

ACTS OF THE TWENTY-SECOND 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 fifth day of December, 1831, and ended July sixteenth, 1832.

ANDREW JACKSON, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives.

STATUTE I.

STATUTE I.
Jan. 19, 1832.

CHAP. I.—*An Act to authorize the state of Illinois, to sell twenty thousand acres of the saline lands in said state.*

State authorized to sell.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Illinois be, and is authorized and empowered to sell and dispose of, twenty thousand acres (in addition to the thirty thousand acres heretofore authorized to be sold) of the lands granted to said state for the use and support of the salt works, known by the name of the "Ohio Saline," in the county of Gallatin, in said state; the said twenty thousand acres of land to be selected and sold, and the proceeds thereof applied in such manner as the general assembly of Illinois have directed, or hereafter may direct.

Proceeds, how to be applied.

APPROVED, January 19, 1832.

STATUTE I.

Jan. 23, 1832.

CHAP. IX.—*An Act supplementary to an act to grant pre-emption rights to settlers on public lands. (a)*

Act of May 29, 1830, ch. 208.

Purchasers under the act may assign their certificates of purchase, &c.

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 persons who have purchased under an act, entitled "An act to grant pre-emption rights to settlers on the public lands," approved the twenty-ninth of May, one thousand eight hundred and thirty, may assign and transfer their certificates of purchase, or final receipts, and patents may issue in the name of such assignee, any thing in the act aforesaid to the contrary notwithstanding.

APPROVED, January 23, 1832.

STATUTE I.

Jan. 23, 1832.

CHAP. X.—*An Act to direct the manner of issuing patents on confirmed land claims in the territory of Florida.*

Patents may be issued to the present owner.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all patents that are, or

(a) Notes of the acts which have been passed relating to pre-emption of public lands. Act of May 29, 1830, ch. 208.

may be, by law, directed to be issued on private land claims confirmed by the commissioners of private land claims, and by the several acts of Congress approving their reports and confirming the titles to lands in the territory of Florida, shall be, and they are hereby, required to be issued to the confirmees, or to the assignee, or present owner, where the land has been sold or transferred since the confirmation of the title; and it shall be the duty of the commissioner of the general land office, upon the production of satisfactory proof of the death of the confirnee, or upon the production of a regular chain of title from the confirnee, to cause the patent to be issued to the heirs, and legal representatives, or to the assignees of the confirnee, as the case may be.

APPROVED, January 23, 1832.

CHAP. XV.—*An Act to alter the time of holding the spring term of the Circuit Court of the United States for the Southern District of New York.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of March next, a term of the Circuit Court of the United States for the Southern District of New York, shall commence and be held at the place fixed by law for holding said Court, on the first Monday of April in each and every year; and that, from and after said first day of March, the term of said Court, now required by law to be held on the last Monday in May in each year, shall be abolished.

APPROVED, February 10, 1832.

STATUTE I.
Feb. 10, 1832.

Term to be held on the 1st Monday of April. 1839, ch. 81.

CHAP. XXV.—*An Act to provide for the payment of arrearages in the naval service, chargeable to the enumerated contingent prior to the first day of January, one thousand eight 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 sum of eighty thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be applied, under the direction of the Secretary of the Navy, in the payment of arrearages connected with the naval service, and chargeable to the contingent enumerated prior to January the first, one thousand eight hundred and thirty-two, and which have been or may be approved and passed by the proper accounting officers.

APPROVED, February 24, 1832.

STATUTE I.
Feb. 24, 1832.
[Obsolete.]

\$80,000 appropriated.

CHAP. XXVI.—*An Act making appropriations for the revolutionary and other pensioners of the United States, for the year one thousand eight 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 following sums be appropriated for the pensioners of the United States, for the year one thousand eight hundred and thirty-two:

For the revolutionary pensioners, nine hundred and eighty-seven thousand, five hundred and four dollars.

For the invalid pensioners, in addition to the sum of one hundred and forty thousand five hundred and thirty-two dollars in the treasury, one hundred and sixty-five thousand and thirty-nine dollars.

For pensions to widows and orphans, three thousand dollars.

APPROVED, February 24, 1832.

STATUTE I.
Feb. 24, 1832.
[Obsolete.]

Revolutionary pensioners.

Invalid pensioners.

Widows and orphans.

CHAP. XXVII.—*An Act making appropriations for fortifications for the year one thousand eight 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 following sums be, and they are hereby, appropriated, for fortifications for the year one thousand eight hundred and thirty-two, viz:

STATUTE I.
Feb. 24, 1832.
[Obsolete.]

Forts.

For the preservation of Castle island, and repair of fort Independence, twenty thousand dollars. For the preservation of George's island, nine thousand dollars. For fort Adams, Newport harbour, one hundred thousand dollars. For the completion of fort Hamilton, New York, ten thousand dollars. For repairing fort Columbus and Castle Williams, New York, fifty thousand dollars. For arrearages incurred in the preservation of the Pea Patch island, two thousand dollars. For fort Monroe, Virginia, seventy-two thousand dollars. For fort Calhoun, Virginia, eighty thousand dollars. For the completion of fort Macon, North Carolina, thirty thousand dollars. For the completion of the fort on Oak island, North Carolina, seven thousand dollars. For the fort on Cockspur island, Georgia, forty-six thousand dollars. For fortifications at Charleston, thirty thousand dollars. For fortifications at Pensacola, one hundred thousand dollars. For fort at Mobile Point, eighty-seven thousand two hundred dollars. For contingencies of fortifications, ten thousand dollars.

APPROVED, February 24, 1832.

STATUTE I.

Feb. 24, 1832.

[Obsolete.]

CHAP. XXVIII.—*An Act making appropriations for the naval service for the year one thousand eight 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 following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-two, viz :

Pay and subsistence, &c.

For pay and subsistence of the officers of the navy, and the pay of seamen, one million four hundred and nine thousand nine hundred and twenty-seven dollars. For pay of superintendents, naval constructors, and all the civil establishments at the several yards, fifty-eight thousand five hundred and thirty dollars.

Pay at navy yards.

For provisions, four hundred and twenty-nine thousand one hundred and seventy-five dollars.

Provisions.

Repairs.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, five hundred and thirty thousand six hundred and eighty-two dollars.

Medicines, &c.

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

Repairs, &c. at navy yards.

For improvements and necessary repairs of navy yards, viz : For the navy yard at Portsmouth, forty-one thousand one hundred and thirty-four dollars. For the navy yard at Boston, eighty-five thousand dollars. For the navy yard at New York, seventy-two thousand dollars. For the navy yard at Philadelphia, ten thousand six hundred and eighty-eight dollars. For the navy yard at Washington, forty-two thousand dollars. For the navy yard at Norfolk, one hundred and twenty thousand nine hundred and twenty-three dollars. For the navy yard at Pensacola, twenty-five thousand eight hundred and fifty dollars.

Portsmouth.

Boston.

New York.

Philadelphia.

Washington.

Norfolk.

Pensacola.

Ordnance, &c.

For ordnance and ordnance stores, ten thousand dollars.

Miscellaneous.

For defraying expenses that may accrue for the following purposes, viz : For freight and transportation of materials and stores of every description; for wharfage and dockage, storage and rent, travelling expenses of officers, and transportation of seamen, house rent, chamber money, and fuel and candles to officers other than those attached to navy yards and stations, and for officers in sick quarters, where there is no hospital, and for funeral expenses; for commissions, clerk hire, and office rent, stationery, and fuel to navy agents, for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowances for persons attending courts martial and courts of inquiry, and for officers engaged in extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts, and mathematical and nautical instru-

ments, chronometers, models, and drawings; for purchase and repair of steam and fire engines, and for machinery; for purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage; for cabin furniture of vessels in commission, and for furniture of officers' houses at navy yards; for taxes on navy yards and public property; for assistance rendered to vessels in distress; for incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, founderies, and steam engines; for candles, oil, and fuel; for vessels in commission and in ordinary; for repairs and building of magazines and powder houses; for preparing moulds for ships to be built, and for no other object or purpose whatsoever, two hundred and fifty thousand dollars.

For contingent expenses for objects not hereinbefore enumerated, five thousand dollars.

For the pay of the officers and non-commissioned officers and privates, and for subsistence of the officers of the marine corps, one hundred and eleven thousand five hundred and sixty-three dollars.

For subsistence for non-commissioned officers, musicians, and privates, and washerwomen serving on shore, eighteen thousand four hundred and thirty-nine dollars.

For clothing, twenty-eight thousand seven hundred and sixty-five dollars.

For fuel, nine thousand and ninety-eight dollars.

For contingent expenses, fourteen thousand dollars.

For military stores, two thousand dollars.

For medicines, hospital stores, and surgical instruments, two thousand three hundred and sixty-nine dollars.

APPROVED, February 24, 1832.

Contingencies.

Marine corps.

Subsistence.

Clothing.

Fuel.

Contingencies.

Stores.

Medicines, &c.

STATUTE I.

CHAP. LI.—*An Act for the adjustment and settlement of the claims of the state of South Carolina against the United States.*

March 22, 1832.

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 and directed to liquidate and settle the claim of the state of South Carolina against the United States for interest upon money actually expended by her for military stores for the use and benefit of the United States, and on account of her militia, whilst in the service of the United States, during the late war with Great Britain; the money so expended having been drawn by the state from a fund upon which she was then receiving interest.

Claim for interest to be settled.

SEC. 2. *And be it further enacted,* That, in ascertaining the amount of interest to be paid, as aforesaid, to the state of South Carolina, interest shall be computed upon sums expended by the state for the use and benefit of the United States, as aforesaid, and which have been, or shall be, repaid to South Carolina by the United States.

Upon what sums.

SEC. 3. *And be it further enacted,* That the following claims of the state of South Carolina against the United States, which have been heretofore disallowed, in consequence of their not coming within the regulations of the government, shall be adjusted and settled, that is to say:

Other claims, to be allowed.

First. The cost of certain cannon-balls purchased or procured by the said state for her military defence during the late war, and rejected by the inspecting officers of the United States, in consequence of their not being conformable to the standard fixed by the Department of War: *Provided,* That the balls so rejected shall belong to the United States.

For cannon-balls.

- Transportation. Second. The amount paid by the state of South Carolina for the transportation of military stores, and of her troops, in the service of the United States, as aforesaid; or recognised by them as having been called out for that purpose, over and above the number of wagons allowed to each regiment in the army of the United States.
- Pay to certain staff officers. Third. The pay or compensation allowed by the said state to the paymaster and commissary general, and other staff officers, whilst they were, respectively, employed in making or superintending disbursements for the militia in the service of the United States as aforesaid.
- Blankets. Fourth. The sum of seven thousand five hundred dollars, for blankets purchased by the state for the use of a portion of her militia whilst in the service of the United States.
- Muskets. Fifth. The value of the present contract price of the muskets purchased, or procured, by the state of South Carolina, for her militia, during the late war, when in the service of the United States: *Provided*, That the said muskets shall become the property of the United States; *And provided, also*, That any part of the said amount may be received in arms at the present contract price.
- SEC. 4. *And be it further enacted*, That the several items hereby allowed, and the amount of interest, as aforesaid, shall, when ascertained, be paid out of any money in the treasury, not otherwise appropriated.
- APPROVED, March 22, 1832.

STATUTE I.

March 22, 1832.

CHAP. LIII.—*An Act to amend the several acts establishing a territorial government in Florida.* (a)

Additional members of the legislative council.

Act of March 30, 1832, ch. 13.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be elected one member of the legislative council in the territory of Florida, from the counties of Madison and Hamilton, and one from the county of Walton, in said territory.

APPROVED, March 22, 1832.

STATUTE I.

March 31, 1832.

[Expired.]

CHAP. LVII.—*An Act explanatory of the act entitled "An act for the relief of officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war," approved thirtieth of May, one thousand eight hundred and thirty.*

Act of May 30, ch. 1830, 215.
The provisions of the act limited.

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 for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war," approved thirtieth of May, one thousand eight hundred and thirty, shall not be construed to extend to any land warrants heretofore issued, which have been located, surveyed, or patented on the lands reserved and set apart for the satisfaction of the military bounty lands due to the officers and soldiers of the Virginia line upon continental establishment, or for the satisfaction of the officers and soldiers of the continental army.

The act of May 20, 1826, ch. 138, continued in force to June 1, 1832.

SEC. 2. *And be it further enacted*, That the provisions of the third section of the act, entitled "An act to extend the time for locating Virginia military land warrants, and returning surveys thereon to the land office," approved twentieth May, one thousand eight hundred and twenty-six, be, and the same is hereby, continued in force for seven years, from

(a) For notes of the acts relating to the territory of Florida, see vol. iii. p. 523.

and after the first day of June, one thousand eight hundred and thirty-two; and the proprietors of any location, survey, or patent, contemplated by the aforesaid section, may avail themselves of the provisions of the said section, in the cases therein enumerated.

APPROVED, March 31, 1832.

STATUTE I.

CHAP. LVIII.—*An Act to add a part of the southern to the northern district of Alabama. (a)*

March 31, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that part of the country lying within the limits of Alabama, and now in the occupancy of the Cherokee and Chicasaw tribes of Indians, shall be added to, and constitute a part of, the northern judicial district of Alabama, instead of the southern district of said state as now arranged.

The country in the limits of Alabama occupied by the Cherokees and Chicasaws, a part of the northern judicial district.

APPROVED, March 31, 1832.

STATUTE I.

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

April 5, 1832.

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 support of the army for the year one thousand eight hundred and thirty-two, viz :

[Obsolete.]
Appropriations for the army.

For pay of the army and subsistence of officers, one million one hundred and twenty-two thousand one hundred and forty-six dollars.

Pay of army, &c.

For arrearages in the pay department, fifteen thousand dollars.

Arrearages.
Forage of officers.

For forage of officers, forty-eight thousand four hundred and twenty-seven dollars.

Clothing for servants.

For clothing for servants of officers, twenty-two thousand eight hundred and sixty dollars.

Subsistence.

For subsistence, exclusive of that of officers, in addition to an unexpended balance of one hundred thousand dollars, two hundred and forty-five thousand dollars.

Clothing of army, &c.

For clothing of the army, camp equipage, cooking utensils, and hospital furniture, in addition to material and clothing on hand, amounting to thirty-five thousand dollars, one hundred and seventy-nine thousand six hundred and thirty-two dollars.

Medical department.

For medical and hospital department, twenty thousand dollars, in addition to an unexpended balance of eight thousand dollars.

Expenses of quartermaster's department.

For various expenses of the quartermaster's department, viz : For fuel, forage, straw, stationery, blanks, repairing officers' quarters, barracks, store-houses, and hospitals ; for erecting temporary cantonments and gun-houses ; for rent of quarters, store-houses, and land ; for postage of letters on public service ; for expenses of courts martial, including compensation of judge advocates, members, and witnesses : for extra pay to soldiers employed on extra labour, under the act of March second, one thousand eight hundred and nineteen ; and for expenses of expresses, escorts to paymasters, and other contingencies to quartermaster's department, two hundred and twenty-five thousand dollars.

1819, ch. 45.

For transportation of officers' baggage, and allowance for travel in lieu of transportation, and for per diem allowance to officers on topographical duty, fifty-five thousand dollars.

Transportation of baggage, &c.

For transportation of clothing, subsistence, ordnance, and of lead from the mines, and for transportation of the army, and funds for pay of the

Transportation of clothing, &c.

(a) Notes of the acts relating to the district court of Alabama, vol. iii. p. 564.

army, including the several contingencies and items of expenditure at the several stations and garrisons, usually estimated under the head of transportation of the army, one hundred and fourteen thousand dollars.

Expenses of visitors at West Point.

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

Fuel, &c.

For fuel, forage, stationery, printing, transportation, and postage for the military academy, eight thousand seven hundred and sixty-two dollars.

Out-buildings at West Point.

For re-constructing the out-buildings attached to West Point academy, and for improvements connected therewith, one thousand five hundred dollars.

Repairs of barracks, &c.

For general repairs of barracks, academies, mess-house, officers and professors' quarters, store-houses, wharf, carts, boats, fences, roads, paints, and other objects, four thousand eight hundred and twenty-five dollars.

Fire-grates.

For renewal and repairs of fire-grates, one hundred and fifty dollars.

Pay of clerk.

For pay of adjutants and quartermasters' clerk, nine hundred dollars.

Library.

For increase and expenses of the library, fourteen hundred dollars.

Apparatus.

For philosophical apparatus, seven hundred and ninety dollars.

Models for engineering dep't.

For models for department of engineering, six hundred dollars.

Models for the drawing department, &c.

For models for the drawing department, repairs of instruments for the mathematical department, apparatus and contingencies for the department of chemistry, eight hundred and eighty-seven dollars.

Expenses, &c., of academy.

Miscellaneous items and incidental expenses of the academy, one thousand six hundred and twenty-five dollars.

Contingencies.

For contingencies of the army, ten thousand dollars.

Armories.

For the national armories, three hundred and sixty thousand dollars.

Fortifications.

For the armament of fortifications, one hundred thousand dollars.

Ordnance service.

For the current expenses of the ordnance service, seventy thousand dollars.

Arsenals.

For arsenals, sixty thousand seven hundred dollars.

Arsenals in Florida.

For an arsenal in Florida, twenty thousand dollars.

Recruiting service.

For the recruiting service, twenty-four thousand nine hundred dollars, in addition to an unexpended balance of fifteen thousand [thousand] dollars.

Contingencies.

For the contingent expenses of the recruiting service, thirteen thousand eight hundred dollars, in addition to an unexpended balance of nine thousand dollars.

Arrearages.

For arrearages prior to the first day of July, one thousand eight hundred and fifteen, payable through the third auditor's office, five thousand dollars.

Close of accounts.

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

1821, ch. 35.

Claims of the militia called out in 1831.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized and required to settle, adjust, and pay the claims of the militia called out by competent authority, or received into the service of the United States by a general officer of the United States' army, in the year one thousand eight hundred and thirty-one, and all charges and expenses incident to the service of said troops, agreeably to the provisions of the third section of an act making appropriations for the military service of the United States, approved twenty-first of March, one thousand eight hundred and twenty-eight, which provides for the payment of like expenses, and troops called out in one thousand eight hundred and twenty-seven; and that the sum of fifty-five thousand two hundred and thirty-two dollars be appropriated for the said object, to be paid out of any money in the treasury.

Act of March 21, 1828, ch. 21, sec. 3.

APPROVED, April 5, 1832.

STATUTE I.

April 5, 1832.

CHAP. LXV.—*An Act supplementary to the several laws for the sale of public lands. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the first day of May next, all the public lands of the United States, when offered at private sale, may be purchased at the option of the purchaser, either in entire sections, half sections, quarter sections, half-quarter sections, or quarter-quarter sections; and in every case of a division of a half-quarter section, the line for the division thereof shall run east and west, and the corners and contents of quarter-quarter sections, which may thereafter be sold, shall be ascertained as nearly as may be, in the manner, and on the principles, directed and prescribed by the second section of an act, entitled "An act concerning the mode of surveying the public lands of the United States," passed on the eleventh day of February, eighteen hundred and five; and fractional sections, containing fewer or more than one hundred and sixty acres, shall in like manner, as nearly as may be practicable, be subdivided into quarter-quarter sections, under such rules and regulations as may be prescribed by the Secretary of the Treasury: *Provided,* That this act shall not be construed to alter any special provision made by law for the sale of land in town lots: *And, provided also,* That no person shall be permitted to enter more than one half-quarter section of land under this act, in quarter-quarter sections, in his own name, or in the name of any other person, and in no case, unless he intends it for cultivation, or for the use of his improvement. And the person making application to make an entry under this act shall file his and her affidavit, under such regulations as the Secretary of the Treasury may prescribe, that he or she makes the entry in his or her own name, for his or her own benefit, and not in trust for another: *Provided, further,* That all actual settlers, being house-keepers upon the public lands, shall have the right of pre-emption to enter, within six months after the passage of this act, not exceeding the quantity of one half-quarter section, under the provisions of this act, to include his or their improvements, under such regulations as have been, or may be prescribed by the Secretary of the Treasury; and in cases where two persons shall live upon the same quarter section, subject to be entered under the provisions of this act, each shall have the right to enter that quarter-quarter section which includes his improvements.

APPROVED, April 5, 1832.

All public lands offered at private sale may be purchased in fractions of sections, &c.

Act of Feb. 11, 1805, ch. 14.

Proviso.
Proviso.

Proviso.

STATUTE I.

April 5, 1832.

CHAP. LXVI.—*An Act to authorize the judges of the courts of the United States to take bail of the claimants of property seized, and perform other acts in vacation.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in any cause of admiralty and maritime jurisdiction, or other case of seizure, depending in any court of the United States, any judge of the said court, in vacation, shall have the same power and authority to order any vessel, or cargo, or other property, to be delivered to the claimants, upon bail or bond, under the statute, as the case may be, or to be sold when necessary, as the said court now has in term time, and to appoint appraisers, and exercise every other incidental power necessary to the complete execution of the authority herein granted; and the said recognisance of bail or bond, under such order, may be executed before the clerk upon the party's producing the certificate of the collector of the district, of the sufficiency of the security offered; and the same proceedings shall be had in case

Judge authorized, &c. to deliver vessel, &c. to claimant.

Bond to be executed before clerk, &c.

(a) Notes of the acts relative to the sale of the public lands, vol. ii. p. 73.

of said order of delivery, or of sale, as are now had in like cases when ordered in term time: *Provided*, That upon every such application, either for an order of delivery or of sale, the collector and the attorney of the district shall have reasonable notice in cases of the United States, and the party or counsel in all other cases.

APPROVED, April 5, 1832.

STATUTE I.

April 5, 1832.

CHAP. LXVII.—*An Act providing for the organization of the ordnance department.* (a)

Ordnance department to consist of, &c.

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 ordnance department shall consist of one colonel, one lieutenant colonel, two majors, and ten captains, and as many enlisted men as the public service may require, not exceeding two hundred and fifty.

Ordnance sergeants.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized to select from the sergeants of the line of the army, who shall have faithfully served eight years in the service, four years of which in the grade of non-commissioned officer, as many ordnance sergeants as the service may require, not to exceed one for each military post; whose duty it shall be to receive and preserve the ordnance, arms, ammunition, and other military stores, at the post under the direction of the commanding officer of the same, and under such regulations as shall be prescribed by the Secretary of War, and who shall receive for their services five dollars per month, in addition to their pay in the line.

Act of Feb. 8, 1815, ch. 38.

SEC. 3. *And be it further enacted*, That the first section of the act passed on the eighth of February, one thousand eight hundred and fifteen, entitled "An act for the better regulation of the ordnance department," and so much of the second section of the act, entitled "An act to reduce and fix the military peace establishment of the United States," passed the second of March, one thousand eight hundred and twenty-one, as provides for one supernumerary captain to each regiment of artillery, to perform ordnance duty, and so much of the fourth section of the same act as merges the ordnance department in the artillery, and reduces the number of enlisted men, be, and the same are hereby repealed: *Provided*, That nothing contained in this act shall be so construed as to divest the President of the United States of authority to select from the regiments of artillery such number of lieutenants as may be necessary for the performance of the duties of the ordnance department.

Act of March 2, 1821, ch. 13.

Proviso.

SEC. 4. *And be it further enacted*, That all officers and enlisted men authorized by this act, shall be subject to the rules and articles of war, and that the officers shall receive the pay and emoluments now allowed, or which may hereafter be allowed, to artillery officers.

Government and pay.

APPROVED, April 5, 1832.

STATUTE I.

April 20, 1832.

CHAP. LXIX.—*An Act to change the time of holding the United States district court, at Staunton, in the western district of Virginia.* (b)

Time of holding the district court for the western district of Virginia, altered.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, the United States district court, in the western district of Virginia, heretofore held at Staunton, on Wednesday after the fourth Monday in April and September, in each year, be hereafter held at Staunton, on the first day of May, and the first day of October, in each year; and when those days, or either of them, fall on Sunday, the court to be held on the next succeeding day.

APPROVED, April 20, 1832.

(a) For notes of the acts relating to the ordnance department, see vol. ii. p. 732.

(b) For notes of the acts relating to the district courts of Virginia, see vol. iii. p. 478.

STATUTE I.

April 20, 1832.

CHAP. LXX.—*An Act authorizing the governor of the territory of Arkansas to lease the salt springs, in said territory, and for other purposes.*

[Obsolete.]

Salt springs, &c. reserved from sale.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the salt springs lying on the Washita river, on Little river, and on Saline creek, in said territory of Arkansas, together with as many contiguous sections to each of said springs as shall be equal to one township, and every other salt spring which may be discovered in said territory, with the section of one mile square which includes it, shall be reserved for the future disposal of the United States, and shall not be liable to be entered, located, or appropriated, for any other purpose whatever.

Governor authorized to lease.

SEC. 2. *And be it further enacted,* That the governor of said territory shall be, and is hereby, authorized to let out or lease said springs, for a term not exceeding five years; and the rents and profits arising from said springs shall be applied, by the legislature of said territory, to the opening and improving such roads in said territory, as said legislature may direct, and to no other purpose whatever.

Hot springs reserved.

SEC. 3. *And be it further enacted,* That the hot springs in said territory, together with four sections of land including said springs, as near the centre thereof as may be, shall be reserved for the future disposal of the United States, and shall not be entered, located, or appropriated, for any other purpose whatever.

APPROVED, April 20, 1832.

STATUTE I.

April 20, 1832.

CHAP. LXXI.—*An Act making appropriations in conformity with the stipulations of certain Indian treaties.*

[Obsolete.]

Appropriations for payment of annuities, &c., to certain Indian tribes.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of thirty-nine thousand and seventy-five dollars be appropriated, to be paid out of any money in the treasury not otherwise appropriated, to be applied for the service of the year one thousand eight hundred and thirty-one, to the several following objects specifically, namely:

For payment of the permanent annuity to the Chippewa, Ottawa, and Pattawatamie Indians, for the year one thousand eight hundred and thirty-one, sixteen thousand dollars.

For the expense of salt for the same tribes, according to the treaty with them, one hundred and twenty-five dollars.

For payment of the annuity to the Winnebago Indians, eighteen thousand dollars.

For tobacco and salt for the same tribe, four hundred and twenty-five dollars.

For the support of blacksmiths' shops, iron, and steel, three thousand dollars.

For the purchase of oxen, cart, and services of a man, at the portage of Ouisconson and Fox river, according to treaty, three hundred and sixty-five dollars.

For the transportation and other expenses of the annuities aforesaid, one thousand one hundred and sixty dollars.

SEC. 2. *And be it further enacted,* That there be further appropriated, to be paid out of any money not otherwise appropriated, the following sums, namely:

For the payment of the missionary property, held by the Baptist denomination, at the St. Joseph's of Lake Michigan, as valued by agents appointed for that purpose in pursuance of the fifth article of the treaty of St. Joseph's, of twentieth September, one thousand eight hundred and twenty-eight, five thousand seven hundred and twenty-one dollars and fifty cents.

Payment of missionary property.

Payment of the claims of the Cherokees for improvements.

For payment of the claims of the Cherokees, for improvements abandoned under the treaty of eighth July, one thousand eight hundred and seventeen, and the convention of twenty-seventh February, one thousand eight hundred and nineteen, four thousand five hundred and sixty-eight dollars.

APPROVED, April 20, 1832.

STATUTE I.

April 20, 1832.

CHAP. LXXII.—*An Act providing for the postponement of the trial of certain cases now pending in the superior courts of Arkansas territory, and for withholding from sale or entry certain lands in said territory. (a)*

District attorney authorized to suspend proceedings, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the district attorney of the United States for the territory of Arkansas be, and he is hereby, authorized and required to postpone until after the expiration of the next session of the Supreme Court of the United States, all further proceedings in any case which has been tried, or now is pending for trial, in the superior court of the territory of Arkansas, upon which bills of review have been filed in said superior court on the part of the United States, under the provisions of an act, passed May the eighth, one thousand eight hundred and thirty, entitled "An act for further extending the powers of the judges of the superior court of the territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, and for other purposes." *Provided, however,* that nothing in this act shall be applicable to any of the aforesaid cases now pending for trial on appeals in the Supreme Court of the United States: *And provided also,* That nothing herein contained shall prejudice the rights of any of the parties: *Provided, also,* That no extra compensation shall be allowed said judges until after the termination of the next term of the Supreme Court of the United States, after which the judges shall proceed to dispose of said cases under the provisions of said acts, and then be allowed the additional compensation from said time, until the cases are disposed of, or tried, by the said courts of Arkansas.

Act of May 26, 1824, ch. 173.

Act of May 8, 1830, ch. 90.

Proviso.

Proviso.

Proviso.

Lands to be withheld from sale.

SEC. 2. *And be it further enacted,* That the President of the United States shall cause all the lands, the titles to which are involved in, or dependent upon, the trial of said bills of review, which are claimed by purchasers after the rendition of the original judgment, to be withheld from sale until the further order of Congress.

APPROVED, April 20, 1832.

STATUTE I.

May 5, 1832.

CHAP. LXXIV.—*An Act making appropriations for the support of government for the year one thousand eight hundred and thirty-two.*

[Obsolete.]

Appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be,

(a) Under the provisions of the act of Congress, passed 26th May, 1824, ch. 173, proceedings were instituted in the superior court of the territory of Arkansas, by which a confirmation was claimed of a grant of land alleged to have been made to the petitioner, Sampeyreac, by the Spanish government prior to their cession of Louisiana to the United States, by the treaty of April 3, 1803. This claim was opposed by the district attorney of the United States, and the court, after hearing the evidence, decreed that the petitioner recover the land from the United States. Afterwards the district attorney of the United States, proceeding on the authority of the act of Congress, May 8, 1830, filed a bill of review, founded on the allegation that the original decree was obtained by fraud and surprise; that the documents produced in support of the claim of Sampeyreac were forged, and that the witnesses who had been examined to sustain the same were perjured. At a subsequent term Stewart was allowed to become a defendant to the bill of review, and filed an answer, in which the fraud and perjury are denied, and in which he asserts that if the same were committed he is ignorant thereof; and asserts that he is a bona fide purchaser of the land, for a valuable consideration, from John J. Bowie, who conveyed to him the claim of Sampeyreac, by deed, dated the 22d October, 1828. On a final hearing the superior court of the territory of Arkansas, being satisfied of the forgery, perjury, and fraud, reversed the original decree. Held, by the Supreme Court of the United States, that those proceedings were legal, and were authorized by the act of May 5, 1830, ch. 90. *Sampeyreac v. The United States*, 7 Peters, 222.

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, four hundred and ninety-three thousand eight hundred dollars. Congress.

For pay of the officers and clerks of both Houses, thirty-four thousand four hundred dollars.

For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, twenty-five thousand dollars.

For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, one hundred thousand dollars. The said two sums last named to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose.

For the library of Congress, five thousand dollars : and also for repairs and furniture for the library of Congress, three thousand dollars, to be applied under the direction of the library committee. Library.

For salary of the principal and assistant librarians, two thousand three hundred dollars.

For contingent expenses of the library, and pay of messenger, eight hundred dollars.

For alterations and repairs of the Capitol, five hundred dollars. Capitol.

For improving the grounds, including the gardener's salary, two thousand dollars. Public grounds.

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, &c.

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. Contingent expenses.

For contingent and incidental expenses of the patent office, fifteen hundred dollars.

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

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

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, fifteen thousand four hundred dollars. Treasury Department.

For a clerk employed on revolutionary bounty-land scrip, eleven hundred and fifty dollars.

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

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand one hundred dollars.

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

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

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

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

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

For compensation to the clerks and messenger in the office of the second auditor, sixteen 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-one thousand nine hundred and fifty dollars.

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

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

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

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

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

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

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

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

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

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

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

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

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

Expenses, contingent, &c., of the Treasury Department. For the expenses of stationery, printing, and all other incidental and contingent expenses of the several offices of the treasury department, the following several sums, viz :

For the office of the Secretary of the Treasury, including advertising and extra copying, and the sum of one thousand five hundred dollars applied from this fund for clerk hire and other expenses incident to the issuing of revolutionary bounty land scrip, six thousand five hundred dollars.

For the office of the first comptroller, one thousand dollars.

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

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

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

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

For the office of the fourth auditor, one thousand two hundred 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 commissioner of the general land office, nine thousand dollars.

For compensation for extra aid, during one thousand eight hundred and thirty-two, in the issuing military land scrip, and patents founded on Virginia military surveys, and on private claims, making indexes, and writing and recording patents for lands sold, six thousand six hundred dollars.

For the office of the solicitor of the treasury, twelve 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-two, one thousand four hundred dollars.

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

For contingent expenses of said building, including two thousand dollars for repairs of building, and also the sum of one thousand three hundred dollars, applied out of the appropriation for the contingent expenses of the Treasury Department, for clerk hire in the general land office, in relation to revolutionary land scrip, six thousand six hundred and fifty dollars.

For defraying the expenses of enclosing the grounds attached to the Treasury Department, one thousand five hundred dollars.

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

War Department.

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

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

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

Paymaster general's office.

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

Commissary general's office.

For contingent expenses of said office, eight hundred dollars.

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

Adjutant general's office.

For contingent expenses of said office, one thousand dollars.

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

Commissary general's office.

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

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

Chief engineer's office.

For contingencies of the topographical bureau, including the purchase of books and maps, and the repairs of instruments, one thousand one hundred and twenty-five dollars.

Topographical bureau.

For contingent expenses of said office, one thousand dollars.

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

Lithographer.

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

Ordnance office.

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.

Surgeon general's office.

For contingent expenses of said office, four hundred and twenty dollars.

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

Quartermaster general's office.

For contingent expenses of said office, six hundred dollars.

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

N. W. executive building.

For contingent expenses of said building, including fuel, labour, oil, furniture, repairs of building, and improvement of adjoining ground, three thousand six hundred dollars.

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

Navy Department.

For contingent expenses of said office, three thousand dollars.

- Navy board. For compensation to the commissioners of the navy board, ten thousand five hundred dollars.
- For compensation to the secretary of the commissioners of the navy board, two thousand dollars.
- For compensation to the clerks, draughtsman, and messenger, in the office of the commissioners of the navy board, eight thousand four hundred and fifty dollars.
- For contingent expenses in the office of the commissioners of the navy board, one thousand eight hundred dollars.
- S. W. executive building. For the salary of the superintendent of the south-west executive building, and the watchmen, eight hundred and fifty dollars.
- For contingent expenses of said building, including fuel, labour, oil, repairs of building, 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-one thousand one hundred dollars.
- For contingent expenses of said office, seven thousand five hundred dollars.
- For superintendency of the buildings, making up blanks, and compensation to two watchmen and one labourer, sixteen hundred and forty dollars.
- Surveyors. For compensation to the surveyor general in Ohio, Indiana, and Michigan, two thousand dollars.
- For compensation to the clerks in the office of said surveyor, two thousand one hundred dollars.
- For compensation to the surveyor south of Tennessee, two thousand dollars.
- For compensation to the clerks in the office of said surveyor, one thousand seven hundred dollars.
- For compensation to the surveyor in Illinois, Missouri, and Arkansas, two thousand dollars.
- For compensation to clerks in the office of said surveyor, two thousand dollars.
- For compensation to the surveyor in Alabama, two thousand dollars.
- For compensation to clerks in the office of said surveyor, one thousand five hundred dollars.
- For compensation to the surveyor in Louisiana, including one thousand dollars, from first July to thirty-first December, one thousand eight hundred and thirty-one, per act of third March, one thousand eight hundred and thirty-one, three thousand dollars.
- 1831, ch. 116. For compensation to the clerks in the office of said surveyor, per act of third March, one thousand eight hundred and thirty-one, fifteen hundred dollars.
- 1831, ch. 116. For an additional clerk for the year one thousand eight hundred and thirty-two, to bring up arrearages of recording, and including compensation to clerks in one thousand eight hundred and thirty-one, for which no appropriation was made by the act of third of March, one thousand eight hundred and thirty-one, three thousand five hundred dollars.
- 1831, ch. 116: For compensation to the surveyor in Florida, two thousand dollars.
- For compensation to the clerks in the office of said surveyor, two thousand dollars.
- Commissioner of public buildings. For compensation to the commissioner of the public buildings in Washington city, two thousand dollars.
- Mint. For compensation to the officers and clerks of the mint, ten thousand six hundred dollars.
- For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, nineteen thousand eight hundred and seventy dollars.

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

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

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

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, seven thousand three hundred and ninety-two dollars.

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

For pay and mileage of the legislative council of said territory, five thousand four hundred and fifty dollars.

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

To pay deficiency in appropriation of last year for pay and mileage to the members of the legislature of Arkansas, one thousand dollars.

For compensation to the governor, judges, and secretary of the Florida territory, including additional compensation to the judges, under the act of twenty-sixth May, one thousand eight hundred and thirty, at eight hundred dollars, each, and arrearages of one thousand eight hundred and thirty-one, thirteen thousand four hundred and ninety-five dollars and nine cents.

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

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and distribution of the laws, including two thousand dollars to defray the expenses of the publication of the statutes of the territory, as directed by a law of the territory, and a deficiency in the appropriation for one thousand eight hundred and thirty-one, of two hundred and twenty-eight dollars and ninety-one cents, nine thousand seven hundred and twenty-eight dollars and ninety-one cents.

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

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

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

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

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

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

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

For compensation to assistant counsel and district attorneys under the act of the twenty-third of May, one thousand eight hundred and twenty-eight, supplementary to the several acts providing for the settlement of private land claims in Florida, including contingencies, seven thousand five hundred dollars: *Provided*, That nothing herein contained shall be so construed as to authorize the payment of a salary to the law agent in Florida.

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,

Territories.

1830, ch. 106.

Judges of the United States.

Judges of the District of Columbia.

Attorney-general.

Attorney-general's office.

Reporter Supreme Court.

District attorneys and marshals.

1828, ch. 70.

Expenses of United States courts, &c.

and forfeitures, incurred in the year eighteen hundred and thirty-two, 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, one hundred and ninety thousand dollars.

- Pensions.** For the payment of sundry pensions granted by the late and present governments, one thousand five hundred and fifty dollars.
- Lighting public grounds, &c.** For expense of lighting the lamps in the Capitol square, seven hundred and fifty dollars.
- For improving the grounds round the President's house, including the gardener's salary, three thousand dollars.
- For alterations and repairs in the President's house, three hundred dollars.
- Lighthouses, &c.** For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs and improvements, and contingent expenses, two hundred and five thousand seven hundred and seventy-eight dollars.
- 1829, ch. 25. For building a lighthouse on or near one of the islands called The Brothers at the Narrows, in Long Island Sound, New York, being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first of December, eighteen hundred and thirty-one, five thousand dollars.
- 1829, ch. 25. For placing eight buoys at proper sites between the city of Albany and a point opposite Red Hook, New York, being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first of December, eighteen hundred and thirty-one, five hundred dollars.
- 1829, ch. 25. For erecting a beacon near the Charleston lighthouse, in order to mark the entrance into the channel commonly known as Lawford's channel, South Carolina, being the amount of an appropriation for that object, carried to the surplus fund on the thirty-first December, eighteen hundred and thirty-one, six hundred dollars.
- Registers and receivers.** For the salaries of registers and receivers of land offices, where there are no sales, two thousand dollars.
- Survey of public lands.** For surveying the public lands, one hundred and sixty thousand dollars, viz: For the survey of the Choctaw cession in Mississippi, eighty thousand dollars; and for the survey of other public lands, eighty thousand dollars; and a further sum for the survey of the lands ceded by the Creeks to the United States, fifty thousand dollars.
- Keepers of archives.** For the salaries of two keepers of the public archives in Florida, one thousand dollars.
- Census.** For the revision of all former statements of the enumeration of the inhabitants of the United States and their territories, being a balance due D. Green, for printing the abstract of said revision, two hundred and twenty-nine 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.
- Commissioners of loans.** For stationery and books for the offices of commissioners of loans, five hundred dollars.
- Ships' registers.** For registers for ships and vessels, and lists of crews, four thousand dollars.
- Luigi Persico.** For the fourth payment to Luigi Persico, for two colossal statues for the Capitol, four thousand dollars.
- Ministers.** For the salaries of the ministers of the United States to Great Britain, France, Spain, Russia, and Colombia, forty-five thousand dollars.
- Secretaries of legation.** For the salaries of the secretaries of legation to the same places, ten thousand dollars.
- Chargés.** For the salaries of the chargés des affaires to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Buenos Ayres, Chili, Peru,

Mexico, Central America, and Naples, fifty-eight thousand five hundred dollars.

For salary of the drogoman, and for contingencies of the legation of the United States to Turkey, thirty-seven thousand five hundred dollars.

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

For outfits of the chargés des affaires of the United States to Holland, Belgium, Central America, Buenos Ayres, and Naples, twenty-two thousand five hundred dollars.

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

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

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

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

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

To enable the President of the United States to procure copies of documents relative to the history of the United States, from the public offices in Great Britain, two thousand dollars.

For the purchase of the bust of Thomas Jefferson, executed by Ceracci, now in the possession of Mr. Jefferson's executor, four thousand dollars, if so much should be deemed necessary by the committee on the library.

For the purpose of enabling the Secretary of State to discharge a balance due to the marshal of the territory of Michigan, beyond the existing appropriation, for his services in taking a census of the persons in the said territory, who are not freeholders, one hundred and twenty dollars and forty-four cents.

For account of printing and binding, and for selecting, editing, and preparing indexes, for the compilation of documents, for which a subscription was authorized by the act of the second of March, one thousand eight hundred and thirty-one, fifty-five thousand dollars; the printing to be paid for by the secretary of the Senate and the clerk of the House, according to the terms of the subscription; and the selecting, editing and making indexes, to be paid for in like manner, and at such rate of compensation as shall be judged reasonable and proper by the committees of accounts of the two Houses.

To enable the Secretary of State to cause to be printed, under his direction, a selection from the diplomatic correspondence of the United States, between the peace of one thousand seven hundred and eighty-three, and the fourth of March, one thousand seven hundred and eighty-nine, remaining unpublished in the Department of State, twelve thousand dollars.

To enable the Secretary of State to carry into effect the resolution of Congress of the seventh of March, one thousand eight hundred and thirty-two, in relation to recording patents, fourteen thousand six hundred and twelve dollars.

To enable the Secretary of State to pay for seventy copies of Peters' Condensed Reports of Decisions of the Supreme Court, subscribed for under the resolution of Congress of the second of March, one thousand eight hundred and thirty-one, two thousand one hundred dollars.

For the payment of a balance due to Walter Smith, on the books of the fourth auditor, to be applied, first, to the discharge of any balance standing against said Smith on the books of the treasury, and the residue to be paid to the legal representatives of Walter Smith, the sum of three thousand three hundred and thirty dollars and sixty-one cents.

Legation to Turkey.

Outfits.

Contingent expenses.

Agents of claims.

Mediterranean powers.

Relief of American seamen.

Contingent expenses.

Historical documents.

Bust of Thomas Jefferson.

Marshal of Michigan.

Compilation of documents.

1831, ch. 65.

Diplomatic correspondence.

Recording patents.

Peters' Condensed Reports.

Walter Smith.

Marine hospital.
1830, ch. 100.

To enable the Secretary of the Treasury to employ a suitable person to complete the marine hospital at Charleston, South Carolina, authorized by the act of twentieth May, one thousand eight hundred and thirty, four thousand three hundred and sixty dollars: *Provided*, nothing herein contained shall be construed to enlarge the said contract, or to release the contractor from his liability thereunder.

Marine barracks.

For the erection of marine barracks and officers' quarters at the navy yard, Philadelphia, nine thousand dollars.

Surveyor of Narragansett bay.

For the purpose of defraying the expenses of a survey of the waters of Narragansett bay, to be made under the direction of the Secretary of the Navy, with a view to ascertain the practicability and expediency of establishing a naval depot therein, five thousand dollars.

Norfolk bridge.

For enabling the President of the United States to obtain from the Norfolk Bridge Company a release and conveyance to the United States of the bridge over the southern branch of the Elizabeth river, between the navy yard and the dry dock, and of the road leading from the same to the south-western side of said yard, the sum of sixteen thousand dollars: *Provided*, the Secretary of the Navy shall be satisfied that the said sum does not exceed the value of the same: *And provided*, That the Attorney General of the United States shall be satisfied of the validity of the title, and that the right thus acquired will authorize the United States to remove the bridge, and to enclose the road within the navy yard.

Assistant marshals to be paid out of census appropriation.

SEC. 2. *And be it further enacted*, That the Secretary of State be authorized, out of the sums appropriated to defray the expenses of taking the late census, to pay those assistant marshals, for their services, who have failed to receive compensation, from the delinquency of the principal marshals.

APPROVED, May 5, 1832.

STATUTE I.

May 5, 1832.

CHAP. LXXV.—*An Act to provide the means of extending the benefits of vaccination, as a preventive of the small-pox, to the Indian tribes, and thereby, as far as possible, to save them from the destructive ravages of that disease.*

Tribes to be convened for vaccination.

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 several Indian agents and sub-agents, under the direction of the Secretary of War, to take such measures as he shall deem most efficient, to convene the Indian tribes in their respective towns, or in such other places and numbers, and at such seasons as shall be most convenient to the Indian population, for the purpose of arresting the progress of small-pox among the several tribes by vaccination.

Physicians or surgeons to be employed, &c.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he hereby is, empowered to employ as many physicians or surgeons, from the army or resident on the frontier near the point where their services shall be required, as he may find necessary for the execution of this act; and, if necessary, two competent persons to conduct the physicians to the remote Indians who are infected, or may be in immediate danger of being infected, with the small-pox, whose compensation shall be six dollars per day, and six men, whose compensation shall be twenty-five dollars per month.

Supply of vaccine matter.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of War, to cause all Indian agents to be supplied with genuine vaccine matter; and all agents and sub-agents shall use all proper means to persuade the Indian population to submit to vaccination.

Monthly returns and general report.

SEC. 4. *And be it further enacted*, That all agents, sub-agents, physicians and surgeons, employed in the execution of this act, shall make monthly returns or reports of their proceedings to the War Department

And the Secretary thereof shall submit to Congress, on or before the first of February next, a general report of all proceedings in the premises.

SEC. 5. *And be it further enacted*, That, to carry this act into effect, the sum of twelve thousand dollars be appropriated out of any moneys in the treasury not otherwise appropriated.

APPROVED, May 5, 1832.

STATUTE I.

CHAP. LXXVII.—*An Act for altering the time of holding the district court of the United States for the district of Indiana.* (a)

May 19, 1832.

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 Indiana shall be hereafter holden on the last Mondays of May and November, in each year, instead of the first Mondays of said months, as is now required by law.

Court to be held on last Monday in May and November.

SEC. 2. *And be it further enacted*, That all proceedings of a civil or criminal nature, now pending in, or returnable to, said court, shall be proceeded in by said court in the same manner as if no alteration of the times for holding said court had taken place.

APPROVED, May 19, 1832.

STATUTE I.

CHAP. LXXIX.—*An Act for giving effect to a commercial arrangement between the United States and the Republic of Colombia.* (b)

May 19, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That vessels of the Republic of Colombia, and their cargoes, whether of foreign or domestic produce or manufacture, which shall come direct from the ports of that nation to the United States, shall pay no greater duties on importation, anchorage, tonnage, or any other kind, than are now, or hereafter may be, levied on the vessels of the United States.

Colombian vessels coming direct, &c. to pay same duties, &c. as American vessels.

SEC. 2. *And be it further enacted*, That the restriction of coming direct from a port in Colombia, contained in the preceding section, shall be taken off, as soon as the President shall receive satisfactory evidence, that a like restriction is taken off, from vessels of the United States in the ports of the Republic of Colombia, and shall make known the same by his proclamation declaring the fact.

President to remove restriction, &c.

SEC. 3. *And be it further enacted*, That if the President of the United States shall at any time receive satisfactory information that the privileges allowed or which may be allowed to American vessels and their cargoes in the ports of Colombia, corresponding with those extended, or to be extended by this act, to Colombian vessels and their cargoes in the ports of the United States, have been revoked or annulled, he is hereby au-

President authorized to suspend operation of this act.

(a) Acts relating to the courts of the United States in the territory and state of Indiana.

An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers. March 30, 1802, ch. 13, sec. 15.

An act for the regulation of the courts of justice of Indiana. February 24, 1815, ch. 54.

An act supplementary to an act, entitled "An act regulating and defining the duties of the judges of the territory of Illinois, and for vesting in the courts of Indiana a jurisdiction in chancery cases arising in the said territory," April 29, 1816, ch. 154.

An act to provide for the due execution of the laws of the United States within the state of Indiana, March 3, 1817, ch. 100.

An act respecting the jurisdiction of certain district courts; February 19, 1831, ch. 28.

An act for altering the time of holding the district court of the United States for the district of Indiana, May 19, 1832, ch. 77.

An act supplementary to an act, entitled, "An act to amend the judicial system of the United States," March 3, 1837, ch. 34, sec. 3, 4.

An act to change the time of holding the circuit and district courts in the seventh circuit, March 10, 1838, ch. 33.

(b) Acts relating to discriminating duties, vol. iv. p. 2.

thorized, by proclamation, to suspend the operation of either or both of the provisions of this act, as the case may be, and to withhold any or all the privileges allowed, or to be allowed, to Colombian vessels or their cargoes.

APPROVED, May 19, 1832.

STATUTE I.

May 19, 1832.

CHAP. LXXX.—*An Act authorizing the revision and extension of the rules and regulations of the naval service.*

Board to be constituted, &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 is hereby, authorized to constitute a board of naval officers to be composed of the naval commissioners and two post captains to meet at the seat of government, whose duty it shall be, with the aid and assistance of the attorney general, carefully to revise and enlarge the rules and regulations governing the naval service, with the view to adapt them to the present and future exigencies of this important arm of national defence, which rules and regulations, when approved by him and sanctioned by Congress, shall have the force of law, and stand in lieu of all others heretofore enacted.

APPROVED, May 19, 1832.

STATUTE I.

May 22, 1832.

CHAP. XCI.—*An Act for the apportionment of representatives among the several states, according to the fifth census.*

Maine, 8
NewHamp. 5
Mass. 12
R. Island, 2
Conn. 6
Vermont, 5
NewYork, 40
NewJersey, 6
Penn'a. 28
Delaware, 1
Maryland, 8
Virginia, 21
N.Carolina, 13
S.Carolina, 9
Georgia, 9
Kentucky, 13
Tennessee, 13
Ohio, 19
Indiana, 7
Mississippi, 2
Illinois, 3
Louisiana, 3
Missouri, 2
Alabama, 5

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 March, one thousand eight hundred and thirty-three, the House of Representatives shall be composed of members, elected agreeably to a ratio of one representative for every forty-seven thousand and seven hundred persons in each state, computed according to the rule prescribed by the constitution of the United States, that is to say, within the state of Maine, eight; within the state of New Hampshire, five; within the state of Massachusetts, twelve; within the state of Rhode Island, two; within the state of Connecticut, six; within the state of Vermont, five; within the state of New York, forty; within the state of New Jersey, six; within the state of Pennsylvania, twenty-eight; within the state of Delaware, one; within the state of Maryland, eight; within the state of Virginia, twenty-one; within the state of North Carolina, thirteen; within the state of South Carolina, nine; within the state of Georgia, nine; within the state of Kentucky, thirteen; within the state of Tennessee, thirteen; within the state of Ohio, nineteen; within the state of Indiana, seven; within the state of Mississippi, two; within the state of Illinois, three; within the state of Louisiana, three; within the state of Missouri, two; and within the state of Alabama, five.

APPROVED, May 22, 1832.

STATUTE I.

May 22, 1832.

CHAP. XCII.—*An act to alter the time of holding the district court of the United States for the western district of Louisiana. (a)*

Court to be held 2d Monday 'n June.

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 western district of Louisiana, shall be hereafter holden on the second Monday of June, in each year, instead of the third Monday of August, as is now required by law.

(a) See notes to the acts relating to the district court in Louisiana, vol. iii. p. 774.

SEC. 2. *And be it further enacted*, That all proceedings of a civil or criminal nature now pending in, or returnable to, said court, shall be proceeded in by the said court, in the same manner as if no alteration of the time for holding said court had taken place.

APPROVED, May 22, 1832.

STATUTE I.

CHAP. XCIII.—*An Act to authorize the removal of the land office from Mount Salus, in the state of Mississippi, and to remove the land office from Franklin to Fayette, in the state of Missouri.*

May 22, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the land office at Mount Salus, in the Choctaw district, in the state of Mississippi, shall be removed to, and located at, such place in the said land district as the President of the United States may direct, if in his opinion any removal be necessary; and that the land office at Franklin, in the county of Howard, state of Missouri, shall be removed to, and located in, the town of Fayette in said county; and it shall be the duty of the registers, and the receivers of public money for said land offices, within sixty days from and after the passage of this act, to remove the books, records, and whatever else belongs to said offices, to their respective places of location as herein provided for.

Land offices to be removed.

APPROVED, May 22, 1832.

STATUTE I.

CHAP. CIV.—*An Act to exempt the vessels of Portugal from the payment of duties on tonnage. (a)*

May 25, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no duties upon tonnage shall be hereafter levied or collected of the vessels of the kingdom of Portugal: *Provided, always*, That whenever the President of the United States shall be satisfied that the vessels of the United States are subjected in the ports of the kingdom of Portugal, to payment of any duties of tonnage, he shall, by proclamation, declare the fact, and the duties now payable by the vessels of that kingdom shall be levied and paid, as if this act had not been passed.

No tonnage duties to be levied.

Proviso.

APPROVED, May 25, 1832.

STATUTE I.

CHAP. CV.—*An Act to extend the limits of Georgetown, in the District of Columbia.*

May 25, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the limits of Georgetown, in the district of Columbia, be, and they are hereby, extended, so as to include the part of a tract of land called "Pretty Prospect," recently purchased by the corporation of the said town, as a site for their poor's-house; beginning, for the said piece of ground, at a stone marked number four, extending at the end of four hundred and seventy-six poles on the first line of a tract of land, called the "Rock of Dunbarton;" said stone also standing on the western boundary line of lot numbered two hundred and sixty, of Beatty and Hawkins' addition to said town; and running thence, north, seventy-eight degrees, east thirty-eight poles; south eighty degrees, east three poles; south, eighteen poles, south twelve degrees, east nine poles; south eleven degrees, west twelve poles; south seventy-two

Limits extended.

(a) Notes of the acts relating to discriminating duties, vol. iv. 2.

degrees, west twenty-three poles, to the said first line of the "Rock of Dunbarton," thence, with said line, to the beginning.

Powers of corporation extended.

SEC. 2. *And be it further enacted*, That all the rights, powers, and privileges, heretofore granted by law to the said corporation, and which are at this time claimed and exercised by them, may and shall be exercised and enjoyed by them, within the bounds and limits set forth and described in the first section of this act.

APPROVED, May 25, 1832.

STATUTE I.

May 25, 1832.

CHAP. CVI.—*An Act for improving Pennsylvania Avenue, supplying the public buildings with water, and for paving the walk from the western gate to the Capitol with flagging.*

Contract to be made.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioner of the public buildings be, and he is hereby, authorized and directed to contract, after giving due notice by public advertisement, for improving the avenue, in the city of Washington, leading from the Capitol to the executive offices, by paving the centre way thereof forty-five feet in width, with cobble or pebble stones, or with pounded stone upon the McAdam plan, or in any other permanent manner, as the President of the United States may direct; and also, for the graduation, and covering with the best gravel to be obtained, the sideways of said avenue, and for proper gutters and drains to carry off the water, for which purpose, the sum of sixty-two thousand dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

President to determine mode of improvement.

Appropriations.

SEC. 2. *And be it further enacted*, That, under the same direction as prescribed in the first section, the following sums be, and the same are hereby, respectively, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the following purposes, that is to say.

For supply of water.

For conducting water in pipes from the fountain, on square number two hundred and forty-nine, to the President's house and public offices, and the construction of reservoirs and hydrants, five thousand seven hundred dollars.

For bringing water in pipes to the Capitol, and the construction of reservoirs and hydrants, and the purchase of the rights of individuals to the water, forty thousand dollars.

Flagging.

SEC. 3. *And be it further enacted*, That the commissioner of the public buildings is hereby authorized and directed to contract for the purchase, delivery, and laying of Seneca flagging on the walk from the western gate to the Capitol; and for this purpose, the sum of seven thousand one hundred and two dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 25, 1832.

STATUTE I.

May 25, 1832.

CHAP. CVII.—*An Act to amend an act, entitled "An act to enlarge the powers of the several corporations of the District of Columbia."*

Act of May 26, 1828, ch. 87.

Power to collect tax of one and thirteen hundredths of one per cent.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the corporation of Washington be, and it is hereby, empowered to collect, annually, the tax at the rate of one per centum and thirteen hundredths of one per centum, on the assessed value of the real and personal estates within the city of Washington, assessed and laid by the fifth section of said act, or any part thereof, for the purposes and objects designated in said act, by the same officers, process, and means by which said corporation is now, or may here-

after be, empowered to collect any other taxes; and to pay over said money, when so collected as aforesaid, to the treasury of the United States, in the manner, and within the times, prescribed by the acts to which this act is a supplement: and that, in default made by the said corporation, either in collecting or paying over as aforesaid, that then, and in such case, the President of the United States may proceed to exercise the powers reposed in, and conferred on, him, in and by the said fifth section.

In default of corporation, President may exercise powers reposed in, &c.

SEC. 2. *And be it further enacted*, That the common council of Alexandria shall have power to appoint one or more inspectors of tobacco for the town of Alexandria; and the said inspectors shall take an oath before a justice of the peace of the county of Alexandria, or the mayor of the corporation, for the faithful discharge of the duties of office of inspector, a certificate of which he shall return to the clerk of the common council: And the said common council shall have power to pass all needful laws for the due and proper inspection of tobacco, and for regulating the conduct of the said inspectors; and the said common council shall have power to remove, for just cause, any inspector, and appoint another in his place.

Inspectors of tobacco in Alexandria.

SEC. 3. *And be it further enacted*, That this act shall commence and be in force from the passage thereof.

APPROVED, May 25, 1832.

STATUTE I.

CHAP. CIX.—*An Act making appropriations for the Indian department for the year one thousand eight hundred and thirty-two.*

May 31, 1832.

[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 they are hereby, appropriated for the Indian department for the year one thousand eight hundred and thirty-two, viz :

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as established by law, including an agent for the Kansas, agreeably to a treaty with that tribe of June third, eighteen hundred and twenty-five, thirty-two thousand dollars.

Superintendent and agents.

For the pay of sub-agents, as established by law, nineteen thousand dollars.

Sub-agents.

For presents to Indians, as authorized by the act of one thousand eight hundred and two, fifteen thousand dollars.

Presents.

For the pay of Indian interpreters and translators, employed in the several superintendencies and agencies, twenty-one thousand five hundred and twenty-five dollars.

Interpreters.

For the pay of gunsmiths and blacksmiths, and their assistants, employed within the several superintendencies and agencies, under treaty provisions and the orders of the War Department, eighteen thousand three hundred and forty dollars.

Gunsmiths, &c.

For iron, steel, coal, and other expenses attending the gunsmiths and blacksmiths' shops, five thousand four hundred and twenty-six dollars.

Iron, &c.

For expense of transportation and distribution of Indian annuities, nine thousand nine hundred and fifty-nine dollars.

Transportation.

For expense of provisions for Indians at the distribution of annuities, while on visits of business, with the different superintendents and agents, and when assembled on public business, eleven thousand eight hundred and ninety dollars.

Provisions, &c.

For expense of building houses for Indian agents, blacksmiths' shops, and for repairs of the same, when required, in the several agencies, seven thousand dollars.

Houses, &c.

For contingencies of the Indian department, twenty thousand dollars: *Provided*, in no case shall any money hereby appropriated be used for the purpose of rewarding Indians for settling disputes among themselves.

Contingencies.

Proviso.

Expenses of
Indian deputa-
tion.

SEC. 2. *And be it further enacted*, That there be appropriated, out of any money in the treasury not otherwise appropriated, the sum of five thousand seven hundred and fifty dollars, for defraying the expenses of conducting a deputation of Indians from the head waters of the Missouri to Washington city, and from thence to their own country: *Provided*, That no compensation beyond their actual expenses for extra services, shall be allowed any Indian agent or sub-agent for services when doing duty under the order of their government, detached from their agency and boundary of the tribe to which they are agents.

Proviso.

Corn, &c. for
Seminoles.

SEC. 3. *And be it further enacted*, That there shall be, and hereby is, appropriated, out of any money in the treasury not otherwise appropriated, the sum of five thousand dollars, to be expended under the direction of the Secretary of War, in the purchase and delivery of corn, or other provisions, for the use of the Seminole Indians, who are likely to suffer on account of the failure of their crops from a severe drought the last year.

APPROVED, May 31, 1832.

STATUTE I.

May 31, 1832.

CHAP. CX.—*An Act to aid the vestry of Washington parish in the erection of a keeper's house, and the improvement and security of the ground allotted for the interment of members of Congress, and other public officers.*

Appropriations
for burial
ground.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of one thousand five hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be expended under the direction of the commissioner of the public buildings, for the purpose of aiding the vestry of Washington parish, in the erection of a keeper's house, for planting trees, boundary stones, and otherwise improving the burial ground, allotted to the interment of members of Congress, and other officers of the general government.

APPROVED, May 31, 1832.

STATUTE I.

May 31, 1832.

CHAP. CXI.—*An Act in relation to the penitentiary for the District of Columbia.*

[Obsolete.]
Appropriations
for penitentiary.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of thirty-eight thousand five hundred dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the purpose of completing the penitentiary and buildings connected with it, for the erection of railing on the exterior walls, and for the support of the convicts, and pay of the officers for the present year, to be expended under the superintendence and direction of the inspectors of the penitentiary.

APPROVED, May 31, 1832.

STATUTE I.

May 31, 1832.

CHAP. CXII.—*An Act for quieting possessions, enrolling conveyances, and securing the estates of purchasers within the District of Columbia. (a)*

Deeds, &c.
of land in the
District of Co-
lumbia.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any person or persons, seised or possessed of, or holding any estate or interest in any lands, tenements, or hereditaments, lying and being within the District of Columbia, shall execute and acknowledge a deed for the conveyance of such

(a) An act to amend an act for quieting the possessions, enrolling conveyances, and securing the estates of purchasers within the District of Columbia, passed the 31st May, 1832. April 20, 1838, ch. 57.

estate or interest, or for declaring or limiting any use or trust in and of the same, before any judge of a court of record and of law of the state and county in which such person or persons may be, or before any chancellor of any such state, or before any judge of the Supreme, circuit, district or territorial courts of the United States, or before any two justices of the peace of the state, district or territory and county in which such person or persons may be; and such judge, chancellor or justices shall annex to such a deed, a certificate, under his or their hands, of the execution and acknowledgment thereof, and that the grantor or grantors was or were known to him or them, or that his, her or their identity had been satisfactorily proved, and the register, clerk or prothonotary of such court or county, shall also certify under his hand and the seal of his office, that the judge, chancellor, or justices, is or are, was or were such at the time of the execution and acknowledgment thereof; or if any such person or persons, seised or possessed as aforesaid, shall be in some foreign country, and shall execute and acknowledge any such deed before any judge or chancellor of any court, master or master extraordinary in chancery, or notary public, in such foreign country; and such execution and acknowledgment, and also the identity of the grantor or grantors shall be certified upon, or annexed to, such deed, under the hand and seal of any such judge, chancellor, master or master extraordinary, or notary public, and such deed, so executed, acknowledged and certified in the several and respective modes aforesaid, shall be recorded amongst the land records of the county of Washington, or the county of Alexandria in the District of Columbia, within six calendar months from the day of its date, if executed and acknowledged within the United States or the territories thereof, or within twelve calendar months from the day of its date, if executed and acknowledged in some foreign country; such deed shall be good and effectual for the purpose or purposes therein mentioned.

Before whom to be acknowledged.

Certificate.

Deeds by persons in foreign countries.

Where and when to be recorded.

SEC. 2. *And be it further enacted*, That if any feme covert in whom such estate or interest may be, shall be a party with her husband, executing such deed, or shall only be relinquishing her right of dower, in or to such estate or interest, and the judge, chancellor, justices, master or master extraordinary in chancery, or notary public, aforesaid, before whom the same may be executed and acknowledged, shall make the contents thereof known to her, and shall examine her, out of the presence and hearing of her husband, whether she doth make her acknowledgment of the same voluntarily, and without being induced to do so by fear or threats of, or ill usage by her husband, or fear of his displeasure; and such examination and acknowledgment, and also the identity of the party shall be certified in the mode prescribed in the first section of this act, according to the place or country where such feme covert shall be at the time of such examination and acknowledgment, and such deed shall be recorded within the several and respective periods herein before mentioned; the same shall be good and available for the purposes therein mentioned, and thereby intended.

Deeds to which feme covert is a party.

Examination of feme.

Certificate.

Record.

SEC. 3. *And be it further enacted*, That the clerks of the circuit court of the District of Columbia for the counties of Washington and Alexandria, respectively, are hereby authorized to record any deed or conveyance, executed and authenticated agreeably to the provisions of this act.

Clerks authorized to record.

APPROVED, May 31, 1832.

STATUTE I.

CHAP. CXIII.—*An Act vesting in the corporation of the city of Washington, all the rights of the Washington Canal Company; and for other purposes.*

May 31, 1832.

WHEREAS, it is represented that the mayor, board of aldermen and board of common council of the city of Washington, have purchased,

and are now exclusive owners of all the stock of the Washington Canal Company, and are desirous that the entire property, rights, privileges, and immunities of the said company, be vested in them for the use and benefit of the said city: Therefore

Right vested
in mayor, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the right, title, interest, property, and estate, either in law or equity, of the Washington Canal Company be, and the same are hereby, vested in the said mayor, aldermen, and common council, for the use aforesaid; and that the said mayor, aldermen, and common councilmen, shall have full power and authority to take possession of the canal and works of the said company, and to hold, use, occupy, and repair the same, from time to time, as occasion may require, and as to them shall seem expedient: *Provided,* That the said canal shall be finished and completed, of the breadth and depth, and in the manner, and within the time hereinafter prescribed, and not otherwise.

Proviso.

Dimensions
of canal: width,
depth.

SEC. 2. *And be it further enacted,* That the said canal shall be finished in such manner that the width thereof, from Seventeenth street west to Sixth street west, at the water line, shall be one hundred and fifty feet; from Sixth street west to B street south, eighty feet, at the water line; from B street south to the basin at the Virginia avenue, sixty feet, at the water line; from said basin to L street south, forty-five feet, at the water line; from L street south to N street south, forty feet, at the water line; and from L street south to the channel of the eastern branch, one hundred and twenty feet, at the water line; and the said canal, throughout its whole length and breadth aforesaid, shall have a depth of at least four feet water at all times. There shall also be made by the said mayor, aldermen, and common councilmen, three basins attached to the said canal, which shall be by them kept in repair, of the following dimensions, that is to say: one at the western termination of the said canal, at least one hundred and fifty feet wide, and five thousand five hundred and forty-five feet long; one at the Eastern branch, at the eastern termination of the said canal, of at least one hundred and twenty feet in width and six hundred and ninety feet in length; and one at the Virginia avenue, of at least eighty feet in width, and one hundred feet in length; each of which basins shall, at all times, have, throughout its length and width, a depth of water equal to that hereby required in the said canal.

Basins:

At west end.

At eastern
branch.

At Virginia
avenue.

Sides of canal to
be walled, &c.

Time for com-
pletion.

And the sides of the said canal and basins shall be secured by walls of stone or other materials, where necessary, of sufficient strength and height to allow the use of steam vessels therein; all which work hereby required to be done to complete the said canal and basins, shall be done and finished in the manner aforesaid by the first day of March, in the year one thousand eight hundred and thirty-three, or in default thereof, this act, and all the rights and privileges thereby granted, shall cease and determine.

Draining of
grounds along
canal.

SEC. 3. *And be it further enacted,* That all such provisions in any former law, as required the Washington Canal Company to raise, drain, or improve the low or wet grounds along or near the said canal, shall remain in full force, and be obligatory on the said mayor, aldermen, and common council: *Provided,* That no funds for that purpose shall be raised by lottery.

Mayor, &c.
authorized to
collect wharf-
age.

SEC. 4. *And be it further enacted,* That for and in consideration of the expenses which have been, and will be, incurred in finishing the said canal and basins, and of securing the sides thereof, and of the expenses of erecting and maintaining locks, and of completing the whole work according to the provisions of this act, and of keeping the same in repair, including the expense of draining, or otherwise improving or drying the low and wet grounds along and near the said canal, the said mayor, aldermen, and common council, are hereby authorized to collect, on all articles and materials landed on each side of the canal and basins,

from on board any boat, scow, or other vessel, or water craft, or placed on either side of the said canal or basins for the purpose of being taken therefrom by any boat, scow, or other vessel, or water craft, wharfage, according to such rates as they, by any by-laws or regulations, may, from time to time, ordain and establish: *Provided*, That the said rates shall, at no time hereafter, and in no particular, exceed those charged on the same articles by the owners of private wharves in the said city. And it shall and may be lawful for the said mayor, aldermen, and common council, to demand and receive at the most convenient place, or places, for all articles carried along the said canal, tolls not exceeding the following rates, that is to say: for each unloaded boat, scow, or other vessel or water craft, twenty-five cents; for each barrel of flour, beef, or pork, two cents; for each barrel of whisky, brandy, or spirituous liquors, of any description, three cents; for each hogshead or pipe, six cents; and upon all other articles, packages, or commodities, not exceeding six cents for each ton; and after that rate for any article or quantity weighing less than one ton. And said mayor, aldermen, and common council, shall also have the exclusive right to establish a packet boat or boats on the said canal for the conveyance of passengers; and no other boat or boats for that purpose, except such as are established or permitted by them, shall be allowed to convey passengers on the said canal for hire. The tolls hereby granted shall be demandable on any boat, scow, vessel, or other water-craft, on any of the articles aforesaid for a passage through either of the locks, or along any part of the said canal, but the public property of the United States shall be landed, and pass free of wharfage and tolls.

Proviso.

Tolls.

Wharfage.

Exclusive right to establish packet boats.

United States property, toll free.

Bridges.

SEC. 5. *And be it further enacted*, That the said mayor, aldermen, and common council, shall, from time to time, erect and keep in repair, all such bridge or bridges over the said canal, in each and every street crossing the same, as the convenience of the inhabitants of the city may require; which bridges shall be erected at least eight feet above high water, and of not less width than twenty-four feet, and be safe for the passage of footmen, horses, cattle, carriages, and loaded wagons.

SEC. 6. *And be it further enacted*, That the said mayor, aldermen, and common council, shall, annually, in the month of January, lay before Congress a true statement of the capital invested by them in the purchase, completion, and improvement, of the said canal and works, with the amount of their annual expenditures and receipts, so as to show the clear net profit by them so received on such investment; and if at any time the net profit shall happen to fall short of six per centum on the said capital so invested, it shall be lawful for them to increase the said rates of toll and wharfage in such manner as they may judge sufficient to produce six per centum per annum on the said investment; and should it so happen at any time that the net proceeds aforesaid shall exceed a rate of ten per centum per annum, they shall so reduce the said rates as not to produce a greater net profit than of the said rates of ten per centum. In estimating the amount of capital invested, the proceeds of sale of the real estate hereby granted to the said mayor, aldermen, and common council, to aid them in the execution of the works hereby required, shall not be included, but the amount of sales of the said property, showing what part thereof shall have been sold, and at what price each part of the said property shall have been sold, shall form part of the said annual report.

Annual statement of costs and profits.

SEC. 7. *And be it further enacted*, That the said mayor, aldermen, and common council, shall not begin to collect wharfage or tolls, until the said canal and works shall have been wholly completed according to the provisions of this act, in the opinion of the Secretary of the Treasury of the United States for the time being, who is hereby authorized and required to give his certificate thereof, whenever, in his opinion, the same

No tolls or wharfage to be collected, till completion of canal.

shall have been so completed; and upon obtaining such certificate, and depositing the same with the clerk of the circuit court for the District of Columbia, in the county of Washington, to be by him recorded, it shall and may be lawful, to and for the said mayor, aldermen, and common council, to commence the collection of the said wharfage and tolls.

Collection to cease, &c.

And such right to collect the said rates of toll and wharfage shall cease, whenever the said canal shall be so out of repair as to impede the free and convenient use thereof by vessels or craft drawing four feet water, so long as the same shall so remain out of repair or obstructed.

Title of the United States in Mall vested in the mayor, &c.

SEC. 8. And in order to aid the said mayor, aldermen, and common council, in fulfilling the objects and requirements of this act, *Be it further enacted*, That all the right, title, property, interest, and estate, in law or equity, of the United States, of, in, and to, that part of the public reservation in the city of Washington, known and designated as the Mall, which is bounded as follows; lying between Sixth and Fifteenth streets west, and extending from Canal street two hundred and fifteen feet south to the continuation of A street north, and all that part of the said reservation on the south side of the said Mall extending from B street south, three hundred and sixty-six feet, to A street south, and lying between Sixth and Fifteenth streets west, and all the right, title, interest, and estate, which is now, or ought to be, vested in any trustees, commissioners, or other person, for, and on behalf, and in trust, for the benefit of the United States, be, and the same are hereby, vested in the said mayor, aldermen, and common council, in fee, for the purpose, and to be by them sold and applied for the purposes aforesaid, or so much thereof as they shall deem it advisable to sell for the said purposes, and the said residue to hold and use for the benefit and convenience of the said city.

Width of landing.

SEC. 9. *And be it further enacted*, That the said mayor, aldermen, and common council, shall not be authorized to occupy, nor permit others to occupy, more than forty feet for the purpose of landing on either side of the said canal, extending from the Eastern branch to Seventeenth street west upon the plan of the city.

Street on south side of canal.

SEC. 10. *And be it further enacted*, That a street be laid out along the entire length of said canal, on the south side thereof, of the width of eighty feet, between said Sixth and Fifteenth streets west, which shall be kept open for ever as a public street, and subjected to the same rules, regulations, and ordinances, as shall and may affect the other streets and avenues in said city; and that all the streets of said city running north and south, and all the avenues which, by continuing the same, shall extend through said Mall, and such as running westwardly and eastwardly would in like manner intersect the same, shall, in like manner, be opened and kept open, and subject as aforesaid.

Map of De Krafft.

SEC. 11. *And be it further enacted*, That a map or plat of the said land, squares, streets, and avenues, made and prepared by F. C. De Krafft, United States' surveyor of the city of Washington, dated December twenty-seventh, one thousand eight hundred and thirty-one, marked A, be, and the same is hereby, ordered and directed to be recorded in the office of the commissioner of public buildings, and also in the office of said surveyor of the said city of Washington, and shall be held and deemed as indicating correctly the said lands and squares, streets and avenues, and be of full authority as designating and exhibiting the same.

Owners of lots on B street, entitled to exchange them, &c.

SEC. 12. *And be it further enacted*, That if any proprietor or proprietors of any lots now fronting north on B street south, between said Sixth and Fifteenth streets, shall signify his, her, or their desire and intention to exchange said lots for an equal quantity of the lands herein and hereby conveyed to the said mayor, board of aldermen, and board of common council, situated on the south side of A street south, and immediately north of his, her, or their, said lots, it shall be the duty of the said mayor, board of aldermen, and board of common council, on such intention and

desire being made known to them, to and upon a conveyance in due form of law, clear of all encumbrances, being made to them for the said lands so held by such proprietor or proprietors, to convey and assign to the said proprietor, or proprietors, a corresponding quantity on the square immediately north and fronting on A street south. And in case such proprietor or proprietors shall have made any substantial improvements on the said land so held by him or them as aforesaid, to make a fair and equitable allowance on said surrender or conveyance, either in land or money, as may be agreed on between the parties: *Provided*, Said proprietor or proprietors shall make known such intention to the said mayor, board of aldermen, and board of common council, on or before the first day of August next.

Proviso.

Mall to be laid out in lots, and sold.

Sec. 13. *And be it further enacted*, That the said mayor, board of aldermen, and board of common council, be, and they are hereby, authorized and required to lay out and divide the said lands, so conveyed and vested by virtue of this act, into lots with alleys, as to them shall seem meet and proper, and to dispose of and sell the same, or so much thereof as shall remain unexchanged as aforesaid, and also all such lots as they shall receive in exchange as aforesaid, at such times and upon such terms as to the said mayor, board of aldermen, and board of common council, shall seem meet; and to execute, or cause to be executed, good and sufficient deeds of conveyance to the purchasers thereof.

Proceeds, how to be applied.

Sec. 14. *And be it further enacted*, That the proceeds arising from said sales shall be and constitute a fund, which shall be applied by the said mayor, board of aldermen, and board of common council, to pay and extinguish any debt which has been, or may be, contracted, either in the purchase of the Washington City Canal, or the shares of stockholders in said canal, or in the completion of the same, and in the expenses attending said purchase and completion, and shall not be applicable to any other object or purpose until said debts be extinguished.

All other rights saved.

Sec. 15. *And be it further enacted*, That nothing in this act contained shall be held or deemed, in any manner or way, to impair or injure any private rights or interests, or in any manner to affect the same beyond the mere transfer of the rights of the United States to said mayor, board of aldermen, and board of common council.

Former acts repealed.

Sec. 16. *And be it further enacted*, That the several acts passed on the first day of May, one thousand eight hundred and two; the sixteenth day of February, one thousand eight hundred and nine; the sixth day of May, one thousand eight hundred and twelve; and the twentieth day of May, one thousand eight hundred and twenty-six, in relation to the Washington Canal Company, shall be, and the same are hereby, repealed, except as herein before provided.

APPROVED, May 31, 1832.

STATUTE I.

CHAP. CXIV.—*An Act changing the times of holding the courts in the District of Columbia.*

May 31, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the circuit court of the District of Columbia, for the county of Washington, shall hereafter be held on the fourth Monday in March, and on the fourth Monday in November, in every year, instead of the times now designated by law; and the court for the county of Alexandria shall be held on the first Monday in May, and on the first Monday in October, in every year, instead of the times now designated by law; and that all process shall be made returnable to the said terms as herein directed. This act shall take effect from and after the first day of June next.

Court to be held on fourth Monday in March and November and first Monday in May and October.

APPROVED, May 31, 1832.

STATUTE I.

May 31, 1832.

CHAP. CXV.—*An Act defining the qualifications of voters in the territory of Arkansas.*(a)

Qualification of voters.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every free white male citizen of the United States of the age of twenty-one years, who shall have resided in the territory of Arkansas for the term of six months next preceding any general or special election, shall have the privilege of voting in the election district where he shall reside, and not elsewhere, for all elective officers of said territory.

APPROVED, May 31, 1832.

STATUTE I.

June 4, 1832.

[Obsolete.]

Appropriations for payment of annuities due to Indians and Indian tribes.

CHAP. CXXIII.—*An Act making appropriations for Indian annuities, and other similar objects, for the year one thousand eight 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 sum of three hundred and thirty-six thousand four hundred and five dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the payment of the annuities due to the various Indians and Indian tribes hereinafter mentioned, including the sum of twenty-four thousand five hundred dollars, stipulated for education of Indian youths; twenty-five thousand four hundred and seventy dollars, stipulated for the expenses of blacksmiths, gunsmiths, millers, millwrights, agriculturists, and labourers employed on Indian service, and for furnishing salt, tobacco, iron, and steel, et cætera; and four thousand three hundred and sixty dollars for expenses of transportation and distribution of certain annuities and agricultural implements, not otherwise provided for, for the service of the year one thousand eight hundred and thirty-two, that is to say:

To the Wyandot tribe, five thousand nine hundred dollars.

To the Wyandot, Munsee, and Delaware tribes, one thousand dollars.

To the Shawanee tribe, three thousand dollars, and sixty dollars for furnishing salt.

To the Shawanee and Seneca tribes, of Lewistown, one thousand dollars.

To the Delaware tribe, six thousand five hundred dollars, and one hundred dollars for furnishing salt.

To the Wea tribe, three thousand dollars.

To the Piankeshaw tribe, eight hundred dollars.

To the Kaskaskias tribe, one thousand dollars.

To the Ottawa tribe, five thousand three hundred dollars.

To the Ottawa and Missouri tribes, two thousand five hundred dollars, and fifteen hundred dollars for the expenses of blacksmiths' tools and agricultural implements.

To the Chippewa tribe, three thousand eight hundred dollars; also, one thousand dollars for purposes of education, and two thousand dollars for the purchase of farming utensils and cattle, and the employment of persons to aid them in agriculture.

To the Chippewa, Ottawa, and Pattawatamie tribes, sixteen thousand dollars, and one hundred and twenty-five dollars for furnishing salt.

To the Pattawatamie tribe, sixteen thousand three hundred dollars, and one hundred dollars to Topenibe, principal chief; also, three thousand dollars for purposes of education, and two thousand five hundred and twenty dollars, for expenses of blacksmiths, millers, and agriculturists, and for furnishing salt, tobacco, iron, and steel.

(a) Notes of the acts relating to the territory, afterwards the state of Arkansas, vol. iii. p. 493.

To the Pattawatamie tribe of Huron, four hundred dollars.

To the Choctaw tribe, fifty thousand nine hundred and twenty-five dollars; to Mushulatubbe, a chief, one hundred and fifty dollars, and to Robert Cole, a chief, one hundred and fifty dollars; also, twelve thousand five hundred dollars for purposes of education, and two thousand nine hundred and fifty-five dollars for expenses of blacksmiths and millwrights, and for furnishing iron and steel.

To the Eel river tribe, one thousand one hundred dollars.

To the Six Nations, New York, four thousand five hundred dollars, and two hundred dollars to the Young King, a chief of the Seneca nation.

To the Seneca tribe, New York, six thousand dollars.

To the Creek tribe, thirty-four thousand five hundred dollars.

To the Cherokee tribe, ten thousand dollars, also two thousand dollars for purposes of education.

To the Chickasaw tribe, twenty-three thousand dollars.

To the Sac tribe, three thousand dollars.

To the Sac and Fox tribes, two thousand dollars.

To the Sac, Fox, and Ioway tribes, three thousand dollars, for expenses of blacksmiths and agriculturists, and furnishing farming utensils and cattle.

To the Fox tribe, three thousand dollars.

To the Ioway tribe, three thousand dollars; also nine hundred dollars for expenses of blacksmiths, and furnishing agricultural tools.

To the Osage tribe, eight thousand five hundred dollars.

To the Seneca tribe, of Lewistown, one thousand dollars.

To the Quapaw tribe, two thousand dollars.

To the Kickapoo tribe, of Illinois, two thousand dollars.

To the Florida Indians, five thousand dollars; also one thousand dollars for purposes of education, and one thousand dollars for the expenses of a gun and blacksmith.

To the Miami tribe, twenty-five thousand dollars; also two thousand dollars for the support of the poor and infirm, and education of youth; and two thousand and twenty dollars for expenses of blacksmith, and for furnishing salt, iron, and steel and tobacco.

To the Winnebago tribe, eighteen thousand dollars; also three thousand seven hundred and ninety dollars for expenses of blacksmiths and agriculturists, and for furnishing salt and tobacco.

To the Kanza tribe, three thousand five hundred dollars.

To the Christian Indians, four hundred dollars.

To the Sioux tribe, of Mississippi, two thousand dollars; also, one thousand seven hundred dollars for expenses of blacksmith, and furnishing agricultural tools.

To the Yancton and Santie bands, three thousand dollars; also one thousand four hundred dollars for expenses of blacksmith and furnishing agricultural tools.

To the Omaha tribe, two thousand five hundred dollars; also, one thousand five hundred dollars for expenses of blacksmith, and furnishing agricultural tools.

To the Sac tribe of Missouri river, five hundred dollars; also, nine hundred dollars for expenses of blacksmith, and furnishing agricultural tools.

For purposes of education of Sacs, Foxes, and others, as stipulated for by the treaty of fifteenth July, one thousand eight hundred and thirty, three thousand dollars; and to Little Billy of the Seneca tribe, of New York, for the term of his natural life, an annuity of fifty dollars.

To Anderson, three hundred and sixty dollars, and to Lapahnilhe, one hundred and forty dollars, chiefs of the Delaware nation, agreeably to an understanding of the commissioners who negotiated the treaty of one thousand eight hundred and eighteen.

For expenses of transportation and distribution of annuities to the Winnebagoes, Chippewas, Ottowas, and Pattawatamies, Sacs, Foxes, and others, and of salt, tobacco, agricultural implements, and tools, not otherwise provided for, the sum of four thousand three hundred and sixty dollars.

Other acts re-
pealed.

SEC. 2. *And be it further enacted*, That so much of any act as provides for the payment of any of the annuities and stipulations herein mentioned, shall be, and the same is hereby, repealed.

APPROVED, JUNE 4, 1832.

STATUTE I.

June 4, 1832.

CHAP. CXXIV.—*An Act making appropriations in conformity with the stipulations of certain treaties with the Creeks, Shawnees, Ottoways, Senecas, Wyandots, Cherokees, and Choctaws.*

Appropriations.

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 severally appropriated to the several objects hereinafter specifically enumerated, according to the stipulations of certain Indian treaties, to be paid out of any money in the treasury not otherwise appropriated, namely :

Creek treaty.
Debts.

For the payment of debts due by the Creeks, and their relief, according to the ninth article of the treaty concluded with the Creek Indians, twenty-fourth March, one thousand eight hundred and thirty-two, one hundred thousand dollars.

Delegation.

For compensation to the delegation to the city of Washington, the payment of the expenses, and of claims against them, according to the tenth article of the same treaty, sixteen thousand dollars.

Payment of
claims for fer-
ries, &c.

For the payment of certain claims for ferries, bridges, and causeways, for judgments against chiefs, for losses, for improvements, for annuities, for the expenses of Creeks who have emigrated without expense to the United States, at fifteen dollars for each, and for compensation to those who suffered in consequence of being prevented from emigrating, as severally provided for and stipulated in the eleventh article of the same treaty, twenty-five thousand and eighty dollars.

Rifles, &c.

For the cost of rifles, ammunition, and blankets, according to the thirteenth article of the same treaty, thirteen hundred and twenty dollars.

Census, &c.

For the expenses of taking the census, and making the selection of reservations according to the second article of the same treaty, three thousand five hundred dollars.

Persons to
certify, &c.

For the service of a person to be selected to certify the contracts for the sale of lands, according to the third article of the same treaty, one thousand dollars.

Removal of
intruders.

For the expense of removing and keeping off intruders from the Creek lands, according to the fifth article of the same treaty, two thousand dollars.

Education.

For one year's allowance for the purposes of education, according to the thirteenth article of the same treaty, three thousand dollars.

Shawnee treaty.

For carrying into effect the treaty with the Shawnee Indians of Ohio, according to the treaty concluded with them, eighth August, one thousand eight hundred and thirty-one, the following sums, namely :

Houses, &c.

For enabling them to erect houses and open farms at their intended residence, according to the fifth article of the said treaty, thirteen thousand dollars.

Presents.

For the payment for sundry articles, as presents, enumerated in the ninth, twelfth, and fourteenth articles of the same treaty, two thousand four hundred and four dollars.

Selling pro-
perty.

For expenses of selling the property of Indians, according to the sixth article of the said treaty, three hundred dollars.

For carrying into effect the treaty with the Ottoways, of Ohio, concluded the thirtieth August, one thousand eight hundred and thirty-one, the following sums, namely : Ottoway treaty.

For the payment of certain articles as stipulated for in the tenth article of the said treaty, twelve hundred and fifty-four dollars.

For expenses attending the sale of Indian property, according to the sixth article, three hundred dollars.

For carrying into effect the treaty with the mixed bands of the Senecas and Shawnees, of Lewiston, Ohio, concluded the twentieth July, one thousand eight hundred and thirty-one, the following sums, namely : Seneca and Shawnee treaty.

For an advance to said Indians, in lieu of compensation for improvements, according to the fifth article of the said treaty, six thousand dollars.

For the payment for sundry articles stipulated for as presents in the tenth article of said treaty, thirteen hundred and fifteen dollars.

For the expense of selling the property of said Indians, according to the sixth article of the said treaty, three hundred dollars.

For carrying into effect the treaty with the Wyandots, of Ohio, concluded nineteenth January, one thousand eight hundred and thirty-two, the following sums, namely : Wyandot treaty.

For payment for the reservation of sixteen thousand acres, as stipulated for in the second article of the treaty, twenty thousand dollars.

For payment for improvements on the ceded reservations, and expense of appraising the same, according to the third article of said treaty, four thousand dollars.

For transportation and contingencies under the provisions of the several treaties above mentioned, two thousand five hundred dollars.

For the payment of improvements within the limits of Georgia and Arkansas, abandoned by Cherokee emigrants under the treaty of sixth May, one thousand eight hundred and twenty-eight, as valued by appraisers, seventy thousand dollars. Improvements in Georgia and Arkansas.

For gratuities of fifty dollars for every five emigrants from within the chartered limits of Georgia, ten thousand dollars. Gratuities.

For carrying into effect the treaty with the Choctaws, of fifteenth September, one thousand eight hundred and thirty, the following sums, namely : Choctaw treaty.

For the blankets, rifles, axes, ploughs, hoes, wheels, cards, looms, iron, and steel, stipulated for in the twentieth article of the said treaty, thirty-five thousand six hundred and twenty dollars.

For fulfilling the stipulation of the sixteenth article in relation to cattle, in addition to former appropriations, ten thousand dollars.

For the payment of Choctaw Indians who have relinquished lands, according to the provisions of the nineteenth article of said treaty, the sum of thirty thousand seven hundred and forty dollars.

For expenses of transportation, and other incidental expenses, in relation to the treaties above named, three thousand five hundred dollars.

APPROVED, June 4, 1832.

STATUTE I.

June 4, 1832.

CHAP. CXXVI.—*An Act supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That each of the surviving officers, non-commissioned officers, musicians, soldiers and Indian spies, who shall have served in the continental line, or state troops, volunteers or militia, at one or more terms, a period of two years, during the war of the revolution, and who are not entitled to any benefit under the act for the relief of certain surviving officers and soldiers of the revolution, passed the fifteenth day of May, eighteen hundred and twenty-eight, be

Act of May 15, 1828, ch. 53.

All who have served two years, to receive full pay according to their rank, not to exceed captain's pay.

Post, p. 608.
Post, p. 612.

All who have served not less than six months, to receive an annuity proportioned to term of service.

No one already a pensioner to receive benefits of this act, until he relinquishes former pension.

Where to be paid.
Post, p. 605.

No foreign officer entitled, &c.

Evidence of title.

Pay not transferable, &c.

Payments when to be made.

In case of death to widow or children.

Service in navy to entitle to benefits of this act.

authorized to receive, out of any money in the treasury not otherwise appropriated, the amount of his full pay in the said line, according to his rank, but not exceeding, in any case, the pay of a captain in the said line; such pay to commence from the fourth day of March, one thousand eight hundred and thirty-one, and shall continue during his natural life; and that any such officer, non-commissioned officer, musician, or private, as aforesaid, who shall have served in the continental line, state troops, volunteers or militia, a term or terms in the whole less than the above period, but not less than six months, shall be authorized to receive out of any unappropriated money in the treasury, during his natural life, each according to his term of service, an amount bearing such proportion to the annuity granted to the same rank for the service of two years, as his term of service did to the term aforesaid; to commence from the fourth day of March, one thousand eight hundred and thirty-one.

SEC. 2. *And be it further enacted*, That no person, receiving any annuity or pension under any law of the United States providing for revolutionary officers and soldiers, shall be entitled to the benefits of this act, unless he shall first relinquish his further claim to such pension; and in all payments under this act, the amount which may have been received under any other act as aforesaid, since the date at which the payments under this act shall commence, shall first be deducted from such payment.

SEC. 3. *And be it further enacted*, That the pay allowed by this act shall, under the direction of the Secretary of the Treasury, be paid to the officer, non-commissioned officer, musician or private, entitled thereto, or his or their authorized attorney, at such places and times as the Secretary of the Treasury may direct, and that no foreign officer shall be entitled to said pay, nor shall any officer, non-commissioned officer, musician or private, receive the same until he furnish the said Secretary satisfactory evidence that he is entitled to the same, in conformity to the provisions of this act; and the pay hereby allowed shall not be in any way transferable or liable to attachment, levy, or seizure, by any legal process whatever, but shall inure wholly to the personal benefit of the officer, non-commissioned officer, musician, or soldier, entitled to the same.

SEC. 4. *And be it further enacted*, That so much of the said pay as accrued before the approval of this act, shall be paid to the person entitled to the same as soon as may be, in the manner and under the provisions above mentioned; and the pay which shall accrue thereafter shall be paid semi-annually, in the manner above directed; and, in case of the death of any person embraced by the provisions of this act, or of the act to which it is supplementary, during the period intervening between the semi-annual payments directed to be made by said acts, the proportionate amount of pay which shall accrue between the last preceding semi-annual payment, and the death of such person, shall be paid to his widow, or, if he leave no widow, to his children.

SEC. 5. *And be it further enacted*, That the officers, non-commissioned officers, mariners, or marines, who served for a like term in the naval service during the revolutionary war, shall be entitled to the benefits of this act, in the same manner as is provided for the officers and soldiers of the army of the revolution.

APPROVED, June 7, 1832.

STATUTE I.

June 15, 1832.

CHAP. CXXXVII.—*An Act authorizing the Secretary of the Treasury to permit a wharf to be built near the site of the lighthouse on Stratford point, in the state of Connecticut.*

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 is hereby authorized to permit a wharf to be built near the site of the lighthouse, on Stratford point, in the state of Connecticut, and to grant the use of such land belonging to the United States as may be required for that purpose: *Provided*, The use of such wharf shall continue only so long as, in the opinion of the Secretary of the Treasury, it does not interfere with the interests of the United States.

A wharf may be built.

APPROVED, June 15, 1832.

STATUTE I.

CHAP. CXXVIII.—*An Act to create the office of surveyor of public lands for the territory of Arkansas. (a)*

June 15, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a surveyor for the territory of Arkansas shall be appointed, who shall have the same authority, and perform the same duties respecting the public lands and private land claims in the territory of Arkansas as are now vested in, and required of, the surveyor of the lands of the United States in Missouri and Illinois.

Duties.

SEC. 2. *And be it further enacted*, That it shall be the duty of the surveyor for Missouri and Illinois to deliver to the surveyor for the territory of Arkansas, all the maps, papers, records, and documents relating to the public lands and private land claims in Arkansas, which may be in his office; and in every case where it shall be impracticable to make a separation of such maps, papers, records, and documents, without injury, it shall be his duty to cause copies thereof, certified by him, to be furnished to the surveyor of Arkansas, which copies shall be of the same validity as the originals.

Maps, papers, &c. relating to lands in Arkansas to be delivered.

SEC. 3. *And be it further enacted*, That the surveyor of Arkansas, to be appointed in pursuance of this act, shall establish his office at such place as the President of the United States may deem most expedient for the public service, and that he shall be allowed an annual salary of fifteen hundred dollars, and that he be authorized to employ one skillful draughtsman and two clerks, whose aggregate compensation shall not exceed eighteen hundred dollars per annum.

Location of office.

Salary of draughtsman and clerks.

APPROVED, June 15, 1832.

STATUTE I.

CHAP. CXXIX.—*An Act granting to the territory of Arkansas one thousand acres of land, for the erection of a courthouse and jail at Little Rock.*

June 15, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be granted to the territory of Arkansas, a quantity of land not exceeding one thousand acres, contiguous to, and adjoining the town of, Little Rock, for the erection of a courthouse and jail in said town; which lands shall be selected by the governor of the territory by legal sub-divisions, and disposed of in such manner as the legislature may by law direct; and the proceeds of the lands so disposed of, shall be applied towards building a courthouse and jail in said town of Little Rock; and the surplus, if any, may be applied to such other objects as the legislature of said territory may deem proper.

Land to be selected by governor.

APPROVED, June 15, 1832.

(a) Notes of acts relating to the territory, afterwards the state of Arkansas, vol. iii. 493.

STATUTE I.

June 15, 1832.

[Obsolete.]

Certain unexpended balances re-appropriated.

CHAP. CXXX.—*An Act for the re-appropriation of certain unexpended balances of former appropriations; 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, being unexpended balances of former appropriations, be, and the same are hereby, re-appropriated to the original objects of their appropriation, specifically, namely :

For the expense of visits of Indian deputations to the seat of government, three hundred and ninety-four dollars and forty-two cents.

For expenses incurred by the marshal of Michigan territory, in prosecuting Winnebago prisoners, one hundred and twenty-nine dollars and fifty-eight cents.

1824, ch. 151. For carrying into effect the treaty with the Florida Indians, according to the act of twenty-sixth May, one thousand eight hundred and twenty-four, one hundred and ninety-five dollars.

1826, ch. 148. For carrying into effect the Creek treaty, according to the appropriation to that effect in the act of twenty-second May, one thousand eight hundred and twenty-six, and the re-appropriation of the balance thereof, by the act of March second, one thousand eight hundred and twenty-nine, ten thousand seven hundred and forty-five dollars and ten cents.

1829, ch. 50. For compensation to Cherokee emigrants from Georgia, according to the act of second March, one thousand eight hundred and twenty-nine, ten thousand five hundred and fifty-one dollars and thirty cents.

1829, ch. 50. For carrying into effect the treaty with the Pattawatamies, by act of second March, one thousand eight hundred and twenty-nine, eight hundred and sixty-five dollars and ninety-two cents.

1829, ch. 50. For compensation for improvements abandoned by the Cherokees of Arkansas, by act of second March, one thousand eight hundred and twenty-nine, seventeen thousand five hundred and forty-one dollars and thirty-three cents.

1829, ch. 50. For provisions for the Quapaws, by act of second March, one thousand eight hundred and twenty-nine, one thousand dollars.

1828, ch. 47. For aiding certain Creeks in their removal, by act of ninth May, one thousand eight hundred and twenty-eight, six hundred and four dollars and three cents.

1829, ch. 50. For extinguishment of the title of the Delaware Indians to their reservation in Ohio, by act of second March, one thousand eight hundred and twenty-nine, one thousand four hundred and eighty-seven dollars and sixty-seven cents.

SEC. 2. *And be it further enacted,* That the sum of one thousand dollars, heretofore appropriated for contingent expenses of the topographical bureau by the act making appropriations for the support of government for the year one thousand eight hundred and thirty-two, be, and the same is hereby, transferred and appropriated to the contingent expenses of the office of the chief engineer for the same year.

That the following sum be, and the same is hereby appropriated :

For defraying the expenses of the Wyandott delegation to the city of Washington, in January, one thousand eight hundred and thirty-two, four hundred dollars; and for defraying the expenses of the Cherokee delegation, west of the Mississippi, now in the city of Washington, seven hundred and seventy-two dollars.

Illinois militia, &c. SEC. 3. *And be it further enacted,* That for the purpose of paying the militia of the state of Illinois called into the service of the United States by competent authority, and for paying the expenses incurred in defending the frontier from a recent invasion by several bands of hostile Indians, and including the pay of the militia legally called out for the same purpose from the neighbouring states and territories, three hundred thousand dollars, if so much be necessary, be, and the same is hereby, appro-

priated, to be paid under the authority of the Secretary of War, agreeably to the second section of an act making appropriations for the support of the army for the year one thousand eight hundred and thirty-two.

SEC. 4. *And be it further enacted*, That the sum of twenty thousand dollars be, and the same is hereby, appropriated, to be expended under the direction of the President of the United States, for the relief of such friendly Indians as may seek protection within the Indian agencies on the north-western frontier.

Relief of friendly Indians.

APPROVED, June 15, 1832.

STATUTE I.

June 15, 1832.

CHAP. CXXXI.—*An Act to authorize the President to raise mounted volunteers for the defence of the frontier.*

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 raise, either by the acceptance of volunteers, or enlistment for one year, unless sooner discharged, six hundred mounted rangers, to be armed, equipt, mounted, and organized in such manner, and to be under such regulations and restrictions as the nature of the service may, in his opinion, make necessary.

How armed, &c.

SEC. 2. *And be it further enacted*, That each of the said companies of rangers shall consist of one captain, one first, one second, and one third lieutenant; five sergeants, five corporals, and one hundred privates; the whole to form a battalion, and be commanded by a major.

Organization.

SEC. 3. *And be it further enacted*, That the said non-commissioned officers and privates shall arm and equip themselves, unless otherwise ordered by the President, and provide their own horses, and shall be allowed each one dollar per day as a full compensation for their services and the use of their arms and horses. The commissioned officers shall receive the same pay and emoluments as officers of the same grade in the army of the United States, and the officers shall be allowed forage for their horses, and be entitled to the same rations as those of the same grade in the army of the United States, respectively.

Privates, &c. to arm and equip themselves.

Officers' pay and emoluments.

SEC. 4. *And be it further enacted*, That the officers, non-commissioned officers, and privates raised pursuant to this act, shall be entitled to the like compensation, in case of disability by wounds or otherwise, incurred in the service, as has heretofore been allowed to officers, non-commissioned officers, and privates in the military establishment of the United States; and shall be subject to the rules and articles of war, and such regulations as have been or shall be established according to law for the government of the army of the United States, as far as the same may be applicable to the said rangers within the intent and meaning of this act, for the protection and defence of the north-western frontier of the United States.

Provision in case of disability.

Corps subject to rules and articles of war.

SEC. 5. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, is hereby authorized to appoint all the officers proper to be appointed under this act; which appointments may be made during the recess of the Senate, but shall be submitted to the Senate at their next session, for their advice and consent; and that the sum of fifty thousand dollars be, and the same is hereby, appropriated for the purpose of carrying this act into effect.

Officers, how to be appointed.

APPROVED, June 15, 1832.

STATUTE I.

June 15, 1832.

CHAP. CXL.—*An Act to authorize the inhabitants of the state of Louisiana to enter the back lands.*

Owners of tracts on a river, &c. not exceeding 40 arpens in depth, entitled to pre-emption of back tract, &c.

Surveys of such back tracts and division in certain cases.

Proviso: pre-emption not to embrace, &c. Time for using pre-emption right.

Time extended by act of Feb. 24, 1835, ch. 24.

Re-surveys, at whose expense.

On the failure of notice, &c. pre-emption right to be void.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every person, who, either by virtue of a French or Spanish grant, recognised by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the state of Louisiana, or by virtue of any title derived from the United States, owns a tract of land bordering on any river, creek, bayou or water-course, in the said territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of, his own tract, not exceeding forty arpens, French measure in depth, nor in quantity of land, that which is contained in his own tract; at the same price and on the same terms and conditions, as are, or may be, provided by law for the other public lands in the said state. And the surveyor general for the state of Louisiana shall be, and he is hereby, authorized to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the river, lake, creek, bayou, or water-course, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him will appear most equitable: *Provided, however,* That the right of pre-emption granted by this section, shall not extend so far in depth as to include lands fit for cultivation, bordering on another river, creek, bayou or water-course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land office, a notice, in writing, stating the situation and extent of the tract of land he wishes to purchase; and shall also make the payment and payments for the same at the time and times which are or may be prescribed by law for the disposal of the other public lands in the said state, the time of his delivering the notice aforesaid being considered as the date of the purchase: *Provided, also,* That all notices of claims shall be entered, and the money paid thereon, at least three weeks before such period as may be designated by the President of the United States, for the public sale of the lands in the township in which such claims may be situated, and all claims not so entered shall be liable to be sold as other public lands. Whenever it shall be necessary to re-survey the public lands, in order to enable persons entitled to avail themselves of the provisions of this act, the expenses of such re-survey shall be paid by the person or persons, who shall enter the lands so re-surveyed under this act, at the time he or they shall pay the price of such land to the receiver of public money. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease, and become void; and the land may, thereafter, be purchased by any other person, in the same manner, and on the same terms, as are, or may be provided by law for the sale of other public lands in the said state.

APPROVED, June 15, 1832.

STATUTE I.

June 15, 1832.

CHAP. CXLI.—*An Act to establish certain post-roads, and to alter and discontinue others; and for other purposes.*

Post-roads to be established.

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:

Post-roads es-
tablished.
Maine.

In Maine.—From East Machias, by Whiting, to Little River harbour, in the county of Washington. From Dennysville, in Washington county, by Charlotte, Cooper, and Alexander, to Baring. From East Machias to Cutler. From Bangor, in Penobscot county, by Brewer, Plantation number eight, to Ellsworth, in the county of Hancock; thence by Maria-ville, to Plantation number twenty-six, in said county of Hancock. From Waterville, in Kennebeck county, by Winslow, Clinton, Milburn, Cornville, Athens, Brighton, Fordstown, Fosstown, and Blanchard, to Monson; and from Brighton to Wellington, in the county of Somers-et. From Thomastown, in the county of Lincoln, by Tenant's harbour and Moscheto harbour, to St. George. From Waldoborough, in Lincoln county, by Washington and Liberty, to Montville, in Waldo county. From Fryeburg, in the county of Oxford, to Chatham, New Hampshire. From Brunswick, in Cumberland county, by Topsham and Lisbon, to Greene, in the county of Kennebeck. From Westbrook, in Cumber-land county, up the west side of Presumpscut river, to intersect the road from Standish to Gray, at the carrying place on Sebago pond. From Anson, by Bingham, in Somerset county, by the forks of Kennebeck river, thence on the Canada road, to the Canada line. From West Jef-ferson, in Lincoln county, by Trask's mills and Sheepscot bridge, to Wis-casset. From Brownville, by Kilmarnock, to the easterly part of Milo. From Saco, by Biddeford, the northerly part of Kennebunk port, and the centre of Lyman, to Alfred. From Exeter, by Corrina and St. Al-bans, to the intersection of the mail-route from Pittsfield to St. Albans. From Factory village, by Sebattus village, in Lisbon, to Greene. From Passadumkeag post-office, in the county of Penobscot, in the state of Maine, by Treat's mills, through number one, to Page's mills, so called; and through number two, Herd's ridge, to number four, Mullitt's mills, in said county. From Gray, in the county of Cumberland, by Standish, to Alfred in the county of York. From Camden, through Hope and Ap-pleton, to Montville, in the county of Waldo. From Prospect West vil-lage, to James Black's, in Prospect, in the county of Waldo. From Bangor, by Hermon, Levant, Stetson, North Newport, and Corrina, to St. Albans. From the town of Portland, through Westbrook, Scar-borough, Buxton, Hollis, a part of Waterborough, Limerick, and New-field, to Plymouth, in New Hampshire, by way of Ossipee corner, Tuf-tonborough corner, and Moultonborough, passing on the south side of Ossipee mountain. From Phillips, through Berlin, to Weld, in the county of Oxford. From Bangor, in the county of Penobscot, by Dut-ton west post-office, Levant, Corinth west post-office, Garland, Dover, Foxcroft, Sangerville, Guilford, Abbot, Monson, to the post-office in Fullerstown, in the county of Somerset. From the upper village in Farmington, by Keith's mills, Sewall's mills, in Chesterville, north-easterly corner of Fayette, Taylor's mills, and Dunn's tavern, in Mount Ver-non, Hoyt's tavern, in Readfield, and Augusta, to Hallowell. From the post-office in Mount Desert, in the county of Hancock, to the Seal Cove, in the same township. From Winslow, by Clinton, Pittsfield, Palmyra, south-east corner of Saint Albans, Corinna, and Dexter to Dover. From Alfred, through Waterborough, Limerick and Cornish, to Hiram Bridge. From the North-west harbour to the South-east harbour in Deer Island.

In New Hampshire.—From Derry, Chester, and Candia, to South Deerfield. From Wakefield, in the county of Strafford, over Fogg's hill, to Effingham. From Sanbornton bridge, by the centre of Franklin, Salisbury post-office, and the westerly part of Boscawen, to Hopkinton village. From Dunstable, by Milford, Wilton, Hancock, Stoddard, Al-stead east parish, Paper mill village in Alstead, Langdon, to Charlestown. From Dover, by Madbury, Barrington, Strafford, Barnstead, Gilmanton, and Guilford, to Meredith bridge. From Northumberland, through Piercy, Winslow's location, Dummer, Berlin, to Milan. From Great Falls, by

N. Hampshire.

Post-roads established.

Lebanon, Sanford, Emery's mills, in Shapleigh, Acton corner, and Newfield, by the post-offices called by those names, and through the west part of Parsonsfield, to the post-office in Effingham. From Concord, by Loudon, Lower Gilmanton iron works, Alton bay, Plainfield corner, Union Village, Farmington, Middleton corner, and Brookfield corner, to Smith's bridge, in Wolfborough, and return by the North meeting-house, in Alton, to Alton bay. From Meredith bridge, by Gilford centre, to Alton bay. From Concord, by Loudon mills, and Loudon, to Gilmanton Courthouse. From Concord by Epsom, North Deerfield, Nottingham centre, Wadleigh's falls in Lee, to Lamprey River village, in Newmarket. From Concord, by Pembroke, Allenstown, West Deerfield, South Deerfield, Raymond, Epping, Exeter, Stratham, and Greenland, to Portsmouth. From Concord, by Hooksett, Candia, Raymond, Poplin, and Brentwood, to Exeter. From Concord, by Dunbarton, Goffstown, New Boston, Amherst, Milford, Wilton, Mason harbour, New Ipswich, Ashby, and Ashburnham, to Fitchburgh, in Massachusetts. From Newport, by Wendell North Village, New London, and Wilmot, to Andover. From Newport, by Wendell, Fishersfield, Bradford, Heniker, Weare and New Boston, to Amherst. From Bath to Landaff. From Lisbon to Lyman village. From Hooksett, by Westchester, Chester, Sandown, and Hawke, to Kingston.

Vermont.

In Vermont.—From Brattleborough, in Windham county, by Guilford Centre, to Halifax. From Brandon, in Rutland county, to Shoreham, in Addison county. From Hancock, by Goshen, to Brandon, in the county of Rutland. From Swanton, in Franklin county, by Alburg, to Champlain, in the county of Clinton, and state of New York. From Randolph to Chelsea, in Orange county. From Elmore to Walcott. From Lynden, in Caledonia county, by Burke, Newark, Randon, Charleston, East village and West village, and Salem, to Child's mills, in Derby, in the county of Orleans. From Sunderland, by Stratton, to Wardsborough. From Waterford Lower Bridge, in Caledonia county, by Concord and St. Johnsbury East village, to Lyndon. From Windsor in Windsor county, by Downer's inn, in Weathersfield, the North village in Springfield, the North and South villages in Chester, Cambridge Port, to Athens. From Wells River village, in Newbury, by Groton, to Topsham and West Topsham, in Orange county. From Middlebury, by Weybridge Lower Falls, to Addison. From Keene, through Westmoreland, in the state of New Hampshire; thence through Putney, Brookline, Newfane, Wardsboro', and Stratton, to Sunderland. From Corinth, by Corinth East village, Topsham Town-house, Groton village, near Groton mills, to Peacham. From Randolph, by Randolph west village, the east part of Braintree, west part of Brookfield, east part of Roxbury, to the Centre village of Northfield.

Massachusetts.

In Massachusetts.—From Florida, by Monroe, in Franklin county, and by Readsborough and Whitingham, to Halifax, in the county of Windham in Vermont. From Colerain, in the county of Franklin, through North Heath to Whitingham, in Vermont. From Westfield through Otis and Tyringham, to Great Barrington. From Fitchburg, in Worcester county, by Lunenburg, Townsend harbour, Pepperell, Dunstable, Tyngsborough and North Chelmsford, to Lowell, in the county of Middlesex. From New Bedford, in Bristol county, to the village of Padanaram, in Dartmouth. From Enfield, by Greenwich, Dana, Petersham, Templeton, Westminster, Fitchburg, Lunenburg, Shirley, Groton, Westford and Chelmsford, to Lowell. From the centre of Annisquam parish, in Gloucester, to the post-office in said Gloucester. From Greenfield, by Deerfield, to the centre of Whately. From North Adams, in the state of Massachusetts, through Clarksburg, thence through Stamford and Readsborough, in the state of Vermont, to intersect the mail route from Brattleboro' to Bennington. From South Plympton to Middle-

borough Four Corners. From Keene, New Hampshire, through Troy, Fitzwilliam, Winchendon, Ashburnham, Fitchburg, Leominster, Lancaster, Bolton, Stow, Waltham, Watertown and Cambridge, to Boston, Massachusetts. From Danvers to Salem. From Norfolk to New Marlborough, North.

Post-roads established.

In Rhode Island.—From Newport to Block Island. From Providence, by Cranston Bank, Lippitt, Phoenix, Harris's and Arkwright's factories, in the county of Providence, to the village of Fiskville, in said county of Providence.

Rhode Island.

In Connecticut.—From Tolland to Bolton, in the county of Tolland. From Wolcottville, by Winstead, Hitchcocksville, and West Hartland, to West Granville, in Hampden county, Massachusetts. From Hartford, in Hartford county, by Wintonbury, Simsbury, West Granby, Hartland, Granville, in Massachusetts, Tolland and New Boston, to Standisfield in the county of Berkshire. From Middletown, by Meriden, Cheshire, Waterbury, Middlebury, Southbury, Newton, to Danbury. From the post-office in Greenwich to the village of Stanwich. From New London to Sag Harbour, in New York. From Tolland, through the northerly parts of Willington, Ashford, and Woodstock, in Connecticut, south part of Dudley, South Oxford, Sutton, Northbridge, Upton, Hopkinton, Sherburne, Natick, and Needham, to Boston; said route is on Central turnpike. From Essex, in the town of Saybrook, through the towns of Lyme, Salem and Montville, to the city of Norwich. From Waterbury, in New Haven county, to Colebrook, in Litchfield county; said route to follow the Waterbury river turnpike road in the valley of the Waterbury river, to Colebrook, intersecting at Colebrook the mail-route which now runs from Winsted to Stockbridge, in Massachusetts. From East Had-dam Landing by Westchester, to the borough of Colchester. From Kent, in the county of Litchfield, to the town of Cornwall, in said county, on the direct road from the post-office in said Kent, to the post-office at Cornwall Bridge in said Cornwall. From Stafford's Springs post-office, by the Old Furnace on what is called the Somers and Woodstock turnpike road, by Bartlett's mills, to Somer's street. From Norwalk, through Weston and Redding, to Newtown. From the borough of Bridgeport in Fairfield county, through Nicholl's farms, on the Wells Hollow Turnpike road, by Derby and Humphreysville, to Salem bridge in New Haven county. From Wilton to Ridgefield. From Norwalk to New Canaan. From Norwich city through Preston, Griswold, and Voluntown, on the Shetucket turnpike, to Scituate in Rhode Island.

Connecticut.

In New York.—From Madison, in Madison county, by Augusta, Vernon Centre, Vernon, Verona, to Rome. From Mount Morris, in Livingston county, by Tuscarora, Ossian, Burrell's mills, to Dewitt's valley in the county of Alleghany. From Nunda, in Alleghany county, to Ossian. From Portageville, in Alleghany county, by Oakland and Tuscarora, to Danville, in the county of Livingston. From Italy, in the county of Yates, by Pultneyville post-office, Pultney, in Steuben county, to Hammondsport. From Horse Head, by Erin, to Cayuta, in Tioga county. From Maccumber's, in Susquehannah county, Pennsylvania, by Silver lake, and Eilerslie, to Owego, in Tioga county. From Otego, by Gilbertsville, to Unadilla. From Romulus, by Waterloo, to Phelps. From the town of Somers, in the county of West Chester, to Lundington's store, in the town of Kent, in the county of Putnam. From the town of Flatbush to the town of New Utrecht, in the county of Kings. From Greene, in Chenango county, by Spee's Spa, to McDonough. From Marletown, in Ulster county, by Craig's store, in Olive, to the nearest post-office in Shandaken, on the route from Kingston, in said county, to Delhi, in Delaware county. From Sangerfield, in Oneida county, by Brookfield, in Madison county, to Sherburne. From Scotland, in Rockland county, by Hempstead, English Church, and Haver-

New York.

Post-roads established.

straw, to Monroe ironworks in the county of Orange. From Deposit, in Delaware county, by Stanville and Jackson, to Gibson, in Susquehanna county, Pennsylvania. From Tyronne, in Steuben county, to Rock Stream. From Jordan, in Onondago county, to Ira. From South Bainbridge, in Chenango county, by Coventryville, to Oxford. From Glenn's Falls, in Warren county, by Northville, to Patton's mills, in the county of Washington. From Batavia, on the line between Bethany and Alexander, in the county of Genesee, by Attica and Middlebury, through the east part of Orangeville, to Wethersfield. From Watertown, in Jefferson county, by Brownville, La Fargeville, to Cornelia, at the mouth of French creek, on the river St. Lawrence; thence by De Pauville to Brownville. From Cuba village, in Alleghany county, by Dodge's creek, to Mill Grove, in Cattaragus county. From Hueville, by Depeyster and Washband settlements, to Oxbow, in Jefferson county. From Buffalo, in Erie county, by Aurora, Wales, Holland, Sardinia, China, Freedom, Caneadea, and Belfast, to Angelica, in Alleghany county. From Daggett's mills to Lawrenceville, in Tioga county, Pennsylvania. From New Berlin, by Pittsfield, and Edmeston, to Morse's store, in Otsego county. From Port Kent, on Lake Champlain, by the way of the Au Sable Forks, to Eastville post-office, in the town of Lawrence, St. Lawrence county. From Duanesburg to Schoharie courthouse. From New York city, by Williamsburg, to Flushing, on Long Island. From Addison, in the county of Steuben, by way of Cameron and Canisteo, to Homellsville. From Caughnawaga to Fultonville. From Painted Post to Number One settlement. From South Sparta, to Livonia, passing through the east part of the towns of Sparta, Groveland, and Conesus. The route from Goff's mills to South Danville shall pass by the way of the Loon Lake settlement. From Angelica, by Short Tract, Oakland, River Road, to Moscow. From Sawpit in the county of West Chester, by the way of the White Plains, to Tarrytown. From the house of Alanson Burr, in the town of Caneadea, in the county of Alleghany, by the way of Rushford, to Farmersville, in the county of Cattaragus. From the house of Captain William Bennett, in the town of Canisteo, in the county of Steuben, by the way of Purdy Creek settlement, and Alfred, to Scio, in the county of Alleghany. From Fort Miller to Craigsborough. From West Bloomfield, in the county of Ontario, by North Bloomfield, and Norton's mills, to Webster's mills, in the town of Rush, in the county of Monroe. From the forks of the Great au Sable river to Hopkington. From Utica to New York mills. From Colosse, in the county of Oswego, through the towns of Parish and Amboy, to Camden post-office, in Oneida county. From Corydon, by Pleasant Grove and Sociality, to Persia, (formerly West Lodi,) in the county of Cattaragus. From Auburn to Montezuma, passing through Fosterville, and from Montezuma to Wolcott, passing through Savannah and Butler. From Spraker's Basin, in Montgomery county, through the towns of Sharon, Cobleskill, Summit, and Jefferson, to Harpersfield, in the county of Delaware. Extend route number two hundred and eighty-eight commencing at Elmira in the county of Tioga, New York and running from thence to McConnelltown, Sing Sing, Townsend, and Wardsburgh, to Harpending's corners, in the county of Yates; and the continuance of said route to Geneva, in Ontario county, via Himrod's corners, West Dresden, and from thence to Geneva, by the Lake road. On the east side of the Susquehanna river, from the town of Bainbridge, in the county of Chenango, through the towns of Colesville and Windsor, to the Windsor bridge. From Stephen King's, South Pembrook, south by the post-office in the town of Bennington, to the post-office in the centre of Sheldan, in Genesee county. From Medina, in the county of Orleans, to the village of Akron, and thence across to the New Stead post-office in the county of Erie. From New Woodstock, through De

Post-roads established.

Ruyter, Pitcher, Cincinnatus, and Lisle, to Binghampton. From the village of Owego, to the village of Nichols; thence, through the south-west part of the town of Windham, near the dwelling-house of the late Joseph Webster, to the town of Orwell, near the dwelling-house of Daniel Russell, and from thence through the towns of Rome, and Wysox, to the village or borough of Towanda, in the state of Pennsylvania. From Painted Post, up the Conisteeo, to the village of Honellsville. From Ly-sander, in the county of Onondaga, to Fulton, in the county of Oswego, by the way of Dunhamsville, in the county of Onondaga, and Granby, in the county of Oswego. From Cambria to Youngstown. From Lockport to Kempville, by way of Newfane post-office, on the east side of the eighteen mile creek in the county of Niagara. From Lodi to Silver creek, by way of Smith's mills, and Rugg's settlement, in the county of Chautauque. From Chester, in an easterly direction through the settlement at Briant Lake mills, Briant Lake settlement, and Haynsburgh, to the town of Bolton in the county of Warren. From Coldenham, in Orange county, by the way of St. Andrew's, to Walden. From Searsville, in Sullivan county, passing through the villages of Hopewell, and Searsburgh, and Montgomery, in Orange county, to Crawford, in Ulster county. From Bedford courthouse, in the county of West Chester, by Golden's bridge, to South East, in the county of Putnam. From Burlington, in the county of Otsego, through New Berlin, to the village of Norwich, in the county of Chenango. From Comstock Landing, on the Northern canal, in the town of Fort Ann, county of Washington, to the courthouse in Rutland, in the county of Rutland, in the state of Vermont; through west and middle Granville, west and east Poultney, Middletown, Ira, and west Rutland. From Lockport, to Niagara Falls, by the direct road through Judd's settlement. From Scottsville, by the way of Chili and Ogden, to Parma, in the county of Monroe. From Belfast, by King's Mills, and Rushford, to Farmersville, in Cataaugus county. From South Worcester, to Worcester, in Otsego county. From Walton, in Delaware county, to Unadilla, in Otsego county. From Mooresville, in Delaware county, by Roxbury, Halcottsville, Middletown, Shavertown, Pepacton, Colchester, East Branch Patridge Island, and Hancock, to Deposit. From Deposit, in Delaware county, by Masonville, to Sidney Plains. From Troy through the villages of Albia, Wynants Hill, Sandlake, and Schermerhorn, to the village of New-Lebanon Springs.

In New Jersey.—From Salem, in Salem county, by Craven's ferry, to Pedrickstown. From Salem, in Salem county, by Pittsgrove, to Centreville. From Hackensack to Paterson. From Columbia to Schooley's mountain, passing by Hope, Danville, Hackettstown, and Nimrod's Springs.

New Jersey.

In Pennsylvania.—From York, in York county, by Brillinger's mills, to New Holland. From Cochranville, in Chester county, by Cooper's cross roads, Smoker's tavern, and Steel's mills, to Williamstown, in Lancaster county. From Montrose, Susquehanna county, by Brooklyn, Harford, to Gibson. From L. Catlins, in Blakely, in Luzerne county, Pennsylvania, by Carbondale, to Canaan four corners, Wayne county. From Indiana, in Indiana county, by Mitchell's mills, and Cherry Tree, to Curwinsville, in Clearfield county. From Easton, by Howertown, Kirnsville, and Grimsville, to Hamburg, in Berks county. From Gettysburgh, in Adam's county, to Newville, in Cumberland county. From Milesburgh, in Centre county, by Glen's mills, Hannah furnace, up the Bald Eagle valley, to Warrior's Marktown, in Huntingdon county. From New Castle, by Mount Jackson, and Greensburg, to Georgetown, in Beaver county. From Carpenter's point, in Orange county, New York, along the canal, to Honesdale, and Bethany, in Wayne county, Pennsylvania. From Mifflintown, in Mifflin county, by Run gap, and Ickesburgh, to Landisburgh, in Perry county. From Harrisburgh, by Worm-

Pennsylvania.

Post-roads es-
tablished.

leysburg, Fairview, Jacob's mills, Bowman's mills, Clark's ferry, and Bovard's, to Sterrett's gap, in Cumberland county. From Waynesburg, in Green county, to Union Town, in Fayette county. From Meadville, in Crawford county, by Sagerstown, Stebbins, and Crainsville, to Fairview, in Erie county. From the Springhouse, by Dresher's town, to Jenkentown, in Montgomery county. From the borough of York, through the borough of Marietta, to the city of Lancaster. From Stoystown, in Somerset county, by Johnstown, Bolivar, India, and Abnerville, to Blairsville, in the county of Indiana. From Pottsville to Pine grove. From Norristown, by Worcester, and Skippackville, to Sumneytown, in Montgomery county. From Halifax, in Dauphin county, to Buchanan's forge. From Kutztown to Hamburg, in Berks county. From Chestnut hill, in Philadelphia county, by Hickorytown, to Perkiomen bridge, in Montgomery county. From Washington, in Washington county, by Taylorstown, to West Liberty, in Virginia. From Pittsburg, by Noblestown, Cross-creek village, Patterson's mills, to Independence, in Washington county. From McVeytown, in Mifflin county, along the north side of the Juniata river, by Newton, Hamilton, crossing at Hugh Doyle's ford, or at the mill of Samuel H. Bell, to Shirleysburgh; returning by Bell's mill, on the south side of the river, by Charles Bratton's, to McVeytown. From Gettysburg, by Hunterstown, New Chester, Hampton, to Berlin, in the county of Adams. From the house of John C. Rely, in Wayne county, through Bethany, to Clarkstown. From McConeysburgh, Bedford county, in Pennsylvania, by Warfordsburgh, to Hancock, in Maryland. From Erie, through Wattsburgh, in Erie county, and Columbus, in Warren county, to the town of Warren. From West Greenville, via Clarksville, in Mercer county, Sharon, and Doctor John Mitcheltree's, to New Bedford. From Mauch Chunk to Pottsville, in Schuylkill county, by way of Tamaqua, on the west side of Little Schuylkill, Tuscarora, Middleport, and Port Carbon. From Leipersville to Tinicum. From Liberty, Tioga county, by A. Morris', by William Babb's, to Wellsborough. From Meadville, by Guy's settlement, Kingsley's settlement, Centreville, Oil creek, to Perry post-office, in Venango county. That the post-route, number eleven hundred and sixty-six, from Franklin, in Venango county, to Waterford, shall be so altered in its course as to include Cooperstown. From the borough of Muncey, in Lycoming county, past Smith's mills, to Millville post-office, in Columbia county. From the village of Harrisville, in the county of Butler, to Cochranon, in the county of Crawford, by way of Williamsburg. From Oxford village to Mount Vernon. From Brownsburg to Taylor's ferry, Dollington, and Newton, all in Bucks county. From Westfield to Brookfield, in Tioga county. From Reading, in the county of Berks, via Bernville and Rehrersburg, to Pine grove, in Schuylkill county. That the post-route from Meadville, Crawford county, to Warren, Warren county, shall be so altered as to embrace Centreville, and Sparta in Crawford county, in its course from Taylor's stand to east Bloomfield. From the borough of Beaver, via Fallston, Brighton, and the valley of Beaver and Shenango, to the borough of Newcastle, and thence, by the way of New Wilmington, to the borough of Mercer. From Sumneytown, by Schwenck's store, to the Trap, in Montgomery county. From Windgap post-office, in Northampton county, by Gross' tavern, Greenweig's tavern, and David Heimback's forge, to Lehigh Gap. From Newcastle, in Mercer county, to Harmony, in Butler county. From Mifflinville, in Columbia county, through Nescopeck valley, by Martin Rittenhouse's mills, to Conyngham town, in Luzerne county, Pennsylvania. From Washington, by Hickory, Burgetstown, Briceland's cross roads, in Washington county, Pennsylvania, Manchester, in Brook county, Virginia, to Wellsville, in Ohio. From Montrose, in Susquehannah county, by Auburn, to Black Walnut bottom, or Braintrem, in Luzerne county. From Lennox, in Susquehannah county, by the

Post-roads established.

Kentucky settlement, Gibson, Vermont settlement, and Harmony, to Great Bend. To extend route number eleven hundred and ninety-nine, (from Blairsville to Ligonier,) to Conemaugh, in Cambria county. From Venango furnace, in Venango county, to Agnew's mills, in said county. From Yocumtown, through Newberrytown, to York haven, in said county of York. From Harrison valley, in Potter county, to Sweden, via Cashingsville. From Martingsburgh, in Bedford county, to Coffee run, in Huntingdon county. From or near the William Penn tavern, in Willis-town; thence, by the way of West-town boarding-school, Darlington's, Parkersville, New Red Lion, London Grove; thence, by Stephen's mill and to New London cross roads, in the county of Chester. From Pottstown, in the county of Montgomery, passing through Boyersville, by way of Colebrook dale, Dale forge, and Reuben Trexter's store, in Berks county, through Millerstown, and thence the nearest route to the borough of Northampton, in Lehigh county. From Allentown, in Lehigh county, by way of Siegersville, to Saegersville, in said county. From Greensburgh, by Robbstown in Westmoreland county, and thence by way of Cookstown, to Brownville, in Fayette county. From Hamburg, via Union iron works, in Berks county, to Lynville, in Lehigh county. From Lawrenceburgh, in Armstrong county, by Foxburgh, Emlenton, Lyon's ferry; and Venango village, to McQuiston's, on the Waterford and Anderson's creek turnpike. From Minorsville by Boleck's tavern and Waynesburg, to Clingerstown, in Schuylkill county. From Jersey shore, Lycoming county, up the valleys of Pine creek, via Jacob Tomb's and Babb's creek, to Wellsboro, Tioga county; thence, through Stonyfork settlement, to Big Meadows; thence up Pine creek again to Benjamin B. Chamberlain's; and from thence through Mix settlement, to Knoxville, on the Cownesque; also across from Jacob Tomb's to William Herod's. From Warren, in the county of Warren, to Montmorency, in Jefferson county. From New Bedford, in Mercer county, in the state of Pennsylvania, to Youngstown, in the state of Ohio. That the post-route leading from Mifflintown, Juniata (late Mifflin) county, to East Waterford, be so altered as to embrace Port Royal in its course between Mifflintown and Tuscarora valley post-office. From Selin's Grove, via New Berlin, to Hartleton, Union county. From Tamaqua to Wilkesbarre, via Conynghamtown. From Coudersport to Bingham, in Potter county. From Watson's-town in Northumberland county, by the house of Solomon Mengas, to the post-office at Road Hall in Lycoming county. From fort Littleton, to Bloodyrun, in Bedford county. From the crossings of Juniata on the turnpike, by Warfordsburg, to Hancock, in Maryland. That the route from New York by Margaretta furnace to Wrightsville be so altered as to run only from Wrightsville to Margaretta furnace.

Delaware.

Maryland.

In Delaware.—From Milford, by Bridgeville, to Seaford. From Millsborough in the state of Delaware, by Dagsborough, Truitt's, Hall's, Tunnell's, and Euruss' store, and Robbins' mills, to Saint Martins.

In Maryland.—From Wiseburgh, in Baltimore county, to Dixon Stanbury's store at Whitehall, Morrison's academy, Watkins' tavern, Fork meeting-house, to Kingsville. From Summerfield, in Somerset county, Pennsylvania, by Selby's port and Youghiogony iron works, to Yough Glades, in Alleghany county. From Mechanicstown, through Sabillesville, to Waynesburgh, in Pennsylvania. From Salisbury, by Derickson's cross roads, Cathell's mills, and Whaley's store, to Berlin, in Worcester county. From Kingston, in Somerset county, by Newtown, to Snow Hill, in Worcester county. From New Market in Frederick county, by New London, Liberty's, and Johnsville, to Middleburgh, in the same county. From Unity, Montgomery county, by Hood's mills, Baltimore county, to Westminster. From Annapolis, by Haddaway's ferry, to St. Michaels, in Talbot county. From Georgetown, in the District of Colum-

Post-roads established.

Virginia.

bia, with the line of the Chesapeake and Ohio canal, to Kectocon in Frederick county, Maryland, thence to Harper's Ferry in Virginia.

In Virginia.—From Richmond, by Amelia courthouse, Nottoway courthouse, Lunenburg courthouse, and Mecklenburgh courthouse, to Oxford, in North Carolina. From Rocky Mount, in Franklin county, by Josiah Dickerson's, George Turner's, Jacob Prelliman's, on Smith river, and Gobblingtown iron works, to Patrick courthouse. From Abingdon, by Saltville, in Washington county, and Broadford, to intersect the route from Wythe courthouse, to Tazewell courthouse, at the house of John Shannon, on the north side of Walker's mountain, in Wythe county. From Tease's valley to Herford's ferry. From Clarksburgh, in Harrison county, by Elk creek, to Buckhanontown, in the county of Lewis. From Webb's mills, by Harrisville, to Pensboro, Wood county. From the town of Eastville, to Capeville, in the county of Northampton. From Summerville, in Nicholas county, by Stroud's Glades, to Frankfort, in Greenbrier county. From Cabel courthouse, by the falls of Twelve Pole, to the forks of Big Sandy, on the Kentucky line. From Hoffsville, in Harrison county, to Lorentz's store, in the county of Lewis. From Gholsonville, Brunswick county, by Mount Airy, Greenville county, to Dancy's store, North Carolina. From Duckland, in Prince William county, by Haymarket, Thoroughfare, to the Plains, to Salem, in Fauquier county. From Princess Ann courthouse, via Creed's bridge, to Black Water bridge; thence, via Mount Pleasant, to the Great bridge, Norfolk city. From Point Pleasant to Wright's mills, in Jackson county. From Burlington, in the county of Hampshire, by Kelly's, to Smith's farm, in the county of Alleghany, Maryland. From Orange courthouse, in the county of Orange, to Madison courthouse in the county of Madison. From Taylorsville, in Hanover county, via Pottersville, in Louisa county, to Mansfield, the residence of William Mansfield, in Louisa county. From Piketown, in Pike county, Kentucky, to Logan courthouse in Virginia. From the Smith's creek post-office in Rockingham county, by Keazletown, to Mount Sidney, in Augusta county. From Millers' iron works, in Augusta county, to Staunton. From Harrisburg to Keazletown. From Madison courthouse to the Robinson meeting-house, in the county of Madison, and from thence to the State mills, in Culpepper county. From Harrisonburgh, by Riflesville, Bridgeport, Miller's iron works, and head of Mossy creek, to James A. Frazier's, in Augusta county. From Dickinsonville, in Russell county, by Osborne's ford, in Scott county, and Pendleton, (Wilbourne's store,) to Estillville. From Danville directly to Henry courthouse; from thence, to Christianburg, passing through the county of Patrick, on the north side of Bull Mountain. From Berrysville or Battletown, in Frederick county, by Wickliff's, and Kabletown, to Charlestown, in Jefferson county. From Front Royal to Millwood, in Frederick county, by Berryville, to Charlestown, in Jefferson county. From Miller's iron works, in Augusta county, Virginia, to Staunton. From Abingdon, in Virginia, by way of the Reedy creek road to Estillville, in Scott county. From Clarkton in King and Queen county, by Walkerton, Stephensville, King and Queen courthouse, Little Plymouth, to Matthew's courthouse. From King William courthouse, by Lanesville, and Smith's ferry, to New Kent courthouse. From Fincastle, up the Valley of Catawba, and down that of the North fork Roanoke, by the most direct route to Blacksburg, in the county of Montgomery. That the mail-route from Cabin Point, Virginia, by Blount's bridge to South Quay, be so changed as to run from Petersburg, by Blount's bridge, to South Quay.

North Carolina.

In North Carolina.—From Salem, in Stokes county, by Germantown, Frost's iron works, Clement's iron works, Boyle's store, to Patrick courthouse, in Virginia. From Rutherfordton, in Rutherford county, across the Blue Ridge at the Hickory-nut gap, to Ashville, in Buncombe

county. From Columbia to Springfield, in Tyrrel county. From Kingston to Trenton. From Rockford, by Juddsville, in Surry county, to Bower's store, in Ashe county. From Pittsborough, Chatham county, by Hackney's cross roads, to Chapel Hill, in Orange county. From Rocksborough by Hugh Wood's, to Black Walnut, in Halifax county, Virginia. From Concord to Mill grove, thence to Dewees' Hickory grove post-office, Mecklenburg county, and to Beatty's ford. From Nashville to Warrenton, by Belford post-office, and Shocco Springs. From Oxford to Hillsborough, in the state of North Carolina, passing by Potter's bridge, Richard Bullocks, Hester's store, Thomas Benchan's and Pickett's oil mill. From Greenville to Stauntonburg. From Lawrenceville, Montgomery county, to Wadesboro', Anson county. From Leesburgh, by Hightowers, to Caswell courthouse. From Poplar Branch to Powell's point, in Currituck county. From Gravelly-hill, in Bladen county, by Lisburn, Taylor's bridge, to Clinton, in Sampson county.

Post-roads established.

In South Carolina.—From Unionville to Cowpen furnace, in South Carolina. From Edgefield, by Laurens courthouse and Spartanburg, to Rutherfordton, in North Carolina. From Brownsville, in the district of Marlborough, to Darlington courthouse, and thence to Kingtree, in Williamsburg district. From Spartansburg, by Rowland's hill, Jacksonville, Earlsville, to Dodd's store. From Columbia, in Richland district, by Union courthouse, and Spartanburg courthouse, to Ashville in Buncombe county, North Carolina. From Edgefield courthouse to Abbeville courthouse. From Unionville, via Hancockville, to Rutherfordton. From Clarksville, in Georgia, by the Currahee mountain and Wiley's ferry, in said state, and Pickens courthouse, to Greenville, in South Carolina. From Laurence courthouse, by Nash's mills and Cripple creek, to Greenville courthouse. From Abbeville courthouse, by Church hill post-office, and Elberton, to Danielsville, in Georgia. From Hamburg to Coke's spring. From Lauren's courthouse, by Anderson courthouse, to Andersonville.

South Carolina.

In Georgia.—From Sparta, in Hancock county, by Bennett's store, Sandersville, Fish's store, Fuqua's store, Dublin, and Hampton's, to Hartford, in the county of Pulaski. From Macon, in Bibb county, by Perry, in Houston county, to Hawkinsville, in Pulaski county. From Marion, Twiggs county, to Perry, in Houston county. From Vernon, in Troup county, by Lagrange, Franklin, West Point, Columbus, Fort Mitchell, Randolph courthouse, and fort Gaines, to Early courthouse. From Warrenton, in Warren county, to White Oak, in Columbia county. From fort Gaines, in Early county, by Smithville academy, and Spring creek, to Bainbridge, in Decatur county. From Hillsborough, in Jasper county, by McGehee's store, in Jones county, and Dover, in Forsyth, in Monroe county. From Covington, in Newton county, by Lattimer's store, Decatur, Sandtown, Campbellton, and Pumpkintown, to Carrollton, in Carroll county. From Carrollton, in Carroll county, by Robinson's and Lavender's stores, to the head of Coosa river. From Gainesville, in Hall county, by Gailley's, to Clarksville. From Forsyth, by Zebulon, Greenville, to Lagrange, in Georgia. From Wrightsborough, Columbia county, by Crawfordville, to Greenborough, Green county. From Augusta in Richmond county, by Richmond, Bath, Dye's store and Hudson's store, to Louisville, in Jefferson county. From Thomasville, in Georgia, to Monticello, in Florida. From Burke courthouse to Robinson's store. From Centreville, in Talbot county, to Talbotton. From Monticello, by McDonough, Fayetteville, and Campbellton, to Villa Rica, in Carroll county. From Watson's post-office in Columbia county, to Cook's law office, in Elbert county, via Raysville, Willborn's, Gatril's, Jackson's, Danburgh, William's and Muckle's ferry. From Monticello, Jasper county, to the town of Zebulon, in Pike county, via Cargill's ferry and the town of Jackson. From Perry, in Houston county, by way of the Traveller's Rest, on Flint river, to Pondtown, in Lee county; thence, to Lannahassee town, in Stewart county; thence,

Georgia.

Post-roads es-
tablished.

to Lumpkin, in Stewart county; thence, to King's Bluff, on Chattahochee river, in said county. From Lagrange, in Troup county, Georgia, by the way of Wood's store, to Franklin, in Heard county. From the town of Columbus, in the state of Georgia, to Appalachicola bay, in the territory of Florida. From McDonough, Henry county, by Latimer's store and Rock Bridge, to Lawrenceville, Gwynett county. From Rives's, Hall county, by Leathersford, Loudsville, Mount Yonah, and Noccoche, to Clayton, Rabun county. From Bainbridge, in Decatur county, by Cairo, to Duncanville. From Decatur, Dekalb county, by Hornsby's, Blackstock's, and Johnson's store, to Newnan, Coweta county. From Lawrenceville, Gwynett county, by Waters and Winn's ferry, on the Chattahoochee river, and Downing's ferry, on Hightower river, to Echota, in Cherokee county. From Columbus, in Georgia, via Hubbard's and Watkins' post-office, to Franklin, in Troup county. From Blakely to Bainbridge.

Ohio.

In Ohio.—From Bucyrus, in Crawford county, to New Haven in Huron county. From Kinsman, in Trumbull county, to Cleaveland, in Cuyahoga county. From Gallipolis, in Gallia county, to Portsmouth, in Scioto county. From Washington, in Fayette county, by the Willow spring, to London, in Madison county. From Canton, in Stark county, to Bolivar, to Dover, and to New Philadelphia, Tuscarawas county. From Newark, in Licking county, by Martinsburg, to Danville, in Knox county. From Bellefontaine, in Logan county, by Newell's mills, and Christiansburgh, to New Carlisle. From Wapughkonetta to Lima, the seat of justice in the county of Allen, by the seat of justice in the county of Putnam, to Perrysburgh, in the county of Wood. From the post-office, in Fearing township, Washington county; thence, by Chamber's mills, and Flint's mills, to Proctor's store, in Grandview. From Grafton, in Lorain county, by Lagrange, and Wakeman, to Norwalk, in the county of Huron. From Mansfield, in Richland county, to Marion, in the county of Marion. From Russelville to Ripley, in the county of Brown. From the mouth of Vermilion river, in Huron county, by Florence, Wakeman, Clarkesfield, New London and Ruggles, to Ashland, in the county of Richland. From Knoxville, Jefferson county, by Cope's salt works, to New Lisbon, Columbiana county. From Bucyrus to fort Findlay. From Springfield, in Clarke county, by New Carlisle, to Troy, in Miami county. From Gallipolis to Wilkesville. From Elyria, Lorain county, passing through Carlisle, Lagrange, Penfield, Spencer, Harrisville, Waynesburgh, to Wooster. From Wellsville, in Columbiana county, by McKaigs' mill, Augusta, Pekin, and Waynesburgh, to Sandyville in the county of Tuscarawas. From Fairview on the national road, in Belmont county, by Smyrna, and Freeport, in Harrison county, to Tuscarawas town, on the Ohio Canal. From Cadiz, through Hanover and New Rumley, in the county of Harrison, New Hagers-town, and New Cumberland, to Zoar, in the county of Tuscarawas. From Wheeling, in the state of Virginia, to Cleveland, in the state of Ohio, passing through the town of Cadiz, in Harrison county, the towns of New Philadelphia and Dover, in Tuscarawas county, the town of Massillon in Stark county, and the town of Akron, in Portage county. From Cleve-land; thence to Newburgh, Independence, Brickville, Richfield, Bath, Copley and Norton; thence to Clinton, in Stark county, Fulton, and Massillon. From West Union, to David C. Vance's, on the Ohio river, thence to Sandy Spring, Vanceburgh, Portsmouth, Cole's forge, Brush creek furnace, and thence back to West Union. From Greenville, Dark county, by fort Recovery and Saint Marys, to Wiltshire. From Sandusky city, by Bloomingville, Monroeville, and Peru township, to New Haven, in Huron county. From Gallipolis to the French grant in the county of Scioto. From Georgetown, by New Hope, Liley's, to Fayetteville, Brown county. From Deerfield, in Portage county, to Ellsworth, in

Trumbull county. From Unionville to Chardon, in Geauga county. From Millersburgh, in the county of Holmes, by Mount Eaton, Wayne county, to Massillon, in the county of Stark. From Wellsville, by East Liverpool, Little Beaver bridge, and Ohioville, to Achartown. From Wooster, by Armstrong, to Harrisville, in Wayne county. From Harrisburgh, in the county of Stark, to Damascus, in the county of Columbiana. From Jacobsburgh, by Wallace's and Frazer's mill, to Saint Clairsville, in Belmont county. From New Rumley, in the county of Harrison, to Centreville in the county of Columbiana.

Post-roads established.

In Indiana.—From Martinsville, Spencer, Fairplay, and Bruceville, to Vincennes. From Montezuma, in Indiana, by Clinton, to Paris, in Illinois. From Indianapolis, by Logansport, at the mouth of Eel river, to Niles' village, on the river St. Joseph, in the Michigan territory. From Richmond, in Wayne county, by Washington, Munseytown, and Grant courthouse, to Miamisport. From Lawrenceburgh, by Cambridge, Yorkridge, Hughes' store, German village, Sunmon's mill and George's, on Salt creek, to Rushville. From Indianapolis to New Pennsylvania, Thorntown, Jefferson, Lafayette, and Laporte courthouse, to Michigan city on Lake Michigan. From Milton to New Castle. From Richmond to Greenville, in Ohio. From Milton by Jacksonburgh, Washington, Economy, and Smith's, to Winchester. From Connersville, by Danville, in Fayette county, and Perkin's, to Greensburgh. From fort Wayne by Seley's, in Lagrange county, Goshen, Pulaski, South Bend, and Laporte courthouse, to Chicago, in Illinois. From fort Wayne, by Seleys, in Mongaquinong prairie, to the seat of justice of St. Joseph's county, in the territory of Michigan. From Bloomington, by Tabor and Gosport, to Greencastle. From Edinburgh to Martinsville. From Crawfordsville, to Covington. From Petersburg to Princeton. From Madison, by Paris, to Brownstown. From Michigan, by Frankfort, to Delphi. From Lafayette by Lagrange, Gregory's settlement, Williamsport, Baltimore, to Perrysville. From the Falls of Ohio, by Salem, and Brownstown, to Columbus. From Oxford, by Billingsville, Dunlapsville, Connersville, Philpot's mill, to Raystown. From Somerset by Chrisler's mills, and Connersville, to Milton. From Crawfordsville, by Roy Roy, to Willemsburgh. From Andersonville, by Richland, Little Flat Rock, and Moscow, to Shelbyville.

Indiana.

In Illinois.—From Salem, in Marion county, near the old Vincennes trace, to Kaskaskias, in the county of Randolph. From Springfield, in Sangamon county, by Rushville, to Quincy, in Adams county. From Quincy, in Adams county, to Rock Island courthouse. From Peoria, in Peoria county, to the mouth of Fox river. From Canton, in Fulton county, by Knox courthouse, and Warren courthouse, to the Yellow Banks, on the Mississippi river. From Jacksonville, by Pleasant Point, Winchester, Williamsport, Muckam's ferry, Pitt's Cross Roads, to Atlas. From St. Louis, Missouri, by Alton, and Carrolton, to Jacksonville, in Illinois. From Jacksonville, in Morgan county, by Quincy, in Adams county, to Palmyra, in Missouri. From Hillsborough to Carlinville. From Shelbyville, by way of Decatur and the mouth of Fox river, to Chicago. From Paris, by way of Decatur, to Springfield. From Chicago, by Danville, Illinois, to Newport, in Indiana. From Henderson's to Jacksonville. From Beardstown, by Rushville and McComb, to Monmouth. From Alton, by the way of Eminence Daggettsville, to Gilliard. From Venus, in Hancock county, to Monmouth, in Warren county. From Rushville, by Lewistown and Canton, to Peoria. From Rock Island to Galina. From Lewistown, by McComb, to Venus, the county seat of Hancock county. From Jacksonville to Atlas. From Carlisle, by Edwardsville, Alton and Lower Alton in Illinois, to Saint Charles in Missouri. From McLean's borough in Hamilton county, to Frankfort in Franklin county. From Springfield to Gellena.

Illinois.

Post-roads es-
tablished.
Missouri.

In Missouri.—From Chariton, in Chariton county, on the north side of the Missouri river, to Kytesville. From Kaskaskias, in Randolph county, Illinois, by St. Mary's Landing in St. Genevieve county, to Perryville, in Perry county. From Caledonia to Potosi. From Palmyra, in Marion county, by Canton, to the mouth of Des Moines river. From Louisiana, by Bowling green, to Fulton. From St. Louis, by Bowles' ferry, the Big spring, and Wideman's mills, to the Rich woods. From Keytesville, by Huntsville, in Randolph county, to Fayette, in Howard county. From Herculaneum, by St. Genevieve, to Perrysville. From Independence, in the county of Jackson, to the Shawnee agency. From Pinckney, in Montgomery county, by Pendleton's, to Troy, in Lincoln county. From Wellsburg, in St. Charles county, by Monroe, Edwin Allen's, William McQueen's, and Clarkville, to Louisiana. From Massey's iron works to the Kickapoo Prairie, in the county of Crawford.

Kentucky.

In Kentucky.—From Paris, by Centreville and Newtown, to Georgetown. From Pike courthouse to Perry courthouse. From Columbia to Liberty, by Casey's creek salt-works. From Hopkinsville, Kentucky, by Williams, to Madisonville. From Smithland, in Livingston county, by Story's ferry, to Waidborough. From Burkeville, in Cumberland county, by way of Crocus creek, to Creelsburg, Russell county. From Midway, (formerly Centreville,) in Livingston county, by Ford's ferry, to Equality, in Gallatin county, Illinois. From Hardinsburg, by the way of Cloverport and Hawesville, to the Yellow Banks in the state of Kentucky. From Harrodsburgh, in Mercer county, by Maxwell, to Springfield, in Washington county. From Manchester, in Clay county, to London, in Laurel county. From Jackborough, in Tennessee, to Laurel courthouse, in Kentucky. From Carlisle, by Moorefield, to Owensville. From Munfordsville, in Hart county, to Glasgow, in Barron county. From David C. Vance's, Ohio, by the way of Concord, to Everett's post-office, in Lewis county, Kentucky. From Lebanon courthouse, Russell county, Virginia, to Perry courthouse, in Kentucky. From Feliciana, Kentucky, to Dresden, in Tennessee.

Tennessee.

In Tennessee.—From Jonesborough, by the Walnut mountains, to Ashville, North Carolina. From Newmarket, in Jefferson county, by Blain's cross roads, Lea's springs, Powder Spring gap, and Joseph Bee-ler's, to Tazewell, in Claibourne county. From Newport, Lillard's mill, on Cosby's creek, Jones' cove, Sevierville, in Sevier county, by Wear's cove, Tuckaleechee cove, Miller's cove, Caid's cove, and Carson's iron works, to Chillhowee, in Monroe county. From Clinton, in Anderson county, by Campbell's station and Unitia, to Morgantown, in Blount county. From Clinton, in Anderson county, through the Big valley, to Tazewell, in Claibourne county. From Gallatin, in Sumner county, up Bledsoe's creek, to Scottsville, in Allen county, Kentucky. From Knoxville, in Knox county, by Armstrong's ferry, Newmarket, Mossy creek, Panther springs, Morristown, Cheek's cross roads, Russellville, and James' store, to Bluntville. From Jonesborough, via Broyles, and Camp creek iron works, to Newport, Cocke county. From Salem, in Tennessee, to Bellefont, in Alabama. From Fayetteville, in Lincoln county, by Dyer's store, Cold Water, and Hightower's store, to Upper Elkton, in Giles county. From Dyersburg, in Dyer county, by Rutherford's mills, and Bairfield's point, on the Mississippi, in Arkansas territory, and return by Rutherford's mills, Nash's Bluff, Eaton, to Trenton, in Gibson county. From Blane's cross roads to Jacksborough. From Centreville to Perryville. From Vernon to Reynoldsburgh. From Reynoldsburgh, by Chalk Level, to Pleasant Exchange, in Henderson county. From Morgantown, North Carolina, to Elizabeth, in Tennessee, on Avery's turnpike road. From Murfreesborough, by Anthony's store and Hardeman's cross roads, to Franklin. From Tomkinsville, in Kentucky, by way of Benjamin Greer's, Samuel Jones', Witchers', and Archibald Sloan's, to Carthage, in

Tennessee. From Memphis, by White's, Hally's, Glenn's, Jones', &c., &c., to Lagrange. From Pikeville, by way of Tollett's mill; thence to the stand formerly occupied by John F. Greer, Esq., on the main stage road; from thence to Lavender's, on the Marchbank's road; from thence direct to Jamestown. From Brabson's store, by Huffaker's ferry, and Mecklenburg, to Knoxville. From Mills Point in Kentucky, on the Mississippi, to Paris, in Henry county, in Tennessee. From Columbia, by Perryville and Lexington, to Jackson. From Winchester, Tennessee, to Bellefonte, Alabama; by way of Pleasant grove, Alabama. From Liberty, Smith county, via Slatesville, Cainsville, George A. Huddleston's ship A. Puckett's, Stewart's ferry, (Stopes river,) to Nashville. From Huntingdon to Dresden, by way of Hico, Christmasville, and Fleming's. From Columbia, by Bigbyville, Pleasant grove, Mooresville, and Cornersville, to Fayetteville. From Lebanon, by Banton's ferry, to Franklin. From Covington to Somerville. From Winchester to Fayetteville. From Gainsborough, in Jackson county, via Mount Carmel, Bagdad, and Pleasant Hill, to Dickson's spring in Smith county. From Springfield, Robertson county, Tennessee, to Haydonsville, in Kentucky, by Clark's mills and Cross mills. From Salem, Franklin county, Tennessee, by way of Larkins' fork of Paint Rock river, to Bellefonte, Alabama; and the present route from Winchester, Tennessee, to the same place discontinued.

Post-roads established.

In Alabama.—From Bellefonte, in Jackson county, by Larkinsville, and Larkin's fork of Paint Rock river, Newmarket, Hazle Green, to the cross roads, in Madison county, and Athens, in Limestone county, Alabama, to Elkton, in Giles county. From Montgomery, in Montgomery county, by Monticello, Williamstown, Franklin, on the Chattahoochie, Lemon's store, Columbia, and Woodville, to Webbville, in Florida. From Burnt Corn, in Monroe county, by Belleville, Sparta, and Brooklyn, to Covington courthouse in Conecuh county. From Mobile, in Alabama, to New Orleans, in Louisiana; and the route from Pascagoula, to New Orleans, is hereby discontinued. From Ashville, by Allen's mills, Thomason's and the Big Spring, to Elyton. From Tuscaloosa to Springfield. From Greenville to Montezuma, in the county of Covington, by Pearman's ferry, on Pee river, Dale courthouse, the Blockhouse, Joel T. McLindon's, to Franklin, in Henry county. From Montgomery to Hayneville, in Lowndes county; thence to Cahawba. From Womack's post-office, in Wilcox county, to Robison's store, in Lowndes' county, and from thence to Hayneville. From Montgomery, via Montevallo, to Elyton. From Florence, by way of Lexington, in Lauderdale county, to Pulaski, Tennessee. From Daletown, in Perry county, to Greensboro'. From Burnt Corn in Alabama, by Claiborne, Clarkesville, Coffeerville, Washington courthouse, Winchester, Ellisville, Williamsburgh, Monticello, Meadville, to Natchez, in Mississippi. From Monticello to Port Gibson. From Newnan, Georgia, to Harpersville. From Mooresville, via Fulton, Athens, Redus' mills, (cross Elk river at Jones' ferry), Prather's store, Smithville, in Limestone county, and to Pulaski, in Tennessee. From Gaines' post-office, in Pike county, to Greenville, Butler county, through Wrightsborough. From Montgomery, by William Townsend's in the fork, and Chesnut creek settlement, to Ashville. From Larkinsville to Woodville, Jackson county. From Lowndes to Vernon, in Autauga county. From Demopolis, by Arcola, to Greensborough. From Cahawba, by Woodville, to Lynden. From Monticello in Pike county, by Gainer's store, to Montezuma in Covington county.

Alabama.

In Michigan territory.—From Tecumseh, in the territory of Michigan, by Niles' village, to Chicago, in the state of Illinois. From Chicago to Greenbay. From Greenbay to Prairie du Chien, by way of fort Winnebago. From fort Winnebago to Galena, in the state of Illinois. From Galena to Prairie du Chien. From Detroit to Tecumseh, by Ypsi-

Michigan territory.

Post-roads established.

lant, Saïne, and Clinton. From Monguagon to Ypsilanti, through Brownstown, at Smooth Rock. From Pontiac to Sagana. From Ypsilanti to the mouth of the river St. Joseph, on the Territorial road, by way of Ann harbour, and Jacksonburgh. From Niles' to Newberryport, or Saranac. From the mouth of the river St. Joseph, via Berrien, Pokagon Prairie, Lagrange, Young's Prairie and Prairie Ronde, to White Pigeon Prairie. From Bloomfield, in Oakland, through Southfield, to South Pekin, in Wayne county. From Monroe to Ypsilanti.

Louisiana.

In Louisiana.—From Vicksburgh, in Warren county, Mississippi, to Lake Providence, in Washita parish, Louisiana. From Springfield, in the parish of St. Helena, to the courthouse in said parish. From Port Hudson, on the river Mississippi, in the parish of East Feliciana, passing Mount Willing and Stuart's mill, to the town of Clinton, from thence passing Richland Hill to Kelerstown to meet the Woodville route. From Warrenton, in Warren county, Mississippi, by the lower end of Palmyra island, to New Carthage, in Concordia parish, Louisiana. From Vermillionville to Perry's Bridge, on the Vermillion river. From Thibedauville to Caseaux, in the parish of Terrebonne, with an intermediate post-office at the courthouse of Terrebonne. From the town of Opelousas, in Louisiana, to the settlement on the Calcasieu, and from Thibedauville, by Williamsburgh, to Newport. From St. Helena to Baton Rouge. From Point Coupee courthouse, down the west side of the river, passing West Baton Rouge courthouse, and Iberville courthouse, to Donaldson. From Port Hudson down the river to Port Hickey, and crossing the river there and uniting with the route from Point Coupee courthouse, to West Baton Rouge courthouse, on the west bank of the river. From Mount Pleasant to Baton Rouge.

Florida territory.

In Florida territory.—From Monticello, in Jefferson county, to Magnolia, in Leon county. From St. Augustine, in St. John's county, to Tampa bay. From Monticello, by Roscitur's ferry, to the seat of justice of the county of Hamilton, and by Alligator, to Alachua courthouse.

Mississippi.

In Mississippi.—From Natchez, in Adams county, by the upper road across the Homochitto, to Woodville, in Wilkinson county. From Westville, by way of Georgetown, and Gallatin, to Port Gibson. From Columbus, by way of Cohay bridge, and Williamsburgh, to Columbia, and from Garland's to Winchester. From Kingston to Liberty. From Port Gibson to Rodney. From Jackson, by Mount Olympus, Beattie's Bluff, Vernon, and Urbanna, to Benton. From Doak's stand, by way of Georgeville, Franklin, Rankin, Benton, Manchester, Liverpool and Satartia, to Vicksburgh. From Pearlinton, in Mississippi, by way of Pearl river, the Lagoon and the Rigoletts, to fort Pike, in Louisiana. From Vicksburgh to New Mexico, in Mississippi; thence to Villemont in Arkansas.

Arkansas.

In Arkansas.—From Helena to St. Francis courthouse. From IZard courthouse to Fayetteville, by Washington courthouse. From Villemont, Chicot county, by Cabean's, in Pennington's settlement, on the Bayou Saline, in Union county, by Pine Bluffs, the seat of justice in Jefferson county, to Little Rock. From Post of Arkansas to Pine Bluffs, in Jefferson county. From St. Francis courthouse to Jackson, in Lawrence county.

Post-roads discontinued.

SEC. 2. *And be it further enacted,* That the following post-roads be, and they hereby are, discontinued.

New Hampshire.

In New Hampshire.—From Bedford to Amherst. From Pembroke to Candia. From Nottingham to Epping.

New York.

In New York.—From Ithaca to Burdett, near the head of Seneca Lake. From Howard, by Rathbone's settlement and Loon Lake settlement, to Conhocton. From Bath, by Mount Washington, to Catharine's, and returning by Mead's creek, and the mouth of Mud creek: *Provided, however,* That this route be continued until the thirty-first day of December, one thousand eight hundred and thirty-two.

In Kentucky.—From Williams to Madisonville. From Smithport to Warren.

Post-roads discontinued.
Kentucky.
Tennessee.

In Tennessee.—That part of the route from Hopkinsville, Kentucky, to Dougherty's, Tennessee, between Paris and Dougherty's; and from Kingsport to Jonesborough.

Ohio.

In Ohio.—From Cadiz, by New Rumley, to New Hagerstown. From West Union, Ohio, to Vanceburgh, Kentucky.

Mississippi.

In Mississippi.—From Gallatin to Port Gibson. From Greenville to Petit Gulf. From Natchez, by the old courthouse, to Kingston. From Yazoo courthouse, by Smith's ferry and Braggsville, to Hannon's Bluff.
APPROVED, June 15, 1832.

STATUTE I.

CHAP. CXLIV.—*An Act establishing land districts in the territory of Arkansas.*(a)

June 25, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be four land districts in the territory of Arkansas, to be called as follows, viz: the Arkansas land district, the White river land district, the Red river land district, and the Fayetteville land district; and each of the aforesaid land districts shall be bounded as follows, to wit: the Arkansas land district shall include all the country embraced within the following boundaries: beginning on the west bank of the Mississippi river, at the mouth of the St. Francis river, and running thence due west with the base line to the north-east corner of range six, township one north and south of said base line; thence, due north with the dividing line between ranges five and six, to the north-east corner of township seven, north of said base line; thence, due west with the dividing line between townships seven and eight, to the north-west corner of range seventeen; and thence, due south with the dividing line between ranges seventeen and eighteen, to the Mississippi river. The White river district shall include all the country south of Missouri, which is not included in the Arkansas land district above described, and east of the dividing line between ranges seventeen and eighteen, as extended from the northwest corner of the said Arkansas land district, to the state of Missouri. The Red river land district shall include all the country in Arkansas lying west of the Arkansas land district, and south of the base line. The Fayetteville land district shall include the residue of the territory of Arkansas, being all the country lying north of the Red river district, and west of the Arkansas and White river districts.

Four land districts established in the territory of Arkansas.

Name and boundaries.

Sec. 2. *And be it further enacted,* That the land office for the Arkansas land district shall be at Little Rock; the land office for the White river district shall be at Batesville; the land office for the Red river district shall be at the town of Washington; and the land office for the Fayetteville district shall be at Fayetteville.

Land-offices for the respective districts.

Sec. 3. *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 to be deposited in the proper land offices.

Plats of surveys to be deposited, &c.

Sec. 4. *And be it further enacted,* That for each of the said districts created by this act, a register and receiver of public moneys shall be appointed, who shall give security in the same manner, and whose duties and authorities shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

Registers and receivers to be appointed.

APPROVED, June 25, 1832.

(a) For notes of acts relating to the territory, afterwards the state of Arkansas, vol. iii. p. 493.

STATUTE I.

June 28, 1832.

CHAP. CL.—*An Act to increase the number of surgeons and assistant surgeons in the army of the United States.*

Four surgeons
and ten sur-
geon's mates.

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, by and with the advice and consent of the Senate, to appoint four additional surgeons and ten additional surgeon's mates, in the army of the United States.

APPROVED, June 28, 1832.

STATUTE I.

June 28, 1832.

CHAP. CLI.—*An Act further to extend the pension heretofore granted to the widows of persons killed or who died in the naval service.*

[Expired.]

Pensions here-
tofore granted to
be continued to
the widows of
certain persons
for an addition-
al term of five
years.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases where provision has been made by law, for the five years' half-pay to widows and children of officers, seamen, and marines, who were killed in battle, or who died in the naval service of the United States; and, also, in all cases where provision has been made for extending the term for five years, in addition to any term of five years, the said provision shall be, and is hereby, further extended for an additional term of five years, so far as respects widows only, to commence at the end of the current or last expired term of five years in each case, respectively; which pension shall be paid out of the fund heretofore provided by law. And the pension herein continued shall cease for the causes mentioned in the laws granting the same, respectively.

To commence,
&c.

Shall cease for
the causes, &c.

Provisions of
this act to be
extended to,
&c.

SEC. 2. *And be it further enacted,* That the provisions of this act shall be extended to the widows of all those who may have died by reason of wounds received during the war.

APPROVED, June 28, 1832.

STATUTE I.

June 28, 1832.

CHAP. CLII.—*An Act making provision for the sale and disposition of the public grounds in the cities of St. Augustine and Pensacola, and to reserve certain lots and buildings for public purposes, and to provide for their repair and preservation.*

Lots and build-
ings to be se-
lected for the
use of the
United States.

Public and
private lots, &c.

Copies of sur-
vey.

Sale of certain
lots, buildings,
and commons
authorized.

Proviso.

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, required to cause to be selected such of the lots and buildings in the city of St. Augustine and of Pensacola, as may, in his opinion, be needed for public purposes; which, when so selected, shall be kept for the use of the United States; and when the selection shall have been made of such lots or buildings, it shall be the duty of the Secretary of the Treasury to cause to be surveyed all the public and private lots and commons in and about the said cities; one copy of which survey shall be lodged in the land offices in which the respective places are situated, and the other copy delivered to the city authorities, to be there kept and preserved as other records pertaining to the corporations of said cities.

SEC. 2. *And be it further enacted,* That the lots, buildings, and commons, not so set apart or needed for public purposes, shall at such time, and in such proportions or sizes as may be deemed most advisable and conducive to the interest of the United States and the said cities, be sold at public auction as other public lands, and the money arising from the sales paid into the Treasury of the United States: *Provided,* That nothing herein shall be so construed as to authorize the sale of any lot or parts of lots, or other grounds which have been by the laws of Spain

or the United States vested in the corporations of said towns, or which have been set apart for churches or burying grounds by the laws aforesaid, or by any ordinance of the corporate authorities of the said cities.

SEC. 3. *And be it further enacted*, That the title to the lot of ground in St. Augustine, known as the Old or Burnt Hospital lot, with all its appurtenances, be, and the same is hereby, vested in the mayor of St. Augustine, and his successor for ever, in trust, for the purpose of erecting thereon, by the local authorities of St. Augustine, buildings necessary for the education of free white children of both sexes.

Grant of lot whereon to erect buildings for the purposes of education.

SEC. 4. *And be it further enacted*, That the President shall cause the buildings which may be selected for public purposes under this act, to be refitted and repaired fit for use, and the better to preserve them from ruin and dilapidation, for which purpose, the sum of five thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated.

Buildings selected for public purposes to be repaired, &c. Appropriation.

SEC. 5. *And be it further enacted*, That the President of the United States is hereby authorized to dispose of such part of the military reservations in the city of Detroit, and upon the river Rouge, in the territory of Michigan, as in his opinion may not be wanted for the public service, and to vest the proceeds in the purchase or erection of a store-house and wharf in the said city of Detroit, and in the erection of an arsenal in the vicinity thereof, either upon the public lands or upon a site to be procured for that purpose.

Part of certain military reservations to be sold, and the proceeds to be vested in the purchase or erection of a store-house, wharf, and arsenal.

APPROVED, June 28, 1832.

STATUTE I.

CHAP. CLIII.—*An Act making appropriations for certain internal improvements for the year one thousand eight hundred and thirty-two.*

July 3, 1832.

[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 appropriated for the purpose of making the improvements hereinafter enumerated, viz :

Appropriations.

For removing obstructions to the navigation of Kennebeck river, at Lovejoy's Narrows, Maine, including a balance of former appropriations, of two thousand five hundred and seventy-nine dollars and sixty-eight hundredths, carried to the surplus fund, two thousand six hundred dollars.

Maine.

For repairing Plymouth Beach, Massachusetts, two thousand five hundred dollars.

Massachusetts.

For further protection and preservation of the Beach at Provincetown, Massachusetts, four thousand six hundred dollars.

For deepening the channel through the Pass au Heron, Alabama, being the balance of the appropriation of one thousand eight hundred and twenty-eight, carried to the surplus fund, first January, one thousand eight hundred and thirty-one, six thousand and fifty dollars.

Alabama.
1828, ch. 73.

For deepening the channel at Pascagoula river, being the balance of the appropriation of one thousand eight hundred and twenty-five, carried to the surplus fund the first of January, one thousand eight hundred and thirty, fifteen thousand nine hundred dollars.

For improving the navigation of the Red river, Louisiana, and Arkansas, being the balance of the appropriation of one thousand eight hundred and twenty-eight, carried to the surplus fund, two thousand six hundred and twenty-eight dollars, and the further sum of twenty thousand dollars.

Louisiana.
Arkansas.
1828, ch. 73.

For carrying on the work of the Delaware breakwater, two hundred and seventy thousand dollars.

Delaware.

To enable the Secretary of War to pay Lucius W. Stockton the

Cumberland road.

amount expended by him on the repairs of the Cumberland road, during the year one thousand eight hundred and thirty-one, five thousand eight hundred and sixty-eight dollars.

Florida.

For completing the repairs of the United States' military road between Pensacola and Tallahassee, four thousand dollars.

For completing the same from St. Augustine to Tallahassee, two thousand five hundred dollars.

For the completion of the improvement of the harbour and river Saint Marks, in Florida, as recommended by the chief engineer, four thousand five hundred dollars.

Maine.

For completing repairs to piers at the entrance of Kennebunk river, Maine, one thousand seven hundred dollars.

For removing obstructions in the Berwick branch of the Piscataqua river, two hundred and fifty dollars.

Massachusetts.

For completing the sea-wall for the preservation of Deer Island, Boston harbour, sixty thousand dollars.

For completing the breakwater at Hyannis harbour, Massachusetts, seven thousand six hundred dollars.

For removing the bar at the mouth of Nantucket harbour, six thousand dollars.

Connecticut.

For completing the breakwater and dyke, and deepening the channel, in the harbour of Mill river, in Connecticut, four thousand four hundred and ninety dollars and forty-three cents.

New York.

For completing the pier and mole at Oswego, New York, nineteen thousand dollars.

For removing obstructions at the mouth of Big Sodus bay, New York, seventeen thousand dollars.

For improving the entrance of Genessee river, sixteen thousand dollars.

For completing the pier at the mouth of Buffalo harbour, ten thousand three hundred dollars.

For the work at Black Rock harbour, New York, five thousand one hundred dollars.

For securing and completing the work at Dunkirk harbour, New York, ten thousand two hundred dollars.

Pennsylvania.

For completing the improvement of the harbour at Presque Isle, Pennsylvania, four thousand five hundred dollars.

For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, on the Delaware, ten thousand dollars.

North Carolina.

For carrying on the work for the improvement of Ocracoke inlet, North Carolina, twenty-two thousand dollars.

For improving Cape Fear river, below Wilmington, North Carolina, twenty-eight thousand dollars.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.

The President of the United States authorized to improve the steam-boat navigation from Pittsburg to Brownsville, and to extend the provisions of the act of 24th May, 1824, ch. 139, so as to embrace certain parts of the rivers Missouri and Mississippi.

And the President of the United States is hereby authorized to extend the improvement of the steamboat navigation from Pittsburg to the Cumberland road, at Brownsville, upon such plan as he may approve, under the provisions of the act of May twenty-four, eighteen hundred and twenty-four: and that the President of the United States be, and he is hereby, authorized to extend the provisions of the act of twenty-fourth May, one thousand eight hundred and twenty-four, entitled "An act to improve the navigation of the Ohio and Mississippi rivers," so as to embrace in its operations the river Missouri, from its junction with the Mississippi to the mouth of the Kansas river; and, also, the Upper Mississippi river from St. Louis, in Missouri, to Galena, in Illinois, with power to remove all obstructions in the channel of said river between those points; and that the provisions of the act, approved twenty-fourth May, one thousand eight hundred and twenty-four, entitled "An act to improve

the navigation of the Ohio and Mississippi rivers," be extended so as to include, in its operation, the improvement of the Mississippi from New Orleans to the Gulf of Mexico, and the deepening of the bar at the mouth of the Mississippi.

For improving the navigation of the Arkansas river, fifteen thousand dollars; *Provided*, The engineer department, after due examination, is satisfied that, during a portion of the ensuing year, the men and machine now employed in removing obstructions in the Ohio and Mississippi rivers, can be more usefully employed in removing those of the Arkansas river: *Provided*, That the compensation of the superintendent of the Ohio and Mississippi rivers, shall be the sum of three thousand dollars per annum, in full for all his services; and he shall not hereafter be allowed any thing in the shape of commissions in his disbursements.

Arkansas.
Proviso.

For improving the mouth of Conneaut creek, Ohio, seven thousand eight hundred dollars.

Proviso.
Compensation to the superintendent not to exceed \$3000.

For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, three thousand eight hundred dollars.

Ohio.

For a pier head at Cunningham creek, Ohio, one thousand five hundred dollars.

For completing the removal of obstructions at the mouth of Grand river, Ohio, two thousand six hundred dollars.

For completing the improvement of Cleveland harbour, Ohio, six thousand six hundred dollars.

For removing a sand bar at the mouth of Black river, Ohio, eight thousand dollars.

For removing obstructions at the mouth of Huron river, Ohio, one thousand five hundred dollars.

For piers at La Plaisance bay, Michigan, eight thousand dollars.

Michigan.

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

Cumberland,
Tennessee.

For the removal of the obstructions to the navigation of the Savannah river, between the mouth thereof and the city of Savannah, the sum of twenty-five thousand dollars, including the balance of the former appropriation to the same object, to be expended according to a plan and an estimate of the Department of War.

Georgia.

For defraying the expenses incidental to making examinations and surveys under the act of thirtieth April, one thousand eight hundred and twenty-four, thirty thousand dollars.

Surveys.
Act of April 30,
1824, ch. 46.

For repairs of the Cumberland road east of the Ohio river, and other needful improvements on said road, to carry into effect the provisions of an act of the General Assembly of Pennsylvania, entitled "An act for the preservation and repair of the Cumberland road," (a) passed the fourth day of April, one thousand eight hundred and thirty-one; and of an act of the General Assembly of the state of Maryland, entitled "An act for the preservation and repair of that part of the United States' road within the limits of the state of Maryland," (a) passed the twenty-third day of Janu-

Cumberland
road.

Act of March
2, 1831, ch. 97.

(a) The acts passed by the legislatures of Pennsylvania and Maryland are,

ACT OF PENNSYLVANIA.

An act for the preservation and repair of the Cumberland road.

Whereas, that part of the Cumberland road lying within the state of Pennsylvania is in many parts in bad condition, for want of repairs, and as doubts have been entertained whether the United States have authority to erect toll-gates on said road, and collect toll; and as a large proportion of the people of this commonwealth are interested in said road, and its constant continuance and preservation: Therefore,

Sec. 1. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That as soon as the consent of the government of the United States shall have been obtained, as hereinafter provided, William F. Coplan, David Downer, of Fayette county, Stephen Hill, Benjamin Anderson, of Washington county, and Thomas Endsley, of Smithfield, Somerset county, shall be, and they are hereby, appointed commissioners, a majority of whom shall be sufficient to transact business, who shall hold their offices for

Assent to acts of Pennsylvania and Maryland.

ary, one thousand eight hundred and thirty-two, to which said acts the assent of the United States is hereby given, to remain in force during the pleasure of Congress, the sum of one hundred and fifty thousand dollars, to be expended under the direction of the War Department, under the

three years after the passage of this act, after which, the right of appointing said commissioners shall vest in the governor of this commonwealth, to build toll-houses and erect toll-gates, at suitable distances, on so much of the Cumberland road as lies within the state of Pennsylvania: *Provided*, That, if any one or more of the said commissioners should die, resign, or refuse to serve, the governor shall appoint one or more other commissioners to fill the vacancies so happening: *And provided, also*, That nothing herein contained shall be construed to prevent the governor from re-appointing the commissioners named in this act, if he thinks proper.

Sec. 2. *And be it further enacted by the authority aforesaid*, That, for the purposes of keeping so much of the said road in repair as lies within the state of Pennsylvania, and paying the expenses of collection, and other incidental expenses, the commissioners shall cause to be erected, on so much of the said road as passes within this state, at least six gates; and that, as soon as said gates and toll-houses shall be erected, it shall be the duty of the toll-collectors, and they are hereby required to demand and receive, for passing the said gates, the tolls hereafter mentioned; and they may stop any person riding, leading, or driving any horses, cattle, sulky, chair, phaeton, cart, chaise, wagon, sleigh, sled, or other carriage of burden or pleasure, from passing through the said gates, until they shall, respectively, have paid for passing the same; and that is to say, for every space of fourteen miles in length on said road, the following sums of money; and so, in proportion, for every greater or lesser distance; the rates of toll to be collected at each gate shall be the following, to wit: for every score of sheep or hogs, six cents; for every score of cattle, twelve cents; for every led or drove horse, three cents; for every horse and rider, four cents; for every sleigh or sled, for each horse or pair of oxen, drawing the same, three cents; for every dearborn, sulky, chair, or chaise, with one horse, six cents; for every chariot, coach, coachee, stage, wagon, phaeton, chaise, or with two horses and four wheels, twelve cents; for either of the carriages last mentioned, with four horses, eighteen cents; for every other carriage of pleasure, under whatever name it may go, the like sum, according to the number of wheels and horses drawing the same; for every cart or wagon, whose wheels shall exceed two and a half inches in breadth, and not exceeding four inches, four cents for every horse or pair of oxen drawing the same; and every other cart or wagon, whose wheels shall exceed four inches, and not exceeding five inches in breadth, three cents for every horse or pair of oxen drawing the same; and for every other cart or wagon, whose wheels shall exceed six inches, and not more than eight inches, two cents for every horse or pair of oxen drawing the same; all other carts or wagons, whose wheels shall exceed eight inches in breadth, shall pass the said gates free of tolls: *Provided*, That the commissioners appointed by the first section of this act may commute the rates of toll with any person or persons, by taking of him or them a certain sum annually, in lieu of the tolls aforesaid: *And provided also*, That nothing in this act shall be construed so as to authorize any tolls to be received or collected from any person or persons passing or re-passing from one part of his farm to another, or to or from a mill, or to or from any place of public worship, funeral, militia training, elections, or from any student or child going to or from any school, or seminary of learning, or from persons and witnesses going to and returning from courts: *And provided further*, That no toll shall be received or collected for the passage of any wagon or carriage laden with the property of the United States, or any cannon or military stores belonging to the United States, or to any of the states composing this Union.

Sec. 3. *And be it further enacted by the authority aforesaid*, That the said commissioners shall appoint proper and suitable persons as toll-gatherers, who shall settle their accounts quarterly with the commissioners, and at all other times, when thereunto required; and shall, at all times, pay over to them, on demand, the amount of tolls by them collected; and it shall be the duty of the said commissioners, to render annually, to the court of quarter sessions of the respective counties through which the road passes, an account of the tolls received and expenses incurred on said road, on oath or affirmation, and publish the same in one or more newspapers in each county, through which the road passes; and they shall each receive a compensation of two dollars per day, for every day that they shall be engaged on the business of said road: *Provided*, That the annual compensation to any one commissioner shall not exceed the sum of one hundred dollars.

Sec. 4. *And be it further enacted by the authority aforesaid*, That the amount of tolls after deducting therefrom the expenses and charges of collection, and compensation of commissioners, shall be applied, under the direction of the commissioners, to the repairs and preservation of said road, in such manner, and under such regulations, as they may from time to time prescribe, and to no other purpose whatever; and the said commissioners shall have power to increase or diminish the rates of toll: *Provided*, That the same shall at no time be increased beyond the rates of toll established by an act entitled "An act authorizing the governor to incorporate a company for making an artificial road, from the bank of the river Susquehanna, opposite the borough of Harrisburg, to Pittsburg," passed the twenty-fourth day of February, one thousand eight hundred and six.

Sec. 5. *And be it further enacted by the authority aforesaid*, That directors shall be set up at proper and convenient situations, to caution all conductors or drivers of carriages, on the road aforesaid, that they shall, at all times, pass on the left of each other, under the penalty of two dollars for every offence.

Sec. 6. *And be it further enacted by the authority aforesaid*, That if any of the toll-gatherers shall unreasonably delay, or hinder, any passenger or traveller at any of the gates, or shall demand or receive more toll than may be established under this act, he shall, for each and every offence, forfeit and pay to the party so aggrieved the sum of twenty dollars.

Sec. 7. *And be it further enacted by the authority aforesaid*, That, if any person or persons shall willfully and of purpose throw down or otherwise injure any of the walls, bridges, culverts, or other works on said road, or shall otherwise willfully injure or obstruct the passage of the said road unnecessarily, the person or persons so offending shall forfeit and pay for every such offence any sum not less than five, or more than fifty dollars, to be collected and applied as is directed in the ninth section of this act.

superintendence of an officer of the engineers; and which said acts are hereby directed to be printed and appended to the laws of the present session of Congress.

Acts to be appended to laws of present session.

For repairing and building bridges on the military road leading from

Maine.

SEC. 8. *And be it further enacted by the authority aforesaid*, That the toll-gatherers on said road shall, respectively, receive compensation for their services, at the rate of twelve per centum on the amount of tolls by them, respectively, collected: *Provided*, That the annual compensation of any toll-gatherer shall never exceed the sum of two hundred dollars.

SEC. 9. *And be it further enacted by the authority aforesaid*, That the penalties and forfeitures which may be incurred under this act shall and may be sued for and recovered in the name of the commissioners of the road, without naming them as individuals, or of any person prosecuting for the same; the one moiety thereof to the use of the commonwealth, the other to the person so prosecuting for the same, before any magistrate or court having jurisdiction in like cases.

SEC. 10. *And be it further enacted by the authority aforesaid*, That this act shall not have any force or effect until the Congress of the United States shall assent to the same, and until so much of the said road as passes through the state of Pennsylvania be first put in a good state of repair, and an appropriation made by Congress for erecting toll-houses and toll-gates thereon, to be expended under the authority of the commissioners appointed by this act: *Provided*, The legislature of this state may at any future session thereof, change, alter, or amend this act: *Provided*, That the same shall not be so altered or amended as to reduce or increase the rates of toll hereby established, below or above a sum necessary to defray the expenses incident to the preservation and repair of said road, for the payment of the fees or salaries of the commissioners, the collectors of tolls, and other agents: *And provided further*, That no change, alteration, or amendment, shall ever be adopted, that will in anywise defeat or affect the true intent and meaning of this act.

APPROVED, April 4, 1831.

Under the act of Congress, ceding to Pennsylvania that part of the Cumberland road which is within the state, and the act of Pennsylvania accepting the surrender, a carriage, whenever it is carrying the mail, must be held to be laden with the property of the United States, within the true meaning of the compact; and consequently exempted from payment of toll. *Searight v. Stokes*, 3 Howard, 151.

But this exemption does not apply to any other property conveyed in the same vehicle; nor to any person travelling in it; unless he is in the service of the United States, and passing along in pursuance of orders from the proper authority. *Ibid*.

Nor can the United States claim an exemption for more carriages than are necessary for the safe, speedy, and convenient carriage of the mail. *Ibid*.

ACT OF MARYLAND.

An act for the preservation and repair of that part of the United States' road within the limits of the state of Maryland.

Whereas that part of the United States' road lying within the limits of the state of Maryland is, in many parts, in bad condition, for want of repairs; and as a large proportion of the people of this state are interested in said road and its preservation: Therefore,

SEC. 1. *Be it enacted by the general assembly of Maryland*, That, as soon as the consent of the government of the United States shall have been obtained, as hereinafter provided, that part of the United States' road, commonly called the National road, within the limits of the state of Maryland, shall be taken under the care of the state of Maryland; and the governor and council of this state shall be and they are hereby authorized to appoint a superintendent of that part of said road lying within the limits of this state, who shall hold his office for three years from the date of his commission, and who shall, at the time of his appointment, and during his continuance in office, reside in Allegany county; whose duty it shall be to exercise all reasonable vigilance and diligence in the care thereof; which superintendent, after his appointment, shall have full power and authority to build toll-houses, and erect toll-gates, at suitable distances: *Provided*, That the number of gates aforesaid shall not exceed two on the whole distance within the limits of this state.

SEC. 2. *And be it further enacted*, That for the purposes of keeping so much of the said road in repair as lies within the limits of the state of Maryland, and paying the expenses of collection and other incidental expenses, the superintendent shall cause to be erected, on so much of the said road as lies within the limits of this state, a gate or gates, a toll-house or toll-houses, not exceeding two of each; and that, as soon as said gates and toll-houses shall be erected, it shall be the duty of the toll-collectors, and they are hereby required to demand and receive, for passing said gates, the tolls hereafter mentioned; and they may stop any person riding, leading, or driving any horses, cattle, sulky, chair, phaeton, cart, chaise, wagon, sleigh, sled, or other carriage of burden or pleasure from passing through the said gates, until they shall, respectively, have paid for passing the same; that is to say, for every space of fourteen miles in length, on said road, the following sums of money, and so in proportion for every greater or lesser distance, the rates of toll to be collected at each gate, shall be the following, to wit: for every score of sheep or hogs, six cents; for every score of cattle, twelve cents; for every led or drove horse, three cents; for every horse and rider, four cents; for every sleigh or sled, for each horse or pair of oxen drawing the same, three cents; for every dearborn, sulky, chair, or chaise, with one horse, six cents; for every chariot, coach, coachee, stage, wagon, phaeton, chaise, or other carriage, with two horses and four wheels, twelve cents; for either of the carriages last mentioned, with four horses, eighteen cents; for every other carriage of pleasure, under whatever name it may go, the like sum, according to the number of wheels and horses drawing the same; for every cart or wagon whose wheels shall exceed two and a half inches in breadth, and not exceeding four inches, four cents for every horse or pair of oxen drawing the same; and every other cart or wagon, whose wheels shall exceed four inches, and not exceeding five inches in breadth, three cents for every horse or pair of oxen drawing the same; and for every other cart or wagon whose wheels shall exceed six inches, and not more

Mattanawcook to Mars' hill, in Maine, for widening said road, and for contingencies, twenty-one thousand dollars.

Michigan. For continuing the road from Detroit to Chicago, fifteen thousand dollars.

than eight inches, two cents for every horse or pair of oxen drawing the same; all other carts or wagons whose wheels shall exceed eight inches in breadth shall pass the said gates free of tolls: *Provided*, That the superintendent, after he is appointed by this act, may commute the rates of toll with any person or persons, by taking of him or them a certain sum annually, in lieu of the tolls aforesaid: *And provided also*, That nothing in this act shall be construed so as to authorize any tolls to be received or collected from any person or persons passing or repassing from one part of his farm to another, or to or from a mill, or to or from any place of public worship, funeral, militia training, elections, or from any student or child going to or from any school or seminary of learning, or from persons and witnesses going to and returning from courts: *And provided further*, That no toll shall be received or collected for the passage of any wagon or carriage laden with the property of the United States, or any cannon or military stores belonging to the United States or to any of the states composing this Union.

SEC. 3. *And be it further enacted*, That the said superintendent, after his appointment as aforesaid, shall appoint proper and suitable persons as toll-gatherers, who shall settle their accounts every three months from the time of their appointments, and at all other times when thereunto required by the said superintendent; and shall, at all times, pay over to the said superintendent, on demand, the amount of tolls by them or either of them collected; and the said superintendent shall have authority to remove any toll-gatherer, appointed by him, for misbehaviour in his office, and appoint another in his place; and it shall be the duty of the said superintendent to render, semi-annually, to the county court of Allegany county, at its fixed meetings by law on the third Monday of April and second Monday of October, an account of the tolls received and expenses incurred on said road, on oath or affirmation; which account, when ratified and confirmed by the said court, shall be published by the said superintendent in some newspaper printed in Allegany county; and the said superintendent shall, also, on or before the first Monday of December, annually, hereafter, transmit to the governor and council of this state, a duplicate of his said accounts aforesaid; and it shall be the duty of the governor of this state to lay the same before the General Assembly in his annual message. And the said superintendent shall receive a compensation of two dollars per day for every day that he shall be engaged on the business of said road: *Provided*, That the annual compensation to said superintendent shall not exceed the sum of five hundred dollars.

SEC. 4. *And be it further enacted*, That the amount of tolls, after deducting therefrom the expenses and charges of collection, and compensation of superintendent, shall be applied, under the direction of said superintendent, to the repairs and preservation of said road, in such manner, and under such regulations, as he from time to time may prescribe and direct, and to no other purpose whatsoever.

SEC. 5. *And be it further enacted*, That directors shall be set up at proper and convenient situations, to caution all conductors and drivers of carriages on the road aforesaid, that they shall at all times pass on the left of each other, under the penalty of two dollars for every offence.

SEC. 6. *And be it further enacted*, That, if any of the toll-gatherers shall unreasonably delay or hinder any passenger or traveller at any of the gates, or shall demand or receive more toll than may be established by this act, he shall, for each and every offence, forfeit and pay to the party so aggrieved the sum of twenty dollars.

SEC. 7. *And be it further enacted*, That, if any person or persons shall wilfully, and of purpose, throw down, or otherwise injure any of the walls, bridges, culverts, or other works, on said road, or shall otherwise wilfully injure or obstruct the passage of the said road unnecessarily, the person or persons so offending shall forfeit and pay for every such offence any sum not less than five nor more than fifty dollars, to be collected and applied as is directed in the ninth section of this act.

SEC. 8. *And be it further enacted*, That the toll-gatherers on said road shall, respectively, receive compensation for their services at the rate of twelve per centum on the amount of tolls by them, respectively, collected: *Provided*, That the annual compensation of any toll-gatherer shall never exceed the sum of two hundred dollars.

SEC. 9. *And be it further enacted*, That the penalties and forfeitures which may be incurred under this act, shall and may be sued for and recovered in the name of "the superintendent of that part of the United States' road within the limits of the state of Maryland," without naming him as an individual, or of any person prosecuting the same; the one half thereof to the use of the state of Maryland, the other to the person so prosecuting for the same before a justice of the peace in Allegany county, as other small debts are recovered, with the privilege of an appeal to the county court, as in cases of small debts.

SEC. 10. *And be it further enacted*, That the toll-gatherers shall exhibit their accounts from time to time to the superintendent, upon oath, as directed in this act; and they shall, moreover, before they act as toll-gatherers, and annually thereafter, give bond, with security, to the state of Maryland, in the penalty of one thousand dollars, to be approved by the superintendent, for the faithful performance of the duties devolving on them by this act, with a condition, as follows, or to the following effect: "Now the condition of the above obligation is such, that, if the above bond shall, at the end of every three months from the time of receiving his appointment, and at all other times when thereunto required, pay over, well and truly, to the said superintendent the whole amount of tolls by him collected as toll-gatherer aforesaid, then the above obligation to be void, otherwise to be in full force and virtue in law."

SEC. 11. *And be it further enacted*, That the said superintendent, before he acts as such, and annually thereafter, shall give bond to the state of Maryland, with such security as any one of the judges of the fifth judicial district shall approve, in the sum of four thousand dollars, with the following condition, or to the following effect: "Now the condition of the above obligation is such, that, if the above shall well and faithfully discharge the duties of superintendent, and shall pay over, lay out, and expend, all moneys which he may receive as the superintendent of that part of the United States'

For continuing the road from Detroit to fort Gratiot in Michigan, fifteen thousand dollars; and authority is hereby given to the Secretary of War, to change the direction in which the road shall be continued, agreeably to the report of the superintendent of the War Department, of the eighteenth of October, one thousand eight hundred and thirty-one.

Secretary of War authorized to change direction of road.

For continuing the road from Detroit to Saganaw, ten thousand dollars.

For the repair of the Little Rock and Memphis road, from Little Rock to the St. Francis river, under the superintendence of the governor of said territory, twenty thousand dollars.

Arkansas.

To complete the Washington and Jackson road, at the two extremes thereof, in the territory of Arkansas, in addition to the unexpended balance, two thousand dollars.

For continuing the Cumberland road in the state of Ohio, west of Zanesville, one hundred thousand dollars.

Ohio.

For continuing the Cumberland road in the state of Indiana, including the erection of bridges over the east and west branches of White Water, and other small streams, with a view to bring the road into immediate use, one hundred thousand dollars.

Indiana.

For continuing the Cumberland road in the state of Illinois, seventy thousand dollars.

Illinois.

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

To be paid from the treasury.

SEC. 2. *And be it further enacted*, That so much of the second section of the act for the continuation of the Cumberland road, approved March third, one thousand eight hundred and twenty-five, as authorizes the President, with the advice of the Senate, to appoint a superintendent thereof, be, and the same is hereby, repealed, and that the work in the state of Ohio be continued by the War Department, under the superintendence of an officer of engineers.

Act of March 3, 1825, ch. 98. Cumberland road. Office of superintendent discontinued. Work to be prosecuted, &c.

APPROVED, July 3, 1832.

road within the limits of this state, as directed by this act, then the above obligation to be void, otherwise to be in full force and virtue in law."

SEC. 12. *And be it further enacted*, That, if there shall be any surplus money in the hands of the said superintendent, beyond the actual expenses for preserving and repairing the part of said road within the limits of this state, and paying the said superintendent and toll-gatherers, and all incidental expenses, the said superintendent shall remit the same to the treasurer of the Western Shore, whose duty it shall be to receive the same, to be denominated on the treasury books "The United States Road Fund;" which money, constituting said fund, shall be applied, solely and exclusively, to the preservation, repair, and improvement, of that part of said road within the limits of this state, and to no other use or purpose whatsoever.

SEC. 13. *And be it further enacted*, That this act shall not have any force or effect, until the Congress of the United States shall assent to the same; and until so much of the said road as lies within the limits of the state of Maryland be first put in a good and complete state of repair, by an appropriation made by the Congress of the United States to repair the same, and to pay the expenses of building a toll-house or toll-houses, and erecting a toll-gate or toll-gates, to be built and erected by the superintendent appointed by the governor and council of this state; to be expended under the authority of a superintendent to be appointed by the President of the United States: *Provided*, The general assembly of this state may, at any future session thereof, change, alter, or amend this act, so as to regulate the amount of tolls: *Provided*, That the same shall not be so altered or amended, as to reduce or increase the rates of tolls hereby established, below or above a sum necessary to defray the expenses incident to the preservation and repair of said road, for the payment of the fees and compensation to the superintendent, collectors of tolls, and other agents: *And provided*, That no change, alteration, or amendment, shall ever be adopted, that will in any wise defeat or affect the true intent and meaning of this act.

SEC. 14. *And be it further enacted*, That in case any superintendent, who shall be appointed under this act, shall die, resign, refuse to act, or remove from Allegany county aforesaid, the governor and council of this state shall appoint another in his place, who shall, at the time of his appointment, and during his continuance in office, reside in Allegany county, and who shall hold his office for three years from the date of his commission; and, after the expiration of any time of service of any superintendent who may be appointed under this act, the governor and council of this state shall re-appoint him, or appoint another in his place, at discretion: *Provided*, That he shall not serve for a longer time than three years from the date of his commission.

CERTIFIED, January 24, 1832.

STATUTE I.

July 3, 1832.

[Expired.]

Transfers of appropriations in the naval service authorized.

Special accounts of the moneys transferred, and of their application, to be laid before Congress.

CHAP. CLIV.—*An Act to authorize the President of the United States to direct transfers of appropriations in the naval service, under certain circumstances.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That upon the application of the Secretary of the Navy, the President of the United States shall have authority, whenever in his opinion the unforeseen contingencies of the public service may require it, to direct that a part of the money appropriated for a particular branch of the naval service be applied to another branch of the said service; in which case, a special account of the moneys thus transferred, and of their application, shall be laid before Congress before its adjournment, if then in session, and during the first week of the next ensuing session, if such transfer be made in the recess of Congress.

This act shall continue in force until the close of the next session of Congress and no longer.

APPROVED, July 3, 1832.

STATUTE I.

July 3, 1832.

[Obsolete.]

Legislature authorized to sell and convey certain tracts of land.

Proceeds applied to education.

CHAP. CLV.—*An Act to authorize the legislature of the state of Indiana to sell and convey certain lands granted to said state for the use of the people thereof.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the legislature of the state of Indiana be, and is hereby, authorized to sell and convey, in such manner, and on such conditions, as said legislature shall by law direct, the following described tracts of land heretofore granted and set apart for the use of said state, namely: sections numbered thirteen progressively to thirty-six, inclusive; section sixteen excepted, in township numbered two, north of range two, west; and sections numbered one to twelve progressively and inclusive, in township one, north of range two, west; and the north-east quarter of section numbered fourteen, in township seven, north of range two, west; and the north-west quarter of section numbered twenty-six, in township one, north of range five, west, in the Vincennes district; likewise, section fifteen, in township two, north; section twenty-eight, in township three, north of range four, east; and fractional section, numbered thirty-one, in township nine, north of range two, east, of the Jeffersonville district; and to apply the proceeds of said sale to the purposes of education: *Provided,* That the legislature shall not authorize a sale of the said land at a less price than that at which the public lands are sold at private entry.

APPROVED, July 3, 1832.

STATUTE I.

July 3, 1832.

Commissioner, surveyor, and clerk to be appointed.

Salaries.

CHAP. CLXI.—*An Act to provide for carrying into effect the treaty of limits between the United States of America and the United Mexican States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioner and surveyor to be appointed on the part of the United States, according to the third article of the treaty of limits between the United States of America and the United Mexican States, of January twelfth, one thousand eight hundred and twenty-eight, and April fifth, one thousand eight hundred and thirty-two, be severally appointed by the President of the United States, by and with the consent of the Senate; together with a clerk to the said commissioner to be appointed in the same manner; and that for the purpose of carrying into effect the second and third articles of the treaty aforesaid, there be appropriated, out of any money in the treasury not otherwise appropriated, the following sums:

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

For the salary of the surveyor, two thousand dollars.

For the salary of the clerk, one thousand two hundred dollars: *Provided*, That the salary of the said officers shall not commence until they shall be ordered into service.

Provisc.

For other expenses of the survey of boundary required by the said treaty, including the purchase of instruments, wages to persons employed, and other contingencies, ten thousand dollars.

Contingencies.

APPROVED, July 3, 1832.

STATUTE I.

CHAP. CLXII.—*An Act concerning patents for useful inventions. (a)*

July 3, 1832.

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 State, annually, in the month of January, to report to Congress, and to publish in two of the newspapers printed in the city of Washington, a list of all the patents for discoveries, inventions, and improvements, which shall have expired within the year immediately preceding, with the names of the patentees, alphabetically arranged.

Act of July 4, 1836, ch. 357.

List of expired patents to be annually reported to Congress.

SEC. 2. *And be it further enacted*, That application to Congress to prolong or renew the term of a patent, shall be made before its expiration, and shall be notified at least once a month, for three months before its presentation, in two newspapers printed in the city of Washington, and in one of the newspapers in which the laws of the United States shall be published in the state or territory in which the patentee shall reside. The petition shall set forth particularly the grounds of the application. It shall be verified by oath; the evidence in its support may be taken before any judge or justice of the peace; it shall be accompanied by a statement of the ascertained value of the discovery, invention, or improvement, and of the receipts and expenditures of the patentee, so as to exhibit the profit or loss arising therefrom.

Form of application to prolong or renew patent.

SEC. 3. *And be it further enacted*, That wherever any patent which has been heretofore, or shall be hereafter, granted to any inventor in pursuance of the act of Congress, entitled "An act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose," passed on the twenty-first day of February, in the year of our Lord, one thousand seven hundred and ninety-three, or of any of the acts supplementary thereto, shall be invalid or inoperative, by reason that any of the terms or conditions prescribed in the third section of the said first mentioned act, have not, by inadvertence, accident, or mistake, and without any fraudulent or deceptive intention, been complied with on the part of the said inventor, it shall be lawful for the Secretary of State, upon the surrender to him of such patent, to cause a new patent to be granted to the said inventor for the same invention for the residue of the period then unexpired, for which the original patent was granted, upon his compliance with the terms and conditions prescribed in the said third section of the said act. And, in case of his death, or any assignment by him made of the same patent, the like right shall vest in his executors and administrators, or assignee or assignees: *Provided, however*, That such new patent, so granted, shall, in all respects, be liable to the same matters of objection and defence as any original patent granted under the said first-mentioned act. But no public use or privilege of the invention so patented, derived from or after the grant of the original patent, either under any special license of the inventor, or without the consent of the patentee that there shall be a free public use thereof, shall, in any manner, prejudice his right of recovery for any use or violation of his invention after the grant of such new patent as aforesaid.

Patent to be invalid in case of inventor not having complied with terms, &c. 1793, ch. 11.

Secretary of State, upon surrender, &c., to grant a new patent.

In case of death, &c., right to vest in executors, &c. Proviso.

APPROVED, July 3, 1832.

(a) For a note of the acts relating to patents for useful inventions, see vol. i. p. 109. For the decisions of the courts of the United States relative to the law of patents, see vol. i. p. 318.

STATUTE I.

July 3, 1832.

Unlocated lots in military district, in Ohio, made liable to private sale.

Act of Feb. 11, 1800, ch. 8.

CHAP. CLXIII.—*An Act for the sale of the unlocated lots in the fifty quarter townships in the United States' military district, in the state of Ohio, reserved to satisfy warrants granted to individuals for their military services.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the lots and fractional parts of lots lying in the fifty quarter townships, reserved by an act of Congress, passed the eleventh day of February, one thousand eight hundred, and entitled "An act giving further time to the holders of military warrants to register and locate the same," and which remain unlocated, shall, hereafter, be liable to be sold at private sale, in the respective land offices in which they lie, in the same manner, and for the same sum per acre, as other lands of the United States lying in said districts, and undisposed of.

APPROVED, July 3, 1832.

STATUTE I.

July 4, 1832.

Commissioners to be appointed to survey and lay out road.

Plats of surveys to be certified and transmitted to President; if approved, to be deposited, &c.

Proviso.

Pay of commissioners and assistants.

Proviso.

Appropriation.

Survey to ascertain practicability of canals to connect bays and rivers in Florida.

Estimates to be made.
Appropriation.

CHAP. CLXIV.—*An Act to authorize the surveying and laying out a road from Detroit to the mouth of Grand river of Lake Michigan, in the Michigan territory, and for the survey of canal routes in the territory of Florida.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, a road from Detroit, westwardly, by way of Sciawasse, to the mouth of Grand river, in the territory of Michigan; and said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States, who, if he approve of said surveys, shall cause the plats thereof to be deposited in the office of the Treasury of the United States, and the said road shall be considered as established and accepted: *Provided,* That said commissioners shall be disinterested persons, not residents of any county through which said road may pass.

SEC. 2. *And be it further enacted,* That the said commissioners shall, each, be entitled to receive three dollars, and their assistants one dollar and fifty cents, for each and every day they shall be necessarily employed in the surveying, exploring, and marking of said road, and making their returns thereof: *Provided,* The whole expense thereof shall not exceed the sum of three thousand five hundred dollars.

SEC. 3. *And be it further enacted,* That for the purpose of compensating the said commissioners and their assistants, there shall be, and is hereby, appropriated, the sum of three thousand five hundred dollars, to be paid out of any moneys in the treasury not otherwise appropriated.

SEC. 4. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to cause to be made, an accurate and minute survey of the country between the waters of St. Andrew's bay and the river and bay of Chattahoochie, and between Pensacola bay and Bon Secour, along the northern coast of the Gulf of Mexico, with a view to ascertain the practicability and cost of canals to connect said bays and rivers, with notes, plans, observations, and opinions, of the engineers on each of said parts designated, with estimates of the cost of each; and, for the purpose of carrying into effect the foregoing provisions, 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.

APPROVED, July 4, 1832.

STATUTE I.

July 4, 1832.

CHAP. CLXV.—*An Act to authorize the surveying and making of a road from La Plaisance bay, in the territory of Michigan, to intersect the Chicago road.*

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 appoint three commissioners, who shall explore, survey, and mark, in the most eligible course, a road from La Plaisance bay, in the territory of Michigan, to intersect, at some suitable point, the road from Detroit to Chicago, established under the provisions of the act of the third of March, one thousand eight hundred and twenty-five; and said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the President of the United States, who, if he approve of said surveys, shall cause the plats thereof to be deposited in the office of the Treasury of the United States, and the said road shall be considered as established and accepted: *Provided,* That said commissioners shall be disinterested persons, not residents of the counties of Monroe or Lenewee, in said territory.

Commissioners to be appointed to survey and lay out road.

Plats of surveys to be certified, and transmitted to the President; if approved to be deposited, &c.
Proviso.

SEC. 2. *And be it further enacted,* That the said commissioners shall, each, be entitled to receive three dollars, and their assistants one dollar and fifty cents, for each and every day they shall be necessarily employed in the surveying, exploring, and marking, of said road, and making their returns thereof: *Provided,* That the whole expense thereof shall not exceed the sum of five hundred dollars.

Pay of commissioners and assistants.

Proviso.

SEC. 3. *And be it further enacted,* That, for the purpose of compensating the said commissioners and their assistants, and for opening and making said road, there shall be, and is hereby, appropriated, the sum of fifteen thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, to be expended under the direction of the President of the United States, for the purposes aforesaid: *Provided, however,* That the money applied to the making of said road, shall be laid out first in making such parts of it from La Plaisance bay, to the crossing of the river Raisin, at or near Tesecumseh, as have not heretofore been improved; and the residue, if any, upon such parts of it as, in the judgment of the superintendent, the public good may most require.

Appropriation.

Proviso.

APPROVED, July 4, 1832.

STATUTE I.

July 4, 1832.

CHAP. CLXVI.—*An Act for the final adjustment of the claims to lands in the south-eastern land district of the state of Louisiana. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any person or persons, claiming lands within the limits of the south-eastern land district of the

(a) Decisions of the Supreme Court on land titles in Louisiana, in addition to the cases stated in notes to vol. ii, 288, 713.

The treaty by which Louisiana was ceded to the United States, recognised complete grants, issued anterior to the cession, and a decision of a state court against the validity of a title set up under such a grant, would be subject to reversal by the Supreme Court, under the twenty-fifth section of the Judiciary act. *M'Donough v. Millaudon*, 3 Howard, 693.

But, if the state court only applies the local laws of the state to the construction of the grant, it is not a decision against its validity, and the Supreme Court has no jurisdiction. *Ibid.*

Congress, in acting upon complete grants, recognised them as they stood; and the act of 11th of May, 1820, confirming such as were recommended for confirmation by the register and receiver, had no reference to any particular surveys. *Ibid.*

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 this court has no jurisdiction in such a case. *Ibid.*

The certificate of survey alleged to have been given by Trudeau, on the 14th of June, 1797, and brought forward to sustain a grant to the Marquis de Maison Rouge, declared ante-dated and fraudulent. *United States v. King et al.*, 3 Howard, 773.

The circumstance that a copy of this paper was delivered by the Spanish authorities in 1803, is not sufficient to prevent its authenticity from being impeached. *Ibid.*

Claims to lands in Louisiana to be presented to register and receiver at New Orleans, prior to 1st July, 1833.

Notice of claim to be recorded.

Fees.

Claims to be reported to the Secretary of the Treasury, and to be laid before Congress.

Proviso.

Sales of land suspended until after 1st July, 1833.

Persons who held lands by claims unconfirmed, &c., may avail themselves of the benefits of this act.

Separate report of cases of this class to be made to the Secretary of the Treasury, &c.

Purchasers to be reimbursed.

Additional compensation.

state of Louisiana, agreeably to the provisions of the laws heretofore enacted for the adjustment of land claims in that part of the territory of Orleans or state of Louisiana, but whose titles have not been heretofore confirmed, may, at any time prior to the first day of July, one thousand eight hundred and thirty-three, present their claims, together with the written evidence and other testimony in support of the same, to the register and receiver of the land office at New Orleans; and it shall be the duty of the said register and receiver to record, in a book to be kept for that purpose, the notice of every claim so preferred, together with the evidence; for which service they shall receive a compensation from the claimants, at the rate of twenty-five cents for every hundred words.

SEC. 2. *And be it further enacted*, That the said register and receiver shall, at or before the beginning of the next session of Congress thereafter, make to the Secretary of the Treasury a report of the claims which may have been preferred before them, together with the testimony, their opinion of the validity of the claims, and such other information respecting them as may be in their possession; which report shall, by the Secretary of the Treasury, be laid before Congress as soon as practicable, with his opinion touching the validity of the respective claims: *Provided*, That no claim shall be therein recommended for confirmation, for more than the quantity contained in a league square.

SEC. 3. *And be it further enacted*, That the sales of land in the said south-eastern district, by public auction or private entry, shall be suspended until after the first day of July, one thousand eight hundred and thirty-three.

SEC. 4. *And be it further enacted*, That all persons who, before the first Monday of November, one thousand eight hundred and thirty, held lands in the said south-eastern district, by claims unconfirmed, but which were embraced in the principles of the previous laws for the adjustment of claims in that part of the territory of Orleans or state of Louisiana, which lands may have been sold at the public sale which took place at New Orleans on the first Monday of November, one thousand eight hundred and thirty, under the President's proclamation of the fifth June, one thousand eight hundred and thirty, may avail themselves of this act as though their lands had not been sold; and the said register and receiver shall make a separate report of the cases of this class: and if it shall appear to the Secretary of the Treasury that all or any of the claims contained therein, although unconfirmed, are embraced in the intent and meaning of the previous laws for the adjustment of land claims as aforesaid, he is hereby authorized to repay to the persons, or the legal representative of the persons who purchased, such sum or sums as they may have paid for lands of this description, bought by them at the said public sale.

SEC. 5. *And be it further enacted*, That, in addition to the compensation hereinbefore provided, the said register and receiver shall receive, for the services required of them by this act, the sum of five hundred dollars each, to be paid by the Secretary of the Treasury out of any moneys in the treasury not otherwise appropriated.

APPROVED, July 4, 1832.

Leaving this certificate out of the case, the instruments executed by the Baron de Carondelet, in 1795 and 1797, have not the aid of any authentic survey to ascertain and fix the limits of the land, and to determine its location. *Ibid.*

The Supreme Court has repeatedly decided, and in cases, too, where the instrument contained clear words of grant, that if the descriptions were vague and indefinite, and there was no official survey to give it a certain location, it could create no right of private property, in any particular parcel of land, which could be maintained in a court of justice. *Ibid.*

An equitable title is no defence in a suit 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 the 29th April, 1816, confirming the grant to the extent of a league square, restricted it to that quantity, and cannot be construed as confirming the residue. *Ibid.*

Query: Whether the acceptance by the claimant of this league square affected his title to the residue. *Ibid.*

STATUTE I.

July 4, 1832.

CHAP. CLXXII. — *An Act to authorize the governor of the territory of Arkansas to select ten sections of land, granted to said territory for the purpose of building a legislative house for said territory, and for other purposes.*

Governor to select land.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the authority and power is hereby vested in, and given to the governor of the territory of Arkansas, which was vested in, and given to the legislature of the territory of Arkansas, by an act of Congress of the second of March, one thousand eight hundred and thirty-one, by which a quantity of land not exceeding ten sections, was granted to said territory for the purpose of raising a fund for the erection of a public building at Little Rock, the seat of government of said territory.

1831, ch. 67.

SEC. 2. *And be it further enacted,* That nothing herein contained shall be so construed as authorizing any expense on the part of the United States for selecting said lands, or building said house, other than the aforesaid grant of ten sections of the unappropriated public lands.

United States not liable for expense in selecting, &c.

APPROVED, July 4, 1832.

STATUTE I.

July 5, 1832.

CHAP. CLXXIII. — *An Act to provide for liquidating and paying certain claims of the state of Virginia.*

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 do liquidate and pay the accounts of the commonwealth of Virginia against the United States, for payments to the officers commanding in the Virginia line in the war of the revolution, on account of half-pay for life promised the officers aforesaid by that commonwealth, the sum of one hundred and thirty-nine thousand five hundred and forty-three dollars and sixty-six cents.

Accounts of Virginia for payments to officers of Virginia line in revolutionary war, &c., authorized to be paid.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, required and directed to pay to the state of Virginia the amount of the judgments which have been rendered against the said state, for and on account of the promise contained in an act passed by the general assembly of the state of Virginia in the month of May, Anno Domini one thousand seven hundred and seventy-nine, and in favour of the officers or representatives of officers of the regiments and corps hereinafter recited, and not exceeding, in the whole, the sum of two hundred and forty-one thousand three hundred and forty-five dollars, to wit:

Secretary of the Treasury to pay Virginia the amount of judgments rendered against her in favour of certain revolutionary officers.

First. To the officers, or their legal representatives, of the regiment commanded by the late Colonel George Gibson, the amount of the judgments which they have obtained, and which are now unsatisfied.

Second. To the officers, or their legal representatives, of the regiment denominated the second state regiment, commanded, at times, by Colonels Brent and Dabney, the amount of the judgments which they have obtained, and which are now unsatisfied.

Third. To the officers, or their legal representatives, of the regiments of Colonels Clark and Crockett, and Captain Roger's troop of cavalry, who were employed in the Illinois service, the amount of the judgments which they have obtained, and which are now unsatisfied.

Fourth. To the officers, or their legal representatives, serving in the regiment of state artillery commanded by the late Colonel Marshall, and those serving in the state garrison regiment commanded by Colonel Muter, and serving in the state cavalry commanded by Major Nelson, the amount of the judgments which they have obtained, and which are now unsatisfied.

Fifth. To the officers, or their legal representatives, who served in the

Secretary of the Treasury to settle claims for half-pay to revolutionary officers.

navy of Virginia during the war of the revolution, the amount of the judgments which they have obtained, and which are now unsatisfied.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby directed and required, to adjust and settle those claims for half pay of the officers of the aforesaid regiments and corps, which have not been paid or prosecuted to judgments against the state of Virginia, and for which said state would be bound on the principles of the half-pay cases already decided in the supreme court of appeals of said state; which several sums of money herein directed to be settled or paid shall be paid out of any money in the treasury not otherwise appropriated by law.

APPROVED, July 5, 1832.

STATUTE I.

July 9, 1832.

CHAP. CLXXIV.—*An Act to provide for the appointment of a commissioner of Indian Affairs, and for other purposes. (a)*

Commissioner of Indian affairs 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 shall appoint, by and with the advice and consent of the Senate, a commissioner of Indian affairs, who shall, under the direction of the Secretary of War, and agreeably to such regulations as the President may, from time to time, prescribe, have the direction and management of all Indian affairs, and of all matters arising out of Indian relations, and shall receive a salary of three thousand dollars per annum.

Salary.

Clerks.

SEC. 2. *And be it further enacted*, That the Secretary of War shall arrange or appoint to the said office the number of clerks necessary therefor, so as not to increase the number now employed; and such sum as is necessary to pay the salary of said commissioner for the year one thousand eight hundred and thirty-two, shall be, and the same hereby is, appropriated out of any money in the treasury.

Pay of commissioner for the year 1832.

Accounts, &c., to be transmitted to commissioner, &c.

Communications to be free of postage.

March 3, 1845, ch. 43, sec. 1.

Ardent spirits prohibited.

Unnecessary agencies, &c., to be discontinued.

SEC. 3. *And be it further enacted*, That all accounts and vouchers for claims and disbursements connected with Indian affairs, shall be transmitted to the said commissioner for administrative examination, and by him passed to the proper accounting officer of the Treasury Department for settlement; and all letters and packages to and from the said commissioner, touching the business of his office, shall be free of postage.

SEC. 4. *And be it further enacted*, That no ardent spirits shall be hereafter introduced, under any pretence, into the Indian country.

SEC. 5. *And be it further enacted*, That the Secretary of War shall, under the direction of the President, cause to be discontinued the services of such agents, sub-agents, interpreters, and mechanics, as may, from time to time, become unnecessary, in consequence of the emigration of the Indians, or other causes.

APPROVED, July 9, 1832.

STATUTE I.

July 9, 1832.

CHAP. CLXXV.—*An Act to enable the President to extinguish Indian title within the state of Indiana, Illinois, and territory of Michigan.*

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of twenty thousand dollars be, and the same is hereby appropriated, for the purpose of holding Indian treaties, and of finally extinguishing Indian title, within the state of Indiana, and so much of the lands of the Pattawatamies as lies in the state of Illinois and territory of Michigan.

APPROVED, July 9, 1832.

(a) Notes of the acts for the preservation of peace with the Indian tribes, vol. ii. p. 6.
Notes of regulations of intercourse and trade with the Indian tribes, vol. ii. p. 139.
Notes of the decisions of the Supreme Court on the laws and treaties with the Indians, vol. ii. p. 141.
Notes of obsolete acts relating to trading houses with the Indians, vol. ii. p. 652.

STATUTE I.

July 9, 1832.

CHAP. CLXXX.—An Act for the final adjustment of private land claims in Missouri. (a)

1833, ch. 84.

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 recorder of land titles in the state of Missouri and two commissioners

All unconfirmed land claims to be examined.

(a) Notes of the decisions of the Supreme Court on land titles in Missouri.

The state of Missouri was formerly part of the territory, first of France, next of Spain, then of France, who ceded it to the United States by the treaty of 1803, in full propriety, sovereignty and dominion, as she had acquired and held it; by which this government put itself in place of the former sovereigns, and became invested with all their rights, subject to their concomitant obligations to the inhabitants. Both were regulated by the law of nations, according to which the rights of property are protected, even in the case of a conquered country; and held sacred and inviolable when it is ceded by treaty, with or without any stipulation to such effect: and the laws, whether in writing, or evidenced by the usage and customs of the conquered or ceded country, continue in force, until altered by the new sovereign. *Strother v. Lucas*, 12 Peters, 410.

No principle can be better established by the authority of the Supreme Court, than "that the acts of an officer, to whom a public duty is assigned by his king, within the sphere of that duty, are prima facie taken to be within his power." The principles on which it rests, are believed to be too deeply founded in law and reason, ever to be successfully assailed. He who would controvert a grant executed by the lawful authority, with all the solemnities required by law, takes on himself the burden of showing that the officer has transcended the powers conferred upon him; or that the transaction is tainted with fraud. *Ibid.*

Where the act of an officer to pass the title to land according to the Spanish law, is done contrary to the written order of the king, produced at the trial, without any explanation; it shall be presumed that the power has not been exceeded; that the act was done on the motive set out therein; and according to some order known to the king and his officers, though not to his subjects; and courts ought to require very full proof, that he had transcended his powers, before they so determine it. *Ibid.*

In favour of long possession and ancient appropriation, every thing which was done shall be presumed to have been rightfully done; and though it does not appear to have been done, the law will presume that whatever was necessary has been done. *Ibid.*

The stipulations of the treaty ceding Louisiana to the United States affording that protection or security to claims under the French or Spanish government to which the act of Congress refers, are in the first, second, and third articles. They extended to all property until Louisiana became a member of the Union; into which the inhabitants were to be incorporated as soon as possible, "and admitted to all the rights, advantages and immunities of citizens of the United States." The perfect inviolability and security of property is among these rights. *Delassus v. The United States*, 9 Peters, 117.

The right of property is protected and secured by the treaty, and no principle is better settled in this country, than that an inchoate title to lands is property. This right would have been sacred, independent of the treaty. The sovereign who acquires an inhabited country, acquires full dominion over it; but this dominion is never supposed to divest the vested rights of individuals to property. The language of the treaty ceding Louisiana, excludes any idea of interfering with private property. *Ibid.*

On the 18th of April, 1802, the lieutenant-governor of Upper Louisiana granted sixteen hundred arpents of land near certain rivers named in the grant, with directions to survey the same in a vacant place of the royal domain; but no survey was made before the cession of Louisiana to the United States. By the court—As the grant contained no description of the land granted, and was not located within the time prescribed by the act of Congress of the 10th of March, 1804, it comes directly within the point decided by the Supreme Court in the case of *John Smith, T.*, and cannot be confirmed. *Wherry v. The United States*, 10 Peters, 338.

In repeated decisions the Supreme Court have affirmed the authority of local governors, under the crown of Spain, to grant land in Louisiana, before the same was ceded by Spain to France: and the court have also affirmed the validity of descriptive grants, though not surveyed before the 11th of March, 1804, in Missouri, and the 24th of January, 1818, in Florida. *Mackey v. The United States*, 10 Peters, 340.

A grant or concession made by an officer who is by law authorized to make it, carries with it prima facie evidence that it is within his powers. No excess of them, or departure from them, is to be presumed. He violates his duty by such excess, and is responsible for it. He who alleges that an officer intrusted with an important duty has violated his instructions, must show it. *Delassus v. The United States*, 9 Peters, 117.

The instructions of governor O'Reilly, relative to granting lands in Louisiana, were considered by the court in *S Peters*, 455. These regulations were intended for the general government of subordinate officers, and not to control and limit the power of the person from whose will they emanated. The Baron De Carondelet must be supposed to have had all the powers which had been vested in Don O'Reilly, and a concession ordered by him is as valid as a similar concession directed by governor O'Reilly would have been. *Ibid.*

A concession of land was made by the lieutenant-governor of Upper Louisiana, at the time when the power of granting lands was vested in the governors of provinces. This power was, in 1799, after the concession, transferred to the intendant-general: and after this transfer, in January, 1800, the order of survey of the land was made by the lieutenant-governor. The validity of the order of survey depends on the authority of the lieutenant-governor to make it. The lieutenant-governor was also a sub-delegate, and as such was empowered to make inchoate grants. The grant was confirmed. *Chouteau's heirs v. The United States*, 9 Peters, 137.

The transfer of the power to make concessions of lands belonging to the royal domain of Spain, from the governor-general to the intendant-general, did not affect the power of the sub-delegate, who made this concession. The order in this case is the foundation of title, and is, according to the act of

Claims to be
classified, &c.

Time for tak-
ing testimony.

Office of re-
corder to re-
main open for
two years.

Recorder, &c.,
to proceed, &c.

to be appointed by the President of the United States, by and with the advice and consent of the Senate, to examine all the unconfirmed claims to land in that state, heretofore filed in the office of the said recorder, according to law, founded upon any incomplete grant, concession, warrant, or order of survey, issued by the authority of France or Spain, prior to the tenth day of March, one thousand eight hundred and four; and to class the same so as to show, first, what claims, in their opinion, would in fact have been confirmed, according to the laws, usages, and customs of the Spanish government, and the practice of the Spanish authorities under them, at New Orleans, if the government under which said claims originated had continued in Missouri; and secondly what claims, in their opinion, are destitute of merit, in law or equity, under such laws, usages, customs, and practice of the Spanish authorities aforesaid; and shall also assign their reasons for the opinions so to be given. And in examining and classing such claims, the recorder and commissioners shall take into consideration, as well the testimony heretofore taken by the boards of commissioners and recorder of land titles upon those claims, as such other testimony as may be admissible under the rules heretofore existing for taking such testimony before said boards and recorder: and all such testimony shall be taken within twelve months after the passage of this act.

SEC. 2. *And be it further enacted*, That the office of the recorder shall be open for the purposes of such examination for the term of two years from the date of the organization of the board of commissioners and no longer; and the recorder and commissioners shall proceed in the examination in a summary manner, with or without any new application of

Congress on the subject of confirming titles to lands in Missouri, &c., and the general understanding and usage of Louisiana and Missouri, capable of being perfected into a complete title. It is property, capable of being alienated, of being subjected to debts: and is, as such, to be held as sacred and inviolate as other property. *Ibid.*

A concession of one league square of land, in Upper Louisiana, was made by Don Zenon Trudeau, the lieutenant-governor of that province, to Auguste Chouteau, and a decree made by him directing the surveyor-general of the province to put him in possession of the land, and to survey the same, in order to enable Chouteau to solicit a complete title thereto from the governor-general, who by the said decree was informed that the circumstances of Chouteau were such as entitled him to a grant of the land. The land was surveyed, and the grantee put in full possession of it on the 20th of December, 1803. He retained possession of it until his death. The objection to the validity of the concession was, that the petitioner had not as many tame cattle as the eighth regulation of governor O'Reilly, governor-general of Louisiana, required. That regulation required that the applicant for a grant of a league square of land should make it appear that he is possessed of one hundred head of tame cattle, some horses and sheep, and two slaves to look after them, a proportion which shall always be observed for the grants, &c. By the Court—In the spirit of the decisions which have been heretofore made by the Supreme Court, and of the acts of confirmation passed by Congress, the fact that the applicant possessed the requisite amount of property to entitle him to the land he solicited, was submitted to the officer who decided on the application; and he is not bound to prove it to the court, which passes on the validity of the grant. These incomplete titles were transferable, and the assignee might not possess the means of proving the exact number of cattle in possession of the petitioner when the concession was made. The grant was confirmed. *Ibid.* 147.

If the court can trust the information received on this subject, neither the governor nor the intendant-general has ever refused to perfect an incomplete title granted by a deputy-governor or a sub-delegate. *Ibid.*

The regulation made by Don O'Reilly, as to the quantity of land to be granted to an individual, is not that no individual shall receive grants for more than one league square, but that no grant shall exceed a league square. The words of the regulation do not forbid different grants to the same person, and, so far as the court are informed, it has never been so construed. *Ibid.*

Under the act of February 17, 1815, ch. 45, a New Madrid certificate could be located upon lands before they were offered for sale under a proclamation of the President, or even surveyed by the public surveyor. Barry v. Gamble, 3 Howard, 32.

The act of April 26, 1822, ch. 40, recognised locations of this kind, although they disregarded the sectional lines by which the surveys were afterwards made. *Ibid.*

Under the acts of 1805, 1806, and 1807, it was necessary to file the evidence of an incomplete claim under French and Spanish authority, which bore date anterior to 1800, as well as those which were dated subsequent to that day; and in case of neglect, the bar provided applied to both of these classes. *Ibid.*

A title, resting on a permit and warrant of survey, dated before the 1st of October, 1800, without any settlement or survey having been made, was an incomplete title, and within those acts. *Ibid.*

And although the acts of 1824 and 1828 remove the bar as it respected the United States, yet having excepted such lands as have been sold, or otherwise disposed of by the United States, and saved the right or title of adverse claimants, these acts protected a New Madrid claim, which had been located while this bar continued. *Ibid.*

the claimants; and shall, at the commencement of each session of Congress during said term of examination, lay before the commissioner of the general land office a report of the claims so classed, stating therein the date and quantity of each, whether there be any, and what, conflicting claims, and the evidence upon which each claim depends, and the authority and power under which the said claim was granted by the Spanish or French governor, commandant or sub-delegate, to be laid before Congress for their final decision upon the claims contained in such first class.

A report of claims to be laid before commissioner, and presented to Congress.

SEC. 3. *And be it further enacted*, That from and after the final report of the recorder and commissioners, the lands contained in the second class shall be subject to sale as other public lands; and the lands contained in the first class shall continue to be reserved from sale as heretofore, until the decision of Congress shall be made thereon; and if the decision of Congress shall be against the claims, or any of them, the lands so decided against shall be, in like manner, subject to sale as other public lands: *Provided*, That actual settlers being housekeepers upon such lands as are rejected, claiming to hold, under such rejected claim, or such as may waive their grant, shall have the right of pre-emption to enter within the time of the existence of this act not exceeding the quantity of their claim, which in no case shall exceed six hundred and forty acres, to include their improvements, who shall give notice and prove their right of pre-emption, and in all things conform to the regulations as have been or may be prescribed by the Secretary of the Treasury under the existing laws relative to pre-emption; and it shall be the duty of the Secretary of the Treasury immediately to forward to the several land offices in said state, the manner in which all those who may wish to waive their several grants or claims, and avail themselves of the right of pre-emption, shall renounce or release their said grants.

Provisions relating to sale of certain lands.

Proviso.

SEC. 4. *And be it further enacted*, That the recorder and commissioners shall each receive the sum of fifteen hundred dollars per annum, to be paid quarter yearly by the United States, in full compensation for their services under this act; and may, when necessary, employ an interpreter of the French or Spanish language, for a reasonable compensation, to be allowed by the Secretary of the Treasury, and paid by the United States.

Pay of recorder and commissioners.

Interpreter may be employed.

SEC. 5. *And be it further enacted*, That it shall be lawful for the heirs of Carlos de Villemont to submit the evidence of their claim to a tract of land in Arkansas territory, to a place called "Chicot point," to the said recorder and commissioners, and it shall be the duty of said recorder and commissioners to report upon said claim in the manner that other claims provided for in this act are to be reported and proceeded upon.

Heirs of Carlos de Villemont may submit evidence of claim. Report thereon.

APPROVED, July 9, 1832.

STATUTE I.

July 9, 1832.

CHAP. CLXXXI.—*An Act to amend an act entitled "An act for the relief of purchasers of the public lands that have reverted for non-payment of the purchase money, passed twenty-third day of May, one thousand eight hundred and twenty-eight."*

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 have been purchased, on which a further credit has been taken under the provisions of the act of the second March, one thousand eight hundred and twenty-one, or under any other act of Congress granting relief to the purchasers of the public lands, and have reverted to the United States for failure to pay the purchase money, or have been sold by the United States by reason of such failure to pay, it shall be the duty of the register of the land office where the purchase was made, to issue

Act of May 23, 1828, ch. 71.

Register to issue certificates to purchasers of public lands for amount paid, &c.

1821, ch. 12.

Certificates to be as cash in payment of public lands.

Commissioner and registers to be governed by provisions of act of May 23, 1828, ch. 71.

Excess paid on lands relinquished, when it exceeds \$10, to be certified, and received in payment for public lands.

Duplicate of lost or destroyed certificate.

1828, ch. 71.

upon application, to the person or persons legally entitled to the benefit of payments made previous to such reversion or sale, his, her or their legal representatives or assigns, a certificate for the amount so paid and not refunded, which shall be received and credited as cash in payment of any public lands that may hereafter be sold by the United States, in the state or territory in which such original purchase was made.

SEC. 2. *And be it further enacted*, That it shall be the duty of the commissioner of the general land office and of the registers as aforesaid, to conform to, and be governed by, the provisions of the act aforesaid, to which this is an amendment, passed the twenty-third day of May, one thousand eight hundred and twenty-eight as aforesaid.

SEC. 3. *And be it further enacted*, That where the lands have been relinquished to the United States under the provisions of the act of second March, one thousand eight hundred and twenty-one, as aforesaid, or other acts of Congress, and the money paid thereon has, in part, been applied in the payment of other lands, if the payment so made on lands retained be less than the amount paid on the relinquished lands, when such excess exceeds the sum of ten dollars, it shall be the duty of the register of the land office where the transfer of payment was made, to issue a certificate for such excess to the person or persons entitled thereto and in the manner pointed out in the first section of this act; which certificate shall be received in payment of the purchase of the public lands as pointed out in said section.

SEC. 4. *And be it further enacted*, That on proof being made, satisfactory to the Secretary of the Treasury, that any certificate issued under this act, or that has been, or may be, issued under the said act of the twenty-third of May, Anno Domini one thousand eight hundred and twenty-eight, has been lost or destroyed by accident, he is hereby authorized to issue to the legal owner thereof, a duplicate of such original certificate, which shall be, in all respects, as available to the owner as the original certificate would have been.

APPROVED, July 9, 1832.

STATUTE I.

July 9, 1832.

CHAP. CLXXXII.—*An Act to alter the times of holding the district court of the United States for the state of Illinois. (a)*

District court to be held on the fourth Monday of May, annually.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the term of the district court of the United States for the district of Illinois, which is now directed by law to be held on the first Monday of May, shall hereafter be held on the fourth Monday of May in each year; and all process which may have issued, or which may hereafter issue, returnable on the said first Monday of May, as heretofore directed, shall be held returnable, and be returned, on the fourth Monday of May in each year.

APPROVED, July 9, 1832.

(a) Acts relating to the district court of the United States in the territory and state of Illinois.

An act regulating and defining the duties of the United States' judges for the territory of Illinois. March 3, 1815, ch. 98.

An act supplemental to "An act regulating and defining the duties of the United States' judges for the territory of Illinois," &c. April 29, 1816, ch. 154.

An act to provide for the due execution of the laws of the United States within the state of Indiana. March 3, 1817, ch. 100.

An act respecting the jurisdiction of certain district courts. February 19, 1831, ch. 28.

An act supplementary to the act entitled "An act to amend the judicial system of the United States." March 3, 1837, ch. 34, sec. 3.

An act to change the times of holding the circuit and district courts of the United States in the seventh circuit. March 10, 1838, ch. 33.

CHAP. CLXXXIV.—*An Act to authorize the Secretary of the Treasury to compromise the claim of the United States on the Farmers and Mechanics' Bank of Indiana.*

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 hereby is, authorized to compromise, and finally settle the claim of the United States on the Farmers and Mechanics' Bank of Indiana, on such terms as he may deem most conducive to the best interests of the United States.

APPROVED, July 9, 1832.

STATUTE I.
July 9, 1832.

Claim to be
compromised
and settled.

CHAP. CLXXXVI.—*An Act to finish the rebuilding of the frigate Macedonian.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for the purpose of finishing the rebuilding of the frigate Macedonian, the sum of two hundred and seven thousand nine hundred and eighty-four dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, July 10, 1832.

STATUTE I.
July 10, 1832.

Appropriation.

CHAP. CLXXXVII.—*An Act to provide for paying certain arrearages for surveys made by naval officers, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for defraying the extra services and expenses of the officers of the navy, engaged in the survey of our coasts and harbours the past and present years, the sum of four thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be applied and expended under the direction and control of the Secretary of the Navy.

SEC. 2. *And be it further enacted,* That the sum of four hundred and eighty-seven dollars and eighty cents be, and the same is hereby appropriated, to pay the balance due Lieutenant Charles Wilkes, for purchasing, drafting, and superintending the making of the astronomical instruments for the exploring expedition; to be paid out of any money in the treasury not otherwise appropriated.

SEC. 3. *And be it further enacted,* That, from and after the passage of this act, the commander of the navy yard at the city of Washington shall cease to act as navy agent; and that portion of the act of the twenty-seventh of March, one thousand eight hundred and four, which made it his duty so to do, shall be, and the same is hereby, repealed, and a separate and permanent agent shall be appointed as in other cases, in the same manner, entitled to the same compensation, and under the same responsibilities, and to be governed by the same laws and regulations which now are, or may hereafter be adopted for other navy agents; and it shall be his duty to act as agent not only for the navy yard in this city, but for the Navy Department, under the direction of the secretary thereof, in the payment of such accounts and claims as the said secretary may direct.

APPROVED, July 10, 1832.

STATUTE I.
July 10, 1832.

Appropriation
for expenses of
naval officers
surveying coasts
and harbours.

Appropriation
to pay balance
due Lieutenant
Charles Wilkes.

Commander
of navy yard at
Washington to
cease to act as
navy agent.
1804, ch. 53.

Permanent
agent for Navy
Department.

STATUTE I.

July 10, 1832.

CHAP. CLXXXVIII.—*An Act to provide for rebuilding the frigate Java and the sloop Cyane.*

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of fifty thousand five hundred dollars be, and the same is hereby, appropriated, payable out of any money in the treasury not otherwise appropriated, for the purpose of purchasing timber to rebuild the frigate Java and the sloop Cyane.

APPROVED, July 10, 1832.

STATUTE I.

July 10, 1832.

CHAP. CLXXXIX.—*An Act to provide for completing the navy hospital at Norfolk, and the navy asylum at Philadelphia, and to furnish them in part.*

[Obsolete.]

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be paid to the commissioners of the navy hospital fund, and for the use thereof, out of any money in the treasury not otherwise appropriated.

For completing the navy hospital at Norfolk, thirty-one thousand dollars.

For providing fixtures, furniture, and apparatus therefor, six thousand six hundred dollars.

For completing the navy asylum at Philadelphia, twenty-seven thousand three hundred dollars.

For providing fixtures, furniture, and apparatus for one wing thereof, six thousand six hundred dollars.

APPROVED, July 10, 1832.

STATUTE I.

July 10, 1832.

CHAP. CXC.—*An Act authorizing the construction of naval hospitals at the navy yards at Charlestown, Massachusetts, Brooklyn, New York, and Pensacola.*

Naval hospitals to be constructed.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Navy be, and he is hereby authorized, under the direction of the President of the United States, to cause to be constructed, for the use of the navy of the United States, proper hospitals at or near each of the following places, to wit: the navy yard at Charlestown, Massachusetts, the navy yard, Brooklyn, New York, and the navy yard, Pensacola.

Appropriation.

SEC. 2. *And be it further enacted,* That there be, and hereby is, appropriated for the construction of such hospital at Charlestown aforesaid, twenty-six thousand dollars; at Brooklyn aforesaid, twenty thousand dollars; and at Pensacola, thirty thousand dollars; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 10, 1832.

STATUTE I.

July 10, 1832.

CHAP. CXCI.—*An Act to carry into effect the act to provide for a survey of the coast of the United States. (a)*

Appropriation for surveying coasts.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for carrying into effect the act, entitled "An act to provide for surveying the coasts of the United States," approved on the tenth day of February, one thousand eight hundred and seven, there shall be, and hereby is, appropriated, a sum not exceeding twenty thousand dollars, to be paid out of any money in the

(a) Act of February 10, 1807, vol. ii. p. 413.

Notes of acts relating to the survey of the coasts of the United States, vol. ii. p. 414.

treasury not otherwise appropriated; and the said act is hereby revived, and shall be deemed to provide for the survey of the coasts of Florida, in the same manner as if the same had been named therein.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, in and about the execution of the said act, to use all maps, charts, books, instruments, and apparatus, which now, or hereafter may belong to the United States, and employ all persons in the land or naval service of the United States, and such astronomers and other persons as he shall deem proper: *Provided*, That nothing in this act, or the act hereby revived, shall be construed to authorize the construction or maintenance of a permanent astronomical observatory.

President authorized to use maps, &c., and to employ persons.

Proviso.

APPROVED, July 10, 1832.

STATUTE I.

CHAP. CXCH.—*An Act to provide iron tanks for the use of the navy of the United States.*

July 10, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purchase of iron tanks for the use of the vessels of war of the United States, in commission, the sum of one hundred and thirty-one thousand seven hundred and ninety-five dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

Appropriation.

APPROVED, July 10, 1832.

STATUTE I.

CHAP. CXCH.—*An Act to establish additional land districts in the state of Alabama, and for other purposes.*

July 10, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the tract of country in the state of Alabama ceded to the United States by a treaty concluded with the Creek tribe of Indians, at the city of Washington, on the twenty-fourth day of March, one thousand eight hundred and thirty-two, shall be divided into, and constitute two land districts, by extending through the same, east and west, the line between township number twenty-two, south of the base line of the Huntsville district, and township number twenty-four, north of the thirty-first degree of latitude.

Two land districts established.

SEC. 2. *And be it further enacted*, That all the land in said ceded territory, south of said dividing line, shall be sold at the town of Montgomery, and said district shall be called the Talapoosa district; and all the land in said ceded territory, north of said dividing line, shall be sold at the town of Montevallo, and said district shall be called the Coosa district: *Provided, however*, That the President of the United States may, if he shall deem it expedient, remove either, or both, of the said land offices to any other point in the respective districts, for which they are established.

Land office for Talapoosa district. For the Coosa district.

Proviso.

SEC. 3. *And be it further enacted*, That there shall be a register and receiver appointed to each of the aforesaid land offices, to superintend the sales of the public lands in their respective districts, who shall reside at the places designated, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed of at their offices as are, or may be, provided by law in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

Registers and receivers to be appointed.

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

Plats of surveys to be deposited.

proper plats of the surveys of said districts to be deposited in the land offices intended for them respectively.

Pay of register and receiver to begin when surveys are completed.

SEC. 5. *And be it further enacted*, That the compensation of the registers and receivers, to be appointed for the land districts hereby established, shall not commence till after the surveys shall have been completed.

Country acquired by Choctaw treaty, attached to separate district.

SEC. 6. *And be it further enacted*, That all that portion of country acquired by the treaty with the Choctaw nation of Indians, within the state of Alabama, south of township nineteen, shall be offered for sale at the Saint Stephen's land office, and the residue shall be attached to the Tuscaloosa land district, and be offered for sale at that place.

APPROVED, July 10, 1832.

STATUTE I.

July 10, 1832.

CHAP. CXCIV.—*An Act for the regulation of the navy and privateer pension and navy hospital funds. (a)*

Commissioners to close all their accounts of certain funds, and pay the balance to the Treasurer for the use of the Secretary of the Navy, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioners of the navy pension and navy hospital funds be, and they are hereby, directed to close all their accounts as trustees of said funds, and to pay over the balance of cash in their hands, and to assign over and transfer all the certificates of stock, and other property belonging to said funds, and to the privateer pension fund, to the treasurer of the United States, for the use of the Secretary of the Navy, for the payment of navy and privateer pensions, and for expenditures on account of navy hospitals, et cetera; and as soon as said assignment and transfer shall be made, the said commissioners shall be, and they are hereby, released and discharged from all further trust connected with said funds, and the Secretary of the Navy be, and he is hereby, constituted the trustee of said funds; and as such, it shall be his duty to receive applications for pensions, and to grant the same according to the terms of the acts of Congress in such case made and provided, and to direct and control the expenditures out of the navy hospital fund.

Release of commissioners.

Secretary of the Navy made trustee.

Applications for pensions.

SEC. 2. *And be it further enacted*, That the balance of cash now on hand, and all moneys that may hereafter arise to said pension funds from stocks redeemed, or from any other source, shall be immediately invested, under the direction of the Secretary of the Navy, in the bank stock of the Bank of the United States; and that the Secretary of the Treasury be, and hereby is, authorized to sell so much of the stock of the United States in said bank, at the par value thereof, as said navy pension funds will pay for; and to receive said navy pension funds, in payment thereof; the said bank stock to be held in the name of the treasurer of the United States for the purposes aforesaid.

Moneys to be invested.

Secretary of the Treasury to sell stock, and receive navy pension funds in payment.

Accounts to be kept of certain funds, &c.

SEC. 3. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized and required to cause books to be opened, and regular accounts to be kept, showing the condition of the navy and privateer pension funds, the receipts and expenditures thereof, the names of the pensioners, and the dates and amount of their respective pensions, with a statement of the act or acts of Congress under which the same

(a) Acts relating to the navy pension fund:—

An act for the government of the navy of the United States, March 2, 1799, ch. 24, sec. 9, 10.

An act for the better government of the navy of the United States, April 23, 1800, ch. 33, sec. 9, 10.

An act in relation to the navy pension fund, March 26, 1804, ch. 48.

An act providing navy pensions in certain cases, Jan. 20, 1813, ch. 10.

An act in addition to an act, entitled "An act in relation to the navy pension fund," April 16, 1816, ch. 56.

An act for the regulation of the navy and privateer pension fund and navy hospital fund, July 10, 1832, ch. 194.

An act to continue the office of commissioner of pensions, and to transfer the business heretofore transacted in the Navy Department to that office, March 4, 1840, ch. 4.

may be granted; and that he shall annually report to Congress an abstract, showing the condition of these funds in all these particulars, and the receipts and expenditures during the year; and cause a similar account of the receipts and expenditures of the navy hospital fund, to be kept and reported to Congress, annually, in like manner, and at the same time, with the reports upon the pension funds.

Abstract to be reported to Congress, annually.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy shall be, and he is hereby, authorized to appoint a clerk, who shall perform all the duties which shall be required of him in relation to said funds; and shall receive as a full compensation for his services, and in lieu of all commissions or other allowances, a salary of one thousand six hundred dollars, to be paid quarter-yearly, out of the treasury of the United States.

Clerk.

Salary.

SEC. 5. *And be it further enacted*, That all the powers conferred, and duties imposed by laws now in force, on the commissioners of the navy and privateer pension and navy hospital funds, be, and they are hereby, transferred to the Secretary of the Navy; and all acts, and parts of acts, contrary to the provisions of this act, be, and they are hereby, repealed.

Powers and duties of commissioners transferred to the Secretary of the Navy.

APPROVED, July 10, 1832.

STATUTE I.

CHAP. CXCVI.—*An Act to extend the provisions of the act, entitled "An act regulating commercial intercourse with the islands of Martinique and Guadaloupe," approved the ninth of May, one thousand eight hundred and twenty-eight, and to refund the tonnage duties on the French ship Victorine. (a)*

July 13, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the privileges which are extended by the act, entitled "An act regulating commercial intercourse with the islands of Martinique and Guadaloupe," approved the ninth of May, one thousand eight hundred and twenty-eight, to French vessels laden and coming direct from those islands, shall be extended to vessels coming in the same manner, in ballast, subject, nevertheless, to the proviso contained in said act.

Privileges of act of May 9, 1828, ch. 49, extended to vessels in ballast.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to refund, out of any money in the treasury not otherwise appropriated, such amount of tonnage duty as may have been collected, by the collector of the port of New York, upon the French ship Victorine, and which is referred to in the letter of the French minister to the Secretary of State, dated the fourth of November last.

Tonnage duty on the Victorine to be refunded.

APPROVED, July 13, 1832.

STATUTE I.

CHAP. CXCVII.—*An Act giving the assent of Congress to an act of the legislature of North Carolina, entitled "An act to incorporate a company, entitled the Roanoke Inlet Company, and for other purposes;" and also, to an act amendatory thereof, which passed in one thousand eight hundred and twenty-eight.*

July 13, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the assent of Congress be, and the same is hereby given, so far as the same may be necessary to the validity thereof, to an act of the legislature of the state of North Carolina, entitled "An act to incorporate a company entitled the Roanoke Inlet Company, and for other purposes;" and, also, to an act of the said legislature to amend the former, which passed in the year one thousand eight hundred and twenty-eight.

Assent of Congress to acts of North Carolina.

(a) See notes to the act of January 7, 1824, ch. 4, for the acts relating to discriminating duties, ante, p. 2.

Assent extended to any act to revive, &c., the aforesaid acts.

SEC. 2. *And be it further enacted*, That the assent hereby given to the several acts aforesaid, shall be deemed and taken to extend to the provisions of any act which may be passed by the legislature of the state of North Carolina, to revive, amend, or carry into full effect the purpose of the acts aforesaid, so far as the assent of Congress may be deemed essential to the validity thereof.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CXCVIII.—*An Act making appropriations for a custom-house in the city of New York, and for other purposes.*

Purchase of site, and erection of building for a custom-house in the port of New York.

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 shall be, and he is hereby, authorized and directed, with the approbation of the President of the United States, to purchase a site, and to cause a building to be constructed thereon to be used as a custom-house in the port of New York; and that the sum of two hundred thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be applied to the purposes aforesaid.

Appropriation.

Custom-house Square, at New Haven.

SEC. 2. *And be it further enacted*, That for the improvement of Custom-house Square at the port of New Haven, in the state of Connecticut, nine hundred dollars be, and the same is hereby appropriated, to be expended under the direction of the Secretary of the Treasury, provided the same shall by him be deemed expedient; to be paid out of any money in the treasury not otherwise appropriated.

Appropriation.

Custom-house, &c., at Middletown;

SEC. 3. *And be it further enacted*, That the following sums be appropriated, out of any moneys in the treasury not otherwise appropriated, for the purposes hereinafter mentioned, viz: for the erection or purchase of a custom-house and public store at the port of Middletown, five thousand dollars; for the erection or purchase of a custom-house and public store at the port of New London, five thousand dollars; for the purchase of a lot, and the erection of a custom-house and public store at the port of New Bedford, fifteen thousand dollars; and for the purchase of a custom-house at the port of Kennebunk, sixteen hundred dollars; for completing the custom-house and fence around it, of the port of Newport, five hundred dollars.

New London;

New Bedford;
Kennebunk;
Newport.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

[Obsolete.]

CHAP. CXCVI.—*An Act to carry into effect the convention between the United States and his majesty the King of the French, concluded at Paris on the fourth of July, one thousand eight hundred and thirty-one.*

Commissioners to be appointed to examine all claims under the convention with France.

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 three commissioners, who shall form a board, whose duty it shall be to receive and examine all claims which may be presented to them under the convention between the United States and France, of the fourth of July, one thousand eight hundred and thirty-one, 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 board shall have a secretary, versed in the English, French, and Spanish languages, and a clerk, both to be appointed by the President, by and with the advice and consent of the Senate; and the commissioners, secretary, and clerk, shall, before they enter on the duties of their offices, take oath well and faithfully to perform the duties thereof.

Secretary and clerk.

SEC. 2. *And be it further enacted,* That the said commissioners shall be, and they are 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 their said commission into full and complete effect.

Rules and regulations.

SEC. 3. *And be it further enacted,* That the board so constituted shall meet on the first Monday of August next at the city of Washington; and, within two years from the time of its meeting, shall terminate its duties. And the Secretary of State is required forthwith, after the passing of this act, to give notice of the said meeting; to be published in two newspapers in Washington, and in such other papers as he may think proper.

Time of meeting and termination of duties.

Notice of meeting.

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 claims, shall be delivered to the commission aforesaid.

Records, &c. to be delivered to commission.

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 each of the said commissioners, at the rate of three thousand dollars per annum; to the secretary of the board 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 commission, 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.

Pay of commissioners, secretary, and clerk.

Contingent expenses of commission.

SEC. 6. *And be it further enacted,* That the said commissioners shall report to the Secretary of State a list of the several awards made by them; a certified copy whereof shall be by him transmitted to the Secretary of the Treasury, who shall thereupon distribute, in rateable proportions, among the persons in whose favour the awards 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 favour said awards shall be made; and shall also 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 net proceeds of the general instalments, payable by the French government, shall have been received, such proportions thereof shall be paid to the legal holders of the said certificates.

List of awards to be reported to Secretary of State, and certified copy to Secretary of Treasury, who shall distribute, &c.

Certificates to be issued.

SEC. 7. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to cause the several instalments, with the interest thereon, payable to the United States in virtue of the said convention, to be received from the French government, and transferred to the United States, in such manner as he may deem best, and the net proceeds thereof to be paid into the treasury; and, on the payment of the proceeds of each of the said instalments, there shall be set apart, of the money in the treasury, such further sum as would have been received from the net proceeds of such instalment, if the reservation stipulated by the fourth article of said convention had not been deducted; and the moneys which may be thus set apart, together with those which may be received into the treasury under this act, shall be, and the same are hereby, appropriated, to satisfy the awards herein provided for.

Instalments to be transferred to United States, and net proceeds paid into the treasury.

Sum to be set apart, &c.

Appropriation.

SEC. 8. *And be it further enacted,* That all communications to or from

Communications free.

the secretary of the board of commissioners, on the business of the commission, shall pass by mail free of postage.

Records, &c.
to be deposited
in State Depart-
ment.

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.

Rates of du-
ties on French
wines for ten
years.

SEC. 10. *And be it further enacted*, That, for the term of ten years, from and after the second day of February, one thousand eight hundred and thirty-two, wines, the produce of France, shall be admitted into the United States on paying duties not exceeding the following rates on the gallon, (such as is at present used in the United States,) that is to say: six cents for red wines in casks, ten cents for white wine in casks, and twenty-two cents for wine of all sorts in bottles. (a)

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

Appropriation
for expenses of
emigrating In-
dians.

CHAP. CC.—*An Act to carry 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 sum of one hundred and fifty-seven thousand six hundred and ninety-four dollars be, and the same is hereby, appropriated, in addition to the balance remaining unexpended in the treasury, already appropriated to defray the expenses of transporting and subsisting such portions of the various tribes of Indians as have heretofore emigrated west of the Mississippi, or as may emigrate during the present year, in conformity with the provisions of various treaties entered into with them: For the payment of the account of John Drew, a Cherokee Indian, three thousand four hundred and thirty-five dollars and thirteen cents. For the payment of John W. Flowers, a Cherokee Indian, five hundred dollars.

John Drew to
be paid.

J. W. Flowers
to be paid.

Unsatisfied
claims of Che-
rokee Indians to
be paid.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized and directed to cause any unsatisfied claims of John W. Flowers, Nicholas Miller, William Drew, and Joseph Rogers, Cherokee Indians, for stock lost by them, respectively, by spoliations committed by citizens of the United States, in the years one thousand eight hundred and twenty-eight, and one thousand eight hundred and twenty-nine, in the territory in Arkansas, ceded to the United States by the Cherokee tribe of Indians, in the month of May, one thousand eight hundred and twenty-eight, to be settled and paid in the same manner as if such spoliations had been committed before the cession of the said territory, on the principles of the act of Congress, approved March thirtieth, one thousand eight hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers;" and that the Secretary of War be directed to endeavour to ascertain the names of the persons who committed the depredations upon the property of said Indians, and take suitable steps for the prosecution and punishment of such persons; and also for the recovery of the value of the property plundered or destroyed by them.

Act of March
30, 1802, ch. 13.

SEC. 3. *And be it further enacted*, That the said sums be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

Certain ves-
sels admitted to

CHAP. CCI.—*An Act extending further the right of debenture to the port of Key West, and altering the limits of the district of Key West.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all ships or vessels, and

(a) See notes of acts relative to discriminating duties, vol. iv. p. 2.

merchandise, arriving in the United States, from and after the first day of August next, from the Cape of Good Hope, or from any place beyond the same, shall be admitted to make entry at the port of entry of Key West.

make entry at Key West.

SEC. 2. *And be it further enacted*, That, hereafter, all the ports, harbours, shores and waters, of that part of Florida extending from Indian river to Tampa bay, and of the islands opposite and nearest thereto, be, and the same are hereby, annexed to, and shall form a part of, the collection district of Key West.

Collection district of Key West extended.

SEC. 3. *And be it further enacted*, That the proviso of the third section of the act of the seventh of May, one thousand eight hundred and twenty-two, be, and the same is hereby, repealed, so far as respects the port of Key West, together with all such other parts of said act as are inconsistent with the provisions of the present act.

Proviso of 3d section of act of May 7, 1822, ch. 62, repealed.

APPROVED, July 13, 1832.

STATUTE I.

CHAP. CCII.—*An Act authorizing the entry of vessels and merchandise arriving from the Cape of Good Hope, or beyond the same, at the port of Edgartown, in Massachusetts.*

July 13, 1832.

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 of August next, all vessels or merchandise, arriving in the United States from the Cape of Good Hope, or from any place beyond the same, may be entered at the port of Edgartown, in Massachusetts.

Certain vessels admitted to entry at Edgartown.

APPROVED, July 13, 1832.

STATUTE I.

CHAP. CCH.—*An Act concerning the issuing of patents to aliens, for useful discoveries and inventions.*

July 13, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the privileges granted to the aliens described in the first section of the act, to extend the privilege of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the rights of patentees, approved April seventeenth, eighteen hundred, be extended, in like manner, to every alien, who, at the time of petitioning for a patent, shall be resident in the United States, and shall have declared his intention, according to law, to become a citizen thereof: *Provided*, That every patent granted by virtue of this act and the privileges thereto appertaining, shall cease and determine and become absolutely void without resort to any legal process to annul or cancel the same in case of a failure on the part of any patentee, for the space of one year from the issuing thereof, to introduce into public use in the United States the invention or improvement for which the patent shall be issued; or in case the same for any period of six months after such introduction shall not continue to be publicly used and applied in the United States, or in case of failure to become a citizen of the United States, agreeably to notice given at the earliest period within which he shall be entitled to become a citizen of the United States.

The privileges granted to aliens extended.
Act of April 17, 1800, ch. 25.

Proviso.

APPROVED, July 13, 1832.

STATUTE I.

CHAP. CCIV.—*An Act to enforce quarantine regulations.*

July 13, 1832.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if, in the opinion of the Secretary of the Treasury, the revenue cutters, revenue boats, or revenue

[Expired.]
Act of May 27, 1796, ch. 31.

Secretary of the Treasury to employ aid to enforce quarantine regulations. Act of Feb. 25, 1799, ch. 12.

Act limited to March 4, 1833.

officers, employed or authorized to be employed for the purposes of the revenue, should be insufficient to aid in the execution of the quarantine and health laws of any state, or the regulations made pursuant thereto, the said Secretary may cause to be employed such additional revenue boats and revenue officers as he may deem necessary for that purpose, the said revenue boats to be of such size and description as he may see proper. This act to continue in force until the fourth of March, one thousand eight hundred and thirty-three.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CCV.—*An Act to extend the time of issuing military land warrants to officers and soldiers of the revolutionary army.*

Time extended to January 1, 1835.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the time allowed for issuing military land warrants to the officers and soldiers of the revolutionary army shall be extended to the first day of January, eighteen hundred and thirty-five.

Land appropriated, to be applied in the manner provided by the act of May 30, 1830, ch. 215.

SEC. 2. *And be it further enacted,* That the further quantity of three hundred thousand acres of land be, and the same is hereby appropriated, in addition to the quantity heretofore appropriated by the act entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth of May, eighteen hundred and thirty, which said appropriation shall be applied in the manner provided by the said act to the unsatisfied warrants which have been or may be issued as therein directed to the officers and soldiers and others as described in the first, fifth, and seventh sections of said act.

Last paragraph of the first section of said act repealed.

SEC. 3. *And be it further enacted,* That the last paragraph of the first section of the said act which authorizes the issuing of warrants upon an affidavit that the original was lost, and upon the production of an official copy thereof, shall be, and the same is hereby repealed.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

CHAP. CCVI.—*An Act authorizing the Secretary of War to pay to the Seneca tribe of Indians, the balance of an annuity, of six thousand dollars, usually paid to said Indians, and remaining unpaid for the year one thousand eight hundred and twenty-nine.*

Appropriation.

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 authorized to pay to the Seneca tribe of Indians, the sum of two thousand six hundred and fourteen dollars and forty cents, out of any money in the treasury not otherwise appropriated, that being the balance due on the annuity payable to said Indians for the year one thousand eight hundred and twenty-nine.

APPROVED, July 13, 1832.

STATUTE I.

July 13, 1832.

No higher duties of tonnage to be levied on Spanish vessels than are paid by Amer. vessels.

CHAP. CCVII.—*An Act concerning tonnage duty on Spanish vessels. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That no other or greater duty of tonnage be levied in the ports of the United States on vessels owned wholly by subjects of Spain, coming from a port in Spain, than shall, by the Secretary of the Treasury, be ascertained to have been paid on

(a) See notes of the acts relating to discriminating duties, vol. iv. p. 2.

American vessels in the ports of Spain previous to the twentieth October, one thousand eight hundred and seventeen.

SEC. 2. *And be it further enacted*, That vessels owned wholly by Spanish subjects, coming from any of the colonies of Spain, either directly or after touching at any other port or place, shall pay, in the ports of the United States, the same rate of duty on tonnage that shall be levied on American vessels in the Spanish colonial port from whence such Spanish vessel shall have last departed; the said amount to be ascertained by the Secretary of the Treasury, who is hereby authorized, from time to time, to give directions to the officers of the customs of the United States for the collection of such duties, so as to conform the said duties to any variation that may take place in the duties levied on American vessels in such Spanish ports.

Spanish colonial vessels to pay same tonnage duty as American vessels in Spanish colonial ports.

SEC. 3. *And be it further enacted*, That whenever the President shall be satisfied that the discriminating or countervailing duties of tonnage levied by any foreign nation on the ships or vessels of the United States shall have been abolished, he may direct that the tonnage duty on the vessels of such nation shall cease to be levied in the ports of the United States; and cause any duties of tonnage that may have been levied on the vessels of such foreign nation, subsequent to the abolition of its discriminating duties of tonnage, to be refunded.

The President, in case any foreign nation shall abolish discriminating tonnage duties on Amer. vessels, may direct duties on vessels of such nation to cease, &c. 2d and 3d sections to take effect Jan. 1, 1833.

SEC. 4. *And be it further enacted*, That the second and third sections of this act shall be in force and take effect from and after the first day of January next.

APPROVED, July 13, 1832.

STATUTE I.

CHAP. CCXXI.—*An Act to increase and improve the law department of the library of Congress.*

July 14, 1832.

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 librarian to prepare an apartment near to, and connected by an easy communication with that in which the library of Congress is now kept, for the purpose of a law library; to remove the law books, now in the library, into such apartment; and to take charge of the law library, in the same manner as he is now required to do of the library of Congress.

Librarian to prepare an apartment for a law library, &c.

SEC. 2. *And be it further enacted*, That the justices of the Supreme Court of the United States shall have free access to the said law library; and they are, hereby, authorized and empowered to make such rules and regulations for the use of the same, by themselves and the attorneys and counsellors, during the sittings of the said court, as they shall deem proper: *Provided*, Such rules and regulations shall not restrict the President of the United States, the Vice President, or any member of the Senate or House of Representatives, from having access to the said library, or using the books therein, in the same manner that he now has, or may have, to use the books of the library of Congress.

Justices of the Supreme Court to have access, and make rules and regulations.

Proviso.

SEC. 3. *And be it further enacted*, That the law library shall be a part of the library of Congress, subject to the same regulations, except such alterations as are herein provided for, as now are, or hereafter shall be established for the library of Congress; and the incidental expenses of the law library shall be paid out of the appropriations for the library of Congress.

Law library to be part of library of Congress, &c. Incidental expenses.

SEC. 4. *And be it further enacted*, That there shall be, and hereby is, appropriated, for the present year, a sum not exceeding five thousand dollars, and a further annual sum of one thousand dollars, for the period of five years, to be expended in the purchase of law books; and that the librarian shall make the purchases of the books for the law library, under such directions, and pursuant to such catalogue, as shall be furnished him by the chief justice of the United States.

Appropriations.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

[Obsolete.]

Appropriation.

CHAP. CCXXII.—*An Act to provide for completing the removal and erection of the naval monument.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of paying the workmen for renewing the inscriptions, and giving uniformity of color to the naval monument, its ornaments and statues, recently removed from the Washington navy yard to the Capitol square, a sum not exceeding two hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

Allowance to officers of the marine corps.

Proviso.

CHAP. CCXXIII.—*An Act concerning certain officers of the marine corps. (a)*

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 cause to be allowed and paid to such officers of the marine corps, as have heretofore received the brevet rank of majors in said corps, the amount of pay and emoluments to which they would have been entitled as commandants of separate stations, if said brevet rank had been recognised by the Navy Department: *Provided,* That no officer shall receive under this act more than the difference between the pay and emoluments actually received by them, and those to which their said brevet rank would have entitled them as aforesaid.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

[Obsolete.]

Appropriations.

CHAP. CCXXIV.—*An Act supplementary to the several acts making appropriation for the civil and military service during the year one thousand eight 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 following sums be, and the same are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to the following objects specifically, namely:

For the pay and mileage of members of both Houses of Congress and delegates, and of the joint committee directed to prepare a code of laws for the District of Columbia, one hundred thousand dollars.

For alterations in the hall of the House of Representatives, and other expenditures on the Capitol, nine hundred and sixty dollars.

For changing the course of Tiber Creek, three thousand two hundred and two dollars.

For planting trees and improving the walk on Pennsylvania avenue, one thousand eight hundred and forty-eight dollars.

For completing the building now erecting in the city of Philadelphia for the mint establishment of the United States, seventeen thousand five hundred dollars.

For the employment of temporary clerks to enable the commissioner of the general land office to bring up the business of his office, five thousand dollars.

For defraying the expense of removing from the burying ground of Rock Creek church to the Congressional cemetery the remains of James Jackson, and James Jones, formerly members of Congress from the

(a) See notes to act of June 30, 1834, ch. 132, for the decision of the Supreme Court as to brevet pay to officers in the marine corps.

Appropriations.

state of Georgia, such sum as shall be requisite, not exceeding five hundred dollars, to be expended under the direction of the clerk of the House of Representatives.

For defraying the increased expenses of the quartermaster's department, incurred in the Indian war, one hundred thousand dollars.

For completing barracks, quarters, hospital and storehouses, at Key West, fifteen thousand dollars.

For the expenses incurred by the Secretary of the Treasury in collecting information of the extent and condition of the manufactures of the United States, in compliance with certain resolutions of the House of Representatives, eighteen thousand dollars.

To enable the President of the United States to contract with a skillful artist to execute, in marble, a pedestrian statue of George Washington, to be placed in the centre of the Rotundo of the Capitol, the sum of five thousand dollars.

For the construction, under the superintendence of the commissioner of the public buildings, of a substantial brick or stone vault in the Washington parish burial-ground, for the temporary interment of members of Congress, one thousand dollars.

For arrearages arising from a deficiency of appropriation for printing the laws of the territory of Florida and for the payment of C. C. Greenup, remaining unpaid as estimated by the Treasury Department, one thousand seven hundred and fifty-seven dollars and thirteen cents.

For deficiency of appropriation for the salary of the governor of Florida, five hundred dollars.

In addition to the contingent fund of the House of Representatives, five thousand dollars.

For the salary of the surveyor of public lands in the territory of Arkansas, and compensation to draughtsman, and clerks in his office, during the remainder of the current year, one thousand six hundred dollars.

For the pay, subsistence, and forage of surgeons, assistant surgeons, and others, provided for by the act of June eighteenth, [twenty-eighth,] one thousand eight hundred and thirty-two, seven thousand one hundred and thirty-three dollars.

1832, ch. 150.

For the pay, subsistence, and other expenses of the mounted rangers, according to the act of June fifteenth, one thousand eight hundred and thirty-two, in addition to the sum of fifty thousand dollars heretofore appropriated, eighty-three thousand six hundred and forty-seven dollars.

1832, ch. 131.

For the expenses of militia and volunteers called into the service of the United States, in addition to the appropriation of three hundred thousand dollars heretofore made for that object, one hundred thousand dollars.

For the transportation of the army, ordnance, subsistence, and other objects connected with the quartermaster's department, one hundred and twenty thousand dollars.

For the subsistence of militia called into service to suppress Indian hostilities, fifty-six thousand two hundred and fifty dollars.

For the payment of pensions to widows and orphans granted during the present session, three thousand dollars.

In order to carry into effect the act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution, the following sums, to be expended under the direction of the Secretary of War:

For the compensation of temporary clerks, three thousand dollars.

For rent, printing of forms and regulations, six hundred and fifty dollars.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized to apply a sum not exceeding three thousand dollars, out of

Appropriation to defray ex-

penses of a delegation of the Seminole Indians to explore country west of the Mississippi. Ante, p. 519.

Transfer of appropriation.

Payment to be made to troops in the service of the United States.

the amount appropriated for the purchase of provisions for the relief of the Seminole Indians, by the act making appropriations for the Indian department for the year one thousand eight hundred and thirty-two, to defray the expenses of a delegation of the said Indians to explore the country west of the Mississippi, for the purpose of deciding upon a removal thither; and so much of the appropriation for the payment of labourers in the ordnance department, as will not be required in consequence of the new organization of the ordnance department, shall be transferred to the pay department, to enable the latter to meet the additional expenditures to which that organization subjects it.

SEC. 4. *And be it further enacted*, That it shall be the duty of the district paymasters of the army of the United States, in addition to the payments required to be made by them to the regular troops, to make payment to all other troops in the service of the United States, whenever required thereto by order of the President.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXV.—*An Act providing for the purchase by the United States of the rights of the Washington Bridge Company, in the District of Columbia, and for the erection of a public bridge on the site thereof.*

Act of June 30, 1834, ch. 155.

WHEREAS it is represented to this present Congress, that the Washington Bridge Company are willing and desirous to sell, convey, and transfer to the United States, the bridge by them owned, in its present condition, with all their rights, property, and privileges, as a company, under the existing laws, including their lands, piers, abutments, roads, and ways, as well as all materials by them owned at the site of the said bridge, whether worked up in the construction or re-construction of the same or not, for the sum of twenty thousand dollars:

Secretary of the Treasury to pay Washington Bridge Company \$20,000, upon conveyance, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That provided the said Washington Bridge Company shall, at a lawful meeting of the stockholders thereof, agree to convey, and shall actually convey to the United States, the said bridge as it now is, with all the estate, right, title, and interest, either in law or equity, by them owned, as a company under existing laws, in said bridge, with its piers, abutments, roads and ways, together with all the materials by them now owned as a company, at the said bridge and ways, either worked up or not, in the construction or re-construction of the said bridge, and all other their rights, privileges, and immunities as such company, within two calendar months from the passing of this act; which conveyance the said company is hereby authorized and empowered to make, by deed, under their corporate seal, to be deposited with the Secretary of the Treasury of the United [States;] then the said secretary shall be, and he hereby is, authorized and required to pay to the said company the sum of twenty thousand dollars, out of any moneys in the treasury not otherwise appropriated.

Bridge to be erected across the Potomac.

SEC. 2. *And be it further enacted*, That, upon the execution of such conveyance by the said company, the President of the United States be, and he is hereby authorized to cause to be erected upon the site of the present bridge, a good and sufficient bridge across the river Potomac, of such materials, and upon such plan of construction as he shall approve and direct: *Provided*, That the said bridge be so constructed as to have a draw therein suitable for the safe passage of vessels of the largest dimensions, capable of navigating the Potomac river above the said bridge, not less than sixty-six feet at the least; and, also, on each side of the said draw, and at a suitable distance therefrom, an arch of sufficient elevation to admit the passage under the same of an ordinary steamboat; which said draw and arch shall be at the Virginia channel

Proviso.

in the said river: *And provided, further*, That there shall be a similar draw at the Maryland channel, of not less than thirty-five feet, with a similar arch: *And, provided, also*, That in the selection of materials and in the construction of the said bridge, draws and arches, all practicable attention shall be had to the preservation of the navigation of the said river.

Proviso.

Proviso.

SEC. 3. *And be it further enacted*, That towards the construction of the said bridge and works hereby authorized and directed, the sum of sixty thousand dollars be, and the same is hereby, appropriated, payable out of any moneys in the treasury not otherwise appropriated.

Appropriation.

SEC. 4. *And be it further enacted*, That the said company shall apply and distribute the said sum of twenty thousand dollars in the following manner, that is to say: first to reimburse the expenses incurred by the said company since the last adjournment of Congress, to the stockholders advancing the same, and the balance among the stockholders, pro rata, on the cost of each share, to the present holder thereof, to be ascertained by the company if necessary, by the oath or affirmation of the present holder.

Application and distribution of sum to be paid.

SEC. 5. *And be it further enacted*, That the provisions of this act shall have no effect, unless three valuers, to be appointed by the President of the United States having no interest in the said bridge, or in any property in the District of Columbia, and not being inhabitants of the said district, or a majority of them, shall, on oath, decide that the property of the said bridge company, so to be conveyed to the United States, exclusive of any supposed value of the privileges by them held under their charter as a company, is of the value of twenty thousand dollars; or unless in case the said valuers, or a majority of them, shall value the said property at a sum less than twenty thousand dollars, the said bridge company will agree to accept the amount of such valuation. This act shall be in force from the passing thereof.

Act to be void, unless valuers appraise company's property at \$20,000; or if appraised at a less sum, company accept such valuation.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXVII.—*An Act to alter and amend the several acts imposing duties on imports. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the third day of March, one thousand eight hundred and thirty-three, so much of the act entitled "An act in alteration of the several acts imposing duties on imports," approved the nineteenth May, one thousand eight hundred and twenty-eight, as is herein otherwise provided for, shall be repealed, except so far as the same may be necessary for the recovery and collection of all duties which shall have accrued under the said act; and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, which may have been incurred under the same.

Parts of the act of May 19, 1828, ch. 55, repealed.

SEC. 2. *And be it further enacted*, That, from and after the third day of March, one thousand eight hundred and thirty-three, in lieu of the duties now imposed by law, on the importation of the articles hereinafter mentioned, there shall be levied, collected, and paid, the following duties, that is to say:

Duties to be levied on certain articles, after 3d of March, 1833.

First. Wool, unmanufactured, the value whereof, at the place of exportation, shall not exceed eight cents per pound, shall be imported free of duty; and if any wool so imported shall be fine wool mixed with dirt or other material, and thus reduced in value to eight cents per pound, or under, the appraisers shall appraise said wool at such price as in their opinion it would have cost had it not been so mixed, and a duty thereon

Coarse unmanufactured wool free.

Unmanufactured wool, valued at more than eight cents per pound.

(a) See acts of March 2, 1833, ch. 55, 57 and 62.

shall be charged in conformity with such appraisal; on wool, unmanufactured, the value whereof, at the place of exportation, shall exceed eight cents, shall be levied four cents per pound, and forty per centum ad valorem: *Provided*, That wool imported on the skin shall be estimated, as to weight and value, as other wool.

Proviso.

On manufactures of wool, or of which wool is a component part.

Second. On all milled and fulled cloth, known by the name of plains, kerseys, or kendal cottons, of which wool shall be the only material, the value whereof shall not exceed thirty-five cents a square yard, five per centum ad valorem; on worsted stuff goods, shawls and other manufactures of silk and worsted, ten per centum ad valorem; on worsted yarn, twenty per centum ad valorem; on woollen yarn, four cents per pound, and fifty per centum ad valorem; on mits, gloves, bindings, blankets, hosiery, and carpets and carpeting, twenty-five per centum, except Brussels, Wilton, and treble ingrained carpeting, which shall be at sixty-three cents the square yard; all other ingrained and Venetian carpeting, at thirty-five cents the square yard; and except blankets, the value whereof at the place from whence exported, shall not exceed seventy-five cents each, the duty to be levied upon which, shall be five per centum ad valorem; on flannels, bockings, and baizes, sixteen cents the square yard; on coach laces, thirty-five per centum; and upon merino shawls made of wool, all other manufactures of wool, or of which wool is a component part, and on ready-made clothing, fifty per centum ad valorem. (a)

(a) Under the act of Congress passed July 14, 1832, ch. 227, entitled "An act to alter and amend the several acts imposing duties on imports," worsted shawls with cotton borders, and worsted suspenders with cotton straps or ends, are not subjected to a duty of fifty per cent. ad valorem. *Elliott v. Swartwout*, 10 Peters, 137.

Laws imposing duties on goods are intended for practical use and application by men engaged in commerce, and hence it has become a settled rule in the interpretation of statutes of this description to construe the language adopted by the legislature, and particularly in the denomination of articles, according to the commercial understanding of the terms used. *Ibid*.

Construction of statutes :

The principles applied in the courts of the United States, in relation to the construction of statutes of the United States, and of statutes in general.

The suspension of a statute for a limited time, is not a repeal of it. *Brown*, plaintiff in error, v. *Barry*, 3 Dall. 365; 1 Cond. Rep. 165.

The intention of the legislature, when discovered, must prevail; any rule of construction, declared by previous acts, to the contrary notwithstanding. *Ibid*.

The presumption must always be in favour of the validity of a law if the contrary is not clearly demonstrated. *Cooper v. Telfair*, 4 Dall. 14; 1 Cond. Rep. 211.

A legislative act founded on a mistaken opinion of what was law, does not change the actual state of the law, as to pre-existing cases. *Talbot v. Seeman*, 1 Cranch 1; 1 Cond. Rep. 239.

It is true, that in mere private cases between individuals, a court will and ought to struggle hard against a construction, which will, by a retrospective operation, affect the rights of parties; but in great national concerns, where individual rights acquired by war are sacrificed for national purposes, the contract making the sacrifice ought always to receive a construction conforming to its manifest import; and if the nation has given up the vested rights of its citizens, it is not for the court, but for the government, to consider whether it be a case proper for compensation. *United States v. The Schooner Peggy*. 1 Cranch, 103; 1 Cond. Rep. 256.

If courts are to regard the constitution, and the constitution is superior to any ordinary act of the legislature; the constitution, and not such ordinary act, must govern the case to which they both apply. *Marbury v. Madison*, 1 Cranch, 137; 1 Cond. Rep. 267.

In the construction of a statute, positive and explicit provisions, comprehending in terms a whole class of cases, are not to be restrained by applying to those cases an implication drawn from subsequent words; unless that implication be very clear, necessary, and irresistible. *Faw v. Marsteller*, 2 Cranch, 10; 1 Cond. Rep. 337.

Where a case is shown to be out of the mischief intended to be guarded against, or out of the spirit of the law; the letter of the statute will not be deemed so unequivocal as absolutely to exclude another construction. *Ibid*.

It is said the case ought to be an extraordinary one, that the circumstances ought to be uncommon, which would warrant a departure from the general principles established for the government of contracts. This is true, and the Supreme Court would certainly not feel itself at liberty to exercise, on a common occasion, a discretionary power, limited only by the opinion entertained of the naked justice of the case. *Ibid*.

That a law is the best expositor of itself; that every part of an act is to be taken into view for the purpose of discovering the mind of the legislature; and that the details of one part may contain regulations restricting the extent of general expressions used in another part of the same act; are among those plain rules laid down by common sense for the exposition of statutes, which have been uniformly acknowledged. *Pennington v. Cox*, 2 Cranch, 33; 1 Cond. Rep. 346.

It is undoubtedly a well-established principle in the exposition of statutes, that every part is to be considered, and the intention of the legislature to be extracted from the whole. It is also true that

Third. On all manufactures of cotton, or of which cotton shall be a component part, twenty-five per centum ad valorem, excepting cotton twist, yarn, and thread, which shall remain at the rate of duty fixed by the act to amend the several acts imposing duties on imports, of twenty-

Manufactures of cotton, or of part cotton. 1824, ch. 136.

where great inconvenience will result from a particular construction, that construction is to be avoided; unless the meaning of the legislature be plain; in which case it must be obeyed. *United States v. Fisher et al., Assignees of Blight, 2 Cranch, 358; 1 Cond. Rep. 421.*

That the consequences are to be considered in expounding laws, where the intent is doubtful, is a principle not to be contradicted; but it is also true, that it is a principle which must be applied with caution; and which has a degree of influence dependent on the nature of the case to which it is applied, when rights are infringed. *Ibid.*

Where fundamental principles are overthrown, where the general system of the laws is departed from, the legislative intention must be expressed with irresistible clearness, to induce a court of justice to suppose a design to effect such objects. But when only a political regulation is made which is inconvenient; if the intention of the legislature be expressed in terms which are sufficiently intelligible to leave no doubt in the mind, when the words are taken in their ordinary sense; it would be going a great way to say that a constrained interpretation must be put upon them, to avoid an inconvenience which ought to have been contemplated in the legislature, when the act was passed; and which, in their opinion, was probably overbalanced by the particular advantages it was calculated to produce. *Ibid.*

In cases depending on the statutes of a state, the settled construction of these statutes, by the state courts, is to be regarded. *Polk's Lessee v. Wendal, 9 Cranch, 87; 3 Cond. Rep. 286.*

In the construction of the statutes or local laws of a state, it is frequently necessary to recur to the history and situation of the country, in order to ascertain the reason as well as the meaning of many of them, to enable a court to apply with propriety the different rules for construing statutes. *Preston v. Browder, 1 Wheat. 115; 3 Cond. Rep. 508.*

The best judges in England have been of opinion, that relaxing the construction of the statute of frauds ought not to be extended further than it has already been carried; and the Supreme Court entirely concurs in that opinion. *Grant v. Naylor, 4 Cranch, 224; 2 Cond. Rep. 95.*

An act of Congress ought never to be construed to violate the law of nations, if any other possible construction remains; and consequently can never be construed to violate neutral rights, or to affect neutral commerce, further than is warranted by the law of nations, as understood in this country. *Murray v. The Charming Betsey, 2 Cranch, 64; 1 Cond. Rep. 358.*

When an act of Congress is revived by a subsequent act, it is revived precisely in that form, and with that effect, which it had at the moment when it expired. *The cargo of the Brig Aurora v. The United States, 7 Cranch, 332; 2 Cond. Rep. 540.*

It is a general rule, in the construction of public statutes, that the word "may" is to be construed "must," in all cases where the legislature mean to impose a positive and absolute duty, and not merely to give a discretionary power. And in all cases, the construction should be such as carries into effect the true intent and meaning of the legislature in the enactment. *Minor et al. v. The Mechanics' Bank of Alexandria, 1 Peters, 46.*

Where English statutes, such for instance as the statute of frauds, and the statute of limitations, have been adopted into our own legislation; the known and settled construction of those statutes by English courts of law has been considered as silently incorporated into the acts; or has been received with all the weight of authority. *Pennock v. Dialogue et al., 2 Peters, 1.*

Where the question upon the construction of the statute of a state relative to real property has been settled by any judicial decision in the state where the land lies; the Supreme Court, upon the uniform principles adopted by it, would recognise that decision as a part of the local law. *Gardner v. Collins, 2 Peters, 58.*

A legislative act is to be interpreted according to the intention of the legislature, apparent upon its face. Every technical rule as to the construction or force of particular terms, must yield to the clear expression of the paramount will of the legislature. *Wilkinson v. Leland et al., 2 Peters, 627.*

In cases not absolutely closed by authority, the Supreme Court has always expressed a strong inclination not to extend the operation of the statute of frauds so as to embrace original and distinct promises, made by different persons at the same time, upon the same general consideration. *Townsley v. Sumrall, 2 Peters, 182.*

The Supreme Court has been often called upon to consider the sixteenth section of the judiciary act of 1759, and as often, either expressly or by the course of its decisions, has held that it is merely declaratory; making no alteration whatever in the rules of equity on the subject of legal remedy. *Boyce's Executors v. Grundy, 3 Peters, 210.*

The rule which has uniformly been observed by the Supreme Court in construing statutes, is to adopt the construction made by courts of the country, by whose legislature the statute was enacted. This rule may be susceptible of some modification, when applied to British statutes which are adopted in any of the states. By adopting them they become our own, as entirely as if they had been enacted by the legislature of the state. *Cathcart et al. v. Robinson, 5 Peters, 264.*

The construction which British statutes had received in England at the time of their adoption in this country, indeed to the time of the separation of this country from the British empire, may very properly be considered as accompanying the statutes themselves, and forming an integral part of them. But however subsequent decisions may be respected, and certainly they are entitled to great respect, their absolute authority is not admitted. If the English courts vary their construction of a statute which is common to both countries, we do not hold ourselves bound to fluctuate with them. *Ibid.*

Generally statutes are to be construed to operate in futuro, unless a retrospective effect be clearly intended. *Prince v. The United States, 2 Gallis. C. C. R. 204.*

The word 'or' has sometimes been construed to mean 'and.' Such construction has been clearly necessary to give effect to a clause in a will, or to some legislative provision, but never to change a contract at pleasure. *Douglass v. Eyre, Gilpin's D. C. R. 148.*

Proviso. second May, one thousand eight hundred and twenty-four; *And provided*, That all manufactures of cotton, or of which cotton shall be a component part, not dyed, colored, printed, or stained, not exceeding in value thirty cents the square yard, shall be valued at thirty cents per square

Where a British statute is re-enacted in this country, it is reasonable to suppose that the legislature designed to adopt, as well the settled construction which had been given to the act by the British courts, as the act itself. *Kirkpatrick et al. v. Gibson's Executors*, 2 Brockenb. C. C. R. 388.

In doubtful cases, a court should compare all the parts of a statute, and different statutes in *pari materia*, to ascertain the intention of the legislature. *The Sloop Elizabeth, Paines's C. C. R. 11.*

Semle: That in questions of commercial law the courts of the United States are not concluded by the local construction proceeding from state courts. *Donnell v. The American Ins. Co.*, 2 Sumner's C. C. R. 366.

In the construction of statutes, one part must be construed by another. In order to attest the legislative intention, the whole statute must be inspected. *Strode v. Stafford Justices*, 1 Brockenb. C. C. R. 162.

It is a rule of law that a statute applicable in its terms to particular actions, cannot be applied by construction to other actions standing on the same reasons. *Jacob v. The United States*, 1 Brockenb. C. C. R. 520.

Penal laws must be construed strictly to bring the case within the definition of the law, but not so as to exclude a case within their ordinary acceptation. *The United States v. Wilson and Porter*, 1 Baldwin's C. C. R. 78.

Laws are construed strictly to save a right, or avoid a penalty; and liberally to give a remedy, or effect an object declared in the law. *Whitney et al. v. Emmett et al.*, 1 Baldwin's C. C. R. 316.

The provisions of a law which are merely directory, are not to be construed into conditions precedent. *Ibid.*

The mercantile terms are to be taken in the sense intended, which is to be ascertained by the laws in *pari materia*. *The United States v. Twenty-four Coils of Cordage*, 1 Baldwin's C. C. R. 505.

The words of a law imposing a forfeiture or penalty, should not be construed to embrace a case not within the parts of the law which prohibits the act done, or direct the performance of an act, by the omission of which the penalty or forfeiture is incurred. *Ibid.* 508.

If a section of an act of Congress admits of two interpretations, one of which brings it within, and the other pushes it beyond the constitutional authority of Congress; it is the duty of the Supreme Court to adopt the former construction; because a presumption never ought to be indulged, that Congress meant to exercise or usurp any unconstitutional authority; unless that construction is forced on the court by language altogether incongruous. *The United States v. Combe*, 12 Peters, 72.

Upon the general principles of interpreting statutes, when the words are general, the court are not at liberty to insert limitations not called for by the sense, or the objects, or the mischiefs of the enactment. *Ibid.*

The office of a proviso, generally, is either to except something from the enacting clause, or to qualify or restrain its generality, or to exclude some possible ground of misinterpretation of its extending to cases not intended by the legislature to be brought within its purview. *Ibid.*

The court in construing an act will not consider the motives, or reasons, or opinions, expressed by individual members of Congress in debate, but will look, if necessary, to the public history of the times in which it was passed. *Aldridge et al. v. Williams*, 3 Howard, 1.

An act of Congress imposing a duty upon imports, must be construed to describe the article upon which the duty is imposed according to the commercial understanding of the terms used in the law, in our own markets, at the time when the law was passed. *Curtis v. Martin*, 3 Howard, 106.

Revenue laws for the prevention of fraud, for the suppression of a public wrong, or to effect a public good, are not in a strict sense penal statutes, although they impose a penalty. But they ought to be so construed as most effectually to accomplish the intention of the legislature, in passing them, instead of being construed with great strictness in favour of the defendant. *Taylor et al. v. The United States*, 3 Howard, 197.

A clause of forfeiture in a law is to be construed differently from a similar clause in an engagement between individuals. A legislature may impose it as a punishment, but individuals can only make it a matter of contract. *The State of Maryland v. The Baltimore and Ohio Railroad Company*, 3 Howard, 534.

Statutes in *pari materia*, should be taken into consideration in construing a law. If a thing contained in a subsequent statute be within the reason of a former statute, it shall be taken to be within the meaning of that statute. *The United States v. Freeman*, 3 Howard, 556.

If it can be gathered from a subsequent statute in *pari materia*, what meaning the legislature attached to the words of a former statute, this will amount to a legislative declaration of its meaning, and will govern the construction of the first statute. *Ibid.*

The meaning of the legislature may be extended beyond the precise words used in the law, from the reason or motive on which the legislature proceeded, from the end in view, or the purpose which was designed; the limitation of the rule being that to extend the meaning in any case not included within the words, the case must be shown to come within the same reason upon which the law-maker proceeded, and not a like reason. *Ibid.*

In affirmative statutes, such part of a prior as may be incorporated into the subsequent statute, as consistent with it, must be considered in force. *Davies v. Fairbairn*, 3 Howard, 636.

If a subsequent statute be not repugnant in all its provisions to a prior one, yet if the latter statute clearly intended to prescribe the only rules which should govern, it repeals the prior one. *Ibid.*

In the construction of penal statutes, the proper course is to search out and follow the true intent of the legislature and to adopt that sense which harmonizes best with the context, and promotes, in the fullest manner, the apparent policy and objects of the legislature. *The United States v. Weaver*, 3 Sumner's C. C. R. 208.

In construing an act of Congress, if there be a mistake apparent on the face of the act, which may

yard, and if dyed, colored, printed, or stained, in whole or in part, not exceeding in value thirty-five cents the square yard, shall be valued at thirty-five cents per square yard; and on nankeens, imported direct from China, twenty per centum ad valorem.

Fourth. On all stamped, printed or painted floor cloths, forty-three cents a square yard; on oil cloths of all kinds, other than that usually denominated patent floor cloth, twelve and a half cents the square yard; and on floor matting, usually made of flags or other materials, five per centum ad valorem.

Fifth. On iron, in bars or bolts, not manufactured in whole or in part by rolling, ninety cents per one hundred and twelve pounds.

Sixth. On bar and bolt iron, made wholly or in part by rolling, thirty dollars per ton: *Provided*, That all iron in slabs, blooms, or other form less finished than iron in bars or bolts, and more advanced than pig iron, except castings, shall be rated as iron in bars or bolts, and pay duty accordingly.

Seventh. On iron in pigs, fifty cents per one hundred and twelve pounds, on vessels of cast iron, not otherwise specified, one and a half cents per pound; on all other castings of iron, not otherwise specified, one cent per pound.

Eighth. On iron or steel wire, not exceeding number fourteen, five cents per pound; exceeding number fourteen, nine cents per pound; on silvered or plated wire five per centum ad valorem; on cap or bonnet wire covered with silk, cotton, flaxen, yarn or thread, manufactured abroad, twelve cents per pound.

Ninth. On round iron or brazier's rods, of three-sixteenths to eight-sixteenths of an inch diameter, inclusive, and on iron in nail or spike rods, or nail plates, slit, rolled, or hammered, and on iron in sheets, and hoop iron, and on iron, slit, rolled, or hammered for band iron, scroll iron, or casement rods, three cents per pound; on iron spikes, four cents per pound; on iron nails, cut or wrought, five cents per pound; on tacks, brads, and sprigs, not exceeding sixteen ounces to the thousand, five cents per thousand; exceeding sixteen ounces to the thousand, five cents per pound; on square wire used for the manufacture of stretchers for umbrellas, and cut in pieces not exceeding the length used therefor, twelve per centum ad valorem; on anvils and anchors, and all parts thereof, manufactured in whole or in part, two cents per pound; on iron cables or chains, or parts thereof, manufactured in whole or in part, three cents per pound, and no drawback shall be allowed on the exportation of iron cables or parts thereof; on mill cranks and mill irons of wrought iron, four cents per pound; on mill saws, one dollar each; on blacksmith's hammers and sledges, two and a half cents per pound; on muskets, one dollar and fifty cents per stand; on rifles, two dollars and fifty cents each; on all other firearms, thirty per centum ad valorem.

Floor cloths, oil cloths, and floor matting.

Iron, in bars or bolts, not manufactured. Bar or bolt iron made wholly or in part by rolling. Proviso.

Iron in pigs.

Iron or steel wire, &c.

Round iron or brazier's rods, &c.

Iron spikes, nails, &c.

Anvils, anchors, iron cables, &c.

No drawback allowed on iron cables.

Firearms.

Axes, &c.

be corrected by other language in the act itself, the mistake is not fatal. *Blanchard v. Sprague*, 3 Sumner's C. C. R. 279.

But where the descriptive words constitute the very essence of the act, unless the description is so clear and accurate as to refer to the particular subject intended, and be incapable of being applied to any other, the mistake is fatal. *Ibid.*

There is no case where the court in the construction of a statute has substituted other words and other dates, in order to maintain an act making erroneous references to things *aliunde*. *Ibid.*

The judiciary act of 1789, ch. 20, sec. 32, gives no authority to the courts of the United States to make any amendments in judgments except as to defects in want of form. *Albers v. Whitney*, 1 Story C. C. R. 310.

Although penal statutes are to be construed strictly, yet all the provisions thereof must be taken together, and interpreted according to the import of the words, and not by the mere division into sections, so as to give effect to the object and intent of the statute, and all statutes relating to the same subject matter are to be interpreted together, and such a construction is to be given to them, consistent with the words, as will avoid the mischief, and promote the objects and policy contemplated by the statutes. *The Schooner Harriet*, 1 Story C. C. R. 251.

The tariff, being a statute regulating commerce, the terms of it must be construed according to commercial usage. *Bacon v. Bancroft*, 1 Story C. C. R. 341.

- sickles or reaping hooks, scythes, spades, shovels, squares of iron or steel, plated, brass and polished steel saddlery, coach and harness furniture, of all descriptions, steelyards and scalebeams, socket chisels, vices and screws of iron, called woodscrews, thirty per centum ad valorem: on common tinned and japanned saddlery of all descriptions, ten per centum ad valorem: *Provided*, That said articles shall not be imported at a less rate of duty than would have been chargeable on the material constituting their chief value, if imported in an unmanufactured state.
- Proviso.**
- Steel.** Eleventh. On steel, one dollar and fifty cents per one hundred and twelve pounds.
- Japanned and plated wares, &c.** Twelfth. On japanned wares of all kinds, on plated wares of all kinds, and on all manufactures, not otherwise specified, made of brass, iron, steel, pewter, or tin, or of which either of these metals is a component material, a duty of twenty-five per centum ad valorem: *Provided*, That all articles manufactured in whole of sheet, rod, hoop, bolt, or bar iron, or of iron wire, or of which sheet, rod, hoop, bolt, or bar iron, or iron wire, shall constitute the greatest weight, and which are not otherwise specified, shall pay the same duty per pound that is charged by this act on sheet, rod, hoop, bolt, or bar iron, or on iron wire, of the same number, respectively: *Provided, also*, That the said last mentioned rates shall not be less than the said duty of twenty-five per centum ad valorem.
- Proviso.**
- Scrap and old iron, &c.** Thirteenth. That all scrap and old iron shall pay a duty of twelve dollars and fifty cents per ton; that nothing shall be deemed old iron that has not been in actual use, and fit only to be re-manufactured; and all pieces of iron, except old, of more than six inches in length, or of sufficient length to be made into spikes and bolts, shall be rated as bar, bolt, rod, or hoop iron, as the case may be, and pay duty accordingly; all manufactures of iron, partly finished, shall pay the same rates of duty as if entirely finished; all vessels of cast iron, and all castings of iron, with handles, rings, hoops, or other addition of wrought iron, shall pay the same rates of duty as if made entirely of cast iron.
- Hemp, sail duck, cotton bagging, &c.** Fourteenth. On unmanufactured hemp, forty dollars per ton: sail duck, fifteen per centum ad valorem; and on cotton bagging, three and a half cents a square yard, without regard to the weight or width of the article: (a) On felts or hat bodies made wholly, or in part, of wool, eighteen cents each.
- Manufactures of silk, &c.** Fifteenth. On all manufactures of silk, or of which silk shall be a component part, coming from beyond the Cape of Good Hope, ten per centum ad valorem, and on all other manufactures of silk, or of which silk is a component part, five per centum ad valorem, except sewing silk, which shall be forty per centum ad valorem.
- Sugars.** Sixteenth. On brown sugar and syrup of sugar cane, in casks, two and a half cents per pound; and on white clayed sugar, three and one-third cents per pound. (b)

(a) An act of Congress imposing a duty on imports, must be construed to describe the article upon which the duty is imposed according to the commercial understanding of the terms used in the law, in our own markets, at the time when the law was passed. *Curtis v. Martin et al.*, 3 Howard, 106.

The duty, therefore, imposed by the act of 1832, upon cotton bagging, cannot properly be levied upon an article which was not known in the market as cotton bagging in 1832, although it may subsequently be called so. *Ibid.*

(b) A seizure was made in the port of New Orleans, under the sixty-seventh section of the act of March 2, 1799, ch. 22, regulating the collection of duties, which authorizes the collector, when he shall suspect a false and fraudulent entry to have been made of any goods, wares, and merchandise, to cause an examination to be made; and if found to differ from the entry, the merchandise is to be forfeited, unless it shall be made to appear to the collector, or to the court in which a prosecution for the forfeiture shall be had, that such difference proceeded from accident or mistake, and not from an intention to defraud the revenue. The United States, by the collector of Mississippi, seized, as falsely entered at the custom-house in New Orleans, certain casks of sugar, which had been entered as "syrup," alleging that they were sugar, in a partial solution in water. The libel charged the entry to have been made with a fraudulent intention of evading the duty on sugar. The claimant gave evidence tending to show that the article seized was, in the prevailing mercantile understanding of the term, deemed syrup, and not sugar. By the Court:—The denomination of merchandise, subject to the payment of duties, is to be understood in a commercial sense, although it may not be scientifically correct. All laws regulating the collection of duties are for prac-

Seventeenth. On salt, ten cents per fifty-six pounds.	Salt.
Eighteenth. On old and scrap lead, two cents per pound.	Old and scrap lead.
Nineteenth. On teas of all kinds, imported from places this side the Cape of Good Hope, or in vessels other than those of the United States, ten cents per pound.	Teas.
Twentieth. On slates of all kinds, twenty-five per centum ad valorem.	Slates.
Twenty-first. On window glass not above eight by ten inches in size, three dollars per hundred square feet; not above ten by twelve inches, three dollars and fifty cents per hundred square feet; and if above ten by twelve inches, four dollars per hundred square feet: <i>Provided</i> , That all window glass imported in plates, uncut, shall be charged with the highest rates of duty hereby imposed. On all apothecaries' vials and bottles, exceeding the capacity of six and not exceeding the capacity of sixteen ounces each, two dollars and twenty-five cents the gross; all perfumery and fancy vials and bottles, not exceeding the capacity of four ounces each, two dollars and fifty cents the gross; and those exceeding four ounces, and not exceeding sixteen ounces each, three dollars and twenty-five cents the gross: on all wares of cut glass not specified, three cents per pound, and thirty per centum ad valorem: on black glass bottles not exceeding one quart, two dollars per gross: on black glass bottles exceeding one quart, two dollars and fifty cents per gross; on demijohns, twenty-five cents each, and on all other articles of glass not specified, two cents per pound, and twenty per centum; on paper hangings, forty per centum: on all Leghorn hats or bonnets, and on all hats or bonnets of straw, chip or grass, and all flats, braids, or plaits for making hats or bonnets, thirty per centum: on the following articles twelve and a half per centum ad valorem, namely, whalebone, the product of foreign fishing, raw silk, and dressed furs; and on the following articles twenty-five per centum ad valorem, namely, boards, planks, walking canes and sticks, frames or sticks for umbrellas and parasols, and all manufactures of wood not otherwise specified; copper vessels, and all manufactures of copper, not otherwise specified: all manufactures of hemp or flax, except yarn and cordage, tarred and untarred, ticklenburgs, osnaburgs, and burlaps, not otherwise specified; fans, artificial flowers, ornamental feathers, ornaments for head dresses, caps for women, and millinery of all kinds; comfits and sweetmeats of all kinds, preserved in sugar or brandy; umbrellas and parasols, of whatever materials made; parchment and vellum, wafers and black lead pencils, and brushes of all kinds. And on the following articles thirty per centum ad valorem, viz: cabinet wares; hats and caps of fur, leather, or wool, leather; whips, bridles, saddles, and on all manufactures of leather not otherwise specified; carriages and parts of carriages, and blank books; on boots and bootees, one dollar and fifty cents per pair; shoes of leather, other shoes and slippers of prunella, stuff, or nankin; also porcelain, china, stone, and earthen ware; musical instruments; and manufactures of marble, shall pay the present rates of duties.	Window glass. Proviso. Vials, bottles, &c. Black glass bottles, &c. Leghorn bonnets, &c. Whalebone, &c. Boards, planks, &c. Cabinet wares, &c.
Twenty-second. On olive oil, in casks, twenty cents a gallon.	Olive oil.
Twenty-third. On the wines of France, namely, red wines, in casks, six cents a gallon; white wines, in casks, ten cents a gallon, and French wines of all sorts, in bottles, twenty-two cents a gallon; until the third day of March, eighteen hundred and thirty-four; and from and after that day one half of those rates respectively; and on all wines other than those of France, one half of their present rates of duty, respectively, from and after the day last aforesaid, <i>Provided</i> , That no higher duty shall be charged under this act, or any existing law, on the red wines	Wines. Proviso.

tical application to commercial purposes, and are to be understood in a commercial sense. And it is to be presumed that Congress so used and understood them. *The United States v. One Hundred and Twelve Casks of Sugar*, 8 Peters, 277.

of Austria than are now, or may be, by this act levied upon red wines of Spain when the said wines are imported in casks.

Baskets, beads,
indigo, &c.

Twenty-fourth. On the following articles an ad valorem duty of fifteen per centum, namely, barley, grass or straw baskets, composition, wax, or amber beads; all other beads not otherwise enumerated, lamp black; indigo, bleached and unbleached linens; shell or paper boxes, hair bracelets, hair not made up for head dresses, bricks, paving tiles, brooms of hair or palm leaf, cashmere of Thibet, down of all kinds, feathers for beds.

Articles not
specified.

Twenty-fifth. All articles not herein specified, either as free or as liable to a different duty, and which, by the existing laws, pay an ad valorem duty higher than fifteen per centum, to pay an ad valorem duty of fifteen per centum, from and after the said third day of March, one thousand eight hundred and thirty-three. (a)

Certain articles
imported from
and after March
3, 1833, to be
exempted from
duty.

SEC. 3. *And be it further enacted*, That, in addition to the articles exempted from duty by the existing laws, the following articles, imported from and after the third day of March, one thousand eight hundred and thirty-three, shall be exempted from duty; that is to say, teas of all kinds imported from China or other places east of the Cape of Good Hope, and in vessels of the United States, coffee, cocoa, almonds, currants, prunes, figs, raisins in jars and boxes, all other raisins, black pepper, ginger, mace, nutmegs, cinnamon, cassia, cloves, pimento, camphor, crude saltpetre, flax unmanufactured, quicksilver, opium, quills unprepared, tin in plates and sheets, unmanufactured marble, argol, gum arabic, gum senegal, epaulettes of gold and silver, lac dye, madder, madder root, nuts and berries used in dyeing, saffron, turmeric, woad or pastel; aloes, ambergris, Burgundy pitch, bark, Peruvian, cochineal, capers, chamomile flowers, coriander seed, cantharides, castanas, catsup, chalk, cocculus indicus, coral, dates, filberts, filtering stones, frankincense, grapes, gamboge, hemlock, henbane, horn plates for lanthorns, ox horns, other horns and tips, India rubber, ipecacuanha, ivory unmanufactured, juniper berries, musk, nuts of all kinds, olives, oil of juniper, paintings and drawings, rattans unmanufactured, reeds unmanufactured, rhubarb, rotten stone, tamarinds, tortoise shell, tin foil, shellac, sponges, sago, lemons, limes, pine apples, cocoa nuts and shells, iris or orris root, arrow root, bole ammoniac, colombo root, annatto, annise-seed, oil of annise-seed, oil of cloves, cummin seed, sarsaparilla, balsam tolu, assafoetida, ava root, alcornoque, canella alba, cascarilla, haerlem oil, hartshorn, manna, senna, tapioca, vanilla beans, oil of almonds, nux vomica, amber, platina, busts of marble, metal or plaster, casts of bronze or plaster, strings of musical instruments, flints, kelp, kermes, pins, needles, mother of pearl, hair unmanufactured; hair pencils, Brazil paste, tartar crude, vegetables such as are used principally in dyeing and in composing dyes, weld, and all articles used principally for dyeing, coming under the duty of twelve and a half per centum, except bichromate of potash, prussiate of potash, chromate of potash, and nitrate of lead, aquafortis, and tartaric acids; all other dyeing drugs, and materials for composing dyes, all other medicinal drugs, and all articles not enumerated in this act nor the existing laws, and which are now liable to an ad valorem duty of fifteen per centum, except tartar emetic and Rochelle salts, sulphate of quinine, calomel and corrosive sublimate, sulphate of magnesia, glauber salts: *Provided*, That nothing in this act contained shall be so construed as to reduce the duties upon alum, coppers, manganese, muriatic or sulphuric acids, refined saltpetre, blue vitriol, carbonate of soda, red lead, white lead or litharge, sugar of lead or combs.

Proviso.

Parts of acts
repealed.

SEC. 4. *And be it further enacted*, That, from and after the third day of March aforesaid, so much of any act of Congress as requires the

(a) The twenty-fifth clause of the second section of the tariff act of 1832, includes within its terms all bindings whether worsted or woollen. *Whiting v. Bancroft*, 1 Story C. C. R. 560.

addition of ten or twenty per centum to the cost or value of any goods, wares, or merchandise, in estimating the duty thereon, or as imposes any duty on such addition, shall be repealed.

Sec. 5. *And be it further enacted*, That from and after the third day of March aforesaid, where the amount of duty on merchandise, except wool, manufactures of wool, or of which wool is a component part, imported into the United States, in any ship or vessel, on account of one person only, or of several persons jointly interested, shall not exceed two hundred dollars, the same shall be paid in cash without discount; and if it shall exceed that sum, shall, at the option of the importer or importers, be paid, or secured to be paid, in the manner now required by law, one half in three, and one half in six calendar months; and that, from and after the said third day of March, so much of the sixty-second section of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved the second day of March, one thousand seven hundred and ninety-nine, as authorizes the deposit of teas under the bond of the importer or importers, shall be repealed: and that so much of any existing law as requires teas, when imported in vessels of the United States, from places beyond the Cape of Good Hope, to be weighed, marked and certified, shall be and the same is hereby repealed.

Sec. 6. *And be it further enacted*, That, from and after the third day of March aforesaid, the duties on all wool, manufactures of wool, or of which wool is a component part, shall be paid in cash, without discount, or, at the option of the importer, be placed in the public stores, under bond, at his risk, subject to the payment of the customary storage and charges, and to the payment of interest at the rate of six per centum per annum while so stored: *Provided*, That the duty on the articles so stored shall be paid one half in three, and one half in six months from the date of importation: *Provided, also*, That if any instalment of duties be not paid when the same shall have become due, so much of the said merchandise as may be necessary to discharge such instalment shall be sold at public auction, and retaining the sum necessary for the payment of such instalment of the duties, together with the expenses of safe keeping and sale of such goods, the overplus, if any, shall be returned by the collector to the importer or owner, or to his agent or lawful representative; *And provided also*, That the importer, owner, or consignee of such goods, may, at any time after the deposit shall have been made, withdraw the whole or any part thereof, on paying the duties on what may be withdrawn, and the customary storage and charges, and of interest.

Sec. 7. *And be it further enacted*, That in all cases where the duty which now is, or hereafter may be imposed on any goods, wares, or merchandise imported into the United States, shall, by law, be regulated by, or be directed to be estimated or levied upon, the value of the square yard, or of any other quantity or parcel thereof; and in all cases where there is or shall be imposed any ad valorem rate of duty on any goods, wares, or merchandise imported into the United States, it shall be the duty of the collector within whose district the same shall be imported or entered, to cause the actual value thereof, at the time purchased, and place from which the same shall have been imported into the United States, to be appraised, estimated and ascertained, and the number of such yards, parcels, or quantities, and such actual value of every of them, as the case may require; and it shall, in every such case, be the duty of the appraisers of the United States, and every of them, and of every other person who shall act as such appraiser, by all the reasonable ways or means in his or their power, to ascertain, estimate, and appraise the true and actual value, any invoice or affidavit thereto to the contrary notwithstanding, of the said goods, wares, and merchandise, at the time purchased, and place from whence the same shall have been imported into the United States,

Duty not exceeding \$200 to be paid in cash; if it exceed \$200 to be paid or secured to be paid.

So much of the 62d section of the act of March 2, 1799, ch. 22, vol. i. p. 627, as authorizes deposit of teas in bond, to be repealed.

Any law requiring teas to be weighed, &c. repealed.

Duties on wool to be paid in cash, or placed under bond, in public stores.

Proviso.

Proviso.

Proviso.

Actual value of goods, &c. in certain cases, to be appraised, estimated, and ascertained by collector and appraiser.

and the number of such yards, parcels, or quantities, and such actual value of every of them as the case may require; and all such goods, wares, and merchandise, being manufactures of wool, or whereof wool shall be a component part, which shall be imported into the United States in an unfinished condition, shall, in every such appraisal, be taken, deemed and estimated by the said appraisers, and every of them, and every person who shall act as such appraiser, to have been, at the time purchased, and place from whence the same were imported into the United States, of as great actual value as if the same had been entirely finished:

Proviso.

Provided, That in all cases where any goods, wares, or merchandise, subject to ad valorem duty, or whereon the duty is or shall be by law regulated by, or be directed to be estimated or levied upon, the value of the square yard, or any other quantity or parcel thereof, shall have been imported into the United States from a country other than that in which the same were manufactured or produced, the appraisers shall value the same at the current value thereof at the time of purchase, before such last exportation to the United States, in the country where the same may have been originally manufactured or produced.

Appraisers may examine owners, &c., touching true value of merchandise imported, and require the production of letters, &c.

SEC. 8. *And be it further enacted*, That it shall be lawful for the appraisers to call before them, and examine, upon oath, any owner, importer, consignee, or other person, touching any matter or thing which they may deem material in ascertaining the true value of any merchandise imported, and to require the production on oath, to the collector, or to any permanent appraiser, of any letters, accounts, or invoices, in his possession, relating to the same, for which purpose they are hereby authorized to administer oaths. And if any person so called shall fail to attend, or shall decline to answer, or to produce such papers when so required, he shall forfeit and pay to the United States fifty dollars; and if such person be the owner, importer or consignee, the appraisement which the said appraisers may make of the goods, wares, or merchandise, shall be final and conclusive, any act of Congress to the contrary notwithstanding. And any person who shall swear falsely on such examination, shall be deemed guilty of perjury; and if he be the owner, importer, or consignee, the merchandise shall be forfeited.

Duty of the Secretary of the Treasury.

SEC. 9. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, under the direction of the President of the United States, from time to time, to establish such rules and regulations, not inconsistent with the laws of the United States, as the President of the United States shall think proper, to secure a just, faithful, and impartial appraisal of all goods, wares, and merchandise, as aforesaid, imported into the United States, and just and proper entries of such actual value thereof, and of the square yards, parcels, or other quantities, as the case may require, and of such actual value of every of them; and it shall be the duty of the Secretary of the Treasury to report all such rules and regulations, with the reasons therefor, to the then next session of Congress.

Additional duty of ten per cent. on all goods, &c. imported in foreign vessels, where a specific discrimination has not been already made.

Proviso.

Vol. iv. p. 2.

SEC. 10. *And be it further enacted*, That an addition of ten per centum shall be made to the several rates of duties by this act imposed, in respect to all goods, wares and merchandise, on the importation of which, in American or foreign vessels, a specific discrimination has not already been made, which, from and after the third day of March aforesaid, shall be imported in ships or vessels not of the United States: *Provided*, That this additional duty shall not apply to goods, wares, and merchandise which shall be imported after said day in ships or vessels not of the United States, entitled by treaty, or by an act or acts of Congress, to be entered in the ports of the United States, on the payment of the same duties as shall then be paid on goods, wares, and merchandise imported in ships or vessels of the United States.

Drawback.

SEC. 11. *And be it further enacted*, That there shall be allowed a draw-

back of the duties by this act imposed, on goods, wares, and merchandise, which shall be imported from and after the said third day of March, upon the exportation thereof, within the time and in the manner prescribed in the existing laws at the time: *Provided*, no drawback shall be allowed on a less quantity of cordage than five tons.

SEC. 12. *And be it further enacted*, That the existing laws at the time shall extend to, and be in force for, the collection of the duties imposed by this act, on goods, wares, and merchandise which shall be imported into the United States from and after the said third day of March; and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, and for the allowance of drawbacks by this act authorized, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing in the then existing laws contained, had been inserted in, and re-enacted by this act; and that so much of any act which is contrary to this act, shall be, and the same is hereby, repealed.

SEC. 13. *And be it further enacted*, That whenever goods composed wholly, or in part, of wool or cotton of similar kind, but different quality, are found, in the same packages, charged at an average price, it shall be the duty of the appraisers to adopt the value of the best article contained in such package, and so charged, as the average value of the whole; and that so much of the act entitled "An act for the more effectual collection of the impost duties," approved the twenty-eighth May, one thousand eight hundred and thirty, as requires the appraisers to adopt the value of the best article contained in a package as the average value of the whole, be, and the same is hereby, repealed.

SEC. 14. *And be it further enacted*, That whenever, upon the opening and examination of any package or packages of imported goods, composed wholly, or in part, of wool or cotton, in the manner provided by the fourth section of the act for the more effectual collection of the impost duties, approved on twenty-eighth day of May, one thousand eight hundred and thirty, the said goods shall be found not to correspond with the entry thereof at the custom-house; and if any package shall be found to contain any article not entered, such article shall be forfeited; or if the package be made up with intent to evade or defraud the revenue, the package shall be forfeited; and so much of the said section as prescribes a forfeiture of goods found not to correspond with the invoice thereof, be, and the same is hereby, repealed.

SEC. 15. *And be it further enacted*, That, from and after the said third day of March, one thousand eight hundred and thirty-three, the ad valorem rates of duty on goods, wares, and merchandise, shall be estimated in the manner following: to the actual cost, if the same shall have been actually purchased, or the actual value, if the same shall have been procured otherwise than by purchase, at the time and place when and where purchased, or otherwise procured, or to the appraised value, if appraised, shall be added all charges, except insurance.

SEC. 16. *And be it further enacted*, That, from and after the said third day of March, one thousand eight hundred and thirty-three, in calculating the rates of duties, the pound sterling shall be considered and taken as of the value of four dollars and eighty cents.

SEC. 17. *And be it further enacted*, That syrup imported in casks, and all syrup for making sugar, shall be rated by weight, and pay the same duty as the sugar of which it is composed would pay in its natural state; and that loaf or lump sugar, when imported in a pulverized, liquid, or other form, shall pay the same duty as is imposed by law on loaf or lump sugar; and all fossil and crude mineral salt shall pay fifteen per centum ad valorem.

SEC. 18. *And be it further enacted*, That the several articles enumerated in this bill, whether imported before or after the passage thereof,

Proviso.

Existing laws for the collection of duties to continue in force after March 3, 1833, as fully as if re-enacted in this act.

Value of best article in package, being all or part wool or cotton, to be adopted as average value of the whole.

Goods found not to correspond with entry, &c., to be forfeited.

Ad valorem duties, how to be estimated.

Pound sterling to be valued at \$4.80.

Syrup.

Sugar.

Mineral salt.

Articles enumerated in this

bill may be put in custom-house stores under the bond of the importer, &c.; and such as remain after March 3, 1833, to be subject to no other duty than if imported after that day; if the duties were previously paid, to be refunded.

Proviso.

may be put into the custom-house stores, under the bond of the importer or owner; and such of said articles as shall remain under the control of the proper officer of the customs on the third day of March, eighteen hundred and thirty-three, shall be subject to no other duty than if the same were imported, respectively, after that day. And if the duties or any part thereof on the articles deposited as aforesaid shall have been paid previous to the said third day of March, the amount so paid shall be refunded to the person importing and depositing the said articles: *Provided*, That this section shall apply to merchandise in original packages which may have been entered and taken into the possession of the importer or owner; upon condition that the said merchandise be placed under the custody of the proper officer of the customs, and that the same shall remain under his control on the third day of March next: *And provided further*, That the Secretary of the Treasury be authorized to prescribe such rules and regulations as may be necessary to carry this section into effect.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXVIII.—*An Act to provide for the extinguishment of the Indian title to lands lying in the states of Missouri and Illinois, and for other purposes.*

Appropriation for extinguishment of Indian title to lands in Missouri and Illinois.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of forty-six thousand dollars be, and the same is hereby appropriated, to be applied, under the direction of the President, to the extinguishment of the title of the Kickapoos, Shawanees, and Delawares, of Cape Girardeau, to lands lying in the state of Missouri; and of the Piankashaws, Weas, Peorias, and Kaskaskias, to lands lying in the state of Illinois; and, for the purpose of defraying all the expenses of treating with, removing, and subsisting, said Indians for one year; for an additional compensation to the Shawnee Indians for their reservation at Wapaughkonitta, in Ohio, an annuity of two thousand dollars per annum, for fifteen years; and, also, the sum of three thousand dollars to defray the expenses of procuring the assent of the Menominee Indians, to the treaty between them and the United States, which was provisionally ratified during the present session of Congress.

Annuity to the Shawnees, &c.

Legal representatives of John and James Pettigrew.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, directed to pay to the legal representatives of John Pettigrew and James Pettigrew, the sum of nine thousand seven hundred and fifty dollars, with interest, at the rate of six per centum, from the month of June, in the year seventeen hundred and ninety-four, until the time of payment.

Legatees of A. McKnight.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, directed to pay to the legatees of Alexander McKnight the sum of two thousand one hundred and twenty dollars, with interest, at the rate of six per centum, from the month of June, in the year seventeen hundred and ninety-four, until the time of payment.

To be paid from the treasury.

SEC. 4. *And be it further enacted*, That said sums be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXIX.—*An Act for the erection of barracks, quarters, and store-houses, and the purchase of a site, in the vicinity of New Orleans.*

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of one hundred and twelve thousand dollars, to be paid out of any money in the Treas-

surey not otherwise appropriated, be, and the same is hereby appropriated for the erection of barracks, quarters, and store-houses, and the purchase of a site, in the vicinity of New Orleans, for a garrison of four companies of United States' troops.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXX.—*An Act in addition to an act, entitled "An act for the relief of certain insolvent debtors of the United States."* (a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all and each of the provisions of the act to which this is an addition, shall be extended to every person who was a debtor to the United States on the first day of January, one thousand eight hundred and thirty-one, in any sum of money which he is unable to pay, unless such person be indebted as the principal in an official bond, or for public money received by him, and not paid over or accounted for according to law; or for any fine, forfeiture, or penalty, incurred by the violation of any law of the United States.

Act of March 2, 1831, ch. 62. Provisions of former act extended to every person who was on the 1st of January, 1831, indebted to the United States, &c.

SEC. 2. *And be it further enacted,* That, in all such cases of indebtedness as are described in the fourth section of the act to which this is an addition, the Secretary of the Treasury may, according to his discretion, execute to the debtor of the United States a release, as mentioned therein, without any payment by said debtor, if the Secretary of the Treasury is satisfied that said debtor is unable to pay any part of said debt.

Secretary of Treasury to execute releases in certain cases.

SEC. 3. *And be it further enacted,* That nothing contained in this act, or in the act of which it is an amendment, shall be construed to entitle any government debtor to be discharged, until it shall appear to the satisfaction of the Secretary of the Treasury, that the sureties of such debtor are unable to pay the said debt, and that they are entitled to the provisions of this act, in like manner as the said principal debtor shall be entitled to the same, or, unless said sureties shall file their consent, in writing, with the Secretary of the Treasury, that the privileges of this act, and the act to which this is an amendment, may be extended to their principal without any prejudice to their liability, or unless such discharge can and shall be given in such manner as not to affect the legal liability of such sureties.

Debtor not to be discharged until it appear that sureties are unable to pay the debt, &c.

SEC. 4. *And be it further enacted,* That there be, and hereby is, appropriated the sum of five thousand dollars, out of any unappropriated moneys in the treasury, to carry into effect this act, and that of which it is an amendment.

Appropriation.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXXI.—*An Act to provide for the appointment of three commissioners to treat with the Indians, 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 shall nominate, and, by and with the advice and consent of the Senate, shall appoint three commissioners, who shall visit and examine the country set apart for the emigrating Indians, west of the Mississippi river; and shall, when it is necessary, enter into negotiations with them for the adjustment of any difficulties which may exist in the location of the lands of the emigrating Indians, in the boundaries thereof. Such commissioners shall also ascertain and report the proper places of location for such of the tribes and portions of tribes as may yet wish to remove to that coun-

[Expired.] Commissioners to be appointed to examine the country set apart for emigrating Indians, &c. and to report proper locations, &c.

(a) See notes to the act of March 2, 1831, ch. 62.

try, and shall transmit to the War Department all the information they can procure respecting its climate, soil, and capacity to support the number of Indians who will probably remove to and reside in it.

Commissioners to convene hostile tribes, and endeavour to arrange their difficulties.

Act of May 28, 1830, ch. 148.

To report a plan for the improvement of the Indians.

To report relative to mode of emigrating.

To receive instructions from the War Department.

Appropriation.

Act limited to two years.

SEC. 2. *And be it further enacted*, That the said commissioners shall be authorized to convene together such of the tribes as may be in a state of hostility, or as may be apparently disposed to commit, or may have committed, depredations or aggressions against others, and to endeavour to arrange the difficulties between them, so that the protection promised to the emigrating Indians by the sixth section of the act of May twenty-eight, one thousand eight hundred and thirty, may be secured to them.

SEC. 3. *And be it further enacted*, That the said commissioners shall also report to the War Department a plan for the improvement, government, and security of the Indians.

SEC. 4. *And be it further enacted*, That the said commissioners shall inquire into the mode in which the business of emigration has been conducted, and report any changes which would render the same more economical, or better adapted to the comfort and condition of the Indians.

SEC. 5. *And be it further enacted*, That in the discharge of their duties, the said commissioners shall be regulated by such instructions as they may receive from the War Department.

SEC. 6. *And be it further enacted*, That twenty thousand dollars, for the purpose of carrying the provisions of this act into effect, be, and the same is appropriated, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 7. *And be it further enacted*, That this act shall be in force for the term of two years, and no longer.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

[Obsolete.]

Observations to be made preparatory to the adjustment of the boundary line of Ohio.

Result to be returned within one year.

CHAP. CCXXXII.—*An Act to provide for the taking of certain observations preparatory to the adjustment of 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 President of the United States cause to be ascertained, by accurate observation, the latitude and longitude of the southerly extreme of Lake Michigan; and that he cause to be ascertained, by like observation, the point on the Miami of the Lake which is due east therefrom, and also, the latitude and longitude of the most northerly cape of the Miami bay; also, that he cause to be ascertained, with all practicable accuracy, the latitude and longitude of the most southerly point in the northern boundary line of the United States in Lake Erie; and also, the points at which a direct line drawn from the southerly extreme of Lake Michigan, to the most southerly point in said northern boundary line of the United States, will intersect the Miami river and bay; and also, that he cause to be ascertained by like observation, the point in the Mississippi which is due west from the southerly extreme of Lake Michigan; and that the said observations be made, and the result thereof returned, to the proper department within the current year.

APPROVED, July 14, 1832.

(a) By the fifth section of the act of March 2, 1833, ch. 54, the time for taking observations as to the northern boundary of Ohio was extended to December 31, 1835.

July 14, 1832.

CHAP. CCXXXIII.—*An Act to amend the act entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned."* (a)

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases of fine, penalty, or forfeiture, mentioned and embraced in the act entitled "An Secretary of the Treasury to prescribe rules.

(a) Acts which have been passed relating to the mitigation and remission of forfeitures, penalties, and disabilities.

Remission of fines, penalties, forfeitures, and disabilities :

An act to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws in certain cases, May 26, 1790, ch. 12. (Expired.)

An act to continue in force "An act to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws, in certain cases," &c., May 8, 1792, ch. 35. (Obsolete.)

An act to continue in force for a limited time the acts therein mentioned, March 2, 1795, ch. 37. (Expired.)

An act directing the Secretary of the Treasury to remit fines, forfeitures and penalties, in certain cases, Jan. 2, 1813, ch. 7. (Obsolete.)

An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope, Jan. 27, 1813, ch. 14. (Obsolete.)

An act directing the Secretary of the Treasury to remit certain fines, penalties, and forfeitures therein mentioned, Feb. 27, 1813, ch. 33. (Obsolete.)

An act to provide for mitigating and remitting the forfeitures, penalties and disabilities accruing in certain cases therein mentioned, March 3, 1797, ch. 13.

[By the fourth section of this act, it was to continue in force for two years, and thence to the end of the next session of Congress. This section was afterwards repealed by act of Feb. 11, 1800, ch. 6.]

An act to repeal part of "An act to provide for mitigating and remitting the forfeitures, penalties and disabilities accruing in certain cases therein mentioned," and to continue in force the residue of the same, Feb. 11, 1800, ch. 6.

An act further to regulate the entry of merchandise imported into the United States, from any adjacent territory, March 2, 1821, ch. 14, sec. 3.

An act supplementary to and to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage," passed second March, 1799, and for other purposes, March 1, 1823, ch. 21, sec. 35.

An act to amend an act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties and disabilities therein mentioned," July 14, 1832, ch. 235.

Suits for fines, penalties, and forfeitures :

An act to regulate the collection of duties on imports and tonnage, March 2, 1799, ch. 22, sec. 89.

An act further to provide for the collection of duties on imports and tonnage, March 3, 1815, ch. 93, sec. 5.

An act further to regulate the entry of merchandise imported into the United States from any adjacent territory, March 2, 1821, ch. 14, sec. 3.

An act supplementary to and to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage," passed March 2, 1799, and for other purposes, March 1, 1823, ch. 20, sec. 35.

An act for the more effectual collection of the impost duties, May 28, 1830, ch. 147, sec. 7.

Limitation of suits for fines, penalties, and forfeitures :

An act for the punishment of certain crimes against the United States, April 30, 1790, ch. 9, sec. 31.

An act to regulate the collection of duties on imports and tonnage, March 2, 1799, ch. 22, sec. 89.

An act in addition to an act entitled "An act for the punishment of certain crimes against the United States, March 26, 1804, ch. 40, sec. 3.

An act for the regulation of seamen on board the public and private armed vessels of the United States, March 3, 1813, ch. 42, sec. 14.

Distribution of fines, penalties, and forfeitures :

An act to regulate the collection of duties on imports and tonnage, 1799, ch. 22, sec. 91.

An act to prohibit intercourse with the enemy, and for other purposes, Feb. 4, 1815, ch. 31, sec. 7.

An act further to provide for the collection of duties on imports and tonnage, March 3, 1815, ch. 93, sec. 5.

An act further to regulate the entry of merchandise imported into the United States from any adjacent territory, March 2, 1821, ch. 14, sec. 3.

An act supplementary to and to amend an act entitled "An act to regulate the collection of duties on imports and tonnage," passed March 2, 1799, and for other purposes, March 1, 1823, ch. 20, sec. 35.

Decisions of the courts of the United States on the remission and distribution of the proceeds of penalties and forfeitures :

Action of indebitatus assumpsit, was brought by the officers of the revenue cutter of the district of Delaware, for one half of the forfeiture incurred for a violation of the non-intercourse law, by a vessel seized by the collector of Delaware, on the information of the plaintiffs, and sent by him to the district of Pennsylvania for trial, where she was condemned, and the amount of the forfeiture was received by the defendant, the collector of the port of Philadelphia. *Held*, 1st. The information to induce a seizure need not be as full as the evidence in the case would authorize to condemn. It is sufficient if it induced the prosecution. 2d. It is not necessary that the officers of the revenue cutter should, where they gave the information, make a claim for a part of the forfeiture; or that they should take any part in the prosecution of the case, to entitle them to a portion of the proceeds. 3d. The consent of the plaintiffs that the vessel should be sent from the district of Delaware, to the district of Pennsylvania; or a disavowal by them, of having instituted this suit, does not constitute a waiver of their right to their share of the

act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," or in any act in addition to, or amendatory of said act, and not exceeding fifty dollars in amount, or value, the Secretary of the Treasury be, and he hereby

forfeiture. 4th. The defendant is not liable to the plaintiffs for such parts of the proceeds of the forfeiture as he had paid over to other officers of the custom-house for their shares, before notice of the claims of the plaintiffs. *Sawyer et al. v. Steele*, 3 Wash. C. C. R. 464.

A bond was given to T. S., the collector of the district of Petersburg, under the second section of the embargo act of the 22d of December, 1807, and a suit was afterwards brought by him on the same bond in the district court; and pending the proceedings, to wit, on the 30th of October, 1811, J. S., the collector, died; and judgment was recovered in favour of the United States, on the 30th of November, 1811. On the 26th of the same November, J. J. was appointed collector of the same district, and entered on the duties of his office on the 14th of December, 1811; until which time T. S., who was deputy collector under J. S., at his decease, continued as such to discharge the duties of the office. The judgment of the district court was subsequently affirmed by the circuit court. When the bond was taken, A. T. was surveyor of the district, and continued in that office until his death, which was after the commencement of the suit on the bond, and before judgment thereon, and was succeeded by J. H. P., who was appointed on the 30th of March, 1811, and entered on the duties of his office on the 16th of the same month. It was held, that the personal representatives of the deceased collector and surveyor, and not their successors in office, were entitled to that portion of the penalty which is, by law, to be distributed among the revenue officers of the district where it was incurred. There being no naval officer in the district, the division was adjudged to be made in equal proportions between the collector and surveyor. *Jones and others v. Shore's Executors and others*, 1 Wheat. 462; 3 Cond. Rep. 624.

The Secretary of the Treasury has authority, under the remission act of the 3d of March, 1797, ch. 13, to remit a forfeiture or penalty accruing under the revenue laws, at any time, before or after a final sentence of condemnation or judgment for the penalty, until the money is actually paid over to the collector for distribution. *United States v. Morris*, 10 Wheat. 246; 6 Cond. Rep. 90.

Such remission extends to the shares of the forfeiture or penalty to which the officers of the customs are entitled, as well as to the interest of the United States. *Ibid.*

The ship *Good Friends*, and her cargo of British merchandise, owned by Stephen Girard, a citizen of the United States, was seized by the collector of the Delaware district, on the 19th of April, 1812, for a violation of the non-intercourse laws of the United States then in force. The ship and cargo were condemned as forfeited, in the district and circuit court of the Delaware district. On the 29th July, 1813, Congress passed "An act for the relief of the owners of the *Good Friends*," &c., and a remission of the forfeiture was granted by the Secretary of the Treasury, under the authority of that act, with the exception of a sum equal to the double duties imposed by an act of Congress passed on the 1st of July, 1812. The collector was entitled to one moiety of the whole amount reserved by the Secretary of the Treasury, as the condition of the remission. *M'Lane v. The United States*, 6 Peters, 404.

Where a sentence of condemnation has been finally pronounced in a case of seizure, the Supreme Court, as an incident to the possession of the principal cause, has a right to proceed to decree a distribution of the proceeds, according to the terms prescribed by law. And it is a familiar practice to institute proceedings for the purpose of such distribution, whenever a doubt occurs as to the rights of the parties, who are entitled to share in the distribution. *Ibid.*

The duty of the collector in superintending the collection of the revenue, and of making seizures for supposed violations of law, is onerous and full of perplexity. If he seizes any goods, it is at his own peril; and he is condemnable in damages and costs, if it should turn out upon the final adjudication, that there was no probable cause for the seizure. As a just reward for his diligence, and a compensation for his risks; at once to stimulate his vigilance and secure his activity, the laws of the United States have awarded to him a large share of the proceeds of the forfeiture. But his right by the seizure is but inchoate; and although the forfeiture may have been justly incurred, yet the government has reserved to itself the right to release it, either in whole or in part, until the proceeds have been actually received for distribution; and in that event, and to that extent, it displaces the right of the collector. Such was the decision of the Supreme Court of the United States in the case of the *United States v. Morris*, 10 Wheat. 246. *Ibid.*

But whatever is reserved to the government out of the forfeiture, is reserved as well for the seizing officer, as for itself; and is distributable accordingly. The government has no authority, under its existing laws, to release the collector's share, as such, and yet to retain to itself the other part of the forfeiture. *Ibid.*

In point of law, no duties, as such, can legally accrue upon the importation of prohibited goods. They are not entitled to entry at the custom-house, or to be bonded. They are, ipso facto, forfeited by the mere act of importation. *Ibid.*

The Secretary of the Treasury may remit not only the interest of the United States, but of individuals, in penalties and forfeitures in certain cases, after suit brought, and before judgment. *United States v. Lancaster*, 4 Wash. C. C. R. 64.

A pardon of the President of the United States, after condemnation, as to all the interest of the United States, in the penalty incurred by a violation of the embargo laws, and directing all further proceedings on behalf of the United States to be discontinued, does not remit the interest of the custom-house officers in a moiety. *Ibid.*

Under the 91st section of the duty act of March 2d, 1799, ch. 22, the share of a forfeiture to which the collector, &c., of the district is entitled, is to be paid to the person who was the collector, &c., in the office at the time the seizure was made; and not to his successor in office at the time of condemnation, and the receipt of the money. *Buel v. Van Ness*, 8 Wheat. 312; 5 Cond. Rep. 445.

Until final judgment, no part of the forfeiture vests absolutely in the collector; but after final judgment, his share vests absolutely, and cannot be remitted by the Secretary of the Treasury. *The Hollen*, 1 Mason's C. C. R. 431.

If, pending the proceedings, a remission be made of the whole property forfeited, the whole title of

is authorized, if in his opinion the said fine, penalty, or forfeiture was incurred without wilful negligence or intention of fraud, to prescribe such rules and mode of proceeding, to ascertain the facts, as in his opinion may be convenient and proper, without regard to the provisions of the act above referred to; and upon the said facts, so to be ascertained as aforesaid, the said secretary may exercise all the power conferred upon him in and by said act, as fully as he might have done had said facts been ascertained under and according to the provisions of said act.

Secretary to exercise power conferred by said act, &c.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXXIV.—*An Act further to provide for the relief of distressed American seamen in foreign countries.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of three thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to the fund for the relief of distressed American seamen; and that the said amount be distributed among the owners, officers, and crew of the Spanish brig Leon, in such proportion as shall be directed by the President of the United States, for services rendered and losses incurred, in saving and transporting to the island of Cuba the officers and crew of the American ship Minerva, wrecked and burnt on the Bahama bank.

Appropriation for distribution among the owners, officers, and crew of the Spanish brig Leon.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXXVI.—*An Act for the relief of the invalid pensioners of the United States.*

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 regulating the payments to invalid pensioners," approved the third day of March, one thousand eight hundred and nineteen, be, and the same is hereby, repealed.

Act of March 3, 1819, ch. 81, repealed.

APPROVED, July 14, 1832.

the collector is gone; if of a part only, his title attaches to the remainder, and, by a judgment of condemnation, becomes fixed and indissoluble. *The Margareta*, 2 Gallis. C. C. R. 515.

If there is no informer, the United States have one-half, and the officers of the customs the other. If there is an informer, the informer has a fourth, and the custom-house officers a fourth. If the informer is an officer of a revenue cutter, the United States have a fourth, one-fourth to the custom-house officers, and the officer of the revenue cutter one-half. *Sawyer et al. v. Steele*, 3 Wash. C. C. R. 464.

The consent of the claimants that the vessel should be sent into another district for adjudication, or a disavowal by them of having instituted the suit, does not amount to a waiver by them, of their right to a share of the forfeiture. *Ibid.*

But the collector is not responsible for such part of the forfeiture as he may have paid over, bona fide, to other officers, for their shares, before notice of the plaintiff's claim. *Ibid.*

The Secretary of the Treasury has no power to remit penalties, unless in cases provided for by law. If he recites his authority under a special act, and remits in pursuance of that act, the remission, if unsupported by that act, cannot be supported under the general act of March 3, 1797, ch. 13. Under the act of February 27, 1813, ch. 33, the Secretary of the Treasury had no authority to remit penalties for goods subsequently imported, contrary to the non-importation act. Under the act of March 3, 1797, ch. 13, the district judge is bound, upon a petition for remission, to state the facts, and not merely the evidence of the facts; and the Secretary of the Treasury is bound by this statement of facts, and cannot legally act upon any other evidence. *The Margareta*, 2 Gallis. C. C. R. 515.

The district judge, in stating such facts, acts judicially; and the proof before him must be made by competent, as well as credible testimony. A statement by the district judge that the claimant only swore to the facts before him, is no legal proof under the act of 1797, upon which the Secretary of the Treasury is authorized to remit. Under the act of February 27, 1813, ch. 33, the Secretary of the Treasury had no authority to make a remission of part only of the property forfeited; if he remitted at all, he was bound to remit the whole penalty or forfeiture. Neither under the act of 1797, nor the act of 1813, had the Secretary of the Treasury any authority to remit the collector's share of the forfeiture, nor any part of it, *eo nomine*. *Ibid.*

Fines imposed by the act of March 2, 1799, ch. 22, for obstructing officers of the customs, as well as penalties, are to be received by the collector of the customs, and distributed by him. *Ex parte Marquand*, 2 Gallis. C. C. R. 552.

STATUTE I.

July 14, 1832.

CHAP. CCXXXVII.—*An Act to amend the act, entitled "An act for the relief of certain surviving officers and soldiers of the army of the revolution."*

Third section of May 15, 1828, ch. 53, not to embrace invalid pensioners, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the third section of the act, entitled "An act for the relief of certain surviving officers and soldiers of the army of the revolution," approved the fifteenth day of May, one thousand eight hundred and twenty-eight, shall not be construed to embrace invalid pensioners; and that the pension of invalid soldiers shall not be deducted from the amount receivable by them under the said act.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXXVIII.—*An Act repealing a part of the fifth section of an act, entitled "An act to establish ports of delivery at Port Pontchartrain and Delaware city, and for other purposes."*

Act of March 3, 1831, ch. 76, repealed.

Office of surveyor discontinued.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the fifth section of an act, entitled "An act to establish ports of delivery at Port Pontchartrain and Delaware city, and for other purposes," approved March second, one thousand eight hundred and thirty-one, as provides for the appointment of a surveyor to reside at Prospect, in the district of Belfast, in the state of Maine, be, and the [same] is hereby repealed.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXXXIX.—*An Act to amend the several acts for the establishment of a territorial government in Florida. (a)*

Court of appeals to be composed of judges of the superior courts.

Majority to constitute a quorum, &c.

Writs of error and appeals authorized to be taken and prosecuted from the highest court of law or equity, &c., in the same manner, &c.

Act of Sept. 24, 1789, ch. 20.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the court of appeals in the territory of Florida, established in virtue of the fourth section of the act of the twenty-sixth of May, one thousand eight hundred and twenty-four, to which this act is an amendment, shall be composed of the judges of the superior courts in said territory respectively, a majority of whom shall be necessary to be present to constitute a quorum to hear and decide causes; but any two of the said judges shall be sufficient to make any interlocutory order, or to grant any writ authorized by any of the acts to which this is an amendment.

SEC. 2. *And be it further enacted,* That the provisions and regulations contained in the twenty-fifth section of the act of the twenty-fourth of September, one thousand seven hundred and eighty-nine, entitled "An act to establish the judicial courts of the United States," in regard to writs of error and appeals to the Supreme Court of the United States, from a final judgment or decree in any suit in the highest court of law or equity of a state, shall be applicable to writs of error and appeals to the Supreme Court of the United States from the highest court of law or equity in said territory, having jurisdiction of the subject matter, in the same manner as writs of error and appeals are authorized now to be taken and prosecuted under the aforesaid twenty-fifth section of the act of the twenty-fourth of September, one thousand seven hundred and eighty-nine, from any court in any state; and writs of error and appeals, in virtue of the said twenty-fifth section, are hereby authorized to be taken and prosecuted from the highest court of law or equity having jurisdiction of the subject matter in the said territory.

SEC. 3. *And be it further enacted*, That the regulations prescribed by the second section of the act entitled "An act in addition to an act entitled An act to amend the judicial system of the United States," approved the third of March, one thousand eight hundred and three, as far as said regulations shall be practicable, shall be observed in respect to all writs of error and appeals from the said court of appeals in the said territory to the Supreme Court of the United States.

SEC. 4. *And be it further enacted*, That appeals and writs of error may be taken and prosecuted, in all cases, from the decisions and judgments of the highest court of said territory to the Supreme Court of the United States, where the amount in controversy exceeds one thousand dollars.

APPROVED, July 14, 1832.

The regulations prescribed, &c., shall be observed, &c.
Act of March 3, 1803, ch. 40

Appeals and writs of error to be allowed only where the amount in controversy exceeds \$1000.

STATUTE I.

July 14, 1832.

CHAP. CCXL.—*An Act to authorize the sale of certain public lands in the state of Ohio.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the lands heretofore reserved for certain Indian tribes in the state of Ohio, and which were ceded to the United States by treaties ratified on the twenty-fourth day of March, in the year one thousand eight hundred and thirty-one, and the sixth day of April, one thousand eight hundred and thirty-two, be, and the same are hereby attached to, and made to form part of, the land districts in which they are respectively situated, and liable to be sold as other public lands in the state of Ohio.

APPROVED, July 14, 1832.

Certain public lands to be attached to the land districts in which they are respectively situated, &c.

STATUTE I.

July 14, 1832.

CHAP. CCXLI.—*An Act to authorize the disposition of the fund arising from the sale of a quarter section of land, reserved for the use of schools, in Florida.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioners elected by the qualified voters in township five, range eleven, north and west, in the county of Jackson, in the territory of Florida, in obedience to an act of Congress, entitled "An act to authorize the establishment of a town on land reserved for the use of schools, &c.," approved the second of March, one thousand eight hundred and twenty-nine, be, and they are hereby, authorized to vest the money arising from the sale in said act authorized, in some productive fund under the authority of the governor and legislative council of the territory, the proceeds of which shall for ever be applied to common schools in said township.

SEC. 2. *And be it further enacted*, That the said commissioners be, and they are hereby authorized to make sale of the remainder of said lots to be applied to the objects aforesaid; and all provisions of the act aforesaid, inconsistent with this act, be, and the same are hereby repealed: *Provided*, That the governor and legislative council of said territory authorize such sale, with the assent of the majority of the inhabitants of said township.

APPROVED, July 14, 1832.

Commissioners authorized to vest money arising from sale of certain land in some productive fund.
March 2, 1829, ch. 39.

Proceeds to be applied to common schools.

Commissioners authorized to sell remainder of lots, &c.

Proviso.

STATUTE I.

July 14, 1832.

CHAP. CCXLII.—*An Act giving the assent of the United States to an act of the general assembly of Maryland, passed at their December session, in one thousand eight hundred and thirty-one, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company."*

Act of May 23,
1828, ch. 85.

Assent of the
United States
given to act of
Maryland.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the assent of the United States be, and the same is hereby, given to an act of the General Assembly of Maryland, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company," which passed the general assembly of Maryland at December session, one thousand eight hundred and thirty-one: Provided, That nothing therein contained shall be construed to impair any right possessed by the said company anterior to the passage of said act, nor to authorize any individual to obstruct the free access of all persons to the said canal along the berm bank, or other lands condemned for the construction and use thereof, nor to prevent the engineers, superintendents, or officers of the said company, from passing up and down the said canal without obstruction along the grounds condemned therefor, in order to inspect the condition of the said canal, or to make, at any time, suitable repairs thereof.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXLIII.—*An Act making appropriation towards the expense of laying out and opening a military road, from fort Howard, at Green bay, to fort Crawford, on the Mississippi.*

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, towards the expense of laying out and opening a military road from fort Howard, at Green bay, in the territory of Michigan, to fort Crawford, on the Mississippi, by the way of fort Winnebago.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXLV.—*An Act to revive and continue in force "An act authorizing the payment of certain certificates," approved seventh May, one thousand eight hundred and twenty-two.*

Act of Congress
of May 7, 1822,
ch. 112, revived
and continued in
force for four
years.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the "Act authorizing the payment of certain certificates," approved on the seventh May, one thousand eight hundred and twenty-two, be, and the same is hereby, revived and continued in force for the term of four years from and after the passing of this act, and from thence to the end of the next session of Congress thereafter, a notification of which revival and continuance shall be published by the Secretary of the Treasury, for the information of the holders of the certificates, the payment of which is authorized by said act, in one or more of the public papers printed in each of the United States.

Appropriation.

SEC. 2. *And be it further enacted, That, for carrying this act into effect, the sum of forty thousand dollars be, and hereby is, appropriated, out of any money in the treasury of the United States not otherwise appropriated.*

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXLVI.—*An Act supplemental to the act "granting the right of pre-emption to settlers on the public lands," approved the twenty-ninth day of May, eighteen hundred and thirty. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the occupants and settlers upon the public lands of the United States, who are entitled to a pre-emption according to the provisions of the act of Congress, approved the twenty-ninth day of May, eighteen hundred and thirty, and who have not been, or shall not be, enabled to make proof and enter the same within the time limited in said act, in consequence of the public surveys not having been made and returned, or where the land was not attached to any land district, or where the same has been reserved from sale on account of a disputed boundary between any state and territory, the said occupants shall be permitted to enter the said lands on the same conditions, in every respect, as are prescribed in said act, within one year after the surveys are made, or the land attached to a land district, or the boundary line established; and, if the said lands shall be proclaimed for sale before the expiration of one year as aforesaid, then they shall be entered before the sale thereof.

Act of May 29; 1830, ch. 208.

Act of Jan. 23, 1832, ch. 9.

Occupants and settlers on public lands, entitled to pre-emption, &c.

SEC. 2. *And be it further enacted,* That the occupants upon fractions shall be permitted, in like manner, to enter the same, so as not to exceed in quantity one quarter section; and, if the fractions exceed a quarter section, the occupant shall be permitted to enter one hundred and sixty acres, to include his or their improvement, at the price aforesaid.

Occupants upon fractions to be permitted to enter in like manner, &c.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXLVII.—*An Act to authorize the sale of lands reserved from sale at fort Jackson, in the state of Alabama.*

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 offer for sale, the lands heretofore reserved from sale at fort Jackson, in the state of Alabama.

Sale of land authorized.

SEC. 2. *And be it further enacted,* That every settler on said lands, who, prior to the year one thousand eight hundred and thirty, cultivated any part thereof, and is now in possession of the same, shall be allowed to enter at the proper land office, one quarter section, according to the provisions of the first section of an act to grant pre-emption rights to settlers on public lands, approved May twenty-ninth, one thousand eight hundred and thirty.

Settlers on said lands, who, prior to 1830, cultivated, &c. allowed to enter, &c.

Act of May 29, 1830, ch. 208.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCXLVIII.—*An Act granting certain city lots to the corporation of the Columbian College, for the purposes therein mentioned.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall be, and hereby are, granted to the Columbian College, in the District of Columbia, lots in the city of Washington, to the amount, in value, of twenty-five thousand dollars; which said lots shall be selected and valued by the commissioner of the public buildings, when requested by the trustees of the said college; and when the said lots shall be so selected and valued, the same shall be vested in the said corporation, in fee simple; to be by them held and disposed of in the manner following, that is to say: the said corporation, by proper and lawful act or acts, under their corporate seal,

Grant of city lots to the value of \$25,000.

Sale authorized, &c.

(a) Pre-emption of public lands. See notes to the act of May 29, 1830, ch. 208.

shall sell and dispose of the said lots, as soon as reasonably practicable, for the best price or prices they can obtain; and shall vest the proceeds of the same in some public stock, or in stock of some incorporated bank.

Commissioner of public buildings to make return of the numbers, &c.

SEC. 2. *And be it further enacted*, That, when the lots aforesaid shall be selected and valued as aforesaid, the said commissioner shall make return of the numbers and description thereof to the clerk of the circuit court of the county of Washington; to be by him recorded among the records of land titles in the said county.

Proceeds of sales to be used by trustees only as capital, to be vested, &c.

SEC. 3. *And be it further enacted*, That the proceeds of the sales aforesaid, so to be vested, shall not be otherwise used by the said trustees than as a capital, to be by them for ever hereafter kept vested as aforesaid; and the dividends or interest therefrom accruing, shall, by them, be used and applied in aid of the other revenues of the said college, to the establishment and endowment of such professorships therein as now are, or hereafter shall be, established by the said trustees; and to and for no other purpose whatever.

APPROVED, July 14, 1832.

STATUTE I.

July 14, 1832.

CHAP. CCL.—*An Act to release from duty iron prepared for, and actually laid on, railways or inclined planes.*

Secretary of the Treasury to allow drawback on rail iron, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when it shall be satisfactorily proved to the Secretary of the Treasury, that any rail iron imported for the purpose of being applied in the construction of any railroad or inclined plane by any state or incorporated company has been actually and permanently laid on any such railroad or inclined plane, that then, and in that case, he may allow a drawback of the duty on such rail iron so laid, or if the duty shall have been actually paid, he may refund the same; any thing in any act to the contrary notwithstanding: *Provided*, That no iron shall be considered as railroad iron but such as is prepared to be laid upon railroads, or inclined planes, without further manufacture.

Proviso.

Time for payment of bonds extended in certain cases.

SEC. 2. *And be it further enacted*, That whenever any railroad iron may have been, or shall hereafter be imported by any state or incorporated company for the purpose of being laid down on any railroad, and the bonds given for the duties on the same, shall become due before the said iron can be so laid down, the Secretary of the Treasury be, and he is hereby authorized to extend the time for the payment of so much of said bonds as shall be equal to the amount of the drawback to which said state or company may be entitled: *Provided*, The time shall not be extended beyond three years from the date of the importation: and where any such state or company may have already paid the whole amount of any such bond, the Secretary of the Treasury be authorized to cause the amount of the drawback on the same to be refunded, on taking bond with sufficient sureties that the same shall be repaid, should the iron for which said bond may be given, not be actually laid down within three years from the time of importation.

Proviso.

APPROVED, July 14, 1832.

STATUTE I.

July 16, 1832.

CHAP. CCCI.—*An Act supplemental to the act "granting 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 rivers," approved the twenty-third day of May, one thousand eight hundred and twenty-eight.*

Act of May 23, 1828, ch. 75.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall and may be lawful

for the state of Alabama to alter the plan for the improvement on the Tennessee river below Florence, by canalling instead of sluicing, so as to accomplish the object which Congress had in view in making the appropriation: *Provided*, That not more than one hundred and fifty thousand dollars, including the sum already expended on that part of the river, shall be expended below the said town of Florence.

Plan for improvement of Tennessee river authorized to be altered.
 Proviso.

APPROVED, July 16, 1832.

RESOLUTIONS.

I. RESOLUTION *empowering the Secretary of the Navy to settle certain contracts, and to relinquish certain forfeitures.*

Feb. 10, 1832.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Navy be empowered to relinquish and pay all forfeitures on contracts made by the board of navy commissioners, when said forfeitures have arisen by the extension of the contracts, or where the contracts have been completed by the approbation of the board of navy commissioners, without any injury to the public service; and the Secretary of the Navy is empowered to fulfil all outstanding contracts where the time for their performance has been extended, or where the completion of said contracts has been prevented by unavoidable accident, and the public service has sustained no injury.

Contracts to be settled.

Outstanding contracts to be fulfilled.

APPROVED, February 10, 1832.

II. RESOLUTION *concerning the recording of patents for useful inventions.*

March 7, 1832.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State, out of the proceeds arising from the fees on patents for useful inventions, discoveries, and improvements, procure the necessary books, stationery, and other accommodations for recording the patents issued and unrecorded, as well as those hereafter to be issued, and that he employ, and pay at a rate not exceeding twelve and a half cents for every hundred words, so many clerks as may be requisite, with convenient despatch, to record the same.

Patents to be recorded.

APPROVED, March 7, 1832.

III. RESOLUTION *respecting the pay of the marine corps.*

May 25, 1832.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the pay, subsistence, emoluments, and allowances of officers, non-commissioned officers, musicians and privates of the United States marine corps, shall be the same as they were previously to the first of April, one thousand eight hundred and twenty-nine, and shall so continue until they shall be altered by law.

The pay of the marines to continue as previous to April 1, 1829.

APPROVED, May 25, 1832.

IV. RESOLUTION *transferring certain duties, relating to pensions, from the Treasury to the War Department.*

June 28, 1832.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That all the duties which devolve upon the Secretary of the Treasury by virtue of an act, approved the seventh of June, one thousand eight hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the army of the revolution," be, and the same are hereby, transferred to the Secretary of War.

Duties transferred from the Secretary of the Treasury to the Secretary of War.
 Act of June 7, 1832, ch. 126.

APPROVED, June 28, 1832.

July 3, 1832.

Distribution of the returns of the fifth census.

V. RESOLUTION for the distribution of the returns of the fifth census.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be instructed to furnish to each member of the present Congress, and the delegates from the territories, the President and Vice President of the United States, to each five copies: and to the executive of each state and territory, and the presiding officer of each branch of every state or territorial legislature, for the use of the body over which he presides; to the several colleges and incorporated historical societies and athenæums, in the United States, and the academy at West Point, each one copy; for the use of the Departments, State, Treasury, War, and Navy, five copies each; for the use of the Senate, ten copies, and for the use of the House of Representatives, twenty copies of the marshals' returns of the fifth census, and of the revision of the former returns of the population of the United States; and that the residue of the copies thereof be deposited in the library of Congress.

APPROVED, July 3, 1832.

July 10, 1832.

Distribution of the compilation of congressional documents.

Act of March 2, 1831, ch. 65.

VI. RESOLUTION directing the distribution of a compilation of congressional documents, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the Senate and clerk of the House of Representatives be, and they are hereby, directed to distribute, by mail or otherwise, the compilation of documents directed to be published by the act entitled "An act making provision for a subscription to a compilation of congressional documents," approved March second, eighteen hundred and thirty-one, in the following manner, to wit:

To the President of the United States, and to each person who has been President, one copy.

To the Vice President of the United States, one copy.

To the Department of State, four copies, viz: one for the use of the secretary, one to be deposited in the patent office, and the two other to remain in the library of that department.

For the ministers of the United States, in foreign countries, fifty copies, to be deposited in and distributed under such regulations as may be made by the Department of State.

To the Treasury Department, twelve copies, namely: for the use of the secretary, one copy; and for the use of the first and second comptrollers, the first, second, third, fourth, and fifth auditors; the treasurer, register, solicitor, and commissioner of the general land office; one copy each.

To the War Department, thirteen copies, namely: for the use of the Secretary, one copy; for the use of the commanding general of the army of the United States, the paymaster general, the adjutant general, the commissary general of purchases, the ordnance department, commissary general of subsistence, quartermaster general, engineer department, topographical bureau, one copy each; and for the use of the military academy, three copies.

To the Navy Department, fifty-four copies; namely: for the use of the Secretary, one copy; for the use of the commissioners of the navy board, one copy; and to enable the Secretary of the Navy to place one copy in every public armed vessel of the United States, when in commission, under such regulations as the said secretary shall prescribe, fifty-two copies.

To the general post-office, three copies; namely: for the use of the Postmaster General, one copy, and for the use of each of the assistants postmaster general, one copy.

To the library of Congress, five copies.

To the library of the Senate, ten copies.

To the library of the House of Representatives, twenty copies.

To each member of the Senate and House of Representatives, and delegates of the twenty-first and twenty-second Congress, one copy.

To the justices of the Supreme Court of the United States, each, one copy.

To Mr. O. Rich, agent for the Congress Library, in London, one copy, to be disposed of by him in some suitable manner, in return for a donation made by authority of the British government, to the library of Congress, of the volumes of the record commission publications.

To supply the several states and territories of the United States, eighty-one copies, viz: for the use of the governor and each branch of the legislature of every state, one copy; for the use of the governor of each of the territories, one copy; and two copies to be deposited in the archives of each of said territories, for the use of the legislature thereof.

To each incorporated college and athenæum in the United States, not exceeding sixty-nine, one copy.

SEC. 2. *And be it further resolved*, That, of the copies of the Secret Journals of the old Congress, remaining for distribution, there be a further distribution as follows, namely: that one copy of each volume be delivered to each member of both houses of Congress, and that the residue remain for a future order of distribution.

Further distribution of Secret Journals of old Congress.

SEC. 3. *And be it further resolved*, That the secretary of the Senate and the clerk of the House be, and hereby are, directed to divide the remaining documents of the two houses from the fourteenth to the eighteenth Congress inclusive, and to keep them for the use of each house in their respective libraries.

Documents of the two houses.

SEC. 4. *And be it further resolved*, That the copies of the Journal of the Convention for forming the present Constitution, remaining for distribution, be equally divided between the two houses of Congress, to be kept in their respective libraries.

Distribution of Journal of the Convention for forming the Constitution.

APPROVED, July 10, 1832.

VII. RESOLUTION for binding the several copies of the returns of the fifth census, printed by authority of the act of the twenty-third of May, one thousand eight hundred and thirty.

July 13, 1832.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the Senate, and clerk of the House of Representatives cause the returns of the marshals of the states and territories of the enumeration of the inhabitants of the United States and the schedule of the whole number of persons within the United States, taken according to the different acts providing for the enumeration of the inhabitants of the United States, printed by authority of the act of Congress of the twenty-third of May, [March,] eighteen hundred and thirty, to be bound in suitable binding, and that the same be paid for, out of the contingent fund of the two houses of Congress.

Binding printed returns of fifth census.

Act of March 23, 1830, ch. 40.

APPROVED, July 13, 1832.

VIII. RESOLUTION to repeal a resolution, approved the twenty-ninth day of April, one thousand eight hundred and sixteen, authorizing the President of the United States to employ a skilful assistant in the corps of engineers.

July 14, 1832.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That, from and after the first day of October next, the joint resolution, approved the twenty-ninth day

Joint resolution of April 29, 1816, repealed.

of April, one thousand eight hundred and sixteen, authorizing the President of the United States to employ a skilful assistant in the corps of engineers, be, and the same is hereby, repealed.

APPROVED, July 14, 1832.

July 14, 1832.

IX. RESOLUTION *in relation to the execution of an act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution.*

Act of June 7,
1832, ch. 126.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in the execution of the act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution, approved June seventh, one thousand eight hundred and thirty-two, the time of imprisonment as a prisoner of war, shall be taken and computed as a part of the period of service.

APPROVED, July 14, 1832.

July 14, 1832.

Documents of
fifth census free
of postage.

X. RESOLUTION *directing the transmission of the fifth census by mail.*

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the document containing the fifth census be transmitted free of postage, by mail, to members of Congress and other persons entitled to receive the same.

APPROVED, July 14, 1832.

July 14, 1832.

List of printers
of laws of the
United States,
&c., with the
compensation
allowed, to be
published in the
Biennial Re-
gister.

XI. RESOLUTION *respecting the Biennial Register.*

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in addition to the matter heretofore contained in the Biennial Register, published by direction of a joint resolution passed on the twenty-seventh of April, one thousand eight hundred and sixteen, there shall be included a correct list in the next Register, of all printers of the laws of the United States subsequent to the thirtieth of September, one thousand eight hundred and thirty-one, to the thirtieth September, one thousand eight hundred and thirty-three, with the compensation allowed to each; and of all printers within the period aforesaid, in any way employed by Congress, or by any department or officer of the government, with the compensation allowed to each, designating the department or officer causing the printing to be executed; and that said Register shall contain a correct statement of all allowances made by the Postmaster General within the period last aforesaid, to each contractor on contracts for carrying the mail, discriminating the sum paid as stipulated by the original contract, and the sum as additional allowance. And to enable the Secretary of State to comply with this resolution, the several heads of departments, and officers directing or incurring the expense, or making the allowances mentioned, shall cause the lists, and the matter hereby required to be added, to be lodged in the office of the Department of State, as is directed in other cases by the resolution of April twenty-seventh, one thousand eight hundred and sixteen.

Resolved, That said Register shall contain a correct list of the presidents, cashiers, and directors of the bank of the United States and its branches, in office on the thirtieth of September, eighteen hundred and thirty-three: which list shall be transmitted by the president of said bank to the Secretary of State by the first Monday of October, one thousand eight hundred and thirty-three.

Resolved, That all Biennial Registers, under the said resolution of April twenty-seventh, one thousand eight hundred and sixteen, shall hereafter be compiled and published conformably to the principles therein and hereby established.

APPROVED, July 14, 1832.

Statement of al-
lowances made
to mail contrac-
tors.

Lists to be
sent to the State
Department.

List of officers
of United States
Bank and its
branches.

ACTS OF THE TWENTY-SECOND 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 third day of December, 1832, and ended on the second of March, 1833.

ANDREW JACKSON, President; J. C. CALHOUN, Vice President of the United States and President of the Senate; ANDREW STEVENSON, Speaker of the House of Representatives.

STATUTE II.

CHAP. I.—*An Act making appropriations, in part, for the support of government for the year one thousand eight hundred and thirty-three, and for certain expenditures of the year one thousand eight hundred and thirty-two.*

Jan. 14, 1833.

[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 :

Appropriations for government.

For pay and mileage of the members of Congress and delegates, three hundred and seven thousand nine hundred and sixty-eight dollars.

For pay of the officers and clerks of both houses, thirty-four thousand three hundred dollars.

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

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

The said two sums last named to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose. And no part of this appropriation shall be applied to any printing other than of such documents or papers as are connected with the ordinary proceedings of either of the said Houses, ordered during its session, and executed by the public printer, agreeably to his contracts, excepting such as may have been ordered by the joint committee for preparing a digest of laws for the District of Columbia, or such printing and books as have heretofore been ordered by the House.

Application of last two sums.

For defraying the expenses of the several courts of the United States; also, for jurors and witnesses, and for defraying the expenses of suits in which the United States are concerned, and of prosecution for offences committed against the United States, and for the safe keeping of prisoners during the year one thousand eight hundred and thirty-two, in addition to the sum heretofore appropriated for those purposes, the further sum of fifty-one thousand six hundred and fifty-five dollars.

Expenses of courts, &c.

APPROVED, January 14, 1833.

VOL. IV.—77

STATUTE II.

Jan. 14, 1833.

[Obsolete.]

Appropriations
for pensioners.Revolutionary
pensioners.
1832, ch. 126.Invalid pen-
sions.Pensions to
widows and or-
phans.

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

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, 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-three.

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

For the invalid pensions, in addition to the sum of two hundred and one thousand nine hundred and forty-two dollars in the treasury, ninety-eight thousand seven hundred and thirty-two dollars.

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

APPROVED, January 14, 1833.

STATUTE II.

Jan. 14, 1833.

[Obsolete.]

Appropriations
for fortifica-
tions.

CHAP. III.—*An Act making appropriations for carrying on the fortifications of the United States, during the year one thousand eight hundred and thirty-three.*

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 to the several objects hereinafter named specifically, to be paid out of any money in the treasury not otherwise appropriated.

For the preservation of Castle Island, and repair of fort Independence, Massachusetts, in addition to the sum heretofore appropriated, seventeen thousand dollars.

For fort Adams, Newport harbour, one hundred thousand dollars.

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

For fort Monroe, Virginia, forty-six thousand dollars.

For fort Calhoun, Virginia, seventy-five thousand dollars.

For completing the works at Oak Island, North Carolina, twenty-two thousand nine hundred dollars.

For the fortifications in the harbour of Charleston, South Carolina, seventy-five thousand dollars.

For the fort at Cockspur Island, Georgia, seventy-five thousand dollars.

For the completion of the fortifications at Pensacola, Florida, one hundred and thirty-two thousand dollars.

For completing the fort at Mobile Point, Alabama, fifty thousand dollars.

For contingencies of fortifications, ten thousand dollars.

APPROVED, January 14, 1833.

STATUTE II.

Jan. 30, 1833.

Land district
established.

Boundaries.

CHAP. XII.—*An Act to establish a land office in the territory of Michigan.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that part of the territory of Michigan, which is comprehended within the following boundaries, shall, from and after the passage of this act, constitute one land district for the sale and entry of the public lands, viz: lying between the third and fourth ranges of townships south of the base line and east of the principal meridian, except so much thereof as lies north of the river Huron, of Lake Erie; and also, the first, second, third, fourth, fifth, and

sixth ranges of townships south of said base line, and west of said principal meridian. And there is hereby established a land office within the same, to be located at such place as the President, in his discretion, shall think proper to designate.

Land-office.

SEC. 2. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, under the existing laws, a register and receiver in and for said district, whose compensation shall be the same as provided for other registers and receivers.

Register and receiver.

APPROVED, January 30, 1833.

STATUTE II.

CHAP. XVI.—*An Act for making Calais and Pembroke, in the state of Maine, ports of delivery.*

Feb. 5, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the towns of Calais and Pembroke, in the state of Maine, shall be ports of delivery, to be annexed to the district of Passamaquoddy.

APPROVED, February 5, 1833.

STATUTE II.

CHAP. XXIII.—*An Act to explain an act, entitled "An act to reduce the duties on coffee, tea, and cocoa," passed the twentieth of May, one thousand eight hundred and thirty.*

Feb. 9, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases in which the importers of coffee or cocoa, which remained in the custom-house stores under the bond of the importer on the thirty-first day of December, one thousand eight hundred and thirty, shall have paid on the same a greater amount of duty than is imposed by the act passed on the twentieth day of May, one thousand eight hundred and thirty, on coffee or cocoa, imported after the thirty-first day of December, one thousand eight hundred and thirty, the Secretary of the Treasury is directed to refund, out of any money in the treasury not otherwise appropriated, to such importer, the amount of such excess so collected.

Act of May 20, 1830, ch. 101.
Coffee and cocoa in store Dec. 31, 1830, put on same footing as coffee and cocoa imported after same date.

SEC. 2. *And be it further enacted*, That, in all cases in which the importers of coffee, tea, or cocoa, which remained in the custom-house stores, on the thirty-first day of December, one thousand eight hundred and thirty-one, under the control of the proper officer of the customs, shall have been compelled to pay on the same a greater amount of duty than is imposed by said act, on coffee, tea, or cocoa, imported after the thirty-first day of December, one thousand eight hundred and thirty-one, the Secretary of the Treasury is directed to refund, out of any money in the treasury not otherwise appropriated, to such importers, the amount of such excess so collected.

Coffee, tea, and cocoa, in store Dec. 31, 1831, put on same footing as coffee, tea, and cocoa imported after same date.

APPROVED, February 9, 1833.

STATUTE II.

CHAP. XXX.—*An Act to amend an act, entitled "An act to alter and amend an act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive;" approved nineteenth February, one thousand eight hundred and thirty-one.*

Feb. 19, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all persons who became entitled to an allotment of land under the contract recited in the first section of the act to which this is an amendment, their heirs, devisees, or assigns,

Act of Feb. 19, 1831, ch. 30, expired.
Occupants prior to October 31,

1832, authorized to purchase.

who, on or before the thirty-first day of October, in the year eighteen hundred and thirty-two, were in the actual occupancy and cultivation of the same, or any part thereof, shall, on paying into the treasury one dollar and twenty-five cents the acre previous to the fifteenth of May, one thousand eight hundred and thirty-four, receive a patent for his or her allotment or purchase: *Provided*, The register of the land office for the district in which the lands lie, shall be satisfied of the validity of the purchase.

Occupants prior to October 31, 1831, authorized to purchase.

SEC. 2. *And be it further enacted*, That all persons in actual settlement and cultivation, before or on the thirty-first day of October, one thousand eight hundred and thirty-one, upon any of the lands referred to by the act to which this is an amendment, and not disposed of by the first section of this act, or any former act of Congress, shall, on proof of such settlement and cultivation, and on paying into the treasury of the United States, within six months after the passage of this act, one dollar and twenty-five cents per acre, receive a patent for one hundred and sixty acres: *Provided*, That nothing in this act shall be so construed as to alter or repeal the third section of the above-recited act.

Proviso.

Term of payment extended.

SEC. 3. *And be it further enacted*, That so much of the act of which this is an amendment as requires that payment shall be made previous to the third of March, eighteen hundred and thirty-three, be, and the same is hereby, extended to the fifteenth of May, one thousand eight hundred and thirty-four.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 19, 1833.

CHAP. XXXI.—*An Act to amend an act, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution."*

Act of June 7, 1832, ch. 126.

Invalid pensioners not embraced in 2d section of the former act.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the second section of the act, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," approved the seventh day of June, one thousand eight hundred and thirty-two, shall not be construed to embrace invalid pensioners; and that the pensions of invalid soldiers shall not be deducted from the amount receivable by them under the said act.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 19, 1833.

CHAP. XXXII.—*An Act for the further improvement of Pennsylvania Avenue.*

Commissioner authorized to alter plan.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioner of the public buildings be, and he is hereby, authorized and directed to alter the plan for the improvement of Pennsylvania Avenue, as provided for by an act passed the twenty-fifth day of May, one thousand eight hundred and thirty-two, by causing that portion of the avenue lying between the road directed to be Macadamized and the side pavements, to be graduated and covered with stone, on the Macadam's plan, in place of gravel, provided for by said act; also by extending the foot pavements not less than five and a half feet on each side, and forming side drains, not less than four and a half feet wide; and further, by setting a line of curbs of granite, eight inches thick, on each side of that part of the avenue between the Capitol square and the President's square, with suitable returns at the cross streets, and Macadamizing the cross streets fifty feet on each side of the Macadamized cover of the avenue.

Appropriation.

SEC. 2. *And be it further enacted*, That, to carry into effect the pro-

visions of this act, the sum of sixty-nine thousand six hundred and thirty dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 19, 1833.

CHAP. XXXIII.—*An Act for the payment of horses and arms lost in the military service of the United States against the Indians on the frontiers of Illinois and the Michigan territory.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any mounted militiaman or volunteer whilst in the service of the United States, in the late expeditions against the Indians, on the frontiers of Illinois and the territory of Michigan, who sustained damage by the loss of any horse which was killed in battle, or died in consequence of a wound received therein, or in consequence of a failure, on the part of the United States, to furnish such horse with sufficient forage whilst in the service, or in consequence of the owner being dismounted, or separated and detached from the same, by order of the commanding officer, or in consequence of the rider being killed or wounded in battle, shall be allowed and paid the value of such horse at the time of going into service: *Provided,* Such loss was not the result of negligence on the part of the owner; the time employed in going to the place of rendezvous, and returning home after being discharged, to be taken and considered as actual service.

Horses owned by militiamen or volunteers, and lost whilst in the service of the United States, to be paid for.

Value of arms and military accoutrements to be paid.

Sec. 2. *And be it further enacted,* That any person in the aforesaid service of the United States, as a volunteer or drafted militiaman, who furnishes [?] himself with arms and military accoutrements, and has sustained loss by the capture or destruction of the same, without fault or negligence on his part, shall be allowed and paid the value thereof.

How claims shall be examined.

Act of April 9, 1816, ch. 40.

Sec. 3. *And be it further enacted,* That all claims arising under this act shall be examined, allowed, and paid in the same manner by the third auditor that similar claims were under "An act to authorize the payment of property lost, captured or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed the ninth of April, one thousand eight hundred and sixteen, and the act in amendment thereof, passed the third of March, one thousand eight hundred and seventeen; this act to be and remain in force three years from and after its passage.

Act of March 3, 1817, ch. 110.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 19, 1833.

CHAP. XXXIV.—*An Act for the purchase of certain copies of Watterston and Vanzandt's Statistical Tables, and to authorize a subscription for a continuation of the same.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the librarian of Congress be, and he hereby is, authorized to purchase, for the library of Congress, the remaining copies, not exceeding two hundred in number, of Watterston and Vanzandt's Statistical Tables, at the subscription price of two dollars and fifty cents per copy: *Provided,* The supplementary tables marked page ninety-four, be furnished for the said copies and for the copies now on hand in the library; and that the librarian be further authorized to subscribe for seven hundred and fifty copies of the continuation of the said tables, proposed to be published by Watterston and Vanzandt, at three dollars per copy; the said copies to be distributed as provided for by the first section of a joint resolution, approved twenty-

Purchase of two hundred copies authorized.

Proviso.

Subscription for the proposed continuation.

Resolution of May 24, 1828.

fourth of May, one thousand eight hundred and twenty-eight, for the distribution of certain public documents; the same to be paid for out of any money in the treasury not otherwise appropriated.

APPROVED, February 19, 1833.

STATUTE II.

Feb. 20, 1833.

[Obsolete.]

Appropriations
for naval ser-
vice.

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

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-three, in addition to the unexpended balances of former appropriations for similar objects, viz :

Officers, &c.	For pay and subsistence of the officers of the navy, and the pay of seamen, one million four hundred and forty-five thousand dollars.
Superintendents, &c.	For pay of superintendents, naval constructors, and all the civil establishments at the several yards, fifty-seven thousand three hundred and thirty dollars.
Provisions.	For provisions, four hundred and sixty thousand dollars.
Repairs, &c.	For repairs of vessels in ordinary, and the repairs, and wear and tear, of vessels in commission, five hundred and six thousand seven hundred and fifty dollars.
Medicines, &c.	For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, thirty-five thousand dollars.
Navy yards at Portsmouth ;	For improvements and necessary repairs of navy yards, viz : For the navy yard at Portsmouth, twenty-one thousand five hundred and twenty-four dollars.
Boston ;	For the navy yard at Boston, seventy-three thousand five hundred and thirty-five dollars.
New York ;	For the navy yard at New York, thirty-four thousand eight hundred and fifty dollars.
Philadelphia ;	For the navy yard at Philadelphia, three thousand two hundred and seventy-five dollars.
Washington ;	For the navy yard at Washington, sixteen thousand dollars.
Norfolk ;	For the navy yard at Norfolk, one hundred and twenty-six thousand five hundred and twenty-nine dollars.
Pensacola.	For the navy yard at Pensacola, fifty-three thousand one hundred and fifty dollars.
Ordnance, &c.	For ordnance, and ordnance stores, ten thousand dollars.
Miscellaneous.	For defraying expenses; for freight and transportation of materials and stores of every description; for wharfage and dockage, storage and rent, travelling expenses of officers, and transportation of seamen, house rent, chamber money, and fuel and candles to officers, other than those attached to navy yards and stations, and for officers in sick quarters, where there is no hospital, and for funeral expenses; for commissions, clerk hire, and office rent, stationery, and fuel to navy agents; for premiums, and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowances for persons attending courts martial, and courts of inquiry, and for officers engaged in extra service beyond the limits of their stations; for printing and stationery of every description, and for books, maps, charts, and mathematical and nautical instruments, chronometers, models and drawings; for purchase and repair of steam and fire engines, and for machinery; for purchase and maintenance of oxen and horses, and for carts, timber wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage; for cabin furniture of vessels in commission, and for furniture of officers' houses at navy yards, for taxes on navy yards and public property; for assistance rendered to vessels in distress; for

incidental labour at navy yards, not applicable to any other appropriation; for coal and other fuel for forges, founderies, and steam engines; for candles, oil, and fuel, for vessels in commission and in ordinary; for repairs and building of magazines and powder houses; for preparing moulds for ships to be built; and for no other object or purpose whatsoever, two hundred and ninety-five thousand dollars.

For contingent expenses for objects not hereinbefore enumerated, five thousand dollars. Contingencies.

For pay of the officers and non-commissioned officers, musicians, and privates, and for subsistence of the officers of the marine corps, one hundred and twelve thousand nine hundred and ninety dollars. Marine corps.

For subsistence of non-commissioned officers, musicians, and privates, and washerwomen, serving on shore, eighteen thousand four hundred and thirty-nine dollars. Subsistence.

For clothing, twenty-eight thousand seven hundred and sixty-five dollars. Clothing.

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

For contingent expenses, fourteen thousand dollars. Contingencies.

For military stores, two thousand dollars. Stores.

For medicines, hospital stores, and surgical instruments, two thousand three hundred and seventy dollars. Medicines, &c.

To enable the Secretary of the Treasury to discharge an outstanding claim for prize money for the capture of the Algerine vessels in one thousand eight hundred and fifteen, twenty-one dollars, being part of an unexpended balance carried to the surplus fund. Claim for prize money.

For the payment of claims arising under the act of eleventh of July, one thousand eight hundred and thirty-two, entitled "An act concerning certain marine officers," eighteen thousand three hundred and thirty-seven dollars and twenty-eight cents. Claims under act of July 11, [14,] 1832, ch. 223.

SEC. 2. *And be it further enacted*, That, for the purpose of compensating the board authorized by the act of the nineteenth of May, one thousand eight hundred and thirty-two, for their services in revising and enlarging "the rules and regulations governing the naval service, with the view to adapt them to the present and future exigencies of this important arm of national defence," the sum of seven thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be paid by the Navy Department, according to the rates of allowances for detention on special service now prescribed by the rules and regulations of the Navy Department. Compensation to Board authorized by act of May 19, 1832, ch. 80.

SEC. 3. *And be it further enacted*, That the salary directed by "An act for the regulation of the navy, and privateer pension, and navy hospital funds," passed July tenth, one thousand eight hundred and thirty-two, to be paid to the clerk of said funds out of the treasury of the United States, shall be paid from any money in said treasury not otherwise appropriated. Salary of clerk. 1832, ch. 194.

SEC. 4. *And be it further enacted*, That for carrying into effect the acts for the suppression of the slave trade, including the support in the United States, and for a term not exceeding six months after their arrival in Africa, of all persons removed from the United States under the said acts, the sum of five thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated. Suppression of slave trade.

SEC. 5. *And be it further enacted*, That there be paid to Master Commandant John D. Sloat, of the United States' navy, out of any money in the treasury not otherwise appropriated, the sum of one thousand three hundred and sixty dollars, being the amount of his account exhibited to the Navy Department for expenses incurred in entertaining, on board the St. Louis, under his command, General Bolivar and several of his officers, at Guayaquil, in the year one thousand eight hundred and John D. Sloat.

John D. Sloat.

twenty-nine; and General La Fuente, President of Peru, and Major-general Miller, of the Peruvian army, in the year one thousand eight hundred and thirty-one.

APPROVED, February 20, 1833.

STATUTE II.

Feb. 20, 1833.

[Obsolete.]

Appropriations
for the payment
of Indian annu-
ties, &c.

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

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, severally, appropriated, for the payment of annuities due to various Indians, and Indian tribes, and other objects hereinafter enumerated, according to the stipulations of certain Indian treaties; to be paid out of any money in the treasury not otherwise appropriated, namely:

To the Wyandot tribe, five thousand nine hundred dollars.

To the Wyandot, Munsee, and Delaware tribes, one thousand dollars.

To the Shawanee tribe, three thousand dollars, and eight hundred and forty dollars for expenses of a blacksmith, and furnishing salt.

To the Shawanee and Seneca tribes of Lewistown, one thousand dollars, and seven hundred and eighty dollars for expenses of a blacksmith.

To the Delaware tribe, six thousand five hundred dollars, and one hundred dollars for furnishing salt.

To the Wea tribe, three thousand dollars.

To the Piankeshaw tribe, eight hundred dollars.

To the Kaskaskias tribe, one thousand dollars.

To the Ottaway tribe, five thousand three hundred dollars.

To the Ottaway and Missouri tribes, two thousand five hundred dollars, and fifteen hundred dollars for the expenses of blacksmiths and tools, and agricultural implements.

To the Chippeway tribe, three thousand eight hundred dollars; also, one thousand dollars for purposes of education, and two thousand dollars for the purchase of farming utensils and cattle, and the employment of persons to aid them in their agriculture.

To the Chippeways, Ottaways, and Pattawatamie tribes, sixteen thousand dollars, and one hundred and twenty-five dollars for furnishing salt.

To the Pattawatamie tribe, sixteen thousand three hundred dollars, and one hundred dollars to To-pe-ni-be, principal chief; also, three thousand dollars for purposes of education, and two thousand five hundred and twenty dollars for expenses of blacksmiths, millers, and agriculturists, and for furnishing salt, tobacco, iron, and steel.

To the Pattawatamie tribe of Huron, four hundred dollars.

To the Choctaw tribe, fifty thousand nine hundred and twenty-five dollars; to Mushulatubbe, a chief, one hundred and fifty dollars, and to Robert Cole, a chief, one hundred and fifty dollars; also, twelve thousand five hundred dollars for purposes of education, and two thousand nine hundred and fifty-five dollars for expenses of blacksmiths and millwrights, and for furnishing iron and steel.

To the Eel river tribe, one thousand one hundred dollars.

To the Six Nations, New York, four thousand five hundred dollars; also, two hundred dollars to the Young King, a chief, and fifty dollars to Little Billey, of the Seneca tribe.

To the Seneca tribe, New York, six thousand dollars.

To the Creek tribe, forty-six thousand five hundred dollars; also, three thousand dollars for purposes of education, and nine hundred and fifty-five dollars for expenses of a blacksmith, and for furnishing iron and steel.

To the Cherokee tribe, ten thousand dollars; also, two thousand dollars for purposes of education.

To the Chickasaw tribe, twenty-three thousand dollars.

To the Sac tribe, three thousand dollars.

To the Sac and Fox tribes, two thousand dollars.

To the Sac, Fox, and Ioway tribes, three thousand dollars for the expenses of blacksmiths and agriculturists, and for furnishing farming utensils and cattle.

To the Fox tribe, three thousand dollars.

To the Ioway tribe, three thousand dollars; also, nine hundred dollars for expenses of a blacksmith and furnishing agricultural tools.

To the Osage tribe, eight thousand five hundred dollars.

To the Seneca tribe of Lewistown, one thousand dollars, and thirteen hundred and fifty dollars for expenses of a blacksmith and miller, and for furnishing iron and steel.

To the Quapaw tribe, two thousand dollars.

To the Kickapoo tribe of Illinois, two thousand dollars.

To the Florida Indians, five thousand dollars; also, one thousand dollars for purposes of education, and one thousand dollars for the expenses of a gun and blacksmith.

To the Miami tribe, twenty-five thousand dollars: also, two thousand dollars for the support of poor and infirm, and education of youth, and two thousand and twenty dollars for expenses of a blacksmith, and for furnishing salt, iron, steel, and tobacco.

To the Winnebago tribe, eighteen thousand dollars; also, three thousand seven hundred and ninety dollars for expenses of blacksmiths and agriculturists, and for furnishing salt and tobacco.

To the Kansa tribe, three thousand five hundred dollars.

To the Christian Indians, four hundred dollars.

To the Sioux tribe of Mississippi, two thousand dollars; also, one thousand seven hundred dollars for expenses of blacksmith, and furnishing agricultural tools.

To the Yancton and Santie bands, three thousand dollars; also, one thousand four hundred dollars for expenses of a blacksmith, and furnishing agricultural tools.

To the Omaha tribe, two thousand five hundred dollars; also, one thousand five hundred dollars for expenses of a blacksmith, and furnishing agricultural tools.

To the Sac tribe, of Missouri river, five hundred dollars; also, nine hundred dollars for expenses of a blacksmith, and furnishing agricultural tools.

For purposes of education of Sacs, Foxes, and others, as stipulated for in the treaty of July fifteenth, one thousand eight hundred and thirty, three thousand dollars.

For purposes of education of Chippeways, Menomonies, and Winnebagoes, as stipulated in fifth article of the treaty of Butte des Mortes, of eleventh August, one thousand eight hundred and twenty-seven; for the years one thousand eight hundred and thirty-two, and one thousand eight hundred and thirty-three, three thousand dollars.

For expenses of transportation and distribution of annuities to the Winnebagoes, Chippeways, Ottaways, Pattawatamies, Sacs, Foxes, and others, and of salt, tobacco, agricultural implements and tools, not otherwise provided for, five thousand one hundred and sixty dollars.

For expense of removing and keeping off intruders from Choctaw lands, by the twelfth article of the treaty of twenty-seventh September, one thousand eight hundred and thirty, five hundred dollars.

For expense of bounding, by sectional lines, the reservation to Choctaw heads of families, by the fourteenth article of said treaty, fifteen hundred dollars.

For an advance to the Ottaways, after their removal, for erecting houses and opening farms, to be reimbursed out of the sales of their

Indian annuities, &c.

lands, by the fifth article of the treaty of thirtieth August, one thousand eight hundred and thirty-one, two thousand dollars.

For the payment of claims of sundry individuals against the Ottaways, guarantied by the seventh article, and enumerated in the sixteenth of the same treaty, also to be reimbursed out of the sales of their lands, twenty-one thousand two hundred and ninety-two dollars and twenty-five cents.

For the services of a person to certify contracts for the sale of Creek lands, by the third article of the treaty of twenty-fourth March, one thousand eight hundred and thirty-two, one thousand dollars.

For expenses of defending suits, and so forth, instituted by intruders against Creek Indians, and keeping off intruders, by the fifth article of the same treaty, three thousand dollars.

For incidental expenses attending the aforesaid treaties, not otherwise enumerated, five thousand dollars.

APPROVED, February 20, 1833.

STATUTE II.

Feb. 20, 1833.

CHAP. XLI.—*An Act to authorize the laying out and constructing a road from Line Creek to the Chatahooche, and for repairing the road on which the mail is now transported.*

Appropriation for post-road.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the sum of twenty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, for the purpose of laying out and making a post-road through the Creek nation of Indians, commencing at Line creek, in the state of Alabama, and terminating at the Chatahooche, opposite Columbus, in the state of Georgia.

Superintendent to be appointed.

SEC. 2. *And be it further enacted,* That, for the early accomplishment of this object, the President shall appoint a superintendent of said road, whose duty it shall be, under the direction of the President, to divide the same into sections of not more than ten miles each, to contract for, and personally superintend the opening and making the said road, as well as to receive, disburse, and faithfully account with the treasury for all sums of moneys by him received by virtue of this act, and the said superintendent shall receive, during the time he is so employed, at the rate of one thousand dollars per annum.

Salary.

Repairs.

SEC. 3. *And be it further enacted,* That, for the repairs of the road through said Creek nation, on which the mail is now transported, until the road authorized by this act is completed, the further sum of two thousand dollars, to be expended under the direction of the Postmaster General, be, and the same is hereby, appropriated.

APPROVED, February 20, 1833.

STATUTE II.

Feb. 20, 1833.

[Obsolete.]

CHAP. XLII.—*An Act to authorize the legislature of the state of Ohio to sell the land reserved for the support of religion in the Ohio Company's, and John Cleeves Symmes' purchases.*

Sale of reserved land.
Vol. i. 251.
Act of April 21, 1792, ch. 25.
[Private act.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the legislature of the state of Ohio shall be, and is hereby, authorized to sell and convey, in fee simple, all or any part of the lands heretofore reserved and appropriated by Congress for the support of religion within the Ohio Company's, and John Cleeves Symmes' purchases, in the state of Ohio, and to invest the money arising from the sale thereof, in some productive fund; the proceeds of which shall be for ever annually applied, under the direction of said legislature, for the support of religion within the several town-

Application of proceeds.

ships for which said lands were originally reserved and set apart, and for no other use or purpose whatsoever, according to the terms and stipulations of the contracts of the said Ohio Company's, and John Cleeves Symmes' purchases within the United States: *Provided*, Said land, or any part of it, shall, in no case, be sold without the consent of the person who may be the lessee thereof, nor without the consent of the inhabitants of the township within which any such land may be situated, to be obtained in such manner as the legislature of said state shall, by law, direct: *And provided also*, That in the apportionment of the proceeds of said fund, each township within the districts of country aforesaid, shall be entitled to such portion thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the church land belonging to such township.

APPROVED, February 20, 1833.

Proviso.

Proviso.

STATUTE II.

Feb. 20, 1833.

CHAP. XLIII.—*An Act further to extend the time for entering certain donation claims to land in the territory of Arkansas.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the provisions of the eighth and ninth sections of the act of Congress, approved the twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act to aid the state of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said state to aid in the construction of canals authorized by law, and for making donations of land to certain persons in Arkansas territory," and the provisions of the act, entitled "An act restricting the location of certain land claims in the territory of Arkansas, and for other purposes," approved the sixth of January, one thousand eight hundred and twenty-nine; and, also, the provisions of an act, entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth January, one thousand eight hundred and thirty, be, and the same are hereby, continued in force for the term of five years, from the twenty-fourth day of May, one thousand eight hundred and thirty-three: *Provided*, That nothing in this act, or the foregoing acts, shall be so construed as to prevent the President of the United States from bringing the said lands in Arkansas into market under the existing laws; and all claims to donations under the before-recited act, which shall not have been presented and allowed by the proper authorities on or before the day which shall be fixed on by the President for the sale of said land, are hereby declared forfeited to the United States.

APPROVED, February 20, 1833.

Time for entering donation claims to land extended.
Act of May 24, 1828, ch. 108.

Act of January 6, 1829, ch. 2.

Act of January 13, 1830, ch. 3.

Proviso.

STATUTE II.

March 2, 1833.

[Obsolete.]

Appropriations.

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

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

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

For clerks and messengers in the office of the Secretary of State, nineteen thousand four hundred dollars.

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

President and Vice President, &c.

Office of Secretary of State.

For incidental and contingent expenses of the Department of State, including the expense of publishing and distributing the laws, twenty-five thousand dollars.

For compiling and printing the Biennial Register, eighteen hundred dollars.

To enable the Secretary of State to settle the accounts for preparing and superintending the printing of the revision of the former estimates of the population of the United States, three hundred dollars.

For completing the publication of the diplomatic correspondence of the United States to the fourth of March, one thousand seven hundred and eighty-nine, in addition to the sum heretofore appropriated, two thousand seven hundred and fifty dollars.

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

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

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

Treasury De-
partment.

For compensation to the clerks and messengers in the office of the Secretary of the Treasury, sixteen thousand five hundred and fifty dollars.

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

For compensation to the clerks and messengers in the office of the first comptroller, nineteen thousand one hundred dollars.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

For compensation of 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, 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 several sums, viz :

For the office of the Secretary of the Treasury, including advertising and extra copying, and the sum of one thousand dollars applied from this fund for clerk hire and other expenses incident to the issuing of revolutionary bounty land scrip, six thousand dollars.

For the office of the first comptroller, including expenses for printing, one thousand three hundred and fifty dollars.

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

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

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

For the office of the third auditor, one thousand 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 commissioner of the general land office, ten thousand dollars.

For printing, parchment, and other expenses of the land office during the year one thousand eight hundred and thirty-two, expended above the amount of the appropriation for such expenditures in that year, three thousand one hundred and fifty-eight dollars and forty cents.

For compensation for extra aid, during one thousand eight hundred and thirty-three, in the issuing military land scrip and patents founded on Virginia military surveys and on private claims, examining and adjusting the accounts of surveyors general, and writing and recording patents for lands sold, four thousand dollars.

For compensation to seven clerks employed in writing and recording patents for land sold, by the United States, in continuation of the appropriation made for the same object last year, seven thousand dollars.

For a deficit of last year's appropriation for the same object for the month of December, four hundred and eighty-one dollars and sixty-seven cents: *Provided*, That no part of the appropriations herein made for the general land office, shall be applied or expended, for and on account of a resolution of the Senate passed the twenty-eighth day of February one thousand eight hundred and twenty-three, requiring maps to be prepared designating thereon, by discriminating colours, the lands sold, the lands granted to the states for internal improvements, donations to individuals, military grants, and private claims confirmed by the government.

For the office of the solicitor of the treasury, twelve hundred dollars.

For translations, and transmitting passports and sea letters, three hundred dollars.

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

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

For contingent expenses of said building, three thousand three hundred and fifty dollars.

Department of
War.

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

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

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

For additional or temporary clerk hire during the years eighteen hundred and thirty-two and eighteen hundred and thirty-three, in order to carry into effect the act of seventh of June, eighteen hundred and thirty-two, granting revolutionary pensions, twenty-four thousand and thirty-nine dollars.

1832, ch. 126.

For printing, stationery, rent, and expenses of procuring revolutionary records, arising under the act aforesaid, five thousand dollars.

For additional clerk hire, messengers, stationery, printing, and other contingencies of the pension office for the present year, four thousand dollars. And a commissioner of pensions shall be appointed by the President and Senate, who shall receive a salary of twenty-five hundred dollars, which is hereby appropriated. 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 of the United States; and he shall also have the privilege of franking; but this provision shall only continue until the expiration of the next Congress.

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 contingent expenses of said office, eight hundred dollars.

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

For contingent expenses of said office, one thousand dollars.

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

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

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

For contingent expenses of said office, one thousand dollars.

For the contingent expenses of the topographical bureau, including the purchase of books, repair of instruments, one thousand two hundred and eighty dollars.

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

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

For contingent expenses of said office, eight hundred dollars.

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

For contingent expenses of said office, four hundred dollars.

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

For contingent expenses of said office, six hundred dollars.

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

For contingent expenses of said building, including fuel, labour, oil, furniture, repairs of buildings, and improvement of adjoining ground, three thousand one hundred dollars.

For completing the fence on the Pennsylvania Avenue, one thousand two hundred dollars.

For the fitting up the basement rooms of the executive building occu-

pied by the War Department, for the preservation of papers, and the occupation of clerks, two thousand five hundred dollars.

For compensation to the clerks and messengers in the office of the Secretary of the Navy, thirteen thousand five hundred and eighty-six dollars. Navy Department.

For contingent expenses of said office, 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, eight thousand four hundred and fifty dollars.

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

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

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

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

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

For additional clerk hire in the Post-office Department, during the years one thousand eight hundred and thirty-one and one thousand eight hundred and thirty-two, beyond the annual appropriation, thirty-four thousand four hundred and seventy-eight dollars.

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

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

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

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

For compensation to the surveyor south of Tennessee, two thousand dollars.

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

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

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

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

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

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

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

For compensation to the surveyor in Louisiana, including fifty-four dollars ninety-five cents, from twenty-first June to thirtieth June, one thousand eight hundred and thirty-one, by act of third March, one thousand eight hundred and thirty-one, two thousand fifty-four dollars ninety-five cents. 1831, ch. 116.

For compensation to the clerks in the office of said surveyor, by act of third March, one thousand eight hundred and thirty-one, fifteen hundred dollars.

Miscellaneous.

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

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

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

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

For compensation to assistants in the several departments of the mint, and wages of labourers employed in the various operations of the establishment, fifteen thousand dollars.

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

For completing the building for the mint at Philadelphia, and machinery thereof, eleven thousand dollars.

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

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

For compensation and mileage of the members of the legislative council, pay of the officers of the council, fuel, stationery, and printing, seven thousand three hundred and ninety-two dollars.

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

For pay and mileage of the legislative council of said territory, six thousand nine hundred and ninety dollars.

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

For compensation to the governor, judges, and secretary, of the Florida territory, including additional compensation to two of the judges, under the act of twenty-sixth May, one thousand eight hundred and thirty, at eight hundred dollars each, twelve thousand one hundred dollars.

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

For compensation and mileage of the members of the legislative council of Florida, pay of officers and servants of the council, fuel, stationery, printing, and distribution of the laws, seven thousand five hundred dollars.

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

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

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

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

For a messenger in said office, five hundred dollars.

For contingent expenses of said office, five hundred dollars.

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

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

Judiciary.

For defraying the expenses of the Supreme Court, 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-three, and pre-

ceding 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, two hundred and twenty-five thousand dollars.

For the payment of sundry pensions granted by the late and present governments, one thousand three hundred and fifty dollars.

Pensions.

For the support and maintenance of lighthouses, floating lights, beacons, buoys, and stakeages, including the purchase of oil, keepers' salaries, repairs and improvements, and contingent expenses, two hundred and thirty-one thousand eight hundred and fifty dollars.

Lighthouses.

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

Miscellaneous.

For surveying the public lands, in addition to the unexpended balance of former appropriations, seventy thousand dollars.

For completing the survey of the Choctaw cession in Mississippi and Alabama, sixty-five thousand five hundred dollars.

For surveys of private land claims in Florida, eight thousand dollars.

For the salaries of the district attorney, agent, and assistant council, and contingent expenses in Florida, five thousand dollars.

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

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

For stationery and books for the offices of commissioners of loans, twelve hundred dollars.

For the fifth payment to Luigi Persico, for two colossal statues for the Capitol, four thousand dollars.

For the salaries of the ministers of the United States to Great Britain, France, Spain, Russia, and Colombia, forty-two thousand seven hundred and twenty-five dollars.

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

For the salaries of the *chargés des affaires* to Portugal, Denmark, Sweden, Holland, Turkey, Belgium, Brazil, Buenos Ayres, Chili, Peru, Mexico, Central America, Naples, and Colombia, sixty thousand seven hundred and twenty-five dollars.

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

For outfits of the *chargés des affaires* of the United States to Great Britain, Central America, and Colombia, thirteen thousand five hundred dollars.

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

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

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

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

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

To satisfy a claim presented by his majesty, the king of Sweden, on account of injuries sustained by subjects of the said government in the island of St. Bartholomews, by an illegal act of the commanding officer of the United States' sloop of war *Erie*, in the year one thousand eight hundred and twenty-three, five thousand six hundred and sixty-six dollars and sixty-six cents.

Miscellaneous.

To Washington Irving, late secretary of legation at London, for an arrearage on account of his services as chargé d'affaires, and for one quarter's salary, the allowance for his return to the United States, one thousand eight hundred and thirty-three dollars and eighty-five cents.

To George W. Slacum, consul of the United States at Buenos Ayres, on account of diplomatic services at that place, from the death of John M. Forbes, till the arrival of Francis Baylies, chargé d'affaires of the United States, from the fourteenth June, one thousand eight hundred and thirty-one, to the fifth of June, one thousand eight hundred and thirty-two, four thousand eight hundred and seventy dollars.

To John Randolph Clay, secretary of legation at St. Petersburg, as an outfit, and on account of his services as chargé d'affaires one year seven months and six days, seven hundred and two dollars.

To Cyrenius Hall, a resident of Upper Canada, the sum of five thousand three hundred dollars, (being the value of a schooner, the property of the said Hall, seized and libelled by the collector of the port of Venice, in Sandusky bay, in the year eighteen hundred and seventeen, which was ordered by a decree of the district court of Ohio to be restored, but which, previously to said decree, had been lost,) with interest on the said sum of five thousand three hundred dollars from the tenth day of August, in the year eighteen hundred and seventeen, till the eighth day of January, eighteen hundred and twenty-one; and with further interest on the said sum from the twenty-eighth day of January, eighteen hundred and thirty-one, till paid.

To the clerk employed in the Department of State as a translator of foreign languages, in addition to the salary now provided by law, six hundred dollars per annum.

To the clerk employed in the Department of State as agent of accounts, in addition to the salary now provided by law, three hundred dollars per annum.

To indemnify Captain Daniel Turner, of the United States' navy, for the expense of conveying the Netherlands' minister, and his suite, from New York to Curacao, by order of the Secretary of the Navy, in the year one thousand eight hundred and twenty-eight, eleven hundred and eighty-two dollars seventy-eight cents.

To indemnify Captain George Washington Storer, of the United States navy, for the expenses of accommodating Commodore David Porter, chargé d'affaires of the United States at Constantinople, on board of the United States ship Boston; and for the expenses of conveying George Porter, consul of the United States at Tangiers, from Port Mahon to Tangiers; and of conveying Lieutenant Ebenezer Ridgway, consul of the United States at Tripoli, and his family, from Port Mahon to Tripoli, in all five hundred dollars.

To Michael Hogan, the sum of eighteen thousand one hundred and twelve dollars and fifty cents, in full, for diplomatic services rendered the United States in Chili, from the eighteenth day of September, one thousand eight hundred and twenty-one, to twenty-sixth of March, one thousand eight hundred and twenty-four, and from the twenty-ninth of October, one thousand eight hundred and twenty-nine, to second of May, one thousand eight hundred and thirty-one.

To George F. Brown, consular agent at Algiers, three thousand three hundred and sixty-six dollars for his services to the twentieth February, one thousand eight hundred and thirty-three.

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

For payment of preparing and printing the documents ordered to be printed by Gales and Seaton, fifty thousand dollars, under the same restrictions and reservations as were contained in the appropriation for the same object at the last session.

For the payment to Jonathan Elliott for two hundred and fifty copies of the debates on the federal constitution, purchased by order of the House of Representatives [of the] United States, by their resolution of eighteenth February, one thousand eight hundred and thirty-three, three thousand one hundred and twenty-five dollars.

For two thousand copies of Cobb's Manual, purchased by virtue of a resolution of the House of Representatives of twenty-fifth of February last, one thousand dollars.

For the erection of a custom-house at Middletown, Connecticut, four thousand eight hundred dollars.

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

For alteration and repairs of the Capitol, five hundred dollars.

For the survey of the coast of the United States, twenty thousand dol-

Coast survey.

lars. For the purchase of ground occupied by the custom-house at Key West, four thousand dollars.

Miscellaneous.

For defraying the expenses of repairing a building at Sandy Hook, belonging to the United States, three hundred and nineteen dollars thirty-one cents.

For the purchase of a building for the custom-house at Castine, Maine, and repairing the same, eight hundred and fifty dollars.

For the erection of a custom-house at New York, three hundred thousand dollars.

For compensation to the recorder, two commissioners, and translator, for the adjustment of private land claims in Missouri, according to the act of ninth July, one thousand eight hundred and thirty-two, eight thousand and fifty-five dollars seventy cents.

For contingent expenses and office rent, two hundred and fifty dollars.

For the expense of bringing to the seat of government the votes for President and Vice President, seven thousand five hundred and twenty-one dollars and seventy-five cents.

For the payment of balances to officers of the old direct tax and internal revenue, being the balance of an appropriation carried to the surplus fund, six thousand seven hundred dollars twenty-three cents.

For making good a deficiency in the fund for the relief of sick and disabled seamen, fifteen thousand seven hundred and fifty dollars.

For removing obstructions in the Savannah river, being part of the balance of an appropriation carried to the surplus fund, forty-three dollars six cents.

For preserving and enclosing the marine hospital at Norfolk, two thousand eight hundred and seventy-five dollars.

For hospital furniture, beds and bedding, of the new hospital, one thousand dollars.

For paying certain inhabitants of the late province of West Florida, now citizens of Louisiana and Mississippi, the claims that have been passed by the accounting officers of the Treasury Department, one thousand eight hundred and seventy-seven dollars forty-five cents, being the balance of a former appropriation, carried to the surplus fund, which is hereby re-appropriated.

Ante, p. 613.

For the purpose of carrying into effect the act entitled "An act for the payment of the horses and arms lost in the military service of the United States against the Indians on the frontiers of Illinois and Michigan territory, passed this session—there be appropriated to be paid out of any money in the treasury not otherwise appropriated, the sums which may be allowed according to that act.

To Hilliard Gray and Company, being a balance of a sum due them on their contract for printing a Manual of Infantry Tactics, four hundred and

Miscellaneous.

ten dollars and fifty-nine cents, to be paid out of a sum formerly appropriated, a portion of which has been passed to the surplus fund.

For refunding any discriminating duties of tonnage which may have been collected on the vessels of Spain, France, or Portugal, subsequent to the abolition of such duties by either of those nations on vessels of the United States, two thousand dollars.

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

For completing the custom-house at New London, Connecticut, four thousand dollars.

For surveying the lands in Illinois to which the Indian title has been extinguished by the late treaty with the Pattawatamies, twenty thousand dollars.

For the purchase of a site and the erection of a public warehouse in the city of Baltimore, fifty thousand dollars.

For the salaries of registers and receivers of the land offices established in the late Choctaw purchase, Mississippi, and for furnishing the offices with the necessary books and stationery, three thousand dollars.

For Thomas Douglass, attorney of East Florida, for professional services, three hundred dollars.

For the purchase of a site and erection of a custom-house in Newburyport, in the state of Massachusetts, fifteen thousand dollars.

For the expenses of printing the records in the Supreme Court of the United States, for the term of one thousand eight hundred and thirty-two, the sum of three thousand dollars; and for the same accounts at the term in one thousand eight hundred and thirty-three, the like sum of three thousand dollars.

For surveying the public lands recently purchased from the Indians in the state of Indiana, twenty-five thousand dollars.

Instalments under treaty of indemnity with France to be loaned.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be authorized to loan on interest the instalments under the treaty of indemnity concluded at Paris on the fourth day of July, one thousand eight hundred and thirty-one, between the United States of America, and his majesty the king of the French, upon a pledge of the stock of the United States, or of the Bank of the United States, or to the Bank of the United States, subject nevertheless to be repaid to the public treasury whenever the commissioners appointed under the said treaty shall by their award direct to whom the said fund with the accumulated interest shall be distributed.

Pay of collectors, naval officers, &c.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to pay to the collectors, naval officers, surveyors, gaugers, weighers and measurers, 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-three, according to the importations of that year, as they would have been entitled to receive, if the act of the fourteenth July, one thousand eight hundred and thirty-two, had not gone into effect.

1832, ch. 227.

Chickasaw treaty.

SEC. 4. *And be it further enacted*, That the further sum of fifty thousand dollars be appropriated out of any moneys in the treasury not otherwise appropriated, to carry into effect the provisions of the late Chickasaw treaty.

Northern boundary of Ohio.
1832, ch. 232.

SEC. 5. *And be it further enacted*, That the time limited for making observations and returns thereof under the act of fourteenth July, one thousand eight 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," be, and the same is hereby extended until the thirty-first day of December, one thousand eight hundred and thirty-five; and that for the purpose of carrying into effect the provisions of the act

aforsaid, the sum of six thousand one hundred and ten dollars be appropriated for the purchase of instruments; and the further sum of seven thousand five hundred dollars for the expenses of taking such observations.

SEC. 6. *And be it further enacted*, That so much of the twenty-seventh section of the act approved third of March, one thousand eight hundred and twenty-five, as restricts the franking privilege of members of Congress to the period of sixty days before and after each session, shall be, and the same hereby is repealed, and it shall be lawful for the said privilege to be exercised by each member of Congress from the period of sixty days before he takes his seat in Congress until the meeting of the next Congress, and that said privilege shall be extended to all members of the present Congress until the next session.

APPROVED, March 2, 1833.

Franking privilege extended.

Act of March 3, 1825, ch. 43, sec. 6.

STATUTE II.

March 2, 1833.

CHAP. LV.—*An Act to modify the act of the fourteenth of July, one thousand eight hundred and thirty-two, and all other acts imposing duties on imports. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the thirty-first day of December, one thousand eight hundred and thirty-three, in all cases where duties are imposed on foreign imports, by the act of the fourteenth day of July, one thousand eight hundred and thirty-two, entitled "An act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed twenty per centum on the value thereof, one tenth part of such excess shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-five, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-seven, another tenth part thereof shall be deducted; from and after the thirty-first day of December, one thousand eight hundred and thirty-nine, another tenth part thereof shall be deducted; and from and after the thirty-first day of December, one thousand eight hundred and forty-one, one half of the residue [residue] of such excess shall be deducted; and from and after the thirtieth day of June, one thousand eight hundred and forty-two, the other half thereof shall be deducted.

Act of July 14, 1832, ch. 227.

Act of March 2, 1833, ch. 57.

Act of Aug. 30, 1822, ch. 270.

After Dec. 31, 1833, all duties exceeding twenty per cent. to be reduced by biennially striking off one-tenth of the excess, &c.

SEC. 2. *And be it further enacted*, That so much of the second section of the act of the fourteenth of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the names of plains, kerseys, or kental cottons, of which wool is the only material, the value whereof does not exceed thirty-five cents a square yard, at five per centum ad valorem, shall be, and the same is hereby, repealed. And the said

Duty on plains, kerseys, &c. raised to fifty per cent.

(a) The act of Congress of March 2, 1833, ch. 55, commonly called "The compromise act," did not, prospectively, repeal all duties upon imports after 30th June, 1842. Repealing only such parts of previous acts as were inconsistent with itself, it left in force, after June 1842, the same duties which were in force on the first of June, 1842. *Aldridge and others v. Williams*, 3 Howard, 1.

The provisions of the act of 1833, by which duties were to be levied, after June 1, 1842, on the home valuation, "under such regulations as may be prescribed by law," comprehended all the regulations existing under the law at the time when the duties, according to the home valuation, accrued. The regulations established by the 7th and 8th sections of the act of 1832, were, after the compromise act expired, in force, and were sufficient for the collection of duties after June 1, 1842. *Ibid.*

The 9th section of the act of 1832, makes it the duty of the Secretary of the Treasury, under the direction of the President, to establish, when necessary, rules and regulations to secure a just, faithful, and impartial appraisal of merchandise, and just and proper entries of them. It is very clear that any regulations within the authority thus given, are regulations prescribed by law. *Ibid.*

In expounding this law, the judgment of the court cannot, in any degree, be influenced by the construction placed upon it by individual members of Congress, in the debate which took place on its passage; nor by the motives or reasons assigned by them for supporting or opposing amendments offered. The law, as it passed, is the will of a majority of both houses, and the only mode in which this will is spoken, is in the act itself; and we must gather their intention from the language there used, comparing it, where any ambiguity exists, with laws upon the same subject; and looking, if necessary, to the public history of the times in which it was passed. *Ibid.* 24.

articles shall be subject to the same duty of fifty per centum, as is provided by the said second section for other manufactures of wool; which duty shall be liable to the same deductions as are prescribed by the first section of this act.

Existing laws continued until June 30, 1842.

Duties to be paid in cash, &c.

Goods to be valued at ports of entry.

Articles free after Dec. 31, 1833.

Articles free after June 30, 1842.

Duties on certain classes of articles after June 30, 1842.

Conflicting acts repealed.

Proviso.

SEC. 3. *And be it further enacted*, That, until the thirtieth day of June, one thousand eight hundred and forty-two, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected. And from and after the day last aforesaid, all duties upon imports shall be collected in ready money; and all credits now allowed by law, in the payment of duties, shall be, and hereby are abolished; and such duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government; and from and after the day last aforesaid, the duties required to be paid by law on goods, wares, and merchandise, shall be assessed upon the value thereof at the port where the same shall be entered, under such regulations as may be prescribed by law.

SEC. 4. *And be it further enacted*, That, in addition to the articles now exempt by the act of the fourteenth of July, one thousand eight hundred and thirty-two, and the existing laws, from the payment of duties, the following articles imported from and after the thirty-first day of December, one thousand eight hundred and thirty-three, and until the thirtieth day of June, one thousand eight hundred and forty-two, shall also [be] admitted to entry, free from duty, to wit: bleached and unbleached linens, table-linen, linen napkins, and linen cambrics, and worsted stuff goods, shawls, and other manufactures of silk and worsted, manufactures of silk, or of which silk shall be the component material of chief value, coming from this side of the Cape of Good Hope, except sewing silk.

SEC. 5. *And be it further enacted*, That from and after the said thirtieth day of June, one thousand eight hundred and forty-two, the following articles shall be admitted to entry, free from duty, to wit: indigo, quicksilver, sulphur, crude saltpetre, grindstones, refined borax, emory, opium, tin in plates and sheets, gum Arabic, gum Senegal, lac dye, madder, madder root, nuts and berries used in dyeing, saffron, turmeric, wood or pastel, aloes, ambergris, Burgundy pitch, cochineal, chamomile flowers, coriander seed, catsup, chalk, cocculus indicus, horn plates for lanterns, ox horns, other horns and tips, india-rubber, manufactured ivory, juniper berries; musk, nuts of all kinds, oil of juniper, unmanufactured rattans and reeds, tortoise shell, tin foil, shellac, vegetables used principally in dyeing and composing dyes, weld, and all articles employed chiefly for dyeing, except allum, copperas, bichromate of potash, prussiate of potash, chromate of potash, and nitrate of lead, aqua fortis, and tartaric acids. And all imports on which the first section of this act may operate, and all articles now admitted to entry [free] from duty, or paying a less rate of duty than twenty per centum ad valorem, before the said thirtieth day of June, one thousand eight hundred and forty-two, from and after that day may be admitted to entry subject to such duty, not exceeding twenty per centum ad valorem, as shall be provided for by law.

SEC. 6. *And be it further enacted*, That so much of the act of the fourteenth day of July, one thousand eight hundred and thirty-two, or of any other act, as is inconsistent with this act, shall be, and the same is hereby, repealed: *Provided*, That nothing herein contained shall be so construed as to prevent the passage, prior or subsequent to the said thirtieth day of June, one thousand eight hundred and forty-two, of any act or acts, from time to time, that may be necessary to detect, prevent, or punish evasions of the duties on imports imposed by law, nor to prevent the passage of any act, prior to the thirtieth day of June, one thousand eight hundred and forty-two, in the contingency either of excess or deficiency of revenue, altering the rates of duties on articles which, by the aforesaid act of fourteenth day of July, one thousand eight hundred and

thirty-two, are subject to a less rate of duty than twenty per centum ad valorem, in such manner as not to exceed that rate, and so as to adjust the revenue to either of the said contingencies.

APPROVED, March 2, 1833.

STATUTE II.

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

March 2, 1833.

[Obsolete.]
Appropriations
for the Indian
department.

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

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

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as established by law, twenty-six thousand dollars.

For the pay of sub-agents, as established by law, seventeen thousand dollars.

For presents to Indians, as authorized by the act of one thousand eight hundred and two, fifteen thousand dollars.

For pay of Indian interpreters and translators employed in the several superintendencies and agencies, twenty thousand dollars.

For the pay of gunsmiths and blacksmiths, and their assistants, employed within the several superintendencies and agencies, under treaty provisions, and the orders of the War Department, sixteen thousand dollars.

For iron, steel, coal, and other expenses attending the gunsmiths and blacksmiths' shops, five thousand dollars.

For expenses of transportation and distribution of Indian annuities, nine thousand five hundred dollars.

For expenses of provisions for Indians at the distribution of annuities, while on visits of business with the different superintendents and agents, and when assembled on public business, eleven thousand eight hundred dollars.

For expense of building houses for Indian agents, blacksmiths' shops, and for repairs of the same, when required, in the several agencies, two thousand dollars.

For contingencies of the Indian Department, twenty thousand dollars.

For supplying the deficiency in the appropriation for the compensation of commissioners, and other expenses attending the adjustment of boundaries under the treaty of Butte des Morts, contained in the act of twentieth May, one thousand eight hundred and thirty, making appropriations to carry into effect the said treaty, five hundred and fourteen dollars and sixty-two cents.

1830, ch. 99.

Sec. 2. *And be it further enacted,* That the following sums, being unexpended balances of former appropriations, be, and the same are hereby, re-appropriated to the several objects of the original appropriations, respectively, to be paid out of any money in the treasury not otherwise appropriated, viz: for the exchange of land with the Indians, and for their removal west of the Mississippi, by act of twenty-eighth May, one thousand eight hundred and thirty, two hundred and eighty dollars and six cents.

For defraying the expenses of an expedition fitted out, consisting of the militia of Georgia and Florida, for the suppression of aggressions by the Indians on their frontiers, three thousand eight hundred and thirty-nine dollars and eighty-six cents.

For carrying into effect a treaty with the Winnebagoes, by act of

twenty-fifth March, one thousand eight hundred and thirty, the following sums, viz :

For payment of claims provided for by [the] fourth article, one hundred and fifty-eight dollars and seventy-two cents.

For expense of surveying the boundaries, nine hundred and forty-five dollars and forty-six cents.

For carrying into effect the treaty of twenty-ninth July, one thousand eight hundred and twenty-nine, with the Chippeways, Ottoways, and Pattawatamies, by act of twenty-fifth March, one thousand eight hundred and thirty, for the expense of surveying the boundaries, six hundred and seventeen dollars and ten cents.

For carrying into effect a treaty with the Choctaw Indians, of eleventh October, one thousand eight hundred and twenty, by act of second March, one thousand eight hundred and twenty-seven, the balance re-appropriated thirtieth April, one thousand eight hundred and thirty, six thousand three hundred and forty-three cents.

For defraying the expenses of holding a treaty with the Cherokees for the purpose of extinguishing their claim to as much land as will be necessary for a canal to connect the Highwassee and Canasaga with each other, by act of second March, one thousand eight hundred and twenty-seven, the balance re-appropriated thirtieth April, one thousand eight hundred and thirty, two thousand four hundred and fifty-nine dollars and nineteen cents.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

President authorized to direct site of custom-house to be changed.

Vessels to be detained, &c.

Custody of detained vessels, &c.

Jurisdiction of circuit courts.

CHAP. LVII.—*An Act further to provide for the collection of duties on imports. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, it shall become impracticable, in the judgment of the President, to execute the revenue laws, and collect the duties on imports in the ordinary way, in any collection district, it shall and may be lawful for the President to direct that the custom-house for such district be established and kept in any secure place within some port or harbour of such district, either upon land or on board any vessel; and, in that case, it shall be the duty of the collector to reside at such place, and there to detain all vessels and cargoes arriving within the said district until the duties imposed on said cargoes, by law, be paid in cash, deducting interest according to existing laws; and in such cases it shall be unlawful to take the vessel or cargo from the custody of the proper officer of the customs, unless by process from some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons too great to be overcome by the officers of the customs, it shall and may be lawful for the President of the United States, or such person or persons as he shall have empowered for that purpose, to employ such part of the land or naval forces, or militia of the United States, as may be deemed necessary for the purpose of preventing the removal of such vessel or cargo, and protecting the officers of the customs in retaining the custody thereof.

SEC. 2. *And be it further enacted,* That the jurisdiction of the circuit courts of the United States shall extend to all cases, in law or equity, arising under the revenue laws of the United States, for which other provisions are not already made by law; and if any person shall receive any injury to his person or property for or on account of any act by him done, under any law of the United States, for the protection of the revenue or

(a) By the eighth section of this act the first and fifth sections are continued in force to the end of the first session of Congress of 1834, and no longer.

the collection of duties on imports, he shall be entitled to maintain suit for damage therefor in the circuit court of the United States in the district wherein the party doing the injury may reside, or shall be found. And all property taken or detained by any officer or other person under authority of any revenue law of the United States, shall be irremovable, and shall be deemed to be in the custody of the law, and subject only to the orders and decrees of the courts of the United States having jurisdiction thereof. And if any person shall dispossess or rescue, or attempt to dispossess or rescue, any property so taken or detained as aforesaid, or shall aid or assist therein, such person shall be deemed guilty of a misdemeanor, and shall be liable to such punishment as is provided by the twenty-second section of the act for the punishment of certain crimes against the United States, approved the thirtieth day of April, Anno Domini one thousand seven hundred and ninety, for the wilful obstruction or resistance of officers in the service of process.

Property in custody irremovable, &c.

SEC. 3. *And be it further enacted,* That in any case where suit or prosecution shall be commenced in a court of any state, against any officer of the United States, or other person, for or on account of any act done under the revenue laws of the United States, or under colour thereof, or for or on account of any right, authority, or title, set up or claimed by such officer, or other person under any such law of the United States, it shall be lawful for the defendant in such suit or prosecution, at any time before trial, upon a petition to the circuit court of the United States, in and for the district in which the defendant shall have been served with process, setting forth the nature of said suit or prosecution, and verifying the said petition by affidavit, together with a certificate signed by an attorney or counsellor at law of some court of record of the state in which such suit shall have been commenced, or of the United States, setting forth that, as counsel for the petitioner, he has examined the proceedings against him, and has carefully inquired into all the matters set forth in the petition, and that he believes the same to be true; which petition, affidavit and certificate, shall be presented to the said circuit court, if in session, and if not, to the clerk thereof, at his office, and shall be filed in said office, and the cause shall thereupon be entered on the docket of said court, and shall be thereafter proceeded in as a cause originally commenced in that court; and it shall be the duty of the clerk of said court, if the suit were commenced in the court below by summons, to issue a writ of certiorari to the state court, requiring said court to send to the said circuit court the record and proceedings in said cause; or if it were commenced by *capias*, he shall issue a writ of *habeas corpus cum causa*, a duplicate of which said writ shall be delivered to the clerk of the state court, or left at his office by the marshal of the district, or his deputy, or some person duly authorized thereto; and, thereupon it shall be the duty of the said state court to stay all further proceedings in such cause, and the said suit or prosecution, upon delivery of such process, or leaving the same as aforesaid, shall be deemed and taken to be moved to the said circuit court, and any further proceedings, trial or judgment therein in the state court shall be wholly null and void. And if the defendant in any such suit be in actual custody on *mesne process* therein, it shall be the duty of the marshal, by virtue of the writ of *habeas corpus cum causa*, to take the body of the defendant into his custody, to be dealt with in the said cause according to the rules of law and the order of the circuit court, or of any judge thereof, in vacation. And all attachments made and all bail and other security given upon such suit, or prosecution, shall be and continue in like force and effect, as if the same suit or prosecution had proceeded to final judgment and execution in the state court. And if, upon the removal of any such suit, or prosecution, it shall be made to appear to the said circuit court that no copy of the record and proceedings therein, in the state court, can be obtained, it shall be lawful for

Actions in state courts against revenue officers to be removed, on petition, &c. of defendant, to circuit court.

Stay of proceedings in the state court.

Marshal to take defendant into custody.

State process of attachment, &c., to continue in force.

De novo proceeding.

said circuit court to allow and require the plaintiff to proceed *de novo*, and to file a declaration of his cause of action, and the parties may thereupon proceed as in actions originally brought in said circuit court; and on failure of so proceeding, judgment of *non pros.* may be rendered against the plaintiff with costs for the defendant.

Record to be supplied where copy of record cannot be had from the state court.

Sec. 4. *And be it further enacted,* That in any case in which any party is, or may be by law, entitled to copies of the record and proceedings in any suit or prosecution in any state court, to be used in any court of the United States, if the clerk of said state court shall, upon demand, and the payment or tender of the legal fees, refuse or neglect to deliver to such party certified copies of such record and proceedings, the court of the United States in which such record and proceedings may be needed, on proof, by affidavit, that the clerk of such state court has refused or neglected to deliver copies thereof, on demand as aforesaid, may direct and allow such record to be supplied by affidavit, or otherwise, as the circumstances of the case may require and allow; and, thereupon, such proceeding, trial, and judgment, may be had in the said court of the United States, and all such processes awarded, as if certified copies of such records and proceedings had been regularly before the said court.

President to issue proclamation and to suppress obstructions to the laws by military force or other means, within any state.

Sec. 5. *And be it further enacted,* That whenever the President of the United States shall be officially informed, by the authorities of any state, or by a judge of any circuit or district court of the United States, in the state, that, within the limits of such state, any law or laws of the United States, or the execution thereof, or of any process from the courts of the United States, is obstructed by the employment of military force, or by any other unlawful means, too great to be overcome by the ordinary course of judicial proceeding, or by the powers vested in the marshal by existing laws, it shall be lawful for him, the President of the United States, forthwith to issue his proclamation, declaring such fact or information, and requiring all such military and other force forthwith to disperse; and if at any time after issuing such proclamation, any such opposition or obstruction shall be made, in the manner or by the means aforesaid, the President shall be, and hereby is, authorized, promptly to employ such means to suppress the same, and to cause the said laws or process to be duly executed, as are authorized and provided in the cases therein mentioned by the act of the twenty-eighth of February, one thousand seven hundred and ninety-five, entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, repel invasions, and to repeal the act now in force for that purpose;" and also, by the act of the third of March, one thousand eight hundred and seven, entitled "An act authorizing the employment of the land and naval forces of the United States in cases of insurrection."

Act of Feb. 28, 1795, ch. 36.

Act of March 3, 1807, ch. 39.

Places of confinement.

Sec. 6. *And be it further enacted,* That in any state where the jails are not allowed to be used for the imprisonment of persons arrested or committed under the laws of the United States, or where houses are not allowed to be so used, it shall and may be lawful for any marshal, under the direction of the judge of the United States for the proper district, to use other convenient places, within the limits of said state, and to make such other provision as he may deem expedient and necessary for that purpose.

Judges to issue writs of habeas corpus.

Sec. 7. *And be it further enacted,* That either of the justices of the Supreme Court, or a judge of any district court of the United States, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases of a prisoner or prisoners, in jail or confinement, where he or they shall be committed or confined on, or by any authority or law, for any act done, or omitted to be done, in pursuance of a law of the United States, or any order, process, or decree, of any judge or court thereof, any thing in any act of Congress to the con-

trary notwithstanding. And if any person or persons to whom such writ of habeas corpus may be directed, shall refuse to obey the same, or shall neglect or refuse to make return, or shall make a false return thereto, in addition to the remedies already given by law, he or they shall be deemed and taken to be guilty of a misdemeanor, and shall, on conviction before any court of competent jurisdiction, be punished by fine, not exceeding one thousand dollars, and by imprisonment, not exceeding six months, or by either, according to the nature and aggravation of the case.

SEC. 8. *And be it further enacted*, That the several provisions contained in the first and fifth sections of this act, shall be in force until the end of the next session of Congress, and no longer.

APPROVED, March 2, 1833.

Penalty for neglect or refusal to obey the same.

Provisions of the first and fifth sections limited.

STATUTE II.

March 2, 1833.

CHAP. LVIII.—*An Act to explain and amend the eighteenth section of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all articles upon which the duties were reduced by "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two, and which may not have been deposited under the provisions of the eighteenth section of the act aforesaid, whether the said articles were imported, or the duties thereon were secured or paid, before or after the passage of said act, may, to obtain the benefit of said act and this amendment thereto, be deposited at any time before the first of April next in the custom-house stores, or in the manner prescribed in the following section, by the importer, consignee, or any subsequent purchaser or owner, and all wines now in bond, or which may be imported at any time previous to the fourth day of March, one thousand eight hundred and thirty-four, and which may remain in the custody of the customs on that day, shall be entitled to the benefit of this act, and of that to which it is an amendment: *Provided*, That no merchandise imported in packages, bales, or casks, shall be entitled to the benefit of this act, or of that, to which it is an amendment, unless they are as originally imported: and that all articles placed in the custody of the customs under this act shall so remain, for inspection and examination, till the fourth day of March next: *Provided, also*, That nothing contained in this act shall be so construed as to extend the provisions thereof to any merchandise, which, under the existing laws, would not be entitled to the benefits of drawback.

Act of July 14, 1832, ch. 227.
Certain articles imported before or after July 14, 1832, may be deposited in the public stores.

Wines entitled to the benefit of the act.

Proviso.

Proviso

When goods may remain in warehouse of owner, &c.

Proviso.

SEC. 2. *And be it further enacted*, That, in all cases where the quantity of merchandise, entitled to the benefits of the acts aforesaid shall exceed ten packages, bales, or casks, or where the article may be in bulk, or otherwise than in packages, bales, or casks, the collector of the district where the same may be, is hereby authorized to direct that the said merchandise shall not be removed from the warehouse of the owner, but that the same shall be there placed in the custody of a proper officer of the customs, who shall examine the same, and keep them under the keys of the custom-house, till the first of April, as aforesaid: *Provided*, The collector shall consider the same a safe place of deposit, and that application be made to him for that purpose on or before the twenty-fifth March next.

SEC. 3. *And be it further enacted*, That all articles remaining under the control of the proper officer of the customs, according to the provisions of this act, on the first April next, and all wines which shall re-

Articles under custody of officer of customs, as aforesaid, to

be subject to no higher duty than levied under act of July 14, 1832.

Higher duties paid to be refunded, &c.

Excess of duties to be refunded, &c. and articles to be examined, &c.

Relief to be extended.

Section seventeen of act of July 14, 1832, ch. 227, to take effect March 4, 1833.

main in the same manner, after the fourth day of March, one thousand eight hundred and thirty-four, shall be subject to no higher duty than would be levied under the act aforementioned, approved the fourteenth of July last; and if any higher duty shall have been paid, such excess shall be refunded, out of any money in the treasury not otherwise appropriated, to the person placing the same in the custody of the customs, and any outstanding bond or bonds which may have been given for duties on the same shall be cancelled; and if a sum equal to the amount of duties levied by the said act of the fourteenth July, shall not have been collected, and the bond or bonds given shall amount to more than the duties imposed by said act, the Secretary of the Treasury shall direct that a debenture certificate or certificates, the form of which shall be prescribed by him, for such excess of duty, shall be issued to the persons placing the same in the custody of the customs, payable out of the bond or bonds given for duties on the same, the collectors to give the debtors credit on their bonds for the difference between the high and low duties, and to cancel the bonds on payment of the balance.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury shall cause the amount of excess of duties, as aforesaid, to be ascertained and paid, or the credit given as the case may be, as soon as practicable after the first of April next; and that he shall be authorized to cause all articles under the control of the proper officers of the customs to be examined; and where the merchandise may have passed out of the possession of the importer or consignee, to require satisfactory evidence of the transfer or transfers to identify the same; and to make all other rules and regulations which may be necessary and proper to carry this act into effect.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized and directed to extend relief to all persons, whose cases are provided for in this act, who may have been deprived of the benefit thereof in consequence of the collector's not having received his instructions in pursuance of it, from the Secretary of the Treasury.

SEC. 6. *And be it further enacted*, That the seventeenth section of the aforesaid act of the fourteenth day of July, one thousand eight hundred and thirty-two, as far as the same relates to the duty on pulverized or crushed sugar, shall take effect on the fourth day of March, of the present year.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

[Obsolete.]

Appropriations to effect Indian treaties, &c.

Winnebagoes.

CHAP. LIX.—*An Act making appropriations to carry into effect certain Indian treaties, and for other purposes, for the year one thousand eight hundred and thirty-three.*

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 objects hereinafter mentioned, that is to say: To carry into effect the stipulations of the treaty with the Winnebagoes, of the fifteenth of September, one thousand eight hundred and thirty-two, to wit:

For payment of the annuity provided for by the third article, ten thousand dollars.

For the purposes of education provided for by the fourth article, three thousand dollars.

For support of agriculturists, for oxen, and ploughs, and other agricultural implements per fifth article, two thousand five hundred dollars.

For expense of removing blacksmiths' shop, per sixth article, two hundred and fifty dollars.

For expense of rations, per seventh article, six thousand dollars.

For payment of claims to certain individuals, per eighth article, one thousand and eighty-two dollars and fifty cents.

For the purchase of tobacco, and for services of two physicians, per fifth article, five hundred and fifty dollars.

To carry into effect the stipulations of the treaty with the Sacs and Foxes, of the twenty-first September, one thousand eight hundred and thirty-two, to wit: For payment of the limited annuity, provided for by the third article, twenty thousand dollars.

Sacs and Foxes.

For fulfilling the stipulations for a blacksmith and gunsmith, establishing a shop, and for purchase of tobacco and salt, per fourth article, one thousand seven hundred and fifty dollars.

For payment of Farnham and Davenport's claim for goods, acknowledged to be due, per fifth article, forty thousand dollars.

For fulfilling the stipulations in regard to subsistence, per tenth article, seven thousand seven hundred and twenty-four dollars.

To carry into effect the stipulations of the treaty with the Shawanoes and Delawares, of the sixth October, one thousand eight hundred and thirty-two.

Shawanoes and Delawares.

For the purchase of cattle, hogs, and other stock, for the Delawares, and for assistance in agriculture, per second article, three thousand dollars.

For expense of a person to attend their mill, and for repairs, per same article, five hundred dollars.

For the support of a school, per same article, five hundred dollars.

For fulfilling the stipulations for payment of certain debts, and for merchandise and cash, per third article, eighteen thousand dollars.

For fulfilling the stipulations to the Shawanoes and Natcoming, during their natural lives, the sum of one hundred dollars each, three hundred dollars.

For cost of provisions for one year after removal, per same article, the sum of eighteen thousand two hundred and fifty dollars.

For annuities to Patterson, Tawhee-lalen and Natcoming, during their natural lives, the sum of one hundred dollars each, three hundred dollars.

To carry into effect the stipulations of the treaty with the Kaskaskias and Peorias, of seventh October, one thousand eight hundred and thirty two.

Kaskaskias and Peorias.

For payment of the limited annuity, per fifth article, three thousand dollars.

For fulfilling the stipulations in the sixth article of said treaty, to wit: for payment to the Peorias in common with the Kaskaskias, sixteen hundred dollars.

To the Kaskaskias, for lost horses and salt annuities, three hundred and fifty dollars.

To the Peorias, for improvements on their lands, two hundred and fifty dollars.

For the purchase of stock for Peorias and Kaskaskias, four hundred dollars.

For carts, oxen and ploughs, for same, three hundred and fifty dollars.

For building four log houses, five hundred and thirty dollars.

For assistance in agriculture, three hundred dollars.

For agricultural implements, and for iron and steel, fifty dollars.

For the payment for goods delivered at treaty, eight hundred dollars.

For assistance to Kaskaskias in removing, and for one year's provisions, one thousand dollars.

To carry into effect the stipulations of the treaty with the Appalachicola tribe, of eleventh October, one thousand eight hundred and thirty-two.

Appalachicolos.

For payment to the Appalachicola tribe of Indians, to be in full compensation for all expenses of emigration and subsistence, per second article of the treaty, thirteen thousand dollars.

Pattawatamies
of the Prairie.

To carry into effect the stipulations of the treaty with the Pattawatamies of the Prairie, of twentieth October, one thousand eight hundred and thirty-two, ratified twenty-first January, one thousand eight hundred and thirty-three.

For payment of the limited annuity, per third article, fifteen thousand dollars.

For the payment of the annuities stipulated for in the same article, to wit: to Billy Caldwell, six hundred dollars. To Alexander Robinson, two hundred dollars. To Pierre Leclere, two hundred dollars.

For payment of claims per schedule annexed to the treaty, per fourth article, the sum of thirty thousand seven hundred and forty-six dollars.

For payment for goods and horses purchased and delivered, per same article, the sum of forty-five thousand dollars.

For the purchase of goods to be delivered, thirty thousand dollars.

For payment to certain named Indians, for lost horses, same article, fourteen hundred dollars.

Kickapoos.

To carry into effect the stipulations of the treaty with the Kickapoos, of twenty-fourth October, and supplement of twenty-sixth November, one thousand eight hundred and thirty-two.

For payment of the annuity for one year, per third article, eighteen thousand dollars.

For erecting a mill and church, per sixth article, three thousand seven hundred dollars.

For support of a blacksmith and assistant, and for iron, steel and tools, per fifth article, one thousand dollars.

For the support of a school, and purchase of books, per seventh article, five hundred dollars.

For the purchase of farming utensils, per eighth article, three thousand dollars.

For expense of agricultural labour and improvements, per ninth article, four thousand dollars.

For payment in merchandise and cash, per eleventh article, six thousand dollars.

For expense of transportation and subsistence, and one year's supply of provisions, per eleventh article, twenty-seven thousand nine hundred dollars.

For expense of running and marking boundaries, per twelfth article, eight hundred dollars.

For the expenses of a deputation to view the lands ceded, per fourteenth article, five hundred dollars.

For furnishing cattle, hogs, and other stock, per tenth article, four thousand dollars.

Pattawatamies
of the Wabash.

To carry into effect the stipulations of the treaty with the Pattawatamies of the Wabash, of twenty-sixth October, one thousand eight hundred and thirty-two.

For payment of the limited annuity, per third article, twenty thousand dollars.

For the payment of goods and horses purchased and delivered, per same article, the sum of one hundred thousand dollars.

For the purchase of goods to be delivered, per same article, thirty thousand dollars.

For the payment of claims, per schedule attached to the treaty, per fourth article, the sum of sixty-two thousand, three hundred and eighty-two dollars.

For fulfilling the stipulations in the fifth article, to wit: For rifles and ammunition, two thousand three hundred and thirty-four dollars.

For blankets, two thousand nine hundred and sixteen dollars.

For expenses of transportation and subsistence, thirty-three thousand three hundred and twenty dollars.

For one year's supply of provisions, sixty thousand eight hundred and nine dollars.

For expense of erecting a saw mill, per sixth article, two thousand dollars.

To carry into effect the stipulations of the treaty with the Pattawatamies of Indiana, of twenty-seventh October, one thousand eight hundred and thirty-two.

Pattawatamies
of Indiana.

For the payment of the limited annuity, per fourth article, fifteen thousand dollars.

For the payment for goods and horses purchased and delivered, per same article, the sum of thirty-two thousand dollars.

For the purchase of goods to be delivered, per same article, ten thousand dollars.

For the payment of claims, per schedule attached to the treaty, per same article, the sum of twenty-one thousand seven hundred and twenty-one dollars.

For the purchase of the section of land granted by the treaty of Saint Joseph's to To-pe-naw-koung, wife of Peter Langlois, per same article, the sum of eight hundred dollars.

For the education of Indian youths of the Pattawatamie tribes, during the pleasure of Congress, per same article, two thousand dollars.

To carry into effect the stipulations of the treaty with the Piankashaws and Weas, of twenty-ninth October, one thousand eight hundred and thirty-two.

Piankashaws
and Weas.

For the purchase of cattle, hogs, and farming utensils, as an equivalent for salt annuities, and lost horses, for the Piankashaws, per third article, five hundred dollars.

For expense of agricultural assistance and improvements, per same article, the sum of seven hundred and fifty dollars.

For payment in merchandise and cash, per same article, two hundred dollars.

For the purchase of cattle, hogs, and farming utensils, as an equivalent for improvements and lost horses, for the Weas, per fourth article, five hundred dollars.

For payment in merchandise and cash, per same article, two hundred dollars.

For assistance to the Weas of Indiana, to enable them to join the rest of their tribe, and for one year's supply of provisions, per same article, the sum of four thousand six hundred and twelve dollars.

For the support of a blacksmith's shop, for the benefit of the Piankashaws, Weas, Peorias and Kaskaskias, per fifth article, one thousand dollars.

For cost of transporting the annuities, agricultural implements and stock, and for other incidental expenses in fulfilment of the aforesaid treaties, the sum of fifteen thousand dollars.

To enable the President to extinguish Indian titles within the states of Indiana and Illinois and territory of Michigan, in addition to the sum appropriated ninth July last, three thousand eight hundred and seventy-one dollars.

1832, ch. 175.

For expenses incurred in one thousand eight hundred and thirty-two, attending the adjustment of the boundary line and other objects referred to in the first, second, and third articles of the treaty of Butte des Morts, ratified twenty-third February, one thousand eight hundred and twenty-

Boundary under
the treaty of
Butte des Morts.

- 1830, ch. 99.
Creeks. nine, in addition to the sum appropriated by the act of twentieth May, one thousand eight hundred and thirty, four hundred dollars.
For expense of removal and subsistence of Creek Indians, as stipulated in the seventh article of the treaty of twenty-fourth January, one thousand eight hundred and twenty-six, in addition to former appropriations, to pay claims allowed, as settled by the second auditor, seven thousand two hundred and sixty-one dollars forty-four cents.
For payment of improvements on ceded lands, as stipulated in the eleventh article of said treaty, as settled by the second auditor, in addition to former appropriations, nine thousand three hundred dollars and seventy-five cents.
- Ioway prisoners. For payment of expenses incurred for provisions, transportation, compensation to guards, and other expenses, attending the arrest of Ioway prisoners in one thousand eight hundred and twenty-nine, on the charge of murders committed by them, and not before provided for, the sum of one thousand and twenty-three dollars and thirty-eight cents.
- Choctaw reservations. For expense of locating, surveying and bounding reservations for the Choctaws, under the nineteenth article of the treaty of fifteenth September, one thousand eight hundred and thirty, not otherwise provided for, fifteen hundred dollars.
- Chickasaw agent. For expense of the Chickasaw agent, with a deputation of Indians, to the seat of government, on business relating to the treaty negotiated with them, one thousand six hundred and fifty dollars.
- Delegation of New York Indians. For the expense of a delegation from the New York Indians to visit Green bay during the summer of one thousand eight hundred and thirty-three, for the purpose of surveying and dividing their lands with a view to future emigration, the sum of one thousand eight hundred and ninety dollars.
- Shawanoes. For the expense of removing the remaining Shawanoes, being eighty-two in number, from Ohio, to their lands west, one thousand six hundred and forty dollars.
- Sac and Fox prisoners. For the expenses of twelve prisoners of war of the Sac and Fox tribes, now in confinement, and to be held as hostages, under the seventh article of the treaty with the Sacs and Foxes, of twenty-first September, one thousand eight hundred and thirty-two, embracing the cost of provisions and clothing, compensation to an interpreter, and cost of removing them to a place where they may be kept in safety, without being closely confined, the sum of two thousand five hundred dollars.
- Chippewas. For the expense of appraising the improvements abandoned by the Chippewas, under the sixth article of the treaty of Saginaw, of twenty-fourth September, one thousand eight hundred and nineteen, the sum of six hundred dollars.
- Negroes of Broom. For payment for two negroes, the property of George Fields, illegally taken from the Broom, a Cherokee chief, in the fall of the year one thousand eight hundred and thirteen, by a white citizen, seven hundred dollars.
- Removing of Choctaws, &c. For expenses of removing and subsisting Choctaws, Creeks, Cherokees, and Ohio Indians, as estimated for by the commissary general of subsistence, four hundred and seventy-four thousand and thirteen dollars.
- Pattawatamies. And the sum of ten thousand dollars for holding a treaty with the Pattawatamies, for the extinguishment of their title to the remainder of their lands in Illinois.
- Menominees. For carrying into effect the stipulations of the treaty with the Menominees of the eighth February, one thousand eight hundred and thirty-one, fifty-eight thousand six hundred dollars.
- Chickasaws. For carrying into effect the stipulations of the treaty with the Chickasaws of twenty-eighth October, one thousand eight hundred and thirty-two, to be refunded out of the sales of their lands as provided for by said treaty, one hundred thousand dollars.

For carrying into effect the stipulations of the treaty with the Senecas West, of twenty-ninth December, one thousand eight hundred and thirty-two, to be refunded out of the sales of their lands as provided for by said treaty, four thousand dollars.

Senecas.

For payment to the Senecas for lost horses and other property, as stipulated for by fourth article of same treaty, one thousand dollars.

For carrying into effect the stipulations of the treaty with the Ottawas of eighteenth February, one thousand eight hundred and thirty-three, forty-seven thousand four hundred and forty dollars.

Ottawas.

SEC. 2. *And be it further enacted*, That the Secretary of War shall cause a valuation to be made of the buildings, improvements and other property, belonging to the American Board of Commissioners for Foreign Missions, lying within the limits of the purchase made of the Choctaw tribe of Indians at the treaty of the Dancing Rabbit Creek, and after deducting from the estimated value the amount heretofore advanced by the United States towards the aforesaid buildings and improvements, shall cause the residue to be paid to the trustees of the said board, out of any money in the treasury not otherwise appropriated.

Property of American Board of Foreign Missions.

SEC. 3. *And be it further enacted*, That the sum of one hundred thousand dollars shall be, and the same is hereby appropriated, should the same be found necessary to defray the expenses of repressing the hostilities of the Indians on the western frontier of the United States, out of any money in the treasury not otherwise appropriated.

Repression of Indian hostilities.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LX.—*An Act making appropriations for the engineer and ordnance departments.*

March 2, 1833.

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, out of any money in the treasury not otherwise appropriated, namely :

[Obsolete.]
Appropriations for engineer and ordnance department.

For collecting the materials, and making the preliminary arrangements, for the construction of a fort on George's island, Boston harbour, Massachusetts, twenty-five thousand dollars.

For the erection of a building for military and other exercises, at the United States' military academy, West Point, six thousand dollars.

For the erection of a chapel at the United States' military academy, West Point, ten thousand dollars.

For the erection of two new dwelling-houses at the national armory at Springfield, Massachusetts, for the use of the master armorer and paymaster, seven thousand dollars.

For building a pay office and store at the same armory, for the preservation of models and patterns, two thousand dollars.

For building a workshop for grinding and polishing, at the same armory, six thousand dollars.

For enlarging and repairing the shop, for welding and boring musket barrels, at the same armory, fifteen hundred dollars.

For additional machinery at the same armory, three thousand five hundred dollars.

For one steam-engine of fifteen horse power, at the same armory, fifteen hundred dollars.

For thirty-six double racks for placing arms in the new arsenal, at the same armory, five thousand one hundred dollars.

For the erection of twelve additional dwelling-houses for the workmen, at the national armory at Harpers' Ferry, Virginia, eight thousand six hundred dollars.

For the repair and extension of the public dam, on the Potomac river,

from which the supply of water is obtained for the works at said armory, five thousand dollars.

For the enlargement of the canal, supplying the water power of the public works of the said armory, from the Potomac dam, thirteen thousand four hundred and ninety-five dollars.

For repairing the walls of four workshops at the same armory, fifteen hundred dollars.

For constructing three new water-wheels, and the machinery in the boring, turning, and stocking shops, and sinking flumes, at the said armory, eight thousand four hundred dollars.

For completing the forging-shop tilt-hammer, and new workshop, at the same armory, thirteen thousand three hundred dollars.

For the purchase of one square acre of land, with the improvements, adjoining the arsenal near Pittsburgh, Pennsylvania, three thousand five hundred dollars.

For the purchase of forty-five acres of land adjoining the Watervliet arsenal, New York, nine thousand dollars.

For the purchase of the right to the water power on the Shenandoah river, for the use of the United States' rifle factory, which is established on that river, four thousand six hundred dollars.

For the repairs of the Spanish fort Marion, at St. Augustine, and for re-constructing the sea wall, to prevent the encroachments of the sea, at and near the same, twenty thousand dollars.

For the purchase of a site, and for erecting quarters and barracks for the United States' troops at Savannah, Georgia, thirty-five thousand dollars.

Purchase of lands.

Act of Aug. 2, 1813, ch. 48.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized to apply to the purchase of the square acre of land above mentioned, a sum not exceeding three thousand five hundred dollars, out of the proceeds arising from the sale of certain lots of land at Pittsburgh, Pennsylvania, belonging to the United States, which may be disposed of, under the provisions of the act of Congress of the second of August, one thousand eight hundred and thirteen.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

Appropriations for pay of army, &c.

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

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, 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-three, viz :

For pay of the army and subsistence of officers, one million three hundred and thirty-six thousand six hundred and ninety-seven dollars.

For forage of officers, fifty-four thousand three hundred and thirty-one dollars.

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

For subsistence, exclusive of that of officers, in addition to an unexpended balance of fifteen thousand dollars, three hundred and eighty-seven thousand dollars.

For clothing of the army, camp equipage, cooking utensils, and hospital furniture, in addition to material and clothing on hand, amounting to twenty thousand dollars, two hundred and fifty-six thousand seven hundred and sixty-three dollars.

For medical and hospital department, thirty-one thousand dollars.

For arrearages in the same department during the year one thousand eight hundred and thirty-two, three thousand dollars.

For various expenses of the quartermaster's department, viz: for fuel, forage, straw, stationery, blanks, repairing officers' quarters, barracks, store-houses, and hospitals; for erecting temporary cantonments, and gun-houses; for rent of quarters, store-houses, and land; for postage of letters on public service; for expenses of courts martial, including compensation of judge advocates, members and witnesses; for extra pay to soldiers employed on extra labour, under the act of March second, one thousand eight hundred and nineteen; and for expenses of expresses, escorts to paymasters, and other contingencies to quartermaster's department, two hundred and forty thousand dollars.

Pay of army,
&c.

Act of March
2, 1819, ch. 45.

For transportation of officers' baggage, and allowance for travel in lieu of transportation, and for per diem allowance to officers on topographical duty, fifty-three thousand dollars.

For transportation of clothing, subsistence, ordnance, and of lead from the mines, and for transportation of the army and funds for pay of the army, including the several contingencies and items of expenditure at the several stations and garrisons usually estimated under the head of transportation of the army, one hundred and twelve thousand dollars.

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

For fuel, forage, stationery, printing, transportation and postage, for the military academy, eight thousand five hundred dollars.

For repairs, improvements, and expenses of buildings, grounds, roads, wharf, and boat, at West Point, four thousand dollars.

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

For increase and expenses of the library, fourteen hundred dollars.

For philosophical apparatus, eight hundred and ninety dollars.

For models of department of engineering, six hundred dollars.

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

Miscellaneous items and incidental expenses of the academy, one thousand five hundred and seventy-five dollars.

For contingencies of the army, ten thousand dollars.

For the national armories, three hundred and sixty thousand dollars.

For the armament of fortifications, one hundred thousand dollars.

For the current expenses of the ordnance service, sixty-nine thousand three hundred dollars.

For arsenals, ninety-six thousand five hundred dollars.

For the recruiting service, thirty thousand nine hundred and fifty-two dollars, in addition to an unexpended balance of twelve thousand dollars.

For the contingent expenses of the recruiting service, sixteen thousand and forty-four dollars, including an unexpended balance of eight thousand five hundred dollars on hand.

For the purchase of accoutrements and swords, sixteen thousand seven hundred and fifty dollars.

For the purchase of cannon, fourteen thousand seven hundred and fifty dollars.

For payment of arms for mounted rangers, two thousand five hundred and ninety-eight dollars.

For the purchase of arms for South Carolina, six thousand one hundred and thirty-one dollars.

For arrearages prior to the first day of July, one thousand eight hundred and fifteen, payable through the third auditor's office, five thousand dollars.

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

1821, ch. 35.

Pay of army,
&c.

For arrearages of pay of certain militia of the state of Missouri, called out in one thousand eight hundred and twenty-nine, one thousand two hundred dollars.

For the pay of the militia of Illinois, Indiana, Missouri, and Michigan, ordered into the service of the United States during the last year, six hundred and thirty-two thousand dollars in addition to the amount heretofore appropriated for the same purpose.

For completing barracks, quarters, and store-houses, at fort Crawford, eight thousand dollars.

For completing barracks, quarters, and store-houses, at fort Howard, ten thousand dollars.

For completing barracks, and erecting an hospital at Baton Rouge, twenty-five thousand dollars.

For making good a deficiency of appropriation for the erection of barracks at fort Severn, Annapolis, three hundred dollars.

For the construction of a wharf at fort Preble, Portland, including the purchase of a site, three thousand seven hundred and seventy dollars.

For repairing the wharf at fort Independence, Boston, one thousand five hundred dollars.

For repairing the wharf at fort Washington, on the Potomac, one thousand five hundred dollars.

For repairing the wharf at fort Moultrie, Charleston, one thousand five hundred dollars.

For the purchase of ground adjoining fort Trumbull, New London, four hundred dollars.

For the erection of a store-house and stable on the public lot at Pitts-
burgh, five thousand dollars.

For the purchase of the ground at Key West, on which the barracks and quarters are erected, three thousand two hundred dollars.

For the purchase of land at fort Gratiot, one thousand six hundred dollars.

To make good a deficiency of a former appropriation for the building of a wharf at fort McHenry, ninety dollars and forty cents.

For repairing and extending the levees, securing the works at fort Jackson, Mississippi, and for improving the store rooms and magazine, four thousand dollars.

Commission to
paymasters.

SEC. 2. *And be it further enacted*, That the Secretary of War be authorized, at his discretion, out of the moneys appropriated by this, or any former act, for the payment of the militia ordered into the service of the United States, according to law during the last year, to allow and pay to the district paymasters of the army of the United States employed in making such payments, a commission on the sums respectively paid by them, not exceeding one per centum upon the amounts.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXII.—*An Act to explain and amend the act to alter and amend the several acts imposing duties on imports passed July fourteenth, one thousand eight hundred and thirty-two, so far as relates to hardware, and certain manufactures of copper and brass, and other articles.*

Act of July 14,
1832, ch. 227.

Certain provi-
sions suspended
till June 1, 1834.

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 fourteenth, eighteen hundred and thirty-two, be, and the same are hereby suspended until the first day of June, eighteen hundred and thirty-four.

SEC. 2. *And be it further enacted*, That, so much of the act to alter and amend the several acts imposing duties on imports, passed July the fourteenth, eighteen hundred and thirty-two, as repeals the duties heretofore levied on copper bottoms cut round, and copper bottoms raised to the edge, and still bottoms cut round and turned upon the edge, and parts thereof, and on copper plates or sheets, weighing more than thirty-four ounces per square foot, commonly called braziers' copper, and on tobacco leaves, or unmanufactured, be, and the same is hereby repealed.

Repeal of duties on copper bottoms, &c. repealed.

SEC. 3. *And be it further enacted*, That nothing contained in the act of the fourteenth of July, eighteen hundred and thirty-two, to alter and amend the several acts imposing duties on imports, shall be so construed as to authorize the exemption, from the payment of duty on sheet and rolled brass, but the same shall be charged with the payment of a duty of twenty-five per centum ad valorem.

Duty on sheet and rolled brass.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXIII.—*An Act making appropriations for the erection of certain fortifications.*

March 2, 1833.

[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, out of any money in the treasury not otherwise appropriated, namely:

Appropriations for erection of fortifications.

For a fort on Throg's Neck, East river, New York, twenty-five thousand dollars.

For rebuilding fort Delaware, Delaware river, fifty thousand dollars.

For a fort on Foster's Bank, Pensacola harbour, Florida, twenty-five thousand dollars.

For a fort on Grande Terre, Barataria, Louisiana, twenty-five thousand dollars.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXIV.—*An Act for improving the navigation of certain rivers in the territories of Florida and Michigan, and for surveys, and for other purposes.*

March 2, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for the purpose of removing obstructions, and improving the navigation of certain rivers in the territories of Florida and Michigan, the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury; to be expended under the direction of the President of the United States.

Appropriations for the improvement of rivers in Florida and Michigan.

For removing obstructions in, and improving the navigation of, the Escambia river, five thousand dollars.

For improving the navigation of the Ochlochney river, five thousand dollars.

For improving the navigation of the Choctawhachie river, as recommended by the Postmaster General, for the transportation of the mail from Pensacola to Tallahassee, five thousand dollars.

For improving the harbour at Chicago on lake Michigan, twenty-five thousand dollars.

For a survey of White and Saint Francis rivers, in the territory of Arkansas, five hundred dollars.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

Contracts to be advertised for.

Appropriation for construction of bridge.

CHAP. LXV.—*An Act in relation to the Potomac bridge.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so soon as the President of the United States shall decide on a plan for the erection of a bridge over the Potomac river at Washington, on or adjoining the site of the old bridge, the Secretary of the Treasury is hereby required to advertise for contracts, after giving, at least, thirty days' notice.

SEC. 2. *And be it further enacted,* That, towards the construction of the said bridge, the sum of two hundred thousand dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, in such sums, and at such times, as may be agreed on by the Secretary of the Treasury, and the contractor or contractors, who shall give to the said Secretary satisfactory security for the faithful performance of the contract.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

Appropriation to citizens of Georgetown to improve navigation of Potomac, &c.

How to be paid.

Condition.

CHAP. LXVI.—*An Act to improve the navigation of the Potomac river between Georgetown and Alexandria, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in order to aid the citizens of Georgetown in removing the obstruction to their navigation, by causing the cut already made through the bar, below the town, to be enlarged and deepened; and for the further purpose of enabling them to make a free turnpike road to the district line on the Virginia side of the river, and to purchase of the present proprietors, and make for ever free, the bridge over the Little Falls of Potomac river, the sum of one hundred and fifty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That the said sum shall be paid, from time to time, by the Secretary of the Treasury, to the order of the corporation of Georgetown, in such sums as to enable the said corporation to effect the purposes aforesaid.

SEC. 3. *And be it further enacted,* That before the said sum be paid over to the said corporation, it shall pass an ordinance to make said road and bridge free, and to be kept in repair by said corporation for ever.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

1827, ch. 94.
Five hundred thousand dollars annually appropriated.

To be applied as directed by act of March 3, 1827, ch. 94.

CHAP. LXVII.—*An Act [in] addition to the act for the gradual improvement of the navy of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the gradual improvement of the navy of the United States, the sum of five hundred thousand dollars, out of any money in the treasury not otherwise appropriated, be, and the same is hereby appropriated, annually, for six years, from and after the third day of March, eighteen hundred and thirty-three, when the present appropriation expires.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized and empowered to cause the above-mentioned appropriation to be applied, as directed and prescribed by the act of the third of March, eighteen hundred and twenty-seven, to which this is in addition, the provisions whereof are hereby continued in force for the term above mentioned, and to be applied also to the purchase of other necessary materials as well as timber suitable for the construction of vessels of war.

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

Provisions for preservation of live oak.

APPROVED, March 2, 1833.

STATUTE II.

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

March 2, 1833.

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

Term of enlistment in the army, and pay.

Term of enlistment in the marine corps, and pay.

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

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

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

Bounty for re-enlistment.

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

Pay of re-enlisted men.

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

Premiums and bounties not to be allowed.

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

No convict to be enlisted.

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

Seventh section

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

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

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

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

[Obsolete.]

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

Appropriations.

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

Delaware breakwater.

For carrying on the Delaware breakwater, two hundred and seventy thousand dollars.

Black river.

For removing a sand bar at the mouth of Black river, Ohio, two thousand four hundred dollars.

Cunningham creek.

For a pier head at Cunningham creek, Ohio, five hundred dollars.

Ashtabula creek.

For completing the removal of obstructions at the mouth of Ashtabula creek, Ohio, three thousand four hundred dollars.

Presque Isle.

For completing the improvement of the harbour of Presque Isle, Pennsylvania, six thousand dollars.

Buffalo harbour.

For completing the pier at the mouth of Buffalo harbour, New York, thirty-one thousand seven hundred dollars.

Gennessee river.

For improving the entrance of Gennessee river, New York, fifteen thousand dollars.

Big Sodus bay.

For removing obstructions at the mouth of Big Sodus bay, New York, fifteen thousand dollars.

Oswego.

For completing the pier and mole at Oswego, New York, eight thousand four hundred dollars.

Merrimack river.

For the completion of the breakwater at the mouth of the Merrimack river, four thousand nine hundred dollars.

Plymouth beach.

For repairing Plymouth beach, six hundred dollars.

Breakwater at Hyannis.

For the breakwater at Hyannis, Massachusetts, five thousand dollars.

New Castle, Marcus Hook, and Port Penn.

For improving the harbours of New Castle, Marcus Hook, Chester, and Port Penn, in the Delaware, four thousand dollars.

Ocracoke inlet.

For carrying on the improvement of Ocracoke inlet, North Carolina, sixteen thousand seven hundred dollars.

Cape Fear river.

For improving Cape Fear river, below Wilmington, North Carolina, twenty-eight thousand dollars.

Ohio, Missouri, and Mississippi.

For improving the navigation of the Ohio, Missouri, and Mississippi rivers, fifty thousand dollars.

Detroit road to Saganaw bay.

For continuing the road from Detroit to Saganaw bay, fifteen thousand dollars.

St. Mark's.

For completing the improvement of St. Mark's river and harbour in Florida, in addition to the unexpended balance of former appropriations, one thousand five hundred dollars.

Detroit road to Grand river.

For the road from Detroit to Grand river of Lake Michigan, twenty-five thousand dollars.

Detroit road to Chicago.

For continuing the road from Detroit towards Chicago, in the territory of Michigan, eight thousand dollars.

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

For paying the balance due the commissioner for surveying and marking the road from La Plaisance bay, to intersect the road to Chicago, within the territory of Michigan, six hundred and eight dollars and seventy-six cents.

Road to Chicago.

For making the said road, fifteen thousand dollars.

For completing the improvement of the inland channel between St. Mary's and St. John's, in Florida, nine thousand dollars.

Channel between St. Mary's and St. John's.
Harbour and river Appalachi-
cola.

For the completion of the removal of obstructions in the harbour and river Appalachiicola, in Florida, according to the report and estimate of the engineer, Lieutenant Long, eight thousand seven hundred dollars, including the unexpended appropriation of last year.

For repairing the Cumberland road east of the Ohio, one hundred and twenty-five thousand dollars.

Cumberland road.

For continuing the Cumberland road in Ohio, west of Zanesville, one hundred and thirty thousand dollars.

For continuing the Cumberland road in the state of Indiana, one hundred thousand dollars.

For continuing the Cumberland road in Illinois, seventy thousand dollars.

For repairs of the Cumberland road in Virginia, thirty-four thousand four hundred and forty dollars.

For payment of a balance due the commissioner under the act of third March, one thousand eight hundred and twenty-five, for marking out a road to the confines of New Mexico, one thousand five hundred and four dollars and fifty-four cents.

Road to New Mexico.

For defraying the expenses incidental to making examinations and surveys under the act of the thirtieth of April, one thousand eight hundred and twenty-four, twenty-five thousand dollars.

Examinations and surveys.

For payment of balance due Joseph C. Brown, for running the western boundary of the state of Missouri, one hundred and forty dollars.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized, by and with the approbation of the President of the United States, to change the location of the route of the Cumberland road, near Cumberland and Wills' mountain, according to the survey and report thereon of Captain Delafield, of the corps of engineers.

President to alter route of the Cumberland road.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXX.—*An Act making appropriation for the public buildings, and for other purposes.*

March 2, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for the purpose of completing the buildings of the penitentiary, its support, the purchase of raw materials to be manufactured by the convicts, and as compensation to Thomas Carberry, who is hereby allowed one thousand dollars for his services in planning and superintending the erection of the penitentiary, the sum of fifteen thousand four hundred and thirty-six dollars is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated.

Appropriation for penitentiary.

SEC. 2. *And be it further enacted*, That the following sums be, and hereby are appropriated, to be paid out of any money in the treasury, not otherwise appropriated, for the following purposes, that is to say:

Appropriations for Capitol, President's house, &c.

For dressing and laying the stone, procured for paving the terrace of the Capitol, seven thousand dollars.

For enclosing and improving the public ground north of the Capitol, two thousand dollars.

For a pedestal wall, coping, railing, and foot way at the north front of the President's house, ten thousand dollars.

For improving the Capitol square, including the gardener's salary, and lighting the lamps, two thousand seven hundred and fifty dollars.

For completing the regulation of the ground and planting, south of the President's house, four thousand six hundred and sixty dollars.

For alterations and repairs in the Capitol, one thousand dollars.

For alterations and repairs in the President's house, five hundred dollars.

For constructing reservoirs and fountains at the public offices, and President's house, and enclosing and planting the fountain square, six thousand seven hundred and twenty-three dollars.

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

For furnishing the President's house, to be expended under the direction of the President, in addition to the proceeds of such decayed furniture, as he may direct to be sold, twenty thousand dollars.

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

For alterations in the Representatives Hall, to accommodate the twenty-third Congress, according to a plan recommended by a select committee of the House of Representatives, of thirtieth June, eighteen hundred and thirty-two, thirteen thousand dollars.

For completing the public vault, and railing thereon, one thousand six hundred dollars.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXI.—*An Act for the construction of a road from the Mississippi river to William Strong's, on the St. Francis river, in the territory of Arkansas.*

Appropriation for construction of road in Arkansas.

Route.

Proviso.

Proviso.

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 thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of enabling the President of the United States to cause to be permanently constructed, a road in the territory of Arkansas, from a point opposite to Memphis, to the house of William Strong, on the St. Francis river, or towards such other point on the same as the engineer appointed to report thereupon may recommend, for the purpose of establishing a constant communication from the point above named, towards Little Rock, in the said territory: Provided, That the said sum be expended under the direction of such military engineer as the President may appoint: And provided, also, That no part of the said sum of money shall be expended until a careful survey and estimate shall have been made of the cost of the road by a competent engineer, and that the said survey and estimate shall have been previously submitted to, and approved by, the Secretary of War, and the President of the United States.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXII.—*An Act prolonging the second session of the fifth legislative council of the territory of Michigan.*

Authority to prolong session thirty days.

Appropriation to defray the expenses, &c.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the legislative council of the territory of Michigan, now in session, be, and is hereby authorized to continue its present session thirty days beyond the time now limited by law.

SEC. 2. *And be it further enacted, That, for the purpose of defraying the incidental expenses and for paying the members of said legislative*

council for the additional time employed as aforesaid, the sum of two thousand dollars be, and is hereby, appropriated, out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXXIII.—*An Act in addition to, and in alteration of, an act entitled "An act vesting in the corporation of the city of Washington all the rights of the Washington Canal Company," and for other purposes.*

March 2, 1833.

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 is hereby authorized to pay, out of any moneys in the treasury not otherwise appropriated, unto the mayor, aldermen, and common council of the city of Washington, the sum of one hundred and fifty thousand dollars, to aid them in fulfilling the objects and requirements of an act entitled "An act vesting in the corporation of the city of Washington all the rights of the Washington Canal Company, and for other purposes; approved May thirty-first, one thousand eight hundred and thirty-two: *Provided,* That the said mayor, aldermen, and common council, relinquish all title to the land vested in them by the eighth section of the act above named, and, also, relinquish all rights and privileges granted by the eighth, tenth, eleventh, twelfth, thirteenth, and fourteenth sections of said act: *And provided, also,* That the sum herein granted shall be applied to pay and extinguish any debt which has been, or may be contracted in the purchase either of the Washington City Canal, or in the completion of the same, and shall not be applicable to any other object or purpose until said debts be extinguished.

Secretary of the Treasury to pay \$150,000 to city of Washington.

Act of May 31, 1832, ch. 113.

Proviso.

Proviso.

SEC. 2. *And be it further enacted,* That the commissioner of the public buildings is hereby authorized to cause all the open grounds belonging to the United States which, in the original plan of the city, were reserved for public walks, lying between the Maryland and Pennsylvania Avenues, to be enclosed with a wooden fence, and to lay down the same, according to such plan for the improvement thereof as the President of the United States may approve, in grass, and intersect it by suitable paths and roads for intercourse and recreation: *Provided,* That there shall not be more than three streets or roads across the same to connect the streets on the north and south sides of said public grounds.

Public walks to be enclosed and improved.

Proviso.

SEC. 3. *And be it further enacted,* That there be paid out of any unappropriated money in the treasury, for the purposes of the second section of this act, the sum of five thousand dollars.

Appropriation.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. LXXIV.—*An Act establishing a port of entry and delivery at the village of Fall River in Massachusetts, and discontinuing the office at Dighton.*

March 2, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there shall, from and after the first day of April next, be established in the village of Fall River, near the mouth of Taunton Great river, in Massachusetts, a port of entry and delivery.

Port to be established.

SEC. 2. *And be it further enacted,* That the office of the collection of the customs in Dighton, Massachusetts, shall, from and after the first day of April next, be discontinued.

Office discontinued.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXV.—*An Act to authorize the President of the United States to exchange certain lands belonging to the navy yard at Brooklyn, for other lands contiguous thereto.*

President to execute conveyance.

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 execute a conveyance to the corporation of the village of Brooklyn, in the state of New York, of the interest of the United States in certain lands forming a part of the navy yard at said village of Brooklyn, and designated in a petition from said corporation to Congress, on condition that said corporation convey a good title to the United States of such other property contiguous to said yard, and obtain releases to the United States of certain parts of said yard now in controversy, so that, in his opinion, the conveyances from said corporation shall be equally beneficial to the United States as the property granted to said corporation.

Condition.

APPROVED, [March] 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXVI.—*An Act for the more perfect defence of the frontiers.*

Regiment of dragoons established.

Act of June 15, 1832, ch. 131.

Organization.

Act of Aug. 23, 1842, ch. 186.

Act of April 4, 1844, ch. 11.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in lieu of the battalion of mounted rangers authorized by the act of the fifteenth of June, one thousand eight hundred and thirty-two, there be established a regiment of dragoons, to be composed and organized as follows, to wit: one colonel, one lieutenant colonel, one major, one quartermaster-sergeant, and two chief buglers, one adjutant, who shall be a lieutenant, one sergeant major, one chief musician, and ten companies; each company to consist of one captain, one first lieutenant, and one second lieutenant, exclusive of the lieutenant who is to be the adjutant of the regiment: four sergeants, one of whom shall act as quartermaster-sergeant to the company, four corporals, two buglers, one farrier and blacksmith, and sixty privates.

Pay when mounted.

SEC. 2. *And be it further enacted,* That the officers, non-commissioned officers, musicians, and privates, when mounted, be entitled to the same pay and emoluments as was allowed to dragoons during the war, and when on foot, the same pay and emoluments as are now allowed to the officers, non-commissioned officers, musicians, and privates of a regiment of infantry; and that the farrier and blacksmith be allowed the same pay and allowances as are allowed to an artificer of artillery.

Pay when on foot.

To serve on horse or foot, and subject to rules of war, &c.

SEC. 3. *And be it further enacted,* That the said regiment of dragoons shall be liable to serve on horse, or foot, as the President may direct; shall be subject to the rules and articles of war, be recruited in the same manner, and with the same limitations; that the officers, non-commissioned officers, musicians, farriers, and privates, shall be entitled to the same provisions for wounds and disabilities, the same provisions for widows and children, and the same allowances and benefits in every respect, as are allowed the other troops constituting the present military peace establishment.

President to carry act into effect.

SEC. 4. *And be it further enacted,* That the President of the United States be authorized to carry into effect this act as soon as he may deem it expedient, and to discharge the present battalion of mounted rangers, on their being relieved by the said regiment of dragoons.

Appropriation.

SEC. 5. *And be it further enacted,* That the sum required to carry into effect the provisions of this act is hereby appropriated, in addition to the appropriations for the military establishment for the year one thousand eight hundred and thirty-three.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXVII.—*An Act to create sundry new land offices, and to alter the boundaries of other land offices of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much of the lands ceded to the United States by the treaties made and concluded with the Choctaw tribe of Indians, near Doak's Stand, on the eighteenth day of October, one thousand eight hundred and twenty, and at Dancing Rabbit creek, on the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated north of the line dividing townships nineteen and twenty, and west of the line dividing ranges seven and eight, east, be, and the same is hereby, established into a land district, to be designated as the north-western district.

Choctaw lands to form north-western land district.

Bounds.

SEC. 2. *And be it further enacted,* To so much of the land ceded by the Choctaw tribe of Indians to the United States, by said treaty of the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated west of the basis meridian, and south of the dividing line between townships nineteen and twenty, north, be, and the same is attached to the Choctaw district, established by an act of the seventh of May, eighteen hundred and twenty-two.

Choctaw district, by act of May 7, 1822, ch. 93, extended.

SEC. 3. *And be it further enacted,* That so much of the lands ceded to the United States, by said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated north of the dividing line between townships seven and eight, east of the basis meridian, and south of the north-western district, and the southern boundary of the lands of the Chickasaw tribe of Indians, shall constitute a land district to be designated as the north-eastern district; and the lands of the United States in the counties of Monroe and Lowndes, now subject to sale in the Choctaw district, shall, from and after the first day of May next, be subject to sale at the land office in the said north-eastern district; and it shall be the duty of the register at Mount Salus, under instructions from the commissioner of the general land office, to transfer all such books, maps, records, field notes, and plats, or transcripts thereof relating to the surveys of the public lands in Monroe and Lowndes counties, to the register of the north-eastern district, as may be necessary to enable him to comply with the provisions of this act.

North-eastern district.

Bounds.

Lands in Monroe, &c. to be subject to sale.

Transfer of books, &c.

SEC. 4. *And be it further enacted,* That so much of the land ceded to the United States by the said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated south of the dividing line between townships seven and eight, be attached to, and constitute a part of, the Augusta land district.

Augusta district: addition thereto.

SEC. 5. *And be it further enacted,* That, for the disposal of the public lands in the north-eastern and north-western districts, a land office shall be established in each, at such convenient place as the President of the United States may designate; and, for each of said offices, a register and receiver shall be appointed by the President, by and with the advice and consent of the Senate, who shall severally give bond and security, according to law, before entering on the duties of their respective offices. They shall receive the same compensation, fees, and emoluments, and shall perform similar duties, and possess the same powers, with all other registers and receivers of public moneys of the United States, and shall, in all respects, be governed by the laws of the United States providing for the sale of public lands.

Land offices of north-eastern and north-western district.

SEC. 6. *And be it further enacted,* That so much of the Edwardsville land district as lies north and north-west of the Illinois river, between said river and the Mississippi, be, and the same is hereby, attached to the Quincy land district, in the state of Illinois; and that ranges one and two west of the third principal meridian, embracing all townships from the base line to the southern boundary of the Sangamon land district, be,

Quincy district: part of Edwardsville district attached thereto.
Vandalia district: addition thereto.

and the same is hereby, attached to the Vandalia land district in said state. The said transfer to be effected under the direction of the Secretary of the Treasury.

Demopolis district.

SEC. 7. *And be it further enacted*, That all the lands situated south of the district line, and south of the dividing line between townships twenty and twenty-one, and north of the line dividing townships eleven and twelve, and west of the line dividing ranges nine and ten west, to the west boundary line of the state of Alabama, shall constitute a land district, to be known and called the Demopolis district.

Lands in Green and Marengo counties to be subject to sale at Demopolis land office.

SEC. 8. *And be it further enacted*, That the lands in the United States in the counties of Green and Marengo, now subject to sale in the Tuscaloosa, Cahawba, and Saint Stephen's land districts, as comprehended in the above-described district: *Provided*, That the land district hereinafter created by the tenth section of this act, shall be bounded on the south by the line dividing townships twenty-six and twenty-seven, and on the east by the line dividing ranges six and seven, and the lands in said district now in market shall be subject to entry at the land offices at Crawfordsville and fort Wayne as heretofore, until the first day of July next, and no longer; shall, from and after the first day of June next, be subject to sale at the land office in the said Demopolis land district; and it shall be the duty of the registers at Tuscaloosa, Cahawba, and Saint Stephen's, under instructions from the commissioner of the general land office, to transfer all such books, maps, records, field notes, and plats, or transcripts thereof, relating to the surveys of the public lands hereby added to the said Demopolis land district, to the register of the Demopolis land district.

Register and receiver for Demopolis district.

SEC. 9. *And be it further enacted*, That there shall be a register and receiver appointed for the said land district, with the same compensation, fees, and emoluments, and who shall perform all the duties usually performed by registers and receivers appointed to superintend the sale of the public lands of the United States.

New land district in Indiana.

SEC. 10. *And be it further enacted*, That all that district of country, in the state of Indiana, lying west of the line dividing ranges seven and eight east of the second principal meridian, and north of the line dividing townships twenty-four and twenty-five, shall form a separate land district; and the land office for the sale and disposal of all the public lands in said district, shall be, and hereby is, established at Laporte; and for said land office, a register and receiver shall be appointed in like manner, and be subject to like rules and regulations, and receive the same salary, fees, and compensation for their services, as is designated and provided for in other cases by the fifth section of this act; and it shall be [the] duty of the Secretary of the Treasury, as soon as it can be done, to cause the necessary tract books, plats, maps, and surveys of the public lands in said district, to be filed in said office: *Provided*, That the President may, whenever, in his judgment, the public interest and the convenience of the people require it, remove said office to a more central and suitable place in said district.

Office at Laporte.

President may remove office.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXVIII.—*An Act making provision for the publication of the Documentary History of the American Revolution.*

Secretary of State authorized to contract.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be, and he hereby is authorized to contract with Matthew St. Clair Clarke and Peter Force, for the publication of a work entitled "The Documentary History of the American Revolution," to be printed in octavo or folio, as may be agreed upon: *Provided*, That the rate of expense shall

Limitation of expense.

not exceed the actual cost per volume of the Diplomatic Correspondence now printing, or heretofore printed, under direction of the Secretary of State; the same to be distributed and disposed of in the manner provided by the joint resolution of the tenth July, one thousand eight hundred and thirty-two, for the distribution and disposal of Gales and Seaton's collection of American State Papers.

APPROVED, March 2, 1833.

Ante, p. 606.

STATUTE II.

CHAP. LXXIX.—*An Act declaring the assent of Congress to an act of the General Assembly of the state of Virginia, hereinafter recited. (a)*

March 2, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the assent of the United States be, and the same is hereby, given to an act of the General Assembly of Virginia, entitled "An act concerning the Cumberland road," passed February the seventh, one thousand eight hundred and thirty-two; such assent to remain in force during the pleasure of Congress: Provided, That this act shall not be construed as preventing the United States from resuming whatever jurisdiction it may now have over the said road, whenever, in its discretion, it shall deem it proper so to do; which act of the said General Assembly is in the words and figures following, to wit:

Assent of the United States.

Proviso.

"Be it enacted by the General Assembly, That whenever the government of the United States shall have surrendered so much of the road, commonly called the Cumberland road, as lies within the limits of this state, the president and directors of the board of public works, shall be, and they are hereby, authorized to take the same under their care in behalf of this state; and to cause a gate or gates, and a toll-house or houses, to be erected on said road: Provided, the same shall not exceed two in number.

Act of Virginia.

Toll-gates.

"Be it further enacted, That a superintendent shall be appointed by the president and directors of the board of public works, removable at pleasure, whose duty it shall be to erect said gate or gates, and toll-house or toll-houses, and to exercise all reasonable vigilance and diligence in the care of said road committed to his charge; to contract for, and direct the application of, the labour, materials, and other things necessary for the repair, improvement, and preservation of said road; and he shall pay for the same out of the fund arising from the tolls; he shall have power to appoint and remove at pleasure, the collectors of tolls, and to take from such collector or collectors, bond with good security, conditioned for his, her, or their faithfully discharging his, her, or their duty, and accounting for, and paying over, to such superintendent or his successors in office, all moneys or tolls by him, her, or them collected or received; and it shall be the duty of the superintendent every six months, before the county or superior court for Ohio county, or before some one by either of said courts appointed for that purpose, to render, under oath, an account of all moneys by him received or expended, particularly setting forth, in such account, the time when, and from whom, he shall have received such money, and the time when, and to whom, and on what account, the same shall have been disbursed or expended. He shall, before he shall have entered on the duties of said office, take, before the county court of Ohio county, or some justice of the peace for said county, an oath, that he will faithfully, justly, and impartially discharge the duties of his said office; and he shall, also, before said court, enter into bond, with two good securities, at least in the penalty of ten thousand dollars, conditioned for his faithfully performing, in all things, the duties of his office of superintendent, to account as is before provided for, and also to pay over to his successor or succes-

Superintendent of road.

Duties.

Toll-collectors.

Accounts of superintendent.

Oath.

Bond.

(a) See notes to "An act declaring the assent of Congress to an act of the General Assembly of the state of Ohio," hereinafter recited, March 2, 1831, ch. 97.

sors in office, or to such person as the county court of Ohio county may, for this purpose, name and appoint, all tolls by him received, and not expended, by virtue of the provisions of this act. He shall, immediately on the receipt thereof, deposit in the North-western Bank of Virginia, all moneys by him received for tolls or otherwise, and the same, as superintendent, check for, as he may want the same in repairing, improving, or preserving said road. And in case of death, resignation, or removal from office, or from the state, any and all moneys standing to his credit in bank, as superintendent, shall be passed to the credit of his successor in office. If the superintendent shall fail or omit, for two calendar months, to render his accounts as is before required, he shall, for every such failure, forfeit and pay, for the benefit of said road fund, five hundred dollars, to be recovered as is after provided for; or if he shall fail or omit to pay over all moneys in his hands as is before required, it shall be lawful, in the name of the President and directors of the board of public works, to obtain judgment against him, his security or securities, his or their heirs, executors, or administrators; upon motion in the county or superior courts of Ohio county, upon giving ten days' notice to such superintendent, his security or securities, his or their heirs, executors or administrators. In all motions, actions, or bills in chancery against such superintendent, his security or securities, his or their heirs, executors, or administrators, whenever judgment or decree shall be pronounced against the defendant or defendants, for any money by such superintendents wrongfully detained, such judgment shall be for the principal sum due, with interest thereon from the time at which the principal sum shall have been due, together with fifteen per centum damages thereon, to be made and levied in manner provided for by law. The said collectors shall monthly, or oftener if required by the superintendent, under oath, account for, and pay to the superintendent then in office, all moneys or tolls collected by him or them, and which shall remain, after deducting his or their compensation; and if such collector or collectors shall fail herein, it shall be lawful for the superintendent, in the name of the president and directors of the board of public works, to obtain judgment against such collector or collectors, his, her, or their security or securities, his or their heirs, executors, or administrators, by motion in the county or superior court for Ohio county, for the sum he, she, or they may be in arrear, with interest and damages as is above provided for in the case of defaulting superintendents: *Provided*, That such collector or collectors, his, her, or their security or securities, his or their heirs, executors, or administrators, shall [have] had ten days' previous notice of such motion. When the said collector shall have paid over to the superintendent, the superintendent shall give him duplicate receipts therefor, one of which he, the said collector, upon pain of forfeiting fifty dollars for every failure, shall file with the clerk of the county court of Ohio county. The bonds hereby required of superintendents or collectors shall be made payable to the president and directors of the board of public works, and be deposited for safe-keeping, with the clerk of the county court of Ohio county. But all moneys, and all fines and forfeitures recovered of them, or either of them, shall be collected and received by the superintendent, in office, or by such person as the county court of Ohio county may appoint to receive the same. The said superintendent, and the said collector or collectors, shall be allowed by the county court of Ohio county a reasonable compensation for their services; to be by them respectively retained out of said tolls, or the proceeds thereof: *Provided however*, That the compensation to the superintendent shall not exceed three hundred and thirty-three and one-third dollars per annum. And for the better order and management of the said fund, and the preservation of said road, the said superintendent, and collector or collectors, shall observe and conform to such

Deposit for
tolls, &c.

Failure to render
account.

Judgment in
actions for failure.

Accounts of
collectors.

Proviso.

Receipts to
collectors.

Bonds.

Fines and forfeitures.

Compensation
of superintendent
and collectors.

Proviso.

Instructions.

instructions as the president and directors of the board of public works may, from time to time, prescribe.

“That, as soon as the said gates and toll-houses shall be erected, it shall be the duty of the said toll collector, or collectors, and they are hereby required to demand and receive, for passing the said gates, the tolls and rates hereafter mentioned: and they may stop any person riding, leading, or driving any horses, cattle, sulky, chair, phaeton, cart, chaise, wagon, sleigh, sled, or other carriage of burden or pleasure, from passing through the said gate or gates, until they shall have respectively paid for passing the same; that is to say: if there be but one gate, for every score of sheep or hogs, six and a quarter cents; for every score of cattle, twelve and a half cents; for every led or drove horse, three cents; for every mule or ass, led or driven, three cents; for every horse and rider, six and a quarter cents; for every sled or sleigh, drawn by one horse, or ox, six and a quarter cents; for every horse or ox in addition, three cents; for every dearborn, sulky, chair, or chaise, with one horse, six and a quarter cents; for every horse in addition, six and a quarter cents; for every chariot, coach, coachee, stage, or phaeton with two horses, twelve and a half cents; for every horse in addition, six and a quarter cents; for every other carriage of pleasure, by whatever name it may be called, the like sum, according to the number of wheels and horses drawing the same; for every cart, or wagon, whose wheels do not exceed two and a half inches in breadth, twelve and a half cents; for each horse or ox drawing the same, four cents; for every cart or wagon, whose wheels shall exceed two and a half inches in breadth, and not exceeding four inches, six and a quarter cents; for every horse or ox drawing the same, three cents; and for every other cart or wagon, whose wheels shall exceed four inches, and not exceeding five in breadth, four cents; for every horse or ox drawing the same, two cents; and all other wagons or carts, whose wheels shall exceed six inches in breadth, shall pass said gates free and clear of all tolls: *Provided, however,* That nothing in this act shall be so construed as to authorize any tolls to be received or collected from any person passing to or from public worship, or to or from a visit to a friend, or other place within the county in which he resides, or to or from any musters, elections, or courts, or to or from his common business on his farm or woodland, or to or from a funeral, or to or from a mill or school, or to or from his common place of trading or marketing within the county in which he resides, including the wagons, carriages, and horses, or oxen drawing the same: *Provided, also,* That no toll shall be received or collected for the passage of any stage or coach conveying the United States’ mail, or horses bearing the same, or any wagon or carriage laden with property of the United States, or any cavalry or other troops, army or military stores, belonging to the same, or to any of the states comprising the Union, or any person or persons on duty in military service of the United States, or of the militia of any of the States: *And provided, further,* That the superintendent may commute the rates of tolls with any person or persons by taking of him or them a certain sum, annually, in lieu of the tolls aforesaid: *And provided, further,* If two gates shall be erected on said road, then only one half of the said rates or tolls shall be received or collected at each gate; and that the superintendent and three discreet freeholders of Ohio county, to be appointed for this purpose by the county court of Ohio county, shall determine the number of gates (not exceeding two as aforesaid) and the site or location of such gate or gates; and said superintendent and persons to be appointed by the county court as aforesaid, are duly authorized to purchase, for the purpose of erecting a toll-house or toll-houses on said road, as much ground as they shall deem necessary and advantageous to said road fund; to be paid for out of the tolls aforesaid.

Tolls to be collected.

Rates, if one gate.

Persons exempt from tolls.

United States mail, &c., exempt.

Commutation of tolls.

Rates, if two gates.

Site for gates.

Application of the Cumberland road fund.

alties, and forfeitures, accruing under this act, shall constitute a fund, to be denominated the Cumberland road fund, and shall be applied by the superintendent to be appointed as aforesaid, solely and exclusively to the preservation, repair, and improvement of said road, and the expenses incident thereto, and to no other purpose whatever.

Power of the Assembly to alter or amend. Proviso.

"*Be it further enacted*, That the General Assembly reserves to itself at any future session thereof, without the consent of Congress, to change, alter, or amend this act: *Provided*, That the same shall not be so changed, altered, or amended, as to reduce or increase the rates of toll hereby established, below or above a sum necessary to defray the expenses incident to the repair and preservation of said road, to the erection of gates and toll-houses thereon, and for the payment of the fees or salaries of the superintendent, the collector of tolls, and of such other agents as may be necessarily employed in the preservation and repair of the said road, according to the true intent and meaning of this act.

Directors to be set up on the road, &c.

"*Be it further enacted*, That directors shall be set up, at proper and convenient situations, to caution all conductors and drivers of carriages or wagons on the road, as aforesaid, that they shall always pass on the left of each other, under the penalty of five dollars for every offence; and there shall also be set up, at some conspicuous place at each gate, a board, on which shall be legibly printed the rates of toll as is provided for in this act; and if any toll collector shall unreasonably delay or hinder any passenger or traveller at any of the gates, or shall demand or receive more toll than is by this act established, he shall, for each and every such offence, forfeit and pay to the party aggrieved, the sum of ten dollars.

Delay of passengers, &c.

Wilful injuries to road, &c.

"*Be it further enacted*, That if any person shall purposely and maliciously deface, or otherwise injure any of the milestones, parapet walls, culverts, or bridges, or any masonry whatsoever, or any of the gates or toll-houses of, or belonging to the said Cumberland road, in this state, as the same is now constructed, or may hereafter be constructed, every person so offending, upon conviction thereof, or judgment, information, or presentment in the county or superior court of Ohio county, be fined in a sum not exceeding five hundred dollars, or imprisonment in the jail of the county not exceeding six months, or both, at the discretion of the court; and if any person shall purposely fill, choke, or otherwise obstruct any of the side drains, valleys, gutters, or culverts of said road now made, or hereafter to be made, or shall connect any private road or cartway with said Cumberland road, or if any surveyor of a county road shall connect the same with the said Cumberland road, without making, at the point of connection, a stone culvert or paved valley, or other good and sufficient fixture so as to secure a free passage for the water along such side drain where such private or county road or cartway connects with said Cumberland road, and so as to secure such Cumberland road from injury by reason of such county or private road, or way, being connected with said Cumberland road, every person so offending shall, upon conviction thereof, be, for every such offence, fined in a sum not less than five dollars, nor more than twenty dollars; and if any person shall stand his wagon, and team, or either of them, over night upon the pavement of said road now made, or which may hereafter be made, or shall at any other time stand a wagon and team, or either of them, upon the said pavement for the purpose of feeding, or if he shall, in any other manner, purposely and wilfully obstruct the travel upon said road, or if he shall fast-lock or rough-lock either of the wheels of any wagon, coach, chaise, gig, sulky, carriage, or other two or four wheeled vehicle while travelling upon said road as now made, or as it may hereafter be made, (excepting, however, such parts of said road as may be, at the time of said locking, covered with ice,) every person so offending shall, upon conviction thereof, be fined in a sum not less than two, nor more than twenty dollars.

Penalty.

Obstructing side drains, &c.

Penalties.

Standing wagons, &c.

Locking wheels.

Penalty.

"*Be it further enacted*, That all fines, penalties, and forfeitures, incurred

under the provisions of this act, may be recovered by presentment or indictment in the county or superior courts of Ohio county, or by information or action of debt in the name of the governor, for the use of said road fund, in the same courts; or, the said fines, penalties, and forfeitures, where the same shall be less than twenty dollars, may be recovered by action of debt in the name and for the use aforesaid, before any justice of the peace for Ohio county; but an appeal may be had, as in other cases, to the next monthly court of Ohio county, from the judgment of any justice of the peace, when the same shall be a greater sum than five dollars, exclusive of costs, and it shall be the duty of the superintendent and collectors of tolls to prosecute all offences against the provisions of this act, and he or they shall not be liable for costs where the person or persons prosecuted shall be acquitted, unless the court or justice will certify that the prosecution is groundless and without good cause.

Recovery of fines, &c.

Appeal.

“*Be it further enacted*, That if more than one gate be erected upon said road, it shall be lawful for any person, desirous to do so, to pay the whole toll at any one gate, and, thereupon, the collector shall grant him a proper certificate thereof, which certificate shall be a sufficient warrant to procure his passage through the other gate.

Tolls may be paid at one gate.

“*Be it further enacted*, That this act shall not have any force or effect till the government of the United States shall assent to the same.

“*VIRGINIA, Richmond city to wit* :

“I, George W. Mumford, Clerk of the House of Delegates, and keeper of the rolls of Virginia, do certify that the foregoing is a true copy of an act concerning the Cumberland road, passed February the seventh, eighteen hundred and thirty-two.

“Given under my hand this thirteenth day of February, eighteen hundred and thirty-two.”

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXX.—*An Act to secure to mechanics and others payment for labour done and materials furnished in the erection of buildings in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all and every dwelling-house, or other building, hereafter constructed and erected within the city of Washington, in the town of Alexandria, or in Georgetown, in the District of Columbia, shall be subject to the payment of the debts contracted for, or by reason of any work done or materials found and provided by any brickmaker, bricklayer, stonecutter, mason, lime merchant, carpenter, painter and glazier, ironmonger, blacksmith, plasterer, and lumber merchant, or any other person or persons employed in furnishing materials for, or in the erecting and constructing such house or other building, before any other lien which originated subsequent to the commencement of such house or other building. But if such dwelling-house, or other building, or any portion thereof, shall have been constructed under contract or contracts, entered into by the owner thereof, or his or her agent, with any person or persons, no person who may have done work for such contractor or contractors, or furnished materials to him, or on his order or authority, shall have or possess any lien on said house or other building, for work done or materials so furnished, unless the person or persons employed by such contractor to do work on, or furnish materials for, such building, shall, within thirty days after being so employed, give notice in writing, to the owner or owners of such building, or to his or to their agent, that he or they are so employed to work or to furnish materials, and that they claim the benefit of the lien granted by this act. And if such house or other building should not sell for a sum sufficient to pay all the demands for such work and mate-

Buildings subject to debts for work, &c.

If buildings be under contract, no lien to attach for work or materials, unless notice be given.

If sale of building do not satisfy

fy all demands, to be distributed pro rata.

Limitation of lien.

Creditors paid, to enter satisfaction.

Penalty for not so doing.

Mode of recovering lien.

Proviso.

rials;—then, and in such case, the same shall be averaged, and each of the creditors paid a sum proportionate to their several demands: *Provided, always,* That no such debt for work and materials shall remain a lien on the said houses or other buildings longer than two years from the commencement of the building thereof, unless an action for the recovery of the same be instituted, or the claim filed, within three months after performing the work or furnishing the materials, in the office of the clerk of the court for the county in which the building shall be situated: *And provided, also,* That each and every person, having received satisfaction for his or their debt, for which a claim has been or shall be filed, or action brought as aforesaid, shall, at the request of any person interested in the building on which the same was a lien, or in having the same lien removed, or of his or their legal representative, on payment of the costs of the claim or action, and on tender of the costs of office for entering the satisfaction, within six days after such request made, enter satisfaction of the claim in the office where such claim was or shall be filed, or such action brought, which shall for ever thereafter discharge, defeat, and release the same; and if such persons, having received such satisfaction as aforesaid, by himself or his attorney, shall not, within six days after request and payment of the costs of the claim or action, and tender as aforesaid, by himself or his attorney, duly authorized, enter satisfaction as aforesaid, he, she, or they, neglecting or refusing so to do, shall forfeit and pay unto the party or parties aggrieved any sum of money, not exceeding one half of the debt, for which the claim was filed, or action brought as aforesaid, to be sued for and demanded by the person or persons indemnified, in like manner as other debts are now recovered by the existing laws for the recovery of debts.

SEC. 2. *And be it further enacted,* That in all cases of lien created by this act, the person having a claim filed agreeably to its provisions, may, at his election, proceed to recover it by personal action, according to the nature of the demand, against the debtor, his executors, or administrators, or by scire facias against the debtor, or owner of the building; and where the proceedings are by scire facias, the writ shall be served in like manner as a summons upon the persons named therein, if to be found within the county, and if not found in the county, then by fixing a copy of the writ upon the door of the building against which the claim is filed; and upon the return of service and failure of the defendants to appear, the court shall render judgment as in the case of a summons; but if they, or either of them, appear, they may plead and make defence, and the like proceedings shall be had as in personal actions for the recovery of debts: *Provided,* That no judgment rendered in such scire facias shall warrant the issuing an execution, except against the building or buildings upon which the lien existed as aforesaid.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXXII.—*An Act authorizing an alteration in the election districts for members of the legislative council of the territory of Michigan.*

Council to provide for alteration of election districts.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the legislative council of the territory of Michigan be, and hereby is, authorized to provide for such alterations in the election districts of said territory as will more effectually secure to the different sections of said territory a more equal representation in said legislative council.

Governor to district territory in case council shall have adjourned.

SEC. 2. *And be it further enacted,* That if the said legislative council shall have adjourned before the first day of April next, the governor of said territory shall, by proclamation, district the said territory according to the provisions of the foregoing section.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXXIII.—*An Act supplementary to an act, entitled "An act concerning a seminary of learning in the territory of Arkansas," approved the second of March, eighteen hundred and twenty-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the governor of the territory of Arkansas shall select twenty of the sections of public land reserved by the act, entitled "An act concerning a seminary of learning in the territory of Arkansas," approved the second of March, eighteen hundred and twenty-seven; and, after advertising and proclaiming them for sale in the several newspapers printed in Arkansas, and such other papers as he may deem expedient, he shall proceed to sell the same for cash, at some notorious place in Little Rock, to be designated in said advertisement, to the highest bidder.

Act of March 2, 1827, ch. 53. Governor to select twenty sections, and to sell the same for cash.

SEC. 2. *And be it further enacted,* That the said governor shall proclaim and sell the same in quantities not exceeding one half section, nor shall any sale be made for a price less than one dollar and twenty-five cents per acre. It shall be the duty of the governor to give to the purchaser a certificate of his purchase; and he shall also make a return to the register and receiver of the land office at Little Rock, of the quantity sold, the number of the section, range, township, and such other description of the land as he may deem necessary, the price for which each parcel sold, and to whom sold; and he shall also communicate to the legislature of the territory of Arkansas a duplicate of the same, upon which a patent shall issue to the purchasers as in other cases of sales of public lands.

Quantities and price.

Certificates of purchase, &c.

SEC. 3. *And be it further enacted,* That the money arising from the sales of the said twenty sections, or such portions of them as may be sold from time to time, after paying the reasonable expenses incurred in making the selections of the two townships under the before-recited act, and the expenses of selling the same under this act, shall be applied to the erection of suitable buildings for a seminary of learning at such place as may be designated, and under such terms and conditions as may be prescribed by the legislature of Arkansas.

Application of proceeds, &c.

SEC. 4. *And be it further enacted,* That it shall be the duty of the governor of said territory to pay the net proceeds of said sales into the office of the treasurer of said territory, who shall be responsible for the same as other public moneys; and who shall not pay out the whole, or any part thereof, for any other objects or purposes than such as are provided for by the act of the second of March, eighteen hundred and twenty-seven, to which this is a supplement, and by this act, and in obedience to the laws of the legislature of said territory, made to carry into effect the provisions of this act, and the said recited act.

Proceeds to be paid into the office of the treasurer of the territory.

1827, ch. 53.

SEC. 5. *And be it further enacted,* That the governor of the said territory shall be authorized to lease, for a term not exceeding five years, at any one time, the remainder of the two townships granted by the said act, and to apply the proceeds arising therefrom to the purposes aforesaid; and he shall render, once in two years, an account of the same to the legislature of said territory, and pay over the money to the treasurer of said territory.

Governor to lease remainder of lands.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

1822, ch. 180.

Provisions of act extended.

CHAP. LXXXIV.—*An Act supplemental to the act entitled "An act for the final adjustment of land claims in Missouri." (a)*

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

(a) See notes of the acts passed relative to lands in Missouri, vol. ii. p. 812.

Notes of decisions of the Supreme Court on Missouri land titles, vol. ii. pp. 748 and 812.

to which this is a supplement, shall be extended to and embrace in its operations, every claim to a donation of land in the state of Missouri, held in virtue of settlement and cultivation; and the commissioners appointed under the above-recited act, shall proceed to consider, decide, and report upon the aforesaid claims, under the provisions of the several acts of Congress heretofore passed in relation to said claims, and under such provisions and restrictions of the act to which this is a supplement, as may be applicable thereto.

Testimony to be taken.

SEC. 2. *And be it further enacted*, That it shall and may be lawful for the recorder and commissioners aforesaid, to continue to take the testimony of all such claims as heretofore described, for and during the term of two years, from the date of the act to which this is a supplement, any law to the contrary notwithstanding.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXXV.—*An Act authorizing the removal of the office of surveyor general of public lands south of Tennessee.*

Public land-office removed to Jackson.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That after the first day of April next, the office of the surveyor general of public lands south of Tennessee, shall be kept at Jackson, the seat of government of the state of Mississippi.

Presentation of accounts for surveys.

SEC. 2. *And be it further enacted*, That all accounts for surveys of public land in the state of Louisiana, not approved before the first day of April next, shall be presented with the proper returns of such surveys, to the office of the surveyor general of public lands for the state of Louisiana, for settlement and allowance.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. LXXXVII.—*An Act to amend an act, entitled "An act to grant a quantity of land to the state of Illinois, for the purpose of aiding in opening a canal to connect the waters of Illinois river with those of Lake Michigan," and to allow further time to the state of Ohio for commencing the Miami canal from Dayton to Lake Erie. (a)*

Act of March 2, 1827, ch. 56. Lands granted to Illinois.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the lands granted to the state of Illinois by the act to which this is an amendment, may be used and disposed of by said state, for the purpose of making a railroad instead of a canal as in said act contemplated; and that the time for commencing and completing said canal or railroad, whichever the state of Illinois may choose to make, be and is extended five years; *Provided*, That if a railroad is made in place of a canal, the state of Illinois shall be subject to the same duties and obligations, and the government of the United States shall be entitled to, and have the same privileges on said railroad, which they would have had through the canal, if it had been opened.

Ohio canal.

SEC. 2. *And be it further enacted*, That the further time of five years be allowed the state of Ohio to commence the Miami canal from Dayton to Lake Erie, in addition to the time now allowed therefor by law.

APPROVED, March 2, 1833.

(a) An act to authorize the state of Illinois to open a canal through the public lands to connect the Illinois river with Lake Michigan, March 30, 1822, ch. 14.

An act to authorize the selection of certain Wabash and Erie Canal lands in the state of Ohio, June 30, 1834, ch. 137.

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, ch. 42.

CHAP. LXXXIX.—*An Act to authorize the President of the United States to cause the public surveys to be connected with the line of demarcation between the states of Indiana and Illinois.*

STATUTE II.
March 2, 1833.

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 hereby is authorized and required to cause the public lands lying along the line of demarcation between the states of Indiana and Illinois, as established by the joint sanction of those states, to be surveyed in connection with said line on either side thereof.

Lands to be surveyed.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and hereby is, authorized to allow for the service to be performed under this act, such further compensation, in addition to [the] regular price now authorized by law, as to him shall appear to be just and reasonable, to be paid out of the regular appropriation for surveying public lands north-west of the Ohio river.

Compensation.

APPROVED, March 2, 1833.

CHAP. XC.—*An Act further to extend the powers of the board of canal commissioners for the improvement of the Tennessee river in the state of Alabama.*

STATUTE II.
March 2, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the commissioners appointed by the state of Alabama to superintend the improvement of the Tennessee river, and their successors in office, be, and they are hereby authorized to suspend the improvement of so much of said river as is below Florence, in said state, and every other part of the same, until the canal and other improvements, between Lamb's ferry and Campbell's ferry, shall have been completed; any thing in the act entitled "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, Cahawba, and Black Warrior rivers," approved twenty-third of May, one thousand eight hundred and twenty-eight, to the contrary notwithstanding.

Commissioners to suspend improvement of Tennessee river.

Act of May 23, 1828, ch. 75.

APPROVED, March 2, 1833.

CHAP. XCI.—*An Act prescribing the mode by which patents for public lands shall be signed and executed.*

STATUTE II.
March 2, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for the President of the United States, by and with the advice and consent of the Senate, to appoint a secretary, with a salary of one thousand five 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 lands sold or granted under the authority of the United States.

Secretary to be appointed.

SEC. 2. *And be it further enacted,* That this act shall continue and be in force until the fourth day of March, one thousand eight hundred and thirty-seven, and no longer.

Limitation of the act.

APPROVED, March 2, 1833.

CHAP. XCII.—*An Act to revive the act entitled "An act supplementary to the several laws for the sale of [the] public lands."*

STATUTE II.
March 2, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases in which persons were settlers or occupants of the public lands prior to the first

Settlers prior to May 1, 1832, permitted to enter, &c.

Act of April 5,
1832, ch. 65.

day of May, one thousand eight hundred and thirty-two, and were authorized to enter under the provisions of the act, entitled "An act supplementary to the several laws for the sale of [the] public lands," approved April fifth, one thousand eight hundred and thirty-two, and were prevented from making their entries, in consequence of the public surveys not having been made and returned, or where the land was not attached to any land district, or where the same has been reserved from sale in consequence of a disputed boundary between two states, or between a state and territory, the said occupants shall be permitted to enter the said lands on the same conditions, in every respect, as were prescribed in said act, within one year after the surveys are made, or the land attached to a land district, or the boundary line established; and if the land shall be proclaimed for sale before the expiration of one year as aforesaid, then the said settlers or occupants shall be permitted to enter before the sale thereof.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. XCIII.—*An Act to establish a town at St. Marks, in Florida.*

Lands to be
laid off into
town lots, &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 is hereby, authorized to cause so much of the public lands at or near St. Marks, in the territory of Florida, as he may deem proper, to be laid off into town lots, not to contain more than one quarter of an acre each, and into streets, avenues, and out lots, and public squares, for the use of the town; and, whenever the survey of the same shall be completed, it shall be the duty of the surveyor for the territory of Florida, to cause two plats thereof to be made out, on which the town and out lots shall respectively be designated by progressive numbers; one of which shall be transmitted, with a copy of the field notes, to the commissioner of the general land office, and the other to the register of the land office for the proper district: *Provided,* That the President may adopt, if he shall approve such plan as may have been already reported to the general land office.

Plan.

Public sale of
lots.

SEC. 2. *And be it further enacted,* That the aforesaid town and out lots at said site, with the exception of such of them as the President may reserve for fortifications, shall be offered for sale to the highest bidder, under the direction of the register and receiver of the proper land office, at such times and places as the President shall, by public proclamation, designate for that purpose; and all lots remaining unsold at the closing of the public sales shall be subject to entry at private sale at the proper land office: *Provided,* That no town lot shall be sold for less than twenty-five dollars, nor any out lot for less than at the rate of twenty-five dollars per acre; and they shall, in every other respect, be sold on the same terms and conditions as are provided for the disposal of the other public lands of the United States.

Private entry.

Prices limited.

Improvements
to be paid for.

SEC. 3. *And be it further enacted,* That previous to offering the aforesaid town and out lots at public sale, the President of the United States shall cause the value of any improvements which may have been made thereon to be ascertained in such manner as he may prescribe for that purpose; and the purchaser at public sale of any lot upon which there are such improvements, other than the owner thereof, shall, in addition to the sum to be paid to the United States, be, and hereby is, required to pay to the owner of the improvements, the value of them as thus ascertained; and, if payment therefor shall not be made upon the day on which the same was purchased, the lot shall be again offered at public sale on the next day of sale, and such persons shall not be capable of becoming the purchaser of that or of any other lot offered at that

Payment on
day of sale, &c.

public sale: *Provided*, That, if any lot so offered and bid off on the last day of the public sale shall not be thus paid for, the same may be entered at private sale, upon paying to the United States the sum at which it was bid off, and to the owner of the improvements the previously ascertained value thereof: *And provided further*, That the President be not authorized to offer any part of said town lots for sale, till he shall be satisfied that the site proposed for said town is not included within the limits of any conflicting Spanish title, which may not be released, or decided to be invalid.

APPROVED, March 2, 1833.

Lots not to be offered for sale, until, &c.

STATUTE II.

CHAP. XCIV.—*An Act granting an additional quantity of land for the location of revolutionary bounty land warrants.*

March 2, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the further quantity of two hundred thousand acres of land be, and the same is hereby, appropriated, in addition to the quantity heretofore appropriated by the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth May, one thousand eight hundred and thirty, and the act, entitled "An act to extend the time of issuing military land warrants to officers and soldiers of the revolutionary war," approved the thirteenth July, one thousand eight hundred and thirty-two; which said appropriations shall be applied in the manner provided by the said acts, to the unsatisfied warrants, whether original or duplicate, which have been or may be issued as therein directed, to the officers and soldiers, and others, as described in said acts: *Provided*, That the said certificates of scrip shall be receivable in payment of any of the public lands liable to sale at private entry.

Further appropriation of land.

Act of May 30, 1830, ch. 215. 1832, ch. 205.

Application of it.

Proviso.

APPROVED, March 2, 1833.

STATUTE II.

CHAP. XCV.—*An Act to extend the provisions of the act of the third March, one thousand eight hundred and seven, entitled "An Act to prevent settlements being made on lands ceded to the United States, until authorized by law."*

March 2, 1833.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all offences prescribed in the act, entitled "An Act to prevent settlements being made on lands ceded to the United States until authorized by law," approved the third of March, one thousand eight hundred and seven," when committed upon public lands not situated within any state, or organized territorial government, shall be cognisable in the district court of the United States held in the state nearest where the said offence may have been committed: and the offenders, upon conviction, shall be punished accordingly. And the said court shall also have jurisdiction to hear and determine all suits or prosecutions, instituted for the recovery of all fines and penalties imposed by the said act.

Act of March 3, 1807, ch. 46. Offences cognisable in the district court of United States, &c.

SEC. 2. *And be it further enacted*, That it shall be lawful for the President of the United States, to direct the Indian agents at Prairie du Chien, and Rock Island, or either of them, when offences against the said act shall be committed on lands recently acquired by treaty from the Sac and Fox Indians, to execute and perform all the duties required by the said act to be performed by the marshals in such mode as to give full effect to the said act, in and over the lands acquired as aforesaid.

Offences committed on lands acquired from Sac and Fox Indians.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

[Obsolete.]

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

Board of commissioners to be created.

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 three commissioners, who shall form a board, whose duty it shall be to receive and examine all claims which may be presented to them under the convention between the United States and the king of the Two Sicilies, of the fourteenth day of October, one thousand eight hundred and thirty-two, 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 board shall have a secretary, versed in the French and Italian languages, and a clerk, both to be appointed by the President, by and with the advice and consent of the Senate; and the commissioners, secretary and clerk, shall, before they enter on the duties of their offices, take oath well and faithfully to perform the duties thereof.

Duties.

Secretary and clerk.

Oath.

Rules and regulations.

SEC. 2. *And be it further enacted,* That the said commissioners shall be, and they are 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 their said commission into full and complete effect.

Board to meet within thirty days after exchange of ratifications, &c.

SEC. 3. *And be it further enacted,* That the members of the board so constituted shall meet at the city of Washington, and their salaries shall begin to be allowed within thirty days after the exchange of the ratifications of the convention shall have been proclaimed by the President of the United States; and within one year from the time of said meeting, they shall terminate their duties. And the Secretary of State is required, as soon as the said proclamation of the President shall have been made, to give notice of the said meeting; to be published in two newspapers in Washington, and in such other papers as he may think proper.

Notice of meeting.

Records, &c. to be delivered to the board.

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 claims, shall be delivered to the commission 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 each of the said commissioners, at the rate of three thousand dollars per annum; to the secretary of the board, 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 commission, 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.

Contingent expenses.

Appropriation.

Awards to be reported.

SEC. 6. *And be it further enacted,* That the said commissioners shall report to the Secretary of State a list of all the several awards made by them; a certified copy thereof shall be by him transmitted to the Secretary of the Treasury, who shall thereupon distribute in rateable proportions, among the persons in whose favour the awards 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 favour

Distribution of moneys received.

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 net proceeds of the general instalments, payable by the Neapolitan government, shall have been received, such proportions thereof shall be paid to the legal holders of the said certificates.

Certificates.

Payments to holders.

Instalments to be received, &c.

SEC. 7. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, to cause the several instalments, with the interest thereon payable to the United States, in virtue of the said convention, to be received from the Neapolitan government, and transferred to the United States, in such manner as he may deem best, and the net proceeds thereof to be paid into the treasury, and the same are hereby appropriated, to satisfy the awards herein provided for.

Appropriation.

SEC. 8. *And be it further enacted*, That all communications to and from the secretary of the board of commissioners, on the business of the commission, shall pass by mail, free of postage.

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.

Deposit for records, &c.

APPROVED, March 2, 1833.

STATUTE II.

March 2, 1833.

CHAP. XCVII.—*An Act to authorize the governor of the territory of Arkansas to sell the land granted to said territory by an act of Congress approved the fifteenth of June, one thousand eight hundred and thirty-two, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, whenever the governor of the territory of Arkansas shall furnish to the Secretary of the Treasury a sufficient description of the boundaries of the thousand acres of land, granted by an act of Congress of the fifteenth of June, one thousand eight hundred and thirty-two, to the territory of Arkansas, for the erection of a courthouse and jail in the town of Little Rock, in the territory aforesaid, it shall be the duty of the Secretary of the Treasury to cause a patent to be issued for said thousand acres of land, to the governor of Arkansas, and his successors in office, in trust, for the benefit of the territory of Arkansas, for the purpose of erecting a courthouse and jail at Little Rock.

Act of June 15, 1832, ch. 129.
Patent for one thousand acres of land to issue.

SEC. 2. *And be it further enacted*, That the governor of the said territory of Arkansas be, and he is hereby, fully empowered and authorized to lay off into town lots, conforming, as near as practicable to the present plan of the town of Little Rock, so much of said grant of a thousand acres of land as he may deem advisable so to be appropriated; and that he be further authorized to sell the same, from time to time, as the public interest may require; and the residue of said grant, which may not be laid off into town lots corresponding with the plan of the said town of Little Rock, he shall be authorized to dispose of, in such lots or parcels as he may deem advisable; but in no case shall he be authorized to sell, unless he shall give public notice of such sale by an advertisement in one or more newspapers printed in the territory of Arkansas; and said sale shall be public at the courthouse in the town of Little Rock.

Part of land to be laid off in town lots, and to be sold.

Residue to be disposed of in lots or parcels, after public notice of sale.

SEC. 3. *And be it further enacted*, That, in case suitable situations cannot be had, free of cost to the territory, for the location of the state-house, as well as for the courthouse and jail in the town of Little Rock, the governor aforesaid shall be, and he is hereby, fully authorized to select and lay off suitable squares for each of those buildings, within the addition hereunto authorized to be added to the town of Little Rock;

Squares for the statehouse, and courthouse and jail.

and that the squares so selected and laid off shall be appropriated to the use of the respective buildings for which they may be designated, and for no other purpose whatsoever, for ever.

Deeds for lots sold.

SEC. 4. *And be it further enacted*, That the governor shall execute deeds for the lots he may sell under the provisions of this act, to purchasers, so soon as the purchasers shall pay off entirely the amount they may have bid for any lot or lots, and all sales shall be for cash.

Proceeds to be applied to erection of a courthouse and jail, and surplus to erection of governor's house.

SEC. 5. *And be it further enacted*, That so soon as the governor aforesaid shall dispose of lots, he shall apply the proceeds of said sales to the erection of a good and substantial courthouse and jail; and, after these shall have been completed, should there be any funds remaining, it shall be the duty of said governor, to apply the surplus thus remaining to the erection of a suitable and permanent house for the residence of the present and future governors of Arkansas, during their continuance in office.

APPROVED, March 2, 1833.

RESOLUTIONS.

Feb. 19, 1833.

I. A RESOLUTION *authorizing the delivery of certain papers in the Department of State to the commissioners for settling claims under the treaty with France, of the second of February, one thousand eight hundred and thirty-two.*

Secretary of State to deliver evidence of certain claims.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of State be, and he is hereby, authorized to deliver to the commissioners for the settlement of claims under the treaty with France, ratified and confirmed on the second day of February, one thousand eight hundred and thirty-two, the evidences of any claim submitted to, and rejected by the commissioners for the settlement of claims under the treaty with Spain, which was made on the twenty-second day of February, one thousand eight hundred and nineteen, and finally ratified and confirmed on the twenty-second day of February, one thousand eight hundred and twenty-one, which evidences shall be returned to the Department of State when the commission shall expire.

APPROVED, February 19, 1833.

March 2, 1833.

II. A RESOLUTION *in relation to the execution of the act supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution."*

Act of June 7, 1832, ch. 126.
Revolutionary pensioners.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That, in the execution of the act supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution," approved June seventh, one thousand eight hundred and thirty-two, whenever it shall be made to appear that any applicant for a pension under said act entered the army of the revolution, in pursuance of a contract with the government, made previous to the eleventh day of April, one thousand seven hundred and eighty-three, and continued in service until after that period, it shall be the duty of the Secretary of War to compute the period of any such applicant's service, from the time he then entered the army, and until the date of the definitive treaty of peace, and to allow him a pension accordingly.

APPROVED, March 2, 1833.

IV. A RESOLUTION *authorizing the Secretary of War to correct certain mistakes.* March 2, 1833.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That if it shall be made satisfactorily to appear to the Secretary of War, that in the treaties concluded in one thousand eight hundred and thirty-two, with the Pattawatamie Indians, in the state of Indiana, that in the proper schedules accompanying the same, mistakes were made in writing the names of persons to whom payments were to be made, such mistakes may be corrected and the payments made accordingly.

APPROVED, March 2, 1833.

V. A RESOLUTION *providing for the continuation of Gales and Seaton's compilation of state papers.* March 2, 1833.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the provisions of the act of the second of March, one thousand eight hundred and thirty [one], authorizing a subscription to a compilation of congressional documents, be, and the same are hereby, extended to the continuation of said compilation proposed to be executed by Gales and Seaton; and that the copies of the said continuation, when completed, shall be distributed to the members of the twenty-second Congress, and in such other manner as Congress shall hereafter direct: *Provided,* The said continuation shall be limited to eight volumes.

Act of March 2, 1831, ch. 65.

APPROVED, March 2, 1833.

VI. A RESOLUTION *to place thirty copies of the diplomatic correspondence of the American revolution at the disposition of the Secretary of State.* March 2, 1833.

Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That thirty copies of Sparks' Diplomatic Correspondence of the revolution, now in the custody of the clerk of the House of Representatives, be placed at the disposition of the Secretary of State, for the use of the diplomatic agents of the United States in foreign countries.

APPROVED, March 2, 1833.