M. VAN BUREN, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

July 1, 1828.

PROCLAMATION:(a)

Whereas, by an act of the Congress of the United States, of the seventh of January, one thousand eight hundred and twenty-four, entitled "An Act concerning discriminating duties of Tonnage and Imposts," it is provided that, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied within the ports of the said nation, upon vessels belonging wholly to citizens of the United States, or upon merchandise, the produce or manufacture thereof, imported in the same, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States, are, and shall be suspended, and discontinued, so far as respects the vessels of the said nation, and the merchandise of its produce or manufacture imported into the United States in the same; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens

Proclamation.  
Ante, p. 2.

of the United States, and merchandise, as aforesaid, thereon laden, shall be continued, and no longer.

Discriminating duties suspended on Hanoverian vessels.

And whereas, satisfactory evidence has been received by me, from His Britannic Majesty, as King of Hanover, through the Right Honourable Charles Richard Vaughan, his Envoy Extraordinary and Minister Plenipotentiary, that vessels wholly belonging to citizens of the United States, or merchandise, the produce or manufacture thereof, imported in such vessels, are not, nor shall be, on their entering any Hanoverian port, subject to the payment of higher duties of tonnage or impost, than are levied on Hanoverian ships, or merchandise, the produce or manufacture of the United States, imported in such vessels.

Now, therefore, I, John Quincy Adams, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares and merchandise, imported into the United States as imposed a discriminating duty of tonnage, between the vessels of the Kingdom of Hanover, and vessels of the United States, between goods imported into the United States, in vessels of the Kingdom of Hanover, and vessels of the United States, are suspended and discontinued, so far as the same respect the produce or manufacture of the said Kingdom of Hanover; the said suspension to take effect this day, and to continue henceforward so long as the reciprocal exemption of the vessels of the United States and the merchandise laden therein as aforesaid shall be continued in the ports of the Kingdom of Hanover.

Given under my hand, at the City of Washington, this first day of July, 1828, and the fifty-second of the Independence of the United States.

*By the President :*

HENRY CLAY, *Secretary of State.*

JOHN Q. ADAMS.

May 11, 1829.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

PROCLAMATION :

Proclamation.  
Ante, p. 2.

*Whereas*, by an act of the Congress of the United States, of the seventh of January, one thousand eight hundred and twenty-four, entitled "An Act concerning discriminating duties of Tonnage and Impost," it is provided, that upon satisfactory evidence being given to the President of the United States by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied within the ports of the said nation, upon vessels belonging wholly to citizens of the United States, or upon merchandise, the produce or manufacture thereof, imported in the same, the President is thereby authorized to issue his proclamation, declaring that the foreign discriminating duties and impost within the United States are, and shall be, suspended and discontinued, so far as respects the vessels of the said nation, and the merchandise of its produce or manufacture, imported into the United States in the same; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and merchandise, as aforesaid, therein laden, shall be continued, and no longer.

Discriminating duties suspended upon Austrian vessels.

And whereas, satisfactory evidence has been received by me from His Imperial Majesty, the Emperor of Austria, through the Baron de Lederer, his Consul General in the United States, that vessels wholly belonging to citizens of the United States are not, nor shall be, on their entering any Austrian port, from and after the first day of January last, subject to the payment of higher duties of tonnage than are levied on Austrian ships.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim, that so much of the several acts imposing duties on the tonnage of ships arriving in the United States, as imposed a discriminating duty between the vessels of the Empire of Austria and vessels of the United States, are suspended and discontinued; the said suspension to take effect from the day above mentioned, and to continue henceforward, so long as the reciprocal exemption of the vessels of the United States shall be continued in the ports of the imperial dominions of Austria.

Given under my hand, at the City of Washington, this eleventh day of May, in the year of our Lord one thousand eight hundred and twenty-nine, and the fifty-second\* of the Independence of the United States.

*By the President :*

M. VAN BUREN, *Secretary of State.*

ANDREW JACKSON.

\* This should be "third," instead of "second."

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

Oct. 5, 1830.

## A PROCLAMATION.

Whereas, by an act of the Congress of the United States, passed on the twenty-ninth day of May, one thousand eight hundred and thirty, it is provided, that, whenever the President of the United States shall receive satisfactory evidence that the government of Great Britain will open the ports in its colonial possessions in the West Indies, on the continent of South America, the Bahama Islands, the Caicos, and the Bermuda or Somer Islands, to the vessels of the United States, for an indefinite or for a limited term; that the vessels of the United States and their cargoes, on entering the colonial ports aforesaid, shall not be subject to other or higher duties of tonnage or impost, or charges of any other description, than would be imposed on British vessels or their cargoes arriving in the said colonial possessions from the United States; that the vessels of the United States may import into the said colonial possessions, from the United States, any article or articles which could be imported in a British vessel into the said possessions from the United States; and that the vessels of the United States may export from the British colonies aforementioned, to any country whatever other than the dominions or possessions of Great Britain, any article or articles that can be exported therefrom in a British vessel, to any country other than the British dominions or possessions aforesaid, leaving the commercial intercourse of the United States with all other parts of the British dominions or possessions on a footing not less favorable to the United States than it now is, That then, and in such case, the President of the United States shall be authorized, at any time before the next session of Congress, to issue his proclamation, declaring that he has received such evidence, and that thereupon, and from the date of such proclamation, the ports of the United States shall be opened indefinitely, or for a term fixed, as the case may be, to British vessels coming from the said British colonial possessions, and their cargoes, subject to no other or higher duty of tonnage or impost, or charge of any description whatever, than would be levied on the vessels of the United States or their cargoes, arriving from the said British possessions; and that it shall be lawful for the said British vessels to import into the United States, and to export therefrom, any article or articles which may be imported or exported in vessels of the United States; and that the act, entitled "An Act concerning navigation," passed on the eighteenth day of April, one thousand eight hundred and eighteen, an act supplementary thereto, passed the fifteenth day of May, one thousand eight hundred and twenty, and an act, "An Act to regulate the commercial intercourse between the United States and certain British ports," passed on the first day of March, one thousand eight hundred and twenty-three, shall, in such case, be suspended, or absolutely repealed, as the case may require.

Recital.

1830, ch. 207.

1818, ch. 70.  
1820, ch. 122.

1823, ch. 22.

And whereas, by the said act, it is further provided, that, whenever the ports of the United States shall have been opened under the authority thereby given, British vessels and their cargoes shall be admitted to an entry in the ports of the United States from the islands, provinces, or colonies of Great Britain, on or near the North American continent, and north or east of the United States.

And whereas satisfactory evidence has been received by the President of the United States, that, whenever he shall give effect to the provisions of the act aforesaid, the government of Great Britain will open, for an indefinite period, the ports in its colonial possessions in the West Indies, on the continent of South America, the Bahama Islands, the Caicos, and the Bermuda or Somer Islands, to the vessels of the United States and their cargoes, upon the terms and according to the requisitions of the aforesaid act of Congress.

Now, therefore, I, Andrew Jackson, President of the United States of America, do hereby declare and proclaim that such evidence has been received by me; and that by the operation of the act of Congress, passed on the twenty-ninth day of May, one thousand eight hundred and thirty, the ports of the United States are, from the date of this proclamation, open to British vessels coming from the said British possessions, and their cargoes, upon the terms set forth in the said act; the act, entitled "An Act concerning navigation," passed on the eighteenth day of April, one thousand eight hundred and eighteen, the act supplementary thereto, passed the fifteenth day of May, one thousand eight hundred and twenty, and the act, entitled "An Act to regulate the commercial intercourse between the United States and certain British ports," passed the first day of March, one thousand eight hundred and twenty-three,

Ports of the United States opened to vessels from British islands and provinces, and certain acts repealed.  
1830, ch. 207.

1818, ch. 70.

1820, ch. 122.

1823, ch. 22.

## APPENDIX III.

are absolutely repealed; and British vessels and their cargoes are admitted to an entry in the ports of the United States, from the islands, provinces, and colonies of Great Britain on or near the American continent, and north or east of the United States.

Given under my hand, at the city of Washington, the fifth day of October, in the year of our Lord one thousand eight hundred and thirty, and fifty-fifth of the Independence of the United States.

ANDREW JACKSON.

By the President.

M. VAN BUREN,

*Secretary of State.*