

CHAP. CXXXV.—*An Act to amend the Act approved twenty-sixth August, eighteen hundred and fifty-two, entitled "An Act to Reduce and Define the Boundaries of the Military Reserve at Saint Peter's River, in the Territory of Minnesota," and for other Purposes.* March 2, 1855.  
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1852, ch. 95.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act approved twenty-sixth August, eighteen hundred and fifty-two, "to reduce and define the boundaries of the military reserve at Saint Peter's River, in the Territory of Minnesota," shall be, and the same is hereby, amended, so that the lands authorized to be sold at public sale by that act shall be subject to the operations of the laws regulating the sale and disposition of the public lands: *Provided, however,* That where any of said lands are claimed by preëmption, under settlement and cultivation made prior to the passage of this act, proof and payment shall be made within three months after its passage; and where any of said lands come within the provisions of the act of twenty-third May, eighteen hundred and forty-four, for the relief of the citizens of towns upon the lands of the United States, under certain circumstances, such proof and payments shall also be made within three months after the passage of this act; and in either case, if the entries are not made within that time, the claim shall be forfeited: *Provided, further,* That where two or more persons are settled upon the same legal subdivision, they shall be permitted to enter it jointly,—the right of each to be in proportion to the extent of his improvements.

Sale of the lands in the military reserve at St. Peter's.

Preëmption in the same.

1844, ch. 17.

Proviso.

SEC. 2. *And be it further enacted,* That the Reverend E. G. Gear shall be, and he is hereby, authorized to enter lots numbers one and two and the west half of the northeast quarter of section four, in township twenty-eight north, of range twenty-four west, of the fourth principal meridian, in the Minneapolis district, at one dollar and twenty-five cents per acre.

E. G. Gear authorized to enter certain land in the Minneapolis district.

APPROVED, March 2, 1855.

CHAP. CXXXVI.—*An Act to provide a more Efficient Discipline for the Navy.* March 2, 1855.

*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 every commanding officer of any of the vessels of the navy, on returning from a cruise, to forward, immediately on his arrival in port, to the Secretary of the Navy, a list of the names of such of the crew who enlisted for three years as, in his opinion, on being discharged, are entitled to an "honorable discharge," as a testimonial of fidelity and obedience; and that he shall grant the same to such, according to the form to be prescribed by the Secretary of the Navy.

Commanding officers to report and give a certificate to seamen entitled to an honorable discharge.

SEC. 2. *And be it further enacted,* That if any seaman, ordinary seaman, landsman, or boy, shall reenlist for three years, within three months after his discharge, he shall, on presenting his honorable discharge, or on accounting in a satisfactory manner for its loss, be entitled to pay during the said three months, equal to that to which he would have been entitled if he had been employed in actual service.

Bounty for reenlistment of seamen having an honorable discharge.

SEC. 3. *And be it further enacted,* That it shall be the duty of commanders of any vessel in the navy, in granting temporary leave of absence and liberty on shore, to exercise carefully a discrimination in favor of the faithful and obedient.

Leave of absence.

SEC. 4. *And be it further enacted,* That summary courts-martial may be ordered upon petty officers and persons of inferior ratings, by the commander of any vessel in the navy to which such persons belong, for the trial of offences which he may deem deserving of greater punishment than the commander of a vessel himself is by law authorized to inflict of his own authority, but not sufficient to require trial by general court-martial.

Summary courts-martial on petty officers, &c.

- How constituted.** SEC. 5. *And be it further enacted,* That summary courts-martial shall consist of three officers not below the rank of passed midshipmen, and of some competent person to act as recorder. Before proceeding to trial, the members shall take the following oath or affirmation, which the recorder is hereby authorized to administer: "You, A. B., do solemnly swear (or affirm) that you will well and truly try, without prejudice or partiality, the case now depending, according to the evidence which shall be adduced, the laws for the government of the navy, and your own conscience. So help you God."
- Oath.**
- Recorder's oath.** After which, the recorder of the court shall take the following oath or affirmation, which the senior member of the court shall administer: "You, A. B., do solemnly swear (or affirm) that you will keep a true record of the evidence which may be given before this court, and of the proceedings thereof. So help you God."
- Appointment of recorder.** SEC. 6. *And be it further enacted,* That the commander of a ship shall have authority to order any officer under his command to act as the recorder of a summary court-martial.
- Testimony.** SEC. 7. *And be it further enacted,* That all testimony given before such court shall be given orally, on oath or affirmation, which the senior member of the court shall administer.
- Sentences of summary courts-martial.** That summary courts-martial may sentence petty officers and persons of inferior ratings to any one of the following punishments, viz:—
- First.* Discharge from the service with bad conduct discharge, but the sentence not to be carried into effect in a foreign country.
- Second.* Solitary confinement in irons, single or double, on bread and water, or diminished rations, provided no such confinement shall exceed thirty days.
- Third.* Solitary confinement in irons, single or double, not exceeding thirty days.
- Fourth.* Solitary confinement not exceeding thirty days.
- Fifth.* Confinement not exceeding two months.
- Sixth.* Reduction to next inferior rating.
- Seventh.* Deprivation of liberty on shore on foreign station.
- Eighth.* Extra police duties, and loss of pay, not to exceed three months, may be added to any of the above-mentioned punishments.
- Approval of sentences.** SEC. 8. *And be it further enacted,* That no sentence of a summary court-martial shall be carried into effect without the approval of the officer ordering the court; who shall have power to remit, in part or altogether, but not to commute any such sentence. And it shall be the duty of any such commanding officer to remit any part or the whole of any sentence by a summary court-martial, the execution of which would, in the opinion of the surgeon or senior medical officer on board, given in writing, produce serious injury to the health of the person sentenced; or, in case he shall refuse to do so, it shall be his duty, without delay, to submit the case again to the same or to another summary court-martial, which shall have power, upon the testimony already taken, to remit the former punishment, and to assign some other of the authorized punishments in the place thereof.
- Their remission.**
- Rehearing on refusal to remit.**
- How proceedings shall be conducted.** SEC. 9. *And be it further enacted,* That the proceedings of summary courts-martial shall be conducted with as much conciseness and precision as may be consistent with the ends of justice, and under such forms and rules as may be prescribed by the Secretary of the Navy, with the approval of the President of the United States; and all such proceedings shall be transmitted, in the usual mode, to the Navy Department.
- General courts-martial may inflict the above punishments.** SEC. 10. *And be it further enacted,* That any punishments authorized by this act to be inflicted by a summary court-martial may likewise be inflicted by any general court-martial.
- Penalty for enticing a person** SEC. 11. *And be it further enacted,* That any person who shall entice any seaman, ordinary seaman, landsman, or boy, who may have enlisted

into the naval service of the United States, to desert therefrom, or who shall conceal any person who may have so deserted, and shall refuse to deliver him up upon the order of his commanding officer, shall, upon legal conviction thereof, be fined at the discretion of the court, in any sum not exceeding three hundred dollars, or be imprisoned for any term not exceeding one year.

to desert, or harboring a deserter.

APPROVED, March 2, 1855.

CHAP. CXXXVII.—*An Act to amend "An Act to establish a Land District in the State of Florida, to be called the District of Tampa."*

March 2, 1855.

*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 appoint, by and with the advice and consent of the Senate, a register and a receiver for the land district called Tampa, in the State of Florida, which district was created by the act approved August fifth, eighteen hundred and fifty-four, whose compensation, duties, responsibilities, and emoluments shall be the same as is or may be prescribed by law for other land officers in said State.

Register and receiver for Tampa land district.

1854, ch. 276.

APPROVED, March 2, 1855.

CHAP. CXXXVIII.—*An Act to establish the Collection Districts of Cape Perpetua and Port Orford, in the Territory of Oregon, and to fix the Salaries of the Officers of the Customs therein.*

March 2, 1855.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, constituted and established the collection districts of Cape Perpetua and Port Orford, in the Territory of Oregon. That the first-named district shall embrace the coast of the Pacific Ocean, from Kowes Bay, exclusive to Cape Perpetua, and all of the said territory lying south of a line running parallel with the southern boundary line of Oregon, from Cape Perpetua to the eastern boundary of Oregon, except so much as is included in the district of Port Orford, and to include all the islands, bays, harbors, inlets, shores, rivers, and waters within said boundaries, and that Gardiner (Umpqua) shall be the port of entry for said district. That the last-named district shall extend from the line dividing said territory and the State of California, along the Pacific coast, so far as to include Kowes Bay; thence east to the one hundred and twenty-third degree of longitude; thence south along said line to the line dividing the State of California and Oregon Territory; thence by said line to the place of beginning; and to include all the islands, bays, harbors, inlets, rivers, shores, and waters embraced in said boundaries, and that Port Orford shall be the port of entry; and Kowes Bay the port of delivery for said district.

Collection districts of Cape Perpetua and Port Orford, established in Oregon.

SEC. 2. *And be it further enacted,* That for each of the collection districts of Cape Perpetua and Port Orford, in the Territory of Oregon, the President shall, by and with the advice and consent of the Senate, appoint a collector, who shall perform the duties of collector and surveyor of the port, and who shall each reside at the port of entry of their respective districts, and receive an annual salary of two thousand dollars each. The Secretary of the Treasury shall have authority to appoint, on the nomination of said collectors, deputy collectors for each of the above-named districts, equal to the number of the ports of delivery in said districts, or at as many of said ports of delivery as he shall deem expedient, and to fix the compensation of said deputies, not to exceed the sum of one thousand dollars per annum. He may also, if he shall deem it expedient, appoint one clerk for each of said collectors, to keep the accounts of the office, and act as auditor in the settlement thereof, at an

Collectors and surveyors for said districts.

Deputy collectors.

Collectors' clerk.