BY AUTHORITY OF CONGRESS.

THE

Public Statutes at Large

OF THE

UNITED STATES OF AMERICA,

FROM THE

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

ARRANGED IN CHRONOLOGICAL ORDER.

WITH

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

AND

COPIOUS NOTES OF THE DECISIONS

OF THE

Courts of the United States

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

WITH AN

INDEX TO THE CONTENTS OF EACH VOLUME,

AND A

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

TOGETHER WITH

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

AND ALSO,

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

EDITED BY

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COUNSELLOR AT LAW.

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VOL. V.

BOSTON:

LITTLE, BROWN AND COMPANY.

1856.

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LIST

OF THE

PUBLIC ACTS OF CONGRESS,

CONTAINED IN VOLUME FIFTH.

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

STATUTE I.—1836.

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

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

Banks in the District of Columbia. An act to extend the charters of certain Banks in the District of Columbia to the first day of October one thousand eight hundred and thirty-six. (Expired.) Feb. 9, 1836 1

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

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

Banks in the District of Columbia. An act to extend the charters of the Bank of Columbia, in Georgetown, and the Bank of Alexandria, in the city of Alexandria. (Expired.) Feb. 25, 1836 4

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

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

Hostilities with the Seminole Indians. An act authorizing the Secretary of War to transfer a part of the appropriation for the suppression of Indian hostilities in Florida, to the credit of subsistence. (Obsolete.) March 19, 1836 6

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

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

Relief of sufferers by fire in the city of New York. An act amendatory of "the Act for the relief of the sufferers by fire in the city of New York," passed March 19th, 1836. (Obsolete.) April 5, 1836 8

Appropriations for the support of the Government. An act to suspend the operation of the second proviso, third section of "An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-five." (Expired.) April 9, 1836 8

The Bank of the United States not required to perform the duties of Commissioner of Loans. An act to repeal so much of the act entitled "An act transferring the duties of Commissioners of Loans to the Bank of the United States, and abolishing the office of Commissioner of Loans," as requires the Bank of the United States to perform the duties of Commissioner of Loans for the several States. April 11, 1836 8

Pensions. An act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-six. April 14, 1836 9

Indian Treaties. An act to carry into effect the treaties concluded by the Chickasaw tribe of Indians on the twentieth October, eighteen hundred and thirty-two, and the twenty-fourth May, eighteen hundred and thirty-four. April 20, 1836 10

Wisconsin Territory. An act establishing the Territorial Government of Wisconsin. April 20, 1836 10

Mackerel Fisheries. An act in addition to the act of the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An act to authorize the licensing of vessels to be employed in the mackerel fishery." April 20, 1836 16

Pensions. An act to prescribe the mode of paying pensions heretofore granted by the United States. April 20, 1836 16

Hostilities with the Seminole Indians. An act making a further appropriation for suppressing Indian hostilities in Florida. (Obsolete.) April 29, 1836 17

Railroad through Public Lands in Massachusetts. An act to authorize the construction of a railroad through lands of the United States in Springfield, Massachusetts. (Obsolete.) April 29, 1836 17

Appropriations for the support of the Government. An act making appropriations for the civil and diplomatic expenses of Government, for the year one thousand eight hundred and thirty-six. (Obsolete.) May 9, 1836 17

Salaries of Clerks, &c., in the Public Offices. An act providing for the salaries of certain officers therein named, and for other purposes. May 9, 1836 26

Appropriations for the Navy. An act making appropriations for the naval service, for the year one thousand eight hundred and thirty-six. (Obsolete.) May 14, 1836 27

Appropriations for the Army. An act making appropriations for the support of the army, for the year one thousand eight hundred and thirty-six. (Obsolete.) May 14, 1836 29

Patents for the Public Lands. An act to give effect to patents for public lands issued in the names of deceased persons. May 20, 1836 31

Pensions. An act explanatory of the act entitled "An act to prevent defalcations on the part of the disbursing agents of the Government, and for other purposes." May 20, 1836 31

Corporations in the District of Columbia. An act for the relief of the several corporate cities of the District of Columbia. May 20, 1836 31

Army of the United States. An act authorizing the President of the United States to accept the service of volunteers, and to raise an additional regiment of dragoons or mounted riflemen. (Expired.) May 23, 1836 32

Hostilities by the Creek Indians. An act making appropriations for the suppression of hostilities by the Creek Indians. May 23, 1836 33

Expenses of Volunteers for the defence of Florida. An act to provide for the payment of expenses incurred and supplies furnished on account of the militia or volunteers received into the service of the United States for the defence of Florida. (Obsolete.) May 28, 1836 33

Pensioners in Virginia and Ohio. An act to provide for the payment of certain pensioners in the States of Virginia and Ohio. June 7, 1836 34

Western Boundary of Missouri. An act to extend the western boundary of the State of Missouri to the Missouri river. June 7, 1836 34

Convention between the United States and Spain. An act to carry into effect a convention between the United States and Spain. June 7, 1836 34

Expenses of the Indian Department. An act making appropriations for the current expenses of the Indian Department, for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-six. June 14, 1836 36

Arsenal in North Carolina. An act to establish an arsenal of construction in the State of North Carolina. June 14, 1836 47

Bank of the United States. An act repealing the fourteenth section of the "Act to incorporate the subscribers to the Bank of the United States," approved April tenth, eighteen hundred and sixteen. June 15, 1836 48

Green Bay Land District. An act to divide the Green Bay land district in Michigan, and for other purposes. June 15, 1836 48

Northern Boundary of Ohio. State of Michigan. An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed. June 15, 1836 49

Admission of Arkansas into the Union. June 15, 1836 50

Deposites of Public Money. An act to regulate the deposites of the public money. June 23, 1836 52

Bank of the United States. An act authorizing the Secretary of the Treasury to act as the agent of the United States in all matters relating to their stock in the Bank of the United States. June 23, 1836 56

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

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

Improvement of Rivers in Alabama. An act to amend an act to grant certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahaba and Black Warrior river. June 23, 1836 57

State of Arkansas. An act supplementary to the act entitled "An act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes." June 23, 1836 58

State of Michigan. An act supplementary to the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions." June 23, 1836 59

Pensioners in Tennessee. An act to provide for the paying of certain pensioners of the United States at Pulaski, in the State of Tennessee. June 28, 1836 60

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

District Court in the Western District of Virginia. An act to change the time of holding the District Court of the United States for the Western District of Virginia, holden at Clarksburg. July 1, 1836 61

Railroad Iron. An act explanatory of an act entitled "An act to release from duty iron prepared for, and actually laid on railways and inclined planes. July 1, 1836 61

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

Penitentiary in the District of Columbia. An act making appropriation for the payment of charges incurred for the support of the Penitentiary in the District of Columbia, for the year eighteen hundred and thirty-five, and for the support of said Penitentiary, for the year eighteen hundred and thirty-six. (Obsolete.) July 1, 1836 62

Sale of Lands for a Seminary of Learning in Florida. An act to authorize the Governor and Legislative Council of the Territory of Florida to sell the lands heretofore reserved for the benefit of a general seminary of learning in said Territory. July 1, 1836 63

Road on the Lands of the United States in Massachusetts. An act authorizing the Winnisimmet Company to lay out and make a way on lands of the United States in Chelsea, in the State of Massachusetts. July 1, 1836 63

Bridge at Harper's Ferry. An act to authorize the Shenandoah Bridge Company, at Harper's Ferry, to erect a bridge on the lands of the United States, at or near the town of Harper's Ferry. July 1, 1836 63

Smithsonian Legacy. An act to authorize and enable the President to assert, and prosecute with effect, the claim of the United States to the legacy bequeathed to them by James Smithson, late of London, deceased, to found at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men. July 1, 1836 64

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

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

Railroad through the Public Lands. An act to grant to the New Orleans and Nashville Railroad Company, the right of way through the public lands of the United States. July 2, 1836. 65

Renewal of the Gold Medal presented to General Morgan. An act to renew the gold medal struck and presented to General Morgan, by order of Congress, in honour of the battle of Cowpens. July 2, 1836 66

Arsenal at Charleston, South Carolina. An act to repair and extend the United States' Arsenal at Charleston, South Carolina. (Obsolete.) July 2, 1836 66

Protection of the Western Frontier. An act to provide for the better protection of the western frontier. July 2, 1836 67

Delaware Breakwater. Improvement of Harbors and Rivers. An act making additional appropriations for the Delaware Breakwater, and for certain harbors, and removing obstructions in and at the mouths of certain rivers, and for other purposes, for the year one thousand eight hundred and thirty-six. (Obsolete.) July 2, 1836 67

Banks in the District of Columbia. An act to extend the charters of certain Banks in the District of Columbia, and for other purposes. (Expired.) July 2, 1836 69

Courts in Florida. An act regulating the terms of the Superior Courts of the Middle District of Florida, and for other purposes. July 2, 1836 69

Towns in Wisconsin Territory. An act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque, and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes. July 2, 1836 70

Volunteers of Missouri and Indiana. An act for the payment of certain companies of the militia of Missouri and Indiana, for services rendered against the Indians in eighteen hundred and thirty-two. (Obsolete.) July 2, 1836 71

Cumberland Road. An act for the continuation of the Cumberland Road in the States of Ohio, Indiana and Illinois. July 2, 1836 71

Military Academy at West Point. An act making appropriations for the Military Academy of the United States, for the year eighteen hundred and thirty-six. (Obsolete.) July 2, 1836. 72

Public Lands. An act to confirm the sales of public lands in certain cases. (Obsolete.) July 2, 1836 73

Indian Treaties. An act making further appropriations for carrying into effect certain Indian Treaties. (Obsolete.) July 2, 1836 73

Fortifications. An act making appropriations for certain fortifications of the United States for the year one thousand eight hundred and thirty-six, and for other purposes. (Obsolete.) July 2, 1836 77

Public Lands in Illinois. An act to amend an act entitled "An act authorizing the laying off a town on Bean river, in the State of Illinois, and for other purposes," approved fifth February, eighteen hundred and twenty-nine. July 2, 1836 79

Post Office. An act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof. July 2, 1836 80

Post-Roads. An act to establish certain post-roads, and to alter and discontinue others, and for other purposes. July 2, 1836 90

Franking privilege to Mrs. Madison. An act to extend the privilege of franking letters and packages to Dolly P. Madison. July 2, 1836 107

General Land Office. An act to reorganize the General Land Office. July 4, 1836 107

Appropriations for the support of Government. An act in addition to the act entitled "An act making appropriations in part for the support of Government, for the year eighteen hundred and thirty-six, and for other purposes. (Obsolete.) July 4, 1836 112

Deposites of the Public Money. An act supplementary to an act entitled "An act to regulate the deposites of the public money," passed twenty-third of June, eighteen hundred and thirty-six. (Obsolete.) July 4, 1836 115

Five per cent. Fund in Alabama and Mississippi. An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund, and the school reservations. July 4, 1836 116

Additional Paymasters in the Army. An act to authorize the appointment of additional paymasters, and for other purposes. July 4, 1836 117

Patents for useful Inventions. An act to promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose. July 4, 1836 117

Discriminating Duties. An act to suspend the discriminating duties upon goods imported in vessels of Portugal, and to reduce the duties on wines. July 4, 1836 125

Purchase of the Patents of W. H. Bell, for Invention for elevating and pointing Cannon. An act for the purchase of certain rights or inventions of William H. Bell, of North Carolina. July 4, 1836 126

Public Lands in Missouri. An act confirming claims to land in the State of Missouri, and for other purposes. July 4, 1836. 126

Pensions to Widows and Orphans. An act granting half-pay to widows or orphans, where their husbands and fathers have died of wounds received in the military service of the United States, in certain cases, and for other purposes. July 4, 1836. 127

Improvement of Harbors. An act making appropriations for the improvement of certain harbors therein mentioned, for the year one thousand eight hundred and thirty-six, and for other purposes. (Obsolete.) July 4, 1836. 128

Certificates to Importers of Wines. An act to repeal so much of the act of March second, seventeen hundred and ninety-nine, as respects the issuing of certificates on the importation of wines. July 4, 1836. 131

RESOLUTIONS.

No. 1. *Rations to Inhabitants of Florida.* Resolution authorizing the President to furnish rations to certain inhabitants of Florida. Feb. 1, 1836. 131

No. 2. *Post-Roads in Missouri and Arkansas.* Resolution to establish certain post-roads in Missouri and Arkansas. March 19, 1836. 131

No. 3. *Public Lands acquired by the Treaty of Dancing Rabbit Creek.* Resolution to suspend the sale of a part of the public lands acquired by the Treaty of Dancing Rabbit Creek. May 9, 1836. 132

No. 4. *Post Office.* A resolution to change the time of making contracts for the transportation of the mail. May 14, 1836. 132

No. 5. *Claims of Massachusetts and of other States.* A resolution to authorize the Secretary of War to receive additional evidence in support of the claims of Massachusetts and other States of the United States, for disbursements, services, &c., during the late war. May 14, 1836. 132

No. 6. *Bridge across the Potomac.* A resolution authorizing the repair of the bridge across the river Potomac, at Washington. June 7, 1836. 132

No. 7. *Distribution of Weights and Measures.* A resolution providing for the distribution of weights and measures. June 14, 1836. 133

No. 8. *Paintings in the Rotundo.* A resolution to furnish the Rotundo with paintings. June 23, 1836. 133

No. 9. *Claims of Fulton's Heirs.* A resolution referring the petition and papers of the heirs of Robert Fulton, deceased, to the Secretary of the Navy, to report thereon to Congress. June 23, 1836. 133

No. 10. *Bridge over the Potomac.* Resolution to apply the unexpended balance of the appropriation for the Potomac bridge to the improvement of Maryland avenue, leading thereto, and for other purposes. July 1, 1836. 134

STATUTE II.—1837.

Lands ceded to the United States by Indian Tribes. An act to regulate, in certain cases, the disposition of the proceeds of lands ceded by Indian tribes to the United States. Jan. 9, 1837. 135

Hostilities with the Seminole Indians. An act making an appropriation for the suppression of Indian hostilities. (Obsolete.) Jan. 9, 1837. 135

Mint. An act supplementary to the act entitled "An act establishing a Mint, and regulating the coins of the United States." Jan. 18, 1837. 136

Pensions. An act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-seven. (Obsolete.) Jan. 18, 1837. 142

Horses and property destroyed in the Military Service. An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States. (Expired.) Jan. 18, 1837. 142

State of Michigan. An act to admit the State of Michigan into the Union upon an equal footing with the original States. Jan. 26, 1837. 144

Railroads through the Public Lands in Florida. An act to authorize certain Railroad Companies to construct railroads through the public lands in the Territory of Florida. Jan. 31, 1837. 144

Port of New Orleans. An act to extend the limits of the Port of New Orleans. Feb. 3, 1837. 146

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

Branch Mints. An act to amend an act entitled "An act to establish branches of the Mint of the United States," passed the third day of March, one thousand eight hundred and thirty-five. Feb. 13, 1837. 147

Duties on Imports. An act to suspend certain provisoes of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth day of July, eighteen hundred and thirty-two. (Obsolete.) March 1, 1837. 147

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

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

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

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

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

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

Pilots. An act concerning pilots. March 2, 1837. 153

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

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

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

Indian Department and Indian Treaties. An act making appropriations for the current expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year eighteen hundred and thirty-seven. (Obsolete.) March 3, 1837. 158

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

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

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

Treasury of the United States. An act to authorize the proper officers of the Treasury Department to credit the account of the Treasurer of the United States with the amount of the unavailable funds standing to his debit on the books of the Treasury, to transfer the amount of the debit of banks and individuals indebted for the same, and to authorize the Secretary of the Treasury to compromise and settle said claims. (Obsolete.) March 3, 1837. 178

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

Convention between the United States and Spain. An act to continue in force, for a limited time, the act entitled "An act to carry into effect a convention between the United States and Spain." (Obsolete.) March 3, 1837. 179

Navy Pension Fund. An act for the more equitable administration of the Navy Pension Fund. March 3, 1837. 180

Page

Claims to Land under the Treaty with the Choctaw Indians. An act for the appointment of Commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians. March 3, 1837... 180

Light-Houses. An act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and dolphins, for the year one thousand eight hundred and thirty-seven. March 3, 1837. 181

Sale of Reservations of Land under the Treaty with the Creek Indians. An act to authorize and sanction the sales of reserves, provided for Creek Indians in the treaty of March twenty-four, eighteen hundred and thirty-two, in certain cases, and for other purposes. March 3, 1837..... 186

Pensions to Widows and Orphans. An act explanatory of the act entitled "An act granting half-pay to widows and orphans where their husbands and fathers have died of wounds received in the military service of the United States, and for other purposes." March 3, 1837.... 187

Commissioner of Pensions. An act to continue the office of Commissioner of Pensions. March 3, 1837..... 187

Improvement of Harbors and Rivers. An act to provide for certain harbors, and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes, during the year one thousand eight hundred and thirty-seven. (Obsolete.) March 3, 1837..... 187

Patents for useful Inventions. An act in addition to the act to promote the progress of science and useful arts. March 3, 1837..... 191

Roads. The Cumberland Road. Road in Florida. Surveys. An act to provide for continuing the construction, and for the repair of certain roads, and for other purposes, during the year eighteen hundred and thirty-seven. March 3, 1837. 195

Railroad on the Public Lands in Florida. An act to grant the Atchafalaya Railroad and Banking Company the right of way over the public lands of the United States. March 3, 1837..... 196

Chesapeake and Ohio Canal. An act further to amend the act incorporating the Chesapeake and Ohio Canal Company. March 3, 1837. 197

Railroad in Louisiana. An act to authorize the New Orleans and Carrollton Railroad Company to construct a railroad from Carrollton to the town of Bayou Sara, in the State of Louisiana. March 3, 1837..... 197

Banks in Wisconsin Territory. An act to give the approval and confirmation of Congress to three several acts of the Legislative Assembly of the Territory of Wisconsin, incorporating Banks. March 3, 1837..... 198

RESOLUTIONS.

No. 1. *Post Office.* A resolution to enable the Postmaster General more readily to change the commencement of the contract year in the Post Office Department. March 2, 1837. ... 198

No. 2. *Pension to Susan Decatur.* A resolution granting a pension to Susan Decatur, widow of the late Stephen Decatur. March 3, 1837.....199

No. 4. *Correction of an error in the awards under the Treaty with France.* Resolution authorizing the Secretary of the Treasury to correct a clerical error in the award of the Commissioners under the treaty with France of eighteen hundred and thirty-one. March 3, 1837..... 200

No. 5. *Payment for the Stock of the United States in the Bank of the United States.* A resolution authorizing the Secretary of the Treasury to receive from the Bank of the United States, under the Pennsylvania charter, payment for the stock of the United States in the late Bank of the United States. March 3, 1837. 200

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

STATUTE I.—1837.

Postponement of the Fourth Instalment of Deposite with the States. An act to postpone the fourth instalment of deposite with the States. Oct. 2, 1837..... 201

Treasury Notes. An act to authorize the issuing of Treasury Notes. Oct. 12, 1837..... 201

Fees of District Attorneys. An act to regulate the fees of District Attorneys in certain cases. Oct. 12, 1837..... 204

Page

Laws of the United States continued in force. An act to continue in force certain laws to the close of the next session of Congress. Oct. 12, 1837 204

Payment for Horses lost or destroyed in the Military Service. An act to amend an act entitled "An act to provide for the payment of horses lost or destroyed in the military service of the United States," approved January 18th, 1837. Oct. 14, 1837 204

Madison Papers. An act for the relief of D. P. Madison. Oct. 14, 1837 205

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

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

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

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

RESOLUTION.

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

STATUTE II.—1837, 1838.

Public Vessels to cruise on the Coast in Winter. An act to authorize the President of the United States to cause the public vessels to cruise upon the coast in the winter season and to relieve distressed navigators. Dec. 22, 1837 208

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

Annuities to the Osages. An act to provide for the payment of the annuities which will become due and payable to the Great and Little Osages in the year one thousand eight hundred and thirty-eight, and for other purposes. (Obsolete.) Jan. 16, 1838 209

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

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

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

Claims to Reservations under the Treaty with the Choctaw Indians. An act to amend an act entitled "An act for the appointment of Commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty, with the Choctaw Indians." (Expired.) Feb. 22, 1838 211

Bank of the United States. An act to prevent the abatement of suits and actions now pending, in which the late Bank of the United States may be a party. March 2, 1838 211

District Courts in Virginia. An act to change the time of holding the terms of the Circuit Court of the United States for the Eastern District of Virginia, and of the District Court of the United States for the Eastern District of Virginia, directed by law to be held in the city of Richmond. March 2, 1838 212

Punishment of Military Expeditions against the conterminous Territory of foreign governments at peace with the United States. An act supplementary to an act entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved twentieth of April, eighteen hundred and eighteen. March 10, 1838 212

Pensions. An act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-eight. (Obsolete.) March 10, 1838 214

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

Assent to an Act of the Legislature of Maryland. An act to continue in force an act therein mentioned, relating to the Port of Baltimore. March 19, 1838 215

Page

District Courts of Western Virginia. An act to restore circuit jurisdiction to the District Courts of the Western District of Virginia. March 28, 1838 215

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

Appropriations for the support of the Army. An act making appropriations for the support of the army for the year one thousand eight hundred and thirty-eight. (Obsolete.) April 6, 1838 224

Unclaimed Pensions. An act directing the transfer of money remaining unclaimed by certain pensioners, and authorizing the payment of the same at the Treasury of the United States. April 6, 1838 225

District of Columbia. Quieting Possessions and securing Estates to Purchasers. An act to amend the act for quieting possessions, enrolling conveyances, and securing the estates of purchasers within the District of Columbia, passed the thirty-first day of May, eighteen hundred and thirty-two. April 20, 1838 226

Removal of the Raft in Red River. An act making an appropriation for the removal of the great raft of Red River. (Obsolete.) April 20, 1838 228

Treasury Notes. An act to authorize the issuing of Treasury Notes to meet the current expenses of the Government. May 21, 1838 228

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

Additional Judge of the Orphans' Court. Washington County Orphans' Court. An act supplementary to the act entitled "An act concerning the District of Columbia." May 25, 1838 229

Union Bank of Georgetown. An act to extend the charter of the Union Bank of Georgetown, in the District of Columbia. May 25, 1838 229

Banks in the District of Columbia. An act to continue the corporate existence of the Banks in the District of Columbia. (Expired.) May 31, 1838 232

Appropriations for the Navy in 1838. An act making appropriations for the naval service for the year one thousand eight hundred and thirty-eight. (Obsolete.) May 31, 1838 232

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

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

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

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

Surveyor of the Public Lands in the Territory of Wisconsin. An act to create the office of Surveyor of Public Lands in the Wisconsin Territory. June 12, 1838 243

Land Offices in the Wisconsin Territory. An act to establish two additional land offices in that part of Wisconsin Territory west of the river Mississippi. June 12, 1838 243

Boundary Line of Michigan and Wisconsin. An act to ascertain and designate the boundary line between the State of Michigan and the Territory of Wisconsin. June 12, 1838 244

Wisconsin Territory. An act concerning a seminary of learning in the Territory of Wisconsin. June 12, 1838 244

Land granted to Wisconsin for a Canal. An act to grant a quantity of land to the Territory of Wisconsin for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River. June 18, 1838 245

District Courts of Mississippi. An act to reorganize the District Courts of the United States in the State of Mississippi. June 18, 1838 247

Boundary of Iowa. An act to authorize the President of the United States to cause the southern boundary line of the Territory of Iowa to be ascertained and marked. June 18, 1838 248

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

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

Page

Pre-emption Rights. An act to grant pre-emption rights to the settlers on the public lands. June 22, 1838 251

Boilers of Steam-engines. An act authorizing the appointment of persons to test the usefulness of inventions to improve and render safe the boilers of steam-engines against explosions. June 28, 1838 252

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

Confirmation of an Act of the Legislature of Florida. An act to confirm the act of the Legislative Council of Florida, incorporating the "Florida Peninsula Railroad and Steamboat Company," and granting the right of way to said Company through the public lands, and for other purposes. June 28, 1838 253

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

Charter of the Bank of Alexandria. An act to extend the charter of the Bank of Alexandria, in the City of Alexandria. July 5, 1838 254

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

Deposite Act. An act to modify the last clause of the fifth section of the deposite act of the twenty-third of June, eighteen hundred and thirty-six. July 5, 1838 255

Pensions. An act to amend "An act authorizing the Secretary of War to establish a pension agency in the town of Decatur, in the State of Alabama, and to provide for the payment of certain pensioners in the said town of Decatur. July 5, 1838 255

Vessels prevented entering the Ports of Mexico by the Blockade. An act to authorize vessels bound for the ports of Mexico, and prevented from completing the voyages in consequence of the existing blockade of those ports, to enter and store their cargoes in the ports of the United States. July 5, 1838 255

Patents for Lands in the Creek Reservation. An act to authorize the issuing of patents to the last bona fide transferee of reservation under the treaty between the United States and the Creek tribe of Indians, which was concluded on the twenty-fourth of March, eighteen hundred and thirty-two. July 5, 1838 256

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

Test of Inventions for the Improvement of Steam-Boilers. An act supplementary to the act entitled "An act authorizing the appointment of persons to test the usefulness of inventions to improve and render safe the boilers of steam-engines against explosions," approved twenty-eighth day of June, eighteen hundred and thirty-eight. July 7, 1838 261

Appropriations for Roads in Florida. An act making appropriations for certain roads in the Territory of Florida. (Obsolete.) July 7, 1838 261

Sale of Lands near the Wabash and Erie Canal. An act to authorize the sale of certain public lands of the United States near the Wabash and Erie Canal, in the State of Ohio. July 7, 1838 261

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

Erection of a Court-House in Alexandria. An act for the erection of a Court-House in Alexandria, in the District of Columbia. July 7, 1838 262

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

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

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

Improvement of Harbors and Rivers. An act to provide for certain harbors, and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes, during the year one thousand eight hundred and thirty-eight. (Obsolete.) July 7, 1838 268

Post-Roads. An act to establish certain post-roads and to discontinue others. July 7, 1838 271

Appropriations for Fortifications. An act making appropriations for certain fortifications of the United States for the year one thousand eight hundred and thirty-eight. (Obsolete.) July 7, 1838 284

Page

Duties on Goods destroyed by Fire in New York remitted. An act to remit the duties upon certain goods destroyed by fire at the late conflagration in the City of New York. (Obsolete.) July 7, 1838. 284

Collection District in Mississippi. An act to establish a new collection district in the State of Mississippi. July 7, 1838. 287

Land Offices in Louisiana. An act to establish additional land offices in the States of Louisiana and Arkansas. July 7, 1838. 287

Payment for Horses, &c., destroyed in the Military Service. An act to continue in force the act for the payment of horses and other property lost in the military service. (Expired.) July 7, 1838. 288

Coal on board of Steamboats, &c. An act exempting from duty the coal which may be on board of steamboats or vessels propelled by steam on their arrival at any port in the United States. July 7, 1838. 288

A Compilation of the Laws of Florida. An act making appropriation for the compilation of the laws of Florida. (Obsolete.) July 7, 1838. 288

Light-Houses, &c. An act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and making surveys, for the year one thousand eight hundred and thirty-eight. (Obsolete.) July 7, 1838. 289

Judicial District in Florida. An act to establish a new judicial district in the Territory of Florida. July 7, 1838. 294

Circuit and District Courts for the Northern District of New York. An act to increase and regulate the terms of the Circuit Court and District Courts for the Northern District of the State of New York. July 7, 1838. 295

Road from the Foot of the Rapids of the Miami of the Lakes. An act ceding to the State of Ohio the interest of the United States in a certain road within that State. July 7, 1838. 296

Sale of the Bonds of the Bank of the United States. An act to authorize the sale of certain bonds belonging to the United States. July 7, 1838. 296

Prohibition of the Circulation of Bills of Corporations created by Acts of Congress which have expired. An act to prevent the issuing and circulation of the bills, notes and other securities of corporations created by acts of Congress which have expired. July 7, 1838. ... 297

Appropriations for the Indian Department. An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling the treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and thirty-eight. (Obsolete.) July 7, 1838. 298

Acts and Resolutions of Congress. An act to repeal, in part, the act entitled "An act to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes." July 7, 1838. 302

Cultivation of Tropical Plants. An act to encourage the introduction and promote the cultivation of tropical plants in the United States. July 7, 1838. 302

Pensions. An act granting half-pay and pensions to certain widows. July 7, 1838. 303

Roads in Wisconsin. An act making appropriation for certain roads in the Territory of Wisconsin. July 7, 1838. 303

Security of Passengers on board of Vessels propelled by Steam. An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam. July 7, 1838. 304

A Criminal Court in the District of Columbia established. An act to establish a criminal court in the District of Columbia. July 7, 1838. 306

Circuit Court in Tennessee and in Maryland. An act to change the time of holding the United States Circuit Court in the District of East Tennessee and the District of Maryland. July 7, 1838. 308

Military Establishment of the United States. An act supplementary to an act entitled "An act to increase the present military establishment of the United States, and for other purposes," approved July fifth, eighteen hundred and thirty-eight. July 7, 1838. 308

Prohibition of Circulation of small Notes in the District of Columbia. An act to restrain the circulation of small notes as a currency in the District of Columbia, and for other purposes. July 7, 1838. 309

Madison Papers. An act authorizing the printing of the Madison papers. July 7, 1838. 309

RESOLUTIONS.

Page

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

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

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

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

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

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

STATUTE III.—1838, 1839.

Appropriations for the support of Government. An act making appropriations, in part, for the support of Government for the years eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine. (Obsolete.) Dec. 22, 1838. 312

Appropriation to carry into effect the Treaty with Texas, &c. An act to provide for carrying into effect the convention between the United States of America and the Republic of Texas for marking the boundary between them. Jan. 11, 1839. 312

District Courts in Tennessee. An act to amend an act entitled "An act to require the Judge of East and West Tennessee to hold a Court at Jackson in said State," approved June eighteenth, eighteen hundred and thirty-eight. Jan. 18, 1839. 313

Transportation of the Mail on Railroads. An act further to regulate the transportation of the mail upon railroads. Jan. 25, 1839. 314

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

Seminole Indians. An act to provide for the location and temporary support of the Seminole Indians removed from Florida. (Obsolete.) Feb. 13, 1839. 316

Pensions. An act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year eighteen hundred and thirty-nine. (Obsolete.) Feb. 13, 1839. 316

Compromises with certain Banks. An act to repeal the proviso to the second section of an act approved the third of March, eighteen hundred and thirty-seven, which authorized the Secretary of the Treasury to compromise the claims of the United States against certain Banks. Feb. 16, 1839. 317

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

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

Prohibition of Challenges in the District of Columbia. An act to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof. Feb. 20, 1839. 318

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

Suits by the Bank of Columbia, in Georgetown, not to abate. An act to prevent the abatement of suits and actions now pending, in which the Bank of Columbia, in Georgetown, may be a party. Feb. 28, 1839. 321

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

Jurisdiction and Proceedings in the Courts of the United States. An act in amendment of the acts respecting the judicial system of the United States. Feb. 28, 1839. 321

Page

Treasury Notes. An act to revise and extend "An act to authorize the issuing of Treasury Notes to meet the current expenses of Government," approved the twenty-first of May, eighteen hundred and thirty-eight. March 2, 1839 323

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

Appropriations for the Indian Department. An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and thirty-nine. (Obsolete.) March 3, 1839 323

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

Virginia Military Land Warrants. An act to repeal the second section of "An act to extend the time for locating Virginia military land warrants and returning surveys thereon to the General Land Office," approved July seventh, eighteen hundred and thirty-eight. March 3, 1839 329

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

Purchase of Land for the Navy-Yard at Charlestown, Massachusetts. An act to authorize the Secretary of the Navy to purchase a tract of land belonging to the heirs of John Harris, deceased, being within the limits of the navy-yard in Charlestown, Massachusetts. (Obsolete.) March 3, 1839 329

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

Lands for Public Buildings in Iowa. An act making a donation of land to the Territory of Iowa for the purpose of erecting public buildings thereon. March 3, 1839 330

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

Compensation of the Judges of the Supreme Court of Iowa. An act granting to the Judges of the Supreme Court of Iowa the same compensation as by law is given to the Judges of the Supreme Court of Wisconsin. March 3, 1839 331

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

Courts in Missouri, Tennessee, Alabama, Wisconsin, Michigan, Arkansas and New York. An act to amend the act of the third of March, eighteen hundred and thirty-seven, entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States,' and for other purposes." March 3, 1839 337

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

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

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

Adjutant General included in the Act regulating Brevet Pay, &c. An act to amend an act entitled "An act regulating the pay and emoluments of brevet officers," passed April 16, 1818. March 3, 1839 352

Road in Iowa. An act to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes. March 3, 1839 352

Fire-proof Building in the General Post-Office. An act providing for the erection of a fire-proof building for the use of the General Post-Office Department. March 3, 1839 353

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

Defence of the United States in case of Invasion. An act giving to the President of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes. (Expired.) March 3, 1839 355

Wisconsin and Iowa Territories. An act to alter and amend the organic law of the Territories of Wisconsin and Iowa. March 3, 1839 356

Page

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

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

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

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

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

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

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

RESOLUTIONS.

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

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

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

No. 4. *Certificates of Deposite.* A resolution authorizing certain certificates of deposite to be cancelled and re-issued. Feb. 28, 1839 366

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

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

STATUTE I.—1840.

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

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

Census. An act to amend the act "to provide for taking the sixth census or enumeration of the inhabitants of the United States," approved March third, eighteen hundred and thirty-nine. Feb. 26, 1840 368

Commissioner of Pensions. An act to continue the office of Commissioner of Pensions, and to transfer the pension business heretofore transacted in the Navy Department, to that office. March 4, 1840 369

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

Vessels employed in the Whale Fishery. An act to cancel the bonds given to secure duties upon vessels and their cargoes employed in the whale fishery, and to make registers lawful papers for such vessels. April 4, 1840 370

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

Page

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

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

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

Sippican and Mattapoisett Districts. An act authorizing Sippican and Mattapoisett, within the township of Rochester, in the State of Massachusetts, to be known hereafter as ports under those names. May 27, 1840..... 381

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

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

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

Discontinuance of the Office of Surveyor General in certain Districts. An act for the discontinuance of the office of Surveyor General in the several districts, so soon as the surveys therein can be completed, for abolishing land offices under certain circumstances, and for other purposes. June 12, 1840. 384

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

Pensions. An act making provision for the payment of pensions to the executors or administrators of deceased pensioners in certain cases. June 19, 1840..... 385

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

District Court of Tennessee. An act to amend an act approved the eighteenth of January, eighteen hundred and thirty-nine, entitled "An act to amend an act entitled 'An act to require the Judge of the District of East and West Tennessee to hold a Court at Jackson in the said State,' approved June the eighteenth, eighteen hundred and thirty-eight," and for other purposes. July 4, 1840..... 392

Adjournment of the Circuit Courts, &c. An act in addition to the acts respecting the judicial system of the United States. July 4, 1840..... 392

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

Jurors in the Courts of the United States. An act to amend the act, approved May thirteenth, eighteen hundred, entitled "An act to amend an act entitled 'An act to establish the Judicial Courts of the United States.'" July 20, 1840. 394

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

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

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

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

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

Appropriations for the Indian Department. An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and forty. July 20, 1840..... 402

Page

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

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

RESOLUTIONS.

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

No. 3. *Statue of Washington.* A resolution concerning the Statue of Washington by Greenough. May 27, 1840..... 409

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

No. 5. *Exchange of Books, &c.* Joint resolution for the exchange of books and public documents for foreign publications. July 20, 1840..... 409

STATUTE II.—1840, 1841.

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

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

Sixth Census. An act further to amend the act entitled "An act to provide for taking the sixth census or enumeration of the inhabitants of the United States," approved March third, eighteen hundred and thirty-nine. Jan. 14, 1841..... 411

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

Pensions. An act making appropriations for the payment of revolutionary and other pensioners of the United States, for the year eighteen hundred and forty-one, and for other purposes. (Obsolete.) Feb. 18, 1841..... 412

Public Lands in Tennessee. An act to amend an act entitled "An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same," passed the eighteenth day of April, one thousand eight hundred and six. Feb. 18, 1841. 412

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

Wabash and Erie Canal. An act to confirm to the State of Indiana the land selected by her for that portion of the Wabash and Erie Canal which lies between the mouth of the Tippecanoe river and Terre Haute, and for other purposes. Feb. 27, 1841..... 414

Payment for Horses, &c., lost in the Military Service. An act further to continue in force the act for the payment of horses and other property lost in the military service of the United States. (Expired.) Feb. 27, 1841..... 414

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

Appropriations for Fortifications. An act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and forty-one. (Obsolete.) March 3, 1841..... 415

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

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

Appropriations for the Indian Department. An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and forty-one. (Obsolete.) March 3, 1841..... 417

Page

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

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

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

Support and Removal of Indians. An act making an appropriation for the temporary support of certain destitute Kickapoo Indians, and to defray the expense of removing and subsisting the Swan Creek and Black River Indians of Michigan. March 3, 1841 435

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

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

RESOLUTION.

Catalogue of the Library of Congress to be presented to Colleges, &c. Joint resolution to present incorporated universities, colleges, &c., with copies of the Catalogue of the Library of Congress. Jan. 14, 1841 436

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

STATUTE I.—1841.

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

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

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

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

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

Repeal of the Act establishing the Sub-Treasury. An act to repeal the act entitled "An act to provide for the collection, safe-keeping, transfer, and disbursement of the public revenue," and to provide for the punishment of embezzlers of public money, and for other purposes. Aug. 13, 1841 439

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

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

Virginia Military Land-Warrants. An act further to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office. Aug. 19, 1841 449

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

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

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

Page

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

Sixth Census. An act to amend the act entitled "An act for taking the sixth census or enumeration of the inhabitants of the United States," approved March third, one thousand eight hundred and thirty-nine, and the acts amending the same. Sept. 1, 1841. 452

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

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

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

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

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

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

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

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

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

Military Academy at West Point. An act to repeal a part of the sixth section of the act entitled "An act to provide for the support of the Military Academy of the United States, for the year eighteen hundred and thirty-eight, and for other purposes," passed July seventh, eighteen hundred and thirty-eight. Sept. 11, 1841. 465

RESOLUTIONS.

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

No. 2. *Light-Boats at Sandy Hook and Bartlett's Reef.* A resolution relating to the light-boats now stationed at Sandy Hook and Bartlett's Reef. Aug. 25, 1841. 466

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

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

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

No. 6. *Examination by the Attorney General of the Titles to Lands, &c., for Public Works.* A resolution making it the duty of the Attorney General to examine into the titles of the lands or sites for the purpose of erecting thereon armories and other public works and buildings, and for other purposes. Sept. 11, 1841. 468

STATUTE II.—1841, 1842.

Appropriations for the support of Government. An act making appropriations, in part, for the civil department, for the year one thousand eight hundred and forty-two. (Obsolete.) Dec. 22, 1841. 469

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

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

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

Disposition of Lands in Alabama acquired by the Treaty with the Cherokees. An act to provide for the early disposition of the lands lying in the State of Alabama acquired from the

Page

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

Special Session of the District Court of the Eastern District of Pennsylvania. An act to authorize the Judge of the District Court for the Eastern District of Pennsylvania to hold a special session of the said Court. March 19, 1842 470

Commissioners to select Jurors for the Courts of the United States in Pennsylvania. An act supplementary to an act entitled "An act to amend the act approved May thirteenth, one thousand eight hundred, entitled an act to amend an act entitled an act to establish the judicial courts of the United States." March 19, 1842 471

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

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

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

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

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

Invalid Pensions to certain Cherokee Warriors. An act to provide for the allowance of invalid Pensions to certain Cherokee warriors, under the provisions of the fourteenth article of the treaty of eighteen hundred and thirty-five. April 14, 1842 473

Lands granted to Exiles from Poland. An act relative to the act entitled "An act granting lands to certain exiles from Poland," approved thirtieth June, eighteen hundred and thirty-four. April 14, 1842 473

Loans and Treasury Notes. An act for the extension of the loan of eighteen hundred and forty-one, and for an addition of five millions of dollars thereto; and for allowing interest on Treasury Notes due. April 15, 1842 473

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

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

Circuit and District Courts in Ohio. An act to amend the act of the tenth of March, eighteen hundred and thirty-eight, entitled "An act to change the time of holding the Circuit and District Courts in the District of Ohio. June 1, 1842 488

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

Collection District of Fairfield. An act to authorize the Collector of the district of Fairfield to reside in either of the towns of Fairfield or Bridgeport. June 4, 1842 489

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

Compact between Alabama and Mississippi relating to the Five Per Cent. Fund. An act to amend an act entitled "An act to carry into effect in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations." June 13, 1842 490

Apportionment of Representatives among the several States. An act for the apportionment of Representatives among the several States according to the sixth census. June 25, 1842. 491

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

Appropriations for the Indian Department. An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and forty-two. (Obsolete.) July 17, 1842 493

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

Repair of the Custom-House in Providence. An act making an appropriation for repair of the custom-house in Providence. (Obsolete.) July 27, 1842 496

Page

District Court for the Western District of Pennsylvania. An act to amend "An act for altering the time of holding the District Court of the United States for the Western District of Pennsylvania at Williamsport," approved May eighth, eighteen hundred and forty. July 27, 1842 496

Bounty Lands. An act to provide for satisfying claims for bounty lands for military services in the late war with Great Britain, and for other purposes. July 27, 1842 497

Corporation of Georgetown. An act to extend the jurisdiction of the corporation of Georgetown. July 27, 1842 497

Lighting Pennsylvania Avenue. An act to provide for erecting and lighting lamps on Pennsylvania Avenue. July 27, 1842 498

Marriages in the District of Columbia. An act in relation to marriages within the District of Columbia. July 27, 1842 498

Clerks in the Post-Office Department. An act to provide for the permanent employment in the Post-Office Department of certain clerks heretofore for several years temporarily employed in that Department. July 27, 1842 498

Arrests on Mesne Process in the District of Columbia. An act to regulate arrests on mesne process in the District of Columbia. Aug. 1, 1842 498

Process Act applicable to States since admitted into the Union. An act to extend the provisions of an act entitled "An act to regulate processes in the Courts of the United States," passed the nineteenth May, one thousand eight hundred and twenty-eight. Aug. 1, 1842. 499

Collection District. An act to constitute the ports of Stonington, Mystic River, and Pawcatuck River, a collection district. Aug. 3, 1842 499

Appropriations for the Naval Service for 1842. An act making appropriations for the naval service, for the year one thousand eight hundred and forty-two. (Obsolete.) Aug. 4, 1842. 500

Armed Occupation and Settlement of Florida. An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida. Aug. 4, 1842 502

District Court of the Northern District of Alabama. An act to regulate appeals and writs of error from the District Court of the United States for the Northern District of Alabama. Aug. 4, 1842 504

Collection District of Tiverton, Rhode Island. An act to annex a part of the town of Tiverton, in the State of Rhode Island, to the collection district of Fall River, in the State of Massachusetts. Aug. 9, 1842 504

Claims of the State of Georgia. An act to provide for the settlement of the claims of the State of Georgia for the services of her militia. Aug. 11, 1842 504

Land Titles in Arkansas. An act to settle the title to certain tracts of land in the State of Arkansas. Aug. 11, 1842 505

Services of the Judges of Iowa. An act regulating the services of the several Judges in the Territory of Iowa. Aug. 11, 1842 505

District Court for the Northern District of New York. An act in relation to the District Court for the Northern District of New York. Aug. 11, 1842 506

Collection Districts of Stonington, Mystic River, and Pawcatuck River. An act explanatory of an act entitled "An act to constitute the ports of Stonington, Mystic River, and Pawcatuck River a collection district." Aug. 16, 1842 506

Claims of the State of Alabama. An act authorizing the settlement and payment of certain claims of the State of Alabama. Aug. 16, 1842 506

Name of Portland changed to Sandusky, on Lake Erie. An act to change the name of the port of entry on Lake Erie, known as Portland, to that of Sandusky. Aug. 16, 1842 507

Circuit and District Courts—Fourth, Fifth, and Sixth Circuits. An act to amend the act entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States.'" Aug. 16, 1842 507

Changes in the Commercial Systems of other Nations to be laid before Congress. An act requiring foreign regulations of commerce to be laid annually before Congress. Aug. 16, 1842 507

Dubuque Claim, Iowa Territory. An act to grant pre-emption rights to the settlers on the "Dubuque Claim" so called, in the territory of Iowa. Aug. 16, 1842 507

Appropriations for the Support of the Army, &c. for 1842. An act making appropriations for the support of the army, and the military academy, for the year one thousand eight hundred and forty-two. (Obsolete.) Aug. 23, 1842 508

Auxiliary Watch in the City of Washington. An act to establish an auxiliary watch for the protection of public and private property in the City of Washington. Aug. 23, 1842 511

Page

Payment for Horses and other Property lost or destroyed in the Military Service of the United States. An act to amend an act entitled "An act to provide for the payment of horses or other property lost or destroyed in the military service of the United States," approved the eighteenth day of January, eighteen hundred and thirty-seven. Aug. 23, 1842..... 511

Reduction of Dragoons, and of the Army, &c. An act respecting the organization of the army, and for other purposes. Aug. 23, 1842..... 512

Claims under the Treaty of Dancing Rabbit Creek. An act to provide for the satisfaction of claims arising under the fourteenth and nineteenth articles of the treaty of Dancing Rabbit Creek, concluded in September, one thousand eight hundred and thirty. Aug. 23, 1842..... 513

Supreme, Circuit and District Courts. An act further supplementary to an act entitled "An act to establish the judicial courts of the United States," passed the twenty-fourth of September, seventeen hundred and eighty-nine. Aug. 23, 1842..... 516

Navy Pension Fund. An act making an appropriation to supply a deficiency in the navy pension fund. (Obsolete.) Aug. 23, 1842..... 519

Relief of Settlers in Wisconsin. An act for the relief of certain settlers in the territory of Wisconsin. Aug. 23, 1842..... 521

Pensions. An act to amend the acts of July, eighteen hundred and thirty-six, and eighteen hundred and thirty-eight, allowing pensions to certain widows. Aug. 23, 1842..... 521

Payment of the Florida Militia. An act for the payment of Florida militia called into service in the years eighteen hundred and thirty-nine and eighteen hundred and forty. (Obsolete.) Aug. 23, 1842..... 522

Selection of School Lands granted to Sac and Fox Indians. An act to authorize the selection of school lands in lieu of those granted to half-breeds of the Sac and Fox Indians. Aug. 23, 1842..... 522

Appropriations for objects not specially included in the former Appropriation Acts. An act legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the departments and offices of the government, and for other purposes. Aug. 26, 1842..... 523

District Court in Western Virginia. An act to establish a District Court of the United States in the city of Wheeling, in the State of Virginia. Aug. 26, 1842..... 534

Publication of the Discoveries made by the Exploring Expedition. An act to provide for publishing an account of the discoveries made by the Exploring Expedition, under the command of Lieutenant Wilkes, of the United States Navy. Aug. 26, 1842..... 534

Patents for Lands entered under Pre-emption Rights. An act to confirm the sale of public lands in certain cases. Aug. 26, 1842..... 534

Pay of Pursers and other Officers in the Navy. An act to regulate the pay of pursers and other officers of the navy. Aug. 26, 1842..... 535

Definition and establishment of the Fiscal Year at the Treasury. An act to define and establish the fiscal year of the Treasury of the United States. Aug. 26, 1842..... 536

Penitentiary in Iowa. An act to make an appropriation for certain expenses in the erection of a penitentiary in the territory of Iowa. Aug. 29, 1842..... 537

Insane Hospital in the District of Columbia. An act to provide an insane hospital for the District of Columbia. Aug. 29, 1842..... 537

An Edition of the Laws of the United States and Regulations of the Post-Office Department. An act to provide for the publication of a new edition of the laws and regulations of the Post-Office Department, and a perfect list of the post-offices in the United States. Aug. 29, 1842. 538

Land District in Missouri, &c. An act for creating a new land district in the State of Missouri, and for changing the boundaries of the south-western and western land districts in said State. Aug. 29, 1842..... 538

The Justices of the Supreme Court, &c. empowered to grant Writs of Habeas Corpus when Subjects of Foreign Countries are in custody. An act to provide further remedial justice in the Courts of the United States. Aug. 29, 1842..... 539

Lands in Louisiana. An act in relation to lands sold in the Greensburgh, late St. Helena, land district, in the State of Louisiana, and authorizing the re-survey of certain lands in said district. Aug. 29, 1842..... 540

Accounts for the support of Government in the Territory of Wisconsin. An act to provide for the settlement of certain accounts for the support of Government in the territory of Wisconsin, and for other purposes. Aug. 29, 1842..... 540

Page

Land Claims in Detroit, &c. An act supplementary to "An act to provide for the adjustment of titles to land in the town of Detroit, and territory of Michigan, and for other purposes," passed April twenty-one, eighteen hundred and six. Aug. 29, 1842..... 541

Payment to the State of Louisiana for Expenses of Volunteer Militia. An act to provide for the payment to the State of Louisiana of the balance due said State for expenditures incurred in raising, equipping and paying off a regiment of volunteer militia, mustered into the service of the United States, and employed in the Florida war in the year one thousand eight hundred and thirty-six. Aug. 29, 1842..... 542

Lands granted for the Wabash and Erie Canal, &c. An act to authorize the States of Indiana and Illinois to select certain quantities of land, in lieu of like quantities heretofore granted to the said States, for the construction of the Wabash and Erie, and the Illinois and Michigan canals. Aug. 29, 1842..... 542

Promotion of the useful Arts. An act in addition to an act to promote the progress of the useful arts, and to repeal all acts and parts of acts heretofore made for that purpose. Aug. 29, 1842..... 543

Reports of the Decisions of the Supreme Court of the United States. An act to provide for the reports of decisions of the Supreme Court of the United States. Aug. 29, 1842..... 545

Marine Hospital in North Carolina. An act making an appropriation for the erection of a marine hospital at or near Ocracoke in North Carolina. (Obsolete.) Aug. 29, 1842..... 545

Marine Hospitals. An act making appropriations for certain sites for marine hospitals therein mentioned. (Obsolete.) Aug. 29, 1842..... 546

Navy Ration. An act to establish and regulate the navy ration. Aug. 29, 1842..... 546

Purchase of the Right to use Babbit's anti-attrition Metal. An act authorizing the Secretary of the Navy to contract for the purchase, for the United States, of the right to use Babbit's anti-attrition metal. Aug. 29, 1842..... 547

District Court of Western Virginia. An act establishing a court at Charleston, in the Commonwealth of Virginia. Aug. 29, 1842..... 547

Duties on Imports. An act to provide revenue from imports, and to change and modify existing laws imposing duties on imports, and for other purposes. Aug. 30, 1842..... 548

Land Office in Florida. An act to establish an additional land office in Florida. Aug. 30, 1842. 567

Relief of the Assistants of the United States' Marshal for Kentucky. An act for the relief of the assistants of the Marshal of the United States for the district of Kentucky. Aug. 30, 1842..... 567

Post-Roads. An act establishing certain post-roads. Aug. 31, 1842..... 568

Treaty with the Wyandott Indians. An act making appropriations to carry into effect a treaty with the Wyandott Indians, and for other purposes. Aug. 31, 1842..... 576

Professors of Mathematics in the Navy. An act concerning professors of mathematics in the navy of the United States. Aug. 31, 1842..... 576

Construction of a Depôt of Charts. An act to authorize the construction of a depôt for charts and instruments of the navy of the United States. Aug. 31, 1842..... 576

Engineers in the Navy. An act to regulate the appointment and pay of engineers in the navy of the United States. Aug. 31, 1842..... 577

Payment of the Florida Militia. An act concerning the payment of Florida militia. Aug. 31, 1842..... 578

Collection District of Wiscasset. An act to extend the collection district of Wiscasset. Aug. 31, 1842..... 578

Sales of Lottery Tickets prohibited in the District of Columbia after January 1843. An act to suppress the vending of lottery tickets in the District of Columbia. Aug. 31, 1842..... 578

Penitentiary in the District of Columbia. An act to provide for purchasing materials and for the support of the penitentiary in the District of Columbia. Aug. 31, 1842..... 579

Re-organization of the Navy Department. An act to re-organize the Navy Department of the United States. Aug. 31, 1842..... 579

Sales of Public Stock. Treasury Notes. An act to limit the sale of public stock to par, and to authorize the issue of Treasury Notes, in lieu thereof, to a certain amount. (Obsolete.) Aug. 31, 1842..... 581

Appropriations for Fortifications. An act making appropriations for certain fortifications of the United States, for the year one thousand eight hundred and forty-two. (Obsolete.) Aug. 31, 1842..... 582

Page

RESOLUTIONS.

No. 2. *Printing of Tables of the Sixth Census.* Joint resolution on the subject of printing the tables of the sixth census. April 14, 1842..... 583

No. 3. *Distribution of the Returns of the Sixth Census.* A resolution further to provide for the distribution of the printed returns of the sixth census, and other documents connected with the same, the printing of which has been heretofore directed by law. April 15, 1842. 583

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

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

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

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

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

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

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

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

STATUTE III.—1842, 1843.

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

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

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

Relief of Insolvent Debtors. An act to re-enact and continue in operation the several acts now in force for the relief of insolvent debtors of the United States. Jan. 28, 1843..... 597

Payment of Georgia Militia. An act for the payment of seven companies of Georgia militia, for services rendered in the years eighteen hundred and forty and eighteen hundred and forty-one. Feb. 4, 1843..... 598

Pensions. An act making appropriations for pensions for the half calendar year beginning the first day of January and ending the thirtieth day of June, one thousand eight hundred and forty-three; and for the fiscal year beginning the first day of July, one thousand eight hundred and forty-three, and ending the thirtieth day of June, one thousand eight hundred and forty-four. Feb. 14, 1843..... 598

Charter of the Town of Alexandria. An act to amend the charter of the town of Alexandria. Feb. 15, 1843..... 599

Chief Clerk in the Office of the Secretary of State empowered to frank Letters. An act to authorize the chief clerk in the office of the Secretary of State to frank public and official documents sent from that office. (Obsolete.) Feb. 15, 1843..... 600

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

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

Page

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

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

Act of the State of Maryland relative to Tonnage in the Port of Baltimore. An act to continue in force an act therein mentioned, relating to the port of Baltimore. Feb. 24, 1843..... 602

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

Marine Hospital in North Carolina. An act to amend an act entitled "An act making an appropriation for the erection of a marine hospital at or near Ocracoke, North Carolina." Feb. 27, 1843..... 602

Relief of sick and disabled Seamen. An act amendatory of an "Act for the relief of sick and disabled seamen." March 1, 1843..... 602

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

Two Per Cent. Fund in the State of Mississippi. An act in relation to the two per cent. fund of the State of Mississippi. (Obsolete.) March 1, 1843..... 603

Appropriations for the Military Academy, Armories, Arsenals, Munitions of War, and Surveys. An act making appropriations for the support of the army and of the military academy, and for armories, arsenals, arms and munitions of war, and surveys, for the half calendar year ending the thirtieth day of June, one thousand eight hundred and forty-three, and for the fiscal year beginning the first day of July, one thousand eight hundred and forty-three, and ending the thirtieth day of June, one thousand eight hundred and forty-four. (Obsolete.) March 1, 1843..... 604

Two Per Cent. Fund in the State of Alabama. An act regulating the mode of paying over to the State of Alabama the two per cent. fund relinquished to said State by the act approved on the fourth day of September, one thousand eight hundred and forty-one. (Obsolete.) March 1, 1843..... 606

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

Appropriations for Fortifications. An act making appropriations for certain fortifications of the United States for the half calendar year beginning on the first day of January and ending on the thirtieth day of June, one thousand eight hundred and forty-three; and for the fiscal year beginning on the first day of July, one thousand eight hundred and forty-three, and ending on the thirtieth day of June, one thousand eight hundred and forty-four. (Obsolete.) March 3, 1843..... 607

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

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

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

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

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

Appropriations for the Payment of Navy Pensions. An act making appropriations for the payment of navy pensions, due on the first day of July, one thousand eight hundred and forty-three, and on the first day of January, one thousand eight hundred and forty-four. (Obsolete.) March 3, 1843..... 610

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

Sale by the United States of Lands and Improvements, erected for Agents, Teachers, Farmers, &c., employed amongst the Indians. An act authorizing the sale of lands, with the improvements thereon erected by the United States, for the use of their agents, teachers, farmers, mechanics, and other persons employed amongst the Indians. March 3, 1843... 611

Collection District of Wiscasset. An act to repeal an act entitled "An act to extend the collection district of Wiscasset." March 3, 1843..... 612

Page

Appropriations for Indian Treaties and for the Indian Department. An act making appropriations for fulfilling treaty stipulations with the various Indian tribes, and for the current and contingent expenses of the Indian Department, for the half calendar year beginning the first day of January and ending the thirtieth day of June, one thousand eight hundred and forty-three; and for the fiscal year beginning the first day of July, one thousand eight hundred and forty-three, and ending the thirtieth day of June, one thousand eight hundred and forty-four, and for other purposes. (Obsolete.) March 3, 1843. 612

Treasury Notes. An act authorizing the re-issue of Treasury Notes, and for other purposes. (Obsolete.) March 3, 1843. 614

Repeal of the Bankrupt Act. An act to repeal the Bankrupt Act. March 3, 1843. 614

Appropriations for the Naval Service. An act making appropriations for the naval service for the half calendar year beginning the first day of January and ending the thirtieth day of June, one thousand eight hundred and forty-three, and for the fiscal year beginning the first day of July, one thousand eight hundred and forty-three, and ending the thirtieth day of June, one thousand eight hundred and forty-four. (Obsolete.) March 3, 1843. .. 615

Electro-Magnetic Telegraphs. An act to test the practicability of establishing a system of electro-magnetic telegraphs by the United States. March 3, 1843. 618

Protection of Commerce on Lake Michigan. An act for the protection of commerce on Lake Michigan. March 3, 1843. 619

Investigation of Frauds under the Pre-emption Laws. An act to authorize the investigation of alleged frauds under the pre-emption laws, and for other purposes. March 3, 1843. 619

Sale of the Real Estate of Infants in the District of Columbia. An act to provide, in certain cases, for the sale of the real estate of infants within the District of Columbia. March 3, 1843. 621

Survey of the Northern Line of the Reservations for the Half-breeds of the Sac and Fox Indians. An act directing the survey of the northern line of the reservation for the half-breeds of the Sac and Fox tribes of Indians by the treaty of August, one thousand eight hundred and twenty-four. March 3, 1843. 622

The Treaty with Great Britain of August, 1842. An act to provide for carrying into effect the treaty between the United States and Great Britain, concluded at Washington on the ninth day of August, one thousand eight hundred and forty-two. March 3, 1843. 623

Intercourse with the Government of China. An act providing the means of future intercourse between the United States and the Government of China. March 3, 1843. 624

Sale of Lands in Ohio and Michigan, ceded by the Wyandot Indians. An act providing for the sale of certain lands in the States of Ohio and Michigan, ceded by the Wyandot tribe of Indians, and for other purposes. March 3, 1843. 624

Value of Foreign Money in Computations at the Custom-Houses. An act to fix the value of certain foreign moneys of account, in computations at the custom-houses. March 3, 1843. 625

Examination and Survey of the Harbor of Memphis, Tennessee. An act authorizing an examination and survey of the harbor of Memphis, in Tennessee. March 3, 1843. 626

Security of the Lives of Passengers in Steamboats. An act to modify the act entitled "An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam," approved July seventh, eighteen hundred and thirty-eight. March 3, 1843. 626

Exemplifications of Records of Patents, &c., in the several Land Offices. An act in relation to the exemplifications of the records of land patents, and other evidences of title, and amendatory of the act entitled "An act to re-organize the General Land Office." March 3, 1843. 627

Supplies to the Florida Militia. An act providing for the settlement of claims for supplies furnished the Florida militia. March 3, 1843. 628

Circuit Courts in the Western District of Pennsylvania. An act to provide for holding Circuit Courts at Williamsport, in the western district of Pennsylvania. March 3, 1843. 628

Imprisonment for Debt in the District of Columbia. An act to amend the laws regulating imprisonment for debt within the District of Columbia. March 3, 1843. 629

Election or Appointment of Officers in the Territory of Wisconsin. An act to authorize the election or appointment of officers in the territory of Wisconsin. March 3, 1843. 630

Appropriations for the Support of Government. An act making appropriations for the civil and diplomatic expenses of Government for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-four. (Obsolete.) March 3, 1843. 630

Page

Relief of the Stockbridge Indians. An act for the relief of the Stockbridge tribe of Indians, in the territory of Wisconsin. March 3, 1843 645

Pensions. An act granting a pension to certain revolutionary soldiers. March 3, 1843 647

Payment for Horses and Property lost in the Military Service. An act further to continue in force the act for the payment of horses and other property, lost in the military service of the United States. March 3, 1843 648

RESOLUTIONS.

No. 1. *Distribution of the Catalogue of the Library of Congress.* Joint resolution for the distribution of catalogues of the Library of Congress. Jan. 26, 1843 648

No. 2. *Agencies for water-rotted Hemp.* Joint resolution to establish agencies for water-rotted hemp. Feb. 18, 1843 648

No. 3. *Distribution of the Census Returns.* A resolution for the distribution of certain copies of the census returns and of the compendium of the sixth census. Feb. 24, 1843 648

No. 4. *Certain Papers relating to Titles to Land in Louisiana to be returned to the Land Office.* Joint resolution directing certain papers relating to titles to land in Louisiana to be returned to the General Land Office. March 3, 1843 649

No. 5. *Purchase of Property in Detroit for the United States.* Joint resolution in relation to certain property purchased for the United States in the city of Detroit. March 3, 1843 649

No. 6. *An additional Clerk in the Second Auditor's Office.* Joint resolution for continuing an additional clerk in the Second Auditor's Office. March 3, 1843 650

No. 7. *Patents for Bounty Lands.* Joint resolution relating to patents for bounty lands. March 3, 1843 650

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

STATUTE I.—1844.

Supply of a Deficiency of Appropriations for the Protection of American Seamen. An act to supply a deficiency in the appropriation for the fiscal year ending the thirtieth of June, eighteen hundred and forty-four, for the relief and protection of American seamen. Jan. 22, 1844 651

Fine imposed on General Andrew Jackson refunded. An act to refund the fine imposed on General Andrew Jackson. Feb. 16, 1844 651

Transfers of Appropriations in the Naval Service. An act to authorize the President of the United States to direct transfers of appropriations in the naval service under certain circumstances. Feb. 23, 1844 652

District Courts at Clarksburg and Wheeling, in the Western District of Virginia, and the Circuit Court in Arkansas. An act changing the time of holding the Courts at Clarksburg and at Wheeling, in the western district of Virginia, and the Circuit Court of the United States for the district of Arkansas. March 4, 1844 652

Circuit and District Courts in Ohio. An act to repeal the act entitled "An act to amend the act of the tenth of March, one thousand eight hundred and thirty-eight, entitled 'An act to change the time of holding the Circuit and District Courts in the district of Ohio.'" March 26, 1844 652

Oath of Persons employed in the Branch Mints, how taken. An act to amend the act entitled "An act to establish branches of the Mint of the United States." April 2, 1844 652

Disposition of unclaimed Merchandise seized for illegal Importation. An act directing the disposition of certain unclaimed goods, wares or merchandise, seized for being illegally imported into the United States. April 2, 1844 653

One of the Judges of the Circuit Court of the District of Columbia required to reside in Alexandria. An act requiring one of the Judges of the Circuit Court for the District of Columbia hereafter to reside in Alexandria. April 4, 1844 654

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

Page

thousand eight hundred and forty-two, as requires the second regiment of dragoons to be converted into a regiment of riflemen after the fourth day of March, one thousand eight hundred and forty-three. April 4, 1844. 654

District Court for the Eastern District of Virginia and Circuit Court of Alabama. An act to change the time of holding the spring term of the District Court of the United States for the eastern district of Virginia, and of the Circuit Court of Alabama. April 12, 1844. .. 655

Appropriations for the Military Academy. An act making appropriations for the support of the Military Academy, for the fiscal year ending on the thirtieth day of June, eighteen hundred and forty-five. (Obsolete.) April 12, 1844. 655

Appropriations for the increase of the Navy. An act making an appropriation of certain moneys in the Treasury for the naval service. (Obsolete.) April 22, 1844. 656

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

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

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

Transfer of Names of Pensioners in Kentucky to Cincinnati, Ohio. An act to authorize the transfer of the names of pensioners from the agencies in the State of Kentucky to the agency in Cincinnati, in the State of Ohio. May 23, 1844. 657

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

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

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

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

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

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

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

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

La Fayette, in Louisiana, made a Port of Entry. An act to establish a port of delivery at the city of La Fayette in the State of Louisiana. June 12, 1844. 662

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

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

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

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

Establishment of a Navy-Yard and Depôt at Memphis, Tennessee. An act to establish a navy-yard and depôt at or adjacent to the city of Memphis, on the Mississippi river, in the State of Tennessee. June 15, 1844. 665

Page

Relief of the Officers, Seamen, &c., of the Grampus. An act for the relief of the widows and orphans of the officers, seamen and marines of the United States' schooner Grampus, and for other purposes. June 15, 1844. 665

Repeal of the Act directing the Survey of the Northern Line of the Reservation for the Half-breeds of the Sac and Fox Tribes of Indians. An act to repeal an act entitled "An act directing the survey of the northern line of the reservation for the half-breeds of the Sac and Fox tribes of Indians, by the treaty of August, one thousand eight hundred and twenty-four," approved March third, one thousand eight hundred and forty-three. June 15, 1844. 666

School Lands in Florida, Iowa and Wisconsin. An act to authorize the selection of certain school lands in the territories of Florida, Iowa and Wisconsin. June 15, 1844. 666

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

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

Appropriations for Navy Pensions. An act making appropriations for the payment of navy pensions for the year ending thirtieth June, eighteen hundred and forty-five. June 15, 1844. 667

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

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

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

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

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

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

Post-Roads in Florida. An act to establish certain post-roads in the territory of Florida. June 15, 1844. 669

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

Appropriations for Improvements in Florida. An act making appropriations for certain improvements in the territory of Florida. June 15, 1844. 670

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

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

Patents for Lands in the St. Augustine Land District, Florida. An act to authorize the issuing of patents for certain lands in the St. Augustine land district, in Florida, the sales of which were not regularly reported. June 15, 1844. 671

Amendment to the Act for the Armed Occupation of Florida. An act to amend an act entitled "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of Florida." June 15, 1844. 671

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

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

Confirmation of certain Entries in the St. Augustine Land District. An act to confirm certain entries of land in the St. Augustine land district, in the territory of Florida, made under the pre-emption law of June 22d, 1838. June 15, 1844. 673

Page

Persons formerly in the United States and now in Texas permitted to remove within the United States. An act for the relief of persons residing within the reported limits of the States of Arkansas or Louisiana, and beyond the boundary line between the United States and the Republic of Texas, as established by the commissioners appointed to ascertain the same. June 15, 1844. 674

Alexandria Canal. An act to amend the act entitled "An act to incorporate the Alexandria Canal Company," approved on the twenty-sixth day of May, eighteen hundred and thirty. June 17, 1844. 674

Land Claims in Missouri, Arkansas, Louisiana, Mississippi and Alabama. An act to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers. June 17, 1844. 676

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

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

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

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

Arrests on mesne Process in the District of Coulmbia. An act supplementary to an act entitled "An act to regulate arrests on mesne process in the District of Columbia," approved August first, eighteen hundred and forty-two. June 17, 1844. 678

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

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

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

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

Appropriations for the Expenses of Government. An act making appropriations for the civil and diplomatic expenses of Government for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-five, and for other purposes. June 17, 1844. 681

Appropriations for the Support of the Army. An act making appropriations for the support of the army for the fiscal year ending on the thirtieth day of June, eighteen hundred and forty-five. June 17, 1844. 696

Appropriations for the Naval Service. An act making appropriations for the naval service for the fiscal year ending the thirtieth day of June, eighteen hundred and forty-five. June 17, 1844. 699

Appropriations for the Expenses of the Indian Department and Indian Treaties. An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the fiscal year commencing on the first day of July, eighteen hundred and forty-four, and ending on the thirtieth day of June, eighteen hundred and forty-five. June 17, 1844. 704

Entry of Lands occupied by Branch Pilots of the Port of New Orleans. An act to authorize the entry of certain lands, occupied by the branch pilots of the port of New Orleans, and others, in the State of Louisiana. June 17, 1844. 715

RESOLUTIONS.

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

No. 2. *Respect for the Memory of the Donor of the Camp Chest of General Washington.* Joint resolution of respect for the memory of the donor of the camp chest of General Washington. April 30, 1844. 716

No. 3. *Acceptation of the Camp Chest of General Washington.* Joint resolution accepting the camp chest of General Washington. April 30, 1844. 716

Page

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

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

No. 6. *The Secretary of the Treasury to have charge of the Property of the United States at Bath, in Maine.* Joint resolution in relation to certain property purchased for the use of the United States, at the port of Bath, in the State of Maine. May 23, 1844. 717

No. 9. *The Corporation of Baltimore authorized to use a certain Building.* Resolution authorizing the corporation of Baltimore to use a building of the United States at Lazaretto Point. June 3, 1844. 717

No. 10. *Receipts issued by the Treasurer to be received in Payment for Public Land.* A resolution respecting receipts issued by the Treasurer of the United States, in payment for public land. June 12, 1844. 718

No. 11. *The Joint Resolution for Printing additional Copies of the Journals and Public Documents suspended.* A resolution suspending the joint resolution providing for the printing of additional copies of the journals and public documents. June 12, 1844. 718

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

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

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

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

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

No. 18. *Thanks of Congress tendered to the British Authorities at Gibraltar, and others.* Joint resolution tendering the thanks of Congress to the British authorities at Gibraltar, and the commander, officers and crew of her Britannic Majesty's ship Malabar. June 17, 1844. 720

STATUTE II.—1845.

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

Correction of a clerical Error in the Act to regulate Arrests on Mesne Process in the District of Columbia. An act to correct a clerical error in the act supplementary to an act to regulate arrests on mesne process in the District of Columbia, and to amend the title thereof. Feb. 4, 1845. 721

Chesapeake and Ohio Canal. An act confirming and assenting to an act of the Legislature of Virginia, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company." Feb. 7, 1845. 722

District Court in Louisiana. An act to repeal "An act for the better organization of the District Court of the United States within the State of Louisiana," and for other purposes. Feb. 13, 1845. 722

History of Oregon, California, &c. An act for the purchase of certain copies of the History of Oregon, California, and the other Territories on the north-west coast of America. Feb. 20, 1845. 722

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

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

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

Detention of Seamen until Arrival in the United States, &c. An act to amend the act entitled "An act to provide for the enlistment of boys for the naval service, and to extend the term of enlistment of seamen." Feb. 20, 1845. 725

Page

Land District in Arkansas. An act to organize a new land district in the southern part of the State of Arkansas. Feb. 20, 1845. 725

District Court in Louisiana. An act supplementary to "An act to repeal an act for the better organization of the District Court of the United States within the State of Louisiana," and for other purposes, approved February thirteenth, one thousand eight hundred and forty-five. Feb. 26, 1845. 726

Admiralty jurisdiction vested in the District Courts in certain Cases on the Lakes, &c. An act extending the jurisdiction of the District Courts to certain cases, upon the lakes and navigable waters connecting the same. Feb. 26, 1845. 726

Appropriation Act for 1839, *explained.* An act explanatory of an act entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-nine. Feb. 26, 1845. 727

Importation of certain Iron Pipes and Machinery free of Duty. An act to authorize the South Carolina Railroad Company to import certain pipes and machinery free of duty. Feb. 26, 1845. 727

Compacts of Alabama and Mississippi relative to the Five Per Cent. Fund, &c. An act to amend an act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations. Feb. 26, 1845. 727

Appropriations for the Naval Service for the Year 1845. An act to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending the thirtieth day of June, one thousand eight hundred and forty-five." Feb. 26, 1845. 729

Lands granted to General La Fayette. An act to authorize a re-location of land-warrants number three, four, and five, granted by Congress to General La Fayette. Feb. 26, 1845. 729

Circuit and Criminal Courts in the County of Washington. An act to change the time for holding the Circuit and Criminal Courts in the county of Washington. March 1, 1845. 729

Port of Delivery at the City of La Fayette. An act in alteration of an act entitled "An act to establish a port of delivery at the city of La Fayette, in the State of Louisiana." March 1, 1845. 730

Navy Pensions. An act making appropriations for the payment of navy pensions for the year ending thirtieth June, eighteen hundred and forty-six. March 1, 1845. 730

Sale of Arabian Horses presented by the Imaum of Muscat. An act to authorize the sale of two Arabian horses, received as a present by the Consul of the United States at Zanzibar, from the Imaum of Muscat. March 1, 1845. 730

Courts in Kentucky, North Carolina, South Carolina, Georgia, Alabama and Louisiana. An act to change the time of holding the Federal Courts in Kentucky, North Carolina, South Carolina, Georgia, Alabama and Louisiana. March 1, 1845. 730

Naval Pensions. An act renewing certain naval pensions for the term of five years. March 3, 1845. 731

Wabash and Erie Canal. An act to grant certain lands to the State of Indiana, the better to enable the said State to extend and complete the Wabash and Erie Canal from Terre Haute to the Ohio River. March 3, 1845. 731

Reduction of Postage, &c. An act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post-Office Department. March 3, 1845. 732

Appropriations for the Post-Office Department for 1846. An act making appropriations for the service of the Post-Office Department, for the year ending thirtieth June, eighteen hundred and forty-six. March 3, 1845. 739

Value of the Florin of Austria at the Custom-Houses. An act supplementary to an act entitled "An act to fix the value of certain foreign moneys of account in computations at the custom-houses." March 3, 1845. 740

Land Claims in the State of Mississippi. An act to confirm the survey and location of claims for lands in the State of Mississippi, east of the Pearl river, and south of thirty-first degree of north latitude. March 3, 1845. 740

Appropriations for the Military Academy. An act making appropriations for the support of the Military Academy for the year ending the thirtieth June, eighteen hundred and forty-six. March 3, 1845. 742

Admission of Iowa and Florida into the Union. An act for the admission of the States of Iowa and Florida into the Union. March 3, 1845. 742

Page

Appropriations for Fortifications for 1846. An act making appropriations for certain fortifications of the United States, for the year ending on the thirtieth of June, eighteen hundred and forty-six. March 3, 1845. 743

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

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

Commercial Intercourse with Miquelon and St. Pierre. An act regulating commercial intercourse with the Island of Miquelon and St. Pierre. March 3, 1845. 748

Improvement of the Harbor of Southport, in Wisconsin. An act to continue the harbor improvement already commenced at the town of Southport, in the town of Southport, in the territory of Wisconsin. March 3, 1845. 748

Construction and Improvement of Roads in Wisconsin. An act for the construction and improvement of certain roads in the territory of Wisconsin. March 3, 1845. 748

Transportation of the Mail between the United States and Foreign Countries. An act to provide for the transportation of the mail between the United States and foreign countries, and for other purposes. March 3, 1845. 748

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

Appropriations for the Support of Government for 1846. An act making appropriations for the civil and diplomatic expenses of the Government for the year ending the thirtieth June, eighteen hundred and forty-six, and for other purposes. March 3, 1845. 752

Appropriations for the Indian Department and for Indian Treaties. An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the fiscal year commencing on the first day of July, eighteen hundred and forty-five, and ending on the thirtieth day of June, eighteen hundred and forty-six. March 3, 1845. 766

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

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

Admission of Iowa and Florida into the Union. Acts supplemental to the act for the admission of the States of Iowa and Florida into the Union. March 3, 1845. ..... 788, 789

Appropriations for the Naval Service for the Year 1846. An act making appropriations for the naval service for the year ending the thirtieth June, eighteen hundred and forty-six. March 3, 1845. 790

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

RESOLUTIONS.

No. 1. *Explanation of an Act for the Payment of Revolutionary Pensions.* A resolution explanatory of an act making appropriations for the payment of revolutionary and other pensions of the United States, for the fiscal year ending the thirtieth of June, one thousand eight hundred and forty-five. Jan. 23, 1845. 796

No. 3. *Suspension of part of the Third Section of the Joint Resolution of* 1841, *as it affects the Depôt at Memphis.* A resolution to suspend a part of the third section of the joint resolution of the eleventh of September, one thousand eight hundred and forty-one, relating to armories. Feb. 13, 1845. 796

No. 4. *Contracts with Railroad Companies for Carrying the Mail.* Joint resolution authorizing the Postmaster General of the United States to contract with railroad companies, in certain cases, without advertising for proposals therefor. Feb. 20, 1845. 796

No. 5. *Distribution of the Work on the Exploring Expedition.* A resolution for distributing the work on the Exploring Expedition. Feb. 20, 1845. 797

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

No. 8. *Annexation of Texas to the United States.* Joint resolution for annexing Texas to the United States. March 1, 1845. 797

Page

No. 9. *Putnam's Ploughing and Dredging Machine.* A resolution directing an examination of Putnam's ploughing and dredging machine. March 3, 1845..... 798

No. 10. *Edition of the Laws of the United States.* A resolution to authorize the Attorney General to contract for copies of a proposed edition of the laws and treaties of the United States. March 3, 1845..... 798

No. 11. *Shawnee Indians.* A joint resolution authorizing the Secretary of War to pay any balance that may be due the Shawnee Indians who served in the Florida war. March 3, 1845..... 800

No. 13. *Reduction of Postage, &c.* Joint resolution to fix the time when the act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post-Office Department, passed at this session, shall go into effect. March 3, 1845..... 800

No. 14. *Defaults by States in the Payment of Interest or Principal of Investments on Bonds held by the United States.* A joint resolution directing the Secretary of the Treasury, whenever any State shall have been or may be in default for the payment of interest or principal on investments in its stocks or bonds held by the United States in trust, to retain certain moneys to which such State is entitled for the purposes therein named. March 3, 1845..... 801

No. 15. *Additional Inspectors at the Port of New Orleans.* A resolution authorizing the employment of additional Inspectors of the Customs at the port of New Orleans. March 3, 1845..... 801

APPENDIX NO. 1.

Proclamation issued by the President of the United States under the act of June 1836, Chap. 86. 802

APPENDIX NO. 2.

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

THE

LAWS OF THE UNITED STATES.

ACTS OF THE TWENTY-FOURTH CONGRESS

OF THE

UNITED STATES.

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the 7th day of December, 1835, *and ended July* 4, 1836.

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

STATUTE I.

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

Jan. 14, 1836.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and twenty thousand dollars be and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses attending the suppression of hostilities with the Seminole Indians in Florida, to be expended under the direction of the Secretary of War, conformably to the provisions of the act of April fifth, eighteen hundred and thirty-two, making appropriations for the support of the army.

1832, ch. 64.

APPROVED, January 14, 1836.

STATUTE I.

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

Jan. 29, 1836.

[Obsolete.]

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

Five hundred thousand dollars, in addition to former appropriations.

1836, ch. 1.

APPROVED, January 29, 1836.

STATUTE I.

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

Feb. 9, 1836.

[Expired.]

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

Act of July 2, 1836, ch. 260.

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

Approved, February 9, 1836.

Statute I.

Feb. 11, 1836.

[Obsolete.]

Chap. VII.—*An Act making appropriations, in part, for the support of Government, for the year one thousand eight hundred and thirty-six.*

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

Members of Congress.

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

Clerks of the Senate & House of Representatives.

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

Stationery, &c.

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

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

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

Approved, February 11, 1836.

Statute I.

Feb. 17, 1836.

Chap. XXXVIII.—*An Act to incorporate a fire insurance company, in the town of Alexandria, in the District of Columbia.*(a)

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

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

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

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

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

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

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

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

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

Certain persons incorporated as a fire insurance company.

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

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

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

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

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

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

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

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

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

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

The property of the late company vested in them.

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

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

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

Election of officers, when held.

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

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

Approved February 17, 1836.

Statute I.

Feb. 25, 1836.

[Expired.]

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

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

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the president and directors of the Bank of Columbia in Georgetown, and the president and directors of the Bank of Alexandria in the city of Alexandria, to close all the concerns of the said banks, to recover the debts due to said banks, or either of them, to pay the sums due from said banks or either of them, and to divide the capital and profits which may remain among the stockholders of said banks, in proportion to their respective interests, the charter of the said Bank of Columbia, and the charter of the Bank of Alexandria, shall be, and are hereby, extended and continued and limited to the fourth day of March, one thousand eight hundred and thirty-nine; and that all laws now in force, imposing penalties, or inflicting punishments, for crimes or offences committed in relation to said banks, shall be, and the same are hereby, declared to be extended and continued, and to remain in force, to the same period of time:

Proviso.

Provided, That no new discounts shall be made by either of said banks, except such as may be deemed proper to renew such notes as have already been discounted, nor any promissory note thereof be put in

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

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

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

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

Five directors to be elected.

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

General meeting, how called.

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

APPROVED, February 25, 1836.

STATUTE I.

Feb. 25, 1836.

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

Special term on the first Monday in May.

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

Special terms may be appointed.

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

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

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

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

APPROVED, February 25, 1836.

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

Statute I.

March 19, 1836.

[Obsolete.]

Act of April 5, 1836, chap. 47.

Term of payment of bonds extended where property has been lost.

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

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

Proviso.

Proviso.

Time extended on other bonds.

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

Proviso.

Proviso.

Approved, March 19, 1836.

Statute I.

March 19, 1836.

[Obsolete.]

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

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

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

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

Approved, March 19, 1836.

Statute I.

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

March 19, 1836.

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

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

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

Officers of mounted companies, allowances to.

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

Allowance for travelling.

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

Volunteers or militia who may be wounded or disabled.

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

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

Proviso.

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

What volun-

teers and militia are included in these provisions.

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

Approved, March 19, 1836.

Statute I.

April 1, 1836.

[Obsolete.]

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

Five hundred thousand dollars appropriated.

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

Approved, April 1, 1836.

Statute I.

April 5, 1836.

[Obsolete.]

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

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

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

Approved, April 5, 1836.

Statute I.

April 9, 1836.

[Expired.]

Chap. XLVIII.—*An Act to suspend the operation of the second proviso, third section of "An act making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-five."*

Act of March 3, 1835, ch. 30.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the third section of the act, entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1835," as provides "that the whole number of custom-house officers in the United States, on the 1st of January, 1834, shall not be increased until otherwise allowed by Congress," be, and the same is hereby suspended to the end of the present session of Congress.

1836, ch. 353, § 12.

Approved, April 9, 1836

Statute I.

April 11, 1836.

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

Act of March 3, 1817, ch. 38.

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

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

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

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

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

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

Approved, April 11, 1836.

Statute I.

April 14, 1836.

[Obsolete.]

Chap. LII.—*An Act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-six.*

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

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

Revolutionary pensioners.

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

Invalid pensioners.

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

Widows and orphans.

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

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

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

Approved, April 14, 1836.

STATUTE I.

April 20, 1836.

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

Moneys received for lands to be paid into the Treasury.

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

Payment under the instructions of the President.

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

Special account to be kept, &c.

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

APPROVED, April 20, 1836.

STATUTE I.

April 20, 1836.

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

[Obsolete.]

What country shall constitute the Wisconsin Territory.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the third day of July next, the country included within the following boundaries shall constitute a separate Territory, for the purposes of temporary government, by the name of Wisconsin; that is to say: Bounded on the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

An act to define and establish the eastern boundary line of the Territory of Wisconsin, June 12, 1838, ch. 101.

Brotherton Indians subjected to the laws of the United States and of Wisconsin, Act of March 3, 1839, chap. 83, sect. 7.

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

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

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

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

Proviso.

Proviso.

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

Appointment and powers of Governor.

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

Secretary, his duties.

An act for the relief of certain settlers in the Territory of Wisconsin, August 23, 1842, chap. 190.

An act to provide for the settlement of certain accounts for the support of the Government in the Territory of Wisconsin, and for other purposes, August 29, 1842, chap. 259.

An act to authorize the election or appointment of officers in the Territory of Wisconsin, March 3, 1843, chap. 99.

An act granting a section of land for the improvement of Grant river, at the town of Potosi, in Wisconsin Territory, June 15, 1844, chap. 50.

An act for granting to the county of Du Buque certain lots of ground in the town of Du Buque, June 15, 1844, chap. 56.

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

Legislature—how constituted and elected.

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

Proviso.

Who shall be eligible to office.

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

Proviso.

Powers of the Legislature.

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

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

What officers are to be elected by the people.

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

Disqualifications for office.

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

Judiciary.

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

Proviso.

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

Attorneys to be appointed.

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

Marshal.

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

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

Salaries

Contingent expenses.

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

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

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

And also those secured to Michigan.

Legislative sessions, when held.

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

Delegate to the House of Representatives of the United States.

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

Provision respecting undetermined suits.

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

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

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

Five thousand dollars for the purchase of a library.

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

Approved, April 20, 1836.

Statute I.

April 20, 1836.

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

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

Act of May 1828, ch. 119.

1793, ch. 8.

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

Proviso.

Approved, April 20, 1836.

Statute I.

April 20, 1836.

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

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

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

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

Approved, April 20, 1836.

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

Statute I.

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

April 29, 1836.

[Obsolete.]

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

Appropriation of one million dollars.

Approved, April 29, 1836.

Statute I.

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

April 29, 1836.

[Obsolete.]

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

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

Proviso.

Proviso.

Approved, April 29, 1836.

Statute I.

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

May 9, 1836.

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

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

President and Vice President.

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

Department of State.

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

For incidental and contingent expenses of the Department of State, including the expense of publishing and distributing the laws, twenty-five thousand dollars.

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

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

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

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, fourteen thousand dollars.

Treasury Department.

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

For compensation to the clerks and messengers in the office of the First Comptroller, eighteen thousand eight hundred and fifty dollars.

For compensation to the Second Comptroller of the Treasury, three thousand dollars.

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

For compensation to the First Auditor of the Treasury, three thousand dollars.

For compensation to the clerks and messenger in the office of the First Auditor, fourteen thousand nine hundred dollars.

For compensation to the Second Auditor of the Treasury, three thousand dollars.

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

For compensation to the Third Auditor of the Treasury, three thousand dollars.

For compensation to the clerks and messengers in the office of the Third Auditor, twenty-seven thousand and fifty dollars.

For compensation to the Fourth Auditor of the Treasury, three thousand dollars.

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

For compensation to the Fifth Auditor of the Treasury, three thousand dollars.

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

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

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

For compensation to the Register of the Treasury, three thousand dollars.

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

For compensation to the commissioner of the General Land Office, three thousand dollars.

For compensation to the clerks and messengers in the office of the Commissioner of the General Land Office, twenty thousand five hundred dollars.

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

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

For compensation to the Secretary to the Commissioners of the Sinking Fund, to the seventh of February, eighteen hundred and thirty-six, two hundred and fifty dollars.

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

For the office of the Secretary of the Treasury, including copying, and expenses incurred in consequence of the burning of the Treasury building, twelve thousand five hundred dollars.

For the office of the First Comptroller, one thousand five hundred dollars.

For the office of the Second Comptroller, one thousand five hundred dollars.

For the office of the First Auditor, eight hundred dollars.

For the office of the Second Auditor, five hundred dollars.

For the office of the Third Auditor, six hundred dollars.

For the office of the Fourth Auditor, one thousand dollars.

For the office of the Fifth Auditor, one thousand dollars.

For the office of the Treasurer of the United States, seven hundred dollars.

For the office of the Register of the Treasury, three thousand dollars.

For the office of the Solicitor of the Treasury, one thousand dollars.

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

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

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

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

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

For incidental and contingent expenses of said buildings, including fuel, labor, oil, repairs, furniture, and for rent, amounting to three thousand seven hundred and fifty dollars, ten thousand dollars.

Department of War.

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

For compensation to extra clerks when employed in said office, three thousand six hundred dollars.

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

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

For messenger in the Bounty Land Bureau, four hundred dollars.

For compensation to the Commissioner of Indian Affairs, three thousand dollars.

For compensation to the clerks and messenger in the office of Indian Affairs, four thousand nine hundred and fifty dollars.

For contingent expenses of said office, eight hundred dollars.

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

For contingent expenses of said office, three hundred dollars.

For compensation to the clerks and messenger in the office of the Commissary General of Purchases, four thousand two hundred dollars.

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

For contingent expenses of said office, one thousand dollars.

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

For compensation to the clerks in the office of the Commissary General of Subsistence, three thousand eight hundred dollars.

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

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

For contingent expenses of said office, one thousand dollars.

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

For contingent expenses of said office, eight hundred dollars.

For compensation to the clerk in the office of the Surgeon General, eleven hundred and fifty dollars.

For contingent expenses of said office, four hundred dollars.

For contingent expenses of the Topographical Bureau, one thousand two hundred and thirty-five dollars.

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

Pension Office.

For the salary of the Commissioner of Pensions, two thousand five hundred dollars.

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

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

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

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

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

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

Navy Department.

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

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

For compensation to the Commissioners of the Navy Board, ten thousand five hundred dollars.

For compensation to the Secretary of the Commissioners of the Navy Board, two thousand dollars.

For compensation to the clerks, draughtsman, and messenger, in the office of the Commissioners of the Navy Board, seven thousand five hundred and fifty dollars.

For contingent expenses of the office of the Commissioners of the Navy Board, one thousand eight hundred dollars.

For the salary of the superintendent of the southwest executive building, and the watchmen, one thousand two hundred and fifty dollars.

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

Post Office Department.

For compensation to the two Assistant Postmasters General, five thousand dollars.

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

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

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

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

For the services of a topographer and map maker for obtaining materials and drawing maps of the several States and Territories, one thousand dollars.

For compensation to the Surveyor General in Ohio, Indiana and Michigan, two thousand dollars. Surveyor General in Ohio, &c.

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

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

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

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

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

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

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

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

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

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

For compensation to the Secretary appointed by the President to sign all patents for lands sold or granted under the authority of the United States, per act of second of March, eighteen hundred and thirty-three, one thousand five hundred dollars. Signing Land Patents. 1833, ch. 91.

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

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

For salary of the Principal and Assistant Librarians, and for contingent expenses of the library, and pay of messenger, three thousand eight hundred and fifty dollars.

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

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

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

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

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

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

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

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

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

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

Governor, &c. of Arkansas Territory.

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

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

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

Governor, &c. of Florida Territory.

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

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

For compensation and mileage of the members of the Legislative Council of Florida, pay of officers and servants of the Council, fuel, stationery, printing, and incidental expenses, nine thousand four hundred and six dollars.

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

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

Judiciary.

For compensation to the Chief Justice, the Associate Judges, and District Judges of the United States, eighty-one thousand four hundred dollars.

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

For the salaries of the Chief Justice and Associate Judges of the District of Columbia, and of the Judges of the Orphans' courts of the said District, nine thousand five hundred dollars.

Attorney General.

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

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

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

Reporter Supreme Court.

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

District Attorneys, &c.

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

For defraying the expenses of the supreme, circuit, and district courts of the United States, including the District of Columbia; also, for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the year eighteen hundred and thirty-six, and preceding years; and, likewise, for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe keeping of prisoners, three hundred and forty-five thousand dollars.

Pensions.

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

Light-houses, &c.

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

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

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

For a light-house on a proper site, at Pottawatamie island, at the entrance of Green Bay, in Lake Michigan, in addition to a former appropriation, made thirtieth June, eighteen hundred and thirty-four, three thousand dollars. 1834, ch. 144.

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

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

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

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

Disabled seamen.

To make good a deficiency in the funds for the relief of sick and disabled seamen, as established by the acts of sixteenth July, seventeen hundred and ninety-eight, and third May, eighteen hundred and two, fifteen thousand dollars. 1798, ch. 77. 1802, ch. 51.

Insolvent debtors. 1834, ch. 45.

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

Surveying in Ohio.

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

Michigan peninsula.

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

Michigan and Wisconsin.

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

Illinois and Missouri.

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

Mississippi.

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

Surveys.

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

Creek lands.

For survey of the Creek lands, one thousand dollars.

Florida.

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

Louisiana.

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

Arkansas.

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

Archives of Florida.

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

Miscellaneous claims.

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

Salaries of Ministers.

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

Secretaries of Legation.

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

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

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

Legation to Turkey.

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

Outfits of ministers.

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

Outfits of chargés.

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

Agents of claims.

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

Barbary powers.

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

American seamen.

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

Digest of Commercial Regulations.

For completing Digest of Commercial Regulations of Foreign Countries, under the resolution of the House of Representatives of the third of March, eighteen hundred and thirty-one, five thousand eight hundred and eighty-three dollars and thirty-four cents.

Custom-house, &c., New Bedford.

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

At New York.

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

At Baltimore

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

Direct taxes.

For the payment of balances due to officers of the old internal revenue and direct tax, being the balance of a former appropriation for that object, carried to the surplus fund, thirty-first December, eighteen hundred and thirty-five, five thousand seven hundred dollars and twenty-three cents.

Inhabitants of West Florida, &c.

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

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

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

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

Astronomical observations, north boundary of Ohio.

1832, ch. 232.

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

Proviso.

James H. Relfe.

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

Lt. Col. W. Lawrence.

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

others, being part of an appropriation made by the act of the fifth of March, one thousand eight hundred and sixteen, for these objects, carried to the surplus fund on the thirty-first of December, one thousand eight hundred and twenty-six, reappropriated on the twentieth of March, one thousand eight hundred and twenty-eight, and again carried to the surplus fund on the thirty-first of December, one thousand eight hundred and thirty, three hundred and forty-seven dollars and sixty-seven cents. 1816, ch. 23.

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

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

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

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

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

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

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

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

For defraying the expenses of a survey of lots in the town of Galena, Illinois, to be made by the Surveyor General of Missouri and Illinois, under an act of Congress, approved the fifth day of February, one thousand eight hundred and twenty-nine, one thousand [dollars]. Survey at Galena. 1829, ch. 15.

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

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

For payment for preparing, printing, and binding the documents ordered to be printed by Gales & Seaton under the same restrictions and reservations as were contained in the appropriation for the same object in the act of May the fifth eighteen hundred and thirty-two, fifteen thousand six hundred and six dollars; and the eight volumes of the second series of the said publication shall be distributed in the same manner as were the volumes of the first series by the joint resolution of the tenth of July, eighteen hundred and thirty-two. Documents printing by Gales & Seaton. 1832, ch. 74. Vol. 4. p. 606.

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

Approved, May 9, 1836.

Statute I.

May 9, 1836.

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

Translator State Department.

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

Disbursing agent in do.

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

Secretary of Treasury to employ two clerks.

1835, ch. 48. 1842, ch. 202, § 5.

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

Assistant messenger in Treasury, salary.

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

In office of First Comptroller.

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

Clerks and messengers in office of Commissioner of Pensions.

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

Messenger, office of Indian Affairs.

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

Additional clerk in Navy Board.

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

Surveyor General of Ohio, &c. to employ additional clerks.

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

Surveyor General of Illinois to employ, &c.

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

Surveyor General of Arkansas for clerk hire.

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

Surveyor of Louisiana for clerk hire.

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

Surveyor General of Mississippi, clerk hire.

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

Surveyor General of Alabama, clerk hire.

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

Surveyor General of Florida for clerks.

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

Clerks to be employed in the Department of War.

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

Proviso.

Clerks in the Pension Office.

In the Quarter-master General's Office.

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

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

1812, ch. 46.

1812, ch. 92.

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

Clerk in Topographical Bureau.

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

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

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

Superintendent south of Missouri to employ one.

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

APPROVED, May 9, 1836.

STATUTE I.

May 14, 1836.

[Obsolete.]

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

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

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

Pay of officers and seamen.

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

Superintendents, &c. at navy yards.

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

Provisions.

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

Repairs, &c.

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

Medicines, &c.

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

Repairs, &c. navy yard, Portsmouth, N. H.

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

Charlestown, Mass.

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

Brooklyn, N.Y.

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

Philadelphia.

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

Washington.

Gosport, Virginia.

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

Pensacola.

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

Wharves, &c.

For wharves and their appendages at the navy yard at Pensacola, as recommended by the Secretary of the Navy, one hundred and fifty thousand dollars.

Powder magazine.

For powder magazine, seventeen thousand dollars.

Brick wall.

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

Ordnance and stores.

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

Various contingent expenses enumerated.

For defraying the expenses that may accrue for the following purposes, viz; for the freight and transportation of materials and stores of every description; for wharfage and dockage, storage and rent; travelling expenses of officers and transportation of seamen; house rent for pursers, when attached to yards and stations where no house is provided; for funeral expenses; for commissions, clerk hire, office rent, stationery and fuel to navy agents; for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per-diem allowance to persons attending courts martial and courts of inquiry; for printing and stationery of every description, and working the lithographic press, and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for the purchase and repair of fire engines and machinery, and for the repair of steam engines; for the purchase and maintenance of oxen and horses, and for carts, timber-wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for cabin furniture for vessels in commission; for taxes and assessments on public property; for assistance rendered to vessels in distress; for incidental labor at navy yards, not applicable to any other appropriation; for coal and other fuel, and for candles and oil; for repairs of magazines or powder-houses; for preparing moulds for ships to be built; and for no other purpose whatever, three hundred and twenty-one thousand six hundred dollars.

Contingent expenses not enumerated.

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

Steam vessel building at Brooklyn.

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

Completing navy hospitals near New York and Boston, &c.

For completing the navy hospitals near New York and Boston, regulating the grounds, making the necessary enclosures, repairing the naval asylum and all other hospitals, and the buildings wharves, and landings connected with them, and for preparing suitable burying grounds, forty-five thousand four hundred and ten dollars.

Powder magazines, &c.

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

Pay of marine corps.

For pay of the officers, non-commissioned officers, musicians and privates, and for subsistence of the officers of the marine corps, one hundred and sixty-three thousand seventy-seven dollars and twenty-five cents.

Pay of marine corps, &c. on shore.

For provisions for non-commissioned officers, musicians, and privates of said corps, serving on shore, and for servants and washerwomen, thirty-three thousand five hundred and seventeen dollars and seventy-two cents.

Clothing.

For clothing, thirty-eight thousand six hundred and fifty-five dollars.

Fuel.

For fuel, fourteen thousand five hundred and eighty-nine dollars.

Sites for barracks, &c.

For the purchase of sites and the erection of barracks near the navy

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

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

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

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

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

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

For arrearages for defraying the extra services and expenses of the officers of the navy engaged in the survey of the coasts and harbors of the United States, for the year eighteen hundred and thirty, and prior thereto, being the amount appropriated in eighteen [hundred] and thirty-four, for the same object, but by that act made applicable only to arrearages for the year eighteen hundred and thirty, fifteen hundred dollars. Services in the coast survey for 1830, and prior thereto.

Sec. 2. *And be it further enacted,* That the President of the United States, be, and he hereby is authorized, to send out a surveying and exploring expedition to the Pacific ocean and [the] South seas, and for that purpose to employ a sloop of war, and to purchase or provide such other smaller vessels as may be necessary and proper to render the said expedition efficient and useful, and for this purpose the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and in addition thereto, if necessary, the President of the United States is authorized to use other means in the control of the Navy Department, not exceeding one hundred and fifty thousand dollars for the objects required. To enable the President to send out an exploring expedition to the south seas, &c. Other means to the amount of $150,000 may be used by him.

Approved, May 14, 1836.

Statute I.

May 14, 1836.

[Obsolete.]

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

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

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

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

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

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

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

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

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

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

Expenses of Quarter-master's 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 of March, eighteen hundred and nineteen; expenses of expresses from the frontier posts; of escorts to paymasters; hire of laborers; compensation to extra clerks in the offices of the quartermaster and assistants, at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works and in the performance of other duties; coffins and other articles necessary at the interment of non-commissioned officers and soldiers; and purchase of horses, and various other expenditures necessary to keep the regiment of dragoons complete, three hundred and thirty-two thousand dollars.

1819, ch. 45.

Transportation of officers' baggage.

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

For transportation of clothing, &c.

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

Contingencies.

For contingencies of the army, three thousand dollars.

Recruiting, &c.

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

Arrearages.

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

For removal of troops and building a fort.

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

Post, p. 310.

Barracks at Key West, &c.

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

Hospitals, &c.

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

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

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

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

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

For the purchase of gunpowder, one hundred thousand dollars. Gunpowder.

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

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

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

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

Approved, May 14, 1836.

Statute I.

Chap. LXXVI.—*An Act to give effect to patents for public lands issued in the names of deceased persons.* May 20, 1836.

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

Approved, May 20, 1836.

Statute I.

Chap. LXXVII.—*An Act explanatory of the act entitled "An act to prevent defalcations on the part of the disbursing agents of the Government, and for other purposes."* May 20, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the act entitled "An act to prevent defalcations on the part of the disbursing agents of the Government, and for other purposes," approved the twenty-fifth of January, eighteen hundred and twenty-eight, shall not be construed to authorize the pension of any pensioner of the United States to be withheld. Act of Jan. 1828, ch. 2, not to apply to pensions.

Approved, May 20, 1836.

Statute I.

Chap. LXXIX.—*An Act for the relief of the several corporate cities of the District of Columbia.* May 20, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to assume, on behalf of the United States, and discharge, to the holders of the evidences of debt contracted and entered into between the cities of Washington, Alexandria, and Georgetown, and certain individuals in Holland, negotiated by Richard Rush, Esquire, on behalf of said corporate bodies, the entire obligation of paying said debts, with the accruing interest thereon, together with the interest now due and remaining unpaid, according to the terms of said contract. Debt contracted in Holland assumed by the United States.

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

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

Approved, May 20, 1836.

Statute I.

May 23, 1836.

[Expired.]

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

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is authorized to accept volunteers who may offer their services either as infantry or cavalry not exceeding ten thousand men, to serve six or twelve months after they shall have arrived at the place of rendezvous, unless sooner discharged; and the said volunteers shall furnish their own clothes, and, if cavalry, their own horses, and when mustered into service, shall be armed and equipped at the expense of the United States.

To do military duty, &c.

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

To be received in companies, &c.

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

Proviso.

To be organized by the President.

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

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

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

To be entitled to benefits, &c.

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

A regiment of dragoons to be organized.

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

President may disband.

300,000 dollars appropriated.

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

Act to remain in force two years.

APPROVED, May 23, 1836.

STATUTE I.

May 23, 1836.

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

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

Appropriation of 500,000 dollars.

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

APPROVED, May 23, 1836.

STATUTE I.

May 28, 1836.

[Obsolete.]

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, directed to cause to be paid the expenses that have been incurred, and the supplies that have been furnished, in the States of South Carolina, Georgia, Alabama, Louisiana, and the Territory of Florida, on account of the militia or volunteers received into the service of the United States for the defence of Florida. *Provided,*

Secretary of War to cause expenses incurred to be paid.

Proviso.

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

Militia and volunteers regularly discharged, to be paid.

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

Approved, May 28, 1836.

Statute I.

June 7, 1836.

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

A pension agency to be established at Wheeling.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized and empowered to establish a pension agency at the city of Wheeling in the State of Virginia, for the payment of pensioners of the United States resident in the counties of Brooke, Ohio, Marshall, Tyler, Wood, Lewis, Harrison, Randolph, Preston, and Monongalia, in Virginia, and Belmont, Jefferson, Guernsey, Harrison, and Monroe, in the State of Ohio: *Provided*, That the establishment of such agency can be made and continued without charge to the United States.

Proviso.

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

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

Approved, June 7, 1836.

Statute I.

June 7, 1836.

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

The western boundary of the State extended.

Act of March 6, 1820, ch. 22, sec. 2.

See Proclamation, Appendix No. 1.

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

Proviso.

Approved, June 7, 1836.

Statute I.

June 7, 1836.

1837, ch. 37.

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

A commissioner, secretary, and clerk to be appointed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, shall appoint one commissioner, whose duty it shall be to receive and examine all claims which may be presented to him under the convention for the settlement of claims between the United States of America, and her Catholic Majesty the Queen of Spain, concluded at Madrid on the seventeenth day of February, one thousand eight hundred and thirty-four, which are provided for by the said convention, according to the

provisions of the same, and the principles of justice, equity and the law of nations. The said commissioner shall have a secretary, versed in the Spanish and French languages, and a clerk, both to be appointed by the President, by and with the advice and consent of the Senate; and the commissioner, secretary, and clerk, shall, before they enter on the duties of their offices, take oath well and faithfully to perform the duties thereof.

Commissioner to make rules and regulations.

Sec. 2. *And be it further enacted*, That the said commissioner shall be, and he is hereby, authorized to make all needful rules and regulations, not contravening the laws of the land, the provisions of this act, or the provisions of the said convention, for carrying his said commission into full and complete effect.

Commissioner to attend at the city of Washington.

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

Records and documents to be delivered to him.

Sec. 4. *And be it further enacted*, That all records, documents, or other papers, which now are in, or hereafter, during the continuance of this commission, may come into the possession of the Department of State, in relation to such claim, shall be delivered to the commissioner aforesaid.

Compensation.

Sec. 5. *And be it further enacted*, That the compensation of the respective officers for whose appointment provision is made by this act, shall not exceed the following sums, namely: To the said commissioner, at the rate of three thousand five hundred dollars per annum; to the secretary, at the rate of two thousand dollars per annum; and to the clerk, at the rate of fifteen hundred dollars per annum. And the President of the United States shall be, and he is hereby, authorized to make such provision for the contingent expenses of the said commissioner as shall appear to him reasonable and proper; and the said salaries and expenses shall be paid out of any money in the Treasury not otherwise appropriated.

Duties of the Secretary of the Treasury.

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

Commissioner to report, &c.

Sec. 7. *And be it further enacted*, That the commissioner aforesaid shall report to the Secretary of State a list of all the several awards made by him, a certified copy of which shall be by the said Secretary of State transmitted to the Secretary of the Treasury, who shall thereupon distribute in ratable proportions, among the persons in whose favor the award shall have been made, such moneys as may have been received into the Treasury in virtue of this act, according to the proportions which their respective awards shall bear to the whole amount then

received; first deducting such sums of money as may be due the United States from said persons in whose favor said awards shall be made; and shall cause certificates to be issued by the Secretary of the Treasury, in such form as he may prescribe, showing the proportion to which each may be entitled of the amount that may thereafter be received; and on the presentation of the said certificates at the Treasury, as the nett proceeds of the general instalments, payable by the Government of Spain, shall have been received, such proportions thereof shall be paid to the legal holders of the said certificates.

Communications free of postage.

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

Sec. 9. *And be it further enacted,* That, as soon as said commission shall be executed and completed, the records, documents, and all other papers in the possession of the commission or its officers, shall be deposited in the office of the Secretary of State.

Approved, June 7, 1836.

Statute I.

June 14, 1836.

Chap. LXXXVIII.—*An Act making appropriations for the current expenses of the Indian Department, for Indian annuities, and other similar objects, for the year one thousand eight hundred and thirty-six.*

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

Pay of Superintendent and Agents. 1834, ch. 162.

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

Pay of clerk in Territory of Wisconsin.

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

Pay of Sub-agents.

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

Pay of Interpreters.

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

Presents to Indians.

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

Provisions for Indians.

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

Buildings and repairs.

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

Postage, &c.

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

Contingencies, Indian Department.

For contingencies, Indian Department, four thousand dollars.

To the Six Nations of Indians in New York.

To the Six Nations of Indians in New York.—For the permanent annuity, stipulated in the sixth article of the treaty with them, of the eleventh of November, seventeen hundred and ninety-four, four thousand five hundred dollars.

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

To the Senecas of New York.

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

To the Ottawas.

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

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, eight hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the seventeenth of September, eighteen hundred and eighteen, one thousand five hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-ninth of August, eighteen hundred and twenty-one, one thousand dollars.

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

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, four hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaties of the twenty-ninth of September, eighteen hundred and seventeen, and the seventeenth of September, eighteen hundred and eighteen, four thousand five hundred dollars.

For the support of a blacksmith and assistant, stipulated in the tenth article of the treaty of the twenty-ninth of September, eighteen hundred and seventeen, seven hundred and twenty dollars.

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

To the Wyandots, Munsees, and Delawares.—For the permanent annuity, stipulated in the fourth article of the treaty with them of the fourth of July, eighteen hundred and five, one thousand dollars. To the Wyandots, Munsees and Delawares.

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

To the Miamies.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-third of October, eighteen hundred and twenty-six, twenty-five thousand dollars. To the Miamies.

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

For the pay of eight laborers, stipulated in the fourth article of the same treaty, four hundred and eighty dollars.

For the purchase of two thousand pounds of iron, two hundred and fifty pounds of steel, and one thousand pounds of tobacco, stipulated in the same, six hundred and twenty dollars.

For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty of the sixth of October, eighteen hundred and eighteen, seven hundred and twenty dollars.

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

For the purchase of one hundred and sixty bushels of salt, stipulated in the same, three hundred and twenty dollars.

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

For the permanent annuity, stipulated in the third article of the treaty of the twenty-first of August, eighteen hundred and five, two hundred and fifty dollars.

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

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

For the purchase of salt, stipulated in the third article of the treaty

of the seventh of June, eighteen hundred and three, one hundred and forty dollars.

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

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

For the limited annuity, stipulated in the fourth article of the treaty of twenty-ninth of August, eighteen hundred and twenty-one, five thousand dollars.

For the limited annuity, stipulated in the third article of the treaty of the sixteenth of October, eighteen hundred and twenty-six, two thousand dollars.

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

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

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

For the support of a miller, stipulated in the third article of the treaty of the sixteenth of October, eighteen hundred and twenty-six, six hundred dollars.

For the purchase of one hundred and sixty bushels of salt, stipulated in the same, three hundred and twenty dollars.

For permanent annuity, stipulated in the second article of the treaty of the twentieth of September, eighteen hundred and twenty-eight, two thousand dollars.

For the limited annuities, stipulated in the same, one thousand dollars.

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

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

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

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

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

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

To the Pottawatamies of Huron.

To the Pottawatamies of Huron.—For the permanent annuity, stipulated in the second article of the treaty with them, of the seventeenth of November, eighteen hundred and seven, four hundred dollars.

To the Pottawatamies of the Prairie.

To the Pottawatamies of the Prairie.—For the limited annuity, stipulated in the third article of the treaty with them, of the twentieth October, eighteen hundred and thirty-two, fifteen thousand dollars.

For the annuity of three chiefs, for life, stipulated in the same, one thousand dollars.

To the Pottawatamies of the Wabash.

To the Pottawatamies of the Wabash.—For the limited annuity, stipulated in the third article of the treaty with them, of the twenty-sixth of October, eighteen hundred and thirty-two, twenty thousand dollars.

To the Pottawatamies of Indiana.

To the Pottawatamies of Indiana.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the twenty-seventh of October, eighteen hundred and thirty-two, fifteen thousand dollars.

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

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

To the Chippewas, Ottawas and Pottawatamies.—For the support of a blacksmith and assistant, stipulated in the second article of the treaty with them, of the twenty-ninth of July, eighteen hundred and twenty-nine, seven hundred and twenty dollars. To the Chippewas, Ottawas and Pottawatamies.

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

For the permanent annuity, stipulated in the second article of the treaty of the twenty-ninth of July, eighteen hundred and twenty-nine, sixteen thousand dollars.

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

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

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

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

To the Winnebagoes.—For the limited annuities, stipulated in the second article of the treaty with them, of the first of August, eighteen hundred and twenty-nine, eighteen thousand dollars. To the Winnebagoes.

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

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

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

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

For the pay of laborers and for oxen, stipulated in the same, three hundred and sixty-five dollars.

For the limited annuity, stipulated in the third article of the treaty of the fifteenth of September, eighteen hundred and thirty-two, ten thousand dollars.

For the purpose of education, stipulated in the fourth article of the same, three thousand dollars.

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

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

For the services of two physicians, stipulated in the same, four hundred dollars.

To the Menomonees.—For the support of five farmers and five females, housekeepers, stipulated in the second article of the treaty with them, of the fifth of February, eighteen hundred and thirty-one, four thousand dollars. To the Menomonees.

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

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

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

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

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

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

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

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

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

For the permanent annuity, stipulated in the second article of the treaty of the seventeenth of November, eighteen hundred and seven, eight hundred dollars.

For the permanent annuity, stipulated in the fourth article of the treaty of the twenty-fourth of September, eighteen hundred and nineteen, one thousand dollars.

For the support of a blacksmith at Saginaw, and for farming utensils and cattle, and for the employment of persons to aid them in agriculture, fixed by the act of the fifteenth of May, eighteen hundred and twenty, two thousand dollars.

For the purposes of education, during the pleasure of Congress, stipulated in the sixth article of the treaty of the fifth of August, eighteen hundred and twenty-six, one thousand dollars.

To the Chippewas, Menomonees, Winnebagoes, and New York Indians.

To the Chippewas, Menomonees, Winnebagoes, and New York Indians.—For the purposes of education during the pleasure of Congress, stipulated in the fifth article of the treaty with them, of the eleventh of August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

To the Sioux of Mississippi.

To the Sioux of Mississippi.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, two thousand dollars.

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

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

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

To the Yancton and Santie bands.

To the Yancton and Santie bands.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

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

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

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

To the Omahas.

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

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

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

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

To the Sacs of Missouri.

To the Sacs of Missouri.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, five hundred dollars.

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

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

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

To the Sacs.

To the Sacs.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

To the Foxes.

To the Foxes.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, three thousand dollars.

To the Ioways.

To the Ioways.—For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty with them, of the fourth of August, eighteen hundred and twenty-four, seven hundred and twenty dollars.

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

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

For the limited annuity, stipulated in the fourth article of the treaty of the fifteenth of July, eighteen hundred and thirty, two thousand five hundred dollars.

For the support of an assistant blacksmith, stipulated in the same, four hundred and eighty dollars.

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

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

To the Sacs and Foxes.—For the permanent annuity, stipulated in the third article of the treaty with them, of the third of November, eighteen hundred and four, one thousand dollars. To the Sacs and Foxes.

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

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

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

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

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

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

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

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

To the Sacs, Foxes and Ioways.—For the purposes of education, stipulated in the fifth article of the treaty with them, of the fifteenth of July, eighteen hundred and thirty, three thousand dollars. To the Sacs, Foxes and Ioways.

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

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

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

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

For the purposes of education, stipulated in the fourth article of the treaty of the twenty-first of September, eighteen hundred and thirty-three, five hundred dollars.

For the support of two farmers, stipulated in the fifth article of the same, one thousand two hundred dollars.

To the Kanzas.—For the limited annuity, stipulated in the third article of the treaty with them, of the third of June, eighteen hundred and twenty-five, three thousand five hundred dollars. To the Kanzas.

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

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

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

To the Osages.—For the permanent annuity, stipulated in the fifth article of the treaty with them, of the tenth of November, eighteen hundred and eight, one thousand five hundred dollars. To the Osages.

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

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

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

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

To the Kickapoos.

To the Kickapoos.—For the limited annuity, stipulated in the fourth article of the treaty with them, of the twenty-fourth of October, eighteen hundred and thirty-two, five thousand dollars.

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

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

To the Kaskaskias and Peorias.

To the Kaskaskias and Peorias.—For the limited annuity, stipulated in the fifth article of the treaty with them, of the twenty-seventh of October, eighteen hundred and thirty-two, three thousand dollars.

For agricultural implements, stipulated in the sixth article of the same, fifty dollars.

To the Kaskaskias, Peorias, Weas, and Piankeshaws.

To the Kaskaskias, Peorias, Weas, and Piankeshaws.—For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty with them, of the twenty-ninth of October, eighteen hundred and thirty-two, seven hundred and twenty dollars.

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

To the Piankeshaws.

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

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

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

To the Weas.

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

To the Delawares.

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

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

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

For the permanent annuity, stipulated in the fifth article of the treaty of the third of October, eighteen hundred and eighteen, four thousand dollars.

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

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

For the permanent annuity, stipulated in the supplemental treaty of the fourteenth of September, eighteen hundred and twenty-nine, one thousand dollars.

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

To the Shawanees.

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

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

For the permanent annuity, stipulated in the fourth article of the

treaty of the twenty-ninth of September, eighteen hundred and seventeen, two thousand dollars.

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the seventh of November, eighteen hundred and twenty-five, seven hundred and twenty dollars.

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

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the eighth of August, eighteen hundred and thirty-one, seven hundred and twenty dollars.

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

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

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

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

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the twentieth of July, eighteen hundred and thirty-one, seven hundred and twenty dollars.

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

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

For the support of a blacksmith and assistant, stipulated in the fourth article of the treaty of the twenty-eighth of February, eighteen hundred and thirty-one, seven hundred and twenty dollars.

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

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

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

For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of November, eighteen hundred and five, three thousand dollars.

For the limited annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and sixteen, six thousand dollars.

For the permanent annuity, stipulated in the thirteenth article of the treaty of the eighteenth of October, eighteen [hundred] and twenty, six hundred dollars.

For annuity to a chief, stipulated in the fourteenth article of the same, one hundred and fifty dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twentieth of January, eighteen hundred and twenty-five, six thousand dollars.

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

For annuity to a chief, stipulated in the tenth article of the same, one hundred and fifty dollars.

For the limited annuity, stipulated in the seventeenth article of the

treaty of the twenty-seventh of September, eighteen hundred and thirty, twenty thousand dollars.

For the purposes of education, stipulated in the twentieth article of the same, twelve thousand five hundred dollars.

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

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

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

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

To the Chickasaws. 1799, ch. 11.

To the Chickasaws.—For the permanent annuity, as provided for by the act of the twenty-fifth of February, seventeen hundred and ninety-nine, three thousand dollars.

For the purposes of education, stipulated in the second article of the treaty with them, of the twenty-fourth of May, eighteen hundred and thirty-four, three thousand dollars.

To the Creeks.

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

For the permanent annuity, stipulated in the second article of the treaty of the sixteenth of June, eighteen hundred and two, three thousand dollars.

To the Creeks east.

To the Creeks east.—For the limited annuity, stipulated in the eighth article of the treaty with them, of the twenty-fourth of March, eighteen-hundred and thirty-two, twelve thousand dollars.

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

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

For the purposes of education, stipulated in the thirteenth article of the same, three thousand dollars.

For the annuity to three chiefs, stipulated in the eleventh article of the same, four hundred dollars.

To the Creeks west.

To the Creeks west.—For the permanent annuity, stipulated in the fourth article of the treaty with them, of the twenty-fourth of January, eighteen hundred and twenty-six, twenty thousand dollars.

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

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

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

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

For the support of a blacksmith and assistant, stipulated in the fifth article of the treaty of the fourteenth of February, eighteen hundred and thirty-three, seven hundred and twenty dollars.

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

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

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

To the Cherokees.

To the Cherokees.—For the permanent annuity, stipulated in the third and sixth articles of the treaty with them, of the sixth of June, seventeen hundred and ninety-four, and the second of October, seventeen hundred and ninety-eight, six thousand dollars.

For the permanent annuity, stipulated in the second article of the treaty of the twenty-fourth of October, eighteen hundred and four, one thousand dollars.

For the permanent annuity, stipulated in the third article of the treaty

of the twenty-fifth of October, eighteen hundred and five, three thousand dollars.

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

To the Quapaws.—For the purposes of education, during the pleasure of the President, stipulated in the third article of the treaty with them, of the thirteenth of May, eighteen hundred and thirty-three, one thousand dollars. To the Quapaws.

For the limited annuity, stipulated in the fourth article of the treaty of the thirteenth of May, eighteen hundred and thirty-three, two thousand dollars.

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

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

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

To the Florida Indians.—For the limited annuity, stipulated in the third article of the treaty with them, of the eighteenth of September, eighteen hundred and twenty-three, four thousand six hundred and ten dollars. To the Florida Indians.

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

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

To the Pawnees.—For the limited annuity, stipulated in the third article of the treaty with them, of the ninth of October, eighteen hundred and thirty-three, four thousand six hundred dollars. To the Pawnees.

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

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

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

For the support of four farmers, stipulated in the seventh article of the same, two thousand four hundred dollars.

To the Cherokees west.—For the purposes of education, stipulated in the fifth article of the treaty with them, of the sixth of May, eighteen hundred and twenty-eight, two thousand dollars. To the Cherokees west.

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

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

For the support of a wagon maker and a wheelwright, stipulated in the same, one thousand two hundred dollars.

For the expenses of transportation and distribution of annuities, salt, agricultural implements, tobacco, tools, &c. and other incidental expenses, twenty-nine thousand five hundred dollars.

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

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

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

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

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

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

Proviso.

Treaties.

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

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

Proviso.

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

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

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

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

Removal of the Creeks.

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

Removal of the Seminoles.

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

Treaties.

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

Delegation of the Pottawatamies.

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

Secretary of War authorized to close certain accounts.

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

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

1825, ch. 50.

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

To be paid to David Brearly.

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

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

Proviso.

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

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

Proviso. 1836, ch. 54.

Approved, June 14, 1836.

Statute I.

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

June 14, 1836.

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

Appropriation for purchase of a site and for building.

Approved, June 14, 1836.

Statute I.
June 15, 1836.

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

Fourteenth section repealed.

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

Approved, June 15, 1836.

Statute I.
June 15, 1836.

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

Division how made.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the country on the western shore of Lake Michigan, embraced within the limits of the Green Bay land district, as established by the act of Congress, of the twenty-sixth day of June, eighteen hundred and thirty-four, shall be, and is hereby, divided by a line commencing on the western boundary of said district, and running thence, east, between townships ten and eleven north, to the line between ranges seventeen and eighteen, east; thence north, between said ranges of townships, to the line between townships twelve and thirteen north; thence east, between said townships twelve and thirteen, to Lake Michigan; and all the country bounded north by the division line here described, south by the base line, east by Lake Michigan, and west by the division line between ranges eight and nine east, shall constitute a separate district, and be called the Milwaukie land district.

1834, ch. 76.

Two additional land districts to be established.

Sec. 2. *And be it further enacted,* That two additional districts shall be, and are hereby established in the peninsula of Michigan, one to be called the Grand river, and the other the Saginaw, land district, the former of which shall be bounded as follows, to wit: beginning at the shore of Lake Michigan, on the line between townships three and four north, and running east on said line to the line between ranges number six and seven west of the principal meridian; thence, on said range line south, to the base line of the public surveys; thence, on said base line east, to the principal meridian line; thence north, on said meridian, to the north boundary of township ten north; thence west, on the line between townships ten and eleven north, to the western boundary of range two west; and thence north, following the line between ranges two and three west, so as to include all that portion of the peninsula of Michigan lying west of said line. The Saginaw district shall embrace all the tract of country bounded on the west by the Grand river district aforesaid; on the south, by the division line, between townships number five and six, north of the base line; on the east by the division line, between ranges eleven and twelve, east of the principal meridian; and on the north and northeast by Saginaw bay and Lake Huron.

Registers and receivers to be appointed in each.

Sec. 3. *And be it further enacted,* That for each of all the aforesaid districts there shall be appointed a register and receiver, who shall reside and superintend the sales of the public lands at such place, in each respective district, as the President of the United States may designate. They shall give security in the same manner and in the same sums, and their compensation, emoluments, duty, and authority, shall, in every respect, be the same, in relation to the lands which may be disposed of at their offices, as are, or may be, provided by law relative to the registers and receivers of public money in the several offices established for the sale of the public lands.

(a) Act of April 10, 1816, ch. 44.

Sec. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the proper plats of the surveys of the said districts to be deposited in the land offices intended for them, respectively; and he is hereby authorized to allow and pay out of the proceeds of the sales of the public lands the reasonable expenses which may be incurred in carrying into effect the provisions of this act.

Proper plats and surveys to be deposited in the land offices.

Sec. 5. *And be it further enacted*, That the lands which were ceded to the United States by the treaty made with the confederated tribes of Sac and Fox Indians at Fort Armstrong, in the State of Illinois, on the twenty-first day of September, eighteen hundred and thirty-two, be, and the same are hereby, attached to, and made a part of, the Wisconsin land district, in the Territory of Michigan; and that said lands shall be liable to be surveyed and sold at Mineral Point, or wherever the President may direct, in the same manner as other public lands of the district.

Certain ceded lands to be attached to the Wisconsin land district.

Sec. 6. *And be it further enacted*, That this act shall take effect and be in force from and after the first day of August next.

Act to take effect on the 1st of August, 1836.

Approved, June 15, 1836.

Statute I.

June 15, 1836.

Act of June 23, 1836, ch. 121.

Chap. XCIX.—*An Act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the northern boundary line of the State of Ohio shall be established at, and shall be a direct line drawn from the southern extremity of Lake Michigan, to the most northerly cape of the Maumee (Miami) bay, after that line, so drawn, shall intersect the eastern boundary line of the State of Indiana; and from the said north cape of the said bay, northeast to the boundary line between the United States and the province of Upper Canada, in Lake Erie; and thence, with the said last mentioned line, to its intersection with the western line of the State of Pennsylvania.

Northern boundary line. Act of Jan. 26, 1837, ch. 6.

Sec. 2. *And be it further enacted*, That the constitution and State Government which the people of Michigan have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed; and that the said State of Michigan shall be, and is hereby, declared to be one of the United States of America, and is hereby admitted into the Union upon an equal footing with the original States, in all respects whatsoever: *Provided always*, and this admission is upon the express condition, that the said State shall consist of and have jurisdiction over all the territory included within the following boundaries, and over none other, to wit: Beginning at the point where the above described northern boundary of the State of Ohio intersects the eastern boundary of the State of Indiana, and running thence with the said boundary line of Ohio, as described in the first section of this act, until it intersects the boundary line between the United States and Canada, in Lake Erie; thence, with the said boundary line between the United States and Canada through the Detroit river, Lake Huron, and Lake Superior, to a point where the said line last touches Lake Superior; thence, in a direct line through Lake Superior, to the mouth of the Montreal river; thence through the middle of the main channel of the said river Montreal, to the middle of the Lake of the Desert; thence, in a direct line to the nearest head water of the Menomonie river; thence, through the middle of that fork of the said river first touched by the said line, to the main channel of the said Menomonie river; thence, down the centre of the main channel of the same, to the centre of the most usual ship channel of the Green bay of Lake Michigan; thence, through the centre of the most usual

Constitution accepted.

Proviso.

(a) See notes to the act of February 16, 1819, ch. 22, for the acts relating to the Territory of Michigan.

ship channel of the said bay to the middle of Lake Michigan; thence, through the middle of Lake Michigan, to the northern boundary of the State of Indiana, as that line was established by the act of Congress of the nineteenth of April, eighteen hundred and sixteen; thence, due east, with the north boundary line of the said State of Indiana, to the northeast corner thereof; and thence, south, with the east boundary line of Indiana, to the place of beginning.

1816, ch. 57.

The boundary to receive the assent of a convention.

Sec. 3. *And be it further enacted,* That, as a compliance with the fundamental condition of admission contained in the last preceding section of this act, the boundaries of the said State of Michigan, as in that section described, declared, and established, shall receive the assent of a convention of delegates elected by the people of the said State, for the sole purpose of giving the assent herein required; and as soon as the assent herein required shall be given, the President of the United States shall announce the same by proclamation; and thereupon, and without any further proceeding on the part of Congress, the admission of the said State into the Union, as one of the United States of America, on an equal footing with the original States in all respects whatever, shall be considered as complete, and the Senators and Representatives who have been elected by the said State as its representative in the Congress of the United States, shall be entitled to take their seats in the Senate and House of Representatives respectively, without further delay.

1837, ch. 6.

Vacant and unsold lands reserved to the United States.

Sec. 4. *And be it further enacted,* That nothing in this act contained, or in the admission of the said State into the Union as one of the United States of America upon an equal footing with the original States in all respects whatever, shall be so construed or understood as to confer upon the people, Legislature, or other authorities of the said State of Michigan, any authority or right to interfere with the sale by the United States, and under their authority, of the vacant and unsold lands within the limits of the said State, but that the subject of the public lands, and the interests which may be given to the said State therein, shall be regulated by future action between Congress, on the part of the United States, and the said State, or the authorities thereof. And the said State of Michigan shall in no case and under no pretence whatsoever, impose any tax, assessment or imposition of any description upon any of the lands of the United States within its limits.

Approved, June 15, 1836.

Statute I.

June 15, 1836.

Act of June 23, 1836, ch. 120.

Chap. C.—*An Act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States, within the same, and for other purposes.*

Whereas, the people of the Territory of Arkansas, did, on the thirtieth day of January in the present year by a convention of delegates, called and assembled for that purpose, form for themselves a constitution and State Government, which constitution and State Government, so formed, is republican: and whereas, the number of inhabitants within the said Territory exceeds forty-seven thousand seven hundred persons, computed according to the rule prescribed by the constitution of the United States; and the said convention have, in their behalf, asked the Congress of the United States to admit the said Territory into the Union as a State, on an equal footing with the original States:

Arkansas admitted into the Union.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Arkansas shall be one, and is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever, and the said State shall consist of all the territory included within the following boundaries, to wit: beginning in the middle of the main channel of the Mis-

sissippi river, on the parallel of thirty-six degrees north latitude, running from thence west, with the said parallel of latitude, to the Saint Francis river; thence up the middle of the main channel of said river to the parallel of thirty-six degrees thirty minutes north; from thence west to the southwest corner of the State of Missouri; and from thence to be bounded on the west, to the north bank of Red river, by the lines described in the first article of the treaty between the United States and the Cherokee nation of Indians west of the Mississippi, made and concluded at the city of Washington, on the 26th day of May, in the year of our Lord one thousand eight hundred and twenty-eight; and to be bounded on the south side of Red river by the Mexican boundary line, to the northwest corner of the State of Louisiana; thence east, with the Louisiana State line, to the middle of the main channel of the Mississippi river; thence up the middle of the main channel of the said river, to the thirty-sixth degree of north latitude, the point of beginning.

Boundaries.

SEC. 2. *And be it further enacted,* That until the next general census shall be taken, the said State shall be entitled to one representative in the House of Representatives of the United States.

To be entitled to one representative.

SEC. 3. *And be it further enacted,* That all the laws of the United States, which are not locally inapplicable, shall have the same force and effect within the said State of Arkansas, as elsewhere within the United States.

General laws extended.

SEC. 4. *And be it further enacted,* That the said State shall be one judicial district, and be called the Arkansas district; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called a district judge. He shall hold at the seat of Government of the said State, two sessions annually, on the first Mondays of April and November; and he shall, in all things, have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky district under an act entitled "An act to establish the judicial courts of the United States." He shall appoint a clerk for the said district court, who shall reside and keep the records of the court at the place of holding the same; and shall receive, for the services performed by him, the same fees to which the clerk of the Kentucky district is entitled for similar services.

District Court of the United States.

Act of Sept. 24, 1789, ch. 20.

SEC. 5. *And be it further enacted,* That there shall be allowed to the judge of the said district court, the annual compensation of two thousand dollars, to commence from the date of his appointment, to be paid quarter-yearly at the Treasury of the United States.

Salary of the judge.

SEC. 6. *And be it further enacted,* That there shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid by the United States two hundred dollars, as a full compensation for all extra services.

Attorney to be appointed.

SEC. 7. *And be it further enacted,* That a marshal shall be appointed for the said district who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as are prescribed to marshals in other districts; and he shall moreover be entitled to the sum of two hundred dollars annually, as a compensation for all extra services.

Marshal.

SEC. 8. *And be it further enacted,* That the State of Arkansas is admitted into the Union upon the express condition, that the people of the said State shall never interfere with the primary disposal of the public lands within the said State, nor shall they levy a tax on any of the lands of the United States within the said State; and nothing in this act shall be construed as an assent by Congress to all or to any of the propositions contained in the ordinance of the said convention of the people of Arkansas, nor to deprive the said State of Arkansas of the

Public lands reserved to the United States.

same grants, subject to the same restrictions, which were made to the State of Missouri by virtue of an act entitled "An act to authorize the people of the Missouri Territory to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States, and to prohibit slavery in certain Territories," approved the sixth day of March, one thousand eight hundred and twenty.

Act of March 1820, ch. 22.

Approved, June 15, 1836.

Statute I.

June 23, 1836.

[Repealed.]

Act of July 4, 1836, ch. 354.

Chap. CXV.—*An Act to regulate the deposites of the public money.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of the Treasury to select as soon as may be practicable and employ as the depositories of the money of the United States, such of the banks incorporated by the several States, by Congress for the District of Columbia, or by the Legislative Councils of the respective Territories for those Territories, as may be located at, adjacent or convenient to the points or places at which the revenues may be collected, or disbursed, and in those States, Territories or Districts in which there are no banks, or in which no bank can be employed as a deposite bank, and within which the public collections or disbursements require a depository, the said Secretary may make arrangements with a bank or banks, in some other State, Territory or District, to establish an agency, or agencies, in the States, Territories or Districts so destitute of banks, as banks of deposite; and to receive through such agencies such deposites of the public money, as may be directed to be made at the points designated, and to make such disbursements as the public service may require at those points; the duties and liabilities of every bank thus establishing any such agency to be the same in respect to its agency, as are the duties and liabilities of deposite banks generally under the provisions of this act: *Provided,* That at least one such bank shall be selected in each State and Territory, if any can be found in each State and Territory willing to be employed as depositories of the public money, upon the terms and conditions hereinafter prescribed, and continue to conform thereto; and that the Secretary of the Treasury shall not suffer to remain in any deposite bank, an amount of the public moneys more than equal to three-fourths of the amount of its capital stock actually paid in, for a longer time than may be necessary to enable him to make the transfers required by the twelfth section of this act; and that the banks so selected, shall be, in his opinion, safe depositories of the public money, and shall be willing to undertake to do and perform the several duties and services, and to conform to the several conditions prescribed by this act.

Secretary of the Treasury to select banks.

Proviso.

Sec. 2. *And be it further enacted,* That if, at any point or place at which the public revenue may be collected, there shall be no bank located, which, in the opinion of the Secretary of the Treasury, is in a safe condition, or where all the banks at such point or place shall fail or refuse to be employed as depositories of the public money of the United States, or to comply with the conditions prescribed by this act, or where such banks shall not have sufficient capital to become depositories of the whole amount of moneys collected at such point or place, he shall and may order and direct the public money collected at such point or place to be deposited in a bank or banks in the same State, or in some one or more of the adjacent States upon the terms and conditions hereinafter prescribed: *Provided,* That nothing in this act contained shall be so construed as to prevent Congress at any time from passing any law for the removal of the public money from any of the

Where there is no bank which the Secretary approves, or where banks refuse, a selection may be made at some place adjacent.

Proviso.

(a) See act of July 4, 1840, chap. 41; act of August 13, 1841, chap. 7.

said banks, or from changing the terms of deposite, or to prevent the said banks at any time from declining any longer to be the depositories of the public money upon paying over, or tendering to pay, the whole amount of public moneys on hand, according to the terms of its agreement with the said Secretary.

Banks to furnish certain statements; copy of charter, &c.

Sec. 3. *And be it further enacted,* That no bank shall hereafter be selected and employed by the Secretary of the Treasury as a depository of the public money, until such bank shall have first furnished to the said Secretary a statement of its condition and business, a list of its directors, the current price of its stock; and also a copy of its charter; and likewise, such other information as may be necessary to enable him to judge of the safety of its condition.

Sec. 4. *And be it further enacted,* That the said banks, before they shall be employed as the depositories of the public money, shall agree to receive the same, upon the following terms and conditions, to wit:

Terms to be agreed to by the banks.

First. Each bank shall furnish to the Secretary of the Treasury, from time to time, as often as he may require, not exceeding once a week, statements setting forth its condition and business, as prescribed in the foregoing section of this act, except that such statements need not, unless requested by said Secretary, contain a list of the directors, or a copy of the charter. And the said banks shall furnish to the Secretary of the Treasury, and to the Treasurer of the United States, a weekly statement of the condition of his account upon their books. And the Secretary of the Treasury shall have the right, by himself, or an agent appointed for that purpose, to inspect such general accounts in the books of the bank, as shall relate to the said statements: *Provided,* That this shall not be construed to imply a right of inspecting the account of any private individual or individuals with the bank.

Proviso.

Secondly. To credit as specie, all sums deposited therein to the credit of the Treasurer of the United States, and to pay all checks, warrants, or drafts, drawn on such deposites, in specie if required by the holder thereof.

Thirdly. To give, whenever required by the Secretary of the Treasury, the necessary facilities for transferring the public funds from place to place, within the United States, and the Territories thereof, and for distributing the same in payment of the public creditors, without charging commissions or claiming allowance on account of difference of exchange.

Fourthly. To render to the Government of the United States all the duties and services heretofore required by law to be performed by the late Bank of the United States and its several branches or offices.

Banks issuing notes less than five dollars not to be selected.

Sec. 5. *And be it further enacted,* That no bank shall be selected or continued as a place of deposite of the public money which shall not redeem its notes and bills on demand in specie; nor shall any bank be selected or continued as aforesaid, which shall after the fourth of July, in the year one thousand eight hundred and thirty-six, issue or pay out any note or bill of a less denomination than five dollars; nor shall the notes or bills of any bank be received in payment of any debt due to the United States which shall, after the said fourth day of July, in the year one thousand eight hundred and thirty-six, issue any note or bill of a less denomination than five dollars.

1838, ch. 158.

Secretary may require security.

Sec. 6. *And be it further enacted,* That the Secretary of the Treasury shall be, and he is hereby authorized, and it shall be his duty, whenever in his judgment the same shall be necessary or proper, to require of any bank so selected and employed as aforesaid, collateral or additional securities for the safe keeping of the public moneys deposited therein, and the faithful performance of the duties required by this act.

Secretary authorized to enter into contracts.

Sec. 7. *And be it further enacted*, That it shall be lawful for the Secretary of the Treasury, to enter into contracts in the name and for and on behalf of the United States, with the said banks so selected or employed, whereby the said banks shall stipulate to do and perform the several duties and services prescribed by this act.

No bank selected to be discontinued but for certain causes.

Sec. 8. *And be it further enacted*, That no bank which shall be selected or employed as the place of deposite of the public money, shall be discontinued as such depository, or the public money withdrawn therefrom, except for the causes hereinafter mentioned, that is to say: if at any time, any one of said banks shall fail or refuse to perform any of said duties as prescribed by this act, and stipulated to be performed by its contract; or, if any of said banks shall at any time refuse to pay its own notes in specie if demanded; or shall fail to keep in its vaults such an amount of specie as shall be required by the Secretary of the Treasury, and shall be, in his opinion, necessary to render the said bank a safe depository of the public moneys, having due regard to the nature of the business transacted by the bank; in any and every such case it shall be the duty of the Secretary of the Treasury to discontinue any such bank as a depository, and withdraw from it the public moneys which it may hold on deposite at the time of such discontinuance. And in case of the discontinuance of any of said banks, it shall be the duty of the Secretary of the Treasury to report to Congress immediately if in session, and if not in session, then at the commencement of its next session, the facts and reasons which have induced such discontinuance. And in case of the discontinuance of any of said banks as a place of deposite of the public money for any of the causes herein before provided, it shall be lawful for the Secretary of the Treasury to deposite the money thus withdrawn in some other banks of deposite already selected, or to select some other bank as a place of deposite, upon the terms and conditions prescribed by this act. And in default of any bank to receive such deposite, the money thus withdrawn shall be kept by the Treasurer of the United States, according to the laws now in force; and shall be subject to be disbursed according to law.

Banks now employed to be continued until, &c.

Sec. 9. *And be it further enacted*, That until the Secretary of the Treasury shall have selected and employed the said banks as places of deposite of the public money, in conformity to the provisions of this act, the several State and District banks at present employed as depositories of the money of the United States, shall continue to be the depositories aforesaid upon the terms and conditions upon which they have been so employed.

Secretary to lay a statement before Congress.

Sec. 10. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to lay before Congress, at the commencement of each annual session, a statement of the number and names of the banks employed as depositories of the public money, and of their condition, and the amount of public money deposited in each, as shown by their returns at the Treasury; and if the selection of any bank as a depository of the public money be made by the Secretary of the Treasury, while Congress is in session, he shall immediately report the name and condition of such bank to Congress; and if any such selection shall be made during the recess of Congress, he shall report the same to Congress during the first week of its next session.

Bank to pay interest under certain circumstances.

Sec. 11. *And be it further enacted*, That whenever the amount of public deposites to the credit of the Treasurer of the United States, in any bank shall, for a whole quarter of a year, exceed the one-fourth part of the amount of the capital stock of such bank actually paid in, the banks shall allow and pay to the United States, for the use of the excess of the deposites over the one-fourth part of its capital, an interest at the rate of two per centum per annum, to be calculated for each quarter, upon the average excesses of the quarter; and it shall be the duty of the

Secretary of the Treasury, at the close of each quarter, to cause the amounts on deposite in each deposite bank for the quarter, to be examined and ascertained, and to see that all sums of interest accruing under the provisions of this section, are, by the banks respectively passed to the credit of the Treasurer of the United States in his accounts with the respective banks.

Transfers under certain cases declared illegal.

Sec. 12. *And be it further enacted*, That all warrants or orders for the purpose of transferring the public funds from the banks in which they now are, or may hereafter be deposited, to other banks, whether of deposite or not, for the purpose of accommodating the banks to which the transfer may be made, or to sustain their credit, or for any other purpose whatever, except it be to facilitate the public disbursements, and to comply with the provisions of this act, be, and the same are hereby, prohibited and declared to be illegal; and in cases where transfers shall be required for purposes of equalization under the provisions of this act, in consequence of too great an accumulation of deposites in any bank, such transfers shall be made to the nearest deposite banks which are considered safe and secure, and which can receive the moneys to be transferred under the limitations in this act imposed: *Provided*, That it may be lawful for the President of the United States to direct transfers of public money to be made from time to time to the mint and branch mints of the United States, for supplying metal for coining.

The surplu in the Treasur above 5,000,00 dollars to be deposited with the several States.

Act of Oct. 2, 1837, ch. 1.

Sec. 13. *And be it further enacted*, That the money which shall be in the Treasury of the United States, on the first day of January, eighteen hundred and thirty-seven, reserving the sum of five millions of dollars, shall be deposited with such of the several States, in proportion to their respective representation in the Senate and House of Representatives of the United States, as shall, by law, authorize their Treasurers, or other competent authorities to receive the same on the terms hereinafter specified; and the Secretary of the Treasury shall deliver the same to such Treasurers, or other competent authorities, on receiving certificates of deposite therefor, signed by such competent authorities, in such form as may be prescribed by the Secretary aforesaid; which certificates shall express the usual and legal obligations, and pledge the faith of the State, for the safe keeping and repayment thereof, and shall pledge the faith of the States receiving the same, to pay the said moneys, and every part thereof, from time to time, whenever the same shall be required, by the Secretary of the Treasury, for the purpose of defraying any wants of the public treasury, beyond the amount of the five millions aforesaid: *Provided*, That if any State declines to receive its proportion of the surplus aforesaid, on the terms before named, the same shall be deposited with the other States, agreeing to accept the same on deposite in the proportion aforesaid: *And provided further*, That when said money, or any part thereof, shall be wanted by the said Secretary, to meet appropriations by law, the same shall be called for, in rateable proportions, within one year, as nearly as conveniently may be, from the different States, with which the same is deposited, and shall not be called for, in sums exceeding ten thousand dollars, from any one State, in any one month, without previous notice of thirty days, for every additional sum of twenty thousand dollars, which may at any time be required.

Proportions in which the deposites shall be made.

Sec. 14. *And be it further enacted*, That the said deposites shall be made with the said States in the following proportions, and at the following times, to wit: one quarter part on the first day of January, eighteen hundred and thirty-seven, or as soon thereafter as may be; one quarter part on the first day of April, one quarter part on the first day of July, and one quarter part on the first day of October, all in the same year.

Secretary of the Treasury to

Sec. 15. *And be it further enacted*, That to enable the Secretary of the Treasury to carry into effect the provisions of this act, he be author-

appoint three additional clerks.

ized to appoint three additional clerks for his Department, the one at a salary of one thousand six hundred dollars per annum, and the remaining two at a salary of one thousand dollars each per annum, and to pay the said clerks, quarter-yearly, out of any money in the Treasury not otherwise appropriated.

Approved, June 23, 1836.

Statute I.

June 23, 1836.

Chap. CXVI.—*An Act authorizing the Secretary of the Treasury to act as the agent of the United States in all matters relating to their stock in the Bank of the United States.*

Secretary of the Treasury to assume and exercise the agency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall be the duty of the Secretary of the Treasury, to assume and exercise the agency and direction in behalf of the United States, over property in the Bank of the United States, whether the same be standing on the books of the bank in the name of the United States, or of the Treasurer of the United States, for the use of the Secretary of the Navy, for the payment of navy pensions; and the Secretary of the Treasury is hereby invested with the authority necessary for carrying into effect the duties of said agency, by voting in behalf of the United States at any meetings of the stockholders, and performing any other act in relation to the same which any stockholder would be authorized to do.

Directors of the bank to furnish statements to him.

Sec. 2. *And be it further enacted,* That, as agent of the United States, as aforesaid, the Secretary of the Treasury, shall be furnished, from time to time, as often as he may require—by the directors of the Bank of the United States, or by the trustees who shall have been, or may be, appointed, either by said directors or the stockholders of said bank, or in their behalf, or by such individuals as may have the custody, control, or possession of the books and effects of the same—with statements of the amount of the capital stock of the said corporation undivided, of the debts due beyond the same on account of said bank, of the moneys remaining on deposite, of the notes of said bank outstanding, and of the specie on hand on account of the same, and said Secretary shall have the same right as any stockholder to inspect and examine, or cause to be inspected and examined, all such accounts in the books of said bank, or of any trust arising out of or holding the effects of said corporation, as shall relate to the statements hereby required to be made.

To receive money from the bank, and deposite the same in the Treasury.

Sec. 3. *And be it further enacted,* That the Secretary of the Treasury be authorized and directed to receive and deposite in the Treasury of the United States, any dividends which may be made of the capital stock or of the surplus profits of said bank.

To receive capital stock, &c.

Sec. 4. *And be it further enacted,* That the Secretary of the Treasury shall be, and he hereby is, authorized and empowered to receive the capital stock belonging to the United States, in the late Bank of the United States, in such instalments, and payable at such times, and with such rates of interest, as he shall see fit to agree to; and also, to settle and adjust the claim for surplus profits, accruing on said capital stock, on such terms as he may think proper, and in like manner to receive the amount thereof in such instalments, and payable at such times, and with such rates of interest, as he may agree to.

Approved, June 23, 1836.

Statute I.

June 23, 1836.

Act of June 23, 1836, ch. 121.

Chap. CXVII.—*An Act to settle and establish the northern boundary line of the State of Ohio.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the northern boundary

(a) See notes of acts relating to the Territory of Michigan; act of February 16, 1819, chap. 22.

of the State of Ohio shall be established by, and extend to, a direct line running from the southern extremity of Lake Michigan to the most northerly cape of the Miami bay; thence, northeast, to the northern boundary line of the United States; thence, with said line, to the Pennsylvania line.

Northern boundary.

Sec. 2. *And be it further enacted,* That the boundary line surveyed, marked, and designated, agreeably to "An act to authorize the President of the United States to ascertain and designate the northern boundary of the State of Indiana," approved March the second, eighteen hundred and twenty-seven, shall be deemed and taken as the east and west line mentioned in the constitution of the State of Indiana, drawn through a point ten miles north of the southern extreme of Lake Michigan, and shall be and for ever remain the northern boundary of said State.

Which line shall be deemed the east and west line.

Act of March 2, 1827, ch. 57.

Sec. 3. *And be it further enacted,* That the northern boundary line, ascertained, surveyed, and marked, agreeably to a law of Congress entitled "An act to ascertain and mark the line between the State of Alabama and the Territory of Florida, and the northern boundary of the State of Illinois, and for other purposes," approved March second, eighteen hundred and thirty-one, shall be deemed and taken as the line west from the middle of Lake Michigan, in north latitude forty-two degrees thirty minutes, to the middle of the Mississippi river, as defined in the act of Congress entitled "An act to enable the people of the Illinois Territory to form a constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," approved eighteenth of April, eighteen hundred and eighteen, and shall be and for ever remain the northern boundary line of said state.

Which line shall be taken as the line west from the middle of Lake Michigan.

Act of March 2, 1831, ch. 86.

Act of April 18, 1818, ch. 67.

Approved, June 23, 1836.

Statute I.

June 23, 1836.

Chap. CXVIII.—*An Act to remove the Land Office from Clinton to Jackson, in the State of Mississippi.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Land Office at present established at Clinton in the State of Mississippi be hereafter kept at Jackson, in the same State.

Approved, June 23, 1836.

Statute I.

June 23, 1836.

Act of May 23, 1828, ch. 75.

Chap. CXIX.—*An Act to amend an act to grant certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahaba and Black Warrior river.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the second section of the act above recited as restricts the State of Alabama from having the power to sell, dispose of, or grant the residue of the lands granted by the act to which this is a supplement, at a price not less than the minimum price of the public lands, be, and the same is hereby repealed.

Part of the former act repealed.

Sec. 2. *And be it further enacted,* That the assent of the United States is hereby given, to any act which the Legislature of the State of Alabama may pass for imposing a toll on the use of such parts of the canal or canals, which have been or may be, constructed at or around the Muscle and Colbert's shoals of the river Tennessee: *Provided,* That such tolls shall be expended exclusively on the said canals, and shall not exceed in amount, the sum required to keep them in repair, and to defray the expenses of lock tenders, collectors, superintendents, and managers; and that no part of this act shall be construed as a repeal of the exemption, contained in the seventh section of the afore-

State of Alabama may impose tolls on canals, &c.

Proviso.

said act, of the property of the United States, and all persons in their service, from any toll whatever: *And provided further*, That an annual report shall be made to the Secretary of the Treasury of the United States, of the rate and amount of tolls charged or collected on said canals, and their application.

Proviso.

Approved, June 23, 1836.

Statute I.

June 23, 1836.

Act of June 15, 1836, ch. 100.

Chap. CXX.—*An Act supplementary to the act entitled "An act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes."*

Propositions offered for the acceptance of the General Assembly of Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the propositions submitted to the Congress of the United States, by an ordinance passed by the convention of Delegates at Little Rock, assembled for the purpose of making a constitution for the State of Arkansas, which are hereby rejected; and that the following propositions be, and the same are hereby, offered to the General Assembly of the State of Arkansas, for their free acceptance or rejection, which if accepted, under the authority granted to the said General Assembly, for this purpose, by the convention which framed the constitution of the said State, shall be obligatory upon the United States:

Sections of land for schools.

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of the inhabitants of such township for the use of schools.

Salt springs.

1847, ch. 56, § 3.

Second. That all salt springs not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said State, for the use of said State, the same to be selected by the General Assembly thereof on or before the first day of January, one thousand eight hundred and forty; and the same, when so selected, to be used under such terms, conditions, and regulations, as the General Assembly of the said State shall direct: *Provided*, That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided also*, That the General Assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress; and that nothing contained in the act of Congress entitled "An act authorizing the Governor of the Territory of Arkansas to lease the salt springs in said Territory, and for other purposes," or in any other act, shall be construed to give to the said State any further or other claim whatsoever, to any salt springs or lands adjoining thereto, than to those hereby granted:

Proviso.

Proviso.

1832, ch. 70.

Per centage upon lands sold, to be applied to roads and canals.

Third. That five per cent. of the nett proceeds of the sale of lands lying within the said State, and which shall be sold by Congress, from and after the first day of July next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals within the said State, under the direction of the General Assembly thereof.

Completion of the public buildings.

1831, ch. 67.

1832, ch. 172.

Fourth. That a quantity of land not exceeding five sections be, and the same is hereby, granted to the said State in addition to the ten sections which have already been granted, for the purpose of completing the public buildings of the said State at Little Rock; which said five sections shall, under the direction of the General Assembly of said State, be located, at any time, in legal divisions of not less than one-quarter section, in such townships and ranges as the General Assembly aforesaid may select, on any of the unappropriated lands of the United States within the said State.

Fifth. That the two entire townships of land which have already been located by virtue of the act entitled "An act concerning a seminary of learning in the Territory of Arkansas," approved the second of March, one thousand eight hundred and twenty-seven, are hereby vested in and confirmed to the General Assembly of the said State, to be appropriated solely to the use of such seminary by the General Assembly: *Provided*, That the five foregoing propositions herein offered, are on the condition that the General Assembly or Legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide by an ordinance irrevocable without the consent of the United States, that the said General Assembly of said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers thereof; and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents respectively.

Seminary of learning. 1827, ch. 53.

Proviso.

Approved, June 23, 1836.

Statute I. June 23, 1836.

Act of June 15, 1836, ch. 99.

Chap. CXXI.—*An Act supplementary to the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the propositions submitted to the Congress of the United States by an ordinance passed by the convention of delegates at Detroit, assembled for the purpose of making a constitution for the State of Michigan, which are hereby rejected; and that the following propositions be, and the same are hereby offered to the Legislature of the State of Michigan, for their acceptance or rejection, which if accepted, under the authority conferred on the said Legislature by the Convention which framed the constitution of the said State, shall be obligatory upon the United States.

Propositions offered for the acceptance of the Legislature of Michigan.

First. That section numbered sixteen in every township of the public lands, and where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of schools.

Sections of land for schools.

Second. That the seventy-two sections of land set apart and reserved for the use and support of a university by an act of Congress approved on the twentieth day of May, eighteen hundred and twenty-six, entitled "An act concerning a seminary of learning in the Territory of Michigan," are hereby granted and conveyed to the State, to be appropriated solely to the use and support of such university, in such manner as the Legislature may prescribe; *And provided, also*, That nothing herein contained shall be so construed as to impair or affect in any way the rights of any person or persons claiming any of said seventy-two sections of lands, under contract or grant from said university.

Sections of land for university. Act of May 20, 1826, ch. 90.

Proviso.

Third. That five entire sections of land, to be selected and located under the direction of the Legislature, in legal divisions of not less than one quarter section, from any of the unappropriated lands belonging to the United States within the said State, are hereby granted to the State for the purpose of completing the public buildings of the said State, or for the erection of public buildings at the seat of Government of the said State, as the Legislature may determine and direct.

Erection of public buildings.

Salt springs.

1852, ch. 87.

Fourth. That all salt springs within the State, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to the said State for its use, the same to be selected by the Legislature thereof, on or before the first of January, eighteen hundred and forty; and the same, when so selected, to be used on such terms, conditions, and regulations, as the Legislature of the said State shall direct: *Provided,* That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided, also,* That the General Assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress.

Proviso.

Proviso.

Per centage upon lands sold, to be applied to roads and canals.

Fifth. That five per cent. of the nett proceeds of the sales of all public lands lying within the said State, which have been or shall be sold by Congress, from and after the first day of July, eighteen hundred and thirty-six, after deducting all the expenses incident to the same, shall be appropriated, for making public roads and canals within the said State, as the Legislature may direct: *Provided,* That the five foregoing propositions herein offered, are on the condition that the Legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide, by an ordinance irrevocable without the consent of the United States, that the said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers thereof: and that no tax shall be imposed on lands the property of the United States;(*a*) and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents respectively.

Proviso.

Approved, June 23, 1836.

Statute I.

June 28, 1836.

Chap. CCXXX.—*An Act to provide for the paying of certain pensioners of the United States, at Pulaski, in the State of Tennessee.*

Secretary of War to establish an agency at Pulaski.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to establish a pension agency, at Pulaski, in the State of Tennessee, for the payment of all pensioners of the United States, resident in the counties of Lincoln, Giles, Lawrence, and Wayne, in said State; *Provided,* That the establishment of such agency can be made without any charge to the United States.

Proviso.

Sec. 2. *And be it further enacted,* That the Secretary of the Treasury be, and hereby is authorized to make the necessary arrangement for the payment of said pensioners.

(*a*) Taxes by the laws of Michigan upon lands sold by the United States:

When the purchaser of land from the United States has paid for it, and received a final certificate, it is taxable property, according to the statutes of Michigan; although a patent has not yet been issued. Carroll *v.* Safford, 3 Howard, 441.

Taxation upon lands so held, is not a violation of the ordinance of 1787, as "an interference with the primary disposition of the soil by Congress;" nor, is it a tax on the lands of the United States. The State of Michigan could rightfully impose the tax. *Ibid.*

It was competent for the State to assess and tax the lands at their full value, as the absolute property of the holder of the final certificate; and in default of payment, to sell them as if the holder of the certificate owned them in fee. *Ibid.*

Sec. 3. *And be it further enacted*, That this act shall take effect from and after the first day of August next.

To take effect 1st of August.

Approved, June 28, 1836.

Statute I.

July 1, 1836.

Chap. CCXXXI.—*An Act to disapprove and annul certain acts of the Territorial Legislature of Florida, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no act of the Territorial Legislature of any of the Territories of the United States, incorporating any bank or any institution with banking powers or privileges, hereafter to be passed, shall have any force or effect whatever, until approved and confirmed by Congress.

Territorial Legislatures not to grant banking privileges until, &c.

Sec. 2. *And be it further enacted*, That the following acts of the Territorial Legislature of Florida, namely: an act entitled "An act to incorporate the Bank of St. Joseph," passed February twelfth, eighteen hundred and thirty-six; an act entitled "An act to incorporate the Florida Insurance and Banking Company," passed February tenth, eighteen hundred and thirty-six; an act passed February fourteenth, eighteen hundred and thirty-six, entitled "An act to incorporate the St. Joseph Insurance Company," and all other acts and parts of acts, passed by the said Territorial Legislature of Florida, in the year eighteen hundred and thirty-six, creating banks or extending banking corporations, or corporations with banking powers, or conferring banking powers on any corporation or institution whatever, be, and the same hereby are disapproved and annulled.

Acts of Legislature of Florida annulled.

Approved, July 1, 1836.

Statute I.

July 1, 1836.

Chap. CCXXXII.—*An Act to change the time of holding the district court of the United States for the western district of Virginia, holden at Clarksburg.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of August, next, the sessions of the district court of the United States for the western district of Virginia, required by law to be holden at Clarksburg, shall be held on the first Mondays of April and September annually.

Courts to be held on the first Mondays of April and September.

Approved, July 1, 1836.

Statute I.

July 1, 1836.

Chap. CCXXXIII.—*An Act explanatory of an act entitled "An act to release from duty, iron prepared for, and actually laid on, railways and inclined planes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of the fourteenth of July, eighteen hundred and thirty-two, entitled "An act to release from duty, iron prepared for, and actually laid on, railways and inclined planes," shall not be so construed as to include spikes, pins, or chains, as railroad iron.

Construction of the act of July 14, 1832, ch. 250.

Approved, July 1, 1836.

Statute I.

July 1, 1836.

Chap. CCXXXIV.—*An Act to provide for the due execution of the laws of the United States within the State of Michigan.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws of the United States which are not locally inapplicable, shall have the same force and effect within the State of Michigan, as elsewhere within the United States.

Laws of the United States in force.

(a) Notes of the acts which have been passed relative to Michigan; act of Feb. 16, 1819, chap. 22.

District court.

Sec. 2. *And be it further enacted,* That the said State shall be one district, and be called the District of Michigan; and a district court shall be held therein, to consist of one judge, who shall reside in the said district, and be called a district judge. He shall hold, at the seat of government of the said State, two sessions of the said district court annually on the first Mondays in May and October; and he shall, in all things, have and exercise the same jurisdiction and powers which were by law given to the judge of the Kentucky district under an act entitled "An act to establish the judicial courts of the United States." He shall appoint a clerk for the said district, who shall reside and keep the records of the said court at the place of holding the same, and shall receive, for the services performed by him, the same fees to which the clerk of the Kentucky district is by law entitled for similar services.

Act of June 15, 1836, ch. 99.
Act of June 23, 1836, ch. 121.
Act of Sept. 24, 1789, ch. 20.

Salary to be paid the judge.

Sec. 3. *And be it further enacted,* That there shall be allowed to the judge of the said district court, the annual compensation of fifteen hundred dollars, to commence from the date of his appointment, to be paid quarterly at the Treasury of the United States.

Attorney.

Sec. 4. *And be it further enacted,* That there shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid annually by the United States, two hundred dollars, as a full compensation for all extra services; the said payment to be made quarter-yearly at the Treasury of the United States.

Marshal.

Sec. 5. *And be it further enacted,* That a marshal shall be appointed for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees as are prescribed and allowed to marshals in other districts, and shall, moreover, be entitled to the sum of two hundred dollars annually, as a compensation for all extra services: *Provided, however,* That this act shall not take effect until the State of Michigan shall be admitted into the Union, according to the provisions of the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions."

Proviso.

1836, ch. 99.

Approved, July 1, 1836.

Statute I.

July 1, 1836.
[Obsolete.]

Chap. CCXXXV.—*An Act making appropriation for the payment of charges incurred for the support of the Penitentiary in the District of Columbia, for the year eighteen hundred and thirty-five, and for the support of said Penitentiary for the year one thousand eight hundred and thirty-six.*

Pay of officers, &c. for 1835,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the unexpended balance of six thousand four hundred and seventy-one dollars and fifty-eight cents of a former appropriation, there shall be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of eight thousand eighty-four dollars and seventy-three cents, for the pay of officers, the purchase of materials and implements, the support of prisoners, and other contingent expenses of the said penitentiary, for and during the year eighteen hundred and thirty-five.

for 1836.

Sec. 2. *And be it further enacted,* That, for the support of the penitentiary for the year one thousand eight hundred and thirty-six, including the pay of the officers, the purchase of materials and implements, the support of prisoners, and other contingent expenses of the said penitentiary, the sum of fourteen thousand dollars be, and hereby is, appropriated out of any money in the Treasury not otherwise appropriated.

Approved, July 1, 1836.

Statute I.
July 1, 1836.

Chap. CCXXXVI.—*An Act to authorize the Governor and Legislative Council of the Territory of Florida, to sell the lands heretofore reserved for the benefit of a general seminary of learning in said Territory.*

Lands may be sold.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor and Legislative Council of the Territory of Florida shall be, and they are hereby, authorized to sell and convey, in fee simple, for the benefit of the University of Florida, of which, Joseph M. White, R. K. Call, Thomas Randall, John G. Gamble, Thomas Eston Randolph, Louis M. Goldsborough, Ben. Chaires, Turbutt R. Betton, F. Eppes, E. Loockerman, Fitch W. Taylor, J. Loring Woart, Ashbeel Steel, and J. Edwin Stewart are trustees, any part not exceeding one half of the two townships of land heretofore reserved and appropriated by Congress for the establishment and support of a seminary of learning in the Territory of Florida, and to appropriate so much of the money arising from the sale thereof, as may be deemed expedient for the erection of commodious and durable buildings for said University; for the purchase of apparatus, and whatever else may be suitable for such University; and to invest the remainder in some productive funds, the proceeds of which shall be devoted for ever to the benefit of said University of Florida.

1823, ch. 29, sec. 11.

Approved, July 1, 1836.

Statute I.
July 1, 1836.

Chap. CCXLVIII.—*An Act authorizing the Winnisimmet Company to lay out and make a way on lands of the United States, in Chelsea, in the State of Massachusetts.*

A street may be laid out.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, the Winnisimmet Company, in the Commonwealth of Massachusetts, be, and they hereby are, authorized and empowered to lay out and make a way or street over lands of the United States situated in Chelsea, in said Commonwealth, in front of the United States marine hospital; said way or street to be in continuation of the marginal street of said company: *Provided,* That said way shall not exceed fifty feet in width, and shall be so constructed, under the supervision of the collector for the district of Boston and Charlestown, as not to injure or prejudice the upland or wharf belonging to said hospital.

Proviso.

Approved, July 1, 1836.

Statute I.
July 1, 1836.

Chap. CCXLIX.—*An Act to authorize the Shenandoah Bridge Company, at Harper's Ferry, to erect a bridge on the lands of the United States, at or near the town of Harper's Ferry.*

A bridge at Harper's Ferry, on the land of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Shenandoah bridge company, at Harper's Ferry, be, and they are hereby, authorized to erect a bridge across the river Shenandoah, on the lands belonging to the United States, at or near the town of Harper's Ferry, and to connect the same, by a sufficient road or passway through the said lands, with the road on the east side of the said river, and the main street of the said town; *Provided,* That in the construction of the said bridge, and the road or passway to and from it, the said company shall not, in virtue of this act, interfere with the rights or privileges of any individuals or existing corporation; *And provided, also,* That the location of the said bridge upon the public lands aforesaid, shall be submitted to and approved by the Secretary of War, prior to the erection thereof.

Proviso.

Proviso.

May erect a toll-house.

Sec. 2. *And be it further enacted,* That on the said terms and conditions the said Shenandoah bridge company shall be, and they are hereby, empowered to erect a toll-house adjacent to the said bridge on

Proviso.

the lands, aforesaid of the United States; *Provided*, That should the said bridge never be constructed, or having been constructed, shall be abandoned, by the said company, the rights vested therein, by this act, shall cease and determine.

Approved, July 1, 1836.

Statute I.

July 1, 1836.

Chap. CCLII.—*An Act to authorize and enable the President to assert and prosecute with effect, the claim of the United States to the legacy bequeathed to them by James Smithson, late of London, deceased, to found at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men.*

May appoint an agent to prosecute the claim.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to constitute and appoint an agent or agents, to assert and prosecute for and in behalf of the United States, and in their name, or otherwise, as may be advisable, in the Court of Chancery, or other proper tribunal of England, the right of the United States to the legacy bequeathed to them by the last will and testament of James Smithson, late of London, deceased, for the purpose of founding, at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men: and to empower such agent or agents, so appointed, to receive and grant acquittances for all such sum or sums of money, or other funds, as may or shall be decreed or adjudged to the United States, for, or on account of, said legacy.

Agent to give bonds.

Sec. 2. *And be it further enacted*, That the said agent or agents shall, before receiving any part of the said legacy, give a bond or bonds, in the penal sum of five hundred thousand dollars, to the Treasurer of the United States, and his successors in office, with good and sufficient securities to the satisfaction of the Secretary of the Treasury, for the faithful performance of the duties of the said agency, and for the faithful remittance to the Treasurer of the United States, of all and every sum or sums of money, or other funds, which he or they may receive, for payment in whole or in part of the said legacy. And the Treasurer of the United States is hereby authorized and required to keep safely all sums of money or other funds which may be received by him in virtue of the said bequest, and to account therefor separately from all other accounts of his office, and subject to such further disposal thereof as may be hereafter provided by Congress.

Sec. 3. *And be it further enacted*, That any and all sums of money, and other funds, which shall be received for, or on account of, the said legacy, shall be applied in such manner as Congress may hereafter direct, to the purpose of founding and endowing at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men; to which application of the said moneys, and other funds, the faith of the United States is hereby pledged.

To defray the expenses.

Sec. 4. *And be it further enacted*, That, to the end that the claim to the said bequest may be prosecuted with effect, and the necessary expenses in prosecuting the same be defrayed, the President of the United States be, and he is hereby, authorized to apply to that purpose, any sum not exceeding ten thousand dollars, out of any moneys in the Treasury not otherwise appropriated.

Approved, July 1, 1836.

Statute I.
July 2, 1836.

Chap. CCLIII.—*An Act to regulate the compensation of certain officers of revenue cutters.*

Compensation to captains, &c. of revenue cutters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of pay, rations, and all other allowances now authorized by law to the captains and first, second, and third lieutenants of the revenue cutters of the United States, there shall be allowed and paid, quarterly, from and after the passage of this act, to each captain, at the rate of twelve hundred dollars per annum; to each first lieutenant, at the rate of nine hundred and sixty dollars per annum; to each second lieutenant, at the rate of eight hundred and sixty dollars per annum; to each third lieutenant, at the rate of seven hundred and ninety dollars per annum.

Approved, July 2, 1836.

Statute I.
July 2, 1836.

Chap. CCLIV.—*An Act making appropriations for the suppression of Indian hostilities and for other purposes.*

Balance of appropriation of 1,000,000 dollars of April 29, 1836, ch. 57, applicable to payment, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the balance of the appropriation of one million of dollars, made by the act of April twenty-nine, eighteen hundred and thirty-six, and now remaining in the Treasury, shall be, and the same is hereby, made applicable to the payment of any expenditures authorized by the said act, and rendered necessary by the calling out by the President of the United States, of any part of the militia or volunteers of the United States for the suppression or prevention of any Indian hostilities.

To defray expenses, &c.

Sec. 2. *And be it further enacted,* That the sum of two millions four hundred thousand dollars shall be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been or may be incurred in preventing or suppressing the hostilities of any Indians, by calling out, under the direction of the President of the United States, any part of the militia or volunteers according to the provisions of the constitution and laws; which sum, if expended, shall be expended under the direction of the Secretary of War, conformably to the provisions of the act of Congress of January second, seventeen hundred and ninety-five, of the act of April fifth, eighteen hundred and thirty-two, making appropriations for the support of the army, and of the act of March nineteen, eighteen hundred and thirty-six, providing for the payment of volunteers and militia corps in the service of the United States.

1795, ch. 9.
1832, ch. 64.
1836, ch. 44.

Approved, July 2, 1836.

Statute I.
July 2, 1836.

Chap. CCLV.—*An Act to grant to the New Orleans and Nashville Rail-road Company, the right of way through the public lands of the United States.*

Right of way granted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby granted to the New Orleans and Nashville Rail-road Company incorporated by the several States through which the said road is intended to pass, the right of way through such portion of the public lands as remain unsold, *Provided,* That the portion of the public lands occupied therefor, shall not exceed eighty feet in breadth; that the route of the said road shall be surveyed and designated through the public lands, by plain marks, or monuments, and copies of the notes of survey, with a plat or plats thereof, and a description of the said landmarks or monuments and their connection with the prior official surveys of the adjacent lands, be transmitted to the General Land Office in Washington, within sixty days after the said surveys and plats are completed, and that they be completed within two years from the date of this act.

Proviso.

Land for workshops, &c.

Sec. 2. *And be it further enacted*, That for such depots, watering places and work-shops as may be essential to the convenient use of the said road; there shall be also granted to the said company, such portions of the public land, as they may, under like restrictions and conditions, select, on either side of the said road: *Provided*, That not more than five acres, to be laid off in a square form, shall be selected for such use or purpose, at any one place; *Provided, also*, That not more than one such square shall be granted for every fifteen miles of the said road lying within the public lands; *And provided, moreover*, That such selections shall be approved by the Secretary of the Treasury for the time being.

Proviso.

Proviso.

Proviso.

Materials may be taken.

Sec. 3. *And be it further enacted*, That so long as the public lands in the vicinity of the said road shall remain unsold, the said company shall have power to take therefrom, such materials of earth, stone, or wood, as may be necessary for the construction of the said road, *Provided*, That the grants herein contained, as well of the use of the public lands, as of the materials for the construction of the said road, shall cease and determine, unless the road be begun within the period of two years from the date of this act, and completed within eight years thereafter. *And provided, moreover*, That if the said road shall, at any time after its completion, be discontinued or abandoned by the said company, the grants, hereby made, shall cease and determine.

Proviso.

Proviso.

Approved, July 2, 1836.

Statute I.

July 2, 1836.

Chap. CCLVI.—*An Act to renew the gold medal struck and presented to General Morgan, by order of Congress, in honor of the battle of the Cowpens.*

Medal to be struck by the Director of the Mint.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in pursuance of the request of Morgan Neville, in his memorial presented at the present session of Congress, the director of the mint, be and he is hereby, authorized and directed to cause to be struck, a gold medal of the intrinsic value of one hundred and fifty dollars, in honor of the battle of the Cowpens, which was fought on the seventeenth day of January, seventeen hundred and eighty-one, to replace the original medal presented by a resolution of the continental Congress, of March ninth, seventeen hundred and eighty-one, to Brigadier General Daniel Morgan; the said medal to be struck from the original die, and delivered, when executed, to the said Morgan Neville, the lineal heir of General Morgan; the expense of the same to be paid out of any money in the Treasury not otherwise appropriated.

Act of March 3, 1837, ch. 33.

Approved, July 2, 1836.

Statute I.

July 2, 1836.

[Obsolete.]

Chap. CCLVII.—*An Act to repair and extend the United States Arsenal at Charleston, South Carolina.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby authorized and directed to cause such repairs and improvements to be made to the United States arsenal in Charleston, South Carolina, as may be deemed necessary for the public service; and that the sum of twenty thousand dollars be, and the same is hereby, appropriated for this purpose, out of any moneys in the Treasury not otherwise appropriated.

Approved, July 2, 1836.

Statute I.
July 2, 1836.

Chap. CCLVIII.—*An Act to provide for the better protection of the western frontier.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to cause to be surveyed and opened, a military road, from some point upon the right bank of the Mississippi river, between the mouth of the St. Peter's and the mouth of the Desmoines river, upon such route as may appear best calculated to effect the purposes of this act, to Red river.

President to cause a military road to be surveyed.

Sec. 2. *And be it further enacted,* That the said road shall pass west of the State of Missouri and of the Territory of Arkansas, on condition that the assent of the Indian tribes who have not heretofore given their assent, through whose territory said road is to pass, shall be first obtained; and if such assent cannot be obtained, then east of the western boundaries of said State and Territory; and shall be so constructed as to enable troops to move along the same with proper facility. And the following mode of construction shall be adopted, subject to such alterations and additions as the President may, from time to time, direct to be made. The timber shall be cut down to a reasonable width, and the wet and marshy places shall be causewayed or otherwise rendered passable; cheap bridges shall be erected over the smaller streams, not having good fords across them; and, where it may be found necessary, the road may be thrown up in the centre.

To pass west of Missouri and Arkansas, on condition, &c.

Sec. 3. *And be it further enacted,* That the military posts shall be constructed at such places along said road as in the opinion of the President, may be most proper for the protection of the frontier, and for the preservation of the necessary communication.

Military posts to be established.

Sec. 4. *And be it further enacted,* That the troops of the United States shall be employed in performing the labor herein required, whenever, in the opinion of the President, the same can be done with a just regard to their other duties; and the other labor rendered necessary shall be procured in such manner as the President may direct.

Troops of the United States may be employed in the labor, &c.

Sec. 5. *And be it further enacted,* That the sum of one hundred thousand dollars shall be, and the same is hereby, appropriated, to be applied towards the accomplishment of the objects specified by this act.

Appropriation.

Approved, July 2, 1836.

Statute I.
July 2, 1836.
[Obsolete.]

Chap. CCLIX.—*An Act making additional appropriations for the Delaware breakwater, and for certain harbors, and removing obstructions in and at the mouths of certain rivers, and for other purposes, for the year one thousand eight hundred and thirty-six.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for carrying on and completing certain works heretofore commenced, viz:

For continuing the Delaware breakwater, one hundred thousand dollars.

Delaware breakwater.

For continuing the improvement of the harbor of Chicago, Illinois, thirty-two thousand dollars.

For Chicago, Illinois.

For continuing the improvement of Big Sodus bay, twelve thousand six hundred dollars.

Big Sodus bay.

For the continuation of the works for the preservation of the beach at Provincetown harbor, Massachusetts, four thousand four hundred dollars.

Provincetown, Mass.

For the continuation of the works for the preservation of Plymouth beach, Massachusetts, five hundred dollars.

Plymouth beach.

Mouth of river Raisin.

For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan Territory, fifteen thousand dollars.

Black river, Ohio.

For continuing the removal of obstructions at Black river, Ohio, six thousand six hundred and sixty dollars.

Cleaveland harbor.

For continuing the permanent improvement of Cleaveland harbor, Ohio, fifteen thousand dollars.

Grand river, Ohio.

For continuing the removal of obstructions at Grand river, Ohio, six thousand dollars.

Cunningham creek.

For continuing the removal of obstructions at Cunningham creek, Ohio, one thousand two hundred and seventy-five dollars.

Conneaut creek.

For continuing the removal of obstructions at Conneaut creek, Ohio, two thousand five hundred dollars.

Presque Isle.

For continuing the improvement of the harbor of Presque Isle, Pennsylvania, according to Colonel Totten's recommendation, fifteen thousand dollars.

Dunkirk, N.Y.

For continuing the improvement at Dunkirk harbor, New York, eleven thousand dollars.

Dredging machine.

For a dredging machine on Lake Erie, eight thousand dollars.

Mouth of Genesee river.

For continuing the works at the mouth of Genesee river, New York, twenty thousand dollars.

Oswego harbor.

For continuing the pier and mole at Oswego harbor, New York, twenty thousand dollars.

Kennebunk.

For continuing the pier at Kennebunk, Maine, seven thousand five hundred dollars.

Hudson river.

For continuing the improvement of the navigation of the Hudson river, above and below Albany, in the State of New York, one hundred thousand dollars, to be expended according to the plan and estimate recommended by the Secretary of War.

Newcastle, Del.

For continuing the improvement of the harbor of New Castle, Delaware, twenty-five thousand dollars.

Ocracock inlet.

For continuing the removal of obstructions at Ocracock inlet, North Carolina, nine thousand dollars.

Cape Fear river.

For continuing the improvement of the navigation of the Cape Fear river, below Wilmington, North Carolina, twenty thousand dollars.

Ohio river.

1835, ch. 26.

For the improvement of the navigation of the Ohio river, between Pittsburg and the falls of the Ohio, twenty thousand dollars, which, together with the unexpended balance of the appropriation for this purpose by the act of the third of March, A. D. eighteen hundred and thirty-five, shall be expended by direction of the Secretary of War, under the superintendence of the officers of the engineer corps heretofore employed on that service.

Ohio and Mississippi rivers.

For the improvement of the navigation of the Ohio and Mississippi rivers from Louisville to New Orleans, sixty thousand dollars.

Mississippi and Missouri rivers.

For the improvement of the Mississippi river above the mouth of the Ohio river, and for the Missouri river, forty thousand dollars, to be expended in such manner and for the removal of such obstructions as the Secretary of War shall direct.

Red river.

For continuing the removal of obstructions in Red river, Louisiana, and Territory of Arkansas, forty thousand eight hundred dollars.

Boat, and working it.

For constructing a boat to prevent a new accumulation of obstruction in said river, within the old limits of the Great Raft, so called, fifteen thousand dollars, and the additional sum of fifteen thousand dollars to work and support the same.

Cumberland river, Ky.

For continuing the improvement of the Cumberland river, in Kentucky and Tennessee, twenty thousand dollars.

Chipola river, Florida.

For continuing the removal of obstructions in the Chipola river, in the Territory of Florida, four thousand dollars.

Channel between St. Ma-

For completing the inland channel between St. Mary's and St. John's, in the Territory of Florida, in addition to unexpended appropriations,

according to the estimate of the Engineer Department, five thousand dollars.

ry's and St. John's.

For continuing the removal of obstructions in, and improving the navigation of, the Escambia river, in the Territory of Florida, five thousand five hundred dollars.

Escambia river.

For further improvements at the mouth of Huron river, in the State of Ohio, four thousand three hundred dollars.

Huron river.

And the following sums, necessary to close accounts, in the office of the Third Auditor, viz.

To close accounts in the Third Auditor's office.

For removing obstructions at Cunningham creek, Ohio, thirty-two dollars and thirty-six cents.

Cunningham creek.

For completing the pier at La Plaisance bay, Michigan Territory, three hundred and twenty-three dollars and fifteen cents.

Michigan Territory.

For removing obstructions at Cleaveland harbor, Ohio, six dollars and fifty-nine cents.

Cleaveland, Ohio.

For repairing breach in the peninsula at Presque Isle, one hundred and twenty-two dollars and eighty cents.

Presque Isle.

For erecting a beacon light at Erie, Pennsylvania, sixty-nine dollars and sixty-nine cents.

Erie, Pennsylvania.

For erecting a light-house at Buffalo, New York, four hundred and ninety-four dollars and seventy-eight cents.

Buffalo, New York.

For improvement of the navigation of the Ohio and Mississippi rivers from Pittsburg to New Orleans, under the act of second of March, eighteen hundred and thirty-one, seventeen thousand eight hundred dollars and five cents.

Ohio and Mississippi.

For defraying the expenses incidental to making examinations and surveys, under the act of the thirtieth of April, eighteen hundred and twenty-four, of which sum five thousand dollars shall be appropriated and applied to geological and mineralogical surveys and researches in the Indian country on the public lands and in the Territories of the United States, thirty thousand dollars.

Geological and mineralogical surveys.

1824, ch. 46.

Approved, July 2, 1836.

Statute I.
July 2, 1836.
[Expired.]

Chap. CCLX.—*An Act to extend the charters of certain Banks in the District of Columbia, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the charters of the several Banks herein enumerated, namely; the Union Bank, and Farmers and Mechanics Bank of Georgetown; the Bank of the Metropolis, Patriotic Bank of Washington, and Bank of Washington, in the city of Washington; and the Farmers Bank of Alexandria, and Bank of Potomac, in the town of Alexandria, be, and the same are hereby extended till the fourth day of July, eighteen hundred and thirty-eight.

Charters extended to July 4, 1838.

Approved, July 2, 1836.

Statute I.
July 2, 1836.

Chap. CCLXI.—*An Act regulating the terms of the superior courts of the middle district of Florida, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act to alter and change the terms of the superior court for the middle district of Florida," passed by the Governor and Legislative Council of said Territory, and approved February twelfth, eighteen hundred and thirty-six, be, and the same is hereby, approved, so far as it does not interfere with the terms of the court directed to be holden in the county of Franklin, which has been annexed to the said middle district.

Act of Territorial Legislature of 12th Feb. 1836 approved.

Sec. 2. *And be it further enacted,* That if, in any prosecution for piracy, or any other criminal offence against the laws of the United States, or of the Territory of Florida, it shall be found impracticable

Trials may be removed from the southern to the eastern or middle district.

to obtain a sufficient number of jurors for the trial of any person or persons charged with said criminal offences in the southern judicial district of Florida, it shall be lawful for the judge to send said person or persons, with the indictment and other papers, to the eastern or middle district for trial, and to take recognizances from the witnesses to appear in the said eastern or middle district, in the same manner as he is empowered by law to do, in the district of which he is the judge.

Acts relating to Appalachicola and to Franklin county, annulled.

Sec. 3. *And be it further enacted,* That an act to amend the act entitled "An act incorporating the town of Appalachicola," approved twelfth of February, eighteen hundred and thirty-six, and "An act to change the county seat of the county of Franklin," passed January fourteenth, and approved January seventeenth, eighteen hundred and thirty-six, be, and the same are hereby, annulled.

Act respecting a superior court, annulled.

Sec. 4. *And be it further enacted,* That so much of the act of the Legislative Council as directs a superior court for the southern judicial district at Indian Key be, and the same is hereby, annulled.

Approved, July 2, 1836.

Statute I.

July 2, 1836.

1853, ch. 67.
1837, ch. 36.

Chap. CCLXII.—*An Act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Belleview, Du Buque, and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes.*

Towns of Fort Madison, Burlington, Belleview, Du Buque and Peru, Wisconsin Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of land in the Territory of Wisconsin including the towns of Fort Madison and Burlington, in the county of Des Moines; Belleview, Du Buque, and Peru, in the county of Du Buque; and Peru, in the county of Du Buque; and Mineral Point, in the county of Iowa, shall, under the direction of the Surveyor General of the public lands, be laid off into town lots, streets, avenues, and the lots for public use called the public squares, and into out-lots having regard to the lots and streets already surveyed, in such manner and of such dimensions as he may think proper for the public good and the equitable rights of the settlers and occupants of the said towns: *Provided,* The tracts of land so to be laid off into town-lots, &c. shall not exceed the quantity of one entire section, nor the town-lots one-half of an acre; nor shall the out-lots exceed the quantity of four acres each. When the survey of the lots shall be completed, a plat thereof shall be returned to the Secretary of the Treasury, and within six months thereafter the lots shall be offered to the highest bidder, at public sale, under the direction of the President of the United States, and at such other times as he shall think proper; *Provided,* That no town-lot shall be sold for a sum less than five dollars: *And provided further,* That a quantity of land of proper width, on the river banks, at the towns of Fort Madison, Belleview, Burlington, Du Buque, and Peru, and running with the said rivers the whole length of said towns, shall be reserved from sale, (as shall also the public squares,) for public use, and remain for ever for public use, as public highways, and for other public uses.

Proviso.

Surveyor to class the lots.

Sec. 2. *And be it further enacted,* That it shall be the duty of the said Surveyor to class the lots already surveyed in the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru, and Mineral Point, into three classes, according to the relative value thereof, on account of situation and eligibility for business, without regard however to the improvements made thereon; and previous to the sale of said lots as aforesaid, each and every person or persons, or his, her, or their legal representatives, who shall heretofore have obtained from the agent of the United States a permit to occupy any lot or lots in the said towns, or who shall have, by building or enclosure, actually occupied

or improved any lot or lots in the said towns, or within the tracts of land hereby authorized to be laid off into lots, shall be permitted to purchase such lot or lots by paying therefor, in cash, if the same fall within the first class as aforesaid, at the rate of forty dollars per acre; if within the second class, at the rate of twenty dollars per acre; and if within the third class, at the rate of ten dollars per acre: *Provided*, That no one of the persons aforesaid shall be permitted to purchase, by authority of this section, more than one acre of ground to embrace improvements already made. Proviso.

Sec. 3. *And be it further enacted*, That the sum of three thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to defray the expenses of surveying the lands covering the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru, and Mineral Point. Surveying.

Approved, July 2, 1836.

Statute I.
July 2, 1836.
[Obsolete.]

Chap. CCLXIII.—*An Act for the payment of certain companies of the militia of Missouri and Indiana, for services rendered against the Indians in eighteen hundred and thirty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized and directed to ascertain the sums severally due to those persons who performed duty in the companies commanded by Captains Smith Crawford, George Wallis, and Matthew P. Long, of the militia of Missouri, and in the company of Captain D. Siglor, of the militia of Indiana, for the protection of the frontiers of those States against the Indians; and to cause them to be paid for the time they were actually engaged in said service in the year eighteen hundred and thirty-two, at the rate, and according to the principles established for the payment of similar services rendered the United States; for the purpose of effecting which, the sum of four thousand three hundred dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated. To be paid to certain militia companies.

Approved, July 2, 1836.

Statute I.
July 2, 1836.

Chap. CCLXIV.—*An act for the continuation of the Cumberland Road in the States of Ohio, Indiana and Illinois.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two hundred thousand dollars be, and the same is hereby appropriated, for the purpose of continuing the Cumberland Road in the State of Ohio; that the sum of two hundred and fifty thousand dollars be, and the same is hereby appropriated, for continuing the Cumberland Road in the State of Indiana, including materials for erecting a bridge across the Wabash river; and that the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, for continuing the Cumberland Road in the State of Illinois; which sums shall be paid out of any money not otherwise appropriated, and replaced out of the fund reserved for laying out and making roads under the direction of Congress, by the several acts passed for the admission of the States of Ohio, Indiana, Illinois, and Missouri into the Union on an equal footing with the original States: *Provided*, That the expenditure of the appropriation herein made for the State of Illinois shall be limited to the graduation and bridging of the road therein, and shall not be construed as pledging Congress to future appropriations for the purpose of McAdamizing the same. State of Ohio. State of Indiana. State of Illinois. Proviso.

(a) See notes of the acts which have been passed relating to the Cumberland Road, vol. 2, 357.

SEC. 2. *And be it further enacted*, That the moneys hereby appropriated for the construction of the said road in the States of Ohio and Indiana, be expended in completing the greatest possible continuous portion of said road in the said States, so that such finished parts thereof may be surrendered to the said States, respectively.

APPROVED, July 2, 1836. (*a*)

STATUTE I.

July 2, 1836.

[Obsolete.]

CHAP. CCLXV.—*An Act making appropriations for the Military Academy of the United States, for the year eighteen hundred and thirty-six.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy, for the year one thousand eight hundred and thirty-six, viz:

For pay of the officers, cadets, and musicians, fifty-six thousand and twelve dollars.

For subsistence of officers and cadets, thirty-nine thousand five hundred and sixty-six dollars.

For forage of officers' horses, one thousand one hundred and fifty-two dollars.

For clothing of officers' servants, three hundred and thirty dollars.

For defraying the expenses of the Board of Visiters at West Point, two thousand dollars.

For arrearages of the same in eighteen hundred and thirty-four and eighteen hundred and thirty-five, three hundred and eighty-two dollars and forty-eight cents.

For fuel, forage, stationery, printing, transportation, and postage, twelve thousand five hundred and thirty-five dollars.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats, and fences, nine thousand and sixty-six dollars.

For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars.

For philosophical apparatus and repairs of the same, three hundred dollars.

For models for the department of engineering, five hundred dollars.

For models for the drawing department, apparatus and contingencies for the department of chemistry, and instruments and repairs for the mathematical department, one thousand two hundred and thirty-five dollars.

For the purchase and repairs of instruments for the band, three hundred and ninety-two dollars.

For incidental expenses of the department of artillery, fifty dollars.

For increase and expenses of the library, eight hundred dollars.

For miscellaneous items and incidental expenses, two thousand two hundred and ninety-three dollars.

For completing the chapel, three thousand five hundred dollars.

For compensation to the acting professor of chemistry for services in his department from September first, eighteen hundred and thirty-five, to September first, eighteen hundred and thirty-six, at twenty-five dollars per month, three hundred dollars; for the ensuing year, three hundred dollars.

APPROVED, July 2, 1836.

(*a*) By the act of March 3, 1837, chap. 46, sec. 2, this section is repealed.

STATUTE I.
July 2, 1836.
[Obsolete.]

CHAP. CCLXVI.—*An Act to confirm the sales of public lands in certain cases.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where public lands, taken from the bounds of a former land district, and included within the bounds of a new district, have been sold by the officers of such former district, under the pre-emption laws or otherwise, at any time prior to the opening of the land office in such new district, and in which the Commissioner of the General Land Office shall be satisfied that the proceedings in other respects have been fair and regular, such entries and sales shall be, and are hereby, confirmed; and patents shall be issued thereupon, as in other cases.

Sales confirmed.

SEC. 2. *And be it further enacted,* That in all cases where any entry has been made under the pre-emption laws, pursuant to instructions sent to the Register and Receiver from the Treasury Department, and the proceedings have been in all other respects fair and regular, such entries and sales are hereby confirmed, and patents shall be issued thereon, as in other cases.

APPROVED, July 2, 1836.

STATUTE I.
July 2, 1836.
[Obsolete.]

CHAP. CCLXVII.—*An Act making further appropriations for carrying into effect certain Indian treaties.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated out of any money in the Treasury not otherwise appropriated, to carry into effect certain Indian treaties, viz:

Appropriations.

For the amount stipulated to be paid for the lands ceded in the first article of the treaty with the Cherokees of the twenty-ninth of December, one thousand eight hundred and thirty-five, deducting the cost of the land to be provided for them west of the Mississippi, under the second article of said treaty, four million five hundred thousand dollars.

Cherokees.

For extinguishing the title of certain half breeds to reservations, granted them in the treaty with the Osages, in eighteen hundred and twenty-five, according to the fourth article of the aforesaid treaty with the Cherokees, fifteen thousand dollars.

Osages.

For payment for the improvements on the missionary reservations at Union and Harmony, according to the same article of the said treaty with the Cherokees, twenty-five thousand dollars.

Cherokees.

For commutation of the permanent annuity of ten thousand dollars, according to the eleventh article of said treaty, two hundred and fourteen thousand dollars.

For compensation of two commissioners, for two years, to examine claims, according to the seventeenth article of said treaty, at eight dollars per day each, eleven thousand six hundred and eighty dollars.

For compensation to a secretary for two years, at five dollars per day, according to the same article of said treaty, three thousand six hundred and fifty dollars.

For compensation to an interpreter for two years, at two dollars and fifty cents per day, according to the same article of said treaty, one thousand eight hundred and twenty-five dollars.

For the advance of two years' annuity on the fund of seven hundred and fifty thousand dollars, to be invested for the Cherokees according to the eighteenth article of said treaty, seventy-five thousand dollars.

For the removal of the Cherokees and for spoliations, according to the third article of the supplementary treaty with the Cherokees, of the first of March, one thousand eight hundred and thirty-six, six hundred thousand dollars.

(a) See notes to the act of July 4, 1836, chap. 352.

For expenses attending the negotiation of the said treaty, and of the delegation, according to the fifth article of said supplemental treaty, thirty-seven thousand two hundred and twelve dollars.

For surveying the land set apart by treaty stipulations for the Cherokee Indians west of the Mississippi river, seven thousand dollars.

Ottawas and Chippewas.

For carrying into effect the stipulations of the fourth article of the treaty concluded with the Ottawa and Chippewa nations of Indians, twenty-eighth March, and an article supplementary thereto, the thirty-first of March, one thousand eight hundred and thirty-six, viz:

For the annuity in specie, thirty thousand dollars.

For education, teachers, and expenses incidental thereto, five thousand dollars.

For missions, three thousand dollars.

For agricultural implements, cattle, mechanics' tools, and such other objects as the President may deem proper, ten thousand dollars.

For vaccine matter, medicines, and services of physicians, three hundred dollars.

For provisions, two thousand dollars.

For six thousand five hundred pounds of tobacco, eight hundred and twenty-five dollars.

For one hundred barrels salt, two hundred and fifty dollars.

For five hundred fish-barrels, four hundred and fifty dollars.

For goods and provisions to be delivered at Michillimackinac, one hundred and fifty thousand dollars.

For interest to be paid annually as annuities, on the sum of two hundred thousand dollars, per resolution of the Senate, appended to the treaty, twelve thousand dollars.

For the payment of the just debts against the Indians, according to the fifth article of said treaty as ratified by the Senate, three hundred thousand dollars.

For carrying into effect the sixth article of said treaty, viz.

For commutation in lieu of reservations to half breeds, one hundred and forty-five thousand dollars.

For taking a census of the Indian half breed population, one thousand two hundred dollars.

For the pay and travelling expenses of a commissioner, one thousand dollars.

For compensation and expenses of clerk, and for stationery, postage, witnesses, messengers to collect Indians, and canoes for them, subsistence for two thousand Indians for twenty days, fuel for them while on the island, and other incidental expenses attending the commission, three thousand dollars.

For carrying into effect the seventh article of said treaty, viz.

For pay of two additional blacksmiths, nine hundred and sixty dollars.

For two strikers, four hundred and eighty dollars.

For building a blacksmith shop on reservation north of Grand river, seven hundred and fifty dollars.

For iron, steel, coal, and tools for two shops, five hundred dollars.

For the purchase of one new set of blacksmith's tools for shop on reservation, one hundred and seventy-five dollars.

For rebuilding shop at Mackinac, and adding an armorer's room, eight hundred and fifty dollars.

For a gunsmith, four hundred and eighty dollars.

For purchasing a set of gunsmith's tools, one hundred dollars.

For two additional interpreters, six hundred dollars.

For building a dormitory at Mackinac, and for stoves and furniture, four thousand eight hundred dollars.

For the keeper of the dormitory, six hundred dollars.

For one hundred and fifty cords of wood for the dormitory, three hundred and seventy-five dollars.

For two farmers, one thousand dollars.

For two assistant farmers, six hundred dollars.

For two mechanics, twelve hundred dollars.

For carrying into effect the eighth article of said treaty, viz.

For the expenses of a delegation of twenty Indians, with an officer, three assistants, an interpreter, a guide with two assistants to explore the country, and for the purchase of horses, and other expenses incidental to the expedition, twelve thousand dollars.

Expenses of a delegation of Indians.

For payment of such improvements as give additional value to the land ceded, twenty thousand dollars.

For payment for the church on the Cheboigan, nine hundred dollars.

For extinguishing the claim of certain half breeds, in lieu of reservations, according to the ninth article of said treaty, viz.

To Rix Robinson, in lieu of a section at thirty-six dollars per acre, twenty-three thousand and forty dollars.

To Leonard Slater, in trust for Chiminoaoquat, one section at ten dollars per acre, six thousand four hundred dollars.

To John A. Drew, one and three quarter sections at four dollars per acre, four thousand four hundred and eighty dollars.

To Edward Biddle, one section at three dollars per acre, one thousand nine hundred and twenty dollars.

To John Holiday, five sections at one dollar twenty-five cents per acre, four thousand dollars.

To Eliza Cook, Sophia Biddle, and Mary Holiday, one section each, at two dollars and fifty cents per acre, four thousand eight hundred dollars.

To Augustin Hamelin, Jr. two sections at one dollar and twenty-five cents per acre, one thousand six hundred dollars.

To William Lusley, Joseph Daily, Joseph Trotier, and Henry A. Lenake, two sections each, at one dollar and twenty-five cents per acre, six thousand four hundred dollars.

To Luther Rice, Joseph Leframbois, Charles Butterfield, George Moran, Louis Moran, G. D. Williams, and Daniel Marsac, one section each, at one dollar and twenty-five cents per acre, five thousand six hundred dollars.

For payment to the chiefs on ratification of the treaty, according to the tenth article of the same, thirty thousand dollars.

For life annuity to two chiefs, provided for in the eleventh article of said treaty, one hundred and fifty dollars.

For expenses attending the conclusion of the treaty at Washington, according to the twelfth article of the same, fifteen thousand four hundred and three dollars and twenty-five cents.

Treaty of Washington.

For transportation and other incidental expenses in executing said treaty, two thousand dollars.

Provided, however, That no part of the above appropriations for carrying into effect the treaty with the Chippewas and Ottawas, shall be drawn from the Treasury except what may be necessary for the expenses of collecting and subsisting the Indians, and for the expenses of concluding the treaty, heretofore incurred, and to enable a commissioner to proceed to Michillimackinac for the purpose of examining the claims of the half breeds, until the assent of the said Indians shall be given to the change proposed by the resolution of the Senate. Arrangements may be made under the direction of the President for paying to the Indians the money and goods as soon as their assent to such change is given. But no responsibility in relation to such delivery shall be incurred by the United States previous thereto, nor shall the said commissioner enter upon his duties.

Proviso.

Chippewas.

For carrying into effect the stipulations of the third article of the treaty concluded with the Swan creek, and Black river bands of the Chippewa nation, of the ninth of May, eighteen hundred and thirty-six, viz:

For an advance in money on the ratification of the treaty, two thousand five hundred dollars.

For the purchase of goods, four thousand dollars.

Journeys to Washington.

For expenses of the treaty, the journeys of the Indians to and from Washington, subsistence and other expenses, three thousand eight hundred and two dollars and sixty-seven cents.

For transportation and incidental expenses, one thousand dollars.

Pottawatamies.

For carrying into effect the stipulations of the treaties concluded with certain bands of the Pottawatamie Indians of Indiana, in March, and April, eighteen hundred and thirty-six, viz:

For payment of the sum stipulated in the second article of the treaty of twenty-sixth March, eighteen hundred and thirty-six, with Mes-quaback and his band, for a cession of land to the United States, two thousand five hundred and sixty dollars.

For payment of the sum stipulated in the third article of the treaty of the twenty-ninth March, eighteen hundred and thirty-six, with Waw-kewa and his band, for a cession of land to the United States, two thousand five hundred and sixty dollars.

For the payment of the sum stipulated in the second article of the treaty of eleventh April, eighteen hundred and thirty-six, with Aub-ba-naub-ba and his band, for a cession of land to the United States, eleven thousand five hundred and twenty dollars.

For payment of the sum stipulated in the second article of the treaty of twenty-second April, eighteen hundred and thirty-six, with Kee-waw-nee and his band, for a cession of land to the United States, six thousand four hundred dollars.

For payment of the sum stipulated in the second article of the treaty of twenty-second April, eighteen hundred and thirty-six, with Nas-waw-bee and his band, for a cession of land to the United States, one thousand nine hundred and twenty dollars.

For expenses attending the negotiation of the said treaties with the Pottawatamies, six hundred and thirty-six dollars and seventy-five cents.

To defray the expense of removing the Choctaw Indians residing in the State of Mississippi to the country provided for them, west of the Mississippi river, thirty thousand dollars.

Secretary of War to close account, &c.

Sec. 2. *And be it further enacted*, That the Secretary of War is hereby authorized to direct the account to be closed, upon the production of proper vouchers, for blankets delivered to the Cherokees by order of the commissioner.

Pension to Col. G. Morgan.

1836, ch. 71.

Sec. 3. *And be it further enacted*, That the pension allowed by an act of the present session of Congress to Colonel Gideon Morgan, shall be paid to him from the date of his disability, to the twenty-seventh of March, eighteen hundred and fourteen, agreeably to the fourteenth article of the said treaty with the Cherokees; and that the sum of eight thousand dollars be appropriated for that purpose.

Money not to be paid to hostile eastern Creeks.

Sec. 4. *And be it further enacted*, That no part of the appropriation heretofore made, for the eastern Creeks, shall be paid to any Indians who have been engaged in hostilities against the United States, unless in such change of circumstances as may induce the President of the United States to direct the same to be paid. *Provided, however*, That the whole of the annuity due to the Seminole Indians and to the eastern Creeks may be paid to the friendly portion of those tribes respectively, unless otherwise directed by the President.

Money appropriated for re-

Sec. 5. *And be it further enacted*, That the funds appropriated by the act of June fourteenth, eighteen hundred and thirty-six, entitled "An

act making appropriations for the current expenses of the Indian Department for Indian annuities and other similar objects for the year eighteen hundred and thirty-six, for the removal of the Winnebago Indians, may be expended upon such of the said Indians as actually remove, and upon no others. And the said Indians shall be removed either to the neutral ground or to such country as may be assigned to them by treaty on the southwest side of the river Missouri.

Removal of Winnebagoes, how to be expended. 1836, ch. 88.

Approved, July 2, 1836.

Statute I.
July 2, 1836.
[Obsolete.]

Chap. CCLXVIII.—*An Act making appropriations for certain fortifications of the United States for the year one thousand eight hundred and thirty-six, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, to be paid out of any unappropriated money in the Treasury, for certain fortifications, viz:

For the preservation of Castle Island and repairs of Fort Independence, Boston harbor, one hundred thousand dollars. Castle Island, &c.

For Fort Warren, Boston harbor, two hundred thousand dollars. Fort Warren.

For Fort Adams, Rhode Island, two hundred thousand dollars. Fort Adams.

For Fort Schuyler, East river, New York, two hundred thousand dollars. Fort Schuyler.

For repairs of Fort Columbus and Castle Williams, and officers' quarters, on Governor's Island, New York harbor, twenty thousand dollars. Fort Columbus, &c.

For Fort Delaware, Delaware river, one hundred and fifty thousand dollars. Fort Delaware.

For Fort Calhoun, Virginia, one hundred and fifty thousand dollars. Fort Calhoun.

For Fort Caswell, Oak Island, North Carolina, sixty thousand dollars. Fort Caswell.

For fortifications, Charleston harbor, South Carolina, and preservation of the site of Fort Moultrie, one hundred and fifty thousand dollars. Forts, Charleston harbor.

For Fort Pulaski, Cockspur Island, Georgia, one hundred and seventy thousand dollars. Fort Pulaski.

For Fort Pickens, Pensacola, Florida, fifty thousand dollars. Fort Pickens.

For the fort at Foster's Bank, Florida, one hundred and sixty thousand dollars. Fort at Foster's Bank.

For incidental expenses attending repairs of fortifications, and for the purchase of additional land in their neighbourhood, one hundred thousand dollars. Incidental expenses.

For contingencies of fortifications, ten thousand dollars. Contingencies.

For the purchase of land and the right of way on Throg's Point, in Long Island Sound, being the balance of the appropriation of one thousand eight hundred and twenty-six, carried to the surplus fund the first of January, one thousand eight hundred and twenty-nine, two thousand dollars. Re-appropriated for Throg's Point. 1826, ch. 73.

And the following sums, necessary to close accounts in the Office of the Third Auditor, viz. To close accounts in Third Auditor's office.

For a fort on Cockspur Island, Georgia, two thousand three hundred and eight dollars and fifty-six cents. Fort on Cockspur Island.

For contingencies of fortifications, sixty-one dollars and eight cents. Contingencies.

For fortifications at Pensacola, one thousand two hundred and twenty-three dollars and thirty-one cents. Fortifications at Pensacola.

For the armament of fortifications, in addition to the amount included in the bill making appropriations for the support of the army for one thousand eight hundred and thirty-six, including cannon, mortars, howitzers, gun carriages, howitzer carriages, mortar beds, powder, cannon balls, shells, and for the transportation of ordnance and ordnance Armament of fortifications, &c. Act of 1836, ch. 62.

Kennebec arsenal, &c.

stores; and for the purchase of twenty acres of land adjoining the Kennebec arsenal, Maine; and the purchase of land and enclosing the rear of the public ground with a brick wall and coping at the Frankford arsenal, Pennsylvania; and constructing a forging shop, one story high, seventy-five by forty feet, of brick, at the arsenal, Watertown, Massachusetts; and in the purchase of a steam-engine of eight horse power; and for the quarters of officers at Fort Monroe arsenal, four hundred thousand dollars.

Fort, &c. near Baltimore.

For Fort McHenry, Redoubt Wood, and Covington Battery, near Baltimore, fifty thousand dollars.

Fort Monroe.

For Fort Monroe, one hundred and fifty thousand dollars.

Fort Marion, &c.

For the repairs of Fort Marion, and the sea-wall at St. Augustine, Florida, fifty thousand dollars.

Knapsacks, &c.

Act of 1836, ch. 44.

For knapsacks and camp equipage, authorized by the act approved nineteenth of March, one thousand eight hundred and thirty-six, for volunteers or militia, fifty-two thousand seven hundred and five dollars.

Accoutrements, &c.

For accoutrements for the army, one hundred and two thousand three hundred and five dollars.

Purchase of sites, &c. in Arkansas, &c.

Proviso.

For the purchase of sites, and the construction of arsenals, for the deposite of arms in Arkansas, Missouri, and at Memphis, in Tennessee, forty-two thousand two hundred and fifty-six dollars. *Provided*, That the cost of such arsenal shall not exceed fourteen thousand dollars each.

Fire engines.

For the purchase of twenty-eight fire engines, and the necessary apparatus, twenty-two thousand four hundred dollars.

Storehouses, Newport, Ken.

For storehouses at Newport, Kentucky, one thousand five hundred dollars.

Purchase of land at St. Louis, Missouri.

Proviso.

For purchasing seven acres of land, including the site of the powder magazine attached to the arsenal at Saint Louis, Missouri, *Provided* the same shall be ascertained not to be on land of the United States, two thousand one hundred dollars.

Piazza, Augusta, Ga.

For erecting a piazza in front of the building occupied as barracks by the troops at Augusta arsenal, Georgia, four hundred and fifty dollars.

Fort Jesup.

For barracks, quarters, storehouses, hospital, stables, and materials for the same, at Fort Jesup, Louisiana, twenty-five thousand dollars.

Wharf at Fort Wolcott.

For rebuilding the wharf, and materials for the same, at Fort Wolcott, Newport, Rhode Island, five hundred dollars.

Fort Monroe.

For constructing a wood-yard, and a wood-yard wharf, and for materials for the same, at Fort Monroe, Virginia, one thousand dollars.

Fort Severn.

For constructing a wharf, and for materials for the same, at Fort Severn, Maryland, one thousand dollars.

Fort Brady.

For rebuilding and repairing barracks, quarters, hospital, store-houses, and materials for the same, at Fort Brady, Michigan Territory, five thousand dollars.

Fort Sullivan, &c.

For the purchase of land adjoining Fort Sullivan, and the buildings thereon, three thousand seven hundred and fifty dollars.

For the following objects, in addition to former appropriations for the same:

Armory, Harper's Ferry.

For national armory at Harper's Ferry, seventy-seven thousand eight hundred and ninety-seven dollars.

Armory at Springfield.

For national armory at Springfield, forty-five thousand dollars.

Light artillery, &c.

For the purchase or manufacture of light brass and iron field artillery, and for construction of field artillery carriages, caissons, and travelling forges, one hundred and thirty-seven thousand one hundred and ninety dollars.

Furnaces.

For the construction of furnaces for heating cannon balls, twelve thousand dollars.

President may make transfers of appropriations.

1820, ch. 52.

Sec. 2. *And be it further enacted*, That the President of the United States is hereby authorized, under the restrictions of the act of the first of May, eighteen hundred and twenty, to make transfers from one head

of appropriations for fortifications, to that of another for a like object, whenever, in his opinion, the public interest shall require it.

Sec. 3. *And be it further enacted,* That the several sums of money appropriated by this act and all other sums which have been or may be appropriated during the present session of Congress, shall be drawn from the Treasury, or paid over to the disbursing officers or agents of the Government, only as the same may be required by the several objects of expenditure authorized by law.

Approved, July 2, 1836.

Statute I.

July 2, 1836.

Chap. CCLXIX.—*An Act to amend an act entitled, "An act authorizing the laying off a town on Bean river, in the State of Illinois, and for other purposes," approved fifth February, eighteen hundred and twenty-nine.*

Board of Commissioners.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts and duties required to be done and performed by the surveyor of the States of Illinois and Missouri, and the Territory of Arkansas, under the act to which this is an amendment, shall be done and performed by a board of commissioners of three in number, any two of whom shall form a quorum to do business; said commissioners to be appointed by the President of the United States, and shall, previous to their entering upon the discharge of their duties, take an oath or affirmation to perform the same faithfully and impartially.

Act of Feb. 5, 1829, ch. 15.

Power of commissioners.

Sec. 2. *And be it further enacted,* That the said commissioners shall also have power to hear evidence and determine all claims to lots of ground arising under the act to which this is an amendment, and for this purpose the said commissioners are authorized to administer all oaths that may be necessary, and reduce to writing all the evidence in support of claims to pre-emption presented for their consideration; and when all the testimony shall have been heard and considered, the said commissioners shall file with the register and receiver of the land office at Galena, the testimony in each case, together with a certificate in favor of each person having the right of pre-emption; and upon making payment to the receiver at Galena, for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and issue certificates of purchase, to be transmitted to the General Land Office, as in other cases of the sale of public land.

Duties of Register and Receiver.

Sec. 3. *And be it further enacted,* That the register and receiver at Galena, after the board of commissioners have heard and determined all the cases of pre-emption under the act to which this is an amendment, shall expose the residue of lots to public sale to the highest bidder, after advertising the same in three public newspapers at least six weeks prior to the day of sale, in the same manner as is provided for the sale of the public lands in other cases; and after paying to the commissioners the compensation hereinafter allowed them, and all the other expenses incident to the said survey and sale, the receiver of the land office shall pay over the residue of the money he may have received from the sale of lots aforesaid, by pre-emption as well as at public auction, into the hands of the county commissioners of Jo Daviess county, to be expended by them in the erection of public buildings, and the construction of suitable wharves in the town of Galena.

Commissioners to be paid by the Receiver.

Sec. 4. *And be it further enacted,* That the commissioners appointed to carry this act into effect, shall be paid by the receiver six dollars each, per day, for their services, for every day they are necessarily employed.

Approved, July 2, 1836.

Statute I.

July 2, 1836.

Act of March 3, 1845, ch. 43.

Chap. CCLXX.—*An Act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof.* (a)

Revenues to be paid into the Treasury.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the revenues arising in the Post Office Department, and all debts due to the same, shall, when collected, be paid, under the direction of the Postmaster General, into the Treasury of the United States.

Postmaster General to submit estimates, &c.

Sec. 2. *And be it further enacted,* That the Postmaster General shall submit to Congress at the next, and each succeeding annual session, specific estimates of the sums of money expected to be required for the service of the Department in the subsequent year, commencing on the first day of July, under the following heads, viz: "Compensation of postmasters," "Transportation of the mails," "Ship, steam-boat, and way letters," "Wrapping paper," "Office furniture," "Advertising," "Mail bags," "Blanks," "Mail locks, keys, and stamps," "Mail depredations, and special agents," "Clerks, for offices," and "Miscellaneous." And the Postmaster General shall render an account to Congress, at each succeeding annual session, of the amounts actually expended for each of the purposes above specified.

Appropriation made from revenues of the Post Office Department.

Sec. 3. *And be it further enacted,* That the aggregate sum required "for the service of the Post Office Department," in each year, shall be appropriated by law out of the revenue of the Department, and that all payments of the receipts of the Post Office Department into the Treasury, shall be to the credit of the said appropriation.

To be paid by the Treasurer.

Proviso.

Proviso.

Proviso.

Sec. 4. *And be it further enacted,* That the sums appropriated for the service aforesaid shall be paid by the Treasurer in the manner herein directed: *Provided,* That the compensation of postmasters, the expenses of post offices, and such other expenses of the Department for which appropriations have been made, as may be incurred by postmasters, may be deducted out of the proceeds of their offices, under the direction of the Postmaster General: *And provided, also,* That all charges against the Department by postmasters, on account of such expenses, shall be submitted for examination and settlement, to the auditor herein provided for; and that no such deduction shall be valid, unless the expenditure so deducted, be found to have been made in conformity to law: *And provided, also,* That the Postmaster General shall have power to transfer debts due on account of the Department, by postmasters and others, in satisfaction of the legal demands for which appropriations have been made, of such contractors who may be creditors of the Department, as shall have given bonds, with security, to refund any moneys that may come into their hands over and above the amount which may be found due to them on the settlement of their accounts.

Treasurer to give receipts.

Sec. 5. *And be it further enacted,* That the Treasurer of the United States shall give receipts for all moneys received by him to the credit of the appropriation for the service of the Post Office Department; which receipts shall be endorsed upon warrants drawn by the Postmaster General, and without such warrant, no acknowledgment for money received as aforesaid shall be valid.

Payments to be made on warrants.

Sec. 6. *And be it further enacted,* That the appropriations for the service of the Post Office Department shall be disbursed by the Treasurer out of the moneys paid into the Treasury for the service of the Post Office Department, upon the warrants of the Postmaster General, registered and countersigned as herein provided, and expressing on their faces the appropriation to which they should be charged.

(a) For notes of the decisions of the courts of the United States on the duties and obligations of the Postmaster General, "Postmasters," and "Post Office," see vol. 1, 363.

Sec. 7. *And be it further enacted*, That the Treasurer shall render his accounts of the moneys received and paid by him on account of the Post Office Department, quarterly to the Auditor for the Post Office Department, hereinafter provided for, and shall transmit copies of the same, when adjusted by him, to the two Houses of Congress.

Accounts rendered quarterly to the Auditor.

Sec. 8. *And be it further enacted*, That there shall be appointed by the President, with the consent of the Senate, an Auditor of the Treasury for the Post Office Department, whose duty it shall be to receive all accounts arising in the said Departments, or relative thereto, to audit and settle the same, and certify their balances to the Postmaster General: *Provided*, That if either the Postmaster General, or any person whose account shall be settled, be dissatisfied therewith, he may, within twelve months, appeal to the First Comptroller of the Treasury, whose decision shall be final and conclusive. The said auditor shall report to the Postmaster General, when required, the official forms of papers to be used by postmasters, and other officers or agents of the Department concerned in its receipts and payments, and the manner and form of keeping and stating its accounts. He shall keep and preserve all accounts, with the vouchers, after settlement. He shall promptly report to the Postmaster General all delinquencies of postmasters in paying over the proceeds of their offices. He shall close the accounts of the Department quarterly, and transmit to the Secretary of the Treasury quarterly statements of its receipts and expenditures. He shall register, charge and countersign, all warrants upon the Treasury for receipts and payments issued by the Postmaster General, when warranted by law. He shall perform such other duties, in relation to the financial concerns of the Department, as shall be assigned to him by the Secretary of the Treasury, and shall make to them respectively, such reports as either of them may require respecting the same. The said auditor may frank, and receive, free of postage, letters and packets under the regulations provided by law for other officers of the Government. And all letters and packets to and from the Chief Engineer which may relate to the business of his office shall be free of postage.

Auditor to be appointed; and his duties.

Proviso.

Sec. 9. *And be it further enacted*, That it shall be the duty of the Postmaster General to decide on the official forms of all papers to be used by postmasters, and other officers or agents of the Post Office Department, concerned in its receipts and payments, and the manner and form of keeping and stating its accounts; to enforce the prompt rendition of the returns of postmasters, and of all certificates, acknowledgments, receipts, and other papers, by postmasters and contractors, relative to the accounts of the Department; to control, according to law, and subject to the settlement of the auditor, the allowances to postmasters, the expenses of post offices, and all other expenses incident to the service of the Department; to regulate and direct the payment of the said allowances and expenses for which appropriations have been made; to superintend the disposition of the proceeds of post offices and other moneys of the Department; to prescribe the manner in which postmasters shall pay over their balances; to grant warrants for money to be paid into the Treasury, and out of the same, in pursuance of appropriations by law, to persons to whom the same shall be certified to be due by the said auditor: *Provided*, That advances of necessary sums to defray expenses may be made by the Postmaster General to agents of the Department employed to investigate mail depredations, examine post routes, and post offices, and perform other like services, to be charged by the auditor for the Post Office Department, and be accounted for in the settlement of their accounts.

Duties of Postmaster General.

Proviso.

Sec. 10. *And be it further enacted*, That the auditor for the Post Office Department shall state and certify, quarterly, to the Postmaster General, accounts of the moneys paid pursuant to appropriations, in

Other duties of the Auditor.

each year, by postmasters, out of the proceeds of their offices; towards the expenses of the Department, under each of the heads of the said expenses specified in the second section of this act; upon which the Postmaster General shall issue warrants to the Treasurer of the United States, as in case of the receipt and payment of the said moneys into and out of the Treasury, in order that the same may be carried to the credit and debit of the appropriation for the service of the Post Office Department, on the books of the auditor for said Department.

Duplicates of contracts, &c.

Sec. 11. *And be it further enacted,* That the Postmaster General shall, within sixty days after the making of any contract, cause a duplicate thereof to be lodged in the office of the auditor of the Post Office Department. Upon the death, resignation, or removal of any postmaster, he shall cause his bond of office to be delivered to the said auditor; and shall also cause to be promptly certified to him all establishments and discontinuances of post offices, and all appointments, deaths, resignations, and removals of postmasters, together with all orders and regulations which may originate a claim, or in any manner affect the accounts of the Department.

Accounts, how to be kept.

Sec. 12. *And be it further enacted,* That the accounts of the Post Office Department shall be kept in such manner as to exhibit the amounts of its revenues, derived respectively from "letter postages," "newspapers and pamphlets," and "fines;" and the amount of its expenditures for each of the following objects, namely: "compensation of postmasters," "transportation of the mails," "ship, steamboat, and way letters," "wrapping paper," "office furniture," "advertising," "mail bags," "blanks, mail locks, keys, and stamps," "mail depredations and special agents," "clerks for offices," and "miscellaneous."

Bonds and contracts with the United States, and all suits in its name.

Sec. 13. *And be it further enacted,* That the bonds and contracts of postmasters mail contractors, and other agents of the Post Office Department, shall hereafter be made to and with the United States of America; and all suits to be commenced for the recovery of debts or balances due by postmasters and others, or upon bonds or contracts made to or with the present or any former Postmaster General, or for any fines, penalties, or forfeitures, imposed by the laws respecting the Post Office Department, or by the Postmaster General, pursuant thereto, shall be instituted in the name of the United States of America; and the demands in such suits shall have all the privileges and priorities in adjudication and payment secured to other claims of the United States, by the existing laws: *Provided,* That actions and suits which may have been instituted in the name of the Postmaster General, previous to the passage of this act, shall not be affected by the provisions of this section.

Proviso.

Auditor to superintend collection of debts.

Sec. 14. *And be it further enacted,* That the auditor for the Post Office Department shall superintend the collection of all debts due to the Department, and all penalties and forfeitures imposed on postmasters, for failing to make returns, or pay over the proceeds of their offices; he shall direct suits and legal proceedings, and take all such measures as may be authorized by law, to enforce the prompt payment of moneys due to the Department.

Certified copies of quarterly returns, &c. to be evidence, &c.

Sec. 15. *And be it further enacted,* That copies of the quarterly returns of postmasters, and of any papers pertaining to the accounts in the office of the auditor for the Post Office Department, certified by him under his seal of office, shall be admitted as evidence in the courts of the United States; and in every case of delinquency of any postmaster or contractor, in which suit may be brought, the said auditor shall forward to the attorney of the United States certified copies of all papers in his office, tending to sustain the claim; and in every such case, a statement of the account, certified as aforesaid, shall be admitted as evidence; and the court trying the cause shall be thereupon au-

thorized to give judgment and award execution, subject to the provisions of the thirty-eighth section of the act to reduce into one the several acts establishing and regulating the Post Office Department, approved March third, eighteen hundred and twenty-five. No claim for a credit shall be allowed upon the trial but such as shall have been presented to the said auditor, and by him disallowed in whole or in part, unless it shall be proved to the satisfaction of the court that the defendant is at the time of the trial in possession of vouchers not before in his power to procure, and that he was prevented from exhibiting to the said auditor a claim for such credit, by some unavoidable accident. In suits for balances due from postmasters, interest, at the rate of six per cent. per annum, shall be recovered from the time of the default until payment.

1825, ch. 64.

Sec. 16. *And be it further enacted,* That the attorneys of the United States, in the prosecution of suits for moneys due on account of the Post Office Department, shall obey the directions which may, from time to time, be given to them by the auditor for the Post Office Department; and it shall be the duty of each of the said attorneys, immediately after the end of every term of any court in which any of the suits aforesaid shall have been pending, to forward to the said auditor a statement of all the judgments, orders, and steps which have been made or taken in the same, during the said term, accompanied by a certificate of the clerk, showing the parties to, and amount of, each judgment, with such other information as may be required by the said auditor. The said attorneys shall direct speedy and effectual process of execution upon the said judgments; and it shall be the duty of the marshals of the United States to whom the same shall be directed, to make to the said auditor, at such times as he may direct, returns of the proceedings which have taken place upon the said process of execution.

Duties of U. S. Attorneys.

Sec. 17. *And be it further enacted,* That in all cases where any sum or sums of money have been paid out of the funds of the Post Office Department to any individual or individuals, under pretence that service has been performed therefor when in fact such service has not been performed, or by way of additional allowance for increased service actually rendered, when the additional allowance exceeds the sum which, by the provisions of law, might rightfully have been allowed therefor, and in all other cases where the moneys of the Department have been paid over to any person in consequence of fraudulent representations, or by the mistake, collusion or misconduct of any officer or clerk of the Department, it shall be the duty of the Postmaster General to cause suit to be brought in the name of the United States of America, to recover back the same, or the excess, as the case may be, with interest thereon.

Sums wrongfully paid to be recovered by suit.

Sec. 18. *And be it further enacted,* That the auditor for the Post Office Department shall adjust and settle all balances due from postmasters on account of transactions prior to the first day of July eighteen hundred and thirty-six. He shall, when necessary, institute suits for the same, and cause them to be effectually prosecuted to judgment and execution; and in cases in which proceedings at law for these or any other balances that are or may become due on account of the Post Office Department, have been or shall be fruitless, may direct the institution of suits in chancery, to set aside fraudulent conveyances or trusts, or attach debts due to the defendants, or obtain any other proper exercise of the powers of equity, to have satisfaction of the said judgments; and the courts of the United States, sitting in chancery, shall have jurisdiction to entertain such bills, and make such decrees and orders thereupon as may be consonant to the principles and usages of equity. The said auditor shall report to the Postmaster General, to be by him submitted to Congress, at its next annual session, a statement

Auditor to adjust balances due from post masters, &c.

of all the balances and debts due to the Post Office Department as aforesaid, by late postmasters, showing, in each case, the name and office of the principal debtor, the names of the sureties, if any, the amount of the debt, the time at which it accrued, the steps taken to collect the same, and whether they have been successful or not. The said statement shall also classify such of the said balances as may then remain due, into such as are considered collectible, and such as are not, with the whole amount of each class.

Auditor, mayors, &c. may administer oaths, &c.

Sec. 19. *And be it further enacted,* That the auditor for the Post Office Department, or any mayor of a city, justice of the peace, or judge of any court of record in the United States, by him especially designated, shall be authorized to administer oaths and affirmations, in relation to the examination and settlement of the accounts committed to his charge; and if any person shall knowingly swear or affirm falsely, touching the expenditures of the Post Office Department, or in relation to any account of, or claim against, or in favor of, the said Department, he or she shall, upon conviction thereof, suffer as for wilful and corrupt perjury.

Third Assistant Postmaster General.

Clerks, &c.

Sec. 20. *And be it further enacted,* That there shall be employed by the Postmaster General, a third Assistant Postmaster General, who may receive and send letters and packets free of postage, and in lieu of the clerks now employed in the Department, one chief clerk, three principal clerks, and thirty-three other clerks, one messenger, and three assistant messengers, and two watchmen.

Clerks to be employed in the office of the Auditor.

And in that of the Treasurer of the United States.

Sec. 21. *And be it further enacted,* That there shall be employed by the Secretary of the Treasury, in the office of the auditor for the Post Office Department, one chief clerk, four principal clerks, and thirty-eight other clerks, one messenger, and one assistant messenger, also three clerks one at a salary of fourteen hundred dollars per annum, one at a salary of twelve hundred dollars, and one at a salary of one thousand dollars, in the office of the Treasurer of the United States, in lieu of the same number of clerks now employed in the office of the Fifth Auditor of the Treasury, in adjusting the accounts of the Post Office Department.

Reports to be made to Congress by the Postmaster General.

Sec. 22. *And be it further enacted,* That it shall be the duty of the Postmaster General to make to Congress, at each annual session thereof, the following several reports:

First, A report of all contracts made for the transportation of the mail within the preceding year, stating in each case of contract its date and duration, the name of the contractor, the route or routes embraced in the contract, with the length of each, with the times of arrival and departure at the ends of each route, the mode of transportation contracted for, and the price stipulated to be paid by the Department; also a statement of all such land and water mails as may have been established or ordered by the Department within the year preceding, other than those let to contract at the annual lettings of mail contracts, specifying, in each case the route or water course on which the mail is established, the name of the person employed to transport it, the mode of transportation, the amount paid or to be paid, and the proposed duration of the order or contract.

Second, A report of all allowances made to contractors within the year preceding, beyond the sums originally stipulated in their respective contracts, and the reasons for the same; and of all orders made by the Department, whereby additional expense is, or will be incurred, beyond the original contract price on any land or water route, specifying, in each case, the route to which the order relates, the name of the contractor, the original service provided by the contract, the original price, the date of the order for additional service, the additional service required, and the additional allowance therefor; also, a report of all

curtailments of expenses effected by the Department within the preceding year, specifying, in each case, the same particulars as required in cases of additional allowances.

Third, A report of all incidental expenses of the Department for the year ending on the thirtieth day of June preceding, arranged according to their several objects as for "wrapping paper," "office furniture," "advertising," "mail bags," "blanks," "mail locks, keys, and stamps," "mail depredations, and special agents," "clerks for offices," "miscellaneous," showing the sum paid under each head of expenditures, and the names of the persons to whom paid, except only that the names of persons employed in detecting depredations on the mail, and other confidential agents, need not be disclosed in said report.

Fourth, A report of the finances of the Post Office Department for the year ending on the thirtieth day of June preceding, showing the whole amount of balances due to the Department at the beginning of the year, from postmasters and all others, the whole amount of postage that accrued within the year, the whole amount of the engagements and liabilities of the Department for mail transportation during the year, the amount actually paid during the year, for and on account of mail transportation, and otherwise, stating separately so much of the said amount as may have been paid on account of the transportation of the mail, and for other debts for the same object, in preceding years.

Fifth, A report of all fines imposed, and deductions from the pay of contractors made during the preceding year, for failures to deliver the mail, or for any other cause, stating the names of the delinquent contractors, the nature of the delinquency, the route on which it occurred, the time when it occurred, the time when the fine was imposed, and whether the fine has been remitted, or order for deduction rescinded, and for what reason.

Advertisements for contracts, and regulations respecting them.

Act of March 3, 1845, ch. 43, sec. 18.

Sec. 23. *And be it further enacted*, That it shall be the duty of the Postmaster General, before advertising for proposals for the transportation of the mail, to form the best judgment practicable as to the mode, time, and frequency of transportation on each route, and to advertise accordingly. No consolidated or combination bid shall be received, and no additional compensation shall be made to any mail contractor, so as that the compensation for additional regular service shall exceed the exact proportion which the original compensation bears to the original services stipulated to be performed: and no extra allowance shall be made to any contractor, by the Postmaster General, for an increase of expedition in the transportation of the mail, unless thereby the employment of additional stock or carriers, by the contractor, shall be rendered necessary; and in such case, the additional compensation shall never bear a greater proportion to the additional stock or carriers rendered necessary, than the sum stipulated in the original contract bears to the stock and carriers necessarily employed in its execution, and when any extra service shall be ordered, the amount of the allowance therefor, in dollars and cents, shall be signified in the order for such service, and be forthwith entered upon the books of the Post Office Department, and no additional compensation shall be paid for any extra regular service rendered before the issuing of such order, and the making of such entry, and every order, entry, or memorandum whatever, on which any action of the Department is to be had, allowance made, or money paid, and every contract, paper or obligation drawn up in said office, by any officer thereof, shall have affixed to it its true date: and every paper relating to contracts or allowances filed in said office shall have the date of its filing endorsed thereon. And whenever it shall become necessary to change the terms of any existing contract in any other manner than that designated in this act, or to enter into a contract for the transportation of the mail at any other time

than at the annual letting, the Postmaster General shall give notice in one newspaper published at Washington City, and in one newspaper published as near as may be to the route on which the services are to be performed for at least four weeks before changing or making such contract, inviting proposals therefor; which proposals shall be received and opened, and such proceedings thereon had, in all things, as at the annual lettings. *Provided however*, That the Postmaster General may make temporary contracts until a regular letting can take place.

Proviso.

Proposals for contracts.

Sec. 24. *And be it further enacted*, That proposals for mail contracts shall be delivered to the Department sealed, and shall be kept sealed until the biddings are closed, and shall then be opened and marked in the presence of the Postmaster General and of one of the Assistant Postmasters General, or in the presence of two of the Assistant Postmasters General. And the contracts in all cases shall be awarded to the lowest bidder, except when his bid is not more than five per centum below that of the last contractor, on the route bid for, who shall have faithfully performed his contract. *Provided however*, That the Postmaster General shall not be bound to consider the bid of any person who shall have wilfully or negligently failed to execute or perform a prior contract.

Proviso.

Offers for carrying the mail to be recorded.

Sec. 25. *And be it further enacted*, That it shall be the duty of the Postmaster General to have recorded in a well-bound book, a true and faithful abstract of offers made to him for carrying the mail, embracing as well those which are rejected, as those which are accepted. The said abstract shall contain the names of the party or parties offering; the terms on which he or they propose to carry the mail, the sum for which it is offered to contract; and the length of time the agreement is to continue. And it shall also be the duty of the Postmaster General to put on file and preserve the originals of the propositions of which abstracts are here directed to be made, and to report at each session of Congress a true copy from the said record of all offers made for carrying the mail as aforesaid.

Persons employed in the Post Office not to be interested in contracts.

Sec. 26. *And be it further enacted*, That if any person employed in the Post Office Department or postmaster shall become interested in any mail contract or act as agent, with or without compensation, in any matter or thing relating to business in said Department, for any contractor, or person offering to become a contractor, he shall be forthwith dismissed from office and shall be liable to pay so much money as would have been realized from said contract, to be recovered in an action of debt in any court having jurisdiction thereof, in the name of the United States, for the use of the Post Office Department; and it shall be the duty of the Postmaster General to cause prosecution to be instituted.

Proposals for transporting the mail to be accompanied by a guaranty, &c.

Sec. 27. *And be it further enacted*, That every proposal for the transportation of the mail shall be accompanied by a written guaranty, signed by one or more responsible persons, to the effect that he or they undertake that the bidder or bidders will, if his or their bid be accepted, enter into an obligation in such time as may be prescribed by the Postmaster General, with good and sufficient sureties, to perform the service proposed. No proposal shall be considered, unless accompanied by such guaranty. If, after the acceptance of a proposal, and notification thereof to the bidder or bidders, he or they shall fail to enter into an obligation within the time prescribed by the Postmaster General, with good and sufficient sureties for the performance of the service, then the Postmaster General shall proceed to contract with some other person or persons, for the performance of the said service, and shall forthwith cause the difference between the amount contained in the proposal so guarantied, and the amount for which he may have contracted for the performance of said service, for the whole period of the proposal, to be charged up against the said bidder or bidders, and his or their guarantor

or guarantors, and the same may be immediately recovered by the United States, for the use of the Post Office Department, in an action of debt against either or all of the said persons.

Contracts not to be made with persons who have entered into combination.

Sec. 28. *And be it further enacted*, That no contract for the transportation of the mail shall knowingly be made by the Postmaster General, with any person who shall have entered into any combination, or proposed to enter into any combination, to prevent the making of any bid for a mail contract by any other person or persons; or who shall have made any agreement, or shall have given or performed, or promised to give or perform, any consideration whatever, or to do or not to do any thing whatever, in order to induce any other person or persons not to bid for a mail contract. And if any person so offending be a mail contractor, he may be forthwith dismissed from the service of the Department: *Provided*, That whenever the Postmaster General shall exercise the power conferred on him by this section, he shall transmit a copy or statement of the evidence on which he acts to Congress, at its next session.

Proviso.

No payment to be made until after the execution of contract.

Sec. 29. *And be it further enacted*, That no person whose bid for the transportation of the mail may be accepted, shall receive any pay, until he shall have executed his contract according to law and the regulations of the Department; nor shall any payment be made for any additional regular service in the transportation of the mail, unless the same shall have been rendered in obedience to a prior legal order of the Postmaster General.

Part of act of March 3, 1825, ch. 65, repealed.

Sec. 30. *And be it further enacted*, That so much of the act concerning the Post Office Department, approved March third, eighteen hundred and twenty-five, as directs that duplicates or copies of contracts or orders made by the Postmaster General shall be lodged in the office of the Comptroller of the Treasury, be repealed.

Postmasters to be furnished with schedule of times of arrival and departure.

Sec. 31. *And be it further enacted*, That it shall be the duty of the Postmaster General to furnish to the postmasters at the termination of each route, a schedule, specifying the times of arrival and departure at their offices, respectively, of each mail, a copy of which the postmaster shall post up in some conspicuous place in his office; and the Postmaster General shall also furnish a notice in like manner, of any change or alteration in the arrivals and departures which may be ordered by him. And it shall be the duty of every postmaster promptly to report to the Department every delinquency, neglect, or malpractice of the contractors, their agents or carriers, that may come to his knowledge. And the Postmaster General shall cause to be kept, and returned to the Department, at short and regular intervals, by postmasters at the ends of routes, and such others as he may think proper, registers, showing the exact times of the arrivals and departures of the mails.

Penalty for detaining letters, &c. in a post office.

Sec. 32. *And be it further enacted*, That if any postmaster shall unlawfully detain in his office any letter, package, pamphlet, or newspaper, with intent to prevent the arrival and delivery of the same to the person or persons to whom such letter, package, pamphlet or newspaper may be addressed or directed in the usual course of the transportation of the mail along the route; or if any postmaster shall, with intent as aforesaid, give a preference to any letter, package, pamphlet, or newspaper, over another, which may pass through his office, by forwarding the one and retaining the other, he shall, on conviction thereof, be fined in a sum not exceeding five hundred dollars, and imprisoned for a term not exceeding six months, and shall, moreover, be for ever thereafter incapable of holding the office of postmaster in the United States.

Certain postmasters to be appointed by and with the

Sec. 33. *And be it further enacted*, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a Deputy Postmaster for each post office at which the

consent of the Senate.

commissions allowed to the postmaster amounted to one thousand dollars or upwards in the year ending the thirtieth day of June, one thousand eight hundred and thirty-five, or which may, in any subsequent year, terminating on the thirtieth day of June, amount to or exceed that sum, who shall hold his office for the term of four years, unless sooner removed by the President.

Postmasters and clerks to be exempt from military duty.

Sec. 34. *And be it further enacted,* That assistant postmasters and clerks regularly employed and engaged in post offices, shall be exempt from militia duty, and serving on juries, and from any fine or penalty for neglect thereof.

Advertisements of letters may be made in more than one paper.

Proviso.

Sec. 35. *And be it further enacted,* That advertisements of letters remaining in the post offices may, under the direction of the Postmaster General, be made in more than one newspaper: *Provided,* That the whole cost of advertising shall not exceed four cents for each letter.

Postmasters not to receive or frank any package other than such as contain paper or money.

Act of March 3, 1845, ch. 43.

Sec. 36. *And be it further enacted,* That no postmaster shall receive free of postage, or frank, any letter or packet composed of, or containing any thing other than paper or money; and for a violation of this provision, the offender shall be dismissed from office, and upon conviction in any court of competent jurisdiction, pay a fine of twenty dollars. And no person shall hold the office of postmaster who shall not be an actual resident of the city or town wherein the office is situated, or the district of country usually supplied by said office.

Release of sureties of a postmaster.

Sec. 37. *And be it further enacted,* That when any one or more of the sureties of a postmaster shall notify to the Postmaster General their desire to be released from their suretyship, or when the Postmaster General shall deem it necessary, he shall require the said postmaster to execute a new bond, with security, which, when accepted by the Postmaster General, shall be as valid as the bond given upon the original appointment of said postmaster, and the sureties in the prior bond shall be released from responsibility for all acts or defaults of said postmaster, which may be done or committed subsequent to the acceptance of the new bond, the date of which shall be endorsed thereon. *Provided,* That payments made subsequent to the execution of the new bond by said postmaster shall be applied first to discharge any balance which may be due on the old bond, unless he shall, at the time of payment, expressly direct them to be applied to the credit of his new account.

Proviso.

Penalty for stealing or taking letters, &c. from the mail.

Sec. 38. *And be it further enacted,* That if any person shall be accessary after the fact, to the offence of stealing or taking the mail of the United States, or of stealing or taking any letter or packet, or enclosure in any letter or packet sent or to be sent in the mail of the United States, from any post office in the United States, or from the mail of the United States, by any person or persons whatever, every person so offending as accessary, shall, on conviction thereof, pay a fine not exceeding one thousand dollars, and be imprisoned for a term not exceeding five years; and such accessary after the fact may be tried, convicted, and punished in the district in which his offence was committed, though the principal offence may have been committed in another district, and before the trial of the principal offender: *Provided,* such principal offender has fled from justice, or cannot be arrested to be put upon his trial.

Proviso.

Express mail.

Sec. 39. *And be it further enacted,* That in case the Postmaster General shall deem it expedient to establish an express mail, in addition to the ordinary mail, on any of the post roads in the United States, for the purpose of conveying slips from newspapers in lieu of exchange newspapers, or letters, other than such as contain money, not exceeding half an ounce in weight, marked "express mail," and public despatches, he shall be authorized to charge all letters and packets carried by such express mail with triple the rates of postage to which letters and packets, not free, may be by law subject, when carried by the ordinary mails.

Sec. 40. *And be it further enacted*, That in case of the death, resignation, or absence of the Postmaster General, all his powers and duties shall devolve, for the time being, on the First Assistant Postmaster General.

Duties of P. M. General to devolve on Assistant P. M. G.

Sec. 41. *And be it further enacted*, That the Postmaster General shall be authorized, whenever the same may be proper for the accommodation of the public in any city, to employ letter carriers for the delivery of letters received at the post office in said city; except such as the persons to whom they are addressed may have requested, in writing, addressed to the postmaster, to be retained in the post office; and for the receipt of letters at such places in the said city as the Postmaster General may direct, and for the deposite of the same in the post office; and for the delivery by a carrier of each letter received from the post office, the person to whom the same may be delivered shall pay not exceeding two cents; and for the delivery of each newspaper and pamphlet, one half cent; and for every letter received by a carrier to be deposited in the post office, there shall be paid to him, at the time of the receipt, not exceeding two cents; all of which receipts, by the carriers in any city, shall, if the Postmaster General so direct, be accounted for to the postmaster of said city, to constitute a fund for the compensation of the said carriers, and be paid to them in such proportions and manner as the Postmaster General may direct. Each of the said carriers shall give bond with sureties, to be approved by the Postmaster General, for the safe custody and delivery of letters, and for the due account and payment of all moneys received by him.

Letter carriers.

Sec. 42. *And be it further enacted*, That the Postmaster General shall be authorized, in his discretion, to contract for carrying the mail on the navigable canals of the several States, in all cases where, in his opinion, the public interests and convenience shall require it, and for the time during which mails may be carried on such canals, or any parts thereof, the same are hereby declared to be post roads.

Carrying the mail on canals.

Sec. 43. *And be it further enacted*, That the following annual salaries shall be allowed to the Assistant Postmasters General, and to the clerks, messengers, and watchmen provided for the service of the Post Office Department, viz:

Salaries of Assistant Postmasters General and others.

To the three Assistant Postmasters General, each twenty-five hundred dollars.

To the chief clerk, two thousand dollars.

To the three principal clerks, each one thousand six hundred dollars.

To ten clerks, each one thousand four hundred dollars.

To fifteen clerks, each one thousand two hundred dollars.

To eight clerks, each one thousand dollars.

To the messenger, seven hundred and fifty dollars.

To the three assistant messengers, each three hundred and fifty dollars.

To the two watchmen, each three hundred dollars.

Sec. 44. *And be it further enacted*, That the following annual salaries shall be allowed to the Auditor of the Post Office Department, and to the clerks and messengers herein provided for the service of his office, viz:

Salaries of Auditors and others.

To the auditor, three thousand dollars.

To the chief clerk, two thousand dollars.

To the four principal clerks, each one thousand six hundred dollars.

To ten clerks, each one thousand four hundred dollars.

To twenty clerks, each one thousand two hundred dollars.

To eight clerks, each one thousand dollars.

To the messenger, seven hundred and fifty dollars, and to the assistant messenger, three hundred and fifty dollars.

Appropriation for 1836.

Sec. 45. *And be it further enacted*, That the sum of three millions one hundred and fifty thousand dollars be, and the same is hereby appropriated for the service of the Post Office Department for the year commencing on the first day of July one thousand eight hundred and thirty-six, out of any moneys in the Treasury, arising from the revenues of the said Department, to be accounted for in the manner pointed out in the second section of this act.

Act to go into immediate effect.

Sec. 46. *And be it further enacted*, That this act shall be in force and take effect from the passage thereof.

Approved, July 2, 1836.

Statute I.

July 2, 1836.

Chap. CCLXXI.—*An Act to establish certain post roads, and to alter and discontinue others, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads;

In Maine.

In Maine.—From Lincolnville to Islesborough. From Wilton, through Weld and Byron, to Andover. From Topsham, through Lisbon, by Little River village and Mayalls Factory village, to Lewistown falls. From Dennysville, through Charlotte, Cooper, and Baring, to Calais. From Saco, by Salmon falls, Bar mills, Moderation falls, Bonny Eagle falls, to East Baldwin. From Wayne village, by Norris ferry, Isaac Strickland's, and William H. Britton's, in Livermore, to Hayford's mills, in Canton, and Peru, to East Rumford. From Brunswick to Harpswell. From Portland, by Falmouth Centre, Cumberland, Upper Yarmouth, New Gloucester, East Poland, Minot, West Minot, East Hebron, to Buckfield village. From Calais, through Baleyville and Princeton, to Houlton. From Gardiner, through Pittston, Hallowell, Whitefield, Windsor, Patrickstown, Washington, Liberty, Appleton, Searsmont, and Belmont, to Belfast. From Portland, through Cumberland Centre, Pownal, Durham, Lisbon, Wales, and Winthrop, to Augusta. From Waterville, by China, to Palermo. From North New Portland, through Lexington, to Dead river. From Vinalhaven to Isle of Haute. From Portland, through Stroudwater village, and Buxton, to Salem falls. From Thomaston, via Cushing, to Friendship. From East Thomaston to Owl's Head. From Thomaston to Vinalhaven. From Doughty's falls (or Berwick), to Great Falls, New Hampshire. From Brunswick, by South Durham, Southwest Bend, Goff's corner, East Minot, and East Turner, to Turner. From Warren, by Jefferson, and North Whitfield, to Augusta. From Madison, by Madison Centre and South Anson, to West New Vineyard.

In New Hampshire.

In New Hampshire.—From Guilford, through Meredith, to New Hampton. From Hebron, through Alexandria, to Bristol. From Hillsboro bridge, through the south part of Antrim, and Hancock, to Peterboro. From South Deerfield to Pittsfield. From Ossipee to Tuftenboro. From Groton, Massachusetts, to Dunstable, New Hampshire. From Dunstable, by Hudson, Londonderry, Derry, Hampstead, Hawke, and Kingston, to Exeter, in New Hampshire. From Exeter, by Hampton falls, to Hampton beach. From Dover, by Durham, Lee, Epping, and Chester, to Derry. From Lebanon, by Springfield, New London, and Sutton, to Warner. From Hillsborough bridge, by Antrim, North Branch, Stoddard, and Sullivan, to Keene. From Hillsborough bridge, by South Antrim and Hancock, to Peterborough. From Tuftonborough and Ossippee, in New Hampshire, Newfield, Limerick, Waterborough and Buxton, to Portland, in Maine. From Hillsborough bridge, by Hillsborough centre, Bradford centre, and Sutton, to Sutton village. From Amherst, by Milford, Wilton and Mason, to New Ipswich. From Windham, via Londonderry, to Hooksett. From Claremont to Cornish flat.

In Massachusetts.—From East Middleboro, through Plympton, to Kingston, in Plymouth county. From Taunton to Norton. From Foxboro to Wrentham. From Franklin, through Bellingham, to South Milford. From North Woodstock, through Woodstock, Wilkinson's factory, Killingly, in Connecticut, to Chephetchet, in Rhode Island. From Yarmouth to South Yarmouth. From Sandisfield to Sheffield. From Boston, through Lynn, Danvers, Topsfield, New Rowley, West Newbury, to Amesbury. In Massachusetts.

In Rhode Island.—From Woonsocket falls, Rhode Island, through South Bellingham, Massachusetts, to Franklin, and thence to East Medway. From Newport, Rhode Island, by water, to Wickford. In Rhode Island.

In Connecticut.—From Furnace Village, through Lime Rock, and Falls village, to South Canaan. From Worcester, to Charlton, through Southbridge, Massachusetts, through the west part of Woodstock, to Tolland, in Connecticut. From Jewett's city, by Packersville, to Canterbury. From Plainfield, by Mossup and Central village, to Brooklyn. From Hartford, via Windsor, Poconoc, East Granby, West Sheffield, and Feedinghills, to Westfield. From Westport, via the Academy in Weston, Stepney Post Office, and Zoar, to Bennet's bridge. From New Haven, by East Haven, North Branford, North Guilford, North Bristol, and North Killingworth, to Essex. From Essex, by Hamburg, and North Lyme, to Norwich City. In Connecticut.

In Vermont.—From Johnston, through Eden, Lowell, Westfield, Troy, and Newport, to Derby. From Bellows falls, through Athens, Brookline, Newfane, and Dover, to Wilmington. From Mount Holley, through Mechanicsville, to Weston. From Alburgh to West Alburgh. From Windsor, by Hartland, Queechy Village, West Hartford, Snow's store, Sharon, and South Stafford, to Stafford. From Practorsville, via Cavendish, Greenbush, and Corner's, in Vermont, to Claremont, in New Hampshire. From Williston to Jericho. In Vermont.

In New York.—From Watertown to Rodman, by Burrville, in the county of Jefferson. From Carthage, through the village of Great Bend, Le Raysville, Felt's mills, Lockport, and Huntingdon's mills, to the village of Watertown, in the county of Jefferson. From Theresa, in the county of Jefferson, by the Glass works, and South Hammond, to Hammond, in the county of Saint Lawrence. From Hudson, by Glencoe, Curtis's settlement, North East, to Salisbury, in the State of Connecticut. From Silver creek, in the county of Chautauque, by Versailles, in the county of Cattaraugus, to Angola, in the county of Erie. From Jamaica to Rockaway, in the county of Queens. From Greenfort, across Shelter island, to Sag Harbor, in the county of Suffolk. From Setauket, by Coram, Patchogue, in Suffolk county. From Mayville, in the county of Chautauque, through Panama, to the mouth of Broken Straw creek, in the county of Warren, in the State of Pennsylvania. From Smithsboro to Spencer, in the county of Tioga. From Goshen, in the county of Orange, in the State of New York, through Phillipsburg, Middletown, Mount Hope, Cuddebackville, Clowesville, Forrestburg, Stewartsburg, Half-way brook, Beaver Brook, Ten-mile river, and Narrowsburg, to Honesdale, in the State of Pennsylvania. From Herkimer to Utica, on the south side of the Mohawk river, through the villages of Mohawk, German Flats, and Frankfort, in the county of Herkimer, to the city of Utica, in the county of Oneida. From Lockport, in the county of Niagara, by way of Benedict's bridge, to Akron, in the town of Newstead, in the county of Erie. From Youngstown, in the county of Niagara, by way of Wilson, Kempville, Somerset, Yates, Centre, West Carlton, East Carlton, and Davis' mills, to Gaines' corner, in the county of Orleans. From Preble, in the county of Cortland, through Otisco Hollow, Amber, Marietta, and Marcellus, to Camillus, in the county of Onondaga. From Luzerne, in Warren connty, to Caldwell. From Carmel, in Putnam county, to Pawlings, in Duchess. From In New York.

Franklin, in the county of Delaware, to Oneonto, in the county of Otsego. From Somerset, in Niagara county, by Yates, Centre, West Carlton, East Carlton, and Davis' mills, to Gaines corners, in the county of Orleans. From Groveland, on East road, to Geneseo. From Stanfordville to Sharon, in Connecticut. From Gibbonsville, by way of Cohoes, to Waterford. From Schenectady, by Princetown and Duanesburg, to Schoharie. From Poughkeepsie, by Pleasant Valley, Dover, Bullsbridge, and Kent Post Office, to Washington, in Connecticut. From Ithaca, through Green, Oxford, Guilford, Mount Upton, Gilbertsville, Otsewa, Oneonta, Davenport Centre, Davenport, West Harpersfield, Harpersfield, and Stamford, to Catskill; and that the post route from Oxford to Gilbertsville, and from Oneonta to Gilbertsville, and from Harpersfield to Oneonta, be, and the same are hereby, discontinued. From Rochester, along the Erie canal, to Brockport and Lockport, in the county of Niagara. From Union village, by the villages of Battenkill, and Shaws mills, to the village of Salem, in the county of Washington; and that the post road from Battenkill to Jackson be discontinued. From Waterborough, in the county of Chautauque, by Connewango, to Persia, in the county of Cattaraugus. From Westfield, in the county of Chautauque, to Columbus, in the county of Warren, in the State of Pennsylvania. From Sand Bank to Mannsville. From Clintonville to Rhinebeck. From Russia to Moorehouse village.

In New Jersey.

In New Jersey.—From Belvidere, in Warren county, to Port Colden. From Pompton, by Wenockey, Boardsville, Long Pond, and The Green Woods, to the post office, at Warwick, in New York. From Jersey city, in Bergen county, to Belleville. From Princeton, by Hightstown, to Freehold. From Hightstown, by Ewingville, Clarksburg, Hornerstown, Cassville, Charlestown, and Smithfield, to Freehold. From Philadelphia, by Camden, Burlington, Hightstown, and South Amboy, to the city of New York. From Dover, by Suckasunny and Flanders, to Hackettstown. From Hamburg, by Franklin furnace and Sparta, to Newton. From Kingston to Somerville, by way of Rocky Hill, Griggstown, Millstone, and Weston. From New Egypt, by Cookstown, Jacobstown, Recklesstown, Crosswicks, to Bordentown.

In Pennsylvania.

In Pennsylvania.—From Reamstown, in Lancaster county, by the way of Sheonuk, Whitehall, and Springville, in said county, to Shaefferstown, in Lebanon county. From Columbus, Luzerne county, Pennsylvania, by the way of Fairmount, Colesville, in Columbia county, and Davidson, to Taneyville, in Lycoming county. From Chambersburg, Franklin county, Pennsylvania, by way of Mercersburg, to Hancock, Washington county, Maryland. From Karthaus, Clearfield county, to the town of Clearfield, in said county; the route to go on the north side of the west branch of the Susquehanna river. From Hart's cross roads, in Crawford county, Pennsylvania, to Andover, in the State of Ohio. From Oil creek, Crawford county, by the way of Spring creek, in Warren county, to Sugar grove, in the same county. From the Spring house, Montgomery county, by the way of David Acuff's Gwynedd, Heisler's tavern, Franconia, Gerhart's tavern, Trumbaursville, in Bucks county, Everhart's, Jacob Hertzel's, to Coopersburg, in Lehigh county. From Abington centre, in Luzerne county, by the way of Factoryville, Nicholson, to Brooklyn, Susquehanna county. From Wyalusing centre, Bradford county, to Orwell, in the same county. From Erie, Erie county, by the way of McKean, Washington, and Venango, to Rockdale, in Crawford county. From Coatesville, in Chester county, by way of Doe run, Chatham, West Grove, Rosscommon, and Boyd's store, to Strickersville. From Florence, in Washington county, by Mill Creek meeting house, East Liverpool, Faulkstown, Clarkson, East Fairfield, and Lima, in Columbiana county, to Poland, in Trumbull county, Ohio. From Cross Creek village, Washington county, to West Liberty, in

Ohio county, Virginia. From West Alexander, Washington county, to West Liberty, in Ohio county, Virginia. From West Alexandria, Washington county, to Waynesburg, in Green county. From Zelienople, Butler county, by Evansburg, Glade Mills, to Freeport. From Beaver, in Beaver county, to Frankfort. From Skinner's Eddy post office, in Luzerne county, by Springhill, and Jones's mills, to intersect the post route from Wyalusing to Rushville, at Stevensville. From Wind gap, in Northampton county, by Fleeksville and Richmond, to Belvidere, in New Jersey. From Ligonier, Westmoreland county, to Johnstown, in Cambria county. From Mahonoy post office, in Northumberland county, by the State road, to Minersville, in Schuylkill county. From Taneyville, in Lycoming county, by Heddleston's to Columbus, in Luzerne county. From Butler, in Butler county, by Whitestown, Zelienople. From Juniata Crossings, in Bedford county, by Brush valley, Whips cove, Warfordsburg, to Hancock, in Maryland. From Wilkesbarre, in Luzerne county, by White Haven, Lowrytown, to Lausanne. From Reading, in Berks county, by Yocums forge, and Bowman's store, to Blue Ball, in Lancaster county. From Smethport, McKean county, by the forks of Tunuangwat creek, to Great valley, in Cattaraugus county, New York. From Butler, in Butler county, to Franklin, in Venango county, by the graded or turnpike road. From Carbondale, in Luzerne county, by the way of Greenville, Wallsville, Abington, and Nicholson, to Tunkhannock. From Kutztown, Berks county, by the way of New Jerusalem, Lobacksville, Klauser's, Shoenersville, Boyertown, New Hanover, to The Trappe, in Montgomery county. From Minersville, in Schuylkill county, by the way of Waynesburg, Klingerstown, to Gratztown, in Dauphin county. From Easton, Northampton county, by the way of William Kesslor's, Wootings' mills, Roxbury, to Williamsburg. From Norristown, Montgomery county, by the way of Shannonville and Lumberville, to Phœnixville, in Chester county. From Stoddardsville to Clifton, in Luzerne county. From Honesdale, Wayne county, down the Lackawaxen creek, and along the line of the Delaware and Hudson canal, to the Narrows; thence along the same creek and canal, up the Delaware river, through Big Eddy settlement to Damascus post office; thence through Berlin township to Honesdale. From Venango furnace to Wesley, Venango county. From Damascus to Stockport, via the mouth of the Little Equinunk creek and the English settlement, in Manchester township, and the mouth of the Great Equinunk creek, in Buckingham township, Wayne county. From Liverpool to Mifflintown. From Montrose, through the townships of Lawsville and Franklin, to Binghampton, New York. From Danville to Cattawissa. From York, by Quigley's church, and Strinestown, to Newberrytown.

In Delaware.—From Milford, in Delaware, to Easton, in Maryland. In Delaware.

In Maryland.—From Davidsonville, via Higgin's store, to Patuxent forge, and thence to Elkridge landing. From Boonsborough, via Rohrersville, Brownsville, Burketsville and Petersville, to Barry. From Port Deposite to North East. From Churchill to Dover, in the State of Delaware. From Cambridge, by Church creek and Tobacco-stick, to Robinson and Griffith's store. From Belle Air, by Hartford Furnace and Abington, to Michaelville. In Maryland.

In Virginia.—From Poplar Hill, Giles county, to Sharon, Wythe county. From Waynesboro to Greenville. From Fishing creek, in Tyler county, Pine Grove, and Mount Linnæus, to Polsley's mills, in the county of Monongalia. From Weston, in the county of Lewis, to Charlestown, in the county of Kenawha. From Louisa court-house to Yanceysville. From Prillemon's post office, in the county of Franklin, via Rake's store, and Canada's, in said county, to Floyd court-house. From Marion to Greenville, Grayson court-house. From Charlottesville, via In Virginia.

Scottsville, to Buckingham court-house. From Belfield, in the county of Greensville, to Newsom's depot, in the county of Southampton. From Polsley's mills, in the county of Monongalia, via Armett's store, to Blacksville. From Staunton, via Buffalo gap, and Joseph Bell's, to Milborough. From the town of Weldon, North Carolina, via Syke's Old Store, Randal's Ordinary, Powellton, James' Square, Gholsonville, Oakgrove, Nicholson's, Wartman's, Charles Ogburn's, Shackleford's, Christiansville, Dupree's Store, Charlotte court-house, Armistead and Fuqua's store, and Brookneal, to Green Hill, Campbell county, Virginia. From Wythe court-house, via James H. Piper's, to Blue Springs, Smythe county. From Bickley's mills, Russel county, via Osborn ford, to Pendleton, Scott county. From Broadford, Smythe county, via Cook's store, to Sharon, Wythe county. From Laurel post office, Washington county, to Captain Levi Bishop's, in the county of Smythe. From Princess Ann, Maryland, via Newtown, Maryland, and Bloxom's tavern, Virginia, Riley's store, Jenkin's bridge, Guilford, and Bagwell's mills, to Drummondtown, in the county of Accomack, Virginia. From Horntown to Bloxom's tavern, Accomack county, Virginia. From Greenville, Virginia, to Jefferson, North Carolina. From Winchester to Staunton, by way of Lane's old works, Huddle's school-house, Columbia furnace, Moore's store, Pennybacker's furnace, Turley's town, and Miller's furnace, and thence to Staunton. From Kingwood to Evansville. From Orange court-house to Stanardville. From Culpeper court-house, via Plain's mills, to Timberville. From Leadsville to Western Fords, in the county of Randolph, in Virginia. From Danville, by Franklin court-house, to Salem. From Jerusalem to Urquhart's store, in Southampton county. From Surry court-house to Wall's bridge, in Surry county. From Richmond, by Bellona arsenal, Sublett's and Jefferson, to Catersville. From Lynchburg, by Pedlar's mills, to Buffalo Spring. From Tye-river warehouse, to Lynchburg. From Littletown to Urquhart's store. From West Alexandria, Pennsylvania, to Grave Creek.

In North Carolina.

In North Carolina.—From Franklin, North Carolina, to Jamesville, Grady's store, and Huntington, to Blairsville, Georgia. From Wadesboro', by White's store, Jesse Llewellen's, Hasty's store, Alexander N. Bell's, the Anson Gold mines, and thence by Burns's store and Diamond Hill. From Limestone post office, in Buncomb county, by Edneysville and E. S. Porter's, to Earlsville, Spartansburg district, South Carolina. From Carthage, in Moore county, thence to Eli Phillips's, and Farish and McNeill's store, to Tyson's store. From Morgantown, in Burke county, up John's river, to John Mosts, on Watauga, in Ashe county. From Fallsville, in Lincoln county, to William Oats', Buffaloe post office, Joshua Beam's, Rushy creek, Hamilton's store, and Webb's ford, to Rutherford, Rutherford county. From Bethania, Stokes county, by Vienna and Shores' ferry, to Doweltown, Surry county. From Greensboro', by Thompson's store and David Thomas's, to Mooresville, in Orange county. From Milton, by Sergeantsville, and Blackwell's Store, to Rawlingsburg, in Rockingham county. From Yadkin post office, Stokes county, by William Wolf's, Reeve's and Johnson Clement's, to Rockford, Surry county. From Taylor's bridge, in Sampson county, by The Piney Woods, and the house of Lewis High Smith, to Long Creek bridge, in New Hanover county. From Beatiesford to Sherrillsford post office, and Hokesville, to Fisher's post office; returning, to pass Eavesville, the neighborhood of Thomas L. May's, to the Dry Ponds. For Salisbury, by Mount Pleasant, in Cabarras county, to Cobourn's store, in Mecklenburg county. From Washington to Durham creek. From Newbern to James Riggs', on Bay river, in Craven county. From Beaufort to Portsmouth, and thence to Ocracock. From Kingston, by Hookertown, to Snow Hill. From Mockville to Hunts-

ville. From Franklin, in Macon county, down Valley river, to Huntingdon, thence to Clarksville, Habersham county, Georgia. From New Castle, by Trap Hill, in Wilkes county, to Grayson court house, Virginia. From Greenville, in Pitt county, by Johnson's mills, Scuffletown, in Green county, to Kinston in Lenoir county. From Elizabethtown, by Lennon's Cross Roads, to Fair Bluff, thence by Whiteville and the Prong, at Wooten's back, to Elizabethtown. From Winton, by Gates court-house and Sunbury, to Edenton. From Tomlinson's store to Ashe court-house. From Louisburg, by Lenay's cross roads, Wilton, Melbame's store, Wellborn's meeting-house, Red Mountain, and Turner's Mills, to Hillsboro'. From Germantown to Little Yadkin.

In South Carolina.

In South Carolina.—From Hamburg, via Red hill, to Liberty hill. From Corbettsville to Blacksville, in Orangeburg district. From Greenville court-house, by Liggon's mills, to Mush creek. From Abbeville court-house, by Faggart's store, and Covington's mills, to Maffattsville, in Anderson district. From Greenville court-house, South Carolina, via Sutton's bridge, on Saluda river, Cedar rock, Wolf creek, Pickens court-house, Falls post office, West Union, Earlsford, on Chatuga river, and Warwoman's creek, to Clayton, in the county of Rabun, State of Georgia. From Camden, via Longtown, Winsborough, Bell, Halls, Ashford's ferry, and Baskett's, to Newberry court-house. From Union court-house to Newberry court-house, Young's ferry to Aikin. From Barnwell court-house to Rosney. From Pocotaligo, via Hickory Hill, to the Cross roads, in Prince William's parish. From Draytonville, by Limestone springs, Smith Lipscomb's, Rowland's store, and the Rolling mills, to Spartanburg court-house. From Fishdam post office, on Broad river, to Pinckneyville, in Union district. From Greenville court-house, by Sherman's store, Bouby's store, Line creek, Neeley's ferry, Cambridge, Meeting street, to Edgefield court-house. From Greenville, South Carolina, by Clarksville, Georgia, to Dahlonega.

In Georgia.

In Georgia.—From Franklinville, Lowndes county, Georgia, via Warner's Ferry, to Townsend post office, in Madison county, Territory of Florida. From Carrollton, via Villarica post office, in Carroll county, Georgia, to Paulding court-house, Cassville, in Cass county, and Adairville, in Cass county. From Rome, in Floyd county, Georgia, via Vann's valley, Morgan's cross roads, Jacksonville, in Benton county, Alabama, Alexandria post office, Conner's, Kelly's Spring, Talladega, Mardisville, in Talladega county, Syllacogy post office, Rockford, in Coosa county, to Wetumpka, in Montgomery county, Alabama. From Centreville, Wilkes county, via Wright's store, on the Skull shoal road, Bowling Green, John M. Coxe's store, and Poulain's bridge, to Salem, in Clark county. From Flat shoals, in Pike county, via Perdue's store, Rocky Mount, Carter's store, all in Merriwether county, and Corinth, in Heard county, to Franklin, in Heard county. From Newnan, Coweta county, via Sellman's store, and Turrentine's ferry, on Flint river, to Zebulon, in Pike county. From Auraria, in Lumpkin county, via Coal Mountain post office, Cumming, in Forsyth county, Social Hill, post office, in Cherokee county, Lebanon post office, and Marietta, in Cobb county, Big Spring, and Sweetwater town, in Cobb county, to Campbellton, in Campbell county. From Cassville, via Pine Log post office, and Benton post office, in Cass county, to Ellejay, Gilmer county. From Marietta, via Altoony gold mines, Cassville, Adairsville, Cass county, New Echota, to Springplace, Murray county. From Lumpkin, in Stewart county, to Starkville, in Lee county. From Talbotton, via Boston post office, Uchee village post office, in Marion county, and Pondtown post office, to Americus, in Sumpter county. From Talbotton, via Belleview post office, Buchanan's store, Warm springs, and Greenville, in Merriwether county, to Newnan, in Coweta county. From Elberton, by Montevideo, in Elbert county, Georgia, to Anderson

court-house, in South Carolina. From Paulding court-house, via Rome, in Floyd county, Treadway's Island ford, at Story's farm, to Walker court-house. From Clayton, in Rabun county, via Blairsville, in Union county, Ellejay, in Gilmer county, and Spring place, in Murray county, to Walker court-house, in Walker county. From Dahlonega, in Lumpkin county, via Hightower post office, and Canton, in Cherokee county, to Cassville, in Cass county. From Dahlonega, in Lumpkin county, to Blairsville, in Union county. From Canton, in Cherokee county, via Woodstock post office, Marietta, in Cobb county, and Paulding court-house, Paulding county, to Cedar town, in Paulding county. From Hawkinsville, in Pulaski county, to House creek, in Irwin county; the mail to be carried down on the western side of the Ockmulgee river. From Lagrange, Troup county, via Liberty Hill post office, Franklin, in Heard county, and Laurel hill, to Carrollton, in Carroll county. From Franklin, Heard county, Georgia, to Randolph court-house, in Alabama. From Jacksonville, Telfair county, via Holmesville, in Appling county, and Wearesboro', in Weare county, to Franklinville, in Lowndes county. From McDonough, Henry county, via Tucker's cabin, to Decatur, De Kalb county. From Holloca, in Muscogee county, via Pineville and Jenkins's mill, to Americus, Sumpter county. From Drayton, in Dooley county, via Danville, Americus, in Sumpter county, and Lannahassee, in Stewart county, to Columbus, in Muscogee. From Dahlonega, in Lumpkin county, to Ellejay, in Gilmer county. From Wrightsboro', via Raytown, Crawfordsville, Temperance, at Green and Baldwin's store, to Greenboro'. From Decatur, in De Kalb county, via Stone Mountain, Rockbridge, to Monroe, in Walton county. From Fort Gaines, in Early county, to Spring creek post office. From Archibald Hunter's ferry, on Highwassee, North Carolina, to Blairsville, in Union county, Georgia. From Milledgeville, by Monticello, Indian Springs, Greenville, La Grange, Wetumpka, to Tuscaloosa, Alabama. From Decatur, by Key's, Martin's ferry, on the Chattahooche, to Lebanon, in Cobb county. From Columbus, by Lumpkin, Cuthbert, Fort Gaines, and Blakely, to Bainbridge. From Rome, by Livingston, Pleasant Green, or Gamble's seminary, near the line of Walker and Floyd counties, to Islandtown, on Chatooga river.

In Kentucky.

In Kentucky.—From Gainesboro, Tennessee, via Thomas Butler's Salina, mouth of Obed river, Kettle creek, Hanover, near Cary's ferry, to Burkesville, in Kentucky, thence via Creelsborough to Jamestown, in Russel county. From Jamestown, Tennessee, via Abraham Vanwinkle's, to Monticello, in Wayne county, Kentucky. From Louisa, in Lawrence county, to West Liberty, in Morgan county. From Richmond, in Madison county, to London, in Laurel county. From Perry court-house, via the mouth of Leatherwood creek, Hezekiah Bransan's, in Harlam county, and Neal's post office, at Stone gap, to Scott court-house, in Virginia. From Richmond, in Madison county, via Slaughter's salt works, Mount Vernon, Somersett, Faris's stone coal mines, and mouth of Laurel, to Charles Rockholt's, in Whitley county. From Neville, in the State of Ohio, to Falmouth, in Pendleton county, Kentucky. From Bowling Green to Scottsville, via Allen springs. From Stanford, in Lincoln county, via Colonel Jesse Coffee's, and Liberty, in Casey county, to Jamestown, in Russel county. From Covington, in Campbell county, via Taylor's mill, on Banklick Creek, and up the Licking road, to intersect the mail route from Washington, in Mason county, via Falmouth, in Pendleton county, to Gaines's cross roads, on the Dry ridge, in Boon county, at Richard Mullin's on Grassy creek, in said county of Pendleton. From Gallatin, in Tennessee, via Dunn's cross roads, in Smith county, Tennessee, down the Long fork of Barren river, by John B. Lowrey's store, to Tomkinsville, in Kentucky. From Cloverport, in Brackenridge county, via John Haynes's, Taylor's mills, Hartford and

William Browns', in Ohio county, to Worthington, in Muhlenberg county. From Hawesville, in Hancock county, to Nottsville, in Davis county. From the mouth of Sandy, in Henry county, Tennessee, via Concord and Belgrade, to Wadesborough, in Calloway county, Kentucky. From Mount Sterling, via the mouth of Aaron's run, and North Middletown, to Paris. From Cloverport, by the Great falls of Rough creek, to Brownsville. From Tomkinsville, via John Meadow's, on the East fork of Barren river, John Meadow's, on Salt lick of Barren river, Bratton's post office, and Dabney Cooper's, on White oak of Barren river, to Gallatin, in Tennessee. From the town of Bedford, in Oldham county, to the town of Port William, in Gallatin county. From the town of New Castle, in Henry county, to Port Royal, in the same county. From Hartford to V. W. Peyton's, in the county of Ohio. From Hawesville to Viles's, in the county of Hancock.

In Tennessee.—From Randolph, by Portersville and Concordia, to Bellmont, in Fayette county. From Somerville to Egypt, in Fayette county, and from Mount Pleasant, Murray county, by Rock House creek, J. C. Gullick's, Perrysville, Lexington, and Independence, to Jackson. From Knoxville, via Reed's mill, on Beaver creek, Low's ferry, on Clinch river, Scarborough's mills, Watson's ferry, and from thence to Kingston. From Philadelphia, Monroe county, by Pryse's ferry, on Tennessee river, to Washington, Rhea county. From Leesburg, in Washington county, via Newmansville, in Green county, to Rogersville, in Hawkins county. From Williamsport, by True's store and Snow creek, in Maury county, to Franklin, in Williamson county. From Samuel Wilson's, on Jack's creek, Henderson county, to Burns's store. From McMinville, Warren county, to Liberty, Smith county. From Columbus, in Hickman county, Kentucky, by Dyersburg, Lauderdale court-house, and Covington, to La Grange, Tennessee. From Jackson, by Mount Pinson, to Purdy, McNairy county. From Durhamville, Lauderdale county, to Ashport, on the Mississippi river. From Ten-mile stand, in Rhea county, by George Gordon's iron works, from thence through Grassy cove to George Dawson's, on Cumberland mountain. From Pikeville, Bledsoe county, by Blythe's ferry, on Tennessee river, to David McNaire's, on Conasauga. From McMinville, by James Gardiner's, esqr., to Dallas, Hamilton county. From Athens, in McMinn county, by way of Haynes's store, to Mount Vernon, in Monroe county. From Van Buren to Moore's cross roads, in Hardeman county. From Humphrey's court-house, in Humphrey's county, and by Point Mason, to Paris, Henry county. From Brownsville, by Wesley, to Covington. From Perrysville, in Perry county, by Morgan's creek, to Benton county court-house, and to Paris. From Huntingdon, in Carroll county, by Lexington and Jack's creek, to Purdy, in McNairy county. From Bolivar, by Nubbin ridge, Simpson's bridge, on Hatchie river, Cypress, Chamberlain, and Wolf's ferry, on the Tennessee river, to the Brick house, or Cherryville, in Hardin county. From Rogerville, in Hawkins county, by Morgan's mill, to James's store, in Greene county. From Jackson, by Oakland, and Chalk bank and Shiloe, Tennessee, by Trenton, Yorkville and Troy, to Mills point, Kentucky. From Waynesboro', by David Gallaher's, and Pinhook, in Wayne county, to the Brick house, in Hardin county, on the stage road from Savannah, Tennessee, to Florence, Alabama. From La Grange, Tennessee, via Spring Hill, to Walnut grove, Mississippi. From Murfreesboro', by Salem cross roads, to Wilkinson's cross roads, in Rutherford county. From Florence, Alabama, to Waynesboro', Tennessee, via John Spain's, Alabama, and Sessum's store, Tennessee. From Eastanaula to Wesley. From Monroe, via Locust Shades, in Overton county, by Salina, Jackson county, by Garret Moore's to Tomkinsville, Kentucky. From Elkton, Tennessee, to Decatur, Alabama, and from

In Tennessee.

Franklin, Tennessee, to Charlotte, by Turnbull. From Dover, by Tobaccoport, to Cadiz, in Kentucky. From Purdy, Tennessee, by Colonel John Reeves's, in the Chickasaw cession, to Pontitoc, in the State of Mississippi. From Marysville, in Blount county, by Mount Vail springs, to Chilhowee post office, on the Tennessee river, Monroe county. From Bean's station, Morestown, Colonel McFarland's, mouth of Nolachucky, to Newport. From Campbell's station, Low's ferry, on the Holston river, to Louisville, in Blount county. From Pulaski, by Rogersville, to Courtland, Alabama. From Reedyville, by David Patton's, in Rutherford county, to Beech grove, in Bedford county. From Waynesboro' to Savannah. From Long Savannah, Hamilton county, to Walker court-house, Georgia. From Brownsville, Haywood county, by Cherryville, Lanefield, and Chestnut bluffs, to Dyersburg, in Dyer county. From Nashville, by Ellison's mills, on South Harpeth, to Centreville. From Fayetteville to Robertson's store. From Clarksville, Tennessee, to Cadiz, Kentucky. From seat of justice in Humphreys county to the seat of justice in Benton county. From Clinton, by Oliver's, to Morgan court-house.

In Ohio.

In Ohio.—From Perrysburg, in Wood county, through Risdon, and Rome, in Seneca county, and McCutchinville, to Bucyrus, in Crawford county. From Bucyrus, in Crawford county, to Tiffin, in Seneca county. From Finley, in Hancock county, to Lima, in Allen county. From Jeromeville, in Wayne county, by Olivesburg, and Rome, to Runner's, in Richland county. From Plymouth, by Gamble's mills, Martin's mills, and Lexington, in Richland county, to Frederick, in Knox county. From Mount Gilead, in Marion county, by Galeon, and Leesville, to De Kalb, in Richland county. From Cincinnati, by Cummingsville, Vernon, and Bevis in Hamilton county, by Ross, and Millville, to Stilwell, in Butler county. From Finley, in Hancock county, by Mount Blanchard, to Burlington, in Marion county. From Tiffin, in Seneca county, by York Centre, to North Ridge, in Sandusky county. From Finley, in Hancock county, by Big spring, in Seneca county, McCutchinville, and Mexico, in Crawford county, to Mellmore, in Seneca county. From Lower Sandusky, by Rome, in the county of Seneca, and Risdon, to Finley, in the county of Hancock. From Bellefontaine, in Logan county, to Roundheads-town, in Hardin county, thence to Lima, in Allen county, thence to Kalida, in Putnam county, and to Sugar Grove. From Dayton, in Montgomery county, by Germantown, and Jacksonborough, to Oxford, in Butler county. From Jefferson to Mechanicsburg. From Urbana to Sidney. From Sidney, by Waupakonetta, to Lima. From Toledo, in Lucas county, to Dundee. From Parkman, in Geauga county, to Auburn. From Lancaster, in Fairfield county, by Bremen, and Bristol, to McConnellsville, in the county of Morgan. From Cadiz, in Harrison county, by Deersville, Shane's mills, to Port Washington, in Tuscarawas county. From Cambridge, in Guernsey county, to Plainfield, Coshocton county. From Saint Clairsville, in Belmont county, by Uniontown, and Moorefield, to Freeport. From Rush to Port Washington, in Tuscarawas county. From New Washington, by New Birmingham, to Port Washington, in Tuscarawas county. From Millersburg, in Holmes county, by Shanesville, to Tuscarawas, in Tuscarawas county. From Jackson court-house, Ohio, by way of Simms's creek and Clark's mills, to Guyandotte, Virginia. From Carrollton, in Carroll county, by Pekin, and Paris, in Stark county, to Randolph, in Portage county. From Finley to Kalida, in Putnam county. From Salem, by Lexington, New Baltimore, Midmay, Green, Manchester, Doylestown, Milton, Jackson, and Canaan, to Waynesburg, in Wayne county. From Fredericktown, in Knox county, to Bucyrus, in Crawford county. From New Hagerstown, by Kilgore, and Shober's mills, in Carroll county, to McCullough's, in Jefferson county. From

Paris, in Stark county, by Brown's post office, and New Harrisburg, to Leesville, in Tuscarawas county. From Waynesburg, in Wayne county, by Perrysburg, and Vermillion, to Paris, in Richland county. From Carrollton, in Carroll county, by Leavitt and New Cumberland, to New Philadelphia, in Tuscarawas county. From New Lancaster, by Baltimore, Grandville, and Homer, to Mount Vernon. From Pickerington, in the county of Fairfield, by Waterloo, Winchester, Middletown, and Kennedy's store, to Circleville, in Pickaway county, Ohio. From New Richmond, via Knoxville, to the mouth of Big Yellow creek. From Canal Dover, to Zoir. From Delaware, in Delaware county, via Rador, Big island, in Marion county, to Upper Sandusky. From Delaware, by Maysville, and Milford, in Union county, to Urbana, in Champaign county. From Sunbury, in Delaware county, by Woodbury and Mount Gilead, in Marion county, to Leesville, in Richland county. From Reynoldsburgh, in Franklin county, by Hedley's mills, Plain four corners, Harlem, and Geneo, to Galena post office, in Delaware county. From Dublin, in Franklin county, up the west side of the Scioto, by Bell Point, to Middletown, in Delaware county, thence to Big island, in Marion county. From Wilkesville, in Gallia county, by Salem, Salisbury, and Lebanon, in Meigs county, crossing the Ohio river near the mouth of Oldtown creek, to Ripley, in Jackson county, Virginia. From Bedford, in the county of Cuyahoga, by Northfield, Brandywine, Boston, Northampton, and Portage, to Akron, in the county of Portage. From Edwardsville, in Warren county, to Cuba, in Clinton county. From Fairview to Smyrna. From Freeport to Shotwell's mills, Shane's mills, Newport, and Waterford, to Eastport. From Minerva, in Stark county, by Franklin, Williamsport, Lexington, Mahoning post office, and Lima, to Atwater, in Portage county. From Chesterville, in Knox county, to Johnstown, in Licking county. From Decatur, in Ohio, to Maysville, in Kentucky. From Plato, in Lorraine county, to Wilhelm. From Bucyrus to Little Sandusky. From New Lisbon, in Columbiana county, to Hanoverton. From Wilmington, in Clinton county, via Cuba, Martinsville, and Lynchburg, to Hillsboro'. From Cedarville, in Brown county, to Cuba, in Clinton county. From Granger, in Medina county, by Sharon, to Wadsworth. From Baker's mills to Millbrook, in Wayne county, to Nashville, in Holmes county. From Saint Clairsville to Port Washington. From Grafton, in Lorraine county, to Lodi, in Medina county. From Athens to McConnellsville. From Edwardsville, in Warren county, to Cedarville, in Brown county. From Wooster to Perrysville, in Richland county. From Defiance, in Williams county, by Evansport, to Lafayette. From Grassy point, by Charleston, to Springfield. From Akron, by Ravenna, in Portage county, to Warren, in the county of Trumbull, by Newton falls. From Winchester to West Union, in Adams county. From Canton, Stark county, by Sandy and North Georgetown, to Salem, in Columbiana county. From Petersburg, by Lima, Greenford, and New Albany, to Salem, in Columbiana county. From New Garden, by Bennett's cross-roads, to Damascus, and from Damascus to Salem. From Wellsville, by Cope's mills and Croxton, to Scroggsfield. From New Hagerstown and West Chester, in Carroll county, to Cambridge, in Guernsey county. From New Lisbon, Columbiana county, by Clarkson and West Salem, to Beavertown, in Pennsylvania. From Russellville, in Brown county, to New Market, in Highland county. From New Lexington to Millfield. From New Richmond, by Coombe's store, Batavia, and Owenville, to Wilmington. From Kenton to Bucyrus. From Hebron, on the national road, to Lockbourne, in Franklin county. From Greenville, Ohio, by Huntington, to Goshen, Indiana.

In Louisiana.—From Grand Gulf, in the State of Mississippi, via Lake Saint Joseph, New Carthage, Roundaway, Walnut, and Bushy **In Louisiana.**

Bayou, to Milligan's bend, in the parish of Carroll. From Drew's landing, in the parish of Claiborne, to the Long Prairie, in the Territory of Arkansas. From Opelousas, via Washington, Holmesville, Prairie Rouge, Bayou Rouge, and Deglaise, and Point Coupee, to St. Francisville. From Lake Providence, in the parish of Carroll, via Monroe, Russellville, and Drew's landing, to the mouth of Loggy Bayou, on Red river. From Calcasieu, in Opelousas county, to Ballew's ferry, on Sabine river. From Harrisburg, in the parish of Catahoola, by Deer creek, and the Bayou Macon, to Lake Providence, in the parish of Carroll. From Port Hudson, by Jackson, Clinton, and Greensburg, to intersect the Holmesville and New Orleans route at or near Colonel Edwards's. From William Faulkner's plantation to Donaldsonville. From Baton Rouge to Clinton. From Campti, by the Loggy Bayou, up Red river, to Coate's bluff, thence to the settlements on the Grand Cane, in the parish of Natchitoches.

In Indiana.

In Indiana.—From Strawtown, in Hamilton county, to Kirk's cross roads, in Clinton county. From Martinsville, in Morgan county, via Lyon's mills, Mooresville, Danville, Alexander's tavern, and Lebanon, to Frankfort, in Clinton county. From Shelbyville, in Shelby county, via Manwarring's, on Sugar creek, Greenwood, Farwest, and Mooresville, to Monrovia, Morgan county. From Noblesville, via Westfield, in Hamilton county, Northfield, Lebanon, Jamestown, and Russelville, to Montezuma, in Park county. From Indianapolis to Mooresville. From Rising Sun, in Dearborn county, via Hartford, Guionville, Dillsborough, and Hart's mill, to Versailles, in Ripley county. From Napoleon, in Ripley county, via Harden's store, Wilmington, and Aurora, to Burlington, in Boone county, Kentucky. From Lawrenceburg, in Dearborn county, via Hubbles and McKenzie's cross roads, to Brookville, in Franklin county. From Harrison, in Dearborn county, via Edinburg, to Scipio, in Franklin county. From Napoleon, in Ripley county, via Versailles, Cross plains, Vevay, and Ghent, to Georgetown, in Scott county, Kentucky. From Brookville, in Franklin county, via Sunman's, to Versailles, in Ripley county. From Knightstown, via Greensborough, to Pendleton. From Fort Wayne, via McCormick's, Noblesville, and Allisonville, to Indianapolis. From Toledo, via Whitemansville, Lima, Bristol, Carrollton, Elkhart, Mishawaka, South Bend, Terre Coupee, Kankakee, Laporte, and Morgans prairie, Indiana, to Juliet, in Illinois. From Whitepigeon, in Michigan, via Bristol, to Elkhart, in Indiana. From the town of Elkhart, Indiana, via Adamsville, Cassapolis, Whitemansville, and Little Praipree, to Bronson, in Michigan. From Newtown, in Fountain County, via Rob Roy, Attica, Williamsport, Rainesville, and Parish's Grove, to Iroquois, in Illinois. From Indianapolis, via Danville, Bainbridge, Rockville, Montezuma, and Newport, to Danville, in Illinois. From Danville, in Hendricks county, via New Maysville, Bainbridge, Poplar spring, Blakesburg, and Russelville, to Rockville, in Park county. From Rockville, in Park county, via the narrows of Sugar creek and Jacksonville, to Hillsborough, in Fountain county. From Charlestown, Clark county, via Vienna, to the Slate ford, on the Muskatatack, to Rockford, Jackson county. From Brownstown, Jackson county, via Sage's ferry, on the Muskatatack, to Charlestown, in Clark county. From Peru, in Miami county, to Fulton court-house, in Fulton county. From Evansville, in Vandeburg county, via Diamond island, to Mount Vernon, in Posey county. From New Harmony, in Posey county, via Jesse Nashe's and Blairs Mills, on Big Creek, to Evansville, in Vandeburg county. From New Albany, in Floyd county, via Georgetown, Salisbury, Milltown, Mount Prospect, Jasper, Petersburg, Princeton, and Columbia, to Mount Carmel, in Illinois. From Laporte, in Indiana, via Salt creek, Adela, Vanness, on the Vincennes road, the head of Hickory creek, and down the same to

Juliet, in Illinois. From Bloomington, in Monroe county, via Bloomfield, Fairplay, and New Jerusalem, in Greene county, Merom, in Sullivan county, via Hudsonville, Newtown, Ewington, in Illinois, to Vandalia. From Brownstown, Jackson county, via Vernon, to Marion, in Ripley county. From Greencastle, in Putnam county, via Manhattan, Bowling Green, and Point Commerce, to Bloomfield, in Greene county. From Mount Pleasant, in Martin county, via Scotland and Clark's prairie, to Bloomfield, in Greene county. From Napoleon, in Ripley county, to Lewisville, in Henry county, via Clarksburg, in Decatur county, New Salem and Smelson's mills, in Rush county. From Indianapolis, via Frankfort, Delphi, Monticello, Jasper, Lake court-house, Porter and Laporte counties, to Michigan city. From Leavenworth, in Crawford county, to Mount Prospect, in said county. From Kirk's cross roads, via Frankfort, Delphi, Monticello, and Laporte, to Michigan city. From Prairie river post office, in Branch county, Michigan, to Lima post office, in La Grange county, Indiana. From Burlington to Delphi. From Charlestown, in Clark county, via Sturdevant's store, to Salem, in Washington county. From Indianapolis, via Germantown, in Marion county, Pendleton, and Huntsville, in Madison county, to Strawtown, in Hamilton county. From Strawtown to Peru, in the county of Miami. From Bloomington, in Monroe county, via Baile's bridge, to Salem, in Washington county. From Mount Tabor, in Monroe county, to Stilesville, in Hendricks county. From Thorntown, in Boone county, to Kirk's cross roads, in Clinton county. From Carlisle, via Busron mills, Rawley's mill, to Bowling Green, Clay county. From Indianapolis, along the Cumberland road, to Terre Haute. From Richmond, via Newport and Winchester, to Fort Wayne. From Connersville, via Harrisburg, Louisville, and New Castle, to Munceytown. From Oxford, Ohio, via Bath Springs, in Indiana, Fairfield, via West Union Columbia, and Orange post office, in Fayette county, to Rushville. From Knightstown, via Greenborough, to Pendleton. From Grant court-house to Lagro, in Wabash county. From Peru, and Sparta, to Lima, in La Grange county. From Kirk's cross roads, via Frankfort and Jefferson, to Lafayette. From Fredonia to Mount Prospect, in Crawford county. From Eaton, in Ohio, New Boston, Abington, and Philomith, to Centreville, in Indiana. From Princeton, Indiana, to Mount Carmel, Illinois. From Mooresville, by Bridgeport, Clermont, Piketon, and Westfield, to Strawtown. From Martinsville to Gosport. From Peru, by Wilkinson's settlement on Eel river, Rochester, Chippewa, Plymouth, and Oakland, to Laporte. From Greenville, Ohio, by Huntington, Indiana, Turkey Creek Prairie, to Goshen. From Strawtown to Logansport. From Fort Wayne, by Chippewa, to Ottawa. From Wabash, by Goshen, to Bristol. From White Pigeon, Michigan, to Pulaski, Indiana. From Burlington, Kentucky, by Rising Sun, Hartford, Dillsboro' and Hartville, to Versailles. From Lafayette, by Battle Ground, Pleasant Run, Barnes, and Georgetown, to Logansport. From Crawfordsville to Rob Roy. From Crawfordsville, by Darlington and Thornton, to Frankfort. From South Bend to Edwardsburg. From Michigan City, by Baileytown, Deep river, Robinson's Prairie, and the crossings of Kankakee, to Peoria, Illinois. From Strawstown, by Camden, to Delphi. From Marion, by Lagro, to Goshen. From Fort Wayne, in Indiana, by Turkey Creek Prairie, to Ottawa, in Illinois. From Logansport to Goshen. From Madison, by Marion and Moore's tavern, to Napoleon.

In Mississippi.—From Canton, via Warsaw, to Beattie's bluff. From Vicksburg, via Benton, Lexington, Blackhawk, Carrollton, Grenada, Coffeeville, Holly Spring, and Patawpha court-house, via La Grange, to Bolivar, Tennessee. From Madisonville, via Canton and Montgomery, Franklin, to Lexington, in Holmes county. From Memphis, In Mississippi.

via Holly Spring, Chulohomo, Mitchell's bluffs, Sardinia, Pharsalia, Fanning's store, Tillotoba, Tuscahama, Chocchuma, Point Veto, La Flore, Quiela, and Chulah, to Manchester. From La Grange, Tennessee, via Spring hill, Matthew's store, Foster's store, and Pontitoc, to Coffeeville. From Carrolton, via Shongola, Choctaw court-house, Starksville, and Mayheu, to Columbus. From Livingston, Alabama, via Suquancitchee valley, Lauderdale and Scott court-house, and Brandon, to Jackson. From Pickensville, Alabama, via Warlock and Macon, in Noxuba county, Mississippi, to Louisville, in Winston county. From Winchester, via Paulding, Garlandsville, Newton, and Neshoba court-house, Louisville. From Paulding, via Smith court-house, Westville, and Georgetown, to Gallatin. From Gallatin, via Holden's store, Hugh's store, and Malcolm, to Fayette. From Lexington, via Attala and Leake court-house, to Scott court-house. From Rodney, via Paine's store, Selsertown. From Columbus, via Macon, Waholock, De Kalb, Lauderdale, and Clark court-house, to Winchester. From De Kalb court-house, in Kemper county, Mississippi, via Yanuaky, Old town, Mozelusha, and Kellings, to Scott court-house, Mississippi. From Clinton, by Spring Branch, and Summerville, to Satartia. From Fort Gibson, by Darwin, Shelby, Lloydsville, and Casey's store, to Raymond. From Jackson, Mississippi, to Memphis, Tennessee. From the Robertson road, by Leake court-house, and Nashoba court-house, to De Kalb. From De Kalb, by Fearn's Spring, Louisville, and Choctaw court-house, to Chocchuma. From Augusta to the Bay of Biloxi. From Columbus to Westport. From Louisville, by Double Springs, to De Kalb. From Fairfield, Alabama, by Knowville, Waholock, Summerville, to Carthage. From Madisonville, by Attala court-house, through Choctaw and Oke-ti-be-ha counties, Plymouth, to Columbus.

In Illinois.

In Illinois.—From Pittsfield, in Pike county, by Greggsville and McKee's creek, to Rushville, in Schuyler county, and a post office on said route at Chamberburg, in Pike county. From Desmoines, in Clarke county, Missouri, to Warsaw, in Hancock county, Illinois, thence via Carthage and Smith's store, to Monmouth, in Warren county. From Hennepin, in Putnam county, passing through Boyd's Grove, Spoon river and Knoxville, to Venus, in Hancock county. From Carrollton, in Greene county, to intersect the mail route leading from Springfield, in Sangamon county, to Vandalia, at Hillsboro', in Montgomery county, by the way of Fayette, in Greene county, to Carlinville, in Macoupin county. From Springfield, in Sangamon county, to the Buffalo Hart Grove; thence to Georgetown; thence to Waynesville, Bloomington and Lexington, in McLean county, Dresden, and Mount Juliet, to Chicago, in Cook county. From Laporte, in Indiana, via Hickory creek, Juliet, mouth of the Dupaige, Ausable, Nettle creek, and Grand Rapids of Illinois river, to Ottowa. From Beardstown, in Morgan county, to Petersburg, in Sangamon county. From Quincy, in Adams county, via Fairfield, to Carthage, Franklin, and Monmouth, in Warren county. From Mount Carmel, in Illinois, via Albion, Leach's mills, Fairfield, and Malding's mills, to Mount Vernon. From Montezuma, in Indiana, west, to Bloomfield, in Edgar county, Illinois. From Macomb, in McDonough county, via Saint Augustine, to Knoxville. From Crawfordville, Indiana, via Newtown, Rob Roy, Williamsport, Warren post office, and Parish Grove, to Iroquois, in Illinois. From Alton, via Staunton, to Hillsboro. From Paducha, in McCracken county, Kentucky, via Wilcox's ferry to Frankfort, in Illinois. From Peoria, in Peoria county, to Knoxville, in Knox county. From Ottowa, Lasalle county, to Dixon's ferry, on Rock river. From Hennepin, in Putnam county, via Princeton and Windsor, to Rock island, on the Mississippi. From Terre Haute, in Indiana, to Paris, in Illinois, Decatur, Clear creek, Springfield, and Sylvan Grove, to Beardstown. From Michigan

city, Indiana, to Juliet, in Cook county, Illinois, thence to Dixon's ferry, on Rock river, and thence to Savannah, on the Mississippi river. From New Boston, in Mercer county, via the Pine bluffs, in township sixteen north, of range five west, to Rock island. From Canton, in Fulton county, via Farmington, to Peoria, in Peoria county. From Chicago, via Meacham's Grove, Elgin, on the Fox river, Squaw prairie, on the Kishwaka, and Midway, on Rock river, to Galena. From Chicago, northwestwardly, to cross the Duplain river, at Talcott's, via Elk Grove, to Fox river, at George McClure's. From Ottowa, in Lasalle county, up Fox river, until it intersects the State road from Chicago to Galena, at or near Pawpaw. From Lower Alton, via the head of Piasa creek, at Simmon's towns of Delaware, Greenfield, Athens, Brown's point, to Jacksonville. From Charleston, in Coles county, to the town of Greenup. From Frankford, via Brownsville, Gills's ferry, on the Mississippi, to Jackson, Cape Girardeau county, in Missouri. From Danville, via Decatur, to Springfield. From Carrollton and Grafton, to Portage Des Sioux and Saint Charles, in Missouri. From Danville to Ottowa. From Princeton, in Putnam county, via Brigham's and Dimmick's grove, to the Pawpaw grove. From Bayville, Pike county, to Pittsfield. From Knoxville, via Henderson, White Oak grove, Cleveland, and mouth of Plumb river, to Galena. From Mount Carmel, in Wabash, to Maysville, in Clay county. From Fairfield, in Wayne county, to Salem, in Marion county. From Terre Haute, in Indiana, to Vandalia, in Illinois, along the National road. From McLeansboro', in Hamilton county, via Crouch's, to Malden's mills, in Wayne county. From Alton, on the State road, to Carlinville, on the State road. From Carthage, Illinois, to Fort Madison, in Desmoine county, Michigan. From Carlisle, in Clinton county, via Greenville, to Hillsboro'. From Meredosia, in Morgan county, via Vandeventer, to Rushville. From Liberty, in Adams county, to Davidson's, Mount Sterling and Rushville. From Logansport, Cass county, Indiana, to the seat of justice in Iroquois county, in Illinois. From Monmouth, in Warren county, to the Yellow banks, on the Mississippi. From Buffalo grove, in Joe Daviess county, to the mouth of Plumb river, on the Mississippi. From Mount Carmel to Lawrenceville. From Charleston, in Coles county, via Greenup, Newton, and Stringtown, to Lawrenceville, in Lawrence county. From Unity to the mouth of the Ohio river. From Jacksonville, via Havannah, to Pekin. From Pleasant grove, in Tazewell county, via Pekin and Canton, to Lewistown, Fulton county. From Frankfort, via Bainbridge's store, to Jonesboro'. From Frankfort, via Whiteside's, to Golconda. From Unity to Smithfield, on the Mississippi. From Alton, via Terry's landing, on the Illinois river, to Gilead, in Calhoun county. From Belleville to Pinckneyville. From Mount Carmel, by Albion and Fairfield, to Salem. From Vandalia, by Hillsboro', to Carlinsville. From Jacksonville to Carlinsville. From Danville to Springfield. From Jacksonville, by Pittsfield, to Burnett's ferry. From Golconda, by Frankfort, to Mount Vernon. From St. Louis, Missouri, by Jacksonville, Beardstown, Rushville, Macomb, Monmouth, and Fort Armstrong, to Galena. From Chicago, by Ottawa, Utica, Peoria, Canton, Lewiston, and Rushville, to Quincy. From Carthage, by Commerce, to Fort Desmoines. From Richlandtown, by Burlington, to Macomb. From Stephenson to Davenport, Wisconsin Territory. From Kaskaskia, by Pollocks, to Belleville, and from Nashville to Mount Vernon. From Lawrenceville to Palestine. From Savannah, Illinois, to Bellevue, Wisconsin Territory.

In Alabama.—From Columbiana, in the county of Shelby, via Mineral Springs, to Syllacogy, in Talladega county. From Jacksonville, in Benton county, to Bennettsville, in St. Clair county. From Tuscaloosa, via Romulus, Mosely and Cook's store, to Pleasant Ridge post office, in Pickens **In Alabama.**

county. From Livingston, in Sumpter county, via Horner's old store Mount Sterling, McCarty's, and Carrollton, to Washington court-house, Washington county. From Mesopotamia, in Greene county, via Daniel's prairie and Jones' Bluff, to Livingston, in Sumpter county. From Burnt Corn, Monroe county, via Godbold's old store, to Allentown, in Wilcox county. From Linden, in Marengo county, via Flat settlement, Moscow, and Perryman's store, to Livingston, in Sumpter county. From Livingston, in Sumpter county, Alabama, to Marion, in Lauderdale county, Mississippi. From Manningham, in Butler county, to Mount Willing and Haynesville, in Lowndes county, thence to Washington, Autauga county. From Dallas, in Hamilton county, Tennessee, through the Lookout and Wills valleys, via Reason, Rollins, the seat of justice for De Kalb county, to Bennettsville, Saint Clair county, Alabama. From Monticello, in Pike county, to Tuskegee, in Macon county. From Calhoun, McMinn county, Tennessee, via Walker's place, McDaniel's, Richard Taylor's, Walker court-house, Georgia, William Henry's, Charles Price's, Dougherty's mills, Chatooga, or Gaylesville, Smith's ferry, on Coosa river, Francis Adams, and Rawden's store, to Jacksonville, Benton county. From Knoxville, Green county, via Gainesville, in Sumpter county, to Narketa, Kemper county, Mississippi. From Fort Mitchell, via Roanoke post office, Stewart county, Georgia, Irwinton, in Barbour county, Alabama, to Fort Gaines, in Early county, Georgia (the mail to be carried on the west side of the Chattahoochee river). From Uniontown, Perry county, via Athens, Bogue Chitto, to Portland, on Alabama river. From Monticello, in Pike county, to Daleville, in Dale county. From Rockford, in Coosa county, via Montreal, in Tallapoosa county, to Lafayette, in Chambers county. From Irwinton, on the Chattahoochee river, via Clayton, in Barbour county, Midway, and through the southwest part of Macon county, to Mount Meigs, in Montgomery county. From Mount Willing, via Maule's store, to Benton, in Lowndes county. From Montgomery, along the Patsalaggo road, to the nearest point on the route running from Greenville, to Gaines's store, Pike county. From Mount Meigs, in Montgomery county, via Carter's store, to Haynesville, in Lowndes county. From La Grange, in Troup county, Georgia, via Dickson's mills, Randolph court-house, to Talladega, in Talladega county, Alabama. From Haynesville, via Hickory grove, to the nearest point on the road from Montgomery to Palsalaggo, and from thence to the nearest point on the route from Monticello, in Pike county, to Gaines's store. From Vernon, in Troup county, Georgia, via Hurst's store, to Lafayette, in Chambers county, Alabama. From Jacksonville, Benton county, via White plains and Boiling springs, Randolph court-house, Lafayette and Cassitah, to Gerard, thence to Columbus, Georgia. From Talladega court-house to Lafayette, in Chambers county. From West Point, in Troup county, Georgia, via Cassitah and Tallassee, to Wetumpka, in Montgomery county, Alabama. From Tuskeega, in Macon county, via Tuckabatchee, to Tallassee, in Tallapoosa county. From Greensboro' to Candy's landing, on the Black Warrior river. From Washington, Autauga county, via Kingston, Independence, Hamilton, Oakridge, and Valley creek, to Marion, in Perry county. From Rockford, in Coosa county, via Chesnut creek, to Maplesville, in Bibb county. From Greenville, in Butler county, via Robb's store, to Sparta, thence to Pensacola, Florida. From Dale court-house to Valambrosa, in Florida. From Tallahassee, via Tuckabatchee, to Line creek post office. From Bellefonte, in Jackson county, via De Kalb court-house, and Cherokee court-house, to Jacksonville, Benton county. From Lafayette, in Chambers county, via Randolph court-house, crossing Talapoosa river at Sawyers' ferry, via White plains, Jacksonville, in Benton county, thence crossing Coosa river at Walker's ferry, by Double spring, by

Bennettsville, to Ashville, in Saint Clair county. From Greenville, in Butler county, via Fort Dale, to Hayneville, in Lowndes county. From Tuscaloosa to Fairfield. From Mount Meigs to Irwinton. From Pickensville, by Macon and Louisville, to Winston court-house, Mississippi. From Portland, by Athens, to Uniontown. From Manningham to Mount Willing. From New Market, by Madison Springs, to Hazlegreen. From Rockford to Mardisville. From Columbus, Georgia, by Chambers court-house, Randolph court-house, and Benton court-house, to Huntsville. From Salina, by Cahawba, Pleasant Hill, and Bragg's store, to Greenville. From Jacksonville, in Benton county, Alabama, to Rome, in Georgia. From Cahawba, by Marion, to Centreville.

In Michigan.—From Marshall by way of Lyon lake and West Gerard, to Coldwater. From Elkhart, in Indiana, to Cassapolis, via Adamsville and Edwardsburg. From Niles to New Buffaloe, via Hudson. From Battle creek to the county seat of Eaton county, via Verona and Bellevue. From Detroit to Lapeer, via Rochester. From Saline to Grass Lake, via Columbia Lake and Richfield. From St. Clair to Grand Blanc, via Romeo, Bristol, Lapeer, Farmers creek, and Davidson's mills. From Detroit to Fort Gratiot, on the United States road, via Mount Clemens. From Pontiac to Ionia, via White Lake to the county seat of Clinton. From Toledo to Adrian, by Blissfield and Palmyra. From Ypsilanti to Pontiac, via Plymouth. From Adrian to Ionia, via Jonesville and Marshall. From Manhattan to Adrian. From Marshall to Coldwater, via Tekonsha. From Detroit, in Wayne county, to Fort Gratiot, in Saint Clair county, on the United States military road. From Mount Clemens, in Macomb county, to Lapeer, in Lapeer county. From Plymouth, in Wayne county, to Dexter, in Washtenaw county, through Salem, Northfield, and Webster. From Monroe, in Monroe county, to Tecumseh, in Lenawee county, on the Laplaisance bay road. From Toledo, in Monroe county, to Adrian, in Lenawee, through Whiteford and Palmyra. From Maumee, in Ohio, to Jonesville, in Hillsdale county, through Whiteford, Canandagua, and Lanesville. From Saline, in Washtenaw county, to London, in Monroe county, through York. From Detroit, in Wayne county, to Utica, in Macomb county, on the territorial road. From Detroit, in Wayne county, to Kent, in Kent county, by Howell's. From Clinton, in Lenawee county, to Kent, in Kent county, by Napoleon and Jacksonburg. From Coldwater, in Branch county, to St. Joseph, in Berrien county, by Centreville and Cassopolis. From Kalamazoo, in Kalamazoo county, to Kalamazoo, in Allegan county, by Allegan. From Battle creek, in Calhoun county, to Kent, in Kent county, by Geloster. From Ann Arbor, in Washtenaw county, to Pontiac, in Oakland county, by Whitmore's Lake, Green Oak, Lyon and Wall Lake. From Battle creek, in Calhoun county, to Schoolcraft, in Kalamazoo county, by Climax prairie. From Bellevue, in Eaton county, to Middle village, in Barry county, by Hastings. From Fort Defiance, in Ohio, to Adrian, in Lenawee county, by Canandagua. From Michigan city, in Indiana, to Grand Haven, in Ottawa county, by New Buffalo, St. Joseph, Kalamazoo, in Allegan county, to Saugatuck, in Ottawa county. From Ionia, in Ionia county, to Saginaw, in Saginaw county, by the mouth of Maple river. From Schoolcraft, in Geloster, by Kalamazoo, in Kalamazoo county. From Saganaw, by Mackinac, to the Sault St. Marie. From Saganaw to the mouth of the river Saganaw. From Kalamazoo, in Kalamazoo county, to the mouth of North Black river. From Grand River Rapids to Grand Haven. From Kalamazoo to the mouth of the South Black river. From Northfield, by Hamburgh, to Howell. From New Buffalo, Michigan, to Laporte, Indiana. From Adrian by Hillsdale, to Coldwater. From Marshall, via Johnson, Athens, and Durham, to White Pigeon. From Kalamazoo to Kent. From Ann Arbor to Ionia.

In Michigan.

In Florida.

In Florida.—From Marianna to Daleville, Alabama. From Marianna to Saint Josephs. From Pensacola, by Florida Town, Pittman's ferry, to Campbelltown.

In Arkansas.

In Arkansas.—From the mouth of Arkansas river, via mouth of White river, Helena, and mouth of Saint Francis, up the west bank of the Mississippi river, to Greenock, and the county seat of Mississippi county, to New Madrid, in Missouri. From Pine bluffs, by Cabean's, to Monroe, in Louisiana. From Columbia, Ecore a Fabre, to Washington, in Hempstead county. From Batesville, by Clinton, to Lewisburg, and from Clinton, by Glass's village, to Dardanelle, in Pope county. From the county seat, in Izard county, to Dardanelle, and from thence, by the county seat of Scott, to Zebulon, county seat of Pike, and thence to Washington, Hempstead county. From Washington to Miller court-house, and from thence on the south side of Red river, to Lafayette court-house. From Carrollton to Springfield, in Missouri.

In Missouri.

In Missouri.—From Columbia, by Roacheport, Boonville, and Jonesboro, to Lexington. From Columbia, by Younger's mills, Paris, Richard Sharp's, to Palmyra. From Jefferson city, by Versailles, Benton court-house, Equality, Springfield, to Carroll court-house, in Arkansas. From Benton court-house, by the county seat of Rives and Allensville, to the county seat of Van Buren, and from thence by the county seat of Johnson to Saint Helena. From Jefferson city to Waynesville. From the county seat of Crawford, by Massey's iron works, to Union, in Franklin county. From Greenville to Castor, and thence by Johnson's, in the West prairie, to the Grand prairie, in Stoddard county. From Caledonia, in Washington county, by Van Buren, in Ripley county, to Jackson, in Arkansas Territory. From Jonesboro, by Arrowrock, to Fayette. From Saint Genevieve to Farmington. From the county seat of Morgan to the county seat of Pulaski. From Springfield to the county seat of Barry. From Keytesville to Compton's store, on Grand river. From Fulton, by James Harrison's, in the Grand prairie, to Paris. From Jefferson city to Columbia. From Columbia, by Rock mills, to Nashville, in Boon county. From Jefferson city, by Portland, to Loutre island. From Huntsville, by the county seat of Shelby and Cooper's settlement, to Monticello. From Fulton, by Portland, to Mount Sterling. From McMurtry's, in Callaway county, by Thomas Harrison's, in the Grand prairie, to Huntsville. From Johnson court-house, by Blackwater settlement, to Lexington. From Hannibal, by Florida, Paris, and Huntsville, to Fayette. From Louisiana to Atlas, Illinois. From Old mines, in Washington county, by the Rich woods and Virginia, to Union. From Benton to Commerce. From Bowling Green, by Bandurant's and Cove spring to Florida. From Bolivia, by the cross roads, to Fredericktown. From Monticello, in Lewis county, westwardly, to Sandy Hill. From Richmond to Compton's store, on Grand river. From Liberty to Plattsburg. From Helena to Benton court-house. From Columbus, Kentucky, by Benton, Jackson, Fredericktown, Farmington, Caledonia, seats of justice of Crawford, Pulaski, and Pettis counties to Blackwater, and thence to Independence. From Boonville, by seat of justice of Pettis county, to the seat of justice in Johnson county. From Springfield to Pulaski court-house, Crawford court-house, Massie's iron works, to Union. From Jefferson city, by Mt. Sterling, to Crawford court-house. From Castor to Greenville. From Castor, by Grand Prairie, in Stoddart county.

In Wisconsin.

In Wisconsin.—From Macomb, county of McDonough, Illinois, by Burlington, to Mount Pleasant, Desmoines county. From Racine, on Root river, by the outlet of Lake Koskenong and Mineral point, to Cassville. From Richlandtown to Burlington, thence to Monmouth, Illinois. From Milwaukee to the outlet of Lake Koskenong. From Galena, via Sinsinawa mound, Sinsinawa post office, Gibraltar, Van Buren, Cass-

ville, and Prairie du Chien, to Fort Snelling. From Bellevue to Galena, Illinois. From Mineral point, by way of T. J. Parish's, to the English prairie. From Galena, Illinois, by way of White Oak springs, Gratiot's Grove, and Wioata, McNutt's Diggings and Wisconsin city, to intersect the Root river and Cassville route. From Coldwater, in Branch county, to Michigan city, in the State of Indiana, via Centreville, Constantine, Mottville, Bristol, Elkhart, Mishawaulkie, South Bend, and Laporte. From Jacksonburg to White Pigeon, via Spring Arbor, Concord, Homer, Tekonsha, Goodwinville, Durham, Nottawa and Centreville. From Warsaw, Illinois, by Keokuck, Fort Desmoines, Fort Madison, Gibson's ferry, Burlington, Iowa, Clark's ferry, Davenport, Parkhurst, Bellevue Du Buque, Peru, Durango, Weyman's, Cassville, and Prairie du Chien, to Fort Snelling. From Du Buque, by Sinsinawa, and Blast Furnace, to Elkgrove. From Mineral point, by Dodgville and Helena, to Arena. From Galena, by Vinegarhill, Elkgrove, and Bellemont, to Mineral point. From Fort Winnebago, by Fond du Lac, Calumet village, to Grand Kalkalin. From Chicago, by Pike river, Racine, Milwaukie, Chebawgan, Pigeon, Manlitowack, to Green bay. From Wisconsin to the city of the Four Lakes. From the city of the Four Lakes, by Fond du Lac, and the city of Winnebago, at the northeast end of Lake Winnebago, to a point of intersection with the route from Prairie du Chien, to Green bay. From Fond du Lac, at the south end of Lake Winnebago, to Milwaukie. From Milwaukie, by the city of the Four Lakes, to the Blue mound, there to intersect the route from Green bay to Prairie du Chien.

Post routes discontinued.

In Maine.—From Camden to Vinal Haven.

Maine.

In Ohio.—From Waupakonetta to Sugar Grove. From Piqua to Waupakonetta.

Ohio.

In South Carolina.—From Mount Hill to Varennes. From Stauntonville, by Golden Grove, to Greenville court-house.

South Carolina.

Approved, July 2, 1836.

Statute I.
July 2, 1836.

Chap. CCXC.—*An Act to extend the privilege of franking letters and packages to Dolly P. Madison.*

Act of March 3, 1845, ch. 43.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all letters and packages to and from Dolly P. Madison, relict of the late James Madison, shall be received and conveyed by post, free of postage, for and during her life.

Approved, July 2, 1836.

Statute I.
July 4, 1836.

Chap. CCCLII.—*An Act to reorganize the General Land Office.*(a)

Duties relating to public lands under supervision of the commissioner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, the executive duties now prescribed, or which may hereafter be prescribed by law, appertaining to the surveying and sale

(a) Decisions of the courts of the United States upon land titles from the United States, and titles to the public lands:

Under the act of Congress of March 3, 1803, entitled "An act regulating the grants of land, and providing for the sale of the lands of the United States, south of the State of Tennessee," such lands only were authorized to be sold as had not been appropriated by the previous sections of the law, and certificates granted by the commissioners in pursuance thereof. A right, therefore, to a particular tract of land, derived from a donation certificate given under that law, is superior to the title of any one who purchased the same land at the public sales, unless there is some fatal infirmity in the certificate, which renders it void. Ross *v.* Barland et al. 1 Peters, 666.

An act of Congress requires no precise form for the donation certificate. It is sufficient if the proofs be exhibited to the court of commissioners, to satisfy them of the facts entitling the party to the certificate. It is sufficient if the consideration, to wit, the occupancy, and the quantity granted, appears. Nothing more is necessary to certify to the government the party's right, or to enable him, after it is surveyed by he proper officer, to obtain a patent. *Ibid.*

of the public lands of the United States, or in anywise respecting such public lands, and, also, such as relate to private claims of land, and the issuing of patents for all grants of land under the authority of the Government of the United States, shall be subject to the supervision and control of the Commissioner of the General Land Office, under the direction of the President of the United States.

The second section of the act of Congress of March 3, 1803, was intended to confer a bounty on a numerous class of individuals, and in construing the ambiguous words of the section, it is the duty of the court to adopt that construction which will best effect the liberal intentions of the Legislature. *Ibid.* 667.

The time when the territory over which this law operated was evacuated by the Spanish troops, was very important, as the law was intended to provide for those who were actually at that time inhabitants of, and cultivated the soil within it; but whether it was in 1797 or 1798, was comparatively unimportant. The decision of the commissioners upon the period when the evacuation took place, is sufficient: and the court are disposed to adopt the construction of the act given by the commissioners west of Pearl river; that the evacuation took place on the 30th March 1798, by which persons coming within the objects of the section were entitled to donation certificates. *Ibid.* 667.

Congress have treated as erroneous the construction given to the law by the commissioners to settle claims to lands east of Pearl river, who have decided that only those who were settled on the lands within the territory in the year 1797 were entitled to donation certificates, and who had granted to others pre-emption certificates. *Ibid.* 668.

The commissioners appointed under the act of Congress relative to claims to lands of the United States south of the State of Tennessee, were authorized to hear evidence as to the time of the actual evacuation of the territory by the Spanish troops, and to decide upon the fact. The law gave them power to hear and decide all matters respecting such claims, and to determine thereon, according to justice and equity; and declared their deliberations shall be final. The court are bound to presume that every fact necessary to warrant the certificate, in the terms of it, was proved before the commissioners; and that, consequently, it was shown to them that the final evacuation of the territory by the Spanish troops took place on the 30th of March 1798. *Ibid.*

By the treaty of St. Ildefonso, made on the 1st of October 1800, Spain ceded Louisiana to France; and France, by the treaty of Paris, signed the 30th of April 1803, ceded it to the United States. Under this treaty, the United States claimed the countries between the Iberville and the Perdido. Spain contended that her cession to France comprehended only that territory which at the time of the cession was denominated Louisiana, consisting of the island of New Orleans, and the country which had been originally ceded to her by France, west of the Mississippi. The land claimed by the plaintiffs in error, under a grant from the crown of Spain, made after the treaty of St. Ildefonso, lies within the disputed territory; and this case presents the question, to whom did the country between the Iberville and Perdido belong after the treaty of St. Ildefonso? Had France and Spain agreed upon the boundaries of the retroceded territory before Louisiana was acquired by the United States, that agreement would undoubtedly have ascertained its limits. But the declarations of France, made after parting with the province, cannot be admitted as conclusive. In questions of this character, political considerations have too much influence over the conduct of nations, to permit their declarations to decide the course of an independent government, in a matter vitally interesting to itself. Foster et al. *v.* Neilson, 2 Peters, 306.

If a Spanish grantee had obtained possession of the land in dispute so as to be the defendant, would a court of the United States maintain his title under a Spanish grant, made subsequent to the acquisition of Louisiana, singly on the principle that the Spanish construction of the treaty of St. Ildefonso was right, and the American construction wrong? Such a decision would subvert those principles which govern the relations between the legislative and judicial departments, and mark the limits of each. *Ibid.* 309.

The sound construction of the eighth article of the treaty between the United States and Spain, of the 22d of February 1829, will not enable the court to apply its provisions to the case of the plaintiff. *Ibid.* 314.

The article does not declare that all the grants made by his catholic majesty before the 24th of January, 1818, shall be valid to the same extent as if the ceded territories had remained under his dominion. It does not say that those grants are hereby confirmed. Had such been its language, it would have acted directly on the subject, and it would have repealed those acts of Congress which were repugnant to it; but its language is, that those grants shall be ratified and confirmed to the persons in possession, &c. By whom shall they be ratified and confirmed? This seems to be the language of contract; and, if it is, the ratification and confirmation which are promised must be the act of the Legislature. Until such act shall be passed, the court is not at liberty to disregard the existing laws on the subject. *Ibid.*

A title to lands, under grants made by Indian tribes or nations, north-west of the river Ohio, to private individuals, in the years 1773 and 1775, cannot be sustained in the courts of the United States. Lessee of Johnson et al. *v.* M'Intosh, 8 Wheat. 543; 5 Cond. Rep. 515.

The title to lands depends entirely upon the law of the nation in which they lie. *Ibid.*

Discovery constitutes the original foundation of title to lands on the American continent, as between the different European nations; the title thus derived, was the exclusive right of acquiring the soil from the natives, and establishing settlements upon it; the title was to be consummated by possession. *Ibid.*

The rights of the original inhabitants were, to a considerable extent, impaired, but in no instance entirely disregarded. The Europeans respected the right of the natives as occupants, but asserted the ultimate dominion to be in themselves; and claimed and exercised, as a consequence of this ultimate dominion, a power to grant the soil while yet in the possession of the natives. *Ibid.*

By the treaty between Great Britain and the United States, which concluded our revolution, the powers of government and the right to soil which had previously been in Great Britain, passed definitively to these States. *Ibid.*

The United States, or the several States, have a clear title to all the lands within the boundary lines described in the treaty, subject only to the Indian right of occupancy; and the exclusive power to extinguish that right was vested in that government which might constitutionally exercise it. *Ibid.*

It is a principle of universal law, that, if an uninhabited country be discovered by a number of indivi-

Sec. 2. *And be it further enacted,* That there shall be appointed in said office, by the President, by and with the advice and consent of the Senate, two subordinate officers, one of whom shall be called Principal Clerk of the Public Lands, and the other Principal Clerk on Private Land Claims, who shall perform such duties as may be assigned to them by the Commissioner of the General Land Office; and in case

A principal clerk of public lands, and one on private land claims, to be appointed.

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duals, who acknowledge no connection with, and owe no allegiance to any government whatever, the country becomes the property of the discoverers in common, so far as they can use it. *Ibid.*

If the discovery be made and possession taken under the authority of an existing government, which is acknowledged by the emigrants, the discovery is made for the whole nation; the country becomes a part of the nation; and the vacant soil is to be disposed of by that organ of the government which has the constitutional power to dispose of the national domains. *Ibid.*

According to the theory of the British constitution, all vacant lands are vested in the crown as representing the nation; and the exclusive power to grant them is admitted to reside in the crown as a branch of the royal prerogative. *Ibid.*

Congress, in order to guard against imposition, declared by the law of 1804 that all grants of land made by the Spanish authorities in the territory west of the Perdido, after the treaty of St. Ildefonso, should be null and void, excepting those to actual settlers, acquired before December 20, 1803. Garcia *v.* Lee, 12 Peters, 511.

The controversy relative to the country lying between the Mississippi and the Perdido rivers, and the validity of the grants made by Spain in the disputed territory after the cession of Louisiana to the United States, were carefully examined in the case of Foster & Elam *v.* Neilson. The Supreme Court in that case decided that the question of boundary between the United States and Spain was a question for the political departments of the government: that the legislative and executive branches having decided the question, the courts of the United States are bound to regard the boundary determined by them as the true one; that grants made by the Spanish authorities of lands, which, according to this boundary line, belonged to the United States, gave no title to the grantees in opposition to those claiming under the United States, unless the Spanish grants were protected by the subsequent arrangements made between the two governments; and that no such arrangements were to be found in the treaty of 1819, by which Spain ceded the Floridas to the United States, according to the fair import of its words, and its true construction. *Ibid.*

In the case of Foster & Elam *v.* Neilson, the Supreme Court said that the Florida treaty of 1819 declares that all grants made before the 24th of January 1818, by the Spanish authorities, "shall be ratified and confirmed to the persons in possession of the lands, to the same extent that the same grants would be valid, if the territories had remained under the dominion of his catholic majesty:" and in deciding the case of Foster & Elam, the court held, that even if this stipulation applied to lands in the territory in question, yet the words used did not import a present confirmation by virtue of the treaty itself, but that they were words of contract: "that the ratification and confirmation which were promised must be the act of the Legislature; and until such shall be passed, the court is not entitled to disregard the existing laws on the subject." Afterwards, in the case of the United States *v.* Percheman, 7 Peters, 86, in reviewing the words of the eighth article of the treaty, the court, for the reasons there assigned, came to a different conclusion, and held that the words were words of present confirmation, by the treaty, where the land had been rightfully granted before the cession, and that it did not need the aid of an act of Congress to ratify and confirm the grant. This language was, however, applied by the court, and was intended to apply, to grants made in a territory which belonged to Spain at the time of the grant. The case then before the court was one of that description. It was in relation to a grant of land in Florida, which unquestionably belonged to Spain at the time the grant was made, and where the Spanish authorities had an undoubted right to grant, until the treaty of cession in 1819. It is of such grants that the court speak, when they declare them to be confirmed and protected by the true construction of the treaty, and that they do not need the aid of an act of Congress to ratify and confirm the title of the purchaser. The court do not apply this principle to grants made within the territory of Louisiana. The case of Foster & Elam *v.* Neilson must, in all other respects, be considered as affirmed by the case of Percheman; as it underwent a careful examination in that case, and as none of its principles were questioned except that referred to. *Ibid.*

The power over the public lands is vested in Congress by the constitution without limitation, and has been considered as the foundation on which the territorial government rests. The United States *v.* Gratiot et al., 14 Peters, 529.

The words "dispose of" the public lands, used in the constitution of the United States, cannot, under the decisions of the Supreme Court, receive any other construction than that Congress has the power in its discretion to authorize the keeping of the lead-mines on the public lands in the territories of the United States. There can be no apprehensions of encroaching on State rights by the creation of a numerous tenantry within the borders of a State, from such reasons. *Ibid.*

The authority as given to the President of the United States to lease the lead-mines, is limited to a term not exceeding five years. This limitation, however, is not to be construed to be a prohibition to renew the leases from time to time, if he thinks proper so to do. The authority is limited to a short period, so as not to interfere with the power of Congress to make other dispositions of the mines, should they think the same necessary. *Ibid.*

The law of 1807, authorizing the leasing of the lead-mines, was passed before Illinois was organized as a State. She cannot now complain of any disposition or regulation of the lead-mines previously made by Congress. She, secondly, cannot claim a right to the public lands within her limits. *Ibid.*

Under the acts of 1805, chap. 26, 1806, chap. 39, 1807, chap. 36, it was necessary to file the evidence of an incomplete claim under French or Spanish authority, which bore date anterior to the 1st of October 1800, as well as those which were dated subsequent to that day; and in cases of neglect, the bar provided in the act applied to both classes. *Ibid.*

A title resting on a permit to settle and warrant of survey, dated before the 1st of October 1800, without settlement or survey of any kind having been made, was an incomplete title within that act. *Ibid.*

of vacancy in the office of the Commissioner of the General Land Office, or of the absence or sickness of the Commissioner, the duties of said office shall devolve upon and be performed, ad interim, by the Principal Clerk of the public lands.

Sec. 3. *And be it further enacted,* That there shall be appointed by the President, by and with the advice and consent of the Senate, an

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In making an entry of land, where mistakes occur which are occasioned by the impracticability of ascertaining the relative positions of the objects called for, the court will correct those mistakes, so as to carry out the intentions of the locator. Croghan's lessee *v.* Nelson, 3 Howard, 187.

There is no principle of the common law which forbids individuals from associating together to purchase lands from the United States, on joint account, at public sale. Olner *v.* Pratt, 3 Howard, 333.

Where the purchaser of land from the United States has paid for it, and received a final certificate, it is taxable property, according to the statute of Michigan, although a patent has not been issued. Carroll *v.* Safford, 3 Howard, 441.

Taxation upon lands so held is not a violation of the ordinance of 1787, as "an interference with the primary disposition of the soil by Congress;" nor is it a tax on the lands of the United States. The State of Michigan could rightfully impose the tax. *Ibid.*

It was competent to the State to assess and tax lands at their full value, as the absolute property of the holder of the final certificate; and, in default of payment, to sell them as if he owned them in fee. *Ibid.*

The act of 26th May 1830, chap. 106, providing for the final settlement of land claims in Florida, must be construed to contain the same limitation of time, within which claims are to be presented, as that provided by the act of May 23, 1828, chap. 70. The United States *v.* Marvin, 3 Howard, 620.

Under the act of Congress providing for the subdivision of the public lands, and the instructions of the Secretary of the Treasury, made under the act of 24th April 1820, chap. 49, entitled, An act making further provision for the sale of the public lands, it is the duty of the Surveyor General to leave out a fractional section in such a manner as that an entire quarter section may be had, if the fraction will admit of it. Brown's Lessee *v.* Clements, 3 Howard, 650.

The Surveyor General has no right to divide a fractional section by arbitrary lines, so as to prevent an entire quarter section from being taken up. *Ibid.*

The treaty by which Louisiana was ceded to the United States, recognised complete grants, issued anterior to the cession; and the decision of a State court against the validity of a grant set up under such a title, would be subject to reversal by the Supreme Court, under the 25th section of the Judiciary Act. M'Donogh *v.* Millaudon, 3 Howard, 693.

But if the State court only applies the laws of the State to the construction of the grant, it is not a decision against the validity of the grant, and the Supreme Court has no jurisdiction. *Ibid.*

Congress, in asking a complete grant, recognised them as they stood; and the act of May 11, 1820, chap. 87, confirming such as were recommended for confirmation by the register and receiver, had no reference to any particular surveys. A decision of a State court, therefore, which may be in opposition to one of these surveys, is not against the validity of a title existing under an act of Congress; and the Supreme Court has no jurisdiction. *Ibid.*

By the treaty of 1795 between the United States and Spain, by which Spain admitted that she had no title to land north of the 31st degree of north latitude, her previous grants of land so situated were of course void. The country thus belonging to Georgia was ceded to the United States in 1802, with a reservation that all persons who were actual settlers on the 27th October 1795, should have their grants confirmed. Congress provided a board of commissioners to examine these grants, and declared that their decision should be final. The Court of Chancery of Mississippi had no right to establish one of these grants which had not been brought within the provisions of the act of Congress. The claim itself being utterly void, and no power having been conferred by Congress on that court to take or exercise jurisdiction over it, for the purpose of imparting to it legality, the exercise of jurisdiction was a mere usurpation of judicial power, and the whole proceeding of the court void. Lessor of Hickey, *v.* Stewart, 3 Howard, 750.

The Supreme Court has repeatedly declared, and in cases too where the instrument contained clear words of grant, that if the description was vague and indefinite, and there was no official survey to give a certain location, it could give no right of private property in any particular parcel of land, which could be maintained in a court of justice. The United States *v.* King et al. 3 Howard, 773.

An equitable title is no defence in a suit at law brought by the United States. An imperfect title, derived from Spain before the cession, cannot be supported against a party claiming under a grant from the United States. *Ibid.*

The act of Congress of 29th April 1816, chap. 159, confirming the grant to a league square, restricted it to that quantity, and cannot be construed as confirming the residue. *Ibid.*

The act of Congress, entitled "An act to create additional land districts in the States of Illinois and Missouri, and the territories north of the State of Illinois," approved June 26, 1834, chap. 76, does not require the President of the United States to cause to be offered for sale the public lands containing lead-mines, situated in the land districts created by the said act. United States *v.* Gear, 3 Howard, 120.

The lands containing lead-mines in the Indiana territory, or in that part of it made into a new land district by the act of 26th June 1834, chap. 76, are not subject, under any of the pre-emption laws which have been passed by Congress, to pre-emption by settlers upon the public lands. *Ibid.*

Digging lead-ore from the lead-mines upon the public lands of the United States, is such a waste as entitles the United States to a writ of injunction to restrain it. *Ibid.*

The United States now hold the public lands in the new States by force of the deeds of cession, and the statutes connected with them, and not by any municipal sovereignty which it may be supposed they possess or have received, by compact with the new States for that purpose. Pollard's Lessee *v.* Hagan, 3 Howard, 212.

The shores of navigable rivers, and the soil under them, were not granted to the United States, but were reserved to the States respectively; and the new States have the same rights, sovereignty and jurisdiction over this subject, as the original States. *Ibid.*

officer to be styled the Principal Clerk of the Surveys, whose duty it shall be to direct and superintend the making of surveys, the returns thereof, and all matters relating thereto, which are done through the officers of the Surveyor General; and he shall perform such other duties as may be assigned to him by the Commissioner of the General Land Office.

A principal clerk of the surveys.

Sec. 4. *And be it further enacted,* That there shall be appointed by the President, by and with consent of the Senate, a Recorder of the General Land Office, whose duty it shall be, in pursuance of instructions from the Commissioner, to certify and affix the seal of the General Land Office to all patents for public lands, and he shall attend to the correct engrossing, and recording, and transmission of such patents. He shall prepare alphabetical indexes of the names of patentees, and of persons entitled to patents; and he shall prepare such copies and exemplifications of matters on file, or recorded in the General Land Office, as the Commissioner may from time to time direct.

A recorder of the general land office.

Sec. 5. *And be it further enacted,* That there shall be appointed by the President, by and with the advice and consent of the Senate, an officer to be called the Solicitor of the General Land Office, with an annual salary of two thousand dollars, whose duty it shall be to examine and present a report to the Commissioner of the state of facts in all cases referred by the Commissioner to his attention which shall involve questions of law, or where the facts are in controversy between the agents of the Government and individuals, or there are conflicting claims of parties before the Department, with his opinion thereon; and also, to advise the Commissioner, when required thereto, on all questions growing out of the management of the public lands, or the title thereto, private land claims, Virginia military scrip, bounty lands, and pre-emption claims; and to render such further professional services in the business of the Department as may be required, and shall be connected with the discharge of the duties thereof.

A solicitor of the general land office.

1844, ch. 45.

Sec. 6. *And be it further enacted,* That it shall be lawful for the President of the United States, by and with the advice and consent of the Senate, to appoint a Secretary, with a salary of fifteen hundred dollars per annum, whose duty it shall be, under the direction of the President, to sign in his name, and for him, all patents for land sold or granted under the authority of the United States.

A secretary to sign patents for lands.

1848, ch. 4.

Sec. 7. *And be it further enacted,* That it shall be the duty of the Commissioner to cause to be prepared, and to certify, under the seal of the General Land Office, such copies of records, books, and papers on file in his office, as may be applied for, to be used in evidence in courts of justice.

Certified copies of records, &c.

1843. ch. 95.

Sec. 8. *And be it further enacted,* That whenever the office of Recorder shall become vacant, or in case of the sickness or absence of the Recorder, the duties of his office shall be performed, ad interim, by the Principal Clerk on Private Land Claims.

Duties of recorder may devolve on principal clerk on private land claims.

Sec. 9. *And be it further enacted,* That the Receivers of the land offices shall make to the Secretary of the Treasury monthly returns of the moneys received in their several offices, and pay over such money pursuant to his instructions. And they shall also make to the Commissioner of the General Land Office like monthly returns, and transmit to him quarterly accounts current of the debits and credits of their several offices with the United States.

Receivers to make monthly returns.

Sec. 10. *And be it further enacted,* That the Commissioner of the General Land Office shall be entitled to receive an annual salary of three thousand dollars; the recorder of the General Land Office, an annual salary of fifteen hundred dollars; the principal clerk of the surveys, an annual salary of eighteen hundred dollars; and each of the said principal clerks an annual salary of eighteen hundred dollars; from

Salary of commissioner and others.

and after the date of their respective commissions; and that the said commissioner be authorized to employ, for the service of the General Land Office, one clerk, whose annual salary shall not exceed fifteen hundred dollars; four clerks, whose annual salary shall not exceed fourteen hundred dollars each; sixteen clerks, whose annual salary shall not exceed thirteen hundred dollars each; twenty clerks, whose annual salary shall not exceed twelve hundred dollars each; five clerks, whose annual salary shall not exceed eleven hundred dollars each; thirty-five clerks, whose annual salary shall not exceed one thousand dollars each; one principal draughtsman, whose annual salary shall not exceed fifteen hundred dollars; one assistant draughtsman, whose annual salary shall not exceed twelve hundred dollars; two messengers, whose annual salary shall not exceed seven hundred dollars each; three assistant messengers, whose annual salary shall not exceed three hundred and fifty dollars each; and two packers, to make up packages of patents, blank forms, and other things necessary to be transmitted to the district land offices, at a salary of four hundred and fifty dollars each.

Provisions of acts inconsistent with this repealed. 1812, ch. 68.

Sec. 11. *And be it further enacted,* That such provisions of the act of the twenty-fifth of April, in the year one thousand eight hundred and twelve, entitled "An act for the establishment of a General Land Office in the Department of the Treasury," and of all acts amendatory thereof, as are inconsistent with the provisions of this act, be, and the same are hereby, repealed.

The General Land Office and other offices to be open during certain hours.

Sec. 12. *And be it further enacted,* That from the first day of the month of October, until the first day of the month of April, in each and every year, the General Land Office and all the bureaus and offices therein, as well as all those in the Departments of the Treasury, War, Navy, State, and General Post Office, shall be open for the transaction of the public business at least eight hours in each and every day, except Sundays and the twenty-fifth day of December; and from the first day of April, until the first day of October, in each year, all the aforesaid offices and bureaus shall be kept open for the transaction of the public business at least ten hours in each and every day, except Sundays and the fourth day of July.

Penalty of Register for false information given by him.

Sec. 13. *And be it further enacted,* That if any person shall apply to any register of any land office to enter any land whatever, and the said register shall knowingly and falsely inform the person so applying that the same has already been entered, and refuse to permit the person so applying to enter the same, such register shall be liable therefor to the person so applying, for five dollars for each acre of land which the person so applying offered to enter, to be recovered by action of debt in any court of record having jurisdiction of the amount.

Officers of the land office prohibited from purchasing, &c. public lands.

Sec. 14. *And be it further enacted,* That all and every of the officers whose salaries are hereinbefore provided for, are hereby prohibited from directly or indirectly purchasing, or in any way becoming interested in the purchase of any of the public land; and in case of a violation of this section by such officer, and on proof thereof being made to the President of the United States, such officer, so offending, shall be forthwith removed from office.

Approved, July 4, 1836.

Statute I.

July 4, 1836.

[Obsolete.]

1836, ch. 7.

Chap. CCCLIII.—*An Act in addition to the act entitled "An act making appropriations, in part, for the support of Government, for the year eighteen hundred and thirty-six, and for other purposes.*

Appropriations for members of the Senate and House of Rep-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated: For compen-

sation granted by law to the members of the Senate and House of Representatives, in addition to the appropriation heretofore made for that object, seventy-two thousand two hundred and sixteen dollars; for compensation of the Senators and Representatives elected by Michigan, seven thousand seven hundred and seventy-six dollars; for the contingent expenses of Senate, twelve thousand dollars; for allowance for wastage in gold and silver coinage at the mint: for labour and for alloy, in addition to the former appropriation, thirty-three thousand dollars; for extra clerk hire in the General Land Office, for the year eighteen hundred and thirty-six, fourteen thousand six hundred and sixty-six dollars and sixty-four cents; for messengers in the offices of the Chief Engineer, Adjutant General, the commanding General, Surgeon General and Inspector General, and in the Clothing Bureau, Topographical, Ordnance, and Subsistence Departments, two thousand five hundred and sixty-eight dollars; for the assistant messenger in the First Comptroller's Office, in addition to a former appropriation, fifty dollars; for compensation to the surveyor in Alabama, in addition to a former appropriation, five hundred dollars; for compensation to the clerks in the office of the Secretary of the Navy, and in the Navy Commissioner's Office, in addition to the sums already appropriated for the present year, nineteen hundred dollars.

resentatives, and for various other purposes.

Sec. 2. *And be it further enacted*, That so much of the act of the ninth of May, eighteen hundred and thirty-six, "providing for the salaries of certain officers therein named, and for other purposes," as provides for the employment of an additional clerk in the office of the Navy commissioners, and for his compensation for the year eighteen hundred and thirty-six, be, and the same is hereby, repealed.

Provision of act of May 9, 1836, ch. 60, relating to a clerk in Naval Commissioners' office, repealed.

Sec. 3. *And be it further enacted*, That the third section of the act making appropriations for the civil and diplomatic expenses of the Government, for the year one thousand eight hundred and thirty-five, is hereby repealed; and that the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, deputy collectors, naval officers, surveyors, and their respective clerks, together with the weighers, gaugers, measurers, and markers, of the several ports of the United States, out of any money in the Treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation in the year one thousand eight hundred and thirty-six, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth of July, one thousand eight hundred and thirty-two, had not gone into effect: *Provided*, That no officer shall receive, under this act, a greater annual salary or compensation than was paid to such officer for the year one thousand eight hundred and thirty-two; and that, in no case shall the compensation of any other officers than collectors, naval officers, surveyors, and clerks, whether by salaries, fees, or otherwise, exceed the sum of fifteen hundred dollars each per annum; nor shall the union of any two or more of those offices in one person, entitle him to receive more than that sum per annum: *Provided, further*, That the said collectors, naval officers, and surveyors, shall render an account quarterly to the Treasury, and the other officers herein named, or referred to, shall render an account quarterly to the respective collectors of the customs where they are employed, to be forwarded to the Treasury, of all the fees and emoluments whatever by them respectively received; and of all expenses incidental to their respective offices; which accounts shall be rendered on oath or affirmation, and shall be in such form, and be supported by such proofs, to be prescribed by the Secretary of the Treasury, as will, in his judgment, best enforce the provisions of this section, and show its operation and effect: *Provided, also*, That any salary or compensation due for the year one thousand eight hundred and thirty-

Third section of act making certain appropriations for 1835 repealed, and Secretary of Treasury authorized to pay collectors, &c.

Act of March 3, 1835, ch. 30.

1832, ch. 227.

Proviso.

Proviso.

Proviso.

Proviso.

five, shall not be affected by this section: *Provided, however*, That in the event of any act being passed by Congress at the present session to regulate and fix the salaries or compensation of the respective officers of the customs, then this section shall operate and extend to the time such act goes into effect, and no longer.

Appropriations for consulates in Turkey, and for other purposes.

Sec. 4. *And be it further enacted*, That the following sums are hereby appropriated to be paid out of any money in the Treasury not otherwise appropriated, for interpreters, guards, and other expenses incidental to the consulates in the Turkish dominions, five thousand five hundred dollars. For refunding the duty paid upon the Belgian vessel Antonius and her cargo beyond the amount which would have been paid by a Dutch vessel, fourteen hundred and twenty-six dollars and seven cents. For compensation to the clerks in the office of the Commissioner of Indian Affairs, in addition to a former appropriation, fifty dollars. For an outfit of a Charge d'Affaires to Russia, four thousand five hundred dollars. For compensation to the third Assistant Postmaster General, one thousand two hundred and fifty dollars. For compensation to the clerks, messengers and watchmen in the Post Office Department, as provided by the act to change the organization of the said Department, in addition to the sum heretofore appropriated for compensation to the clerks and messengers in the office of the Postmaster General, four thousand and fifty dollars. For compensation to the Auditor for the Post Office Department, one thousand five hundred dollars; for compensation to the clerks and messengers in the office of the Auditor for the Post Office Department, as provided by the act to change the organization of said Department, twenty-seven thousand seven hundred and fifty dollars. For contingencies in the office of the Auditor for the Post Office Department, fifteen hundred dollars. For alterations and repairs of the Capitol, including repairs of the roof over the principal stairway to the Representatives' hall, and coppering the projecting steps and top surface of the cornice round the base of the dome of the rotunda, six thousand three hundred and eighteen dollars and seventy-five cents. For lighting lamps, and keeping the grounds and walks of the Capitol square in order, including the cost of trees and shrubs, four thousand five hundred dollars. For the gardener employed in superintending the Capitol square and other public grounds, one thousand dollars. For alterations and repairs of the President's house, for the gardener's salary, and for keeping the grounds and walks in order, including the cost of trees and shrubs, three thousand four hundred and sixty dollars. For the annual expenses of two fire engines, two hundred dollars. For gravelling the yard east of the Capitol, two thousand dollars. For repairing culverts, two hundred and thirty-one dollars. For purchase of Smith's spring, including one acre of land, and for enclosing the same, for building culverts and keeping the water-pipes in order, five thousand three hundred dollars. For attendants on the furnaces of the rotunda during the recess, one hundred and fifty dollars. For replanting trees and keeping boxes in order on the Pennsylvania Avenue, purchase of trees and planting in Fountain square, Lafayette square, and across the public reservation at Seventh street, one thousand two hundred dollars. For a workshop, one thousand two hundred dollars. For conveying the surplus water of the Capitol to the Botanic garden, making a basin, and purchasing a fountain of Hiram Powers, five thousand dollars.

1836, ch. 270.

For enclosing the garden and grounds of the Magazine and Marine Hospital, near the Eastern Branch, five hundred dollars. For a dwarf wall and fence between the executive buildings and the President's house, one thousand one hundred and sixty-five dollars and fifty cents. For extending the Capitol square, and improving the grounds within and adjacent to the same, as far west as the first street intersecting the Pennsylvania Avenue from the east, the sum of twenty-five thousand

dollars, to be paid out of any money in the Treasury not otherwise appropriated. For enlarging the folding-room of the House, three hundred and fifty dollars.

For a treasury building.

Sec. 5. *And be it further enacted*, [That] the President of the United States be, and he hereby is authorized to cause to be erected on or near the site of the former treasury building, or on any other public lot which he may select, a fire-proof building of such dimensions as may be required for the present and future accommodations of the Treasury Department, upon such plan and of such materials as he may deem most advantageous; and that for this purpose there be appropriated out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars.

Material for the walls.

Proviso.

Proviso.

Sec. 6. *And be it further enacted*, That the material of which the walls of the Capitol and President's Mansion are constructed, shall be adopted for the construction of the aforesaid building: *Provided*, upon full inquiry, a cheaper and more suitable material cannot be obtained. *And provided always*, That the foundation walls of the said buildings below the surface of the earth and two feet above shall be of the hardest and most solid rock.

Building, &c. for patent office.

Sec. 7. *And be it further enacted*, That there be erected, on some appropriate site, under the direction of the President of the United States, a fire-proof building with suitable accommodations for the Patent Office, and to be provided with the necessary cases and furniture; the expense of which shall not exceed one hundred and eight thousand dollars.

Appropriation therefor.

Sec. 8. *And be it further enacted*, That there be and hereby is appropriated for defraying the expense of such building and cases, the sum of one hundred and eight thousand dollars, to be paid out of the patent fund in the Treasury not otherwise appropriated.

Material for the walls.

Proviso.

Sec. 9. *And be it further enacted*, That the same kind of material of which the walls of the Capitol and the Mansion of the President are constructed shall be adopted for the construction of the aforesaid building: *Provided* a cheaper and more suitable material cannot be procured.

Duties and powers of the commissioners of the sinking fund transferred to the Secretary of the Treasury.

Sec. 10. *And be it further enacted*, That the duties and powers of the commissioners of the sinking fund are hereby suspended until revived by law, and that the records of the commissioners be transferred to the custody of the Secretary of the Treasury, who is hereby authorized and directed to pay out of any money in the Treasury not otherwise appropriated any outstanding debts of the United States and the interest thereon.

For purchase of land, &c. at Key West.

Sec. 11. *And be it further enacted*, That for the purchase of eight acres of land with the improvements thereon near the Barracks at Key West, if in the opinion of the Secretary of War the public service and health of the troops require it, a sum not exceeding six thousand dollars is hereby appropriated.

Provisions of an act relating to the number of custom-house officers, suspended.

March 3, 1835, ch. 30.

1836, ch. 48.

Sec. 12. *And be it further enacted*, That so much of the third section of the act entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year eighteen hundred and thirty-five," as provides that "the whole number of custom-house officers in the United States on the first of January, eighteen hundred and thirty-four, shall not be increased until otherwise allowed by Congress," be and the same is hereby suspended until the fourth day of March next.

Approved, July 4, 1836.

Statute I.

July 4, 1836.

[Obsolete.]

Act of June 23, 1836, ch. 115.

Chap. CCCLIV.—*An Act supplementary to an act entitled "An act to regulate the deposites of the public money," passed twenty-third [of] June eighteen hundred and thirty-six.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the act to

Secretary of the Treasury may make transfers from banks in one State or Territory to those in another.

which this is a supplement, shall be so construed as to prevent the Secretary of the Treasury from making transfers from banks in one State or Territory, to banks in another State or Territory, whenever such transfers may be required, in order to prevent large and inconvenient accumulations in particular places, or in order to produce a due equality, and just proportion, according to the provisions of said act.

Approved, July 4, 1836.

Statute I.

July 4, 1836.

Chap. CCCLV.—*An Act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund, and the school reservations.*

1845, ch. 25.

A sum equivalent to the 5 per cent. &c. reserved from sales of Chickasaw lands in Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Mississippi, ceded by the Chickasaws by the treaty of the twentieth of October, eighteen hundred and thirty-two, which have been or may hereafter be sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner, and for the same uses and purposes, as is designated by the fifth section of the act of Congress of the first of March, eighteen hundred and seventeen.

1817, ch. 23.

Certain lands vested in the State of Mississippi for the use of schools.

Sec. 2. *And be it further enacted,* That there shall be reserved from sale, in the State of Mississippi, a quantity of land, equal to one-thirty-sixth part of the lands ceded by said Chickasaws as aforesaid, within said State of Mississippi, which land shall be selected under the direction of the Secretary of the Treasury, in sections, or half sections, or quarter sections, out of any public lands remaining unsold, that shall have been offered at public sale within either of the land districts in said State of Mississippi, contiguous to said lands within said State, so ceded by the Chickasaws as aforesaid; which lands, when so selected as aforesaid, the same shall vest in the State of Mississippi, for the use of schools within said territory in said State, so ceded as aforesaid by the Chickasaws; and said lands, thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State.

1842, ch. 40.

A sum equivalent to the 5 per cent. &c. reserved in Alabama.

Sec. 3. *And be it further enacted,* That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Alabama, ceded by the Chickasaws by the treaty aforesaid, which have been or may hereafter be sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner, and for the same uses and purposes, as is designated by the sixth section of the act of Congress of the second of March, eighteen hundred and nineteen.

1819, ch. 47.

Certain lands vested in the State of Alabama for the use of schools.

Sec. 4. *And be it further enacted,* That there shall be reserved from sale in the State of Alabama, a quantity of land equal to one-thirty-sixth part of the lands ceded by the Chickasaws as aforesaid, within said State of Alabama, which land shall be selected under the direction of the Secretary of the Treasury, in sections, or half sections, or quarter sections, out of any public lands remaining unsold, that shall have been offered at public sale within any land district in said State of Alabama, contiguous to said lands within said State, so ceded by the Chickasaws, as aforesaid; which lands, when so selected, as aforesaid, the same shall vest in the State of Alabama, for the use of schools within said territory, in said State, so ceded, as aforesaid, by the Chickasaws; and said lands thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State.

Approved, July 4, 1836.

Statute I.

July 4, 1836.

Chap. CCCLVI.—*An Act to authorize the appointment of additional Paymasters, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be and he hereby is authorized and empowered to appoint three additional Paymasters, to be attached to the Pay Department of the army: *Provided*, That the appointments be submitted to the Senate for their confirmation, in the same manner as other officers of the army.

President may appoint three additional paymasters.

Proviso.

Sec. 2. *And be it further enacted*, That the officers appointed in virtue of this act shall perform the same duties and receive the same pay and allowances as the present Paymasters of the army; and shall in like manner be subject to the rules and articles of war; and previous to entering upon the duties of their office shall give such bonds to the United States as the Secretary of War may direct for the faithful performance of their duties.

To perform the same duties and be subject to the same rules as other paymasters.

Sec. 3. *And be it further enacted*, That when volunteers or militia are called into the service of the United States, so that the Paymasters authorized by law shall not be deemed sufficient to enable them to pay the troops with proper punctuality, it shall be lawful for the President to assign to any officer of the army the duty of Paymaster, who, while so assigned, shall perform the same duty, give the same bond, be subject to the same liability and receive the same emoluments as are now provided for Paymaster of the army: *Provided however*, That the number of officers so assigned shall not exceed one for every two regiments of militia or volunteers; *And provided also*, That the whole emoluments of the said officers, including their pay and allowances in the line, shall not exceed the pay and emoluments of a Paymaster.

President, when necessary, may assign the duties of a paymaster to any officer of the army.

Proviso.

Proviso.

Sec. 4. *And be it further enacted*, That the President of the United States be and he hereby is authorized and empowered to appoint three additional Surgeons and five assistant Surgeons, to be attached to the medical staff of the army.

May appoint additional surgeons and assistant surgeons.

Sec. 5. *And be it further enacted*, That during the absence of the Quartermaster General, or the chief of any other military bureau of the War Department, the President be authorized to empower some officer of the Department or corps whose chief is absent to take charge thereof and to perform the duties of Quartermaster General or chief of the Department or corps, as the case may be, during such absence: *Provided*, That no additional compensation be allowed therefor.

In absence of Quartermaster General, &c., President may empower others to perform the duties.

Proviso.

Sec. 6. *And be it further enacted*, That it shall be the duty of the Secretary of the Senate and Clerk of the House of Representatives as soon as may be after the close of the present session, and of each succeeding session, to prepare and publish a statement of all appropriations made during the session, and also a statement of the new officers created and the salaries of each, and also a statement of the offices the salaries of which are increased and the amount of such increase.

Secretary of the Senate, and Clerk of House of Representatives, to prepare and publish statements of appropriations, &c.

Approved, July 4, 1836.

Statute I.

July 4, 1836.

Chap. CCCLVII.—*An Act to promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose.* (a)

March 3, 1837, ch. 45.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established and attached to the Department of State, an office to be denominated the Patent Office; the chief officer of which shall be called the Commissioner of Patents, to be appointed by the President, by and with the

Commissioner of Patents to be appointed, and his duties.

August 29, 1842, ch. 263.

(a) For notes of the acts relating to patents for useful inventions, see vol. 1, 109, 318. Notes of the decisions of the courts of the United States on patents for useful inventions, vol. 1, 109, 318.

advice and consent of the Senate, whose duty it shall be, under the direction of the Secretary of State, to superintend, execute, and perform, all such acts and things touching and respecting the granting and issuing of patents for new and useful discoveries, inventions, and improvements, as are herein provided for, or shall hereafter be, by law, directed to be done and performed, and shall have the charge and custody of all the books, records, papers, models, machines, and all other things belonging to said office. And said Commissioner shall receive the same compensation as is allowed by law to the Commissioner of the Indian Department, and shall be entitled to send and receive letters and packages by mail, relating to the business of the office, free of postage.

Chief clerk.

Sec. 2. *And be it further enacted*, That there shall be, in said office, an inferior officer, to be appointed by the said principal officer, with the approval of the Secretary of State, to receive an annual salary of seventeen hundred dollars, and to be called the Chief Clerk of the Patent Office; who, in all cases during the necessary absence of the Commissioner, or when the said principal office shall become vacant, shall have the charge and custody of the seal, and of the records, books, papers, machines, models, and all other things belonging to the said office, and shall perform the duties of Commissioner during such vacancy. And the said Commissioner may also, with like approval, appoint an examining clerk, at an annual salary of fifteen hundred dollars; two other clerks at twelve hundred dollars each, one of whom shall be a competent draughtsman; one other clerk at one thousand dollars; a machinist at twelve hundred and fifty dollars; and a messenger at seven hundred dollars. And said Commissioner, clerks, and every other person appointed and employed in said office, shall be disqualified and interdicted from acquiring or taking, except by inheritance, during the period for which they shall hold their appointments, respectively, any right or interest, directly or indirectly, in any patent for an invention or discovery which has been, or may hereafter be, granted.

Examining clerk, and other officers.

Officers to make oath, &c.

Sec. 3. *And be it further enacted*, That the said principal officer, and every other person to be appointed in the said office, shall, before he enters upon the duties of his office or appointment, make oath or affirmation, truly and faithfully to execute the trust committed to him. And the said Commissioner and the chief clerk shall also, before entering upon their duties, severally give bonds with sureties to the Treasurer of the United States, the former in the sum of ten thousand dollars, and the latter in the sum of five thousand dollars, with condition to render a true and faithful account to him or his successor in office, quarterly, of all moneys which shall be by them respectively received for duties on patents, and for copies of records and drawings, and all other moneys received by virtue of said office.

A seal to be provided.

Sec. 4. *And be it further enacted*, That the said Commissioner shall cause a seal to be made and provided for the said office, with such device as the President of the United States shall approve; and copies of any records, books, papers, or drawings, belonging to the said office, under the signature of the said Commissioner, or, when the office shall be vacant, under the signature of the chief clerk, with the said seal affixed, shall be competent evidence in all cases in which the original records, books, papers, or drawings, could be evidence. And any person making application therefor, may have certified copies of the records, drawings, and other papers deposited in said office, on paying, for the written copies, the sum of ten cents for every page of one hundred words; and for copies of drawings, the reasonable expense of making the same.

Patents to be signed by the

Sec. 5. *And be it further enacted*, That all patents issued from said office shall be issued in the name of the United States and under the

seal of said office, and be signed by the Secretary of State, and countersigned by the Commissioner of the said office, and shall be recorded, together with the descriptions, specifications, and drawings, in the said office, in books to be kept for that purpose. Every such patent shall contain a short description or title of the invention or discovery, correctly indicating its nature and design, and in its terms grant to the applicant or applicants, his or their heirs, administrators, executors, or assigns, for a term not exceeding fourteen years, the full and exclusive right and liberty of making, using, and vending to others to be used, the said invention or discovery, referring to the specifications for the particulars thereof, a copy of which shall be annexed to the patent, specifying what the patentee claims as his invention or discovery.

Secretary of State, and by the Commissioner.

Sec. 6. *And be it further enacted*, That any person or persons having discovered or invented any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement on any art, machine, manufacture, or composition of matter, not known or used by others before his or their discovery or invention thereof, and not, at the time of his application for a patent, in public use or on sale, with his consent or allowance, as the inventor or discoverer; and shall desire to obtain an exclusive property therein, may make application in writing to the Commissioner of Patents, expressing such desire, and the Commissioner, on due proceedings had, may grant a patent therefor. But before any inventor shall receive a patent for any such new invention or discovery, he shall deliver a written description of his invention or discovery, and of the manner and process of making, constructing, using, and compounding the same, in such full, clear, and exact terms, avoiding unnecessary prolixity, as to enable any person skilled in the art or science to which it appertains, or with which it is most nearly connected, to make, construct, compound, and use the same; and in case of any machine, he shall fully explain the principle and the several modes in which he has contemplated the application of that principle or character by which it may be distinguished from other inventions; and shall particularly specify and point out the part, improvement, or combination, which he claims as his own invention or discovery. He shall, furthermore, accompany the whole with a drawing, or drawings, and written references, where the nature of the case admits of drawings, or with specimens of ingredients, and of the composition of matter, sufficient in quantity for the purpose of experiment, where the invention or discovery is of a composition of matter; which descriptions and drawings, signed by the inventor and attested by two witnesses, shall be filed in the Patent Office; and he shall moreover furnish a model of his invention, in all cases which admit of a representation by model, of a convenient size to exhibit advantageously its several parts. The applicant shall also make oath or affirmation that he does verily believe that he is the original and first inventor or discoverer of the art, machine, composition, or improvement, for which he solicits a patent, and that he does not know or believe that the same was ever before known or used; and also of what country he is a citizen; which oath or affirmation may be made before any person authorized by law to administer oaths.

Applications, how made.

Specification.

Drawings, &c.

Models.

Oath or affirmation.

Sec. 7. *And be it further enacted*, That, on the filing of any such application, description, and specification, and the payment of the duty hereinafter provided, the Commissioner shall make or cause to be made, an examination of the alleged new invention or discovery; and if, on any such examination, it shall not appear to the Commissioner that the same had been invented or discovered by any other person in this country prior to the alleged invention or discovery thereof by the applicant, or that it had been patented or described in any printed publication in this or any foreign country, or had been in public use or on sale with the applicant's consent or allowance prior to the application, if the

Examination of invention to be made, and proceedings thereon, should it not be deemed new.

Commissioner shall deem it to be sufficiently useful and important, it shall be his duty to issue a patent therefor. But whenever, on such examination, it shall appear to the Commissioner that the applicant was not the original and first inventor or discoverer thereof, or that any part of that which is claimed as new had before been invented or discovered, or patented, or described in any printed publication in this or any foreign country, as aforesaid, or that the description is defective and insufficient, he shall notify the applicant thereof, giving him, briefly, such information and references as may be useful in judging of the propriety of renewing his application, or of altering his specification to embrace only that part of the invention or discovery which is new. In every such case, if the applicant shall elect to withdraw his application, relinquishing his claim to the model, he shall be entitled to receive back twenty dollars, part of the duty required by this act, on filing a notice in writing of such election in the Patent Office, a copy of which, certified by the Commissioner, shall be a sufficient warrant to the Treasurer for paying back to the said applicant the said sum of twenty dollars. But if the applicant in such case shall persist in his claim for a patent, with or without any alteration of his specification, he shall be required to make oath or affirmation anew, in manner as aforesaid. And if the specification and claim shall not have been so modified as, in the opinion of the Commissioner, shall entitle the applicant to a patent, he may, on appeal, and upon request in writing, have the decision of a board of examiners, to be composed of three disinterested persons, who shall be appointed for that purpose by the Secretary of State, one of whom at least, to be selected, if practicable and convenient, for his knowledge and skill in the particular art, manufacture, or branch of science to which the alleged invention appertains; who shall be under oath or affirmation for the faithful and impartial performance of the duty imposed upon them by said appointment. Said board shall be furnished with a certificate in writing, of the opinion and decision of the Commissioner, stating the particular grounds of his objection, and the part or parts of the invention which he considers as not entitled to be patented. And the said board shall give reasonable notice to the applicant, as well as to the Commissioner, of the time and place of their meeting, that they may have an opportunity of furnishing them with such facts and evidence as they may deem necessary to a just decision; and it shall be the duty of the Commissioner to furnish to the board of examiners such information as he may possess relative to the matter under their consideration. And on an examination and consideration of the matter by such board, it shall be in their power, or of a majority of them, to reverse the decision of the Commissioner, either in whole or in part, and their opinion being certified to the Commissioner, he shall be governed thereby in the further proceedings to be had on such application: *Provided, however*, That before a board shall be instituted in any such case, the applicant shall pay to the credit of the Treasury, as provided in the ninth section of this act, the sum of twenty-five dollars, and each of said persons so appointed shall be entitled to receive for his services in each case a sum not exceeding ten dollars, to be determined and paid by the Commissioner out of any moneys in his hands, which shall be in full compensation to the persons who may be so appointed, for their examination and certificate as aforesaid.

Proviso.

Interfering applications.

Sec. 8. *And be it further enacted*, That whenever an application shall be made for a patent which, in the opinion of the Commissioner, would interfere with any other patent for which an application may be pending, or with any unexpired patent which shall have been granted, it shall be the duty of the Commissioner to give notice thereof to such applicants, or patentees, as the case may be; and if either shall be dissatisfied with the decision of the Commissioner on the question of pri-

ority of right or invention, on a hearing thereof, he may appeal from such decision, on the like terms and conditions as are provided in the preceding section of this act; and the like proceedings shall be had, to determine which or whether either of the applicants is entitled to receive a patent as prayed for. But nothing in this act contained shall be construed to deprive an original and true inventor of the right to a patent for his invention, by reason of his having previously taken out letters patent therefor in a foreign country, and the same having been published, at any time within six months next preceding the filing of his specification and drawings. And whenever the applicant shall request it, the patent shall take date from the time of the filing of the specification and drawings, not however exceeding six months prior to the actual issuing of the patent; and on like request, and the payment of the duty herein required, by any applicant, his specification and drawings shall be filed in the secret archives of the office until he shall furnish the model and the patent be issued, not exceeding the term of one year, the applicant being entitled to notice of interfering applications.

Thirty dollars to be paid to the credit of the U. S. Treasurer by a citizen, or, &c.

Five hundred dollars by a subject of Great Britain, and three hundred by other persons.

Sec. 9. *And be it further enacted,* That before any application for a patent shall be considered by the commissioner as aforesaid, the applicant shall pay into the Treasury of the United States, or into the Patent Office, or into any of the deposite banks to the credit of the Treasury, if he be a citizen of the United States, or an alien, and shall have been resident in the United States for one year next preceding, and shall have made oath of his intention to become a citizen thereof, the sum of thirty dollars; if a subject of the King of Great Britain, the sum of five hundred dollars; and all other persons the sum of three hundred dollars; for which payment duplicate receipts shall be taken, one of which to be filed in the office of the Treasurer. And the moneys received into the Treasury under this act shall constitute a fund for the payment of the salaries of the officers and clerks herein provided for, and all other expenses of the Patent Office, and to be called the patent fund.

Inventors dying without taking a patent, their executors, &c. may, &c.

Sec. 10. *And be it further enacted,* That where any person hath made, or shall have made, any new invention, discovery, or improvement, on account of which a patent might by virtue of this act be granted, and such person shall die before any patent shall be granted therefor, the right of applying for and obtaining such patent shall devolve on the executor or administrator of such person, in trust for the heirs at law of the deceased, in case he shall have died intestate; but if otherwise, then in trust for his devisees, in as full and ample manner, and under the same conditions, limitations, and restrictions, as the same was held, or might have been claimed or enjoyed by such person in his or her lifetime; and when application for a patent shall be made by such legal representatives, the oath or affirmation provided in the sixth section of this act shall be so varied as to be applicable to them.

Assignment of a patent, and record thereof.

Sec. 11. *And be it further enacted,* That every patent shall be assignable in law, either as to the whole interest, or any undivided part thereof, by any instrument in writing; which assignment, and also every grant and conveyance of the exclusive right under any patent, to make and use, and to grant to others to make and use, the thing patented within and throughout any specified part or portion of the United States, shall be recorded in the Patent Office within three months from the execution thereof, for which the assignee or grantee shall pay to the Commissioner the sum of three dollars.

Caveat may be entered.

Sec. 12. *And be it further enacted,* That any citizen of the United States, or alien who shall have been resident in the United States one year next preceding, and shall have made oath of his intention to become

a citizen thereof, who shall have invented any new art, machine, or improvement thereof, and shall desire further time to mature the same, may, on paying to the credit of the Treasury, in manner as provided in the ninth section of this act, the sum of twenty dollars, file in the Patent Office a caveat, setting forth the design and purpose thereof, and its principal and distinguishing characteristics, and praying protection of his right till he shall have matured his invention; which sum of twenty dollars, in case the person filing such caveat shall afterwards take out a patent for the invention therein mentioned, shall be considered a part of the sum herein required for the same. And such caveat shall be filed in the confidential archives of the office, and preserved in secrecy. And if application shall be made by any other person within one year from the time of filing such caveat, for a patent of any invention with which it may in any respect interfere, it shall be the duty of the Commissioner to deposite the description, specifications, drawings, and model, in the confidential archives of the office, and to give notice, by mail, to the person filing the caveat, of such application, who shall, within three months after receiving the notice, if he would avail himself of the benefit of his caveat, file his description, specifications, drawings, and model; and if, in the opinion of the Commissioner, the specifications of claim interfere with each other, like proceedings may be had in all respects as are in this act provided in the case of interfering applications: *Provided, however*, That no opinion or decision of any board of examiners, under the provisions of this act, shall preclude any person interested in favor of or against the validity of any patent which has been or may hereafter be granted, from the right to contest the same in any judicial court in any action in which its validity may come in question.

Proviso.

Patents invalid from defective specifications may be surrendered, and new patents may be issued in certain cases.

Sec. 13. *And be it further enacted*, That whenever any patent which has heretofore been granted, or which shall hereafter be granted, shall be inoperative, or invalid, by reason of a defective or insufficient description or specification, or by reason of the patentee claiming in his specification as his own invention, more than he had or shall have a right to claim as new; if the error has, or shall have arisen by inadvertency, accident, or mistake, and without any fraudulent or deceptive intention, it shall be lawful for the Commissioner, upon the surrender to him of such patent, and the payment of the further duty of fifteen dollars, to cause a new patent to be issued to the said inventor, for the same invention, for the residue of the period then unexpired for which the original patent was granted, in accordance with the patentee's corrected description and specification. And in case of his death, or any assignment by him made of the original patent, a similar right shall vest in his executors, administrators, or assignees. And the patent, so reissued, together with the corrected description and specification, shall have the same effect and operation in law, on the trial of all actions hereafter commenced for causes subsequently accruing, as though the same had been originally filed in such corrected form, before the issuing out of the original patent. And whenever the original patentee shall be desirous of adding the description and specification of any new improvement of the original invention or discovery which shall have been invented or discovered by him subsequent to the date of his patent, he may, like proceedings being had in all respects as in the case of original applications, and on the payment of fifteen dollars, as hereinbefore provided, have the same annexed to the original description and specification; and the Commissioner shall certify, on the margin of such annexed description and specification, the time of its being annexed and recorded; and the same shall thereafter have the same effect in law, to all intents and purposes, as though it had been embraced in the original description and specification.

Patentee may make additions to his patent.

Sec. 14. *And be it further enacted,* That whenever, in any action for damages for making, using, or selling the thing whereof the exclusive right is secured by any patent heretofore granted, or by any patent which may hereafter be granted, a verdict shall be rendered for the plaintiff in such action, it shall be in the power of the court to render judgment for any sum above the amount found by such verdict as the actual damages sustained by the plaintiff, not exceeding three times the amount thereof, according to the circumstances of the case, with costs; and such damages may be recovered by action on the case, in any court of competent jurisdiction, to be brought in the name or names of the person or persons interested, whether as patentees, assignees, or as grantees of the exclusive right within and throughout a specified part of the United States.

Courts may render judgment for a sum not exceeding three times the amount of actual damages.

Sec. 15. *And be it further enacted,* That the defendant in any such action shall be permitted to plead the general issue, and to give this act and any special matter in evidence, of which notice in writing may have been given to the plaintiff or his attorney, thirty days before trial, tending to prove that the description and specification filed by plaintiff does not contain the whole truth relative to his invention or discovery, or that it contains more than is necessary to produce the described effect; which concealment or addition shall fully appear to have been made for the purpose of deceiving the public, or that the patentee was not the original and first inventor or discoverer of the thing patented, or of a substantial and material part thereof claimed as new, or that it had been described in some public work anterior to the supposed discovery thereof by the patentee, or had been in public use, or on sale, with the consent and allowance of the patentee before his application for a patent, or that he had surreptitiously or unjustly obtained the patent for that which was in fact invented or discovered by another, who was using reasonable diligence in adapting and perfecting the same; or that the patentee, if an alien at the time the patent was granted, had failed and neglected for the space of eighteen months from the date of the patent, to put and continue on sale to the public, on reasonable terms, the invention or discovery for which the patent issued; in either of which cases judgment shall be rendered for the defendant, with costs. And whenever the defendant relies in his defence on the fact of a previous invention, knowledge, or use of the thing patented, he shall state, in his notice of special matter, the names and places of residence of those whom he intends to prove to have possessed a prior knowledge of the thing, and where the same had been used: *Provided, however,* That whenever it shall satisfactorily appear that the patentee, at the time of making his application for the patent, believed himself to be the first inventor or discoverer of the thing patented, the same shall not be held to be void on account of the invention or discovery or any part thereof having been before known or used in any foreign country, it not appearing that the same or any substantial part thereof had before been patented or described in any printed publication. *And provided, also,* That whenever the plaintiff shall fail to sustain his action on the ground that in his specification of claim is embraced more than that of which he was the first inventor, if it shall appear that the defendant had used or violated any part of the invention justly and truly specified and claimed as new, it shall be in the power of the court to adjudge and award as to costs as may appear to be just and equitable.

Defendant may plead the general issue &c.

Proviso.

Proviso.

Sec. 16. *And be it further enacted,* That whenever there shall be two interfering patents, or whenever a patent on application shall have been refused on an adverse decision of a board of examiners, on the ground that the patent applied for would interfere with an unexpired patent previously granted, any person interested in any such patent, either by assignment or otherwise, in the one case, and any such appli-

Interfering patents, &c.

1839, ch. 88, § 10.

cant in the other case, may have remedy by bill in equity; and the court having cognizance thereof, on notice to adverse parties and other due proceedings had, may adjudge and declare either the patents void in the whole or in part, or inoperative and invalid in any particular part or portion of the United States, according to the interest which the parties to such suit may possess in the patent or the inventions patented, and may also adjudge that such applicant is entitled, according to the principles and provisions of this act, to have and receive a patent for his invention, as specified in his claim, or for any part thereof, as the fact of priority of right or invention shall in any such case be made to appear. And such adjudication, if it be in favor of the right of such applicant, shall authorize the Commissioner to issue such patent, on his filing a copy of the adjudication, and otherwise complying with the requisitions of this act. *Provided, however*, That no such judgment or adjudication shall affect the rights of any person except the parties to the action and those deriving title from or under them subsequent to the rendition of such judgment.

Proviso.

Actions cognizable in circuit courts of United States, &c.

Sec. 17. *And be it further enacted*, That all actions, suits, controversies, and cases arising under any law of the United States, granting or confirming to inventors the exclusive right to their inventions or discoveries, shall be originally cognizable, as well in equity as at law, by the circuit courts of the United States, or any district court having the powers and jurisdiction of a circuit court; which courts shall have power, upon bill in equity filed by any party aggrieved, in any such case, to grant injunctions, according to the course and principles of courts of equity, to prevent the violation of the rights of any inventor as secured to him by any law of the United States, on such terms and conditions as said courts may deem reasonable: *Provided, however*, That from all judgments and decrees, from any such court rendered in the premises, a writ of error or appeal, as the case may require, shall lie to the Supreme Court of the United States, in the same manner and under the same circumstances as is now provided by law in other judgments and decrees of circuit courts, and in all other cases in which the court shall deem it reasonable to allow the same.

Proviso.

Patents may be extended seven years in certain cases.

Sec. 18. *And be it further enacted*, That whenever any patentee of an invention or discovery shall desire an extension of his patent beyond the term of its limitation, he may make application therefor, in writing, to the Commissioner of the Patent Office, setting forth the grounds thereof; and the Commissioner shall, on the applicant's paying the sum of forty dollars to the credit of the Treasury, as in the case of an original application for a patent, cause to be published, in one or more of the principal newspapers in the city of Washington, and in such other paper or papers as he may deem proper, published in the section of country most interested adversely to the extension of the patent, a notice of such application and of the time and place when and where the same will be considered, that any person may appear and show cause why the extension should not be granted. And the Secretary of State, the Commissioner of the Patent Office, and the Solicitor of the Treasury, shall constitute a board to hear and decide upon the evidence produced before them both for and against the extension, and shall sit for that purpose at the time and place designated in the published notice thereof. The patentee shall furnish to said board a statement, in writing, under oath, of the ascertained value of the invention, and of his receipts and expenditures, sufficiently in detail to exhibit a true and faithful account of loss and profit in any manner accruing to him from and by reason of said invention. And if, upon a hearing of the matter, it shall appear to the full and entire satisfaction of said board, having due regard to the public interest therein, that it is just and proper that the term of the patent should be extended, by reason of the

patentee, without neglect or fault on his part, having failed to obtain, from the use and sale of his invention, a reasonable remuneration for the time, ingenuity, and expense bestowed upon the same, and the introduction thereof into use, it shall be the duty of the Commissioner to renew and extend the patent, by making a certificate thereon of such extension, for the term of seven years from and after the expiration of the first term; which certificate, with a certificate of said board of their judgment and opinion as aforesaid, shall be entered on record in the Patent Office; and thereupon the said patent shall have the same effect in law as though it had been originally granted for the term of twenty-one years. And the benefit of such renewal shall extend to assignees and grantees of the right to use the thing patented, to the extent of their respective interest therein: *Provided, however*, That no extension of a patent shall be granted after the expiration of the term for which it was originally issued. Proviso.

Sec. 19. *And be it further enacted*, That there shall be provided for the use of said office, a library of scientific works and periodical publications, both foreign and American, calculated to facilitate the discharge of the duties hereby required of the chief officers therein, to be purchased under the direction of the Committee of the Library of Congress. And the sum of fifteen hundred dollars is hereby appropriated, for that purpose, to be paid out of the patent fund. Library of Patent Office.

Sec. 20. *And be it further enacted*, That it shall be the duty of the Commissioner to cause to be classified and arranged, in such rooms or galleries as may be provided for that purpose, in suitable cases, when necessary for their preservation, and in such manner as shall be conducive to a beneficial and favorable display thereof, the models and specimens of compositions and of fabrics and other manufactures and works of art, patented or unpatented, which have been, or shall hereafter be deposited in said office. And said rooms or galleries shall be kept open during suitable hours for public inspection. Models to be classified and arranged.

Sec. 21. *And be it further enacted*, That all acts and parts of acts heretofore passed on this subject, be, and the same are hereby repealed: *Provided, however*, That all actions and processes in law or equity sued out prior to the passage of this act, may be prosecuted to final judgment and execution, in the same manner as though this act had not been passed, excepting and saving the application to any such action, of the provisions of the fourteenth and fifteenth sections of this act, so far as they may be applicable thereto: *And provided, also*, That all applications or petitions for patents, pending at the time of the passage of this act, in cases where the duty has been paid, shall be proceeded with and acted on in the same manner as though filed after the passage hereof. Former acts repealed. Proviso. Proviso.

Approved, July 4, 1836.

Statute I.
July 4, 1836.

Chap. CCCLIX.—*An Act to suspend the discriminating duties upon goods imported in vessels of Portugal, and to reduce the duties on wines.* (*a*)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the several acts of Congress as imposes a discriminating duty upon goods, wares, and merchandise, imported in foreign vessels, be, and hereby is, suspended, so far as respects the produce or manufactures of Portugal proper, including Madeira, Porto Santo, and the Azores, when imported in vessels wholly and truly belonging to the subjects or citizens of said places; so that such produce or manufactures shall be subject to the same duties only as if imported in vessels of the United States: *Provided, however*, And [that] this suspension shall continue no longer than this section remains in force. Acts suspended. Proviso.

(*a*) For notes of the acts relating to discriminating duties, vol. 4, page 2.

Duties on wines reduced one-half, after 30th July, 1836.

Sec. 2. *And be it further enacted*, That from and after the thirtieth day of July, eighteen hundred and thirty-six, the duty on all kinds of wine imported into the United States shall be reduced one-half, so that no more than one-half the amount now assessed shall be thereafter assessed.

Wines may be put into custom-house stores, &c.

Sec. 3. *And be it further enacted*, That all kinds of wine, whether imported before or after the passage of this act, may be put into the custom-house stores, under the bond of the importer or owner; and such of the said wines as shall remain under the control of the proper officer of the customs, on the thirtieth day of July, one thousand eight hundred and thirty-six, shall be subject to no other duty than if the same were imported after that day; and if the duties or any part thereof, on the wines deposited, as aforesaid, shall have been paid previous to the said thirtieth day of July, one thousand eight hundred and thirty-six, the amount of excess of duty shall be refunded to the person importing and depositing the same: *Provided*, That no wines shall be so deposited unless in the casks or bottles as imported: *And provided, further*, That the benefit of this act shall not be extended to any wines not entitled to debenture.

Proviso.

Proviso.

Approved, July 4, 1836.

Statute I.

July 4, 1836.

Chap. CCCLX.—*An act for the purchase of certain rights or inventions of William H. Bell, of North Carolina.*

To be paid to him for his interest in two patent rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be hereby authorized to pay to Captain William H. Bell, out of any money in the Treasury not otherwise appropriated, the sum of twenty thousand dollars, whenever said Bell shall transfer and convey to the United States all his, said Bell's, right, interest, and title, in and to two certain patents, viz: one called a machine for elevating heavy cannon, the other called a traverse board for pointing cannon; together with all the right to the United States to use every improvement that has been made by said Bell on the said inventions, since patenting the same; *Provided, however*, That said sum of twenty thousand dollars shall be in full for all claims against the United States for using said patents

Approved, July 4, 1836.

Statute I.

July 4, 1836.

Chap. CCCLXI.—*An Act confirming claims to land in the State of Missouri, and for other purposes.*

Decisions of the recorder confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the decisions in favor of land claimants, made by the recorder of land titles in the State of Missouri, and the two commissioners associated with him by virtue of an act entitled "An act for the final adjustment of private land claims in Missouri," approved July ninth, eighteen hundred and thirty-two, and an act supplemental thereto, approved March second, eighteen hundred and thirty-three, as entered in the transcript of decisions transmitted by the said recorder and commissioners to the Commissioner of the General Land Office, and by him laid before Congress at the two last and present sessions, be, and the same are hereby, confirmed, saving and reserving, however, to all adverse claimants, the right to assert the validity of their claims in a court or courts of justice: *Provided*, That nothing in this act contained shall apply to, or be in confirmation of the claim of Don Carlos D. Vilemont, for a tract of land at Point Chicot: *And provided, also*, That nothing in this act contained shall apply to, or be in confirmation of the following claims, to wit: Manuel Liza, six thousand arpens; J. Coontz, and Hempstead,

Act of July 9, 1832, ch. 180.

Act of March 2, 1833, ch. 84.

Proviso.

Proviso.

four hundred and fifty arpens; Matthew Saucier, one thousand two hundred arpens; Charles Tayon, one thousand six hundred arpens; sons of Joseph M. Pepin, five thousand six hundred arpens; Louis Lorimiere, thirty thousand arpens; Bartholomew Cousin, ten thousand arpens; Manuel Gonzales Moro, eight hundred arpens; Seneca Rollins, four hundred arpens; William Long, four hundred arpens; James Journey, four hundred arpens; Joachim Lisa, six thousand arpens; Francois Lacomb, four hundred arpens; Israel Dodge, seven thousand [and] fifty six arpens; Andrew Chevalier, four hundred arpens; Joseph Silvain, two hundred and fifty arpens; John P. Cabanis, two thousand arpens; William Hartly, six hundred and fifty arpens; William Morrison, seven hundred and fifty arpens; Solomon Bellew, three hundred and fifty arpens; Paschal Detchemendez, seven thousand [and] fifty-six arpens; Baptiste Aunure, two hundred and forty arpens; Alexander Maurice, four hundred arpens; Jean Baptiste Valle, twenty thousand arpens; Israel Dodge, one thousand arpens; Walter Fenwick, ten thousand arpens; John Smith T., ten thousand arpens; and Mackey Wherry, sixteen hundred arpens.

Other land may be located, should any of that be occupied, the title to which is confirmed.

Sec. 2. *And be it further enacted*, That if it shall be found that any tract or tracts confirmed as aforesaid, or any part thereof, had been previously located by any other person or persons under any law of the United States, or had been surveyed and sold by the United States, this act shall confer no title to such lands in opposition to the rights acquired by such location or purchase; but the individual, or individuals, whose claims are hereby confirmed, shall be permitted to locate so much thereof as interferes with such location or purchase, on any unappropriated land of the United States within the State of Missouri, or Territory of Arkansas, in whichever the original claim may be, that may be subject to entry at private sale: *Provided*, That such location shall conform to legal divisions and subdivisions, and shall not interfere with the rights of other persons.

Proviso.

Locations to be entered with the Register, &c.

Sec. 3. *And be it further enacted*, That the locations authorized by this act, shall be entered with the register of the proper land office, who shall, on application for that purpose, make out for such claimant a certificate of location, which, with the certificate of confirmation, shall be transmitted to the Commissioner of the General Land Office; and if it shall appear to the satisfaction of the said Commissioner that such certificate shall have been fairly obtained, according to the true intent and meaning of this act and the laws of the United States, then, and in that case, patents shall be granted in like manner as is provided by law for the other lands of the United States. And for each certificate of location to be issued as aforesaid, the register shall be entitled to receive from the person applying therefor, the sum of one dollar.

Approved, July 4, 1836.

Statute I.

July 4, 1836.

Chap. CCCLXII.—*An Act granting half pay to widows or orphans, where their husbands and fathers have died of wounds received in the military service of the United States, in certain cases, and for other purposes.*

1837, ch. 42.
1842, ch. 191.
1848, ch. 108.

Five years' half pay to widows or orphans of those who have died, &c. in the service of United States since 20th April 1818.

1853, ch. 41.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when any officer, non-commissioned officer, musician or private of the militia, including rangers, sea fencibles, and volunteers, shall have died while in the service of the United States, since the twentieth of April, eighteen hundred and eighteen, or who shall have died in consequence of a wound received whilst in the service, since the day aforesaid, and shall have left a widow, or, if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was

entitled at the time of his death or receiving such wound, for and during the term of five years; and in case of the death or marriage of such widow before the expiration of said five years, the half pay for the remainder of the time shall go to the said decedent: *Provided*, That the half pay aforesaid shall be half the monthly pay of the officers, non-commissioned officers, musicians and privates of the infantry of the regular army, and no more: *Provided, also*, That no greater sum shall be allowed to the widow or to the child or children of any officer, than the half pay of a lieutenant colonel.

Proviso.

Proviso.

Benefit of the act of 7th June, 1832, extended to widows or children under certain circumstances.

Act of June 7, 1832, ch. 126.

Sec. 2. *And be it further enacted*, That if any officer, non-commissioned officer, musician, soldier, Indian spy, mariner or marine, whose service during the revolutionary war was such as is specified in the act passed the seventh day of June eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," have died since the fourth day of March, eighteen hundred and thirty-one, and before the date of said act, the amount of pension which would have accrued from the fourth day of March, eighteen hundred and thirty-one, to the time of his death, and become payable to him by virtue of that act, if he had survived the passage thereof, shall be paid to his widow; and if he left no widow, to his children, in the manner prescribed in the act hereby amended.

Extended to widows in other cases.

Act of June 7, 1832, ch. 126.

Post, p. 311.

Sec. 3. *And be it further enacted*, That if any person who served in the war of the revolution, in the manner specified in the act passed the seventh day of June, eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," have died, leaving a widow whose marriage took place before the expiration of the last period of his service, such widow shall be entitled to receive, during the time she may remain unmarried, the annuity or pension which might have been allowed to her husband, by virtue of the act aforesaid, if living at the time it was passed.

Transfers of any claim under this act declared void.

Sec. 4. *And be it further enacted*, That any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any money or half pay granted by this act, shall be utterly void and of no effect; each person acting for and in behalf of any one entitled to money under this act, shall take and subscribe an oath, to be administered by the proper accounting officer and retained by him and put on file, before a warrant shall be delivered to him, that he has no interest in said money by any pledge, mortgage, sale, assignment or transfer, and that he does not know or believe that the same has been so disposed of to any person whatever.

Secretary of War to adopt forms.

Sec. 5. *And be it further enacted*, That the Secretary of War shall adopt such forms of evidence, in applications under this act, as the President of the United States shall prescribe.

Approved, July 4, 1836.

Statute I.

July 4, 1836.

[Obsolete.]

Chap. CCCLXIII.—*An Act making appropriations for the improvement of certain harbors therein mentioned, for the year one thousand eight hundred and thirty-six, and for other purposes.*

Appropriations.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That for the security of the navigation and commerce of the United States, the following sums of money be, and the same are hereby directed to be paid out of any money in the Treasury not otherwise appropriated, and placed at the disposition of the President, for the following objects, viz:

Maine. Breakwater in Portland harbor.

For erecting a breakwater on Stanford ledge, in Portland harbor, according to the plan reported by John Anderson, of the Engineer corps, in the year eighteen hundred and thirty-two, ten thousand dollars.

For the survey of a ledge near Owl's-head harbour, to determine the expediency of erecting thereon a breakwater to improve said harbor, four hundred dollars. Survey near Owl's head harbor.

For the examination and survey of the passage into Cobscook bay, in the State of Maine, for the purpose of ascertaining the practicability of removing two ledges whereby the navigation of said bay is materially obstructed, three hundred dollars. Survey at Cobscook bay.

For deepening the channel of the Cocheco branch of the Piscataqua river, leading into Dover harbour, five thousand dollars. N. Hampshire. Deepening Piscataqua river.

For the improvement of the harbor at the mouth of Bass river, ten thousand dollars and forty-one cents. Massachusetts. Harbor of Bass river.

For removing the wreck in the harbor of New Bedford, ten thousand dollars. Removing wreck, New Bedford harbor.

For the construction of a breakwater at Sandy bay, agreeably to the report of a survey made by direction of the Department of War, transmitted to Congress by the President, April twenty-third, eighteen hundred and thirty, ten thousand dollars. Breakwater at Sandy bay.

For preserving the point of land leading to the fort and lighthouse at the Gurnet, in Duxbury, by hurdles or double ranges of piles, five thousand dollars. Point of land in Duxbury.

For the preservation of Rainsford island, in the harbor of Boston, fifteen thousand dollars. Rainsford island.

For a breakwater at Church's cove harbor, in the town of Little Compton, ten thousand dollars, agreeably to a survey made by Lieutenant Colonel Anderson, of the United States topographical engineers, in eighteen hundred and twenty-seven. Rhode Island. Breakwater at Church's cove harbor.

For improving the harbor of Saybrook, by removing the bar at the mouth of Connecticut river, twenty thousand dollars. Connecticut. Saybrook harbor.

For improving the harbor of Westport, agreeably to the report of John Anderson, of the Engineer corps, three thousand dollars. Westport harbor.

For a sea-wall to preserve Fairweather island, near Black Rock harbor, ten thousand dollars. Fairweather island.

For securing the public works at the harbor of Southport, one thousand five hundred dollars. Southport.

For further securing the beach at Cedar point, in Connecticut, one thousand dollars. Cedar Point.

For deepening the channel leading into Bridgeport harbor, ten thousand dollars. Bridgeport harbor.

For deepening the channel of the river Thames, leading into Norwich harbor, ten thousand dollars. Norwich harbor.

For building a breakwater or pier at the harbor of Burlington, ten thousand dollars. Vermont. Breakwater, Burlington harbor.

For deepening the channel to eight feet between the islands of North and South Hero, near Saint Alban's in Lake Champlain, in Vermont, fifteen thousand dollars. Channel near St. Albans.

For the improvement of the harbor of Portland, on Lake Erie, ten thousand dollars. New York. Portland harbor, Lake Erie.

For the improvement of the harbor at the mouth of Salmon river, on Lake Ontario, according to the several plans of said harbor, submitted through the Department of War, five thousand dollars. Salmon river, Lake Ontario.

For the improvement of the harbor at the mouth of Oak Orchard creek, on Lake Ontario, according to the plan thereof made by Joseph G. Swift, civil engineer, five thousand dollars. Oak Orchard creek, Lake Ontario.

For the improvement of the harbor at the mouth of Black river, in the county of Jefferson, five thousand dollars. Black river.

For building a breakwater or pier at the harbor of Plattsburg, ten thousand dollars. Breakwater at Plattsburg.

For improving the harbor at the mouth of Cattaraugus creek, on Lake Erie, fifteen thousand dollars. Cattaraugus creek, lake Erie.

Whitehall harbor.

For improving the entrance of Whitehall harbor, on Lake Champlain, eight thousand dollars.

Ice-breaker, Staten Island.

For building an ice-breaker on Staten island, nineteen thousand five hundred dollars.

New Jersey. New Brunswick harbor.

For improving the harbor at New Brunswick, by removing the obstructions in the Raritan river, according to a plan reported to the War Department by Hartman Bache, seven thousand dollars.

Little Egg harbor.

For the protection and improvement of Little Egg harbor, according to the plan reported to the War Department, five thousand dollars.

Survey of Crow Shoal.

For a survey of Crow Shoal in Delaware bay, to ascertain the expediency of constructing a breakwater or artificial harbor, one thousand dollars.

Pennsylvania. Chester harbor.

For repairs at the harbor of Chester, three thousand dollars.

Delaware river, near Fort Mifflin.

For removing the bar on the river Delaware, in the neighborhood of Fort Mifflin, with the view of improving the harbor of Philadelphia, fifteen thousand dollars.

Delaware. Wilmington harbor.

For improving the harbor of Wilmington, by removing the bar at the mouth of Christiana river, according to the plan recommended by Hartman Bache, of the engineer corps, fifteen thousand dollars.

Maryland. Baltimore harbor.

For deepening the harbor of Baltimore, twenty thousand dollars.

Survey, Chesapeake bay.

For a survey of the head waters of Chesapeake bay, pursuant to a resolution of the Legislature of Maryland, five hundred dollars.

Virginia. Survey of James river.

For a survey of James river, with the view of improving the harbor of Richmond, five hundred dollars.

Channels of Dismal Swamp Canal.

For improving the navigation of the natural channels at the northern and southern entrances of the Dismal Swamp canal, fifteen thousand dollars.

N. Carolina. Shoal in Pamtico river.

For removing a sand shoal in Pamtico river, five thousand dollars, by means of the dredging machine now in operation at Ocracock inlet.

Shoal in New river.

For removing the oyster shoal in New river, Onslow county, by means of the dredging machine now in operation in the collection district of Wilmington, five thousand dollars.

Beaufort harb'r.

To improve the harbor of Beaufort, five thousand dollars.

S. Carolina. Survey Georgetown harbor.

For a survey of the bar and harbor at Georgetown, one thousand dollars.

Georgia. Removing Brunswick bar.

For the removal of the Brunswick bar, with the view of improving the harbor of Brunswick, ten thousand dollars.

Ohio. Mouth of Vermilion river.

For constructing two piers and improving the navigation at the mouth of Vermilion river, ten thousand dollars, according to the plan reported to the War Department.

Indiana. Michigan city harbor.

For the construction of a harbor at Michigan city, according to the plan reported to the War Department, twenty thousand dollars.

Louisiana. Mouth of Mississippi river.

For increasing the depth of water in the mouth of the Mississippi river, by closing some of the passages leading out of it, or by cutting a ship channel, or by any other means which shall be deemed expedient by the Secretary of War, with the approbation of the President of the United States, seventy-five thousand dollars; the said sum to be expended in whole or in part, as may be thought proper by the War Department, after the necessary survey shall have been made.

Missouri. Pier near St. Louis.

For a pier to give direction to the current of the Mississippi river, near the city of St. Louis, fifteen thousand dollars.

Survey of rivers in Arkansas and Missouri.

For the survey of Saint Francis, Black, and White rivers, in Arkansas and Missouri, to determine upon the expediency of removing the natural rafts thereon, one thousand dollars.

Florida. Removing Bulk Head shoal.

For removing a mud shoal, called the Bulk Head, in the channel from East Pass to Appalachicola, ten thousand dollars.

Michigan. Mouth of St. Joseph river.

For the construction of a pier or breakwater at the mouth of the river Saint Joseph, twenty thousand dollars.

For the survey of the mouth of Milwaukie river, on Lake Michigan, to determine the practicability of making a harbor by deepening the channel, four hundred dollars.

Wisconsin. Survey of Milwaukee river.

Sec. 2. *And be it further enacted,* That the reports upon all the aforesaid surveys shall contain a statement of all such facts within the knowledge of the engineers respectively making the surveys, as are or may be in any way materially connected with the proposed improvements, and also with estimates, in detail, of the sums of money necessary for such improvements, respectively.

Reports upon surveys to contain estimates, &c.

Approved, July 4, 1836.

Statute I.

Chap. CCCLXIV.—*An Act to repeal so much of the act of March second, seventeen hundred and ninety-nine, as respects the issuing of certificates on the importation of wines.*

July 4, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act of Congress, passed second March, seventeen hundred and ninety-nine, as requires that the surveyor or chief officers of inspection of any port, where wines may be landed, shall give to the proprietor, importer or consignee thereof, or his or her agent, a certificate, as mentioned in the fortieth and forty-first sections of said act, is hereby repealed.

Repeal of sec. 7, act of March 2, 1799, ch. 22.

Approved, July 4, 1836.

RESOLUTIONS.

No. 1. *Resolution authorizing the President to furnish rations to certain inhabitants of Florida.*

Feb. 1, 1836.

Be it Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to cause rations to be delivered from the public stores to the unfortunate sufferers, who are unable to provide for themselves, and who have been driven from their homes by Indian depredations in Florida, until they can [be] re-established in their possessions, or so long as the President shall consider it necessary.

Rations from the public stores to be delivered, &c.

Approved, February 1, 1836.

No. 2. *Resolution to establish certain post roads in Missouri and Arkansas.*

Mar. 19, 1836.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General be, and he is hereby authorized to establish the following post roads; From Fort Towson, in the Territory of Arkansas, to Fort Gibson, and from Fort Gibson, by Fayette, in Arkansas Territory, Barry court-house, Van Buren court-house, Jackson court-house, Fort Leavenworth, Liberty, in Clay county, Plattsburgh, in Clinton county, Fort Des Moines, to the town of Dubuque on the Mississippi river. And the same shall be continued until otherwise provided for by law.

Post roads to be established.

Approved, March 19, 1836.

No. 3. *Resolution to suspend the sale of a part of the public lands acquired by the treaty of Dancing Rabbit creek.*

May 9, 1836.

Be it Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the public lands, acquired by the treaty concluded with the Choctaw nation of Indians, at Dancing Rabbit creek, on the twenty-eighth day of September, eighteen hundred and thirty, as has been conditionally, or otherwise located by the locating agent of the United States to persons claiming reservations under the fourteenth article of said treaty, be

Reservations of lands to be withheld from public sale until 1st December, 1836.

Proviso.

withheld from public sale until the first day of December next: *Provided*, That nothing herein contained, shall be taken or construed as indicating any intention on the part of Congress to confirm said claims.

Approved, May 9, 1836.

May 14, 1836.

No. 4. *A Resolution to change the time of making contracts for the transportation of the mail.*

The contract year for carrying the mail to end on the 30th of June.

Act of July 2, 1836, ch. 270.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General be authorized, provided the same can be done at the present rates of compensation, to extend the term of the existing contracts for the transportation of the mail, to the thirtieth day of June inclusive, next succeeding the thirty-first day of December, in each year in which said contracts expire, so that the contract year may, after the first day of January next, commence on the first day of July, instead of the first day of January.

Approved, May 14, 1836.

May 14, 1836.

No. 5. *A Resolution to authorize the Secretary of War to receive additional evidence in support of the claims of Massachusetts and other States of the United States, for disbursements, services, &c. during the late war.*

Evidence, if satisfactory, to be received, although not conforming to existing rules.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, in preparing his report pursuant to a resolve of the House of Representatives, agreed to on the twenty-fourth of February, eighteen hundred and thirty-two, be, and he hereby is, authorized, without regard to existing rules and requirements, to receive such evidence as is on file, and any further proofs which may be offered tending to establish the validity of the claims of Massachusetts upon the United States, or any part thereof, for services, disbursements, and expenditures during the late war with Great Britain; and in all cases where such evidence shall in his judgment prove the truth of the items of claim, or any part thereof, to act on the same in like manner as if the proof consisted of such vouchers and evidence, as is required by existing rules and regulations touching the allowance of such claims: And that in the settlement of claims of other States upon the United States for services, disbursements, and expenditures during the late war with Great Britain, the same kind of evidence, vouchers and proof shall be received as is herein provided for in relation to the claim of Massachusetts, the validity of which shall be, in like manner, determined and acted upon by the Secretary of War.

Approved, May 14, 1836.

June 7, 1836.

No. 6. *A Resolution authorizing the repair of the bridge across the river Potomac, at Washington.*

Unexpended balance appropriated to repairs.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized to have all repairs made to the bridge across the Potomac river, which have become necessary from the late flood, and that the expenses of said repairs be paid out of the money heretofore appropriated for the erection of said bridge, and which is now in the Treasury, unexpended.

Approved, June 7, 1836.

No. 7. *A Resolution providing for the distribution of weights and measures.* June 14, 1836.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is directed to cause a complete set of all the weights and measures adopted as standards, and now either made or in the progress of manufacture for the use of the several custom-houses, and for other purposes, to be delivered to the Governor of each State in the Union, or such person as he may appoint, for the use of the States respectively, to the end that an uniform standard of weights and measures may be established throughout the United States.

A complete set of such weights and measures as are intended for custom-houses to be delivered to each State.

Approved, June 14, 1836.

No. 8. *A Resolution to furnish the Rotundo with paintings.* June 23, 1836.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a joint committee be appointed to contract with one or more competent American artists for the execution of four historical pictures upon subjects serving to illustrate the discovery of America; the settlement of the United States; the history of the Revolution; or of the adoption of the Constitution; to be placed in the vacant pannels of the Rotundo; the subjects to be left to the choice of the artists under the control of the committee.

Contract to be made with four American artists.

Approved, June 23, 1836.

No. 9. *A Resolution referring the petition and papers of the heirs of Robert Fulton, deceased, to the Secretary of the Navy, to report thereon to Congress.* June 23, 1836.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the petition and papers of the heirs of Robert Fulton, be referred to the Secretary of the Navy, to state an account between the United States and said heirs, by debiting them with all the moneys paid to the said Robert Fulton, and not settled on the books of the Treasury Department.

Moneys paid to Robert Fulton to be debited to his heirs.

Second. To credit the said heirs with all moneys advanced or expended by the said Fulton, in and about the business of the United States, committed to his care, or about which he had an agency.

Moneys expended by R. F. for the U. S. to be credited.

Third. To credit the said heirs a compensation commensurate with the value and importance of the services rendered by the said Robert Fulton, to the United States, in inventing a system of coast and harbor defence, and in testing its utility so far as he was employed or engaged to render such services by the authorities of the United States, or when such services were recognised as having been rendered for the United States, previous to, or during, the late war with Great Britain.

A compensation commensurate with the value of his system of harbor defence to be allowed.

Fourth. To credit the said heirs with the like compensation, for the services of the said Robert Fulton, for inventing and in superintending the construction of a steam frigate, at New York, during and after said war.

Compensation for inventing and superintending steam frigate.

Fifth. To credit the said heirs with a just and equitable compensation, for the detention of the steam-boat Vesuvius, at New Orleans, from the thirtieth of December, eighteen hundred and fourteen, to the twelfth of March, eighteen hundred and fifteen, both days inclusive, being the time the said boat remained aground by reason of her being impressed into the service of the United States, and grounded when in said service.

Allowance to be made for detention of the Vesuvius.

Sec. 2. *Be it further resolved*, That the said Secretary of the Navy be authorized to take such further testimony as he shall think necessary, and that he ascertain what defence was made to the suit in favor of the United States, against the representatives of Robert Fulton in the

Secretary of Navy may take further testimony, &c. relating to a suit in favor

of the United States, and report to Congress.

southern district of New York, and what composed the items of set-off to the claim of the United States; and that said Secretary report his proceedings at the next session of Congress.

Approved, June 23, 1836.

July 1, 1836.

No. 10. *A resolution to apply the unexpended balance of the appropriation for the Potomac bridge to the improvement of Maryland avenue leading thereto, and for other purposes.*

The balance of the appropriation to be expended on Maryland avenue.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the balance of the appropriation for the construction of the bridge across the Potomac, at the city of Washington, remaining unexpended after the said bridge shall have been repaired in obedience to the directions contained in the joint resolution passed for that purpose at the present session of Congress, be, and the same hereby is, appropriated, to be applied under the direction of the Commissioner of the Public Buildings, towards the graduation, gravelling and planting of the Maryland avenue, in said city, from its eastern extremity to the said bridge, in equal proportions on the east and west of the Capitol, according to distance.

Commissioner of public buildings to attend to the draws, &c. He may employ three assistants.

Sec. 2. *And be it further resolved*, That it shall be the duty of the Commissioner of Public Buildings to attend to the draws, cause the bridge to be properly lighted, to guard against wanton injuries and obstructions, and to preserve a due police on and near it, so as to ensure the safety of passengers and of the public property; that said Commissioner shall receive for his services the yearly compensation of three hundred dollars, and be authorized to employ three assistants, at a compensation not exceeding one dollar and fifty cents a day.

Approved, July 1, 1836.

ACTS OF THE TWENTY-FOURTH CONGRESS

OF THE

UNITED STATES.

Passed at the second session, which was begun and held at the City of Washington, in the district of Columbia, on Monday, the 5th day of December, 1836, *and ended the 3d day of March,* 1837.

ANDREW JACKSON, President; MARTIN VAN BUREN, Vice President of the United States and President of the Senate; JAMES K. POLK, Speaker of the House of Representatives.

STATUTE II.

CHAPTER I.—*An Act to regulate, in certain cases, the disposition of the proceeds of lands ceded by Indian tribes to the United States.*

Jan. 9, 1837.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all moneys received from the sales of lands, that have been, or may be hereafter, ceded to the United States by Indian tribes, by treaties providing for the investment or payment to the Indians, parties thereto, of the proceeds of the lands ceded by them, respectively, after deducting the expenses of survey and sale, any sums stipulated to be advanced, and the expenses of fulfilling any engagements contained therein, shall be paid into the Treasury of the United States in the same manner that moneys received from the sales of public lands are paid into the Treasury.

Moneys received to be paid into the Treasury.

SEC. 2. *And be it further enacted,* That all sums that are or may be required to be paid, and all moneys that are or may be required to be invested by said treaties, are hereby appropriated in conformity to them, and shall be drawn from the Treasury as other public moneys are drawn therefrom, under such instructions as may from time to time be given by the President.

Necessary appropriations made to be paid from the Treasury.

SEC. 3. *And be it further enacted,* That all investments of stock, that are or may be required by said treaties, shall be made under the direction of the President; and special accounts of the funds under said treaties shall be kept at the Treasury, and statements thereof be annually laid before Congress.

Investments of stock.

Special accounts of the funds to be kept, and laid before Congress.

SEC. 4. *And be it further enacted,* That the provisions of the 4th section of the act of June 14th, 1836, entitled "An act making appropriations for the Indian Department, &c.," be and are hereby extended, in such manner as to apply to the disposition of all moneys that may hereafter be received under the treaties therein named, or under any others containing similar stipulations for the payment to the Indians, annually, of interest upon the proceeds of the lands ceded by them.

Provisions of sec. 4, act 14th June, 1836, ch. 88, extended.

APPROVED, January 9, 1837.

STATUTE II.

Jan. 9, 1837.

CHAP. II.—*An Act making an appropriation for the suppression of Indian hostilities.*

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the further sum of two

$2,000,000 appropriation.

millions of dollars shall be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been, or may be incurred in preventing or suppressing the hostilities of any Indians; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March, and the second of July last, and of the acts therein referred to.

How to be expended.

Approved, January 9, 1837.

Statute II.
Jan. 18, 1837.

Act of April 2, 1792, ch. 16.
Act of March 3, 1835, ch. 39.
Act of Feb. 27, 1843, ch. 46.
Act of April 2, 1844, ch. 7.

Chap. III.—*An Act supplementary to the act entitled "An act establishing a mint, and regulating the coins of the United States."*(a)

Officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers of the mint of the United States shall be a director, a treasurer, an assayer, a melter and refiner, a chief coiner and an engraver, to be appointed by the President of the United States, by and with the advice and consent of the Senate.

Duties of.

Sec. 2. *And be it further enacted,* That the respective duties of the officers of the mint shall be as follows:

Director.

First. The director shall have the control and management of the mint, the superintendence of the officers and persons employed therein, and the general regulation and supervision of the business of the several branches. And in the month of January of every year he shall make report to the President of the United States of the operations of the mint and its branches for the year preceding. And also to the Secretary of the Treasury, from time to time, as said Secretary shall require, setting forth all the operations of the mint subsequent to the last report made upon the subject.

Treasurer.

Second. The treasurer shall receive, and safely keep all moneys which shall be for the use and support of the mint; shall keep all the current accounts of the mint, and pay all moneys due by the mint, on warrants from the director. He shall receive all bullion brought to the mint for coinage; shall be the keeper of all bullion and coin in the mint, except while the same is legally placed in the hands of other officers, and shall, on warrants from the director, deliver all coins struck at the mint to the persons to whom they shall be legally payable. And he shall keep regular and faithful accounts of all the transactions of the mint, in bullion and coins, both with the officers of the mint and the depositors; and shall present, quarter-yearly, to the Treasury Department of the United States, according to such forms as shall be prescribed by that department, an account of the receipts and disbursements of the mint, for the purpose of being adjusted and settled.

Assayer.

Third. The assayer shall carefully assay all metals used in coinage, whenever such assays are required in the operations of the mint; and he shall also make assays of coins whenever instructed to do so by the director.

Melter and refiner.

Fourth. The melter and refiner shall execute all the operations which are necessary in order to form ingots of standard silver or gold, suitable for the chief coiner, from the metals legally delivered to him for that purpose.

Chief coiner.

Fifth. The chief coiner shall execute all the operations which are necessary in order to form coins, conformable in all respects to the law, from the standard silver and gold ingots, and the copper planchets, legally delivered to him for this purpose.

Engraver.

Sixth. The engraver shall prepare and engrave, with the legal devices and inscriptions, all the dies used in the coinage of the mint and its branches.

(a) See notes of the acts relating to the Mint, and to Coins of the United States, vol. 1, 246.

Sec. 3. *And be it further enacted*, That the director shall appoint, with the approbation of the President, assistants to the assayer, melter and refiner, chief coiner, and engraver, and clerks for the director and treasurer, whenever, on representation made by the director to the President, it shall be the opinion of the President that such assistants or clerks are necessary. And it shall be the duty of the assistants to aid their principals in the execution of their respective offices, and of the clerks to perform such duties as shall be prescribed for them by the director.

Appointment of assistants and clerks.

Their duties.

Sec. 4. *And be it further enacted*, That whenever any officer of the mint shall be temporarily absent, on account of sickness, or any other sufficient cause, it shall be lawful for the director, with the assent of said officer, to appoint some person attached to the mint, to act in the place of such officer during his absence, and that the director shall employ such workmen and servants in the mint as he shall from time [to time] find necessary.

Vacancies in case of temporary absence how filled.

Employment of workmen and servants.

Sec. 5. *And be it further enacted*, That every officer, assistant, and clerk of the mint, shall, before he enters upon the execution of his office, take an oath or affirmation before some judge of the United States, or judge of the superior court or any court of record of any State, faithfully and diligently to perform the duties thereof.

Oath to be taken.

Sec. 6. *And be it further enacted*, That the following officers of the mint, before entering upon the execution of their respective offices, shall become bound to the United States, with one or more sureties, to the satisfaction of the Secretary of the Treasury, in the sums hereinafter mentioned, with condition for the faithful and diligent performance of the duties of their offices, viz: The treasurer in the sum of ten thousand dollars; the assayer in the sum of five thousand dollars; the melter and refiner in the sum of ten thousand dollars; the chief coiner in the sum of ten thousand dollars. And that similar bonds may also be required of the assistants and clerks, in such sums as the director shall determine, with the approbation of the Secretary of the Treasury.

Bonds required.

Sec. 7. *And be it further enacted*, That there shall be allowed to the officers of the mint the following salaries per annum: To the director, for his services, including travelling expenses incurred in visiting the different branches, and all other charges whatever, three thousand five hundred dollars; to the treasurer, assayer, melter and refiner, chief coiner, and engraver, each, two thousand dollars; to the assistants and clerks, such annual salaries shall be allowed as the director may determine, with the approbation of the President: *Provided*, That an assistant shall not receive more than fifteen hundred dollars; and that a clerk shall not receive more than twelve hundred dollars; to the workmen and servants shall be allowed such wages, to be determined by the director, as may be customary and reasonable, according to their respective stations and occupations; and that the salaries provided for in this section shall be payable in quarterly instalments.

Salaries of officers, clerks, and assistants.

Proviso.

Wages of workmen and servants.

Sec. 8. *And be it further enacted*, That the standard for both gold and silver coins of the United States shall hereafter be such, that of one thousand parts by weight, nine hundred shall be of pure metal, and one hundred of alloy; and the alloy of the silver coins shall be of copper; and the alloy of the gold coins shall be of copper and silver, provided that the silver do not exceed one-half of the whole alloy.

Standard for gold and silver coins.

Alloys.

Sec. 9. *And be it further enacted*, That of the silver coins, the dollar shall be of the weight of four hundred and twelve and one-half grains; the half dollar of the weight of two hundred and six and one-fourth grains; the quarter dollar of the weight of one hundred and three and one-eighth grains; the dime, or tenth part of a dollar, of the weight of forty-one and a quarter grains; and the half dime, or twentieth part of a dollar, of the weight of twenty grains, and five-eighths of a grain.

Weight of silver coins.

1853, ch. 79.

Dollars, &c., shall be legal tenders, &c.

And that dollars, half dollars, and quarter dollars, dimes, and half dimes, shall be legal tenders of payment, according to their nominal value, for any sums whatever.

Weight of gold coins.

Eagles, &c., shall be a legal tender, &c.

Sec. 10. *And be it further enacted,* That of the gold coins, the weight of the eagle shall be two hundred and fifty-eight grains; that of the half eagle one hundred and twenty-nine grains; and that of the quarter eagle sixty-four and one-half grains. And that for all sums whatever, the eagle shall be a legal tender of payment for ten dollars; the half eagle for five dollars; and the quarter eagle for two and a half dollars.

Silver coins heretofore issued, and gold coins issued since 31st July, 1834, shall continue to be legal tenders.

Sec. 11. *And be it further enacted,* That the silver coins heretofore issued at the mint of the United States, and the gold coins issued since the thirty-first day of July, one thousand eight hundred and thirty-four, shall continue to be legal tenders of payment for their nominal values, on the same terms as if they were of the coinage provided for by this act.

Weight of copper coins.

Sec. 12. *And be it further enacted,* That of the copper coins, the weight of the cent shall be one hundred and sixty-eight grains, and the weight of the half-cent eighty-four grains. And the cent shall be considered of the value of one hundredth part of a dollar, and the half-cent of the value of one two-hundredth part of a dollar.

Proportional value of a dollar.

Devices and legends of coins.

Sec. 13. *And be it further enacted,* That upon the coins struck at the mint there shall be the following devices and legends: upon one side of each of said coins there shall be an impression emblematic of liberty, with an inscription of the word Liberty, and the year of the coinage; and upon the reverse of each of the gold and silver coins, there shall be the figure or representation of an eagle, with the inscription United States of America, and a designation of the value of the coin; but on the reverse of the dime and half dime, cent and half cent, the figure of the eagle shall be omitted.

Gold and silver bullion brought for coinage shall be received and coined.

Proviso.

Further proviso.

Sec. 14. *And be it further enacted,* That gold and silver bullion brought to the mint for coinage, shall be received and coined, by the proper officers, for the benefit of the depositor: *Provided,* That it shall be lawful to refuse, at the mint, any deposite of less value than one hundred dollars, and any bullion so base as to be unsuitable for the operations of the mint; *And provided also,* That when gold and silver are combined, if either of these metals be in such small proportion that it cannot be separated advantageously, no allowance shall be made to the depositor for the value of such metal.

Receipt to be given for bullion.

Proviso.

Sec. 15. *And be it further enacted,* That when bullion is brought to the mint for coinage, it shall be weighed by the treasurer, in the presence of the depositor, when practicable, and a receipt given which shall state the description and weight of the bullion: *Provided,* That when the bullion is in such a state as to require melting before its value can be ascertained, the weight after melting shall be considered as the true weight of the bullion deposited.

Bullion deposited for coinage to be assayed.

Sec. 16. *And be it further enacted,* That from every parcel of bullion deposited for coinage, the treasurer shall deliver to the assayer a sufficient portion for the purpose of being assayed; but all such bullion remaining from the operations of the assay shall be returned to the treasurer by the assayer.

Assayer to report the quality, &c.

Sec. 17. *And be it further enacted,* That the assayer shall report to the treasurer the quality or standard of the bullion assayed by him; and he shall also communicate to the treasurer such information as will enable him to estimate the amount of the charges hereinafter provided for, to be made to the depositor, for the expenses of converting the bullion into standard metal fit for coinage.

Charges to which the depositor is subjected.

Sec. 18. *And be it further enacted,* That the only subjects of charge by the mint to the depositor shall be the following: For refining when

the bullion is below standard; for toughening when metals are contained in it which render it unfit for coinage; for copper used for alloy when the bullion is above standard; for silver introduced into the alloy of gold; and for separating the gold and silver when these metals exist together in the bullion: and that the rate of these charges shall be fixed, from time to time, by the director, with the concurrence of the Secretary of the Treasury, so as not to exceed, in their judgment, the actual expense to the mint of the materials and labor employed in each of the cases aforementioned; and that the amount received from these charges shall be accounted for, and appropriated for defraying the contingent expenses of the mint.

Rate of, how fixed.

Disposition of amount received.

Sec. 19. *And be it further enacted*, That from the report of the assayer, and the weight of the bullion, the treasurer shall estimate the whole value of each deposite, and also the amount of the charges or deductions if any; of all which he shall give a detailed memorandum to the depositor; and he shall also give, at the same time, under his hand, a certificate of the nett amount of the deposite, to be paid in coins of the same species of bullion as that deposited.

Value of deposit, &c., how estimated.

Sec. 20. *And be it further enacted*, That parcels of bullion shall be, from time to time, transferred by the treasurer to the melter and refiner; that a careful record of these transfers, noting the weight and character of the bullion, shall be kept; and that the bullion thus placed in the hands of the melter and refiner shall be subjected to the several processes which may be necessary to form it into ingots of the legal standard, and of a quality suitable for coinage.

Transfers of bullion by treasurer to melter and refiner.

Sec. 21. *And be it further enacted*, That the ingots thus prepared shall be assayed by the assayer, and if they prove to be within the limits allowed for deviation from the standard, they shall be transferred by the melter and refiner to the treasurer, accompanied by the assayer's certificate of their fineness; and that a careful record of the transfer shall be kept by the treasurer.

Ingots to be assayed, &c.

Sec. 22. *And be it further enacted*, That no ingots of gold shall be used for coinage of which the quality differs more than two thousandths from the legal standard; and that no ingots of silver shall be used for coinage of which the quality differs more than three thousandths from the legal standard.

Deviation from legal standard allowed in ingots of gold and silver.

Sec. 23. *And be it further enacted*, That in the treasurer's account with the melter and refiner, the melter and refiner shall be debited with the standard weight of all the bullion placed in his hands, that is to say, with the weight of metal of legal standard fineness which it will make; and that he shall be credited by the standard weight of all the ingots delivered by him to the treasurer; and that once at least in every year, at such time as the director shall appoint, the melter and refiner shall deliver up to the treasurer all the bullion in his possession, in order that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of bullion delivered to him, and received from him, since the last settlement, as an allowance for necessary waste: *Provided*, That this allowance shall not exceed two thousandths of the whole amount of gold and silver bullion, respectively, that had been delivered to him by the treasurer.

Treasurer's account with melter and refiner.

Allowance for necessary waste. Proviso.

Sec. 24. *And be it further enacted*, That the treasurer shall, from time to time, deliver over to the chief coiner, ingots for the purpose of coinage; that he shall keep a careful record of these transfers, noting the weight and description of the ingots; and that the ingots thus placed in the hands of the chief coiner shall be passed through the several processes necessary to make from them coins, in all respects conformable to law.

Ingots for coinage.

Sec. 25. *And be it further enacted*, That in adjusting the weights of

Deviation from legal standard allowed in the weights of coins, in single pieces.

In a large number together.

the coins, the following deviations from the standard weight shall not be exceeded in any of the single pieces: In the dollar and half dollar, one grain and a half; in the quarter dollar, one grain; in the dime and half dime, half a grain; in the gold coins, one-quarter of a grain; in the copper coins, one grain in the pennyweight; and that in weighing a large number of pieces together, when delivered from the chief coiner to the treasurer, and from the treasurer to the depositors, the deviations from the standard weight shall not exceed the following limits: Four pennyweights in one thousand dollars; three pennyweights in one thousand half dollars; two pennyweights in one thousand quarter dollars; one pennyweight in one thousand dimes; one pennyweight in one thousand half dimes; two pennyweights in one thousand eagles; one and a half pennyweight in one thousand half eagles; one pennyweight in one thousand quarter eagles.

Coins to be weighed.

Sec. 26. *And be it further enacted,* That the chief coiner shall, from time to time, as the coins are prepared, deliver them over to the treasurer, who shall keep a careful record of their kind, number, and weight; and that, in receiving the coins, it shall be the duty of the treasurer to see whether the coins of that delivery are within the legal limits of the standard weight; and if his trials for this purpose shall not prove satisfactory, he shall cause all the coins of this delivery to be weighed separately, and such as are not of legal weight shall be delivered to the melter and refiner, as standard bullion, to be again formed into ingots and recoined.

Coins to be preserved for the annual trial.

Sec. 27. *And be it further enacted,* That at every delivery of coins made by the chief coiner to the treasurer, it shall be the duty of the treasurer, in the presence of the assayer, to take indiscriminately, a certain number of pieces of each variety for the annual trial of coins, (the number being prescribed by the director,) which shall be carefully labelled, and deposited in a chest appropriated for the purpose, kept under the joint care of the treasurer and assayer, and so secured that neither can have access to its contents without the presence of the other.

Disposition of clippings, &c.

Sec. 28. *And be it further enacted,* That the chief coiner shall, from time to time, deliver to the treasurer the clippings and other portions of bullion remaining after the process of coining, and that the treasurer shall keep a careful record of their amount.

Treasurer's account with chief coiner.

Sec. 29. *And be it further enacted,* That in the treasurer's account with the chief coiner, the chief coiner shall be debited with the amount in weight of standard metal of all the bullion placed in his hands, and credited with the amount, also by weight, of all the coins, clippings, and other bullion delivered by him to the treasurer; and that once at least in every year, at such time as the director shall appoint, the chief coiner shall deliver to the treasurer all the coins and bullion in his possession, so that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of the ingots delivered to him, and of the coins and bullion received from him, since the last settlement, as an allowance for necessary waste: *Provided,* That this allowance shall not exceed two thousandths of the whole amount of the silver, or one and one-half thousandth of the whole amount of the gold, that had been delivered to him by the treasurer.

Allowance for necessary waste.

Proviso.

Payment for bullion deposited to be coined.

Sec. 30. *And be it further enacted,* That when the coins which are the equivalent to any deposite of bullion are ready for delivery, they shall be paid over to the depositor, or his order, by the treasurer, on a warrant from the director; and the payment shall be made, if demanded, in the order in which the bullion shall have been brought to the mint, giving priority according to priority of deposite only; and that in the denominations of coin delivered, the treasurer shall comply with the

wishes of the depositor, unless when impracticable or inconvenient to do so; in which case, the denominations of coin shall be designated by the director.

Deposit of public money to be kept in the mint by Secretary of Treasury.

Sec. 31. *And be it further enacted*, That for the purpose of enabling the mint to make returns to depositors with as little delay as possible, it shall be the duty of the Secretary of the Treasury to keep in the said mint, when the state of the treasury will admit thereof, a deposite of such amount of public money, or of bullion procured for the purpose, as he shall judge convenient and necessary, not exceeding one million of dollars, out of which those who bring bullion to the mint may be paid the value thereof, as soon as practicable, after this value has been ascertained; that the bullion so deposited shall become the property of the United States; that no discount or interest shall be charged on moneys so advanced; and that the Secretary of the Treasury may at any time withdraw the said deposite, or any part thereof, or may, at his discretion, allow the coins formed at the mint to be given for their equivalent in other money.

Annual trial of coins.

Act of March 3, 1823, ch. 42, sect. 2, repealed.

Sec. 32. *And be it further enacted*, That to secure a due conformity in the gold and silver coins to their respective standards and weights, an annual trial shall be made of the pieces reserved for this purpose at the mint and its branches, before the judge of the district court of the United States, for the eastern district of Pennsylvania, the attorney of the United States, for the eastern district of Pennsylvania, and the collector of the port of Philadelphia, and such other persons as the President shall, from time to time, designate for that purpose, who shall meet as commissioners, for the performance of this duty, on the second Monday in February, annually, and may continue their meetings by adjournment, if necessary; and if a majority of the commissioners shall fail to attend at any time appointed for their meeting, then the director of the mint shall call a meeting of the commissioners at such other time as he may deem convenient; and that before these commissioners, or a majority of them, and in the presence of the officers of the mint, such examination shall be made of the reserved pieces as shall be judged sufficient; and if it shall appear that these pieces do not differ from the standard fineness and weight by a greater quantity than is allowed by law, the trial shall be considered and reported as satisfactory; but if any greater deviation from the legal standard or weight shall appear, this fact shall be certified to the President of the United States, and if, on a view of the circumstances of the case, he shall so decide, the officer or officers implicated in the error shall be thenceforward disqualified from holding their respective offices.

Purchase of copper bullion.

Sec. 33. *And be it further enacted*, That copper bullion shall be purchased for the mint, from time to time, by the treasurer, under instructions from the director; that the cost shall be paid from the fund hereinafter provided for; and that the copper bullion shall be of good quality, and in form of planchets fit for passing at once into the hands of the chief coiner.

Coinage of copper.

Sec. 34. *And be it further enacted*, That the copper planchets shall be delivered, from time to time, by the treasurer to the chief coiner, to be by him coined; and all such copper shall be returned to the treasurer, by the chief coiner, weight for weight, without allowance for waste.

Copper coins may be exchanged for other money. Proviso.

Sec. 35. *And be it further enacted*, That it shall be the duty of the treasurer of the mint to deliver the copper coins, in exchange for their legal equivalent in other money, to any persons who shall apply for them: *Provided*, That the sum asked for be not less than a certain amount, to be determined by the director, and that it be not so great as, in his judgment, to interfere with the capacity of the mint to supply other applicants.

Copper coins transported at expense of the mint.

Sec. 36. *And be it further enacted,* That the copper coins may, at the discretion of the director, be delivered in any of the principal cities and towns of the United States, at the cost of the mint for transportation.

Disposition of money received in exchange for copper coins.

Sec. 37. *And be it further enacted,* That the money received by the treasurer in exchange for copper coins shall form a fund in his hands, which shall be used to purchase copper planchets, and to pay the expense of transportation of copper coins; and that if there be a surplus, the same shall be appropriated to defray the contingent expenses of the mint.

Former acts repealed.

Sec. 38. *And be it further enacted,* That all acts or parts of acts heretofore passed, relating to the mint and coins of the United States, which are inconsistent with the provisions of this act, be, and the same are hereby repealed.

Approved, January 18, 1837.

Statute II.
Jan. 18, 1837.
[Obsolete.]

Chap. IV.—*An act making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated for the pensioners of the United States, for the year one thousand eight hundred and thirty-seven:

Revolutionary pensioners, &c.
May 15, 1828, ch. 53.
June 7, 1832, ch. 126.
July 4, 1836, ch. 362.

For the revolutionary pensioners, under the several acts, other than those of the fifteenth of May, one thousand eight hundred and twenty-eight; the seventh of June, one thousand eight hundred and thirty-two; and the fourth of July, one thousand eight hundred and thirty-six, seven hundred and twelve thousand five hundred and sixty dollars;

Invalid pensioners.

For the invalid pensioners, under various laws, three hundred and twenty-five thousand three hundred and seventy-six dollars:

Widows and orphans.

For pensions to widows and orphans, under the act of the fourth of July, one thousand eight hundred and thirty-six, five hundred and fifty-two thousand dollars:

Widows and orphans.

For pensions to widows and orphans, payable through the office of the Third Auditor, four thousand dollars.

Approved, January 18, 1837.

Statute II.
Jan. 18, 1837.
[Expired.]

Chap. V.—*An Act to provide for the payment of horses and other property lost or destroyed in the military service of the United States.*

Act of Feb. 19, 1833, ch. 33.
Act of June 30, 1834, ch. 153. Oct. 14, 1837, ch. 5.
1842, ch. 185.
1843, ch. 103.
1838, ch. 178.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any field, or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalry, engaged in the military service of the United States since the eighteenth of June, eighteen hundred and twelve, or who shall hereafter be in said service, and has sustained or shall sustain damage, without any fault or negligence on his part, while in said service, by the loss of a horse in battle or by the loss of a horse wounded in battle, and which has died or shall die of said wound or being so wounded shall be abandoned by order of his officer and lost; or shall sustain damage by the loss of any horse by death, or abandonment, in consequence of the United States failing to supply sufficient forage, or because the rider was dismounted and separated from his horse, and ordered to do duty on foot at a station detached from his horse; or when the officer in the immediate command ordered or shall order the horse turned out to graze in the woods, prairies, or commons, because the United States failed or shall fail to supply sufficient forage, and the loss was or shall be consequent

Officers and others to be paid the value of horses lost.

thereof; or for the loss of necessary equipage, in consequence of the loss of his horse as aforesaid, shall be allowed and paid the value thereof: *Provided*, That if any payment has been, or shall be, made to any one aforesaid, for the use and risk, or for forage, after the death, loss, or abandonment of his horse, said payment shall be deducted from the value thereof, unless he satisfied or shall satisfy the paymaster at the time he made or shall make the payment, or thereafter show, by proof, that he was remounted, in which case the deduction shall only extend to the time he was on foot: *And provided, also*, If any payment shall have been, or shall hereafter be, made to any person above mentioned, on account of clothing, to which he was not entitled by law, such payment shall be deducted from the value of his horse or accoutrements.

Proviso.

Further proviso.

Sec. 2. *And be it further enacted*, That any person who, in the said military service as a volunteer, or draughted militiaman, furnished or shall furnish himself with arms and military accoutrements, and sustained or shall sustain damage by the capture or destruction of the same, without any fault or negligence on his part, or who lost or shall lose the same by reason of his being wounded in the service, shall be allowed and paid the value thereof.

Volunteers or draughted militiamen to be allowed for arms, &c., lost.

Sec. 3. *And be it further enacted*, That any person who sustained or shall sustain damage by the loss, capture, or destruction by an enemy, of any horse, mule, or wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction was without any fault or negligence on the part of the owner; and any person who, without any such fault or negligence, sustained or shall sustain damage by the death or abandonment and loss of any such horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, shall be allowed and paid the value thereof.

Payment for horses, mules, wagons, &c.

Sec. 4. *And be it further enacted*, That the claims provided for under this act shall be adjusted by the Third Auditor, under such rules as shall be prescribed by the Secretary of War, under the direction or with the assent of the President of the United States; as well in regard to the receipt of applications of claimants, as the species and degree of evidence, the manner in which such evidence shall be taken and authenticated, which rules shall be such as, in the opinion of the President, shall be best calculated to obtain the object of this act, paying a due regard, as well to the claims of individual justice as to the interests of the United States, which rules and regulations shall be published for four weeks in such newspapers in which the laws of the United States are published, as the Secretary of War shall direct.

Claims to be adjusted by Third Auditor, under rules prescribed by Secretary of War, &c.

Rules, &c., to be published.

Sec. 5. *And be it further enacted*, That in all adjudications of said Auditor upon the claims above mentioned, whether such judgment be in favor of, or adverse to, the claim shall be entered in a book provided by him for that purpose, and under his direction; and when such judgment shall be in favor of such claim, the claimant, or his legal representative, shall be entitled to the amount thereof upon the production of a copy thereof certified by said Auditor at the Treasury of the United States.

Entry of all adjudications to be made; claimants to be paid on producing certified copies thereof.

Sec. 6. *And be it further enacted*, That in all instances where any minor has been, or shall be, engaged in the military service of the United States, and was or shall be provided with a horse or equipments, or with military accoutrements, by his parent or guardian, and has died or shall die without paying for said property, and the same has been or shall be lost, captured, destroyed, or abandoned in the manner before

Payment for losses by minors to be made to parents or guardians.

mentioned, said parent or guardian shall be allowed pay therefor on making satisfactory proof as in other cases, and the further proof that he is entitled thereto by having furnished the same.

Persons other than minors to be paid for property risked by them which has been lost.

Sec. 7. *And be it further enacted*, That in all instances where any person other than a minor has been or shall be engaged in the military service aforesaid, and has been or shall be provided with a horse or equipments, or with military accoutrements by any person, the owner thereof, who has risked or shall take the risk of such horse, equipments, or military accoutrements on himself, and the same has been or shall be lost, captured, destroyed, or abandoned in the manner before mentioned, such owner shall be allowed pay therefor, on making satisfactory proof as in other cases, and the further proof that he is entitled thereto, by having furnished the same, and having taken the risk on himself.

Acts of 19 February, 1833, ch. 33; and 30 June, 1834, ch. 153, repealed.

Sec. 8. *And be it further enacted*, That the act passed on the nineteenth of February, eighteen hundred and thirty-three, entitled "An act for the payment of horses and arms lost in the military service of the United States against the Indians on the frontier of Illinois and Michigan Territory," and an act passed on the thirtieth of June, eighteen hundred and thirty-four, entitled "An act to provide for the payment of claims for property lost, captured or destroyed by the enemy, while in the military service of the United States, during the late war with the Indians on the frontier of Illinois and Michigan Territory," be, and the same are hereby, repealed.

Limitation of act.

Sec. 9. *And be it further enacted*, That this act shall be and remain in force until the close of the next session of Congress.

Approved, January 18, 1837.

Statute II.
Jan. 26, 1837.

Chap. VI.—*An Act to admit the State of Michigan into the Union, upon an equal footing with the original States.*

Act of June 15, 1836, ch. 99. Act of June 23, 1836, ch. 121. Post, pp. 288, 414, 648.

Whereas, in pursuance of the act of Congress of June the fifteenth, eighteen hundred and thirty-six, entitled "An act to establish the northern boundary of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed," a convention of delegates, elected by the people of the said State of Michigan, for the sole purpose of giving their assent to the boundaries of the said State of Michigan as described, declared, and established, in and by the said act, did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act, therefore:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Michigan shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever.

Admitted into the Union.

Entitled to a deposit of the surplus revenue. Act of June 23, 1836, ch. 115.

Sec. 2. *And be it further enacted*, That the Secretary of the Treasury, in carrying into effect the thirteenth and fourteenth sections of the act of the twenty-third of June, eighteen hundred and thirty-six, entitled "An act to regulate the deposites of the public money," shall consider the State of Michigan as being one of the United States.

Approved, January 26, 1837.

Statute II.
Jan. 31, 1837.

Chap. IX.—*An Act to authorize certain rail-road companies to construct rail-roads through the public lands in the Territory of Florida.*

East Florida Rail-road Company authorized

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the East Florida Rail-road Company, a corporation established by an act of the Governor

and Legislative Council of the Territory of Florida, approved the fourteenth of February, anno Domini eighteen hundred and thirty-five, be, and they hereby are, authorized to locate and construct a rail-road on the following route, to wit: commencing on the St. John's river and thence in the most convenient and suitable direction to Tallahassee or the waters of St. Mark's river or bay, on the Gulf of Mexico, or to any other point east of or between the St. Mark's and Appalachicola rivers, which may be selected by said company.

to locate and construct a rail-road, commencing on the St. John's river, &c.

Sec. 2. *And be it further enacted*, That the said company is further authorized, wherever said route shall pass over the public lands of the United States, to locate the same thereon, eighty feet wide; which said location, if made according to the true intent and meaning of this act, shall be enjoyed by said company so long as they maintain the said road for the public accommodation.

May pass over the public lands.

Sec. 3. *And be it further enacted*, That the said company shall have the right to take from the said public lands, timber, stone, and earth, whenever it may be convenient for the construction of any part of said way running through the same; also to deposite and leave such materials upon such lands, whenever it may be necessary; also, to cut drains, where necessary, through the same; and during the period of the construction of said way, to occupy said lands along said route, doing as little injury thereto as may be.

Timber, &c., may be used.

Sec. 4. *And be it further enacted*, That to entitle the said company to the enjoyment of the privileges herein provided for, they shall comply with the following conditions, to wit:

Conditions to be complied with by said company.

First, They shall cause the said route, whenever it passes over the public lands, to be surveyed, and the location of the way to be accurately delineated in their proper connexion, and a map thereof, and a copy of the locations, to be returned and deposited in the General Land Office, within six months from the date of the final location of the said road.

Second, They shall cause permanent monuments to be erected along said route, conforming to such locations and maps, defining the limits of the way.

Third, Wherever the said rail-way shall intersect a highway or travelled way on the public lands, that way or ways shall be left unobstructed.

Fourth, Wherever it shall cross a stream or low grounds, such provision shall be made for draining off the water as to leave the said public lands uninjured by said rail-way.

Fifth, They shall complete the said way within the time provided for in the act of incorporation.

Sixth, Said location of said way shall be considered and treated as open way, and be kept up as such, and the lands abutting thereon shall be considered as abutting upon a public way.

Sec. 5. *And be it further enacted*, That the sections and quarter sections of public lands over which the said road may pass, shall be reserved by the United States for two years after the final location of the said way; and to this end the said company shall, as soon as they have resolved to survey or examine any route, give notice to the register of the land district in which the lands may be over which they intend to pass; and when the final location is made, a further notice of that fact shall be given, in like manner, of the lands over which it actually passes, which said last mentioned lands shall be reserved as aforesaid from sale: *Provided*, That neither the said company nor any other person shall be authorized to settle on the said reserved sections or quarter sections; and no person so settling shall acquire thereby a preemptive right or claim to the said reserved lands, or to any part thereof;

Public lands to be reserved by the U. S., &c.

Notice to be given by the company of routes to be surveyed, &c.

Proviso.

and if said company shall fail to give prompt and seasonable notice in both the above cases, they shall forfeit their privileges under this act.

Time for making surveys, &c., extended.

Sec. 6. *And be it further enacted*, That the time for making the surveys and commencing the work, as prescribed in the said act of incorporation, be, and the same is hereby, extended for one year after the passage of this act.

Governor, &c. may provide by law for the construction of rail-roads to cross or intersect, &c.

Sec. 7. *And be it further enacted*, That it shall be lawful for the Governor and Legislative Council of the said Territory, or for the Legislature of the State of Florida hereafter, to provide by law for the construction of rail-roads from the Appalachicola river, or from any other point, to cross or intersect the abovementioned rail-road, from the Georgia State line to the Gulf of Mexico.

E. F. Rail-road Company may cross proposed rail-road at, &c.

Sec. 8. *And be it further enacted*, That the said East Florida Rail-road Company be, and they are hereby authorized to cross the rail-road proposed to be made at any point between Tallahassee and St. Mark's.

Florida may take stock.

Sec. 9. *And be it further enacted*, That the Territory or State of Florida shall, at the end of twenty years, have the privilege of taking one-fourth of the stock at par, by paying to the company the interest on the investment.

Acts repealed.

Sec. 10. *And be it further enacted*, That all acts or parts of acts of the Legislative Council of the Territory of Florida, inconsistent with the foregoing provisions, be, and the same are hereby annulled.

Pensacola and Perdido Rail-road Company may make rail-road, from, &c. Brunswick and Florida Rail-road Company may extend their rail-road from, &c.

Sec. 11. *And be it further enacted*, That the Pensacola and Perdido Rail-road Company, organized under acts of the Governor and Legislative Council of the Territory of Florida, and of the State of Alabama, be, and they are hereby, authorized to make a rail-road from Pensacola to the waters of Mobile bay or river; and also, that the Brunswick and Florida Rail-road Company, incorporated by an act of the Legislature of Georgia, be, and they are hereby, authorized to extend their rail-road from the Georgia line to the city of Tallahassee, and thence to the river Appalachicola, or St. George's sound, upon the same conditions and limitations contained in the foregoing provisions of this act.

Lake Winnico and St. Joseph's Canal and Rail-road Company may construct rail-road from St. Joseph to Tallahassee.

Sec. 12. *And be it further enacted*, That the Lake Winnico and St. Joseph's Canal and Rail-road Company, organized under acts of the Governor and Legislative Council of the Territory of Florida, be, and they are hereby authorized to locate and construct a rail-road from the city of St. Joseph to the city of Tallahassee, in said Territory, upon the same conditions and limitations contained in the foregoing provisions of this act; and in the construction of said road, may cross, or intersect, and form a junction with, any other rail-road which may be made west of the city of Tallahassee.

Approved, January 31, 1837.

Statute II. Feb. 9, 1837.

Chap. XII.—*An Act to extend the limits of the Port of New Orleans.*

Limits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act the port of New Orleans shall extend, on the river, from the lower to the upper corporate limits of the municipalities of the city of New Orleans.

Approved, February 9, 1837.

Statute II. Feb. 13, 1837.

Chap. XIII.—*An Act to change the name of the Collection District of Dighton, in the State of Massachusetts, to Fall River, and for other purposes.*

Name of district changed; made port of entry for ves-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of April next, the said District, now known and called by the name of the Dighton District, shall be called the District of Fall River, and as such shall be made a port of entry for vessels arriving from the Cape

of Good Hope, and from places beyond the same, any law now in force to the contrary notwithstanding.

sels from Cape of Good Hope, &c.

Approved, February 13, 1837.

Statute II.
Feb. 13, 1837.

Chap. XIV.—*An Act to amend an act, entitled "An act to establish branches of the mint of the United States," passed the third day of March, one thousand eight hundred and thirty-five.* (a)

Act of March 3, 1835, ch. 39.
Act of Jan. 18, 1837, ch. 3.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers of the branch mint at New Orleans shall be one superintendent, one treasurer, one assayer, one melter and refiner, and one coiner; and that the officers of the branch mints, at Charlotte and Dahlonega, severally, shall be one superintendent, who shall also perform the duties of treasurer; one assayer, who shall also perform the duties of melter and refiner; and one coiner; and the annual salaries of the said officers shall be as follows: for the branch at New Orleans, to the superintendent, two thousand five hundred dollars; to the treasurer, the assayer, the melter and refiner, and the coiner, each, two thousand dollars; for the branches at Charlotte and at Dahlonega, to the superintendent, two thousand dollars; and to the assayer and the coiner, each, fifteen hundred dollars.

Officers of branch mints at New Orleans, Charlotte and Dahlonega.

Their salaries.

Sec. 2. *And be it further enacted,* That so much of the act entitled "An act, to establish branches of the mint of the United States," approved the third day of March, one thousand eight hundred and thirty-five, as is inconsistent with the provisions of this act, be, and the same is hereby repealed.

Part of act 3d March, 1835, ch. 39, repealed.

Approved, February 13, 1837.

Statute II.
March 1, 1837.

Chap. XV.—*An Act to suspend certain provisoes of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth day of July, eighteen hundred and thirty-two.*

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisoes of the tenth and twelfth clauses of the second section of the act to alter and amend the several acts imposing duties on imports, passed July the fourteenth, eighteen hundred and thirty-two, be, and the same are hereby, suspended, until the close of the next session of Congress.

Provisoes of Act July 14, 1832, ch. 227, suspended.

Approved, March 1, 1837.

Statute II.
March 1, 1837.

Chap. XVI.—*An Act to extend the jurisdiction of the District Court of the United States, for the district of Arkansas.* (b)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court of the United States for the district of Arkansas shall have the same jurisdiction and power in all respects whatever that was given to the several district courts of the United States, by an act of Congress, approved March thirtieth, eighteen hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," or by any subsequent acts of Congress, concerning crimes, offences, or misdemeanors, which may be committed against the laws of the United States, in any town, settlement, or territory, belonging to any Indian tribe, in amity with the United States, of which any other district court of the United States may have jurisdiction.

To have the same jurisdiction and power as the several district courts, U. S.
Act of March 30, 1802, ch. 13.

Approved, March 1, 1837.

(a) Notes of acts relating to the Mint and Coins of the United States, vol. 1, 246.
(b) Notes of the acts relating to the Territory, afterwards State of Arkansas, vol. 3, 493.

Statute II.

March 1, 1837.

Chap. XVII.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-seven, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army, during the year one thousand eight hundred and thirty-seven; that is to say;

Pay of army.

For the pay of the army, one million ninety thousand one hundred and thirteen dollars:

Subsistence of officers.

For the subsistence of officers, three hundred and thirty-two thousand six hundred and thirty-eight dollars:

Forage for officers' horses.

For forage of officers' horses, seventy thousand nine hundred and eighty-seven dollars:

Clothing for officers' servants.

For clothing for officers' servants, twenty-six thousand five hundred and fifty dollars:

Payments in lieu of clothing.

For payments in lieu of clothing to discharged soldiers, thirty thousand dollars:

Subsistence, exclusive of that of officers, and including that of volunteers and militia.

For subsistence exclusive of that of officers, nine hundred and thirteen thousand four hundred and forty-five dollars, including the sum of three hundred and five thousand three hundred and seventy-two dollars, for the subsistence of the volunteers and militia called out for preventing or suppressing Indian hostilities:

Clothing, camp and garrison equipage, &c.

For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, two hundred and six thousand nine hundred and forty dollars:

Medical and hospital department.

For the medical and hospital department, thirty-eight thousand five hundred dollars:

Supplies furnished by Quartermaster's Department.

For the regular supplies furnished by the Quartermaster's Department, consisting of fuel, forage, straw, stationery, and printing, two hundred and eight thousand dollars:

Barracks, quarters, &c.

For barracks, quarters, store-houses, embracing the repairs and enlargement of barracks, quarters, store-houses, and hospitals, at the several posts; the erection of temporary cantonments at such posts as shall be occupied during the year, and of gun-houses for the protection of the cannon at the forts on the seaboard, the purchase of the necessary tools and materials for the objects wanted, and of the authorized furniture for the barrack-rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of store-houses for the safe-keeping of subsistence, clothing, &c., and of grounds for summer cantonments, encampments, and military practice, ninety-five thousand dollars:

Transportation of officers' baggage.

For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, the sum of fifty thousand dollars:

Transportation of troops and supplies, &c.

For the transportation of troops and supplies, viz: transportation of the army, including the baggage of troops when moving either by land or water; freight and ferriages; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as, from their situation, require it; the transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and the points of delivery under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the

foundries and arsenals to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of one hundred and seventy-seven thousand dollars:

For the incidental expenses of the Quartermaster's Department, consisting of postage on public letters and packets; expenses of courts-martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers, under an act of Congress of the second of March, eighteen hundred and nineteen; expenses of expresses from the frontier posts, of the necessary articles for the interment of non-commissioned officers and soldiers; hire of laborers; compensation to clerks in the offices of quartermasters and assistant quartermasters, at posts where their duties cannot be performed without such aid, and to temporary agents in charge of dismantled works, and in the performance of other duties; purchase of horses to mount the second regiment of dragoons, and expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses to supply the place of those which may be lost and become unfit for service, and the erection of additional stables, one hundred and ninety-two thousand dollars:

Incidental expenses of the Qr. Mr.'s Department.

For contingencies of the army, three thousand dollars:

Contingencies of army.

For two months' extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, thirty-four thousand three hundred and sixty-two dollars:

Extra pay to re-enlisted soldiers, &c.

For arrearages prior to the first of July, one thousand eight hundred and fifteen, payable through the office of the Third Auditor, one thousand dollars:

Arrearages prior to 1st July, 1815.

For the national armories, three hundred and sixty thousand dollars:

National armories.

For the armament of the fortifications, two hundred thousand dollars:

Armament of fortifications.

For the current expenses of the ordnance service, one hundred and twenty-three thousand nine hundred and seventy-five dollars:

Current expenses of ordnance service.

For arsenals, three hundred and seventy-three thousand four hundred and twenty-nine dollars:

Arsenals.

For the purchase of percussion cannon locks, fifteen thousand dollars:

Percussion cannon locks.

For the manufacture of elevating machines for barbette and casemate carriages, eight thousand two hundred and fifty dollars:

Elevating machines, &c.

For the manufacture of sponges for field and battery cannon, one thousand nine hundred and sixty dollars:

Sponges for cannon.

For the rifle factory at the Harper's Ferry armory, eight thousand five hundred and sixty-nine dollars:

Rifle factory at Harper's Ferry.

For completing the barracks at Baton Rouge, being an amount expended out of the general appropriation for the Quartermaster's Department, and to enable the accounting officers to close the accounts, twenty-three thousand nine hundred and sixty-nine dollars and five cents:

Completing barracks at Baton Rouge.

For completing the wharf at Fort Monroe, Virginia, five hundred dollars:

Wharf at Fort Monroe.

For constructing a river wall, making the embankment to the same, arching, stone-walling, repairing the embankment of the new canal, and for completing the tilt-hammer shop at Harper's Ferry, fifty-three thousand seven hundred and forty-three dollars:

River wall; embankment of new canal; and tilt-hammer shop at Harper's Ferry.

For a magazine at the arsenal at Baton Rouge, Louisiana, five thousand dollars:

Magazine at Baton Rouge.

For the purchase of land, building a brick warehouse, and wharf, and making a turnpike road to the river at the arsenal at Mount Vernon, Alabama, in addition to former appropriations for these objects, six thousand six hundred dollars:

Purchase of land, &c. at the Arsenal at Mt. Vernon.

For enlarging the site at the arsenal at Frankford, Pennsylvania, one thousand dollars:

Arsenal at Frankford, Pa.

Blacksmith's shop, &c., at Watertown, Mass.

For a blacksmith's shop, a reservoir, and a gun-carriage house at Watertown, Massachusetts, twenty-three thousand one hundred dollars:

Copper rifle flasks.

For the purchase of ten thousand copper rifle flasks, seventeen thousand dollars.

Money to be paid on the requisition of the Secretary of War.

Sec. 2. *And be it further enacted,* That the following sums of money be paid, out of any money in the Treasury not otherwise appropriated, on the requisition of the Secretary of War, and, so far as shall be necessary, the same shall be expended for the following purposes, to wit:

Pay, &c., of Tennessee volunteers.

For the pay, travelling, clothing for six months, and other legal expenses of the Tennessee volunteers, mustered into the service of the United States under the requisition of General Gaines, under date of April eighth, one thousand eight hundred and thirty-six, and the proclamation of Governor Cannon of twenty-eighth of the same month, and approved by the Secretary of War on the ninth of May, by direction of the President of the United States, one hundred thousand dollars: *Provided,* That such of said volunteers as volunteered under the proclamation of Governor Cannon of the sixth of June or twentieth of July one thousand eight hundred and thirty-six, and were mustered into the service of the United States, and are entitled to clothing under the act of May twenty-third, one thousand eight hundred and thirty-six, shall not be paid for clothing out of the aforesaid appropriation:

Proviso.

Act of May 23, 1836, ch. 80.

Pay, &c., of Tennessee volunteers.

For pay, travelling, clothing, and other legal expenses of the Tennessee volunteers, mustered into the service of the United States under the order of the Secretary of War of May twenty-fifth, one thousand eight hundred and thirty-six, and Governor Cannon's proclamation of June sixth, one thousand eight hundred and thirty-six, ninety-five thousand dollars:

Pay, &c., of Tennessee volunteers.

For pay, travelling, clothing, and other legal expenses of the Tennessee volunteers, mustered into the service of the United States under General Gaines's requisition, under date of June twenty-eighth, one thousand eight hundred and thirty-six, and Governor Cannon's proclamation of July twentieth, one thousand eight hundred and thirty-six, thirty-five thousand three hundred and ten dollars:

Liabilities incurred by Gov. Cannon.

For the liabilities incurred by Governor Cannon in raising money; so far as said money has been properly expended in the service of the United States, on account of the aforesaid volunteers, thirteen thousand five hundred dollars:

Pay due Executive staff of Governor of Tennessee.

For pay due the Executive staff of the Governor of Tennessee, while actually engaged in obtaining, organizing, mustering, or marching volunteers, during the year one thousand eight hundred and thirty-six, to the places of their rendezvous, or making returns of said volunteers, three thousand dollars.

One month's pay, &c., to volunteers and militia of Kentucky, Tennessee, Alabama, and Mississippi, &c.

Sec. 3. *And be it further enacted,* That the Secretary at War be and he hereby is directed to cause to be paid to the volunteers and militia of Kentucky, Tennessee, Alabama, and Mississippi, including the companies in Mississippi, mustered into the service, who were duly called into service, and whose service was accepted by the Executives of the States respectively, during the summer of the year one thousand eight hundred and thirty-six, under requisitions from the Secretary at War or from generals commanding the troops of the United States, and who were discharged before marching, the amount of one month's pay, with all the allowances to which they would have been entitled if they had been in actual service during the period of one month; and that the same be paid out of any money in the Treasury not otherwise appropriated.

Pay to the Rifle Rangers, Coosada volun-

Sec. 4. *And be it further enacted,* That eleven thousand six hundred and fifty dollars be appropriated for paying the Rifle Rangers, Coosada volunteers, and the Independence Blues, under the command

of Major Holt, and for the payment of Major Holt and battalion staff or so much of said sum as may be necessary for those purposes be appropriated and paid on the presentation of the rolls of said companies and battalion staff to the Paymaster General, with evidence of the time they were in the service against the Creek Indians in the months of May and June, eighteen hundred and thirty-six.

teers, and Independence Blues, &c.

Sec. 5. *And be it further enacted,* That one hundred thousand dollars be and the same is hereby appropriated for arming and equipping the militia of the United States, in addition to the appropriations heretofore made for that purpose.

Arming and equipping militia U. S.

Sec. 6. *And be it further enacted,* That for paying the claims of the State of Connecticut for the services of her militia during the late war, to be audited and settled by the proper accounting officers of the Treasury, under the superintendence of the Secretary of War, in the following cases; first where the militia of the said State were called out to repel actual invasion, or under a well founded apprehension of invasion; provided their numbers were not in undue proportion to the exigency; secondly, where they were called out by the authority of the State and afterwards recognised by the Federal Government; and thirdly, where they were called out by, and served under the requisition of the President of the United States, or of any officer thereof, the sum of one hundred thousand dollars, if so much be necessary for that purpose, be and the same is hereby appropriated.

Paying claims of Connecticut for services of her militia during late war.

Sec. 7. *And be it further enacted,* That to pay all the claims of North Carolina for the services of her militia during the late war with Great Britain, in the cases enumerated in the act approved the thirty-first May, eighteen hundred and thirty, entitled "An act to authorize the payment of the claims of the State of Massachusetts for certain services of her militia during the late war," and also the claims of said State, for disbursements in the purchase of munitions or other supplies on account of the war, and expended therein, the sum of thirty thousand dollars, be and the same is hereby appropriated.

To pay claims of North Carolina for services of her militia during late war, &c.

1830, ch. 234.

Approved, March 1, 1837.

Statute II.

March 2, 1837.

[Obsolete.]

Chap. XVIII.—*An Act to provide for the support of the Military Academy of the United States, for the year eighteen hundred and thirty-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year one thousand eight hundred and thirty-seven; to wit:

For pay of the officers, cadets and musicians, fifty-six thousand and twelve dollars;

Pay of officers, cadets and musicians.

For subsistence of officers and cadets, thirty-nine thousand five hundred and sixty-six dollars;

Subsistence of officers and cadets.

For forage of officers' horses, one thousand one hundred and fifty-two dollars;

Forage of officers' horses.

For clothing of officers' servants, three hundred and thirty dollars;

Clothing of officers' servants.

For defraying the expenses of the board of visiters at West Point, two thousand and seven dollars and eighty-four cents;

Board of visiters.

For fuel, stationery, printing, transportation and postage, eight thousand dollars;

Fuel, stationery, &c.

For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats and fences, ten thousand one hundred and seventy-eight dollars and twenty-five cents;

Repairs and improvements, &c.

For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars;

Pay of adjutant's and quartermaster's clerks.

Philosophical apparatus.

For philosophical apparatus, and repairs of the same, three hundred dollars;

Department of engineering.

For models for the department of engineering, three hundred dollars;

Departments of drawing, chemistry, and mathematics.

For models for the drawing department, apparatus and contingencies of the department of chemistry, and instruments and repairs for the mathematical department, eight hundred and fifty dollars;

Department of artillery.

For incidental expenses of the department of artillery, three hundred dollars;

Library.

For increase and expenses of the library, six hundred dollars;

Miscellaneous.

For miscellaneous items and incidental expenses, one thousand seven hundred and seventy-seven dollars and fifty cents;

Completing the chapel.

For completing the chapel, one thousand two hundred and fifty-three dollars and thirty-five cents;

A building for the public stores.

For the erection of a suitable building to contain the public stores, one thousand five hundred dollars;

Construction of workshops, &c.

For the preparation of a yard and construction of permanent shops suitable for carpenters, painters, blacksmiths, and so forth, and for the safe-keeping of implements and materials, eight thousand dollars;

A building for recitation, &c.

For the erection, as per plan, of a building for recitation and military exercises, in addition to amount heretofore appropriated, thirty thousand dollars;

Erection of new barracks.

For the erection of new barracks, for the Military Academy department, to consist of eight buildings, at five hundred dollars each, four thousand dollars;

Grading the grounds, &c.

For grading the grounds about the exercise hall, and removing temporary buildings, three hundred and fifty dollars;

Compensation to the acting professor of chemistry, &c.

For compensation to the acting professor of chemistry, mineralogy, and geology, at the Military Academy, between the first of September one thousand eight hundred and thirty-seven, and the first of September, one thousand eight hundred and thirty-eight, at twenty-five dollars per month, three hundred dollars;

A painting room.

For a painting-room for the professor of drawing, eight hundred dollars.

Approved, March 2, 1837.

Statute II.

March 2, 1837.

Chap. XIX.—*An Act respecting discriminating duties upon Dutch and Belgian vessels and their cargoes.* (a)

The same duties to be levied on Belgian vessels and their cargoes as are now levied on Dutch vessels and their cargoes.

Act of Jan. 7, 1824, ch. 4.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the same duties shall be levied and collected in the ports of the United States, on Belgian vessels and their cargoes, which are now levied and collected on Dutch vessels and their cargoes; but nothing in this act contained shall be construed to prevent the President of the United States from enforcing, whensoever he may deem proper, both against Dutch and Belgian vessels, or either of them, and their cargoes, the provisions of the third section of the act entitled "An act concerning discriminating duties of tonnage and imposts," approved the seventh day of January, one thousand eight hundred and twenty-four.

Approved, March 2, 1837.

Statute II.

March 2, 1837.

[Obsolete.]

Chap. XX.—*An Act making an additional appropriation for the suppression of Indian hostilities, for the year one thousand eight hundred and thirty-seven.*

$2,000,000 appropriated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the further sum of two millions of dollars shall be, and the same is hereby, appropriated

(a) Notes of the acts which have been passed relating to discriminating duties, vol. 4, 2.

out of any money in the Treasury not otherwise appropriated, to defray any expenses which have been, or may be incurred, in preventing or suppressing the hostilities of any Indians; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the 19th of March, and the second of July last, and of the acts therein referred to.

How to be expended.

Approved, March 2, 1837.

Statute II.
March 2, 1837.

Chap. XXI.—*An Act to provide for the enlistment of boys for the naval service, and to extend the term of the enlistment of seamen.*

1845, ch. 17.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful to enlist boys for the navy, with the consent of their parents or guardians, not being under thirteen, nor over eighteen years of age, to serve until they shall arrive at the age of twenty-one years; and it shall be lawful to enlist other persons for the navy, to serve for a period not exceeding five years, unless sooner discharged by direction of the President of the United States; and so much of an act entitled "An act to amend the act entitled 'An act to amend the act authorizing the employment of an additional naval force,'" approved fifteenth May, one thousand eight hundred and twenty, as is inconsistent with the provisions of this act, shall be, and is hereby, repealed.

Boys may be enlisted.

Other persons may be enlisted for five years.

So much of act 15th May, 1820, ch. 132, as is inconsistent with this act, repealed.

Sec. 2. *And be it further enacted*, That when the time of service of any person enlisted for the navy, shall expire, while he is on board any of the public vessels of the United States, employed on foreign service, it shall be the duty of the commanding officer of the fleet, squadron, or vessel, in which such person may be, to send him to the United States in some public or other vessel, unless his detention shall be essential to the public interests, in which case the said officer may detain him until the vessel in which he shall be serving shall return to the United States; and it shall be the duty of said officer, immediately to make report to the Navy Department, of such detention and the causes thereof.

Any person whose time expires while on foreign service, to be sent to U. States, &c. 1845, ch. 77, § 9.

Sec. 3. *And be it further enacted*, That such persons as may be detained after the expiration of their enlistment, under the next preceding section of this act, shall be subject, in all respects, to the laws and regulations for the government of the navy, until their return to the United States, and all such persons as shall be so detained, and all such as shall voluntarily re-enlist to serve until the return of the vessel in which they shall be serving, and their regular discharge therefrom in the United States, shall, while so detained and while so serving under their re-enlistment, receive an addition of one-fourth to their former pay.

Persons detained to be subject to laws, &c., of navy.

Those who re-enlist to receive additional pay.

Approved, March 2, 1837.

Statute II.
March 2, 1837.

Chap. XXII.—*An Act concerning Pilots.* (*a*)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may

Upon waters which are the

(*a*) Cases decided in the courts of the United States, as to Pilots and Pilotage.

What a pilot does beyond the limits of his duty, as such, may be the foundation of a claim for salvage; but not such acts as were within his duties. Hand *v.* The Elvira, Gilpin's D. C. R. 65.

Where a steamboat was hired for the purpose of towing a vessel, to which she was fastened, and both were under the direction of a licensed pilot, the owner of the steamboat is not entitled to damages on account of injury sustained in the course of navigation, and not caused by negligence of the pilot. Reeves et al. *v.* The Ship Constitution, Gilpin's D. C. R. 579.

Assisting vessels in distress, beyond what the mere duty of pilot requires, entitles pilots to compensation. Delany, a Pilot *v.* The Sloop Peragio, Bee's Adm. Rep. 212.

The brig Hope, with a valuable cargo, had been conducted, in the evening, by a pilot inside of Mobile point, where pilots of the outer harbor usually leave vessels which they pilot inside of that bar. The pilot was discharged, and the Hope proceeded up the bay of Mobile. The wind soon after changed, blew a violent gale from the northwest, both anchors parted, and the Hope was driven on a

boundary of two States, pilots licensed by either may be employed.

be lawful for the master or commander of any vessel coming into or going out of any port situate upon waters, which are the boundary between two States, to employ any pilot duly licensed or authorized by the laws of either of the States bounded on the said waters, to pilot said vessel to or from said port; any law, usage, or custom, to the contrary notwithstanding.

Approved, March 2, 1837.

Statute II.
March 2, 1837.

Chap. XXIII.—*An Act to extend for a longer period the several acts now in force for the relief of certain insolvent debtors of the United States.*

Extended for three years. Act of March 2, 1831, ch. 62. Act of July 14, 1832, ch. 230. Act of June 7, 1834, ch. 45.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act for the relief of certain insolvent debtors of the United States," passed on the second day of March, one thousand eight hundred and thirty-one, and an act in addition thereto, passed on the fourteenth day of July, one thousand eight hundred and thirty-two, and an act to revive and amend the said acts, passed on the seventh day of June, one thousand eight hundred and thirty-four, be, and the same are hereby extended and continued in force for three years from and after the passage of this act.

Application.

Sec. 2. *And be it further enacted*, That the provisions of the said several acts shall apply to cases of insolvency which shall have accrued [occurred] on or before the first day of January last.

Approved, March 2, 1837.

Statute II.
March 2, 1837.

Chap. XXV.—*An Act to provide for the adjustment of title and final disposition of the four reserved sections in the tract of country allotted to the Tombecbee Association for the encouragement of the cultivation of the vine and olive.*

Persons entitled to allot-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who

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shoal outside of the point, among the east breakers. The gale increased to a hurricane, and forced the vessel on her beam ends, and her masts and bowsprit were cut away. The master and crew deserted her to save their lives. After various fruitless efforts to save her, the libellants, all pilots of the outer harbor of Mobile, two days after she was stranded, and while yet in great peril, succeeded: and she was brought up to the city of Mobile by them, towed by their pilot boat, assisted by a steamboat employed by them. On a libel for salvage, the district court of the United States for the district of Alabama allowed, as salvage, one-third of 15,299 dollars and 58 cents, the appraised value of the brig and cargo. The owners of the brig and cargo appealed to the supreme court. By the Court—A pilot, while acting within the strict line of his duty, however he may entitle himself to extraordinary pilotage compensation for extraordinary services, as contradistinguished from ordinary pilotage for ordinary services, cannot be entitled to claim salvage. In this respect he is not distinguished from any other officer, public or private, acting within the appropriate sphere of his duty. But a pilot, as such, is not disabled, in virtue of his office, from becoming a salvor. On the contrary, whenever he performs salvage services beyond the line of his appropriate duties, or under circumstances to which those duties do not justly attach, he stands in the same relation to the property as any other salvor: that is, with a title to compensation to the extent of the merit of his services, viewed in the light of a liberal public policy. Hobart *v.* Drogan, 10 Peters, 108.

Seamen, in the ordinary course of things, in the performance of their duties, are not allowed to become salvors, whatever may have been the perils, or hardships, or gallantry of their services, in saving the ship and cargo. Extraordinary events may occur, in which their connexion with the ship may be dissolved, de facto, or by operation of law; or they may exceed their proper duty, in which cases they may be permitted to claim as salvors. *Ibid.*

It is not within the scope of the positive duties of a pilot to go to the rescue of a wrecked vessel, and employ himself in saving her, or her cargo, when she was wholly unnavigable. That is a duty entirely distinct in its nature, and no more belonging to a pilot than it would be to supply such a vessel with masts or sails, or to employ lighters to discharge her cargo in order to float her. It is properly a salvage service, involving duties and responsibilities, for which his employment may peculiarly fit him; but yet in no sense included in the duty of navigating the ship. *Ibid.*

This was a case where the libellants acted as salvors, and not as pilots. They had, at the time, no particular relation to the distressed ship. They proffered useful services as volunteers, without any pre-existing covenant that connected them with the duty of employing themselves for her preservation. The duties they undertook were far beyond any belonging to pilots; and precisely those belonging to salvors. *Ibid.*

Suits for pilotage on the high seas, and on waters navigable from the sea, as far as the tide ebbs and flows, are within the admiralty and maritime jurisdiction of the United States. The service is strictly maritime, and falls within the principles already established by the supreme court in the case of the Thomas Jefferson, 10 Wheaton's Rep. 428, and Peyroux *v.* Howard, 7 Peters' Rep. 324. *Ibid.*

became entitled, under the contract entered into on the eighth day of January eighteen hundred and nineteen, by the Secretary of the Treasury, on the part of the United States, and Charles Villar, agent of the Tombecbee Association, in pursuance of "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive," approved third March, eighteen hundred and seventeen, to an allotment or share of the four sections of land reserved for the small allotments, and designated as sections, seven, eighteen, nineteen, and thirty in township eighteen, range three east, their heirs, devisees, or assigns, who shall have complied with the conditions of settlement and cultivation on such allotment, as required by said contract, or shall have been in the actual settlement and cultivation of his or her allotment within said four sections, or a part thereof, before or on the thirty-first day of October eighteen hundred and thirty-two, as provided by the act of the nineteenth day of February, eighteen hundred and thirty-three, shall, on producing to the register and receiver of the land district in which said lands are situated, satisfactory evidence of title to such allotment, and of settlement and cultivation on the same as aforesaid, and paying one dollar and twenty-five cents per acre for the land, receive a patent for the same: *Provided*, Such proof shall be filed and payment made within six months from the passage of this act: *And provided further*, That the expense of surveying any such allotment shall be defrayed by the person or persons claiming the same.

ments under contract by Sec. Treas. with Chas. Villar, shall receive patents on certain conditions.

Act of March 3, 1817, ch. 61.

Act of Feb. 19, 1833, ch. 30.

Proviso.

Further proviso.

Sec. 2. *And be it further enacted*, That any remainder of said four sections not disposed of by the first section of this act shall be subject to entry at one dollar and twenty-five cents per acre, by the trustees of the Demopolis Female Academy, in trust for the use and benefit of said institution.

Remainder subject to entry, for use of Demopolis Female Academy.

Approved, March 2, 1837.

Statute II.

March 3, 1837.

Chap. XXX.—*An Act making appropriations for the naval service, for the year one thousand eight hundred and thirty-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be appropriated for the naval service, for the year one thousand eight hundred and thirty-seven, in addition to the unexpended balances of former appropriations, to wit:

For pay of commissioned, warrant and petty officers, and of seamen, two million four hundred and fifty-four thousand six hundred and eighty-six dollars;

Pay of navy.

To enable the President, provided he should deem it necessary, to offer a bounty for the purpose of promoting the enlistment of seamen, seventy-two thousand dollars;

Bounty for enlistments.

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, sixty-nine thousand four hundred and seventy dollars;

Pay of superintendents, &c. at yards.

For provisions, seven hundred and sixty-two thousand eight hundred and sixty-five dollars;

Provisions.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million two hundred and fifty thousand dollars;

Repairs of vessels, &c.

For medicines and surgical instruments, hospital stores, and other expenses, on account of the sick, thirty-nine thousand dollars;

Medicines and surgical instruments, &c.

For improvements and necessary repairs of the navy yard at Portsmouth, New Hampshire, forty-seven thousand seven hundred dollars;

Portsmouth navy yard.

For improvements and necessary repairs of the navy yard at Charlestown, Massachusetts, one hundred and twenty-four thousand dollars;

Charlestown navy yard.

Brooklyn navy yard.

For improvement and necessary repairs of the navy yard at Brooklyn, New York, sixty-two thousand five hundred dollars;

Philadelphia navy yard.

For improvement and necessary repairs of the navy yard at Philadelphia, Pennsylvania, thirty-four thousand eight hundred and fifty dollars;

Washington navy yard.

For improvement and necessary repairs of the navy yard at Washington, fifty-two thousand eight hundred and fifty dollars;

Gosport navy yard.

For improvement and necessary repairs of the navy yard at Gosport, Virginia, one hundred and forty thousand five hundred dollars;

Pensacola navy yard.

For improvement and necessary repairs of the navy yard near Pensacola, seventy-eight thousand dollars;

Ordnance, &c.

For ordnance and ordnance stores, seventy-two thousand dollars;

Miscellaneous expenses.

For defraying the expenses that may accrue for the following purposes, to wit; for the freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; travelling expenses of officers and transportation of seamen; house rent for pursers when attached to yards and stations where no house is provided; for funeral expenses, for commissions, clerk hire, office rent, stationery, and fuel, to navy agents; for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowance to persons attending courts martial and courts of inquiry; for printing and stationery of every description, and for working the lithographic press, and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for the purchase and repair of fire engines and machinery, and for the repair of steam engines; for the purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for cabin furniture of vessels in commission; taxes and assessments on public property; for assistance rendered to vessels in distress; for incidental labor at navy yards, not applicable to any other appropriation; for coal and other fuel; and for candles and oil; for repairs of magazines or powder houses; for preparing moulds for ships to be built, and for no other purpose whatever, three hundred and thirty-seven thousand six hundred dollars;

Contingent expenses.

For contingent expenses for objects not hereinbefore enumerated, three thousand dollars;

Pay and subsistence of marine corps.

For pay of the officers, non-commissioned officers, musicians, and privates, and subsistence of the officers of the marine corps, one hundred and sixty-three thousand and nineteen dollars and sixty cents;

Provisions for non-commissioned officers, &c., serving on shore.

For the provisions for the non-commissioned officers, musicians, and privates, serving on shore, servants, and washerwomen, thirty-three thousand four hundred and twenty-eight dollars and eighty cents;

Clothing.

For clothing, thirty-eight thousand six hundred and fifty-five dollars;

Fuel.

For fuel, fourteen thousand five hundred and eighty-nine dollars;

Repairs of barracks.

For keeping the present barracks in repair until new ones can be erected, and for the repairs of barracks at head-quarters and Portsmouth, New Hampshire, ten thousand dollars;

Transportation of officers, &c.

For the transportation of officers, non-commissioned officers, musicians, and privates, and expenses of recruiting, six thousand dollars;

Medicines, hospital stores, &c.

For medicines, hospital stores, surgical instruments, and pay of matron, four thousand one hundred and thirty-nine dollars and twenty-nine cents;

Contingent expenses of said corps, &c.

For contingent expenses of said corps, freight, ferriage, toll, wharfage, and cartage, per diem allowance for attending courts of inquiry, compensation to judge advocates, house rent where there are no public quarters assigned, incidental labor in the quartermaster's department, expenses of burying deceased persons belonging to the marine corps, printing, stationery, forage, postage on public letters, expenses in pur-

suing deserters, candles and oil for the different stations, straw for the men, barrack furniture, bed sacks, spades, axes, shovels, picks, and carpenter's tools, seventeen thousand nine hundred and seventy-seven dollars and ninety-three cents;

For military stores, pay of armorers, keeping arms in repair, drums, fifes, flags, accoutrements, and ordnance stores, two thousand dollars; Military stores, pay of armorers, &c.

For launching and securing the ship of the line Pennsylvania, one hundred thousand dollars; Launching, &c., ship Pennsylvania.

For building and equipping two sloops of war, from frames already provided under former appropriations, two hundred and eighty thousand dollars; and also six vessels of war, if not less than ten, nor more than eighteen guns, four hundred thousand dollars, in addition to any materials on hand; Building and equipping two sloops of war. Also six vessels of war.

For erecting and furnishing a new hospital building, and for a dwelling for an assistant surgeon; for the repairs of the present building, and for all expenses upon their dependencies near Pensacola, forty-seven thousand five hundred dollars; Hospital near Pensacola.

For erecting a sea-wall to protect the shore; for enclosing the hospital grounds, for completing the basement of south wing; for repairing damages sustained from a recent gale, and for all other expenses upon the dependencies of the hospital near Norfolk, eighteen thousand dollars; Hospital near Norfolk.

For graduating and enclosing the grounds about the naval asylum near Philadelphia, and for all other expenses upon the building and its dependencies, ten thousand four hundred and sixty dollars; Naval asylum near Philadelphia.

Towards an extension of the hospital building near Brooklyn, New York, for enclosing the grounds, and for all other expenses upon its dependencies, sixty-six thousand dollars; Hospital near Brooklyn.

For the completion of the present hospital building near Boston, and for all expenses upon its dependencies, one thousand three hundred and fifty dollars; Hospital near Boston.

For the repair of the enclosure, and for the sea-wall of the magazine upon Ellis's island, in the harbor of New York, one thousand two hundred and fifty dollars; Magazine upon Ellis's Island.

For the completion of the enclosure of the magazine near Boston, the wharf and other dependencies, two thousand seven hundred and fifty dollars; Magazine near Boston.

For the purchase of that portion of land, belonging to the town of Portsmouth, Virginia, enclosed by the walls of the navy yard at Gosport, four thousand seven hundred and seventy-nine dollars; Gosport navy yard

To defray any additional expense that may be incurred in making an examination and survey of the harbors of Beaufort and Wilmington, in North Carolina, with a view to determine the respective facilities and advantages of the establishment of a navy yard, fifteen hundred dollars; Examination, &c., of Beaufort and Wilmington harbors.

For the survey of May river, from Tybee bar to the Hunting island, fifteen hundred dollars, for a similar object; Survey of May river.

For payment to Thomas J. Harris of his proportion of the sum of two thousand dollars, appropriated by Congress, for the capture of a piratical felucca, in eighteen hundred and twenty-three, twenty-nine dollars and sixteen cents; Payment to Thomas J. Harris.

To defray the expense of examining the shoals of George's Bank, for the purpose of determining upon the practicability of erecting a lighthouse upon the same, (in aid of the general appropriations for the navy,) five thousand dollars. Examining the shoals of George's Bank.

Sec. 2. *And be it further enacted*, That the following sums being the unexpended balances of former appropriations, which have been carried to the account of the surplus fund, be, and the same are hereby re-appropriated, to be paid out of any money unappropriated in the treasury, viz: Money re-appropriated.

For carrying into effect the acts for the suppression of the slave trade, Suppression

of the slave trade, &c.

including their support in the United States and for a term not exceeding six months after their arrival in Africa, of all persons removed from the United States under the said acts, eleven thousand four hundred and thirteen dollars and fifty-seven cents;

Prize-money to officers, &c. of brig General Armstrong.

For payment of prize-money to the officers and crew of the late private armed brig General Armstrong, and the legal representatives of such as may be dead, two thousand dollars.

Secretary of the Treasury to distribute residue of prize-money belonging to crews of Bon Homme Richard and Alliance.

Sec. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to distribute the residue of the prize-money heretofore deposited in the treasury, belonging to the crews of the men-of-war Bon Homme Richard and Alliance, commanded by John Paul Jones, in the revolutionary war, among the several persons entitled thereto, and to pay them the sums respectively due, out of any money in the treasury not otherwise appropriated.

Enclosure of navy yard at Pensacola.

Sec. 4. *And be it further enacted*, That the sum appropriated at the last session for the erection of a brick enclosure of the navy yard at Pensacola, shall be erected to suit the present plan of the yard, and in such manner as the Navy Commissioners shall direct.

President to purchase articles of a durable nature for vessels.

Sec. 5. *And be it further enacted*, That under the laws providing for the gradual improvement of the navy, the President be authorized to cause articles of a durable character to be purchased for the armament and equipment, as well as for the building of vessels.

Approved, March 3, 1837.

Statute II.

March 3, 1837.

[Obsolete.]

Chap. XXXI.—*An Act making appropriations for the current expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year eighteen hundred and thirty-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, for the year one thousand eight hundred and thirty-seven, for the purpose of paying the current expenses of the Indian Department, and of fulfilling treaty stipulations with the various Indian tribes, to be paid out of any money in the Treasury not otherwise appropriated; that is to say;

Pay of superintendent of Indian affairs at St. Louis, &c.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as provided by the act of June thirtieth, eighteen hundred and thirty-four, twelve thousand dollars;

Pay of sub-agents.

For the pay of sub-agents, authorized by the same act, ten thousand dollars;

Pay of interpreters.

For the pay of interpreters, as authorized by the same act, eight thousand seven hundred dollars;

Presents to Indians.

For presents to Indians, authorized by the same act, five thousand dollars;

Provisions for Indians.

For the purchase of provisions for Indians, at the distribution of annuities, while on visits of business with the superintendents and agents, and when assembled on public business, eleven thousand eight hundred dollars;

Buildings at the agencies.

For the necessary buildings required at the several agencies, and repairs thereof, two thousand dollars;

Postages, rents, &c. of Indian Department.

For postages, rents, stationery, fuel for offices, and other contingencies of the Indian Department, seven thousand dollars;

Salary of clerk in office of Gov. of Wisconsin.

For the salary of one clerk in the office of the Governor of Wisconsin Territory, who is ex officio superintendent of Indian affairs, eight hundred dollars;

Clerk of acting sup'dt W. Territory.

For the salary of one clerk in the office of the acting superintendent of the Western Territory, one thousand dollars;

Six Nations of New York.

For the Six Nations of New York, four thousand five hundred dollars;

For the Senecas of New York, six thousand dollars; Senecas of N. York.
For the Ottawas, four thousand three hundred dollars; Ottawas.
For the Wyandots, six thousand eight hundred and forty dollars; Wyandots.
For the Wyandots, Munsees, and Delawares, one thousand dollars; Wyandots, Munsees, and Delawares.
For the Christian Indians, four hundred dollars; Christian Indians.
For the Miamies, thirty thousand one hundred and ten dollars; Miamies.
For the Eel Rivers, one thousand one hundred dollars; Eel Rivers.
For the Pottawatamies, twenty thousand eight hundred dollars; Pottawatamies.
For the Pottawatamies of Huron, four hundred dollars; Pottawatamies of Huron.
For the Pottawatamies of the Prairie, sixteen thousand dollars; Pottawatamies of the Prairie.
For the Pottawatamies of the Wabash, twenty thousand dollars; Pottawatamies of the Wabash.
For the Pottawatamies of Indiana, seventeen thousand dollars; Pottawatamies of Indiana.
For the Chippewas, Ottawas, and Pottawatamies, thirty-four thousand two hundred and ninety dollars; Chippewas, Ottawas, and Pottawatamies.
For the Winnebagoes, thirty-seven thousand seven hundred and eighty-five dollars; Winnebagoes.
For the Menomonies, thirteen thousand nine hundred and twenty dollars; Menomonies.
For the Chippewas, six thousand seven hundred and forty dollars; Chippewas.
For the Chippewas, Menomonies, Winnebagoes, and New York Indians, fifteen hundred dollars; Menomonies, Winnebagoes, &c.
For the Sioux of Mississippi, three thousand six hundred and forty dollars; Sioux of Mississippi.
For the Yancton and Santie band of Sioux, four thousand three hundred and forty dollars; Yancton and Santie bands of Sioux.
For the Omahas, three thousand nine hundred and forty dollars; Omahas.
For the Sacs of Missouri, one thousand six hundred and forty dollars; Sacs of Missouri.
For the Sacs, three thousand dollars; Sacs.
For the Foxes, three thousand dollars; Foxes.
For the Ioways, five thousand one hundred and forty dollars; Ioways.
For the Sacs and Foxes, twenty-three thousand nine hundred and twenty dollars; Sacs and Foxes.
For the Sacs, Foxes, and Ioways, three thousand dollars; Ioways.
For the Ottoes and Missourias, five thousand six hundred and forty dollars; Ottoes and Missourias.
For the Kanzas, six thousand and forty dollars; Kanzas.
For the Osages, eleven thousand and forty dollars; Osages.
For the Kickapoos, six thousand five hundred dollars; Kickapoos.
For the Kaskaskias and Peorias, three thousand dollars; Kaskaskias and Peorias.
For the Kaskaskias, Peorias, Weas, and Piankeshaws, nine hundred and forty dollars; Kaskaskias, Peorias, Weas, and Piankeshaws.
For the Piankeshaws, thirteen hundred dollars;
For the Weas, three thousand dollars; Weas.
For the Delawares, ten thousand two hundred and forty dollars; Delawares.
For the Shawnees, six thousand nine hundred and forty dollars; Shawnees.
For the Shawnees and Delawares, five hundred dollars; Shawnees and Delawares.
For the Shawnees and Senecas of Lewistown, one thousand nine hundred and forty dollars; Senecas of Lewistown.
For the Senecas of Lewistown, two thousand five hundred and forty dollars; Choctaws.
For the Choctaws, fifty-four thousand eight hundred and twenty dollars; Chickasaws.
For the Chickasaws, six thousand dollars; Creeks.
For the Creeks, forty-seven thousand eight hundred and sixty dollars; Quapaws.
For the Quapaws, four thousand five hundred and forty dollars; Florida Indians.
For the Florida Indians, nine thousand six hundred and ten dollars; Pawnees.
For the Pawnees, twelve thousand dollars; Cherokees.
For the Cherokees, west, six thousand nine hundred and sixty dollars;

Ottawas and Chippewas.

For the Ottawas and Chippewas, sixty thousand eight hundred and thirty dollars;

Caddoes.

For the Caddoes, ten thousand dollars;

Transportation, &c.

For transportation and incidental expenses, twenty-nine thousand five hundred dollars;

Removal and subsistence of Creeks, &c.

For removal and subsistence of the Creeks, and purchase of articles according to the treaty of the twenty-fourth March, eighteen hundred and thirty-two, for the subsistence of the families of the warriors in the service of the United States, and for the expenses attending the sales of Creek reservations, and investigating the frauds committed on these Indians, and the causes of their hostility, seven hundred and one thousand six hundred and seventy-six dollars;

Removal, &c. of Seminoles.

For the removal and subsistence of the Seminoles, one hundred and forty thousand dollars;

Removal, &c. of Ottawas of Maumee.

For the removal and subsistence of the Ottawas of the Maumee, thirteen thousand dollars;

Removal and subsistence of Pottawatamies of Indiana.

For the removal and subsistence of the Pottawatamies of Indiana, and for locating reservations and incidental expenses, under the treaty with the Pottawatamies of St. Joseph, of the twentieth September, eighteen hundred and twenty-eight, ninety thousand five hundred dollars;

Removal and subsistence of Chippewas, Ottawas, and Pottawatamies.

For the removal and subsistence of the Chippewas, Ottawas, and Pottawatamies, under the treaty of twenty-sixth September, eighteen hundred and thirty-three, and for locating reservations, and incidental expenses under the treaty with the same, of the twenty-ninth July, eighteen hundred and twenty-nine, one hundred and thirty-two thousand dollars;

Winnebagoes.

For locating reservations, and incidental expenses under the treaty with the Winnebagoes of the first of August, eighteen hundred and twenty-nine, one thousand dollars;

Sioux.

For carrying into effect the treaty with the Sioux and other tribes of the fifteenth of July, eighteen hundred and thirty, so far as it relates to the Sioux half-breeds, and for compensation to a blacksmith under the act of the thirtieth June, eighteen hundred and thirty-four, one thousand one hundred and twenty dollars;

Omahas, Ioways, Ottoes, and Yancton and Santie Sioux.

For the Omahas, Ioways, Ottoes, and Yancton and Santie Sioux, under the tenth article of the treaty of the fifteenth of July, eighteen hundred and thirty, in relation to half-breeds of these tribes, one thousand dollars;

Choctaw reservations, &c.

For the various expenses growing out of the location and sale of Choctaw reservations, and perfecting titles to the same, and for additional compensation to blacksmiths, as provided for by the ninth section of the act of June thirty, eighteen hundred and thirty-four, eight thousand eight hundred and sixty dollars;

Osages.

For carrying into effect the fifth and sixth sections of the treaty with the Osages of June second, eighteen hundred and twenty-five, relative to reservations for half-breeds and for schools, two thousand dollars;

Kanzas.

For carrying into effect the sixth article of the treaty with the Kanzas of the third of June, eighteen hundred and twenty-five, in relation to reservations for half-breeds, five hundred dollars;

Delawares.

For carrying into effect the supplementary article of the treaty with the Delawares of the third of December, eighteen hundred and eighteen, in relation to reservations for schools, five hundred dollars;

Horse-mill for Missourias and Ottoes.

For the erection of a horse-mill as stipulated in the fifth article of the treaty with the Ottoes and Missourias of the twenty-first of September, eighteen hundred and thirty-three, in addition to a former appropriation, nine hundred dollars;

Blacksmiths for Cherokees. 1834, ch. 162.

For additional compensation to blacksmiths for the Cherokees, as provided for in the ninth section of the act of June thirtieth, eighteen hundred and thirty-four, four hundred and eighty dollars;

For additional compensation to a blacksmith for the Menomonies, as provided for by the ninth section of the act of June thirtieth, eighteen hundred and thirty-four, one hundred and twenty dollars; Blacksmith for Menomonies. 1834, ch. 162.

For additional compensation to blacksmiths for the Senecas and Shawnees, as provided for by the ninth section of the act of June thirtieth, eighteen hundred and thirty-four, two hundred and forty dollars; Blacksmiths for Senecas and Shawnees. 1834, ch. 162.

For agricultural assistance for the Sacs and Foxes, in addition to the amount heretofore allowed, and to which they are entitled by an equitable construction of the treaties of the fourth of August, eighteen hundred and twenty-four, and the fifteenth of July, eighteen hundred and thirty, seven hundred and forty dollars; Agricultural assistance for Sacs and Foxes.

For the purpose of supplying a deficiency in the sum applicable to the payment of annuities for eighteen hundred and thirty-six, caused by the retention, as commissions on disbursement, by Lieutenant N. J. Eaton, United States army, of this amount, two thousand seven hundred and eighty-nine dollars; *Provided always*, That this appropriation shall not be so construed as to give any sanction to any disbursing officer, in retaining commissions on any sum of money paid by him in pursuance of treaty stipulations; but on the contrary it is still considered the duty of the proper officers to use all legal means to compel the payment of said sum of two thousand seven hundred and eighty-nine dollars, retained by Lieutenant N. J. Eaton; Deficiency in sum applicable to payment of annuities. Proviso.

For payment of balance due Andrew S. Hughes and Jonathan L. Bean, in compliance with an arrangement made with them, February fourteenth, eighteen hundred and thirty-two, by the Superintendent of Indian Affairs at St. Louis, in pursuance to instructions from the War Department, sixteen hundred dollars; Payment to Andrew S. Hughes and Jonathan L. Bean.

For the payment to Charles Rodgers the appraised value of a distillery built by him prior to the act of eighteen hundred and thirty-four, and afterwards destroyed by order of the Indian agents, and for which he was promised indemnity, the sum of sixteen hundred and ninety-two dollars; Payment to Chas. Rodgers.

For the purpose of paying the expenses of two Fox chiefs and their attendants, in coming to the city of Washington, on necessary business, and returning to their nation, the sum of fifteen hundred dollars; Visit of two Fox chiefs to Washington.

For the purpose of enabling the Secretary of War, to pay a subscription made in eighteen hundred and thirty, for the Indian department, of fifty copies of the History of the Indian Tribes of North America, with biographical sketches, to be composed of, say twenty numbers each, the sum of three thousand dollars; Fifty copies of History of Indian Tribes.

For the purpose of fulfilling the stipulations in the twentieth article of the treaty with the Choctaws of the twenty-seventh September eighteen hundred and thirty, providing for the education of forty Choctaw youths, in addition to the sum heretofore provided, the sum of two thousand dollars; Education of Choc'w youths

For holding treaties with the various tribes of Indians east of the Mississippi river, for the cession of lands held by them respectively, and for their removal west of the Mississippi, ten thousand dollars; Holding treaties with the tribes east of the Mississippi.

For the purpose of defraying the expenses of Eleazer Williams, in coming from Green Bay, and returning home, on business relative to the Oneida Indians, the sum of five hundred dollars; Expenses of Eleazer Williams.

For carrying into effect the treaty with the Menomonies of the third September, eighteen hundred and thirty-six, two hundred and eighty-eight thousand five hundred and forty dollars; Menomonies.

For carrying into effect the treaties with the Pottawatamies of the fifth of August, twentieth, twenty-second and twenty-third September, eighteen hundred and thirty-six, and eleventh February, eighteen hundred and thirty-seven, seventy-three thousand four hundred and twenty-three dollars; Pottawatamies.

Ioways.

For carrying into effect the treaty with the Ioways of the seventeenth September, eighteen hundred and thirty-six, sixty-five thousand five hundred and ninety dollars;

Sacs and Foxes.

For carrying into effect the treaties with the Sacs and Foxes of the seventeenth, twenty-seventh and twenty-eighth September, eighteen hundred and thirty-six, one hundred and thirty-eight thousand two hundred and forty dollars;

Otoes and Missourias.

For carrying into effect the treaty with the Otoes and Missourias of the fifteenth October, eighteen hundred and thirty-six, three thousand dollars;

Omahas.

For carrying into effect the treaty with the Omahas of the fifteenth October, eighteen hundred and thirty-six, two thousand four hundred and seventy dollars;

Sioux.

For carrying into effect the treaties with the Sioux of the tenth September, fifteenth October, and thirtieth November, eighteen hundred and thirty-six, one thousand nine hundred and fifty dollars;

Additional sub-agents.

For pay of four additional sub-agents, three thousand dollars;

Examination of vacant Indian lands.

For defraying the expenses of a more particular examination of the vacant Indian country, southwest of the Missouri river, with a view to ascertain its adaptation, in quality and extent, to the accommodation of the tribes yet to be removed, three thousand dollars;

Sioux.

For holding treaties with the Sioux Indians to extinguish their title to that part of their lands lying east of the Mississippi river, five thousand dollars;

Deputation of New York Indians.

For the expenses of a deputation of the New York Indians to visit the country west of the Mississippi, with a view to the selection of a permanent residence, eight thousand dollars;

Deputation of Chippewas of Saganaw.

For the expenses of a deputation of the Chippewas of Saganaw for the same object, two thousand dollars;

Visit of Hendrick and two Ioway chiefs to the seat of Government.

For defraying the expenses of Hendrick, a Stockbridge Indian, and of two Ioway chiefs, and their attendants, who have visited the seat of Government on business during the present winter, one thousand dollars;

Wyandot Indians.

For defraying the expenses of a treaty with the Wyandot Indians of Upper Sandusky, in the State of Ohio, one thousand dollars;

Holding treaties with tribes east of the Mississippi, &c.

For holding treaties with the various tribes east of the Mississippi river, for the cession of lands held by them respectively, and for their removal west of said river; and with the Sioux for the cession of their country lying east of the same river, and for defraying the expenses of a more particular examination of the vacant lands, west of the Mississippi, with a view to ascertain, whether it be sufficient to accommodate the tribes remaining east of said river, seventeen thousand dollars.

To enable the President, by suitable agents, to inquire what depredations were committed by the Seminole and Creek Indians, &c.

Sec. 2. *And be it further enacted*, That the sum of five thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the President of the United States by suitable agents to inquire what depredations were committed by the Seminole and Creek Indians on the property of citizens of Florida, Georgia, and Alabama, immediately before the commencement of actual hostilities on the part of said respective tribes of Indians; what amount of depredations were committed during the pendency of said hostilities; what portion of the Creek tribe were engaged in such hostilities; and what depredations have been committed by a remnant of said tribe supposed to be friendly and a part of whom were actually employed against the Seminoles, since the removal of the main body of them west of the Mississippi, and that the President report the information so acquired to Congress at its next session; *Provided*, Nothing hereinbefore contained, shall be so construed, as to subject the United States to pay for depredations not provided for, by the act of April ninth eighteen hundred and sixteen, and the acts amendatory

Proviso.

thereto, nor by acts regulating the intercourse between the Indian tribes and the United States.

Sec. 3. *And be it further enacted*, That the President may, and he is hereby authorized, to appoint, by and with the consent of the Senate, three additional Indian agents, one for the Creek, one for the Cherokee tribe of Indians, and one for the tribes on the upper Missouri, who shall execute the same duties, possess the same powers, and receive the same pay and emoluments as those now authorized by law, execute, possess and receive, and that the salaries of said agents be paid out of any money in the Treasury not otherwise appropriated.

The President authorized to appoint three additional Indian agents.

Approved, March 3, 1837.

Chap. XXXII.—*An Act to change the titles of certain officers in the navy.*

Statute II. March 3, 1837.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act all "masters commandant" in the navy shall be taken to be and shall be called "commanders," and all "sailingmasters" shall be taken to be and shall be called "masters:" but such change of title shall not impair or in any way affect the rank, pay, or privileges, of any master commandant or sailingmaster now in the service; and should they receive new commissions or warrants, they shall respectively take rank from the date of their present commissions.

The titles of "masters commandant" changed to "commanders;" and "sailing-masters" to "masters."

Approved, March 3, 1837.

Chap. XXXIII.—*An Act making appropriations for the civil and diplomatic expenses of Government for the year eighteen hundred and thirty-seven.*

Statute II. March 3, 1837. [Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the treasury, viz:

For pay and mileage of the members of Congress and delegates, three hundred and forty-eight thousand and forty dollars;

Pay, &c., of members of Congress.

For pay of the officers and clerks of the Senate and House of Representatives, thirty-three thousand seven hundred dollars;

Pay of officers, &c. of Congress.

For stationery, fuel, printing, and all other contingent expenses of the Senate, forty-nine thousand five hundred and fifty dollars;

Contingent expenses of Senate.

For stationery, fuel, printing, and all other contingent expenses of the House of Representatives, one hundred and fifty thousand dollars;

Contingent expenses of House of Repres.

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;

Two last sums applicable only to ordinary expenses.

For compensation to the President and Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Postmaster General, sixty thousand dollars;

President, Vice President, and the heads of departments.

For salary of the secretary to sign patents for public lands, per act of March second, eighteen hundred and thirty-three, one thousand five hundred dollars;

Secretary to sign patents.

For clerks and messengers in the office of the Secretary of State, twenty thousand three hundred dollars;

Office of Secretary of State. Clerks, &c.

For the contingent expenses of the Department of State, including publishing and distributing the laws, twenty-five thousand dollars;

Publication, &c. of the laws.

For compiling and printing the Biennial Register, one thousand eight hundred dollars;

Biennial Register.

For the superintendent and watchman of the northeast executive building, one thousand five hundred dollars;

Superint't and watchman N.E. exec. building.

Contingent expenses.

For contingent expenses of said building, including fuel, labor, oil, and repairs, two thousand five hundred dollars;

Office of Sec. of Treasury.

Clerks and messengers.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, sixteen thousand four hundred and fifty dollars;

Additional clerks.

For compensation to the clerks in said office, per act of twenty-third of June, eighteen hundred and thirty-six, three thousand six hundred dollars;

First Comptroller.

For compensation to the First Comptroller of the Treasury, three thousand five hundred dollars;

Clerks and messengers.

For compensation to the clerks and messengers in the office of the First Comptroller, nineteen thousand three hundred dollars;

Second Comptroller.

For compensation to the Second Comptroller, three thousand dollars;

Clerks and messengers.

For compensation to the clerks and messenger in the office of the Second Comptroller, including two clerkships transferred from the office of the Fourth Auditor, twelve thousand two hundred and fifty dollars;

First Auditor.

For compensation to the First Auditor of the Treasury, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the First Auditor, fifteen thousand nine hundred dollars;

Second Auditor.

For compensation to the Second Auditor of the Treasury, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Second Auditor, seventeen thousand nine hundred dollars;

Third Auditor.

For compensation to the Third Auditor, three thousand dollars;

Clerks and messengers.

Clerk hire.

Act of Jan. 18, 1837, ch. 5.

For compensation to the clerks and messengers in the office of the Third Auditor, twenty-nine thousand six hundred and fifty dollars, including two thousand four hundred dollars for clerk hire to carry into effect an act of the seventeenth [eighteenth] of January last, entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States;"

Fourth Auditor.

For compensation to the Fourth Auditor, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Fourth Auditor, fifteen thousand nine hundred and fifty dollars;

Fifth Auditor.

For compensation to the Fifth Auditor, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Fifth Auditor, nine thousand eight hundred dollars;

Treasurer.

For compensation to the Treasurer of the United States, three thousand dollars;

Clerks and messenger.

For compensation to the clerks and messenger in the office of the Treasurer of the United States, including a deficiency of appropriation of two hundred and sixty-four dollars and sixty-four cents, for the year eighteen hundred and thirty-six, eleven thousand and fourteen dollars and sixty-four cents;

Register.

For compensation to the Register of the Treasury, three thousand dollars;

Clerks and messengers.

For compensation to the clerks and messengers in the office of the Register of the Treasury, twenty-four thousand two hundred dollars;

Commissioner of the General Land Office.

For compensation to the Commissioner of the General Land Office, per act of fourth of July, eighteen hundred and thirty-six, three thousand dollars;

Other officers.

Salary of Recorder.

For compensation of the recorder, solicitor, draughtsman, and assistant draughtsman, clerks, messengers, and packers, in the office of the Commissioner of the General Land Office, one hundred and eight thousand seven hundred and fifty dollars; and the annual salary of the Recorder of the General Land Office shall be two thousand dollars; and

the sum of nine hundred dollars shall be paid Charles Gordon for services rendered under the resolution of the Senate of second July eighteen hundred and thirty-six; Pay to Charles Gordon.

For deficiency to be appropriated on account of salaries, for the year eighteen hundred and thirty-six, to the Commissioner and other officers in the General Land Office, twenty-seven thousand eight hundred and eighty-six dollars and ten cents; Deficiency of salaries for 1836.

For compensation to the Solicitor of the Treasury, three thousand five hundred dollars; Solicitor of the Treasury.

For compensation to the clerks and messenger in the office of the Solicitor of the Treasury, three thousand nine hundred and fifty dollars; Clerks and messenger.

For expenses of stationery, printing, and all other contingent expenses of the Treasury Department, viz: Contingent expenses of Treas'ry Dep't.

For the office of the Secretary of the Treasury, including copying, and expenses incurred in consequence of the burning of the Treasury building, twelve thousand five hundred dollars; Office Sec'ry of Treasury, copying, &c.

For translating foreign languages, and for receiving and transmitting passports and sea-letters, in the office of the Secretary of the Treasury, three hundred dollars; Translating, &c.

For stating and printing public accounts, one thousand four hundred dollars; Stating and printing public accounts.

For the office of the First Comptroller, two thousand dollars; Off. 1st Comp.

For the office of the Second Comptroller, one thousand five hundred dollars; Off. 2d Comp.

For the office of the First Auditor, eight hundred dollars; Off. 1st Audit.

For the office of the Second Auditor, one thousand dollars; Off. 2d Audit.

For the office of the Third Auditor, thirteen hundred dollars; Off. 3d Audit.

For the office of the Fourth Auditor, one thousand dollars; Off. 4th Audit.

For the office of the Fifth Auditor, one thousand dollars; Off. 5th Audit.

For the office of the Treasurer of the United States, one thousand three hundred dollars; Office Treasurer.

For the office of the Register of the Treasury, three thousand dollars; Office Register.

For the office of the Solicitor of the Treasury, one thousand dollars; Office Solicitor.

For the office of the Commissioner of the General Land Office, for one hundred and fifty thousand pieces of parchment for patents; printing the same; and, also, the cost of books for patent records, twenty-nine thousand two hundred and fifty dollars; Office Commissioner General Land Office, parchments, &c.

For tract books, other books, and stationery, furniture, expense of advertising land sales, and other contingent expenses, including office rent for an additional building, ten thousand dollars; Books, stationery, &c.

For compensation of superintendent and two watchmen for the additional building for the use of the General Land Office, one thousand and fifty dollars; Superintend't and watchmen.

For salary of the secretary to the Commissioners of the Sinking Fund, from eighth February to eleventh April, eighteen hundred and thirty-six, forty-three dollars and ninety-five cents; Secretary to Commissioners of Sinking Fund.

For compensation of the superintendent and watchman of the south-east executive building, two thousand one hundred dollars; Superin't and watchman S. E. exec. building.

For contingent expenses of the building occupied by the Treasury, including fuel, oil, labor, repairs, furniture, and for rent, amounting to four thousand four hundred and fifty dollars per annum, twelve thousand dollars; Contingent expenses of Treas. building.

For compensation to the clerks and messengers in the office of the Secretary at War, including sixty-five dollars and seventy-one cents, arrearages due Samuel J. Potts, for clerk hire and for messenger in the Bounty Land Bureau, thirteen thousand one hundred and fifteen dollars and seventy-one cents; Office Sec. War. Clerks and mess'ng'rs. Arrearages due S. J. Potts.

For contingent expenses of the office of the Secretary at War, three thousand dollars; Contingent expenses.

Books, maps, &c.

For books, maps, and plans, for the War Department, one thousand dollars;

Extra clerks.

For compensation of extra clerks, when employed in said office, two thousand five hundred dollars;

Commiss. of Indian Affairs.

For compensation of the Commissioner of Indian Affairs, three thousand dollars;

Clerks and messenger.

For compensation of the clerks and messenger in the office of the Commissioner of Indian Affairs, sixteen thousand four hundred dollars;

Contingent expenses.

For contingent expenses of said office, two thousand dollars;

Commissioner of Pensions.

For compensation of the Commissioner of Pensions, two thousand five hundred dollars;

Clerks.

For compensation of clerks transferred from the office of the Secretary of War to the office of the Commissioner of Pensions, four thousand eight hundred dollars;

Clerks and messengers; act 9th May, 1836, ch. 60.

For compensation to clerks and messengers for the office of the Commissioner of Pensions, authorized by act of ninth of May, eighteen hundred and thirty-six, thirteen thousand four hundred and fifty dollars;

Clerks and messenger.

For compensation to clerks and messenger in the office of the Paymaster General, four thousand six hundred dollars;

Contingent expenses.

For contingent expenses of said office, three hundred dollars;

Clerks and messenger.

For compensation of clerk and messenger in the office of the Commanding General, one thousand five hundred dollars;

Cont. expens.

For contingent expenses of said office, three hundred dollars;

Cl'k and messenger.

For compensation to clerks and messenger in the office of the Adjutant General, seven thousand six hundred and fifty dollars;

Cont. expens.

For contingent expenses of said office, one thousand six hundred dollars;

Cl'ks and messenger.

For compensation of clerks and messenger in the office of the Quartermaster General, seven thousand three hundred dollars;

Cont. expens.

For contingent expenses of said office, six hundred dollars;

Cl'ks and messenger.

For compensation of clerks and messenger in the office of the Commissary General of Purchases, four thousand two hundred dollars;

Cont. expens.

For contingent expenses of said office, eight hundred dollars;

Cl'ks and messenger.

For compensation of clerks and messenger in the office of the Commissary General of Subsistence, four thousand three hundred dollars;

Cont. expens.

For contingent expenses of said office, two thousand six hundred dollars;

Cl'ks and messenger.

For compensation of clerks and messenger in the office of the Chief Engineer, five thousand six hundred and fifty dollars;

Cont. expens.

For contingent expenses of said office, one thousand dollars;

Cl'k and messenger.

For compensation to clerk and messenger in the office of the Surgeon General, one thousand six hundred and fifty dollars;

Cont. expens.

For contingent expenses of said office, five hundred and fifty dollars;

Cl'ks and messenger.

For compensation of clerks and messenger in the Ordnance Office, eight thousand six hundred and fifty dollars;

Cont. expens.

For contingent expenses of said office, eight hundred dollars;

Cl'ks and messenger.

For compensation of the clerks and messenger in the Topographical Bureau, two thousand five hundred dollars;

Cont. expens.

For contingent expenses of said bureau, one thousand two hundred and thirty-five dollars;

Messenger.

For compensation of the messenger in the Clothing Bureau, per act of July fourth, eighteen hundred and thirty-six, five hundred dollars;

Messenger.

For salary of the messenger in the office of the Inspector General, five hundred dollars;

Sup't and watchmen N. W. exec. build.

For compensation of superintendent and watchmen of the northwest executive building, two thousand two hundred and fifty dollars;

Cont. expens.

For contingent expenses of said building, including rent, fuel, furni-

ture, labor, and repairs, three thousand one hundred and eighty-three dollars;

For compensation of the clerks and messengers in the office of the Secretary of the Navy, twelve thousand eight hundred and fifty dollars; — Office Sec'y Nav. Clerks and messeng'rs.

For contingent expenses of said office, three thousand dollars; — Cont. expens.

For compensation of the Commissioners of the Navy Board, ten thousand five hundred dollars; — Commiss. of Navy Board.

For compensation of the Secretary of the Navy Board, two thousand dollars; — Secretary.

For compensation to the clerks and messenger of the Navy Board, eight thousand four hundred and fifty dollars; — Clerks and messengers.

For contingent expenses of said office, one thousand eight hundred dollars; — Contingent expenses.

For salary of superintendent and watchman of the southwest executive building, one thousand two hundred and fifty dollars; — Sup't and watchman S. W. exec. build.

For contingent expenses of said building, three thousand three hundred and fifty dollars; — Contingent expenses.

For compensation to three Assistant Postmaster Generals, per act third July, eighteen hundred and thirty-six, seven thousand five hundred dollars; — Assistant Postmasters General.

For compensation to clerks and messengers in the General Post Office, forty-eight thousand six hundred dollars; — Clerks and messengers.

For contingent expenses of said office, including expense of new offices and fuel for the Auditor's Office, ten thousand dollars; — Contingent expenses, &c.

For repairs, books, and stationery, already incurred, over and above the appropriations of former years, in consequence of the re-organization of the Post Office Department, six thousand seven hundred dollars; — Repairs, books, stationery, &c.

For compensation to two watchmen, six hundred dollars; — Watchmen.

For compensation to extra clerks, prior to third July eighteen hundred and thirty-six, when the act re-organizing the department went into operation, twenty-two thousand four hundred and nineteen dollars and eighty-one cents; — Extra clerks prior to 3d July, 1836.

For compensation to the Auditor of the Post Office, three thousand dollars; — Auditor of Post Office.

For compensation to clerks and messengers in said office, fifty-five thousand five hundred dollars; — Clerks and messengers.

For contingent expenses of said office, including books, stationery, printing, and expenses incidental to new offices, eight thousand two hundred dollars; — Contingent expenses, &c.

For compensation of the Surveyor General northwest of the Ohio, two thousand dollars; — Surveyor General N. W. of Ohio.

For compensation to clerks in his office, per acts of ninth of May, eighteen hundred and thirty-six, six thousand three hundred dollars; — Clerks.

For compensation to the Surveyor General for Illinois and Missouri, two thousand dollars; — Surveyor General for Illinois and Missouri.

For compensation to clerks in the office of said Surveyor General, per acts of ninth of May, eighteen hundred and thirty-six, three thousand eight hundred and twenty dollars; — Clerks.

For compensation to the Surveyor General of Arkansas, two thousand dollars; — Surveyor Gen. of Arkansas.

For compensation of clerks in the office of said Surveyor General, three thousand dollars, and for office-rent and fuel, three hundred dollars; — Clerks.

For compensation of the Surveyor General of Louisiana, two thousand dollars; — Surveyor Gen. of Louisiana.

For compensation to clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, twenty-five hundred dollars; — Clerks.

Surveyor Gen. of Mississippi.

For compensation to the Surveyor General of Mississippi, two thousand dollars;

Clerks.

For compensation of clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, five thousand dollars;

Surveyor Gen. for Alabama.

For compensation to the Surveyor General for Alabama, two thousand dollars;

Clerks.

For compensation of clerks in the office of said Surveyor General, per acts of ninth May, eighteen hundred and thirty-six, two thousand dollars;

Surveyor Gen. of Florida.

For compensation of the Surveyor General of Florida, two thousand dollars;

Clerks.

For compensation of clerks in the office of said Surveyor General, three thousand dollars;

Copies of confirmations and orders of survey, &c.

For expenses of completing the copies of confirmations and orders of survey, and procuring from the offices of the registers copies of plats and sketches necessary to a correct location of private claims, explained in the report from the General Land Office, two thousand dollars;

Commissioner of Public Buildings.

For compensation to the Commissioner of Public Buildings in Washington, two thousand four hundred and fifty dollars;

Assistants.

For compensation to three assistants to commissioner, as superintendent at Potomac bridge, two thousand four hundred and sixty-three dollars and seventy-five cents;

Repairs of Potomac bridge, &c.

For repairs of the said bridge, wood for the draw-keepers, and oil for lamps, two hundred and seventy-seven dollars;

Officers and clerks of Mint.

For compensation to the officers and clerks of the Mint, nineteen thousand seven hundred dollars;

Assistants and laborers.

For compensation to assistants and laborers in the various departments of the Mint, twenty-four thousand dollars;

Wastage of gold and silver, &c.

For wastage of gold and silver, and contingent expenses of the Mint, including improvements in machinery, thirty-eight thousand one hundred dollars;

New machinery, &c.

For expenses incident to the introduction of new machinery and apparatus, twenty thousand dollars;

Governor, &c. of Wisconsin.

For compensation of the Governor, Judges, and Secretary of Wisconsin Territory, nine thousand one hundred dollars;

Contingent expenses, &c.

For contingent expenses and compensation of the members of the Legislative Assembly of said Territory, and printing the laws, nine thousand seven hundred and fifty dollars;

Governor, &c. of Florida.

For compensation of the Governor, Judges, and Secretary of the Territory of Florida, eleven thousand seven hundred dollars;

Contingent expenses, &c.

For contingent expenses, pay, and mileage of the members of the Legislative Council of said Territory, stationery, fuel, printing, pay of the officers of the council, and copying laws, ten thousand three hundred and thirty-five dollars;

Chief Justice, Associate Judges, and District Judges, U. S.

For compensation to the Chief Justice, the Associate Judges, and District Judges of the United States, eighty-four thousand nine hundred dollars;

Chief Justice and Associate Judges, D. C., &c.

For compensation of the Chief Justice and Associate Judges of the District of Columbia, and of the Judges of the Orphans' Courts of said District, nine thousand five hundred dollars;

Attorney General.

For compensation to the Attorney General of the United States, four thousand dollars;

Clerk and messenger.

For compensation of clerk and messenger in the office of the Attorney General, one thousand three hundred dollars;

Cont. expens.

For contingent expenses of said office, five hundred dollars;

Reporter of Supreme C't.

For compensation to the reporter of the decisions of the Supreme Court, one thousand dollars;

For compensation to the District Attorneys and Marshals, as granted by law, including those in the several Territories, thirteen thousand two hundred and fifty dollars; District Attorneys and Marshals.

For defraying the expenses of the Supreme Court and the District Courts of the United States, including the District of Columbia; also, for jurors and witnesses in aid of the funds arising from fines, penalties, and forfeitures incurred in the year eighteen hundred and thirty-seven and preceding years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, three hundred and thirty thousand dollars; Expenses of the Supreme, Circuit, and District Courts, &c.

For expenses of printing the records of the Supreme Court, three thousand dollars; Records of Supreme Court.

For the payment of pensions granted by special acts of Congress, one thousand and fifty dollars; Pensions.

For the support and maintenance of light-houses, floating-lights, beacons, buoys, and stakages, including the purchase of lamps, oil, keepers' salaries, repairs, improvements, and contingent expenses, two hundred and ninety-eight thousand and fifty-five dollars; Light-houses &c.

For a bell, and fixing the same on the light-house at Cove point in the Chesapeake bay, being the amount of an appropriation for that purpose, which will be carried to the surplus fund, one thousand two hundred dollars; Bell on light-house at Cove Point.

For a light-house at the mouth of Chefuncte river, being the amount of a former appropriation for that object, which will be carried to the surplus fund, five thousand dollars; Light-house at mouth of Chefuncte river.

For two small beacon-lights on Cockspur island, at the mouth of Savannah river, including four thousand dollars already appropriated, which will be carried to the surplus fund, seven thousand dollars; Two small beacon lights on Cockspur Island.

For survey of the coast of the United States including arrears of compensation and expenses of the superintendent, estimating his compensation at three thousand dollars per annum, and his expenses at the same rate from August second eighteen hundred and thirty-two, and including also, such additional payment to the army and navy officers employed upon the survey for their past services and expenses as the President may decide to be just and proper, sixty thousand dollars; Survey of coast, U. S.

For completing the public warehouse at Baltimore, fifty thousand dollars; Warehouse at Baltimore.

For the custom-house at Boston, one hundred and fifty thousand dollars; Custom-house at Boston.

For refunding duties on railroad iron to the Lexington and Ohio Railroad Company, imported in eighteen hundred and thirty-two and eighteen hundred and thirty-three, per act of second July, eighteen hundred and thirty-six, one thousand nine hundred and eighty-four dollars; Refunding duties on rail-road iron. 1836, ch. 325.

For expense in relation to the relief of certain insolvent debtors of the United States, three thousand dollars; Insolvent debtors.

For deficiency in the fund for the relief of the sick and disabled seamen as established by act of third May eighteen hundred and two, twenty-five thousand dollars; Disabled seamen. 1802, ch. 51.

For the compensation to two keepers of the public archives in Florida, one thousand dollars; Archives in Florida.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall be admitted in due course of settlement at the Treasury, twelve thousand dollars; Miscellaneous claims.

For an addition to the existing unexpended balances of appropriation for surveys of the public lands, to be duly apportioned to the several districts, according to the exigencies of the public service, one hundred and fifty thousand dollars; Surveys of public lands.

Completing surveys.

For completing the surveys of unfinished portions of townships, islands, lakes, &c. viz:

In Ohio, Indiana, Michigan, and Wisconsin.

In Ohio, Indiana, Michigan, and Wisconsin, not exceeding five dollars per mile, three thousand and forty dollars;

In Florida.

In Florida, not exceeding five dollars per mile, six thousand dollars;

In Louisiana.

In Louisiana, not exceeding eight dollars per mile, twenty thousand dollars; and

In Alabama.

In Alabama, not exceeding eight dollars per mile, one thousand dollars, in addition to two thousand five hundred dollars already appropriated;

Ministers to Great Britain, &c.

Diplomatic agent to Texas.

For salaries of ministers of the United States to Great Britain, France, Spain, and Russia, and outfits and salaries of ministers to Prussia and Austria, and for the outfit and salary of a diplomatic agent to be sent to the Republic of Texas, whenever the President of the United States may receive satisfactory evidence that Texas is an independent power, and shall deem it expedient to appoint such minister, in addition to the balance remaining of the appropriation for eighteen hundred and thirty-six, seventy-two thousand dollars;

Envoy, &c. to Mexico.

For an outfit and salary for an Envoy Extraordinary, and Minister Plenipotentiary to Mexico, whenever, in the opinion of the Executive, circumstances will permit a renewal of diplomatic intercourse honorably with that power, eighteen thousand dollars;

Secretaries of legation to Great Britain, &c.

For salaries of the secretaries of legation to Great Britain, France, Spain, Russia, Prussia, Mexico and Austria, fourteen thousand dollars;

Chargé des Affaires to Portugal, &c.

For salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Chili, Peru, Mexico, Central America, New Grenada, and Venezuela, fifty-eight thousand five hundred dollars;

Drogoman, &c.

For salary of the drogoman, and for contingent expenses of the legation to Turkey, six thousand five hundred dollars;

Minister to Russia.

For outfit of a minister to Russia, nine thousand dollars;

Chargé d'affaires to Belgium.

For outfit of a chargé d'affaires to Belgium, four thousand five hundred dollars;

Contingent expenses of missions abroad.

For contingent expenses of all the missions abroad, in addition to the balance remaining of a former appropriation, thirty thousand dollars;

Consuls at London and Paris.

For salaries of the consuls of the United States at London and Paris, four thousand dollars;

Barbary Powers.

For expenses of intercourse with the Barbary Powers, seventeen thousand four hundred dollars;

Relief, &c. of American seamen.

For the relief and protection of American seamen in foreign countries, thirty thousand dollars;

Contingent expenses of foreign intercourse.

For the contingent expenses of foreign intercourse, in addition to the balance remaining of former appropriations, thirty thousand dollars;

Expenses in office of American consul in London.

For clerk hire, office rent, stationery and other expenses in the office of the American consul in London, per act of nineteenth January eighteen hundred and thirty-six, two thousand eight hundred dollars;

Consulates in the Turkish dominions.

For interpreters, guards, and other expenses incidental to the consulates in the Turkish dominions, five thousand five hundred dollars;

Librarians to Congress, &c.

For salary of the principal and assistant librarians; compensation of assistant during the two sessions of the twenty-fourth Congress; messenger, and contingent expenses of the library, four thousand two hundred and forty-three dollars;

Purchase of books.

For the purchase of books for the library of Congress, five thousand dollars;

Diplomatic correspond.

For furnishing such members of the present House of Representatives as have not received the same, under former orders of the House,

the Diplomatic Correspondence, American State Papers, Register of Debates, Elliot's Debates, and the first volume of the Land Laws, forty-four thousand four hundred and ninety dollars and twenty-eight cents, *Provided*, That, if there are any surplus books, copies of which have been distributed to former members, in the Library of Congress, they shall be distributed one copy to each of the said members who has not received the same;

ence, &c. to certain members of House of Reps.

Proviso.

For the purchase of the manuscripts of the late Mr. Madison referred to in a letter from Mrs. Madison to the President of the United States dated fifteenth November, eighteen hundred and thirty-six, and communicated in his message of sixth December eighteen hundred and thirty-six, thirty thousand dollars;

Manuscripts of the late Mr. Madison.

For the service of the General Post Office, for the year eighteen hundred and thirty-seven, in conformity to the act of the second of July eighteen hundred and thirty-six, viz:

General Post Office.

For transportation of the mails, compensation of postmasters, ship, steam-boat, and way letters, wrapping paper, office furniture, advertising, mail bags, blanks, mail locks and keys, and stamps, mail depredations, and special agents, clerks for offices, and miscellaneous expenses, four millions four hundred and ninety-four thousand dollars;

Transportation of mails, &c.

For payment to A. Fuller, and the rent of the building now occupied as a General Post Office, from the sixteenth December last, and for the year eighteen hundred and thirty-seven, five thousand dollars;

Payment to A. Fuller.

For guarding the site of the old Post Office, and preserving the public property, two thousand dollars;

Site of old Post Office, &c.

For the expenses of the branch mint, at New Orleans, for the year eighteen hundred and thirty-seven, viz:

Branch of mint at New Orleans.

For salaries of officers and clerks, twelve thousand nine hundred dollars;

Officers.

For compensation to laborers in the various departments, thirteen thousand dollars;

Laborers.

For completing the mint edifice, and enclosing the lot, ninety-six thousand five hundred dollars;

Completing mint edifice, &c.

For furnishing the whole establishment, inclusive of all apparatus, tools, and fixtures, not included in the contracts, fifteen thousand five hundred dollars;

Furnishing the establishment.

For wastage of gold and silver, and for the contingent expenses of the mint, eighteen thousand six hundred dollars;

Wastage of gold and silver, &c.

For expenses of the branch mint at Dahlonega, Georgia, for the year eighteen hundred and thirty-seven, viz:

Branch mint at Dahlonega.

For salaries of officers and clerks, six thousand dollars;

Officers.

For compensation to laborers, one thousand five hundred dollars;

Laborers.

For furnishing the establishment with all the apparatus, tools and fixtures, not included in the contracts, seven thousand dollars;

Furnishing the establishment.

For wastage of gold, and for the contingent expenses of the mint, five thousand five hundred dollars;

Wastage of gold, &c.

For expenses incurred in eighteen hundred and thirty-six, for the edifice and machinery, more than the amount appropriated in the act of eighteen hundred and thirty-five, two thousand dollars;

Edifice and machinery.

1835, ch. 30.

For the expenses of the branch mint at Charlotte, North Carolina, for the year eighteen hundred and thirty-seven, viz:

Branch mint at Charlotte.

For salaries of officers and clerks, six thousand dollars;

Officers.

For compensation to laborers, one thousand five hundred dollars;

Laborers.

For furnishing the establishment with all the apparatus, tools, and fixtures, not included in the contracts, six thousand dollars;

Furnishing the establishment.

For wastage of gold, and for the contingent expenses of the mint, five thousand five hundred dollars;

Wastage of gold, &c.

For enclosing the grounds, repairing a building on the lot, and for out-houses, seven thousand dollars;

Enclosing the grounds, &c.

Furniture of the President's house.

For furniture of the President's house, twenty thousand dollars;

Taxes on the arsenal near Philadelphia.

For the taxes on the arsenal near Philadelphia, for the years eighteen hundred and thirty-five, and eighteen hundred and thirty-six, one thousand four hundred and fifty dollars and fifty cents;

Registers and receivers of land offices.

For the salaries of the registers and receivers of land offices where there are no sales, including one thousand seven hundred and six dollars and thirty-four cents, carried to the surplus fund, two thousand five hundred dollars;

Construction of Treasury building.

For the construction of the Treasury building, for the year eighteen hundred and thirty-seven, in addition to the amount unexpended in eighteen hundred and thirty-six, two hundred and fifty-seven thousand dollars;

Construction of Patent Office.

For the construction of the Patent Office, in addition to former appropriations, one hundred thousand dollars;

Surveying in Arkansas.

For surveying unfinished portions of townships, islands, and lakes, in Arkansas, at the rate of six dollars per mile, six thousand dollars;

Compensation to Geo. Watterston.

For compensation to George Watterston, for his services in preparing a statement of the persons imprisoned for debt in this District, since one thousand eight hundred and twenty, under a resolution of the House of Representatives, six hundred dollars;

Light-house at or near Michigan City.

For building a light-house at or near Michigan City, being an amount heretofore appropriated for the same purpose, and carried to the surplus fund, five thousand dollars;

Lazaretto near Baltimore.

For rebuilding the lazaretto and wharf near the city of Baltimore, thirty thousand dollars;

Legislative assembly of Wisconsin.

For arrearages for the expenses of the Legislative Assembly of the Territory of Wisconsin, for the year one thousand eight hundred and thirty-six, fifteen thousand seven hundred and thirty dollars and sixteen cents;

Expenses of same for 1837.

For the expenses of the same, for the year one thousand eight hundred and thirty-seven, thirty-six thousand seven hundred and sixty-five dollars;

Chargé d'affaires to Naples.

For an outfit and salary of a chargé d'affaires to Naples, nine thousand dollars;

Alterations, &c. of the capitol.

For alterations and repairs of the capitol, and incidental expenses, three thousand six hundred dollars;

Lighting lamps, &c.

For lighting lamps and superintendence of the public grounds around the capitol, five thousand one hundred and sixty-four dollars;

S. W. boundary line.

To enable the President to cause the southwestern boundary line of the United States to be run, the following sums, viz:

Commissioner.

For the salary of a commissioner, two thousand five hundred dollars;

Surveyor, &c.

For the salary of a surveyor, two thousand dollars; and for contingencies, including the purchase of necessary instruments, wages to attendants, and other expenses, ten thousand dollars;

Proviso.

Provided, That said commissioner and surveyor be appointed with the advice and consent of the Senate;

North and east boundary line.

For exploring and surveying the north and east boundary line of the United States, where the same has not already been surveyed, and establishing monuments thereon, agreeably to the definitive treaty of peace of seventeen hundred and eighty-three, to be expended under the direction of the President of the United States, twenty thousand dollars;

Public stable at the capitol.

For enlarging the public stable at the capitol, and the erection of a shed for the protection of the tools, implements and materials, twelve hundred dollars;

Improvements of the capitol square.

For completing the improvements commenced, by extending the capitol square west, forty thousand dollars;

Alterations,

For alterations and repairs of the President's house, and for super-

intendence of the grounds around the same, seven thousand three hundred dollars; &c., of President's house, &c.

For compensation to the gardener employed in superintending the capitol square and other public grounds, one thousand dollars; Gardener for capitol square, &c.

For clerk hire, mileage, pay of witnesses, serving subpœnas, and other incidental expenses, under the orders of the select committees of inquiry appointed by the House of Representatives, twenty-five thousand dollars, in addition to the contingent fund of said House; Incidental expenses of select committee of inquiry.

For an outfit of a chargé d'affaires to New Grenada, four thousand five hundred dollars; Chargé to New Grenada.

For balance due the acting Governor of Michigan, according to an account adjusted by the accounting officers, seven hundred and twenty dollars and fifty-one cents; Balance due the acting Gov. of Michigan.

For completing surveys of unfinished portions of townships, islands, lakes, &c., in Missouri, not exceeding five dollars per mile, seventeen thousand five hundred dollars; Surveys in Missouri.

For completing the light-house at Oswego, New York, seven hundred and fifteen dollars; Light-house at Oswego.

For payment of arrearages due contractors on the Cumberland road in Ohio, being the balance of an appropriation carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-six, twelve hundred and twenty-five dollars and forty-one cents; Arrearages due contractors on the Cumberland road.

For compensation to Daniel Graham, late Secretary of the State of Tennessee, for his services, performed at the request of the Commissioner of the General Land Office, in order to answer a call of the House of Representatives, made on twentieth of January eighteen hundred and twenty-nine, two hundred and fifty dollars; Compensation to Daniel Graham.

For the expense of bringing to the seat of Government, the votes for President and Vice President of the United States, in addition to a former appropriation, two thousand two hundred dollars; Votes of President and Vice President.

For compensation of the Senators and Representatives elected by Michigan, twelve hundred and forty-eight dollars; Senators and Representatives of Michigan.

For the payment of a balance due for the expenses of the Legislative Council of the Michigan Territory, two thousand and fifty-seven dollars and seventy-two cents; Legislative Council of Michigan.

For fulfilling the contracts made with John Vanderlyn, Henry Inman, Robert Wier, and John G. Chapman, by the Joint Committee of Congress under the joint resolution of the twenty-third day of June, one thousand eight hundred and thirty-six, for the execution of four historical paintings for the vacant pannels of the rotundo of the capitol, eight thousand dollars; Paintings for the rotundo of the capitol. Ante, p. 133.

To enable the President of the United States to contract for two groups of statues, to adorn the two blockings on the east front of the capitol, eight thousand dollars; Groups of statues for the east front.

To Mr. Auger for the bust of the late Chief Justice Ellsworth, four hundred dollars; Bust of Chief Justice Ellsworth.

To enable the Secretary of the Treasury to employ for one year, a competent person to classify and arrange, translate when necessary, and make suitable records of the papers and documents connected with the private land claims, which, at sundry periods, have been presented to, and acted on, by the Commissioner, or the registers and receivers acting as commissioners, on private land claims for the district east of the island of New Orleans, and west of Pearl river, in the State of Louisiana, the sum of two thousand dollars; Arrangement, &c. of papers connected with private land claims.

For pay and mileage of the members of the Senate for the extra session to commence on the fourth day of March instant, thirteen thousand eight hundred and seventy-five dollars; Pay and mileage of Senators for the extra session.

For stationery, fuel, printing, and all other contingent expenses of the Cont. expens.

Senate for the extra session to commence on the fourth day of March instant, five thousand dollars;

Distribution of Gales & Seaton's State Papers.

For the expenses of the distribution in boxes, and by the ordinary modes of transportation, of the compilation of the State Papers printed by Gales and Seaton, as directed by the joint resolution of the tenth day of July, one thousand eight hundred and thirty-two, to the several States, Territories, colleges, and athenæums of the United States, one thousand five hundred dollars;

Purchase of the American State Papers.

For the purchase of nineteen copies of the American State Papers, printed by Gales and Seaton, pursuant to the resolution of the Senate, of the first day of March, instant, four thousand five hundred and eighty-eight dollars and fifty cents;

Debates of the First Congress and Register of Debates.

For two hundred and forty-four copies of the Debates of the First Congress, and of the Register of Debates to the end of the present Congress, as published by Gales and Seaton, to be distributed to the members of the present House, fifteen thousand five hundred dollars;

Commission under the convention with Spain.

For compensation to the commissioner, secretary, and clerk, and the contingent expenses of the commission under the convention with Spain, eight thousand two hundred dollars;

Medal in honor of Brig. Gen. Daniel Morgan.
1836, ch. 256.

To authorize the President of the United States to procure new dies to renew the medal directed to be made in honor of Brigadier General Daniel Morgan, by the act of the second day of July one thousand eight hundred and thirty-six, in case the original dies for the said medal cannot be found, one thousand dollars;

Improving the crypt of the capitol, &c.

For improving the crypt of the capitol, by closing the openings on the east front with sash doors, making double doors to the outer entrances, and repairing furnaces, eleven hundred and fifty dollars;

Making Post Office, &c. of H. R. fire proof.

For making the post office, document, folding, and library rooms of the House of Representatives fire proof, three thousand one hundred and fifty dollars;

Grounds of naval magazine, &c.

To complete the enclosing the garden and grounds of the naval magazine and marine hospital, one hundred dollars;

Conducting water to Treasury and Post Office buildings, &c.

For conducting water along the Pennsylvania avenue from the pipes at the Capitol to the Treasury and General Post Office buildings, with the necessary fire-plugs to water the avenue, ten thousand dollars;

Fire-engine, &c. for War and Navy Departments.

For the purchase of a fire-engine, apparatus, and engine-house for the War and Navy Departments, seven thousand two hundred and twenty-five dollars;

Fire-engine, &c. for Treasury building.

For the purchase of a fire-engine and apparatus for the Treasury building, and the enlargement of the engine-house, five thousand five hundred and twenty-five dollars;

Pay to William P. Elliott.

For paying William P. Elliott, for drawings of the Treasury building and Patent Office, three hundred dollars;

Constructing a dwarf wall and fence in President's square.

For constructing a dwarf wall and fence from the southwest corner of the President's house to intersect the new fence near the north corner of the Navy Department, one thousand three hundred dollars;

Support of the penitentiary.

For the support of the penitentiary for the District of Columbia, for the year eighteen hundred and thirty-seven: for pay of officers and agents; for repairs to buildings; for purchase of raw materials; for rations, clothing, beds, and bedding of prisoners; for purchase of fuel; for purchase of hospital stores and medicines; for purchase of books and stationery; for purchase of horse feed; for allowance to discharge convicts; and for other contingent expenses, the sum of twelve thousand five hundred and five dollars and thirty-nine cents, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the Board of Inspectors;

Burying ground at Fort Gibson.

For the erection of a plain substantial fence around the burying ground at Fort Gibson in the State of Arkansas, five hundred dollars;

For surveys of the public lands in the district composed of the States

of Illinois and Missouri, in addition to the appropriation herein before made for the surveys of the public lands, thirty-six thousand dollars;

Surveys in Illinois and Missouri.

For the compensation of additional clerks and a topographer to be employed in the Post Office Department, ten thousand two hundred dollars;

Additional clerks, &c. in Post Office Department.

For the compensation of additional clerks to be employed in the office of the Auditor of the Treasury for the Post Office Department, six thousand dollars;

Additional clerks in office of Auditor of Post Office.

For law books for the library of Congress, five thousand dollars, to be expended in the purchase of such books, a catalogue of which shall be furnished by the Chief Justice of the United States.

Law books for the library of Congress.

Sec. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to the collectors, deputy collectors, naval officers, surveyors, and their respective clerks, together with the weighers, gaugers, measurers, and markers of the several ports of the United States, out of any money in the Treasury not otherwise appropriated, such sums as will give to the said officers, respectively, the same compensation in the year one thousand eight hundred and thirty-seven, according to the importations of that year, as they would have been entitled to receive if the act of the fourteenth of July, one thousand eight hundred and thirty-two, had not gone into effect: *Provided*, That no officer shall receive, under this act, a greater annual salary or compensation than was paid to such officer for the year one thousand eight hundred and thirty-two; and that in no case shall the compensation of any other officers than collectors, naval officers, surveyors, and clerks, whether by salaries, fees, or otherwise, exceed the sum of fifteen hundred dollars each per annum; nor shall the union of any two or more of those offices in one person entitle him to receive more than that sum per annum: *Provided further*, That the said collectors, naval officers, and surveyors shall render an account quarterly to the Treasury; and the other officers herein named or referred to shall render an account quarterly to the respective collectors of the customs where they are employed, to be forwarded to the Treasury, of all the fees and emoluments whatever by them, respectively, received, and of all expenses incidental to their respective offices; which accounts shall be rendered on oath or affirmation, and shall be in such form, and supported by such proofs, to be prescribed by the Secretary of the Treasury, as will, in his judgment, best enforce the provisions of this section and show its operation and effect; (*a*) *Provided, also*, That in the event of any act being passed by Congress at the present session to regulate and fix salaries or compensation of the respective officers of the customs, then this section shall operate and extend to the time such act goes into effect, and no longer; *Provided, however*, That the Secretary of the Treasury be authorized to extend to the collectors at such other ports, where a surplus of emoluments have been accounted for and paid into the Treasury in the year eighteen hundred and thirty-two, the privilege granted to the collector of New York; to take effect from the first day of January last.

Pay of collectors, deputy collectors, naval officers, &c.

1832, ch. 227. Proviso.

Further proviso.

Further proviso.

Further proviso.

Sec. 3. *And be it further enacted*, That the clerks in the Departments of State, Treasury, Navy and War, and of the two Houses of Congress, and the Librarians of Congress, whose salaries are less than two thousand dollars, shall, in addition thereto, be allowed the following increase of annual compensation, from the first day of January last, to the end of the next session of Congress, (*b*) viz: such of said clerks whose annual compensation does not exceed one thousand dollars, an addition of twenty per cent. thereto; such of said clerks whose annual

Increase of salaries of cl'ks and messengers.

(*a*) There was no further legislation on this subject during the session.

(*b*) The act of October 12, 1837, chap. 4, continues to the end of the second session of the twenty-fifth Congress, all the acts which would, otherwise, have expired.

compensation exceeds one thousand dollars, an addition of ten per cent. thereto; and twenty per cent. in addition to the salaries of messengers and assistant messengers employed in the respective offices, and the library of Congress; the amount of increase of compensation provided for in this section, to be paid out of any money in the Treasury not otherwise appropriated, *Provided*, That nothing in this section shall be so construed as to affect the salaries of any clerks whose salaries have been fixed by any law of the last or present session of Congress, *Provided*, That no further extra allowance be given for any extra services performed by them under any law or resolution of Congress.

Proviso.

Further proviso.

Approved, March 3, 1837.

Statute II.

March 3, 1837.

Chap. XXXIV.—*An Act supplementary to the act entitled "An act to amend the judicial system of the United States.* (a)

Act of April 29, 1802, ch. 31. Supreme Court to consist of a chief justice and eight associate judges, &c. Act of Jan. 21, 1829, ch. 12.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Supreme Court of the United States shall hereafter consist of a chief justice, and eight associate judges, any five of whom shall constitute a quorum; and for this purpose there shall be appointed two additional justices of said court, with the like powers, and to take the same oaths, perform the same duties, and be entitled to the same salary, as the other associate judges. Hereafter, the districts of Vermont, Connecticut, and New York, shall constitute the second circuit; the district of New Jersey, the eastern and western districts of Pennsylvania, shall constitute the third circuit; the district of Maryland and the district of Delaware shall constitute the fourth circuit; the districts of Virginia and the district of North Carolina shall constitute the fifth circuit; the districts of South Carolina and Georgia shall constitute the sixth circuit; the districts of Ohio, Indiana, Illinois and Michigan, shall constitute the seventh circuit; and the circuit courts shall be held at Columbus, in the Ohio district, on the third Mondays in May, and December; at Detroit, in the Michigan district, on the fourth Monday in June; at Indianapolis, in the Indiana district, on the first Monday in December; at Vandalia, in the Illinois district, on the last Monday in November, in each year; the districts of Kentucky, east and west Tennessee, and Missouri, shall form and be called the eighth circuit; and the districts

2d circuit.

3d circuit.

4th circuit.

5th circuit.

6th circuit.

7th circuit.

8th circuit.

(a) By "an act concerning the Supreme Court of the United States," June 17, 1844, chap. 96, the sessions of the Supreme Court were directed to commence in December in each year. By the second section of the act, the Justices of the Supreme Court were only required to hold one term of the Circuit Court each year. The Justices of the Supreme Court may attend at any of the terms.

An act to abolish the Circuit Court at Huntsville, in the state of Alabama, and for other purposes, February 22, 1838, chap. 12.

An act to require the Judge of the District Court of east and west Tennessee to hold a court at Jackson, in the said state, June 18, 1838, chap. 118.

An act to amend an act entitled "An act to require the Judge of the District Court of east and west Tennessee to hold a court at Jackson in the said state," approved June eighteenth, one thousand eight hundred and thirty-eight, Jan. 18, 1839, chap. 3.

An act to reorganize the District Courts of the United States in the state of Alabama, February 6, 1839, chap. 20.

An act to amend "an act to reorganize the District Courts of the United States in the state of Mississippi," approved June 18, 1839, chap. 27.

An act to amend the act of the third of March 1837, entitled "an act supplementary to the act to amend the judicial system of the United States" and for other purposes, March 3, 1839, chap. 81.

An act in addition to the acts respecting the judicial system of the United States, July 4, 1840, chap. 42.

An act to amend the act approved May 13, 1800, entitled an act to amend an act entitled an act to establish the judicial courts of the United States, July 20, 1840, chap. 47.

An act changing the time of holding the courts at Clarksburg and at Wheeling in the western district of Virginia, and the Circuit Court of the United States for the district of Arkansas, March 4, 1844, chap. 4.

An act to change the time of holding the Spring term of the District Court of the United States for the eastern district of Virginia, and of the Circuit Court of Alabama, April 12, 1844, chap. 12.

An act to change the time of holding the Federal Courts in Kentucky, North Carolina, South Carolina, Georgia, Alabama and Louisiana, March 1, 1845, chap. 39.

of Alabama, the eastern district of Louisiana, the district of Mississippi, and the district of Arkansas, shall form and be called the ninth circuit.

9th circuit.

Sec. 2. *And be it further enacted*, That the sessions of said circuit courts shall be held twice in each year in the following districts, to wit: commencing in the eastern district of Louisiana, at New Orleans, on the third Monday of May and on the third Monday of November, annually; in the district of Mississippi, at Jackson, on the first Monday of May and on the first Monday of November, annually; in the southern district of Alabama, at Mobile, on the second Monday of April and the second Monday of October, annually; in the western district of Pennsylvania, at Pittsburg, on the third Mondays of May and November, annually; in the district of Delaware, at Newcastle on the Tuesday next following the fourth Monday of May, and at Dover on the Tuesday next following the third Monday of October, annually; and in the district of Maryland, at Baltimore, on the first Monday of April and the first Monday of October, annually; in the northern district of New York, at Albany, on the second Tuesday of June and the third Tuesday of October, annually; and there shall be holden a term of said circuit courts, annually, at Lewisburg, in the western district of Virginia, commencing on the first Monday of August; at Huntsville, in the northern district of Alabama, commencing on the first Monday of June; (*a*) at St. Louis, in the district of Missouri, commencing on the first Monday of April; and at Little Rock, in the district of Arkansas, on the fourth Monday of March; and that no process, recognizance, or bail bond, returnable to the next term of either of said courts, shall be avoided or impaired, or affected by this change, as to the commencement of said term; but that all process, bail bonds, and recognizances returnable to the next term of either of said courts, shall be returnable and returned to the court next held, according to this act, in the same manner as if so made returnable on the face thereof, and shall have full effect accordingly; and that all continuances in either of said courts shall be from the last term to the court appointed by this act, and the day herein appointed for the commencement of the next session thereof: *Provided*, That nothing herein contained shall prevent the judge of the northern district of New York from holding the courts at Utica, nor the judge of the western district of Pennsylvania from holding the courts at Williamsport, at the same time and with the same power and jurisdiction as heretofore.

Districts in which said courts shall be held twice a year; times and places of session.

And dist. in which annually; times and places of sessions.

Process, recognizance, &c., returnable at next term of said courts.

Proviso.

Sec. 3. *And be it further enacted*, That so much of any act or acts of Congress as vests in the district courts of the United States for the districts of Indiana, Illinois, Missouri, Arkansas, the eastern district of Louisiana, the district of Mississippi, the northern district of New York, the western district of Virginia, and the western district of Pennsylvania, and the districts of Alabama, or either of them, the power and jurisdiction of circuit courts, be, and the same is hereby, repealed; and there shall hereafter be circuit courts held for said districts by the chief or associate justices of the Supreme Court, assigned or allotted to the circuit to which such districts may respectively belong, and the district judges of such districts severally and respectively; either of whom shall constitute a quorum; which circuit courts, and the judges thereof, shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof; and the said district courts, and the judges thereof, shall have like powers and exercise like jurisdiction as the district courts, and the judges thereof, in the other circuits. From all judgments and decrees, rendered in the district courts of the United States for the western district of Louisiana, writs of error and appeals shall lie to the circuit court in the other district in said State,

So much of any act or acts as vests the power and jurisdiction of circuit courts in certain district courts repealed; circuit courts to be held, &c. 1838, ch. 46.

Judgments, &c. rendered in district courts

(*a*) Act of March 3, 1839, chap. 81; act of March 4, 1844, chap. 4; act of April 12, 1844, chap. 12; act of March 1, 1845, chap. 39.

for western district of Louisiana.

in the same manner as from decrees and judgments rendered in the districts within which a circuit court is provided by this act.

Actions, suits, &c., (originally cognizable in a circuit court,) now pending in, &c., certain district courts.

Sec. 4. *And be it further enacted*, That all actions, suits, prosecutions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, (which might have been brought, and could have been, originally, cognizable in a circuit court,) now pending in, or returnable to, the several district courts of Indiana, Illinois, Missouri, Mississippi, Arkansas, Michigan, the eastern district of Louisiana, the districts of Alabama, the northern district of New York, the western district of Pennsylvania, and western district of Virginia, acting as circuit courts on the first day of April next, shall be, and are hereby declared to be, respectively transferred, returnable, and continued to, the several circuit courts constituted by this act, to be holden within the said districts respectively; and shall be heard, tried and determined therein, in the same manner as if originally brought, entered, prosecuted, or had, in such circuit courts. And the said circuit courts shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerks of the said courts, respectively, shall perform the same duties, and shall be entitled to receive the same fees and emoluments, which are by law established for the clerks of the other circuit courts of the United States. The allotment of their chief justice and the associate justices of the said Supreme Court to the several circuits shall be made as heretofore.

Said circuit courts to be governed by same laws, &c., as apply to the other circuit courts; and clerks to perform same duties, &c.

Allotment of their chief justice, &c.

Sec. 5. *And be it further enacted*, That all acts and provisions inconsistent with this act be, and the same are hereby, repealed.

Acts, &c., repealed.

Approved, March 3, 1837.

Statute II.

March 3, 1836.

[Obsolete.]

Chap. XXXV.—*An Act to authorize the proper officers of the Treasury Department to credit the account of the Treasurer of the United States with the amount of unavailable funds standing to his debit on the books of the Treasury, to transfer the amount of the debit of banks and individuals indebted for the same, and to authorize the Secretary of the Treasury to compromise and settle said claims.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury be, and they are hereby authorized to credit the account of the Treasurer of the United States with the amount of the unavailable funds, whether charged to John Campbell, or his predecessors, and to transfer the amount to the debit of the banks and individuals, respectively, that may be indebted for the same.

The account of the Treasurer to be credited with the amount of unavailable funds.

Sec. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to compromise and finally settle the claims of the United States, of the above description, against said banks and individuals who have proved insolvent, or failed to make punctual payments, on such terms and conditions as he may deem most conducive to the interests of the United States: *Provided*, That this act shall not authorize any compromise of the debt due from the Alleghany Bank of Pennsylvania.

Secretary of Treasury authorized to settle claims of U. S. of the above description.

Proviso.

1839, ch. 26.

Approved, March 3, 1837.

Statute II.

March 3, 1837.

[Obsolete.]

Chap. XXXVI.—*An Act to amend an act entitled "An act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Belleview, Du Buque, and Peru, in the county of Du Buque, and Mineral Point, in the county of Iowa, Territory of Wisconsin, and for other purposes," approved July second, eighteen hundred and thirty-six.*

Act of July 2, 1836, ch. 262.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all acts and duties required to be done and performed by the Surveyor for the Territory of Wisconsin, under the act to which this is an amendment, shall be done

Acts, &c., required to be

by a board of commissioners of three in number, any two of whom shall be a quorum to do business; said commissioners to be appointed by the President of the United States, and shall, previous to their entering upon the discharge of their duties, take an oath or affirmation to perform the same faithfully and impartially: *Provided*, That the action of the commissioners appointed under the present act shall not interfere with any of the acts performed by the Surveyor General, prior to the time of the passage hereof, in pursuance of instructions under the act to which this is amendatory.

done by the surveyor under the act to which this is an amendment shall be done by a board of commissioners, to be appointed by the President, &c.

Proviso.

Sec. 2. *And be it further enacted*, That the said commissioners shall have power to hear evidence and determine all claims to lots arising under the act to which this is an amendment; and for this purpose, the said commissioners are authorized to administer all oaths that may be necessary, and reduce to writing all the evidence in support of claims to pre-emption presented for their consideration; and when all the testimony shall have been heard and considered, the said commissioners shall file with the proper register and receiver for the district within which the towns are situated respectively, the testimony in each case, together with a certificate in favor of each person having the right of pre-emption under the provisions of the act of which this is amendatory; and upon making payment to the proper receiver of public moneys for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and the register issue certificates of purchase, to be transmitted to the Commissioner of the General Land Office, as in other cases of the sale of public lands.

The commissioners to have power to determine all claims to lots, &c.

Upon payment being made to the proper receiver for a lot, he shall grant a receipt, &c.

Sec. 3. *And be it further enacted*, That the proper register and receiver of public moneys, after the board of commissioners have heard and determined all the cases of pre-emption under the act to which this is an amendment, shall expose the residue of the lots to public sale to the highest bidder, after advertising the same in three public newspapers at least three months prior to the day of sale, in the same manner as is provided for the sale of public lands in other cases; and after paying the commissioners the compensation hereafter allowed them, and all other expenses incident to the said survey and sale, the receiver of the land office shall pay over the residue of the money he may have received from the sale of lots aforesaid, by pre-emption as well as at public auction, into the hands of the trustees of the respective towns aforesaid, to be expended by them in the erection of public buildings, the construction of suitable wharves, and the improvement of the streets in the said towns of Fort Madison, Burlington, Belleview, Du Buque, Peru and Mineral Point.

The proper register and receiver, after the commissioners have determined all cases of pre-emption, shall expose residue of lots at public sale, to the highest bidder, &c.

After paying the commissioners, &c. the receiver shall pay over the residue to the trustees of the towns aforesaid.

Sec. 4. *And be it further enacted*, That the commissioners appointed to carry this act into effect, shall be paid by the receiver of public moneys, of the proper land district, six dollars each, per day, for their services, for every day they are necessarily employed.

The commissioners to be paid six dollars per day.

Approved, March 3, 1837.

Statute II.

March 3, 1837.

[Obsolete.]

Chap. XXXVII.—*An Act to continue in force for a limited time the act entitled "An act to carry into effect a convention between the United States and Spain."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act, entitled "An act to carry into effect a convention between the United States and Spain," approved on the seventh day of June, one thousand eight hundred and thirty-six, be, and the same are hereby, extended until the first day of February, one thousand eight hundred and thirty-eight; and the commissioner appointed under the said act, shall, on or before the said day, terminate his duties.

Act of June 7, 1836, ch. 67.

The provisions of the act extended to 1st February, 1838.

Approved, March 3, 1837.

Statute II.
March 3, 1837.
1842, ch. 189.

Chap. XXXVIII.—*An Act for the more equitable administration of the Navy Pension Fund.*"(a)

Half-pay to widows and children of officers, seamen, and marines, to commence from the time of death of such officer, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any officer, seaman or marine have died, or may hereafter die, in the naval service, leaving a widow, and, if no widow, a child or children, such widow, and, if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased would have been entitled, under the acts regulating the pay of the navy, in force on the first day of January, one thousand eight hundred and thirty-five, to commence from the time of the death of such officer, seaman, or marine; but in case of the death or intermarriage of such widow, the half-pay shall go to the child or children of such deceased officer, seaman, or marine, *Provided,* That the half-pay granted to the child or children shall cease on their death, or on their attaining the age of twenty-one years.

Pensions for wounds, &c. to commence from the time of the officer, &c., being disabled.

Sec. 2. *And be it further enacted,* That the pensions which may have been granted, or which may hereafter be granted, to officers, seamen, and marines, in the naval service, disabled by wounds or injuries received while in the line of their duty, shall be considered to commence from the time of their being so disabled, and that the amount of pension to which said officers, seamen, and marines, may be entitled, shall be regulated according to the pay of the navy as it existed on the first day of January, one thousand eight hundred and thirty-five.

Acts repealed.

Sec. 3. *And be it further enacted,* That all acts, and parts of acts, which may be inconsistent with the provisions of this act, be, and the same are hereby repealed, so far as they may relate hereto.

Approved, March 3, 1837.

Statute II.
March 3, 1837.
1833, ch. 13.
1842, ch. 187.
[Expired.]

Chap. XXXIX.—*An Act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians.*

Three commissioners to be appointed by the President, with the advice and consent of the Senate; their duties.

Vol. vii. p. 333.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President, by and with the advice and consent of the Senate, three commissioners whose duty it shall be to meet in the State of Mississippi at such time and place, as the President shall appoint and designate, and there proceed to ascertain the name of every Choctaw Indian who was the head of an Indian family at the date of the treaty at Dancing Rabbit Creek, who has not already obtained a reservation under said treaty, and who can show by satisfactory evidence, that he or she complied or offered to comply with all the requisites of the fourteenth article of said treaty, to entitle him or her, to a reservation under said article; and also the number and names of all the unmarried children of such heads of families, who formed a part of the family and were over ten years of age, and likewise the number and names of the children of such heads of families as were under ten years of age, and report to the President, to be, by him, laid before Congress, all the names of such Indians, and the different sections of land to which such heads of families were respectively entitled, together with the opinions of the commissioners, and whether any part of said lands have been sold by the Government, and the proofs applicable to each case.

Commissioners to take an oath, &c.

Sec. 2. *And be it further enacted,* That before entering upon their duties, each of said commissioners shall, before some judge or justice of the peace, take an oath faithfully to discharge the duties imposed by this act.

(a) See an act for the regulation of the Navy and Privateer pensions and Navy Hospital fund. July 10, 1832, chap. 194.

Sec. 3. *And be it further enacted*, That said commissioners are hereby authorized to appoint a secretary whose duty it shall be to record correctly all the proceedings of said Board, and faithfully preserve the same, as well as all depositions and other papers filed before said Board, and who shall take an oath to discharge the duties imposed on him by this act.

Commissioners to appoint a secretary; his duties.

Sec. 4. *And be it further enacted*, That upon the request of the Commissioners it shall be the duty of the District Attorney of the State of Mississippi, to attend said board, and give his assistance in procuring the attendance of witnesses, and his aid and advice in their examination, the better to enable the Commissioners to ascertain the facts correctly in each case.

District Att'y for Mississippi to attend board on request of Commissioners.

Sec. 5. *And be it further enacted*, That each of said Commissioners shall receive, while in the discharge of the duties hereby imposed, a salary at the rate of three thousand dollars per annum, the secretary a salary at the rate of fifteen hundred dollars per annum, and the District Attorney a salary at the rate of two thousand dollars per annum, to be paid quarterly out of any money in the Treasury not otherwise appropriated.

Salaries of Commissioners and Secretary.

Sec. 6. *And be it further enacted*, That said Commissioners shall have full power to summon and cause to come before them, such witnesses as they may deem necessary, and to have them examined on oath, and if any witness shall testify falsely, with an intention to mislead said Commissioners, such witness shall be guilty of wilful and corrupt perjury, and shall, upon conviction before any jurisdiction having cognizance thereof, suffer the punishment by law inflicted on those guilty of that offence.

Commissioners authorized to summon witnesses, &c.

Sec. 7. *And be it further enacted*, That nothing contained in this act shall be so construed as to sanction what is called contingent locations which have been made by George M. Martin for the benefit of such Indians, as were supposed to have been entitled to other lands, which have been sold by the United States: such contingent locations having been made, without any legal authority. It being the true intent of this act to reserve to Congress the power of doing that which may appear just when a correct knowledge of all the facts is obtained.

Nothing in this act to be so construed as to sanction the contingent locations made by G. M. Martin.

Sec. 8. *And be it further enacted*, That this act shall be in force to the first day of March eighteen hundred and thirty-eight next, and no longer.

Act limited to 1st March, 1838.

Approved, March 3, 1837.

Statute II.
March 3, 1837.

Chap. XL.—*An Act making appropriations for building light-houses, light-boats, beacon-lights, buoys, and dolphins, for the year one thousand eight hundred and thirty-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following appropriations be, and the same are hereby, made and directed to be paid out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Treasury to provide, by contract, for building light-houses, beacon-lights, and for other purposes hereinafter mentioned.

Appropriations to enable Sec. of Treas. to contract for building light-houses, &c.

State of Maine.—For a light-house to be erected on a proper site on Mark island, in Harpswell sound, five thousand dollars; for a light-house to be erected on a proper site on Mount Desert island, at the entrance of Frenchman's bay, five thousand dollars; for a light-house on Ram island, at the mouth of Damariscotta river, five thousand dollars; for a fog-bell, on Seguin island, at the entrance of Kennebec river, fifteen hundred dollars; for placing buoys on West Quaddy bay, and for substituting for the present fog-bell, at the entrance of said passage, a cast-steel

Maine.
Mark island.
Mt. Desert island.
Ram island.
Seguin island.
West Quaddy bay.

triangular bell, or a bell of the usual form, but increased weight, one thousand five hundred dollars; for a light-house to be erected, on a proper site at Spoon isle, in Penobscot bay, five thousand dollars; for a light-house to be erected, on Saddleback ledge, in Penobscot bay, five thousand dollars; for a light-house to be erected, on Eagle Island point, in Penobscot bay, five thousand dollars; for a light-house to be erected at the mouth of Pleasant river, five thousand dollars; for placing monuments on Fort Point ledge, Adams's ledge, and Buck's ledge, in Penobscot river, three thousand dollars; for erecting a beacon light on Half-tide ledge, and two buoys about a mile and a half from the town of Sullivan, in the county of Hancock, three thousand dollars; for the erection of a light-house on York nubble, in the county of York, five thousand dollars; for a monument on Portersfield ledge, lying between Owlshead and Goose River point, and a spindle on another ledge lying near the Portersfield ledge, two thousand six hundred dollars.

Spoon isle. Saddleback ledge. Eagle island point. Pleasant river. Ft. Point ledge, Adams's and Buck's ledges. Half-tide ledge. Town of Sullivan. York nubble. Portersfield's ledge.

State of New Hampshire.—For the erection of a pier on the east side of Whaleback light-house, to secure it from the force of the waves, three thousand dollars; for placing buoys at the entrance of Spruce creek, on the eastern edge of "Sunken rocks," and at the east side of Amazeen island, five hundred dollars; for placing buoys on "Cod rock," near Fort point, four hundred dollars.

New Hampshire. Whaleback light-house. Sunken rocks. Cod rock.

State of Massachusetts.—For two small light-houses, should two be necessary, on proper sites, at or near Ipswich harbor, seven thousand dollars; for a light-house to be erected on a proper site at or near Ned's point, contiguous to the village of Mattapoisett, five thousand dollars; for three small light-houses on Nanset beach, Cape Cod, fifteen feet high, ten thousand dollars; for the erection of buoys upon the rocks and ledges at the entrance of the harbors of Lynn, Salem, Beverly, Marblehead, and Manchester, two thousand five hundred dollars; for placing buoys on Aldridge ledge, False spit, Hunt's ledge, Hospital Island ledge, Sculpion ledge, Governor's Island point, and Little Farm bar, in Boston harbor, five hundred dollars; for erecting a beacon at the mouth of New Bedford harbor, two thousand dollars; for two small beacon lights near the entrance of Nantucket harbor, five hundred dollars. For placing a spindle in the harbor of Edgartown, and buoys, two hundred dollars; for erecting a light-house at Wing's neck, five thousand dollars: for buoys in the harbor of Mattapoisett, one hundred dollars; for buoys on Bay rock, the ledge on the shoal on the west side of Taunton river, opposite Fall River, six hundred dollars; for buoys at a place called Egypt, in Taunton river, one hundred dollars; for a beacon on Muscle bed, and a beacon on Oyster bed point, in Mount Hope bay, five thousand dollars; for a light-house on Mayo beach, in Wellfleet bay, one thousand dollars; for a buoy at Deep-hole Rock, near Oyster island, on the south side of Barnstable, three hundred dollars.

Massachusetts. Ipswich harbor. Ned's point. Nanset beach. Harbors of Lynn, &c. Aldridge ledge, &c. Wing's neck, &c. Bay rock.

State of Connecticut.—For rebuilding a light-house on a proper site, on Lynde point, at the mouth of Connecticut river, five thousand dollars; for placing buoys on Black Boy reef, Barney's reef, Stony Point reef, and Wheeler's rock in the harbor of Killingworth, three hundred dollars; for a beacon already commenced on Round island, on Saybrook bar, fifteen hundred dollars; nine hundred dollars to meet the expenses of the work as far as executed, the balance to complete and secure the same; for placing buoys on the rocks in the harbor of Greenwich, three hundred dollars; for placing buoys in Mystic harbor, one hundred dollars; for a sea-wall to preserve the light-house and other buildings, on Fairweather island, near Black Rock harbor, five thousand dollars.

Connecticut. Lynde point. Black Boy reef, &c.

State of Rhode Island.—For a light-house on Papoose Squaw point, a place near to, but below, the port of Bristol, five thousand dollars; for placing a buoy and beacon on South White rock, and a buoy on Charles rock, near the harbor of Wickford, one hundred dollars; for

Rhode Island. Papoose Squaw Point, &c.

rebuilding and changing the location of the light on Block island, five thousand dollars; for eight dolphins and two buoys, northward of Field's point, in Providence river, one thousand dollars.

Block island.

Field's point.

State of New York.—For a light-house on a proper site on Cumberland head, Lake Champlain, five thousand dollars; for the erection of a light-house on a proper site at Split rock point, Lake Champlain, five thousand dollars; for a revolving, or double light upon the south side of Execution rocks, opposite Sand's point, in Long Island sound, five thousand dollars; for a light-house at Big Sandy creek, on Lake Ontario, county of Jefferson, five thousand dollars; for a light-house on Stony point, in the town of Henderson, in the county of Jefferson, three thousand dollars; for buoying out Gedney's channel, three thousand dollars; for a beacon-light at Silver Creek harbor, on Lake Erie, four thousand five hundred dollars; for a light-house on Flynn's Knoll, near Sandy Hook, two hundred thousand dollars; to be built under the direction of the Engineer Department; for a light-boat off Sandy Hook, twenty-five thousand dollars; for placing a beacon on Romer's shoal, near Sandy Hook, fifteen thousand dollars; for the erection of a light-house at Esopus meadows, on the west shore of the Hudson river, three thousand dollars; for placing a buoy on the wreck of a vessel sunk at Tappan bay, one hundred dollars; for a light-house on Cedar island, Sag harbor, one thousand dollars; for placing buoys in Sag harbor, two hundred dollars; for erecting a light-house at Rondout creek, on the Hudson river, five thousand dollars; for erecting a beacon-light at Dunkirk harbor, two thousand seven hundred dollars; for erecting a beacon-light at Van Buren harbor, two thousand seven hundred dollars; for a floating-light, to be stationed on or near the Middle Ground, so called, in Long Island Sound, nearly abreast Straitford point, ten thousand dollars; for a light-house on Robin's reef, in the harbor of New York, fifty thousand dollars; for a light-house at Salmon River harbor, three thousand dollars.

New York.
Cumberland head.
Split rock.
Execution rocks.
Big Sandy creek.
Stony Point.
Gedney's Channel, &c.
Romer's Shoal.
Esopus Meadows.
Tappan Bay.
Cedar island.
Sag Harbor.
Rondout creek.
Dunkirk harbor.
Van Buren harbor.
Middle Ground.
Robin's reef.
Salmon River harbor.

State of New Jersey.—For a light-house at the mouth of Cohansey creek, five thousand dollars; for the erection of a light-house at or near Egg island, near the entrance of Maurice river, five thousand dollars; for erecting a light-house near Absecum inlet, on the sea-coast, in the State of New Jersey, to be so constructed as to be distinguished from the other light on the coast, five thousand dollars.

New Jersey.
Cohansey creek.
Egg Island.
Absecum inlet.

State of Pennsylvania.—For completing the beacon-light at the end of the pier which forms the entrance into the harbor of Erie, on Lake Erie, six hundred and seventy-four dollars.

Pennsylvania.
Erie harbor.

State of Delaware.—For a light-house on the lower or southern end of Reedy island, in the Delaware bay, ten thousand dollars; for the erection of a light-house on the Brandywine shoal, in the Delaware bay, in addition to the sum already appropriated, fifteen thousand dollars, agreeably to the plan and estimate made by Hartman Bache, of the engineer corps; for mooring buoys in the harbor of the Delaware breakwater, two thousand dollars.

Delaware.
Reedy island.
Brandywine shoal.
Delaware breakwater.

State of Maryland.—For a light-house on a proper site on Sharp's island, in the Chesapeake bay, five thousand dollars; for placing buoys on the rivers Nanticoke, Manokin, Annamessex, Pocamoke, and Wicomico, Hooper's and Cajey's straits, and Tangier and Pocamoke sounds, the sum of two thousand five hundred dollars, in addition to a former appropriation; for erecting a light-house at Love Point, in addition to the sum heretofore appropriated, one thousand dollars.

Maryland.
Nanticoke, &c.
Love point, &c.

State of Virginia.—For the erection of a light-house on the south end of Hog island, on the Atlantic coast, five thousand dollars; for a light-boat on York River spit, or a light-house, ten thousand dollars. For removing the light-house at Old Point Comfort into Fortress Monroe, six thousand dollars; for a light-house in the Chesapeake, eight

Virginia.
Hog island.
York river.
Old Point.
Chesapeake.

Day's point, &c.

thousand dollars; for a light-house at Day's point, on James river, five thousand dollars; for a light-boat, or light-house, in the Potomac river between Mathias point, in Virginia, and Maryland point, in the State of Maryland; *Provided*, On inquiry, the Secretary of the Treasury shall deem such light necessary to the safe and uninterrupted navigation of that section of the river Potomac, ten thousand dollars; for a new light-boat in the Chesapeake bay, eight thousand dollars; for a light-house at the mouth of Potomac creek, five thousand dollars.

Chesapeake bay. Potomac creek.

N. Carolina. Powell's point, &c.

State of North Carolina.—For a light-house off Powell's point, Albermarle sound, five thousand dollars; for rebuilding a light-house at Federal point, five thousand dollars; for a light-house on Pea island, near New inlet, five thousand dollars; for building a new light-boat at Long shoal, in Pamlico sound, ten thousand dollars.

S. Carolina. St. Helena and Port Royal. Charleston harbor.

State of South Carolina.—For light-houses or light-boats in the inlets of Saint Helena and Port Royal, twenty thousand dollars; for the construction of five beacon-lights in Charleston harbor, six thousand dollars, in addition to the appropriation of the last session; the location of said lights to be changed, if deemed expedient by the Secretary of the Treasury.

Georgia. Little Cumberland island, &c.

State of Georgia.—For a light-house on the north end of Little Cumberland island, eight thousand dollars; for the erection of a light-house on the north end of Jekyl island, eight thousand dollars. For the placing of buoys, and beacons, to render the entrance to the harbor of Brunswick secure and easy at all times, ten thousand dollars. For a light-house on Sapaelo island and for placing buoys and beacons at Doboy bar, and Sapaelo bar, for the purpose of rendering safe and secure an entrance at all times to the city of Darien, five thousand dollars; for a floating light to be anchored within Martin's Industry, ten thousand dollars.

Alabama. Mobile harbor. Sand island.

State of Alabama.—For placing buoys in the harbor of Mobile, six hundred dollars; for the erection of a light-house on Sand island, opposite Mobile point, ten thousand dollars.

Ohio. Turtle island, &c.

State of Ohio.—For a light-house on Turtle island, at the entrance of Maumee bay, in Lake Erie, eight thousand dollars; for a beacon-light on a proper site near the entrance of the harbor of Sandusky bay, two thousand five hundred dollars; for a beacon-light at or near Manhattan, three thousand dollars; for additional buoys to mark the channel at the mouth of the Miami of Lake Erie, and across Maumee bay, two hundred dollars; for a light-house on the south side of Cunningham island, in Lake Erie, three thousand dollars.

Indiana. City West harbor, &c.

State of Indiana.—For a light-house at City West harbor, five thousand dollars; to complete the light-house at Michigan City, three thousand dollars.

Louisiana. Vermillion bay. Lake Pontchartrain, &c.

State of Louisiana.—For a beacon-light at or near the southwest pass of Vermillion bay, five thousand dollars; for erecting a light-house at the pass between Lake Pontchartrain and Lake Maurepas, six thousand dollars; for erecting a light-house, and a house for the keeper, on Saint Joseph's island, in Lake Borgne, twelve thousand dollars; for placing two buoys at Dauphin Island pass, two buoys at Pass Marianne, two buoys at Pass Christian, and two buoys at Heron pass, fifteen hundred dollars; for beacons and light-houses at the entrance of the harbor recently constructed on Lake Pontchartrain, at the canal above New Orleans, twenty-five thousand dollars; for erecting a light-house on Lake Pontchartrain, at the mouth of the Bayou Saint John, ten thousand dollars; for beacons and light-houses at Port Pontchartrain, in addition to the sum heretofore appropriated, twenty thousand dollars.

Bayou St. John. Port Pontchartrain.

Mississippi.

State of Mississippi.—For the erection of a light-house at the mouth of Pearl river, in addition to the sum heretofore appropriated, five thousand dollars.

State of Michigan.—For a light-house on a proper site at the mouth of Grand river, five thousand dollars; for a light-house at a proper site at the mouth of Detroit river, five thousand dollars; for a light-house on Windmill island, at the outlet of Lake St. Clair, five thousand dollars; for erecting a light-house at the mouth of Saginaw river, five thousand dollars; for erecting a light-house at Wagooshance, or Fox point, on the Straits of Michillimackinac, five thousand dollars; for erecting a light-house at the mouth of Kalamazoo river, five thousand dollars.

Michigan.

Saginaw river.

Wagooshance, or Fox Point.

Kalamazoo river.

Territory of Florida.—For a light-house on the most suitable site at or near the east entrance from the Gulf of Mexico into Appalachicola bay, to be selected by the Secretary of the Treasury, ten thousand dollars; for a light-house at the entrance of Saint Joseph's bay, ten thousand dollars; for three buoys at the mouth of Saint John's river, one thousand dollars; for buoys to mark the channel from the eastern pass into Appalachicola bay to the town of Appalachicola, one thousand dollars; for a light-boat to be stationed at the northwest passage, twelve miles from Key West, ten thousand dollars; for buoys at the northwest passage and harbor of Key West, eight hundred dollars; for a light-house on the north point of Amelia island, eight thousand dollars; for rebuilding and changing the location of the light-house at Mosquito inlet, seven thousand dollars; for placing buoys on a rock in the outer harbor of Key West, five hundred dollars; for securing the foundation of the light-house on Sand Key, and for the attendance of a boat procured by the lake keeper, one thousand six hundred and twenty dollars; for rebuilding the light-house at Cape Florida, ten thousand dollars; for a light-house on Carryforce reef on the southeastern extremity of the coast of Florida, twenty thousand dollars.

Florida.

Appalachicola bay.

St. Joseph's bay.

St. John's river.

Appalachicola bay.

Key West.

Key West.

Amelia island.

Mosquito inlet.

Key West.

Sand Key.

Cape Florida.

Carryforce reef.

Territory of Wisconsin.—For erecting a light-house at the mouth of Milwaukee river, five thousand dollars; for erecting a light-house at the mouth of the Manitowac river, five thousand dollars; for a light-house at Chipewagan, five thousand dollars; for erecting a light-house at the entrance of Green bay, five thousand dollars; for erecting a light-house at Root river, five thousand dollars.

Wisconsin.

Milwaukee river.

Manitowac river.

Chipewagan.

Green bay.

Root river.

Sec. 2. *And be it further enacted,* That before any of the improvements aforesaid are commenced, the Board of Navy Commissioners shall cause an examination to be made for the purpose of ascertaining whether the safety of navigation requires any additional facilities, and if so what is most suitable for each place needing such additional facilities, and thereupon to report their opinion in regard to all such places as speedily as may be to the Secretary of the Treasury, who shall proceed with the works so recommended. But if the said board, after causing such examination to be made, shall be of opinion that any of said improvements are not needed to facilitate the navigation, or that the navigation is so inconsiderable as not to justify the proposed works, or that the same are inexpedient from any cause, no further proceeding shall be had, and their opinions with the facts shall be reported to Congress.

Before any of the improvements are commenced, the Board of Navy Commissioners to cause an examination to be made, &c., and report to the Secretary of the Treasury.

Sec. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized to adopt the improvements in lamps and lanterns of light-houses, and the mode of warming the same, invented by Isaac Dunham, if, in his opinion, after due examination, and trial thereof, (if necessary,) said improvements shall be deemed of utility in respect to the saving of expense, in repairs and support, or in respect to improving the lights: *Provided,* the right to adopt said improvements in the light-houses and light-boats of the United States can be obtained on terms which the Secretary shall deem reasonable.

Secretary of the Treasury to adopt the improvement in lamps, &c., invented by Isaac Dunham, on certain conditions.

Proviso.

Approved, March 3, 1837.

Statute II.
March 3, 1837.
Vol. vii. p. 366.

Chap. XLI.—*An Act to authorize and sanction the sales of reserves, provided for Creek Indians in the treaty of March twenty-four, eighteen hundred and thirty-two, in certain cases, and for other purposes.*

Those which shall remain unsold on 4th April next, to be sold at public auction, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States may, and he is hereby authorized to, cause all the reserves belonging to the Creek Indians by virtue of the provisions of the treaty of March twenty-fourth, eighteen hundred and thirty-two, which shall remain unsold on the fourth day of April next, to be sold at public auction in the Creek country; after giving at least sixty days notice of the time, place and terms of sale in the public prints, and to cause patents to be issued to the purchasers of said reserves.

Confirmation of sales by the widow, &c., of Creek Indians who have or may die before 4th April next, &c.

Sec. 2. *And be it further enacted,* That the President of the United States may, and he is hereby authorized to, confirm the sales by the widow, the widow and children, the children, or the lawful administrator of Creek Indians who have died, or who may die, prior to the fourth day of April next, without having legally disposed of said reserves, and to receive the purchase-money, or such portions of it as may not have been paid to the persons entitled to it, and to cause patents to be issued therefor to the purchasers; "*Provided,* That sales made by lawful administrators shall be entitled to a preference over sales made by widows and children."

Proviso.

Payment of money which may be received from purchasers under authority given in preceding sections, &c.

Sec. 3. *And be it further enacted,* That the President may, and he is hereby authorized to, pay the persons entitled thereto, the money which may be received from the purchasers of reserves under the authority given in the two preceding sections, at such times and in such amounts as he shall deem best for the parties concerned; or, if he think proper, to invest the whole or any part of said purchase-money in stocks, and pay the interest to the persons entitled, in such amounts, and in such manner, as, in his opinion, will be most advantageous for them: *Provided,* That he may cause the principal of the sum or sums so invested to be paid to the persons entitled thereto, whenever he may think proper: *And provided, further,* That the provisions of this act shall be executed under such regulations and restrictions as the President may prescribe.

Proviso.

Further proviso.

The President may cause one dollar and a quarter per acre to be paid to certain Creek Indians.

Sec. 4. *And be it further enacted,* That it may be lawful for the President of the United States to cause the sum of one dollar and twenty-five cents per acre to be paid to the Creek Indians, whose names were omitted to be entered on the census-roll taken under the treaty of eighteen hundred and thirty-two, and to those whose names appear on said roll, but for whom no locations have been made, who shall appear, from proper evidence, to be justly entitled to reservations under the provisions of said treaty; *Provided,* That the sums thus payable under this section may be invested in stocks upon the same terms and conditions, and under the same regulations and restrictions as are herein before prescribed in respect to moneys payable under the first and second sections of this act; *Provided, further,* That no transfer by the person entitled under this section shall be valid.

Proviso.

Further proviso.

Money appropriated to carry this act into effect.

Sec. 5. *And be it further enacted,* That, for the purpose of carrying into effect the provisions of the three first sections of this act, the sum of ten thousand dollars be and the same is hereby appropriated, together with such sum as may be necessary to carry into effect the fourth section thereof.

Approved, March 3, 1837.

Statute II.
March 3, 1837.

Chap. XLII.—*An Act explanatory of the act entitled An act granting half-pay to widows and orphans where their husbands and fathers have died of wounds received in the military service of the United States, and for other purposes.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefits of the third section of the act entitled "An act granting half-pay to widows and orphans, where their husbands and fathers have died of wounds received in the military service of the United States, and for other purposes," approved the fourth day of July, eighteen hundred and thirty-six, shall not be withheld from any widow, in consequence of her having married after the decease of the husband for whose services she may claim to be allowed a pension or annuity under said act: *Provided*, That she was a widow at the time it was passed.

The benefits of the act not to be withheld from any widow in consequence of her having married, &c.

Act of July 4, 1836, ch. 362.

Proviso.

Sec. 2. *And be it further enacted*, That the widow of any person who continued in the service of the United States until the third day of November, seventeen hundred and eighty-three, and was married before that day, and while her husband was in such service, shall be entitled to the benefits of the third section of the aforesaid act.

Widows of persons who continued in service to 3d November, 1783, and were before that day, &c., entitled.

Approved, March 3, 1837.

Statute II.
March 3, 1837.

Chap. XLIII.—*An Act to continue the office of Commissioner of Pensions.*

1840, ch. 4.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the office of Commissioner of Pensions shall be, and the same is hereby continued, until the fourth day of March, eighteen hundred and forty.

Continued to 4th March, 1840.

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.

A commissioner to be appointed by the President, &c.

Sec. 3. *And be it further enacted*, That the said Commissioner shall receive an annual salary of three thousand dollars; and have the privilege of sending and receiving letters and packets by mail free of postage.

His salary, &c.

Act of March 3, 1845, ch. 43.

Approved, March 3, 1837.

Statute II.
March 3, 1837.

Chap. XLIV.—*An Act to provide for certain harbors, and for the removal of obstructions in and at the mouths of certain rivers, and for other purposes, during the year one thousand eight hundred and thirty-seven.*

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for carrying on and completing certain works heretofore commenced, to wit:

Appropriations for carrying on certain works.

For continuing the improvement of the harbor of Chicago, Illinois, forty thousand dollars;

Chicago harbor.

For continuing the construction of a harbor at Michigan City, Indiana, thirty thousand dollars;

Michigan City.

For continuing the construction of a pier or breakwater at the mouth of the river Saint Joseph, Michigan, fifteen thousand dollars;

St. Joseph river.

For the continuation of the works at the harbor near the mouth of the river Raisin, Michigan, thirty thousand dollars;

River Raisin.

For completing the channel of the Cocheco branch of the Piscataqua river, in the State of New Hampshire, five thousand dollars;

Cocheco river.

(a) See notes to the Resolution of March 3, 1837, granting a pension to Susan Decatur, widow of Stephen Decatur, post, 199.

Black river. For continuing the improvement of the harbor at the mouth of Black river, in Jefferson county, State of New York, ten thousand dollars;

Whitehall harbor. For continuing the improvement of the harbor at Whitehall, in the State of New York, ten thousand dollars;

Genesee river. For continuing the improvement of the channel at the mouth of Genesee river, in the State of New York, ten thousand dollars;

Mobile harbor. For improving the harbor of Mobile, in the State of Alabama, by removing the bar of the Choctaw pass and Dog river bar, fifty thousand dollars;

Black river. For continuing the removal of obstructions at Black river, Ohio, six thousand four hundred and ten dollars;

Huron river. For continuing the removal of obstructions at the mouth of the Huron river, in Ohio, two thousand five hundred and sixty-five dollars;

Vermillion river. For continuing the improvement of the navigation at the mouth of Vermillion river, Ohio, twenty thousand dollars;

Cleaveland harbor. For continuing the improvement of Cleaveland harbor, Ohio, ten thousand dollars;

Cunningham creek. For continuing the removal of obstructions at Cunningham creek, Ohio, five thousand dollars;

Ashtabula creek. For continuing the removal of obstructions at Ashtabula creek, Ohio, eight thousand dollars;

Conneaut creek. For continuing the removal of obstructions at Conneaut creek, Ohio, five thousand dollars;

Presque Isle harbor. For continuing the improvement of the harbor of Presque Isle, Pennsylvania, fifteen thousand dollars;

Dunkirk harbor. For continuing the improvement of Dunkirk harbor, New York, fifteen thousand dollars;

Portland harbor. For continuing the improvement of the harbor of Portland, Lake Erie, New York, ten thousand dollars;

Cattaraugus creek harbor. For continuing the improvement of the harbor at Cattaraugus creek, Lake Erie, New York, ten thousand dollars;

Salmon river harbor. For continuing the improvement of the harbor of Salmon river, Lake Ontario, New York, ten thousand dollars;

North and South Hero islands. For continuing the improvement of the channel between the North and South Hero islands, Lake Champlain, Vermont, six thousand dollars;

Plattsburg. For continuing the construction of a breakwater at Plattsburg, New York, ten thousand dollars;

Oak Orchard creek. For continuing the improvement of the harbor at the mouth of Oak Orchard creek, New York, five thousand dollars;

Kennebunk. For continuing the pier at Kennebunk, Maine, three thousand dollars;

Big Sodus bay. For continuing the improvement at Big Sodus bay, New York, twelve thousand dollars.

Oswego harbor. For continuing the pier and mole at Oswego harbor, New York, fifteen thousand dollars;

Steele's Ledge. For placing buoys in the vicinity of the monument on Steele's Ledge, Maine, being the unexpended balance of the appropriation of the twenty-eighth of June, eighteen hundred and thirty-four, for rebuilding the monument on Steele's Ledge, four hundred and sixty-six dollars;

Burlington. For continuing the construction of a breakwater at Burlington, Vermont, ten thousand dollars;

Stanford's Ledge. For continuing the breakwater on Stanford's Ledge, Portland harbor, Maine, twenty-five thousand dollars;

Sandy bay. For continuing the breakwater at Sandy bay, Massachusetts, twenty thousand dollars;

Hyannis harbor. For continuing the breakwater at Hyannis harbor, Massachusetts, five thousand dollars;

For continuing the improvement of the channel of the river Thames, leading into Norwich harbor, Connecticut, twenty thousand dollars; — River Thames.

For continuing the securing of the public works, at the harbor of Southport, Connecticut, one thousand dollars; — Southport harbor.

For improving the harbor of Westport, Connecticut, three thousand seven hundred and thirty-four dollars; — Westport harbor.

For continuing the improvement of the navigation of the Hudson river, above and below Albany, in the State of New York, one hundred thousand dollars; to be expended according to the plan and estimate recommended by the Secretary of War; — Hudson river.

For continuing the repairs at the harbor of Chester, Pennsylvania, two thousand dollars; — Chester harbor.

For continuing the improvement of the harbor of Wilmington, Delaware, eight thousand dollars; — Wilmington harbor.

For continuing the improvement of the harbor of Newcastle, Delaware, ten thousand dollars; — Newcastle harbor.

For continuing the Delaware breakwater, and constructing a wharf or mole pursuant to the report of Captain Delafield, one hundred and forty-one thousand dollars. — Delaware breakwater.

And that the sum of seventy thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, for the erection of a marine hospital in the city of New Orleans, in that part of said city which shall be designated by the Secretary of the Treasury, and for the purchase of lands on which to erect said marine hospital; and that the President of the United States, be, and he is hereby authorized to select and cause to be purchased, for the use and benefit of sick seamen, boatmen, and all other navigators on the western rivers and lakes, suitable sites for marine hospitals, *Provided* that the number thereof shall not exceed for the river Mississippi three, for the river Ohio three, and for Lake Erie one; and to enable the President to make such selection and purchase, he may call to his aid one or more medical men of the army, not exceeding three in all, to examine and report on such sites, and to ascertain at what price the same can be had; and that the sum of fifteen thousand dollars be, and the same is hereby appropriated, to effect the purchase thereof, to be paid out of any money in the Treasury not otherwise appropriated; and that suitable plans and estimates be prepared, under the direction of the Secretary of War, for the construction of said hospitals, and submitted to Congress, at the commencement of the next session thereof; and that the sum of ten thousand dollars be appropriated for the erection of a marine hospital in the city of Mobile; *Provided*, That the expenditures for the purchase of sites and the erection of hospitals at New Orleans and Mobile shall not exceed the amounts herein appropriated for these purposes; that from and after the first day of April next, all laws enacted whereby seamen are required to pay twenty cents a month, or their employers are required to retain that sum out of their wages, to create a fund for the sick and disabled seamen, shall be suspended for one year, during which no such exaction shall be made; and that instead of said tax there be appropriated, out of any money in the Treasury, not otherwise appropriated, the sum of one hundred and fifty thousand dollars, to be disbursed in the same manner as the sum above mentioned, *Provided, however*, that seamen and watermen, who have not contributed to said fund, may receive relief to such extent, and under such regulations as the President of the United States shall direct.

Erection of a marine hospital at N. Orleans &c.

Purchase of sites for marine hospitals on the western waters, &c.

Proviso.

Erection of a marine hospital at Mobile.

Proviso.

After 1st April next all laws requiring seamen to pay 20 cents a month, &c., shall be suspended for 1 year, &c.

Proviso.

For continuing the improvement of the harbor of Baltimore, Maryland, fifteen thousand dollars; — Baltimore harbor.

For continuing the removal of obstructions at Ocracoke inlet, North Carolina, twelve thousand and fifty dollars; — Ocracoke inlet.

Cape Fear river.

For continuing the improvement of the navigation of Cape Fear river, below Wilmington, North Carolina, ten thousand dollars;

Opening passage between the town of Beaufort and Pamlico sound, and improving New river.

For opening a passage, of fifty yards wide and seven feet deep, at low water, between the town of Beaufort and Pamlico sound, North Carolina, and for improving New river, in addition to two sums of five thousand dollars each, appropriated at the last session of Congress for the harbor of Beaufort and for New river, twenty thousand dollars;

Channel between St. Mary's and St. John's.

For continuing the improvements of the inland channel between Saint Mary's and Saint John's, Florida, five thousand dollars;

Cumberland river.

For continuing the improvement of the Cumberland river in Kentucky and Tennessee, according to the report of Colonel Abert, United States Engineer, dated February twenty-third, eighteen hundred and thirty-five, of the survey of said river, fifty-five thousand dollars;

Red river.

For continuing the removal of obstructions in the Red river, sixty-five thousand dollars;

Ohio river.

For continuing the improvement of the Ohio river between the falls and Pittsburg, sixty thousand dollars;

Ohio and Mississippi rivers.

For continuing the improvement of the navigation of the Ohio and Mississippi rivers, from Louisville to New Orleans, sixty thousand dollars;

Mississippi river.

For continuing the works for the removal of the obstructions to the navigation of the Mississippi river at its mouth, two hundred and ten thousand dollars;

Arkansas river.

For continuing the works for the removal of the obstructions to the navigation of the Arkansas river, in addition to the unexpended balance of thirty-five thousand dollars, the sum of twenty-five thousand dollars;

Mississippi and Missouri rivers.

For continuing the improvement of the Mississippi river above the mouth of the Ohio, and of the Missouri river, forty thousand dollars;

Mississippi river.

For the erection of a pier in the Mississippi river, near Saint Louis, including the sum of fifteen thousand dollars, appropriated for that purpose at the last session of Congress, fifty thousand dollars;

Ohio, Missouri and Mississippi rivers.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, and to replace the steam snag-boat, Archimedes, sunk in the Mississippi river in November last, twenty-three thousand dollars:

Steam snag-boat Archimedes.

Black and White rivers.

For continuing the survey of Black and White rivers in Arkansas and Missouri, one thousand dollars;

Survey with a view to determine the practicability of an inland communication betw'n the Chesapeake and Charleston, S. C.

For making a survey from the southern debouche of the Dismal Swamp canal, down the Pasquotank river to Elizabeth, thence to Croatan Sound, Pamlico and other sounds, near the coast of North Carolina; and thence by the most practicable route to Winyaw bay, in South Carolina, with a view to determine the practicability of opening an inland communication for steam navigation, from the Chesapeake bay to Charleston South Carolina, ten thousand dollars;

New Brunswick harbor.

For improving the harbor of New Brunswick, New Jersey, by removing the obstructions in the Raritan river in addition to the appropriation of July four, eighteen hundred and thirty-six, six thousand nine hundred and sixty-three dollars;

When the corporate authorities of Alexandria deposite their stock in the Alexandria Canal Company, in the hands of the Secretary of the Treasury, with proper instruments, &c., to vest the same in him, &c., he is authorized to

Sec. 2. *And be it further enacted*, That when the corporate authorities of the town of Alexandria shall deposite the stock held by them in the Alexandria Canal Company, in the hands of the Secretary of the Treasury, with proper and competent instruments and conveyances in law to vest the same in the Secretary of the Treasury and his successors in office, for and on behalf of the United States, to be held in trust upon the same terms and conditions in all respects as the stocks held in the Chesapeake and Ohio Canal by the several cities of this District, were required to be held in and by virtue of the act approved on the seventh day of June, eighteen hundred and thirty-six, entitled "An act for the relief of the several corporate cities of the District of Columbia," that the Secretary of the Treasury be, and he is hereby authorized and

directed to advance, out of any moneys in the Treasury not otherwise appropriated, to the Alexandria Canal Company, from time to time, as the progress of the work may require the same, such sums of money, not exceeding three hundred thousand dollars, as may be necessary to complete the said canal to the town and harbor of Alexandria; *Provided*, That the Alexandria Canal Company, in the construction of the remaining piers, abutments and works of their aqueduct over the Potomac river, are hereby prohibited and restrained from throwing earth or clay into the open river, and are required with the money furnished by this bill to remove all earth and clay, heretofore deposited by them in the river.

advance, from time to time, the moneys necessary to complete said canal, not exceeding $300,000.

Proviso.

Approved, March 3, 1837.

Statute II.

March 3, 1837.

Chap. XLV.—*An Act in addition to the act to promote the progress of science and useful arts.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who may be in possession of, or in any way interested in, any patent for an invention, discovery, or improvement, issued prior to the fifteenth day of December, in the year of our Lord one thousand eight hundred and thirty-six, or in an assignment of any patent, or interest therein, executed and recorded prior to the said fifteenth day of December, may, without charge, on presentation or transmission thereof to the Commissioner of Patents, have the same recorded anew in the Patent Office, together with the descriptions, specifications of claim and drawings annexed or belonging to the same; and it shall be the duty of the Commissioner to cause the same, or any authenticated copy of the original record, specification, or drawing which he may obtain, to be transcribed and copied into books of record to be kept for that purpose; and wherever a drawing was not originally annexed to the patent and referred to in the specification, any drawing produced as a delineation of the invention, being verified by oath in such manner as the Commissioner shall require, may be transmitted and placed on file or copied as aforesaid, together with the certificate of the oath; or such drawings may be made in the office, under the direction of the Commissioner, in conformity with the specification. And it shall be the duty of the Commissioner to take such measures as may be advised and determined by the Board of Commissioners provided for in the fourth section of this act, to obtain the patents, specifications, and copies aforesaid, for the purpose of being so transcribed and recorded. And it shall be the duty of each of the several clerks of the judicial courts of the United States, to transmit, as soon as may be, to the Commissioner of the Patent Office, a statement of all the authenticated copies of patents, descriptions, specifications, and drawings of inventions and discoveries made and executed prior to the aforesaid fifteenth day of December, which may be found on the files of his office; and also to make out and transmit to said Commissioner, for record as aforesaid, a certified copy of every such patent, description, specification, or drawing, which shall be specially required by said Commissioner.

Patents issued, and assignments executed and recorded prior to 15th December, 1836, may be recorded anew, &c.

Measures to be taken to obtain patents, &c., to be recorded, &c.

Clerks of the judicial courts, U. S., to transmit statements of authenticated copies of patents, &c., prior to 15th December, 1836, &c.

Sec. 2. *And be it further enacted*, That copies of such record and drawings, certified by the Commissioner, or, in his absence, by the chief clerk, shall be prima facie evidence of the particulars of the invention and of the patent granted therefor, in any judicial court of the United States, in all cases where copies of the original record or specification and drawings would be evidence, without proof of the loss of such originals; and no patent issued prior to the aforesaid fifteenth day of

Certified copies of such record, &c., to be evidence in any judicial court U. S., &c.

No patent, &c

(a) An act to promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose, July 4, 1836, chap. 357.

issued, &c., prior to 15th December, 1836, to be received in evidence in said courts after 1st June next, unless recorded anew.

December, shall, after the first day of June next, be received in evidence in any of the said courts in behalf of the patentee or other person who shall be in possession of the same, unless it shall have been so recorded anew, and a drawing of the invention, if separate from the patent, verified as aforesaid, deposited in the Patent Office; nor shall any written assignment of any such patent, executed and recorded prior to the said fifteenth day of December, be received in evidence in any of the said courts in behalf of the assignee or other person in possession thereof, until it shall have been so recorded anew.

New patents to be issued for those lost or destroyed on or before 15th December, 1836. 1842, ch. 263, § 2.

Sec. 3. *And be it further enacted*, That whenever it shall appear to the Commissioner that any patent was destroyed by the burning of the Patent Office building on the aforesaid fifteenth day of December, or was otherwise lost prior thereto, it shall be his duty, on application therefor by the patentee or other person interested therein, to issue a new patent for the same invention or discovery, bearing the date of the original patent, with his certificate thereon that it was made and issued pursuant to the provisions of the third section of this act, and shall enter the same of record: *Provided, however*, That before such patent shall be issued, the applicant therefor shall deposite in the Patent Office a duplicate, as near as may be, of the original model, drawings, and description, with specification of the invention or discovery, verified by oath, as shall be required by the Commissioner; and such patent and copies of such drawings and descriptions, duly certified, shall be admissible as evidence in any judicial court of the United States, and shall protect the rights of the patentee, his administrators, heirs, and assigns, to the extent only in which they would have been protected by the original patent and specification.

Proviso.

Duplicates of certain models to be procured.

Sec. 4. *And be it further enacted*, That it shall be the duty of the Commissioner to procure a duplicate of such of the models destroyed by fire on the aforesaid fifteenth day of December, as were most valuable and interesting, and whose preservation would be important to the public; and such as would be necessary to facilitate the just discharge of the duties imposed by law on the Commissioner in issuing patents, and to protect the rights of the public and of patentees in patented inventions and improvements: *Provided*, That a duplicate of such models may be obtained at a reasonable expense: *And provided, also*, That the whole amount of expenditure for this purpose shall not exceed the sum of one hundred thousand dollars. And there shall be a temporary board of commissioners, to be composed of the Commissioner of the Patent Office and two other persons to be appointed by the President, whose duty it shall be to consider and determine upon the best and most judicious mode of obtaining models of suitable construction; and, also, to consider and determine what models may be procured in pursuance of, and in accordance with, the provisions and limitations in this section contained. And said commissioners may make and establish all such regulations, terms, and conditions, not inconsistent with law, as in their opinion may be proper and necessary to carry the provisions of this section into effect, according to its true intent.

Proviso.

Further proviso.

A temporary board of commissioners to be appointed; their duties.

Patents returned for correction, &c. under 13th section of act to which this is additional, &c.

Act of 1836, ch. 357.

Proviso.

Sec. 5. *And be it further enacted*, That, whenever a patent shall be returned for correction and re-issue under the thirteenth section of the act to which this is additional, and the patentee shall desire several patents to be issued for distinct and separate parts of the thing patented, he shall first pay, in manner and in addition to the sum provided by that act, the sum of thirty dollars for each additional patent so to be issued; *Provided, however*, That no patent made prior to the aforesaid fifteenth day of December, shall be corrected and re-issued until a duplicate of the model and drawing of the thing as originally invented, verified by oath as shall be required by the Commissioner, shall be deposited in the Patent Office;

Nor shall any addition of an improvement be made to any patent heretofore granted, nor any new patent be issued for an improvement made in any machine, manufacture, or process, to the original inventor, assignee, or possessor, of a patent therefor, nor any disclaimer be admitted to record until a duplicate model and drawing of the thing originally intended, verified as aforesaid, shall have been deposited in the Patent Office, if the Commissioner shall require the same; nor shall any patent be granted for an invention, improvement, or discovery, the model or drawing of which shall have been lost, until another model and drawing, if required by the Commissioner, shall, in like manner, be deposited in the Patent Office;

No addition, &c. to be made to any patent heretofore granted, &c. until a verified duplicate model, &c. is deposited, &c.

And in all such cases, as well as in those which may arise under the third section of this act, the question of compensation for such models and drawings shall be subject to the judgment and decision of the commissioners provided for in the fourth section, under the same limitations and restrictions as are therein prescribed.

Compensation for models, &c.

Sec. 6. *And be it further enacted,* That any patent hereafter to be issued, may be made and issued to the assignee or assignees of the inventor or discoverer, the assignment thereof being first entered of record, and the application therefor being duly made, and the specification duly sworn to by the inventor. And in all cases hereafter, the applicant for a patent shall be held to furnish duplicate drawings, whenever the case admits of drawings, one of which to be deposited in the office, and the other to be annexed to the patent, and considered a part of the specification.

Patents hereafter to be issued.

Sec. 7. *And be it further enacted,* That, whenever any patentee shall have, through inadvertence, accident, or mistake, made his specification of claim too broad, claiming more than that of which he was the original or first inventor, some material and substantial part of the thing patented being truly and justly his own, any such patentee, his administrators, executors, and assigns, whether of the whole or of a sectional interest therein, may make disclaimer of such parts of the thing patented as the disclaimant shall not claim to hold by virtue of the patent or assignment, stating therein the extent of his interest in such patent; which disclaimer shall be in writing, attested by one or more witnesses, and recorded in the Patent Office, on payment by the person disclaiming, in manner as other patent duties are required by law to be paid, of the sum of ten dollars. And such disclaimer shall thereafter be taken and considered as part of the original specification, to the extent of the interest which shall be possessed in the patent or right secured thereby, by the disclaimant, and by those claiming by or under him subsequent to the record thereof. But no such disclaimer shall affect any action pending at the time of its being filed, except so far as may relate to the question of unreasonable neglect or delay in filing the same.

Whenever any patentee shall, through inadvertence, &c. make his specification too broad, &c. he, &c. may make disclaimer, &c.

Sec. 8. *And be it further enacted,* That, whenever application shall be made to the Commissioner for any addition of a newly-discovered improvement to be made to an existing patent, or whenever a patent shall be returned for correction and re-issue, the specification of claim annexed to every such patent shall be subject to revision and restriction, in the same manner as are original applications for patents; the Commissioner shall not add any such improvement to the patent in the one case, nor grant the re-issue in the other case, until the applicant shall have entered a disclaimer, or altered his specification of claim in accordance with the decision of the Commissioner; and in all such cases, the applicant, if dissatisfied with such decision, shall have the same remedy and be entitled to the benefit of the same privileges and proceedings as are provided by law in the case of original applications for patents.

Applications for additions to newly-discovered improvements to be made to existing patents &c.

When by mistake, &c. any patentee claims to be the original inventor of part of the thing patented, of which he was not, &c.

Sec. 9. *And be it further enacted*, any thing in the fifteenth section of the act to which this is additional to the contrary notwithstanding, That, whenever by mistake, accident, or inadvertence, and without any wilful default or intent to defraud or mislead the public, any patentee shall have in his specification claimed to be the original and first inventor or discoverer of any material or substantial part of the thing patented, of which he was not the first and original inventor, and shall have no legal or just right to claim the same, in every such case the patent shall be deemed good and valid for so much of the invention or discovery as shall be truly and bona fide his own; *Provided*, it shall be a material and substantial part of the thing patented, and be definitely distinguishable from the other parts so claimed without right as aforesaid. And every such patentee, his executors, administrators, and assigns, whether of the whole or of a sectional interest therein, shall be entitled to maintain a suit at law or in equity on such patent for any infringement of such part of the invention or discovery as shall be bona fide his own as aforesaid, notwithstanding the specification may embrace more than he shall have any legal right to claim. But, in every such case in which a judgment or verdict shall be rendered for the plaintiff, he shall not be entitled to recover costs against the defendant, unless he shall have entered at the Patent Office, prior to the commencement of the suit, a disclaimer of all that part of the thing patented which was so claimed without right: *Provided, however*, That no person bringing any such suit shall be entitled to the benefits of the provisions contained in this section, who shall have unreasonably neglected or delayed to enter at the Patent Office a disclaimer as aforesaid.

Proviso.

Further proviso.

Agents to be appointed to receive and forward models, &c.

Sec. 10. *And be it further enacted*, That the Commissioner is hereby authorized and empowered to appoint agents in not exceeding twenty of the principal cities or towns in the United States as may best accommodate the different sections of the country, for the purpose of receiving and forwarding to the Patent Office all such models, specimens of ingredients and manufactures, as shall be intended to be patented or deposited therein, the transportation of the same to be chargeable to the patent fund.

Two examining and one copying clerk to be appointed.

Temporary clerks may be employed.

Sec. 11. *And be it further enacted*, That, instead of one examining clerk, as provided by the second section of the act to which this is additional, there shall be appointed, in manner therein provided, two examining clerks, each to receive an annual salary of fifteen hundred dollars; and also, an additional copying clerk, at an annual salary of eight hundred dollars. And the Commissioner is also authorized to employ, from time to time, as many temporary clerks as may be necessary to execute the copying and draughting required by the first section of this act, and to examine and compare the records with the originals, who shall receive not exceeding seven cents for every page of one hundred words, and for drawings and comparison of records with originals, such reasonable compensation as shall be agreed upon or prescribed by the Commissioner.

Certificate of the commissioner to be sufficient warrant to the Treasurer.

Sec. 12. *And be it further enacted*, That, whenever the application of any foreigner for a patent shall be rejected and withdrawn for want of novelty in the invention, pursuant to the seventh section of the act to which this is additional, the certificate thereof of the Commissioner shall be a sufficient warrant to the Treasurer to pay back to such applicant two-thirds of the duty he shall have paid into the Treasury on account of such application.

Affirmation may be substituted for an oath.

Sec. 13. *And be it further enacted*, That in all cases in which an oath is required by this act, or by the act to which this is additional, if the person of whom it is required shall be conscientiously scrupulous of taking an oath, affirmation may be substituted therefor.

Moneys paid

Sec. 14. *And be it further enacted*, That all moneys paid into the

Treasury of the United States for patents and for fees for copies furnished by the Superintendent of the Patent Office prior to the passage of the act to which this is additional, shall be carried to the credit of the patent fund created by said act; and the moneys constituting said fund shall be, and the same are hereby, appropriated for the payment of the salaries of the officers and clerks provided for by said act, and all other expenses of the Patent Office, including all the expenditures provided for by this act; and, also, for such other purposes as are or may be hereafter specially provided for by law. And the Commissioner is hereby authorized to draw upon said fund, from time to time, for such sums as shall be necessary to carry into effect the provisions of this act, governed, however, by the several limitations herein contained. And it shall be his duty to lay before Congress, in the month of January, annually, a detailed statement of the expenditures and payments by him made from said fund; And it shall also be his duty to lay before Congress, in the month of January, annually, a list of all patents which shall have been granted during the preceding year, designating, under proper heads, the subjects of such patents, and furnishing an alphabetical list of the patentees, with their places of residence; and he shall also furnish a list of all patents which shall have become public property during the same period; together with such other information of the state and condition of the Patent Office, as may be useful to Congress or to the public.

into the Treasury for patents, &c. prior to passage of act to which this is additional, to be carried to credit of patent fund created by said act; and said fund appropriated for salaries, &c.

Commissioner authorized to draw upon same, &c.; and lay before Congress annually a statement of expenditures, &c.; and, also, a list of patents, &c.

Approved, March 3, 1837.

Statute II.
March 3, 1837.

Chap. XLVI.—*An Act to provide for continuing the construction, and for the repair of certain roads, and for other purposes, during the year eighteen hundred and thirty-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and ninety thousand dollars be, and the same is hereby, appropriated for the purpose of continuing the Cumberland road in the state of Ohio; That the sum of one hundred thousand dollars be, and the same is hereby appropriated, for the purpose of continuing the Cumberland road in the State of Indiana; And the sum of one hundred thousand dollars be and the same is hereby appropriated for the purpose of continuing the Cumberland road in the State of Illinois; *Provided*, That said road within the State of Illinois, shall not be stoned or gravelled, unless it can be done at a cost, not greater than the average cost, of stoning or gravelling said road, within the States of Ohio and Indiana; which sums shall be paid out of any money in the Treasury not otherwise appropriated; *Provided*, That in all cases where it can be done, it shall be the duty of the superintending officers, to cause the work on said road to be laid off in sections, and let out to the lowest substantial bidder, after due notice.

Continuing the Cumberland road in Ohio, Indiana, and Illinois.

Act of July 2, 1836, ch. 264.

Proviso.

Proviso.

Sec. 2. *And be it further enacted*, That the second section of an act for the continuation of the Cumberland road in the States of Ohio, Indiana and Illinois, approved the second day of July, eighteen hundred and thirty-six, shall not be applicable to expenditures hereafter to be made on said road.

2d section act 2d July, 1836, ch. 264, shall not be applicable, &c.

Sec. 3. *And be it further enacted*, That the following sums be and the same are hereby appropriated, to be paid out of any money in the Treasury, not otherwise appropriated, to wit: For the repairs of the Cumberland road, east of the Ohio river, seven thousand one hundred and eighty-three dollars and sixty-three cents;

Repairs on the Cumberland road east of the Ohio river.

For continuing the construction of the road from the northern boundary of the Territory of Florida, by Marianna, to Appalachicola, twenty thousand three hundred and thirteen dollars;

Road from northern boundary of Florida to Appalachicola.

Expenses incidental to making examinations, &c., under act 30th April, 1824, ch. 46, &c.

For defraying the expenses incidental to making examinations and surveys, under the act of the thirteenth of April, eighteen hundred and twenty-four, and for geological and mineralogical surveys and researches in the Indian country, on the public lands, and in the territories of the United States, thirty thousand dollars;

Surveys of a military character, &c.

For surveys of a military character, and for the defences of the Atlantic and western frontiers, fifteen thousand dollars.

The sums hereby appropriated for the Cumberland road in Ohio, Indiana, and Illinois, to be replaced by said States, &c.

Sec. 4. *And be it further enacted*, That the several sums hereby appropriated for the construction of the Cumberland road in the States of Ohio, Indiana and Illinois, shall be replaced by said States respectively, out of the fund reserved to each for laying out and making roads under the direction of Congress, by the several acts passed for the admission of said States into the Union, on an equal footing with the original States.

Approved, March 3, 1837.

Statute II.

March 3, 1837.

Chap. XLIX.—*An Act to grant the Atchafalaya Railroad and Banking Company the right of way through the public lands of the United States.*

The right of way granted through such portions as the road shall pass.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby granted to the Atchafalaya Railroad and Banking Company, a corporation created by the Legislature of the State of Louisiana, the right of way through such portions of the public land as the road or roads of said company is authorized by its charter to construct, shall pass:

Proviso.

Provided, That the portion of the public land occupied thereby shall not exceed eighty feet in width.

The route of said road to be surveyed and designated through the public lands, &c.

Sec. 2. *And be it further enacted*, That the route of said road and its branches, shall, at the expense of the aforesaid company, be surveyed and designated through the public lands by plain marks or monuments, and copies of the field-notes, with plat or plats of the lands, and a description of the said land-marks or monuments, and their connection with the previous official surveys of the adjacent lands, shall be returned to the office of the Surveyor General of the State of Louisiana, and to the General Land Office in Washington, within sixty days after the said surveys or plats are completed, and which shall be within one year from the date of the passage of this act.

Portions of the public land granted for depots, &c.

Sec. 3. *And be it further enacted*, That for such depots, watering places and workshops, as may be essential to the convenient use of said road, there is also granted to said company such portion of the public land as they may under like restrictions and conditions, select, on either or each side of said road:

Proviso.

Provided, That not more than four acres, to be laid off in a square form, shall be selected for such use or purpose at any one place, and not more than one such square shall be granted for every ten miles of the said road or its branches, lying within the public lands; which selections shall be surveyed and returned in the manner aforesaid, and approved by the Secretary of the Treasury for the time being.

Permission to use earth, stone, &c., granted.

Sec. 4. *And be it further enacted*, That so long as the public land in the vicinity of said road or its branches shall remain unsold, the said company shall have permission to take therefrom such materials of earth, stone, or wood, as may be necessary for the construction of said road.

The grants contained herein shall cease, &c., unless said road be commenced and completed with-

Sec. 5. *And be it further enacted*, That the grants herein contained, as well the use of the public lands, as of the materials for the construction of said road and its branches, shall cease and determine and be of no effect, unless the said road be commenced and completed within the periods fixed by the charter of the company; and if the said road shall be, at any time after its completion, or during the time of its construc-

tion, discontinued or abandoned by said company, the grants and privileges hereby made and allowed shall cease and determine and be of no effect.

in the periods fixed by the charter, &c.

Approved, March 3, 1837.

Statute II.
March 3, 1837.

Chap. LI.—*An Act further to amend the act incorporating the Chesapeake and Ohio Canal Company.*(a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of the General Assembly of Virginia, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," passed the twenty-seventh day of February, eighteen hundred and twenty-nine, be, and the same is hereby assented to and approved.

Act of May 23, 1828, ch. 85.
Act of General Assembly of Va., passed 27th Feb., 1829, assented to.

Sec. 2. *And be it further enacted*, That if any person or persons shall, within the District of Columbia, wickedly, or maliciously, do injury to the Chesapeake and Ohio canal, its embankments, walls, moles, tow-paths, bridges, culverts, drains, or to any part necessary to the uses and purposes of said canal, he, she, or they, shall be liable to a fine of not less than five or more than fifty dollars, to be recovered before any justice of the peace of the District of Columbia; and any such justice may, on his own view, or on application verified by affidavit, to said justice made, issue his warrant, describing the injury committed, and, upon conviction, the said justice shall have authority to commit the offender to close jail, without bail or mainprise, until said fine and costs be paid, or until said defendant be discharged by due course of law: *Provided, however*, That nothing in this act contained shall be so construed as to prevent said canal company from recovering damages from any person or persons who may commit any of the trespasses aforesaid.

Persons within the D. C., wickedly, &c., injuring the Chesapeake and Ohio canal, its embankments, &c., liable to fine, &c.

Proviso.

Sec. 3. *And be it further enacted*, That all condemnations of land for the use and purposes of said canal company, which have heretofore been made by the marshal of said District, or any lawful deputy marshal, shall be as valid as though the same had been situated in the State of Maryland, and had been condemned in pursuance of the laws of said State, through the action and agency of a sheriff of any of the counties of said State.

Condemnations of land by the marshal of D. C., &c.

Approved, March 3, 1837.

Statute II.
March 3, 1837.

Chap. LII.—*An Act to authorize the New Orleans and Carrollton Railroad Company to construct a railroad from Carrollton to the town of Bayou Sara, in the State of Louisiana.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the New Orleans and Carrolton Railroad Company, incorporated by the Legislature of Louisiana, the right of way through such portion of the public lands remaining unsold, for the extension of their railroad from Carrolton to the town of Bayou Sara, in the said State: *Provided*, That the portion of the public lands occupied therefor, shall not exceed eighty feet in breadth; that the route of the said road shall be designated, and marked on the ground by plain landmarks, within the period of eighteen months from the passage of this act, and a copy of the notes of survey and plat thereof, with a description of the said landmarks, be transmitted to the General Land Office, in Washington, within the period aforesaid.

Right of way granted through portions of the public lands remaining unsold.

Proviso.

Sec. 2. *And be it further enacted*, That so long as the public lands in the vicinity of the said road shall remain unsold, the said company shall have power to take therefrom such materials of earth, stone, and

Earth, stone, &c., may be used while said lands remain unsold.

(a) See Appendix, No. 2.

wood, as may be necessary for the construction of the said road: *Provided*, That the grants herein contained, as well of the use of the public lands as of the materials for the said road, shall cease and determine, unless the same shall be begun within the period of two years from the date of this act, and completed within a period of six years.

Proviso.

Approved, March 3, 1837.

Statute II.

March 3, 1837.

Chap. LXXV.—*An Act to give the approval and confirmation of Congress to three several acts of the Legislative Assembly of the Territory of Wisconsin incorporating banks.*

Acts confirmed with certain limitations, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following acts of the Territorial Legislature of the Territory of Wisconsin, viz: an act entitled "An act to incorporate the stockholders of the Bank of Milwaukee," an act entitled "An act to incorporate the stockholders of the Miners' Bank of Dubuque," and an act entitled "An act to incorporate the stockholders of the Bank of Mineral Point," be, and the same are hereby severally and respectively approved and confirmed by Congress, with the following limitations and conditions, that is to say: that neither of said banks shall issue bills or notes for circulation, until one-half of the amount of their respective capitals shall have been actually paid in; and that, to enable the directors named in the said charters respectively to comply with this limitation and restriction, they shall be authorized to make calls, according to the provisions contained in the said charters, to an amount not exceeding, at any one time, forty per cent. upon the whole stock subscribed by each stockholder, and shall not be restricted to ten per cent. at any one call, as is provided in the said charters; and that neither of said banks shall have any authority to enlarge or augment its capital, or to make it larger, at any time, than the sum of two hundred thousand dollars, without the consent and approbation of Congress previously obtained; and that neither of the said banks shall, at any time, owe, either by bond, bill, note, or other contract, over and above its actual deposites, an amount to exceed twice the amount of its capital stock actually paid in, instead of the limitation in this respect contained in the said charters respectively; and that each of the said banks shall have complied with all the requirements of their respective charters, as altered, modified, and restricted by this act, so as to enable them to commence the business of banking, and shall actually have commenced banking on or before the first day of January next, or their charters, or the charters of such of them as shall have failed to comply with this limitation, shall be void and of no effect; and the acceptance of said acts of incorporation, by the grantees or stockholders respectively, shall be deemed and taken as acceptances, subject to the conditions and limitations herein prescribed; and any infringement upon, or violation of, the provisions and requirements of this act, or of the limitations and restrictions therein contained, on the part of either of the said institutions, shall forfeit its charter, and put an end to its corporate powers and privileges.

Approved, March 3, 1837.

RESOLUTIONS.

March 2, 1837.

No. 1. *A Resolution to enable the Postmaster General more readily to change the commencement of the contract year in the Post Office Department.*

Postmaster General author-

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General be, and he is hereby, authorized and empowered to let the contracts for the transportation of the mails in those sections of the United States

where they expire on the thirty-first days of December, eighteen hundred and thirty-seven, eighteen hundred and thirty-eight, and eighteen hundred and thirty-nine, respectively, for four years and six months, so as to cause them to terminate on the thirtieth day of June, eighteen hundred and forty-two, eighteen hundred and forty-three, and eighteen hundred and forty-four, to the end that the contract may commence on the first day of July, instead of the first day of January.

ized to make contracts which expire on 31st December, 1837, '8, and '9, and terminate on 30th June, 1842, '3, and '4.

APPROVED, March 2, 1837.

No. 2. *A Resolution granting a pension to Susan Decatur, widow of the late Stephen Decatur.*(a)

March 3, 1837.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Susan Decatur, widow of the late Commodore Stephen Decatur, be paid from the navy pension fund a pension for five years, commencing from the thirtieth of June, eighteen hundred and thirty-four, in conformity with the provisions of the act concerning naval pensions and the navy pension fund, passed thirtieth June eighteen hundred and thirty-four, and that she be allowed from said fund the arrearages of the half-pay of a post captain, from the death of Commodore Decatur to the thirtieth of June, eighteen hundred and thirty-four, together with the pension hereby allowed her, and that the arrearage of said pension be vested in the Secretary of the Treasury in trust for the use of the said Susan Decatur: *Provided,* That the said pension shall cease on the death or marriage of the said Susan Decatur.

To be paid from the navy pension fund, a pension for five years, &c.

Act of June 30, 1834, ch. 134.

Proviso.

APPROVED, March 3, 1837.

(a) On the 3d of March, 1837, Congress passed an act giving to the widow of any officer who had died in the naval service of the United States, authority to receive, out of the navy pension fund, half the monthly pay to which the deceased officer would have been entitled under the acts regulating the pay in the navy, in force on the 1st day of January, 1835. On the same day, a resolution was adopted by Congress, giving to Mrs. Decatur, widow of Captain Stephen Decatur, a pension for five years, out of the navy pension fund, and in conformity with the act of 30th June, 1834, and the arrearages of the half-pay of a post captain, from the death of Commodore Decatur, to the 30th June, 1834; the arrearages to be vested in trust for her by the Secretary of the Treasury. The pension and arrearages, under the act of 3d March, 1837, were paid to Mrs. Decatur on her application to Mr. Dickerson, the Secretary of the Navy, under a protest by her, that by receiving the same she did not prejudice her claim under the resolution of the same date. She applied to the Secretary of the Navy for the pension and arrears, under the resolution, which were refused by him. Afterwards, she applied to Mr. Paulding, who succeeded Mr. Dickerson as Secretary of the Navy, for the pension and arrears, which were refused by him. The Circuit Court of the County of Washington, in the District of Columbia, refused to grant a mandamus to the Secretary of the Navy, commanding him to pay the arrears, and to allow the pension under the resolution of March 3d, 1837. Held, that the judgment of the Circuit Court was correct. Decatur *v.* Paulding, 14 Peters, 497.

In general, the official duties of the head of one of the executive departments, whether imposed by act of Congress or by resolution, are not mere ministerial duties. The head of an executive department of the government, in the administration of the various and important concerns of his office, is continually required to exercise judgment and discretion. He must exercise his judgment in expounding the laws and resolutions of Congress, under which he is from time to time required to act. If he doubts, he has a right to call on the Attorney General to assist him with his counsel; and it would be difficult to imagine why a legal adviser was provided by law for the heads of departments, as well as for the President, unless their duties were regarded as executive, in which judgment and discretion were to be exercised. *Ibid.*

If a suit should come before the Supreme Court which involved the construction of any of the laws imposing duties on the heads of the executive departments, the Court certainly would not be bound to adopt the construction given by the head of a department. And if they supposed his decision to be wrong, they would, of course, so pronounce their judgment. But the judgment of the Court upon the construction of a law, must be given in a case in which they have jurisdiction; and in which it is their duty to interpret the act of Congress, in order to ascertain the rights of the parties in the cause before them. The Court could not entertain an appeal from the decision of one of the Secretaries, nor revise his judgment in any case where the law authorized him to exercise his discretion or judgment. Nor can it, by mandamus, act directly upon the officer, or guide and control his judgment or discretion in the matters committed to his care, in the ordinary discharge of his official duties. The interference of the Court with the performance of the ordinary duties of the executive departments of the government would be productive of nothing but mischief; and this power was never intended to be given to them. *Ibid.*

March 3, 1837.

No. 4. *Resolution authorizing the Secretary of the Treasury to correct a clerical error in the award of the Commissioners under the treaty with France of eighteen hundred and thirty-one.*

In the case of the claim of the Union Bank of Maryland, the error to be corrected.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is authorized and directed, in making payment of the two last instalments to the claimants under the treaty with France of July four, eighteen hundred and thirty-one, to correct a clerical mistake which occurred in the award of the Commissioners in the case of the claim of the Union Bank of Maryland; by which mistake the sum of ten thousand dollars awarded to said bank, has gone to the use of all the other claimants; and that he correct such mistake by making the proper alteration in the proportion to be paid to the several claimants in the said two last instalments, so that all the claimants shall obtain their just proportion of the whole indemnity and no more.

Approved, March 3, 1837.

March 3, 1837.

No. 5. *A Resolution authorizing the Secretary of the Treasury to receive from the Bank of the United States, under the Pennsylvania charter, payment for the stock of the United States, in the late Bank of the United States.*

The terms of settlement proposed by the President and Directors of the Bank of the United States, under the Pennsylvania charter, to be accepted.

Proviso.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be directed to accept the terms of settlement proposed by the President and Directors of the Bank of the United States, under the Pennsylvania charter, in their memorial to Congress, presented at the present session, for the payment to the United States of the capital stock owned by them in the late Bank of the United States, and the final adjustment and settlement of the claims connected with, or arising out of the same; and to take such obligation for the payment of the several instalments in said proposed terms of settlement mentioned, as he may think proper: *Provided,* That nothing herein contained shall prejudice or affect in any way the question, between the General Government of the United States, and the late Bank of the United States, respecting the claim for damages on account of the protest of the bill of exchange, drawn on the French Government.

Approved, March 3, 1837.