

SEC. 3. *And be it further enacted,* That in all cases in which the streets, avenues, or alleys of the said city pass through or by any of the property of the United States, the commissioner of the public buildings shall pay to the duly authorized officer of the corporation the just proportion of the expense incurred in improving such avenue, street, or alley, which the said property bears to the whole cost thereof, to be ascertained in the same manner as the same is apportioned among the individual proprietors of the property improved thereby.

The United States to pay its proportion for improvements in certain streets.

APPROVED, May 5, 1864.

CHAP. LXXXII. — *An Act for the Relief of the Settlers upon certain Lands in California.*

May 5, 1864.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any and all persons claiming, whether as preëmtors or settlers, or under any grant or title, any of the lands included within the exterior boundaries of a certain grant for the rancho San Ramon, situate in the county of Contra Costa, in California, made to Bartolo Pacheco and Mariana Castro by Don José Figueroa, governor of Upper California, on or about the tenth day of June, eighteen hundred and thirty-three, and which claim, or two leagues thereof, has been confirmed by the district court of the United States in separate moieties, one in the name of Horace W. Carpenter, and the other in the name of Rafael Soto de Pacheco and others, by a decree of said court made and entered on or about the fourth day of June, eighteen hundred and sixty-two, shall have the right in all courts to contest the correctness of the location of the lands so confirmed, within the said exterior boundaries, notwithstanding any official or approved survey thereof now made or hereafter to be made under the said decree of confirmation, and notwithstanding any stipulation or consent given by the district attorney of the United States authorizing such locations.

Claimants of certain lands within a grant for the rancho San Ramon, may contest the location thereof.

SEC. 2. *And be it further enacted;* That in case it shall be found that the United States have title to any of said lands within said exterior boundaries, which have been settled upon and improved by any person, in good faith, under a bona fide claim of title, such occupant, and each settler upon said lands so situated, shall be entitled to enter and receive a patent for one hundred and sixty acres of land, including his improvements, upon payment, at the proper land-office, of the government price of one dollar and twenty-five cents per acre, and proving that he was one of the actual and bona fide settlers on said lands, and had made improvements thereon before the passage of this act.

If the United States has title to any of these lands, bona fide settlers thereon shall have a patent, &c.

SEC. 3. *And be it further enacted,* That this act shall take effect immediately.

When this act takes effect.

APPROVED, May 5, 1864.

CHAP. LXXXIII. — *An Act to regulate the Admeasurement of Tonnage of Ships and Vessels of the United States.*

May 6, 1864.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every ship or vessel built within the United States, or that may be owned by a citizen or citizens thereof, on or after the first day of January, eighteen hundred and sixty-five, shall be measured and registered in the manner hereinafter provided; also every ship or vessel that is now owned by a citizen or citizens of the United States shall be remeasured and reregistered upon her arrival after said day at a port of entry in the United States, and prior to her departure therefrom, in the same manner as hereinafter described: *Provided,* That any ship or vessel built within the United States after the passage of this act may be measured and registered in the manner herein provided.

[Amended, 1865, ch. 70. Post, p. 444.]  
Ships and vessels of the United States, how to be measured and registered.

Proviso.

SEC. 2. *And be it further enacted,* That the register of every vessel

Register to express what.

shall express her length and breadth, together with her depth and the height under the third or spar deck, which shall be ascertained in the following manner: The tonnage-deck, in vessels having three or more decks to the hull, shall be the second deck from below; in all other cases the upper deck of the hull is to be the tonnage-deck. The length from the forepart of the outer planking, on the side of the stem, to the afterpart of the main sternpost of screw steamers, and to the afterpart of the rudderpost of all other vessels measured on the top of the tonnage-deck, shall be accounted the vessel's length. The breadth of the broadest part on the outside of the vessel shall be accounted the vessel's breadth of beam. A measure from the under side of tonnage-deck plank, amidships, to the ceiling of the hold (average thickness) shall be accounted the depth of hold. If the vessel has a third deck, then the height from the top of the tonnage-deck plank to the under side of the upper-deck plank shall be accounted as the height under the spar-deck. All measurement to be taken in feet and fractions of feet; and all fractions of feet shall be expressed in decimals.

SEC. 3. *And be it further enacted,* That the register tonnage of a vessel shall be her entire internal cubical capacity in tons of one hundred cubic feet each, to be ascertained as follows: Measure the length of the vessel in a straight line along the upper side of the tonnage-deck, from the inside of the inner plank (average thickness,) at the side of the stem to the inside of the plank on the stern timbers, (average thickness,) deducting from this length what is due to the rake of the bow in the thickness of the deck, and what is due to the rake of the stern-timber in the thickness of the deck, and also what is due to the rake of the stern-timber in one third of the round of the beam; divide the length so taken into the number of equal parts required by the following table, according to the class in such table to which the vessel belongs:—

Table of classes of vessels.

TABLE OF CLASSES.

Class first,	Class 1. — Vessels of which the tonnage length according to the above measurement is fifty feet or under, into six equal parts.
second,	Class 2. — Vessels of which the tonnage length according to the above measurement is above fifty feet, and not exceeding one hundred feet long, into eight equal parts.
third,	Class 3. — Vessels of which the tonnage length according to the above measurement is above one hundred feet long, and not exceeding one hundred and fifty feet long, into ten equal parts.
fourth,	Class 4. — Vessels of which the tonnage length according to the above measurement is above one hundred and fifty feet, and not exceeding two hundred feet long, into twelve equal parts.
fifth,	Class 5. — Vessels of which the tonnage length according to the above measurement is above two hundred feet, and not exceeding two hundred and fifty feet long, into fourteen equal parts.
sixth.	Class 6. — Vessels of which the tonnage length according to the above measurement is above two hundred and fifty feet long, into sixteen equal parts.

Transverse area of vessel, how ascertained.

Then, the hold being sufficiently cleared to admit of the required depths and breadths being properly taken, find the transverse area of such vessel at each point of division of the length as follows:—

Measure the depth at each point of division from a point at a distance of one third of the round of the beam below such deck, or, in case of a break, below a line stretched in continuation thereof, to the upper side of the floor-timber, at the inside of the limber-strake, after deducting the average thickness of the ceiling, which is between the bilge-planks and limber-strake; then, if the depth at the midship division of the length do not exceed sixteen feet, divide each depth into four equal parts; then measure the inside horizontal breadth, at each of the three points of divis-

ion, and also at the upper and lower points of the depth, extending each measurement to the average thickness of that part of the ceiling which is between the points of measurement; number these breadths from above, (numbering the upper breadth one, and so on down to the lowest breadth;) multiply the second and fourth by four, and the third by two; add these products together, and to the sum add the first breadth and the last, or fifth; multiply the quantity thus obtained by one third of the common interval between the breadths, and the product shall be deemed the transverse area; but if the midship depth exceed sixteen feet, divide each depth into six equal parts, instead of four, and measure, as before directed, the horizontal breadths at the five points of division, and also at the upper and lower points of the depth; number them from above as before; multiply the second, fourth, and sixth, by four, and the third and fifth by two; add these products together, and to the sum add the first breadth and the last, or seventh; multiply the quantities thus obtained by one third of the common interval between the breadths, and the product shall be deemed the transverse area.

Transverse  
area.

Having thus ascertained the transverse area at each point of division of the length of the vessel, as required above, proceed to ascertain the register tonnage of the vessel in the following manner:—

Register ton-  
nage, how ascer-  
tained;

Number the areas successively one, two, three, &c., number one being at the extreme limit of the length at the bow, and the last number at the extreme limit of the length at the stern; then whether the length be divided according to table, into six or sixteen parts, as in classes one and six, or any intermediate number, as in classes two, three, four, and five, multiply the second, and every even-numbered area, by four, and the third and every odd-numbered area (except the first and last) by two; add these products together, and to the sum add the first and last, if they yield anything; multiply the quantities thus obtained by one third of the common interval between the areas, and the product will be the cubical contents of the space under the tonnage-deck; divide this product by one hundred, and the quotient, being the tonnage under the tonnage-deck, shall be deemed to be the register tonnage of the vessel, subject to the additions hereinafter mentioned.

If there be a break, a poop, or any other permanent closed-in space on the upper decks, on the spar-deck, available for cargo, or stores, or for the berthing or accommodation of passengers or crew, the tonnage of such space shall be ascertained as follows:—

when there is  
a break, or poop,  
on upper or spar-  
deck;

Measure the internal mean length of such space in feet, and divide it into an even number of equal parts of which the distance asunder shall be most nearly equal to those into which the length of the tonnage-deck has been divided; measure at the middle of its height the inside breadths, namely, one at each end and at each of the points of division, numbering them successively one, two, three, &c.; then to the sum of the end breadths add four times the sum of the even-numbered breadths and twice the sum of the odd-numbered breadths, except the first and last, and multiply the whole sum by one third of the common interval between the breadths; the product will give the mean horizontal area of such space; then measure the mean height between the planks of the decks, and multiply by it the mean horizontal area; divide the product by one hundred, and the quotient shall be deemed to be the tonnage of such space, and shall be added to the tonnage under the tonnage-decks, ascertained as aforesaid.

If a vessel has a third deck, or spar-deck, the tonnage of the space between it and the tonnage-deck shall be ascertained as follows:—

when there is  
a third deck.

Measure in feet the inside length of the space, at the middle of its height, from the plank at the side of the stem, to the plank on the timbers at the stern, and divide the length into the same number of equal parts into which the length of the tonnage-deck is divided; measure (also at

Register tonnage.

the middle of its height) the inside breadth of the space at each of the points of division, also the breadth of the stem and the breadth at the stern; number them successively one, two, three, and so forth, commencing at the stem; multiply the second, and all other even-numbered breadths by four, and the third, and all the other odd-numbered breadths (except the first and last) by two; to the sum of these products add the first and last breadths, multiply the whole sum by one third of the common interval between the breadths, and the result will give, in superficial feet, the mean horizontal area of such space; measure the mean height between the plank of the two decks, and multiply by it the mean horizontal area, and the product will be the cubical contents of the space; divide this product by one hundred, and the quotient shall be deemed to be the tonnage of such space, and shall be added to the other tonnage of the vessel, ascertained as aforesaid. And if the vessel has more than three decks, the tonnage of each space between decks, above the tonnage-deck, shall be severally ascertained in the manner above described, and shall be added to the tonnage of the vessel, ascertained as aforesaid.

Tonnage of open vessels.

In ascertaining the tonnage of open vessels the upper edge of the upper strake is to form the boundary line of measurement, and the depth shall be taken from an athwartship line, extending from upper edge of said strake at each division of the length.

Register to express number of decks, tonnage, &c.

The register of the vessel shall express the number of decks, the tonnage under the tonnage-deck, that of the between-decks, above the tonnage-deck; also that of the poop or other enclosed spaces above the deck, each separately. In every registered United States ship or vessel the number denoting the total registered tonnage shall be deeply carved or otherwise permanently marked on her main beam, and shall be so continued; and if it at any time cease to be so continued such vessel shall no longer be recognized as a registered United States vessel.

Tonnage to be marked on main beam.

Charges for measurement, and for certifying the same.

SEC. 4. *And be it further enacted*, That the charge for the measurement of tonnage and certifying the same shall not exceed the sum of one dollar and fifty cents for each transverse section under the tonnage-deck; and the sum of three dollars for measuring each between-decks above the tonnage-deck; and the sum of one dollar and fifty cents for each poop, or closed-in space available for cargo or stores, or for the berthing or accommodation of passengers, or officers and crew above the upper or spar-deck.

Provisions of this act not to apply to certain vessels.

SEC. 5. *And be it further enacted*, That the provisions of this act shall not be deemed to apply to any vessel not required by law to be registered, or enrolled, or licensed, and all acts and parts of acts inconsistent with the provisions of this are hereby repealed.

APPROVED, May 6, 1864.

May 12, 1864.

CHAP. LXXXIV. — *An Act for a Grant of Lands to the State of Iowa, in alternate Sections, to aid in the Construction of a Railroad in said State.*

Land granted to Iowa for a railroad from Sioux City, to south line of state;

for the McGregor Western railroad.

*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 state of Iowa, for the purpose of aiding in the construction of a railroad from Sioux City, in said state, to the south line of the state of Minnesota, at such point as the said state of Iowa may select between the Big Sioux and the west fork of the Des Moines river; also to said state for the use and benefit of the McGregor Western Railroad Company, for the purpose of aiding in the construction of a railroad from a point at or near the foot of Main Street, South McGregor, in said state, in a westerly direction, by the most practicable route, on or near the forty-third parallel of north latitude, until it shall intersect the said road running from Sioux City to the Minnesota state line, in the county of O'Brien, in said state, every alternate section of land designated by odd